



DATE: May 16, 2024

CASE #: VE-4-2024

PUBLIC WORKS DEPARTMENT STAFF REPORT

REQUEST TO VACATE EASEMENT

PROPOSAL: Vacation of Easement is requested to vacate the Southerly 8 feet, of the Northerly 20-foot Public Utility & Drainage Easement, less the Westerly and Easterly 6-foot Public Utility & Drainage Easements, thereof containing 544 square feet or 0.012 acres, more or less, of Lot 19, Block 1107, Port Malabar Unit 23, according to the Plat thereof, as Recorded in Plat Book 16, Pages 19-28, of the Public Records of Brevard County, Florida. For the construction a swimming pool in the backyard.

LOCATION: 1025 Westport Street SE
(Lot 19, Block 1107, Port Malabar Unit 23)

APPLICANT: Sherry Denise Pollard

SITE DATA

PRESENT ZONING: RS-2 – Single-Family Residential

AREA OF VACATING: 544 square feet, more or less

ADJACENT ZONING	N	RS-2 – Single-Family Residential
& LAND USE:	E	RS-2 – Single-Family Residential
	S	RS-2 – Single-Family Residential
	W	RS-2 – Single-Family Residential

STAFF ANALYSIS:

Vacation of Public Utility and Drainage Easement of a portion of Lot 19, Block 1107, Port Malabar Unit 23, according to the Plat thereof, as Recorded in Plat Book 16, Pages 19-28, of the Public Records of Brevard County, Florida, being the Southerly 8 feet, of the Northerly 20-foot Public Utility & Drainage Easement, less the East and West 6-foot Public Utility & Drainage Easements, thereof containing 544 square feet or 0.012 acres, more or less. For the construction of a swimming pool in the backyard.

Florida Power and Light, AT&T, and Spectrum 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 5 feet, along city owned canals, and the next 3 feet (8' vacation, preserving 12' easement) on a case-by-case basis, if there are no obvious issues of conflict.

Staff has no adverse comments regarding removal of the Southerly 8 feet, of the Northerly 20-foot Public Utility & Drainage Easement, less the East and West side 6-foot Public Utility & Drainage Easements thereof, containing 544 square feet or 0.012 acres, more or less, of Lot 19, Block 1107, Port Malabar Unit 23, according to the Plat thereof, as Recorded in Plat Book 16, Pages 19-28, of the Public Records of Brevard County, Florida, for the construction of a swimming pool in the backyard.

STAFF RECOMMENDATION:

Staff recommends approval of the vacating of easement.

**DESCRIPTION TO ACCOMPANY SKETCH
EASEMENT FOR POOL
1025 WESTPORT STREET SE, PALM BAY, FL 32909
(NOT VALID WITHOUT SHEETS 1 & 2)**

LEGAL DESCRIPTION:

A PORTION OF LOT 19, BLOCK 1107, PORT MALABAR UNIT TWENTY THREE; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 19, RUN NORTH 36 DEGREES, 41 MINUTES, 24 SECONDS WEST, A DISTANCE OF 105.00 FEET ALONG THE WEST LINE OF LOT 19; THENCE NORTH 53 DEGREES 18 MINUTES 36 SECONDS EAST, A DISTANCE OF 6.00 FEET TO THE POINT OF BEGINNING. THENCE NORTH 36 DEGREES, 41 MINUTES, 24 SECONDS WEST, A DISTANCE OF 8.00 FEET ALONG A LINE PARALLEL TO SAID WEST LINE; THENCE NORTH 53 DEGREES, 18 MINUTES, 36 SECONDS EAST, A DISTANCE OF 68.00 FEET; THENCE SOUTH 36 DEGREES 41 MINUTES 24 SECONDS EAST, A DISTANCE OF 8.00 FEET; THENCE SOUTH 53 DEGREES 18 MINUTES 36 SECONDS WEST, A DISTANCE OF 68.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 544 SQUARE FEET +/- , 0.01 ACRES (CALCULATED)

SURVEYORS NOTES:

1. THIS DESCRIPTION IS BASED UPON A SURVEY BY GSS SURVEYING & MAPPING, LLC, DATED 05-10-23.
2. THIS SKETCH EXISTS SOLELY FOR THE PURPOSE OF ILLUSTRATING THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED.
3. ALL DIMENSIONS ARE CALCULATED UNLESS OTHERWISE NOTED.
4. THIS SKETCH MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS IN CHAPTER 5J17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

GSS SURVEYING & MAPPING, LLC.
CERTIFICATE OF AUTHORIZATION NUMBER LB 8006

PROFESSIONAL SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE

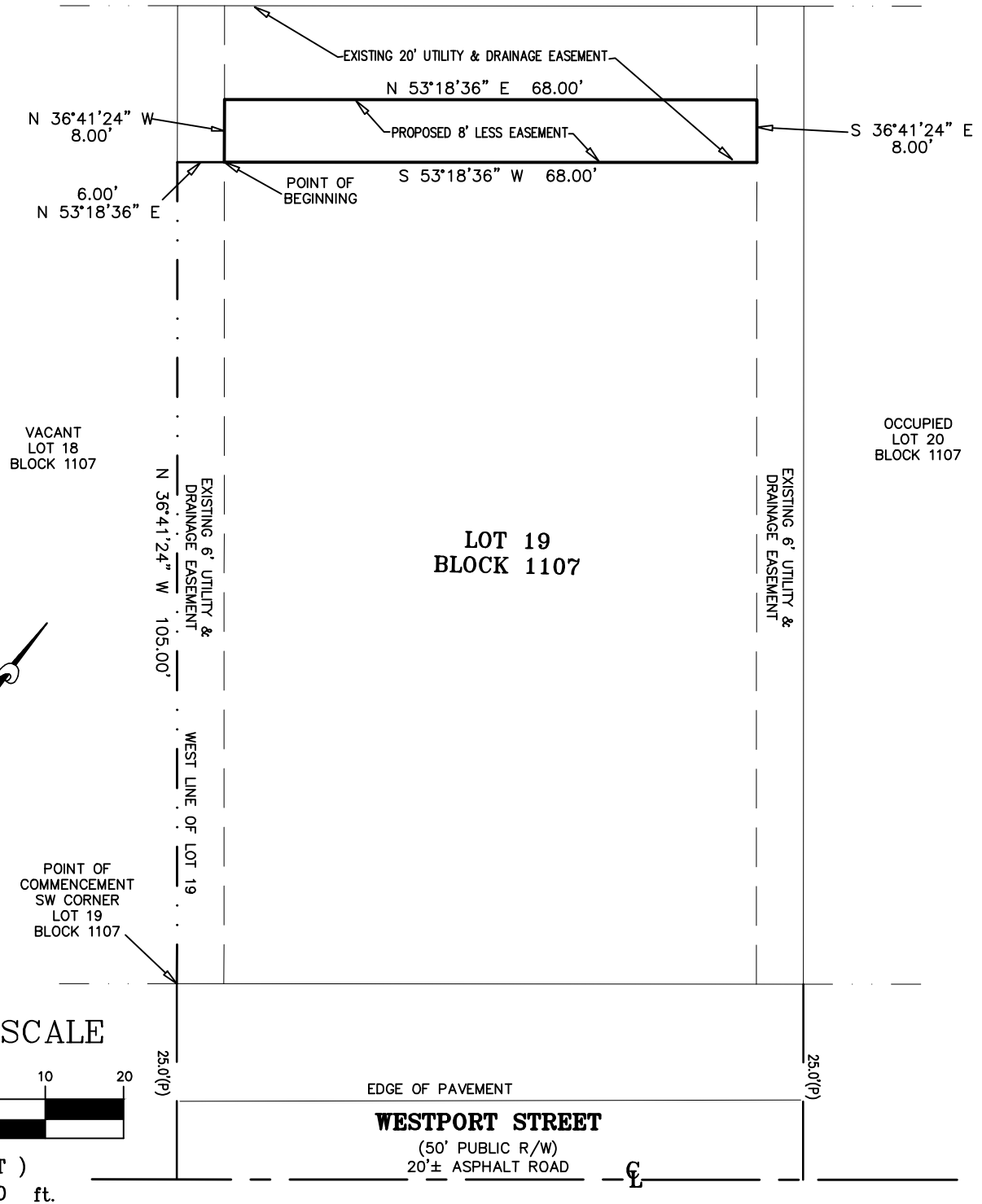
TERRY H. DRUM PROFESSIONAL SURVEYOR AND MAPPER NO. 5597
OR
DAVID M. JONES, PROFESSIONAL SURVEYOR AND MAPPER NO. 3909

NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OR DIGITAL SIGNATURE
AND DIGITAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

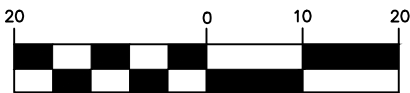
THIS IS NOT A BOUNDARY SURVEY

UPDATES and/or REVISIONS	ADDED SIDE EASEMENTS 04-16-2024																											
DATE 02-26-2024				PREPARED FOR: SHERRY D. POLLARD																								
<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 25%;">JOB #: 21-0984 SKETCH-DESC</td><td style="width: 25%; text-align: center;">GSS Surveying and Mapping, LLC 700 22nd Place Suite 2A Vero Beach, FL 32960 772-696-5300</td><td style="width: 25%; text-align: center;"> GSS SURVEYING & MAPPING</td><td style="width: 25%; text-align: center;">GSS Surveying and Mapping, LLC 4620 Lipscomb St NE Suite 2 Palm Bay, FL 32905 321-914-3978</td></tr><tr><td>DRAWN BY: EAD</td><td colspan="3"></td></tr><tr><td>CHECKED BY: JTD</td><td colspan="3"></td></tr><tr><td>FIELD BOOK: N/A</td><td colspan="3"></td></tr><tr><td>PAGE: 1 OF 2</td><td colspan="3"></td></tr><tr><td>FIELD DATE: N/A</td><td colspan="3"></td></tr></table>					JOB #: 21-0984 SKETCH-DESC	GSS Surveying and Mapping, LLC 700 22 nd Place Suite 2A Vero Beach, FL 32960 772-696-5300	 GSS SURVEYING & MAPPING	GSS Surveying and Mapping, LLC 4620 Lipscomb St NE Suite 2 Palm Bay, FL 32905 321-914-3978	DRAWN BY: EAD				CHECKED BY: JTD				FIELD BOOK: N/A				PAGE: 1 OF 2				FIELD DATE: N/A			
JOB #: 21-0984 SKETCH-DESC	GSS Surveying and Mapping, LLC 700 22 nd Place Suite 2A Vero Beach, FL 32960 772-696-5300	 GSS SURVEYING & MAPPING	GSS Surveying and Mapping, LLC 4620 Lipscomb St NE Suite 2 Palm Bay, FL 32905 321-914-3978																									
DRAWN BY: EAD																												
CHECKED BY: JTD																												
FIELD BOOK: N/A																												
PAGE: 1 OF 2																												
FIELD DATE: N/A																												

DESCRIPTION TO ACCOMPANY SKETCH
EASEMENT FOR POOL
1025 WESTPORT STREET SE, PALM BAY, FL 32909
(NOT VALID WITHOUT SHEETS 1 & 2)



GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.

SCALE 1:20 (1" = 20')

