

Resolution 2020 - _____

Vacating a part of two public utility easements in "Sunset Groves Unit Two" Subdivision, Merritt Island, Florida, lying in Section 10, Township 24 South, Range 36 East

WHEREAS, pursuant to Article II, Section 86-36, Brevard County Code, a petition has been filed by **KEVIN ZARI AND SERENELLA CIRANNI ZARI** with the Board of County Commissioners to vacate a portion of two public utility easements in Brevard County, Florida, described as follows:

SEE ATTACHED SKETCH & DESCRIPTION

WHEREAS, the vacating action will in no way affect any private easements which may also be present in the existing public easement(s) or public right-of-way, nor does this action guarantee or transfer title.

WHEREAS, notice of the public hearing before the Board of County Commissioners was published one time in the TODAY Newspaper, a newspaper of general circulation in Brevard County, Florida, prior to the public hearing; and

WHEREAS, the Board finds that vacating a portion of two public utility easements will not be detrimental to Brevard County or the public.

THEREFORE BE IT RESOLVED that said portion of two public utility easements is hereby vacated; and Brevard County renounces and disclaims any rights in and to said easements. Pursuant to Section 177.101(5), Florida Statutes, the vacating shall not become effective until a certified copy of this resolution is filed in the offices of the Clerk of Courts and recorded in the Public Records of Brevard County.

DONE, ORDERED AND ADOPTED, in regular session, this 19th day of May, 2020 A.D.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

ATTEST:

SCOTT ELLIS, CLERK

Bryan Lober, Chair

As approved by the Board on:
May 19, 2020

Brevard County Property Appraiser Detail Sheet

Account 2443364

Owners Zari, Kevin J; Zari, Serenella Ciranni

Mailing Address 3341 Biscayne Dr Merritt Island FL 32953

Site Address 3341 Biscayne Dr Merritt Island FL 32953

Parcel ID 24-36-10-07-D-2

Property Use 0110 - Single Family Residence

Exemptions HEX1 - Homestead First

HEX2 - Homestead Additional

Taxing District 2200 - Unincorp District 2

Total Acres 1.07

Subdivision Sunset Groves Unit 2

Site Code 0802 - Two Lots

Plat Book/Page 0041/0034

Land Description Sunset Groves Unit 2 Lots 2 & 3 Blk D

VALUE SUMMARY

Category	2019	2018	2017
Market Value	\$465,070	\$462,630	\$415,310
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$304,850	\$299,170	\$293,020
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$25,000	\$25,000	\$25,000
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$254,850	\$249,170	\$243,020
Taxable Value School	\$279,850	\$274,170	\$268,020

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
03/02/2005	--	QC	Improved	5429/7832
03/02/2005	--	QC	Improved	5429/7831
09/30/1997	\$34,100	WD	Vacant	3708/4357

Fig. 1: Copy of Property Appraiser's detail sheet for lots 2, 3, Block D, Sunset Groves Unit 2, 3341 Biscayne Dr, Merritt Island, FL 32953, Section 10, Township 24 South, Range 36 East, District 2

