



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 3754, **Version:** 1

Subject:

Petition to Vacate, Re: Public Utility Easement- 410 Artemis Blvd - "Diana Shores Unit No 8" Plat Book 24, Pages 78 - Merritt Island - Kerei H. Stampfel - 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, "Diana Shores Unit No 8" in Section 24, Township 24 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 to the Board of County Commissioners to vacate and abandon unused rights-of-way and easements. The petitioner owns Lot 86, Block J and is requesting the vacating of a portion of a 5.00 ft. wide public utility easement lying on the East side of Lot 86, Block J to allow for the existing covered deck to remain. The covered deck was built without a building permit by the current homeowner. The homeowner is trying to correct the issue with permit # 21BC07256. This was created by Code Enforcement case # 21CE00360. Staff has concluded that the area between lot 86 and 85 are not currently being used for any utilities or drainage. Easement to be vacated contains 79 square feet or 0.002 acres, more or less. The property is located in Merritt Island North of Highway 520 and East of State Road 3.

January 24, 2022, 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.

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.