



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 2803, **Version:** 1

Subject:

Petition to Vacate, Re: Public Utility Easements - 946 & 948 Pecan Circle - "Barefoot Bay Unit Two Part Twelve" Plat Book 22, Page 79 - Barefoot Bay - Barry Southard and Valerie Gallo - District 3

Fiscal Impact:

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

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 utility easements between Lots 5 and 6, Block 117, "Barefoot Bay Unit Two Part Twelve" in Section 10, Township 30 South, Range 38 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 to the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioners own Lots 5 and 6, Block 117 and are requesting the vacating of the portions of two 6.00 ft. wide public utility easements lying between lots 5 and 6, Block 117 to allow for a single-family home to be built between both lots. Easement to be vacated contains 720 square feet, more or less. The property is located in Barefoot Bay North of Micco Road and West of US Highway 1.

April 19, 2021, 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.