Vicinity Map

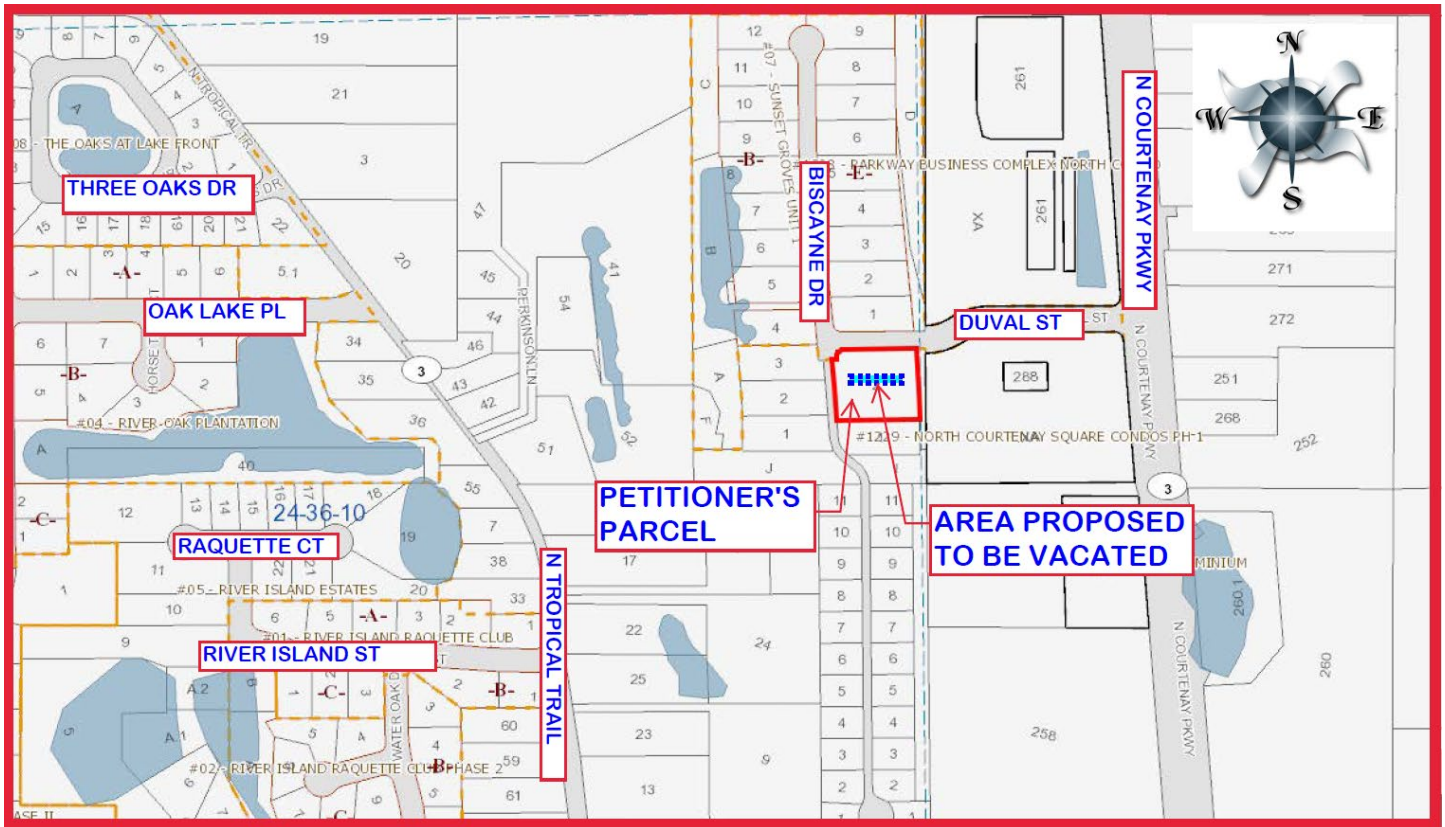


Fig. 2: Map of Lots 2 & 3, Block D, Sunset Groves Unit Two, 3341 Biscayne Dr, Merritt Island, FL 32953

Kevin Zari & Serenella Ciranna Zari – Lots 2 & 3, Block D, “Sunset Groves Unit Two” (Plat Book 41, Page 34) – 3341 Biscayne Drive – Section 10, Township 24 South, Range 36 East – District 2 – Proposed Vacating of two 7.5 ft. Wide Public Utility Easements centered along the Common Lot Lines

