



DATE: July 11, 2024

CASE #: VE-5-2024

# PUBLIC WORKS DEPARTMENT STAFF REPORT

## REQUEST TO VACATE EASEMENT

**PROPOSAL:** Vacation of Easement is requested to vacate the North 10 feet, of the South 20-foot Public Utility & Drainage Easement, less the West and East 6-foot Public Utility & Drainage Easements thereof, containing 710 square feet or 0.016 acres, more or less, of Lot 21, Block 310, Port Malabar Unit 10, according to the Plat thereof, as Recorded in Plat Book 15, Pages 10-19, of the Public Records of Brevard County, Florida. For the installation of a shed in the backyard.

**LOCATION:** 574 Hatcher Street SE  
(Lot 21, Block 310, Port Malabar Unit 10)

**APPLICANT:** Jose Taveras Ortiz and Olga M. Gomez Sanchez

### SITE DATA

**PRESENT ZONING:** RS-2 – Single-Family Residential

**AREA OF VACATING:** 710 square feet, more or less

<b>ADJACENT ZONING &amp; LAND USE:</b>	<b>N</b>	RS-2 – Single-Family Residential
	<b>E</b>	RS-2 – Single-Family Residential
	<b>S</b>	Melbourne-Tillman Water Control District Canal No. 49
	<b>W</b>	RS-2 – Single-Family Residential

**STAFF ANALYSIS:**

Vacation of Public Utility and Drainage Easement of a portion of Lot 21, Block 310, Port Malabar Unit 10, according to the Plat thereof, as Recorded in Plat Book 15, Pages 10-19, of the Public Records of Brevard County, Florida, being the North 10 feet, of the South 20-foot Public Utility & Drainage Easement, less the East and West 6-foot Public Utility & Drainage Easements thereof, containing 710 square feet or 0.016 acres, more or less. For the installation of a shed in the backyard.

Florida Power and Light, AT&T, Spectrum, and Melbourne-Tillman Water Control District have no objections to the vacating request.

The City of Palm Bay's Departments have the following comments relating to the vacating request. It should be noted that city policy allows for the approval of a vacation request for the first 10 feet, along Melbourne-Tillman Water Control District (MTWCD) owned canals, if there are no obvious issues of conflict.

Staff has no adverse comments regarding removal of the North 10 feet, of the South 20-foot Public Utility & Drainage Easement, less the East and West side 6-foot Public Utility & Drainage Easements thereof, containing 710 square feet or 0.016 acres, more or less, of Lot 21, Block 310, Port Malabar Unit 36, according to the Plat thereof, as Recorded in Plat Book 15, Pages 10-19, of the Public Records of Brevard County, Florida, for the installation of a shed in the backyard.

**STAFF RECOMMENDATION:**

Staff recommends approval of the vacating of easement.

# SKETCH & DESCRIPTION

SECTION 6, TOWNSHIP 29 SOUTH, RANGE 37 EAST  
(NOT A BOUNDARY SURVEY)

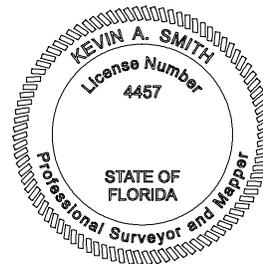
SHEET 1 OF 2  
NOT VALID WITHOUT THE  
SKETCH ON SHEET 2 OF 2

## LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF LOT 21, BLOCK 310 "PORT MALABAR UNIT TEN" AS RECORDED IN PLAT BOOK 15, PAGES 10-19, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; COMMENCE AT THE SOUTH WEST CORNER OF SAID LOT 21, BLOCK 310, NORTH 00°35'50" EAST ALONG THE WEST LINE OF SAID LOT 21, A DISTANCE OF 20 FEET; THENCE SOUTH 89°24'10" EAST A DISTANCE OF 6 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°24'10" EAST, A DISTANCE OF 71 FEET TO A POINT ON THE EAST LINE OF A 6 FOOT EASEMENT ON SAID LOT 21, BLOCK 310; THENCE SOUTH 00°35'50" WEST, A DISTANCE OF 10 FEET; THENCE NORTH 89°24'10" WEST, A DISTANCE OF 71 FEET TO THE WEST LINE OF A 6 FOOT EASEMENT ON SAID LOT 21, BLOCK 310; THENCE NORTH 00°35'50" EAST, A DISTANCE OF 10 FEET TO THE POINT OF BEGINNING.

