



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 6630, **Version:** 1

Subject:

Petition to Vacate, Re: Public Rights-of-ways - Virginia Avenue & Maple Street - "June Park Addition No. 3" Plat Book 4, Page 74 - Melbourne - Andrew W. Powshok - District 5

Fiscal Impact:

The petitioners are charged \$640. These fees are deposited in Fund 0002-30265 revenue account for vacatings.

Dept/Office:

Public Works Department - Surveying & Mapping

Requested Action:

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating part of two public rights-of-ways (Virginia Ave & Maple St), "June Park Addition No. 3" in Section 13, Township 28 South, Range 36 East. If approved, it is requested that the Board authorize the Chair to sign the attached Resolution approving the vacating.

Summary Explanation and Background:

Florida Statutes, Section 336.09 and Brevard County Article II, Section 86-36, provide a method for the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioner owns Lots 24-31, Block 130, and is requesting the vacating of the remaining portion of two unopened public rights-of-ways adjacent to Lots 24-31, Block 130 to allow for the connection to water, sewer, and the annexation into the City of West Melbourne. The rights-of-ways to be vacated contain 13,754.00 square feet, (0.32 AC) more or less. The property is located in Melbourne North of Norfolk Pkwy and West of I-95.

On February 26, 2024, the legal notice was advertised in Florida Today informing the public of the date a public hearing would be held to consider the vacating.

All pertinent county agencies and public utility companies have been notified and no objections have been received. Several objections have been communicated to staff about the property owner being able to access the private roads without paying HOA fees, but the property has an ingress/egress easement granted across the private roads from the developer of the Sawgrass Lakes plat and recorded in the Official Records Book 7484, page 328 and was a requirement for the previously vacated rights-of-ways to not land lock the parcel. Name: Amber.Holley@brevardfl.gov Phone: Ext. 58346

Clerk to the Board Instructions:

Advertise Approved Resolution Notice and Record Vacating Resolution Documents as one resolution type document which in sequence includes the approved/signed resolution, the proof of publication of the public

hearing notice, and the proof of publication of the adopted resolution notice.