Aerial Map

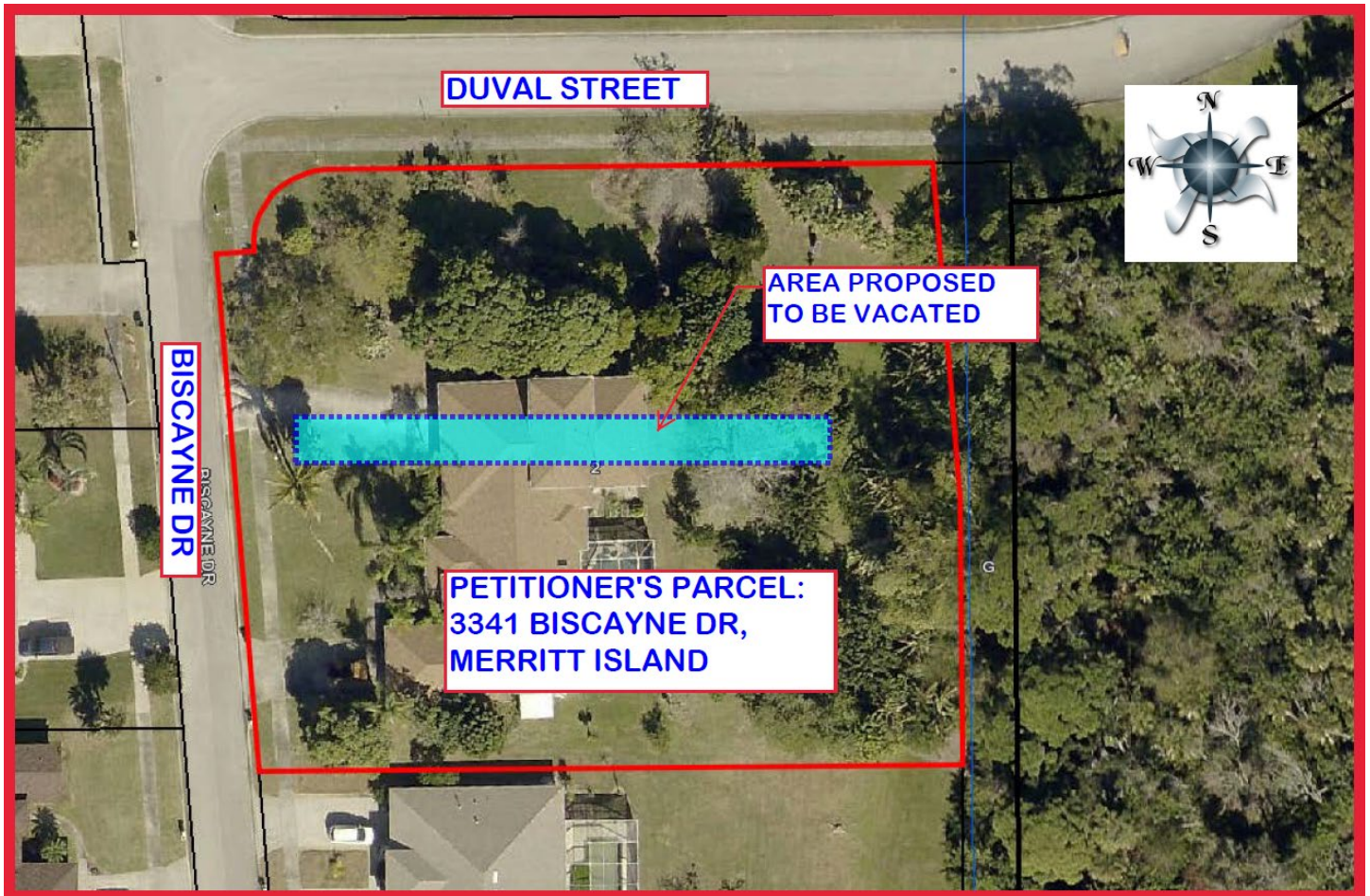


Fig. 3: Map of aerial view of Lots 2 & 3, Block D, Sunset Groves Unit Two, 3341 Biscayne Dr, Merritt Island, FL 32953

Kevin Zari & Serenella Ciranna Zari – Lots 2 & 3, Block D, “Sunset Groves Unit Two” (Plat Book 41, Page 34) – 3341 Biscayne Drive – Section 10, Township 24 South, Range 36 East – District 2 – Proposed Vacating of two 7.5 ft. Wide Public Utility Easements centered along the Common Lot Lines