## SURVEYORS NOTES:

1. SEE BOUNDARY SURVEY



PREPARED BY:



1350 MALABAR ROAD S.E., SUITE 1, PALM BAY, FLORIDA 32907  
Phone (321)724-2940 Fax(321)951-4879  
E-MAIL: SMITHSURVEYINGFL @ GMAIL.COM

KEVIN A. SMITH - FLORIDA CERTIFICATE NO. 4457  
(NOT VALID UNLESS SIGNED AND SEALED)

PREPARED FOR: JOSE TRAVERAS

DRAWN BY: B. ROBERSON  
DATE: OCT. 6, 2023

CHECKED BY: KAS  
SHEET 1 OF 2

DRAWING NO. 23-1287  
REVISIONS \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SECTION 6  
TOWNSHIP 29 SOUTH  
RANGE 37 EAST

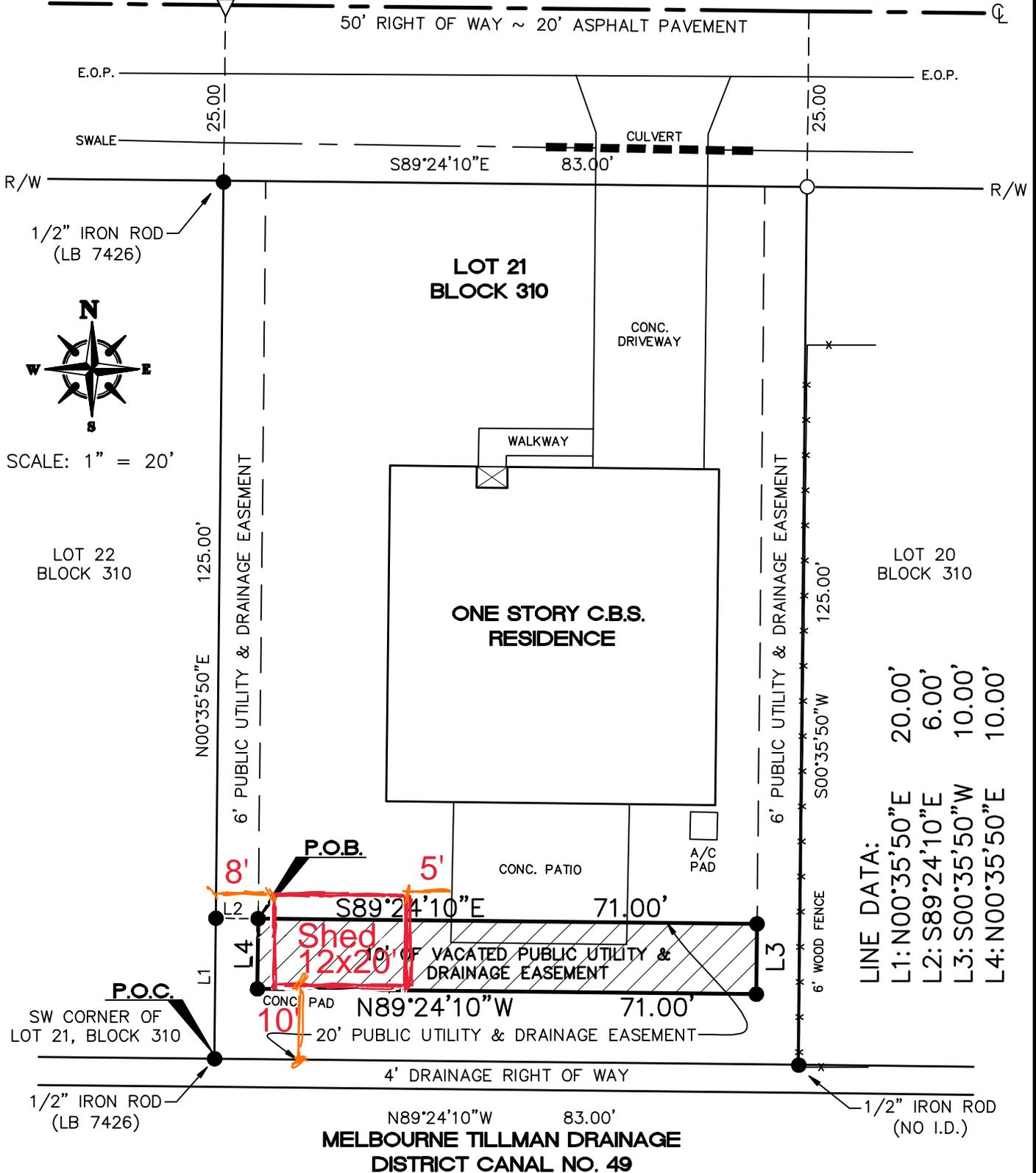


# SKETCH & DESCRIPTION

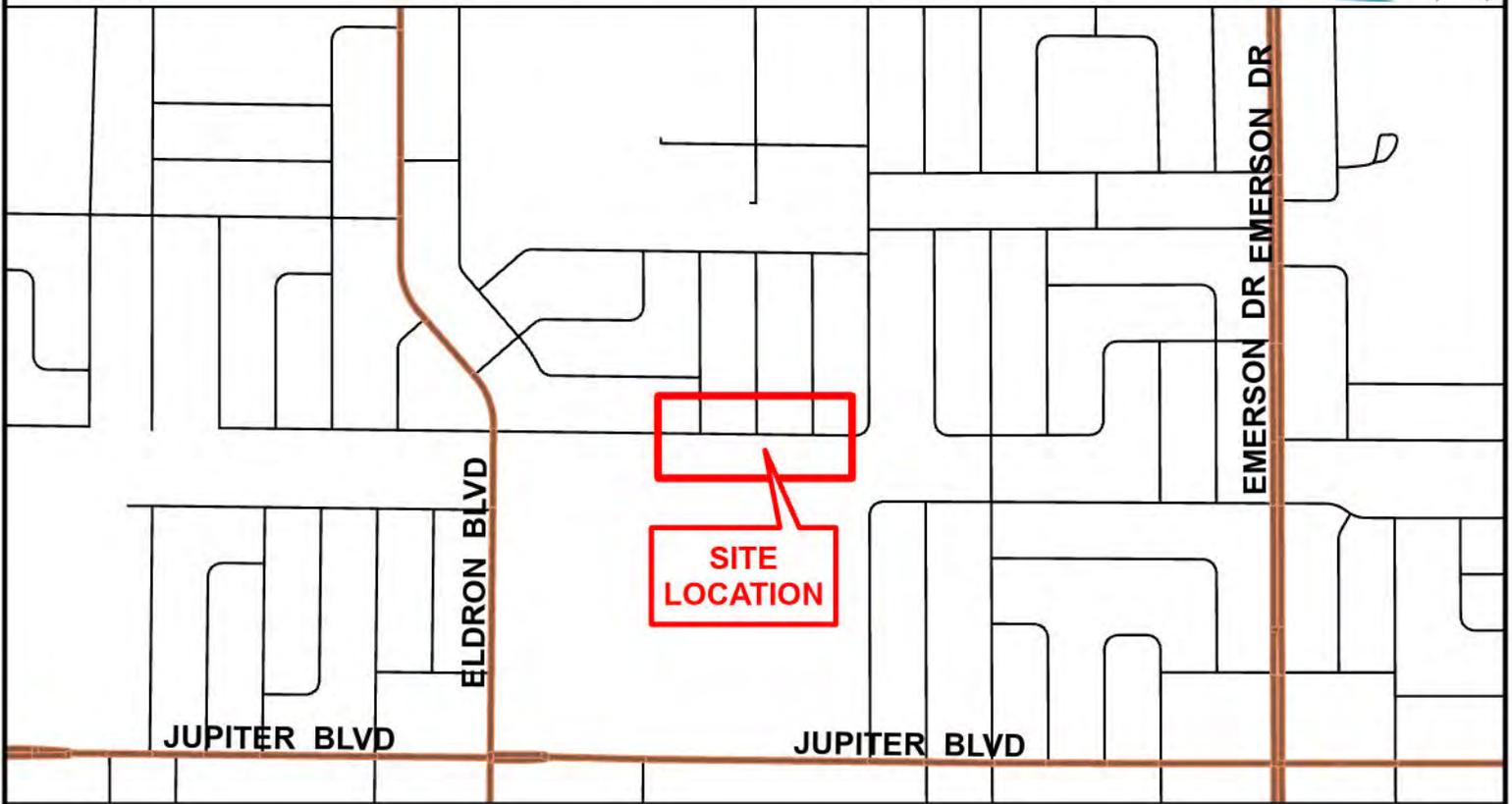
SECTION 6, TOWNSHIP 29 SOUTH, RANGE 37 EAST  
(NOT A BOUNDARY SURVEY)

