



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 1590, **Version:** 1

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### **Subject:**

Petition to Vacate, Re: Public Utility Easements - 3341 Biscayne Drive - "Sunset Groves Unit Two" Plat Book 41, Page 34 - Merritt Island - Kevin Zari and Serenella Ciranni Zari - District 2

### **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 a public utility easement centered along the common line between Lots 2 and 3, Block D, "Sunset Groves Unit Two" in Section 10, Township 24 South, Range 36 East. If approved, it is requested that the Board authorize the Chairman 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 to the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioners own Lots 2 and 3, Block D and are requesting the vacating of the 7.50 ft. wide public utility easements centered along the common line between the lots to remove the single-family home from encroaching into the easements. Easements to be vacated contains 2,684 square feet, more or less. The property is located in Merritt Island North of Highway 528 and West of North Courtenay Pkwy.

May 04, 2020, 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. At this time, no objections have been received.

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### **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.