Plat Reference

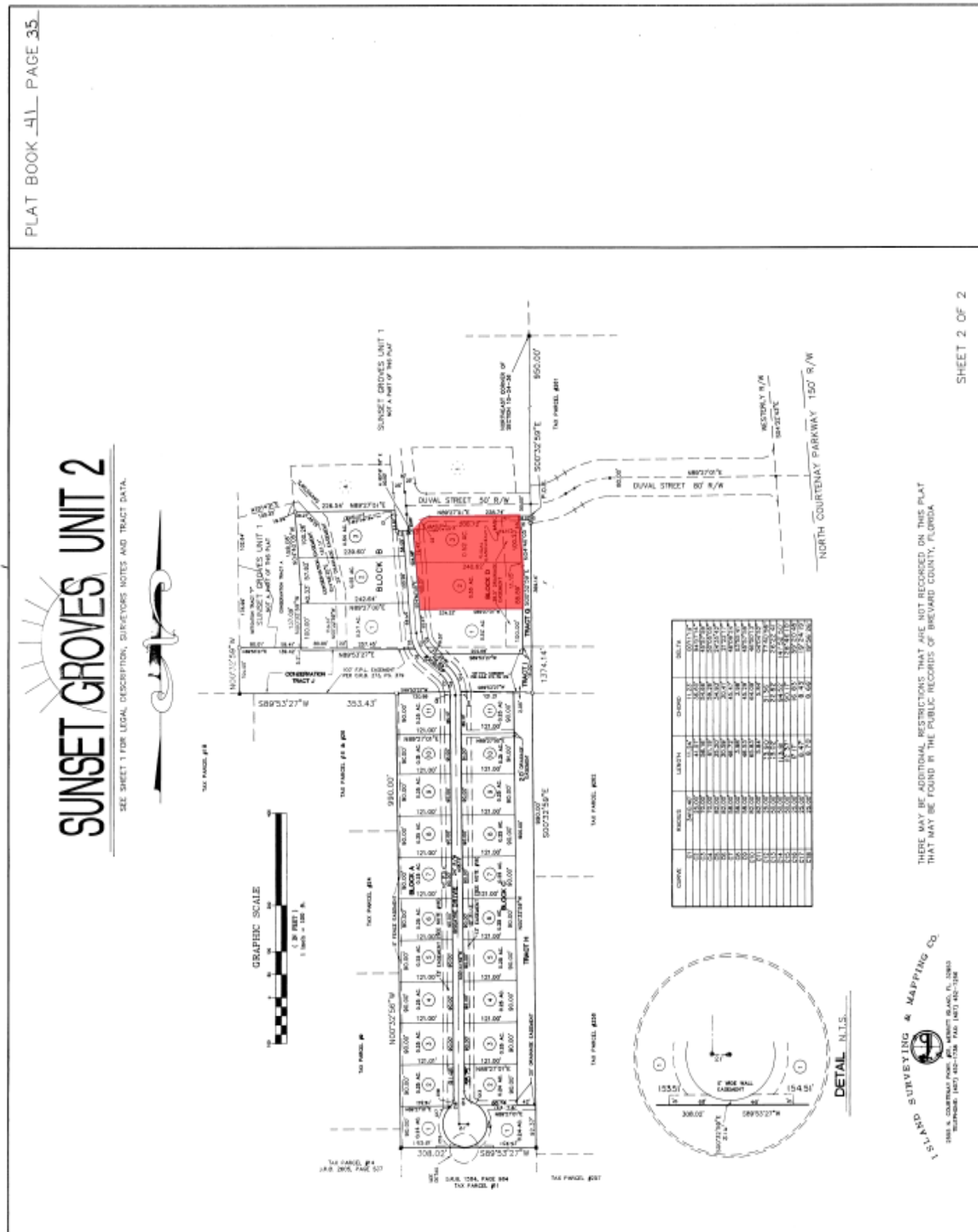


Fig. 4: Copy of plat map "Sunset Groves Unit Two" dedicated to Brevard County February 13, 1995