SHEET 2 OF 2  
NOT VALID WITHOUT THE LEGAL  
DESCRIPTION ON SHEET 1 OF 2

## HATCHER STREET

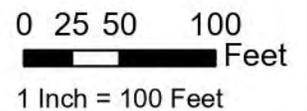


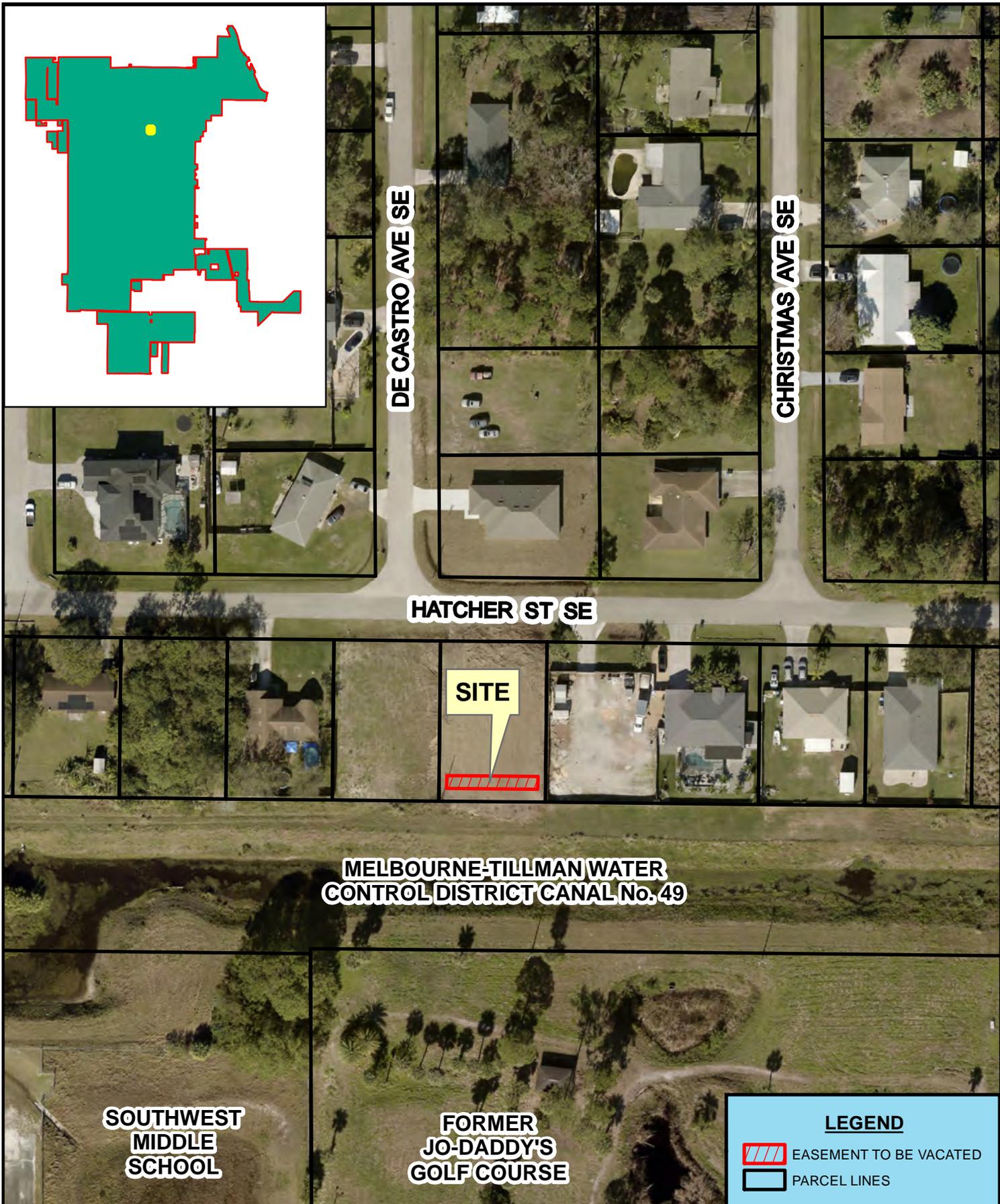
# LOCATION MAP



Map is for illustrative purposes only!  
Not to be construed as binding or a survey.  
Map created by the City of Palm Bay  
Public Works Department (RSD), on May 29, 2024.

## VE-5-2024





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# LOCATION MAP

## VE-5-2024

0 25 50 100  
 Feet  
 1 inch = 100 feet

<b>Account Number:</b>	1127256
<b>Customer Name:</b>	City Of Palm Bay
<b>Customer Address:</b>	City Of Palm Bay 120 Malabar Rd Se attn: Accounts Payable Palm Bay FL 32907-3009
<b>Contact Name:</b>	Bonnie Hall
<b>Contact Phone:</b>	
<b>Contact Email:</b>	Bonnie.Hall@palmbayflorida.org
<b>PO Number:</b>	

<b>Date:</b>	05/30/2024
<b>Order Number:</b>	10229977
<b>Prepayment Amount:</b>	\$ 0.00

<b>Column Count:</b>	1.0000
<b>Line Count:</b>	43.0000
<b>Height in Inches:</b>	0.0000

**Print**

Product	#Insertions	Start - End	Category
BRE Brevard Florida Today	1	06/04/2024 - 06/04/2024	Public Notices
BRE floridatoday.com	1	06/04/2024 - 06/04/2024	Public Notices

As an incentive for customers, we provide a discount off the total order cost equal to the 3.99% service fee if you pay with Cash/Check/ACH. Pay by Cash/Check/ACH and save!

Total Cash Order Confirmation Amount Due	\$91.01