Petitioner's Sketch & Description Sheet 1 of 2

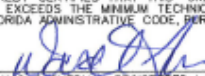
LEGAL DESCRIPTION (NOT A SURVEY) SECTION 10, TOWNSHIP 24 SOUTH, RANGE 36 EAST BREVARD COUNTY, FLORIDA		
PURPOSE OF SKETCH AND DESCRIPTION: TO VACATE TWO, 7.5' WIDE UTILITY EASEMENTS.		
LEGAL DESCRIPTION: THE 7.5 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE NORTHERLY LINE OF LOT 2 AND THE 7.5 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE SOUTHERLY LINE OF LOT 3, BLOCK D, LESS THE WEST 23 FEET WIDE EASEMENT FOR SIDEWALKS, PUBLIC INGRESS/EGRESS, DRAINAGE AND PUBLIC UTILITIES, AND LESS THE EAST 38.5 FEET DRAINAGE EASEMENT. LOT 2 & LOT 3 BLOCK D OF SUNSET GROVES UNIT 2 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 41 AT PAGE 34 & 35 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 2684 SQUARE FEET, MORE OR LESS.		
SURVEYORS NOTES: 1) THE BEARING BASE FOR THIS SURVEY IS A PLATTED BEARING OF N89°27'01"E ALONG THE SOUTHERN RIGHT OF WAY OF DUVAL STREET, ALL OTHER BEARINGS ARE RELATIVE THERETO. 2) NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN. NO TITLE OPINION IS EXPRESSED OR IMPLIED. 3) THIS SKETCH IS NOT INTENDED TO LOCATE EXISTING UNDERGROUND FOUNDATIONS, ENCROACHMENTS, OR ANY IMPROVEMENTS EXCEPT AS SHOWN. 4) THIS SKETCH IS NOT A BOUNDARY SURVEY. 5) THE INFORMATION WAS PROVIDED BY THE CLIENT. 6) IMPROVEMENTS SHOWN HEREON ARE BASED ON THE SURVEY PREPARED BY CAMPBELL SURVEYING, ENGINEERING & PLANNING, PROJECT NO. 2018-237, DATED 06/30/2018. 7) UPON A SITE VISIT DATED 03/20/2020, NO NEW IMPROVEMENTS WERE OBSERVED BASED ON THE BOUNDARY SURVEY PERFORMED BY CAMPBELL; SURVEY DATED: 06-30-2018 PROJECT# 2018-237, OTHER THAN THOSE SHOWN.		
PROJECT ADDRESS: 3341 BISCAYNE DR MERRITT ISLAND FL 32953 PARCEL ID: 24-36-10-07-D-2 DATE: 03/20/2020		SKETCH TO ACCOMPANY LEGAL DESCRIPTION PREPARED FOR: KEVIN J ZARI SERENELLA CRANN
PROJECT# SKETCH_24-36-10-07-D-2 SHEET: 1 OF 2 NOT VALID WITHOUT THE SKETCH ON SHEET 2 OF 2	TOTAL CONTROL SURVEYS, LLC 555 FILLMORE AVE. APT 508 CAPE CANAVERAL, FLORIDA 32920-3180 PROFESSIONAL SURVEYOR & MAPPER LICENSED BUSINESS L.B. #8263 EMAIL: INFO@TOTAL-CONTROL-SURVEYS.COM PHONE: (860) 712-7776	Total Control Surveys, LLC LAND SURVEYING AND MAPPING THE UNDERSIGNED, AS REPRESENTATIVE OF TOTAL CONTROL SURVEYS, LLC LB#8263, HEREBY CERTIFIES THAT THIS "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY CHAPTER 51-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.  DAVID C. SHERMAN REGISTERED LAND SURVEYOR LS#7182 MARCH 20, 2020 DATE



Fig. 5: Sheet 1 of 2. Legal description for 7.50 foot easements on lots 2 and 3, Block D, Sunset Groves Unit Two.