Tax Amount	\$0.00
Service Fee 3.99%	\$3.63
Cash/Check/ACH Discount	-\$3.63
Payment Amount by Cash/Check/ACH	\$91.01
Payment Amount by Credit Card	\$94.64

<b>Order Confirmation Amount</b>	<b>\$91.01</b>
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## Ad Preview

Ad#10229977 6/4/2024

### CITY OF PALM BAY, FLORIDA NOTICE OF PUBLIC HEARING

Notice is hereby given that City Council of the City of Palm Bay will hold a public hearing on July 11, and July 18, 2024, at 6:00 p.m. at the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida to consider application requesting vacation of the following described properties:

#### 1. Case No. Vacating Easement -5-2024

Vacation of Easement is requested to vacate the North 10 feet of the South 20-foot Public Utility & Drainage Easement, less the East and West 6 foot Public Utility & Drainage Easement, containing 710 square feet or 0.016 acres, more or less, of Lot 21, Block 310, Port Malabar Unit 10, according to the Plat thereof, as Recorded in Plat Book 15, Pages 10 - 19, of the Public Records of Brevard County, Florida. For installation of a shed in the back yard.

If an individual decides to appeal any decision made by City Council with respect to any matter considered at these meetings, a record of the proceedings will be required, and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim.

Valentino Perez  
Palm Bay Public Works Director