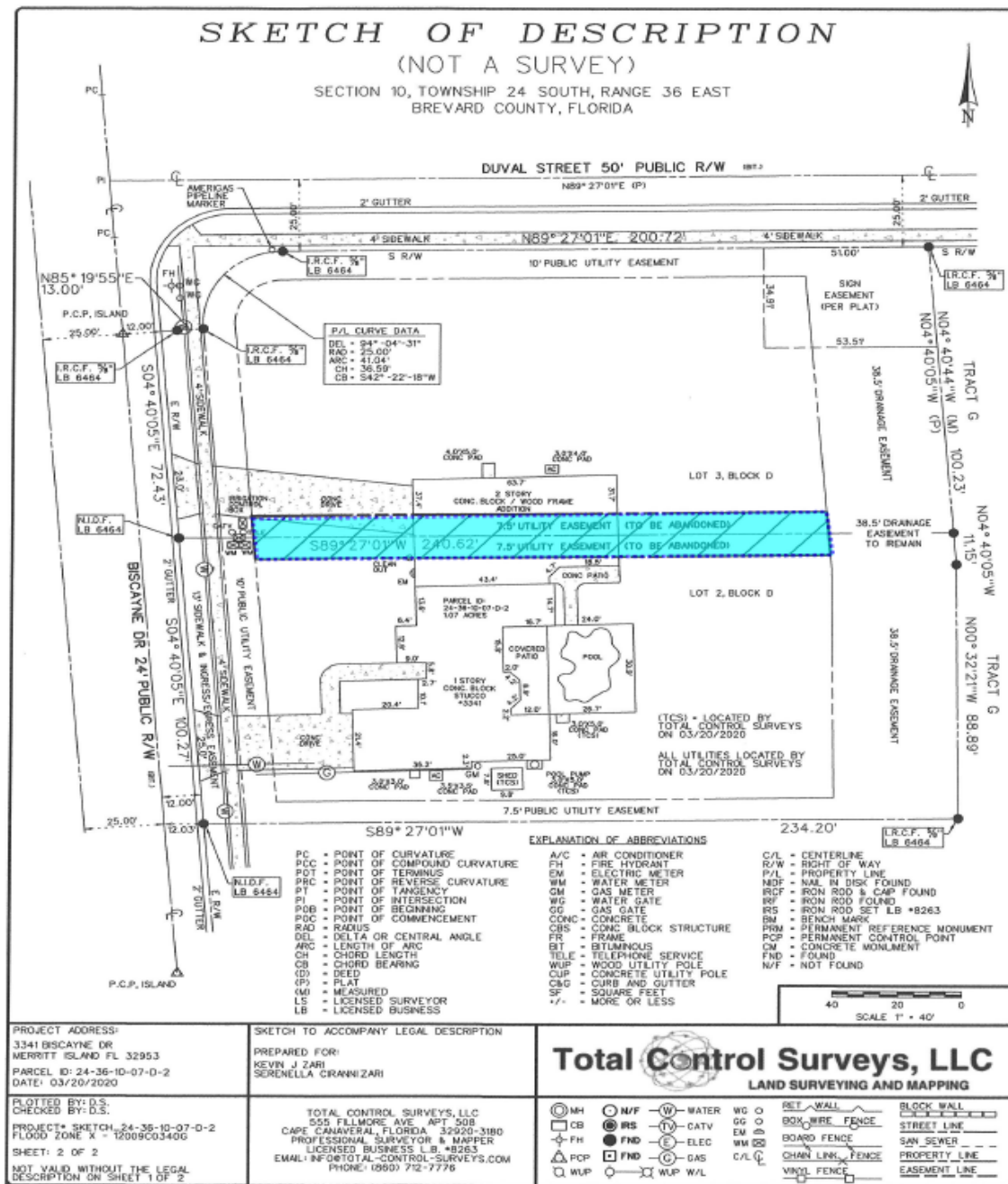


Fig. 6: Sheet 2 of 2. Not valid without legal description on sheet 1 of 2. Sketch illustrates 2 lots (2 and 3) that reside on Biscayne Drive, Merritt Island, Florida. Lot 2 is on the South side while Lot 3 is on the North side. A 7.5-foot public utility lies along the southerly line of lot 3 and a 7.5-foot public easement lies along the northerly line of lot 2. Lots 2 and 3 have a single-family home, storage shed, pool and concrete driveways. The coordinates of the area depicted is as follows moving North to East clockwise. North boundary – North 89°27'01" East 200.72', East boundary – North 04°40'44" West 189.12', South boundary – South 89°27'01" West 234.20', West boundary – South 04°40'05" East 172.70'. Project Sketch_24-36-10-07-D-2. Survey date: 3/20/20.

Comment Sheet

Applicant: Kevin & Serenella Zari

Updated by: Amber Holley 20200407 at 16:30 hours

Utilities	Notified	Received	Approved	Remarks
FL City Gas Co	20200407	20200408	Yes	No objections
FL Power & Light	20200407	20200407	Yes	No objections
At&t	20200407	20200408	Yes	No objections
Charter/Spectrum	20200407	20200420	Yes	No objections
City of Cocoa	20200407	20200407	Yes	No objections

County Staff	Notified	Received	Approved	Remarks
Road & Bridge	20200407	20200420	Yes	No objections
Land Planning	20200407	20200407	Yes	No objections
Utility Services	20200407	20200408	Yes	No objections
Storm Water	20200407	20200407	Yes	No objections
Zoning	20200407	20200408	Yes	No objections

Fig. 7: Copy of comment sheet for utility review.

Public Hearing Legal Advertisement

AD#4171251, May 4, 2020

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF TWO 7.5 FT. WIDE PUBLIC UTILITY EASEMENTS, PLAT OF "SUNSET GROVES UNIT 2" IN SECTION 10, TOWNSHIP 24 SOUTH, RANGE 36 EAST, MERRITT ISLAND, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by **KEVIN ZARI & SERENELLA CIRANNI ZARI** with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THE 7.5 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE NORTHERLY LINE OF LOT 2 AND THE

7.5 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE SOUTHERLY LINE OF LOT 3, BLOCK D, LESS THE WEST 23 FEET WIDE EASEMENT FOR SIDEWALKS, PUBLIC INGRESS/EGRESS, DRAINAGE AND PUBLIC UTILITIES, AND LESS THE EAST 38.5 FEET DRAINAGE EASEMENT. LOT 2 & LOT 3 BLOCK D OF SUNSET GROVES UNIT 2 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 41 AT PAGE 34 & 35 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 2684 SQUARE FEET, MORE OR LESS. PREPARED BY: DAVID C. SHERMAN, PSM

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at **9:00 A.M. on May 19, 2020** at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense.

The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.

Fig. 8: Copy of public hearing advertisement as published on May 04, 2020 see next page for full text.

Legal Notice Text

Requested by: Public Works Department of Brevard County, Florida
Corrina Gumm / Interim Director
By: Amber Holley / Vacating Acquisition & Review Specialist

Florida Today:
Please advertise in the **May 04, 2020** issue of Florida TODAY.

PLEASE NOTE! Please use account #BRE-6BR327 and Purchase Order No. 4500092228-10, forward invoice and proof of publication to Amber Holley, Brevard County Public Works Dept., Surveying & Mapping Program, 2725 Judge Fran Jamieson Way, Room A-220, Viera, FL, 32940

LEGAL NOTICE

NOTICE FOR THE PARTIAL VACATING OF TWO 7.5 FT. WIDE PUBLIC UTILITY EASEMENTS, PLAT OF "SUNSET GROVES UNIT 2" IN SECTION 10, TOWNSHIP 24 SOUTH, RANGE 36 EAST, MERRITT ISLAND, FL

NOTICE IS HEREBY GIVEN that pursuant to Chapter 336.09, Florida Statutes, and Chapter 86, Article II, Section 86-36, Brevard County Code, a petition has been filed by KEVIN ZARI & SERENELLA CIRANNI ZARI with the Board of County Commissioners of Brevard County, Florida, to request vacating the following described property, to wit:

THE 7.5 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE NORTHERLY LINE OF LOT 2 AND THE 7.5 FOOT PUBLIC UTILITY EASEMENT LYING ALONG THE SOUTHERLY LINE OF LOT 3, BLOCK D, LESS THE WEST 23 FEET WIDE EASEMENT FOR SIDEWALKS, PUBLIC INGRESS/EGRESS, DRAINAGE AND PUBLIC UTILITIES, AND LESS THE EAST 38.5 FEET DRAINAGE EASEMENT. LOT 2 & LOT 3 BLOCK D OF SUNSET GROVES UNIT 2 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 41 AT PAGE 34 & 35 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. CONTAINING 2684 SQUARE FEET, MORE OR LESS.
PREPARED BY: DAVID C. SHERMAN, PSM

The Board of County Commissioners will hold a public hearing to determine the advisability of such vacating of the above-described easement at **9:00 A.M.** on **May 19, 2020** at the Brevard County Government Center Board Room, Building C., 2725 Judge Fran Jamieson Way, Viera, Florida, at which time and place all those for or against the same may be heard before final action is taken.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the board, agency, or commission with respect to the vacating, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Persons seeking to preserve a verbatim transcript of the record must make those arrangements at their own expense.

The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting/hearing is contacted at least 48 hours prior to the public meeting/hearing by any person wishing assistance.