THIS IS NOT A BOUNDARY SURVEY

UPDATES and/or REVISIONS	ADDED SIDE EASEMENTS 04-16-2024			
DATE 02-26-2024				PREPARED FOR: SHERRY D. POLLARD

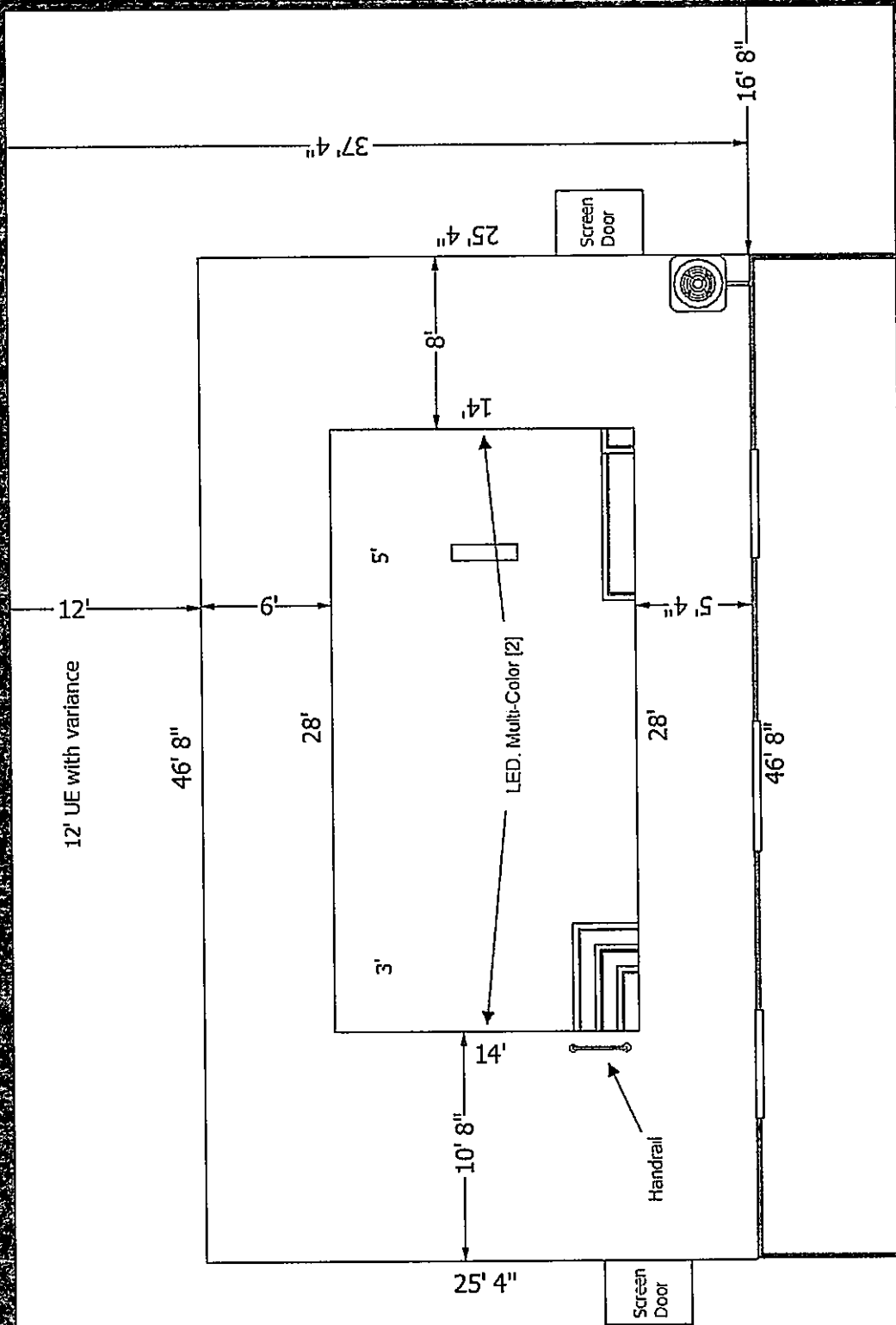
JOB #: 21-0984 SKETCH-DESC
DRAWN BY: EAD
CHECKED BY: JTD
FIELD BOOK: N/A
PAGE: 2 OF 2
FIELD DATE: N/A

GSS Surveying and Mapping, LLC
700 22nd Place
Suite 2A
Vero Beach, FL 32960
772-696-5300



GSS Surveying and Mapping, LLC
4620 Lipscomb St NE
Suite 2
Palm Bay, FL 32905
321-914-3978

DESIGN PLANS



ACCESS:
Standard 8'+
Clearance



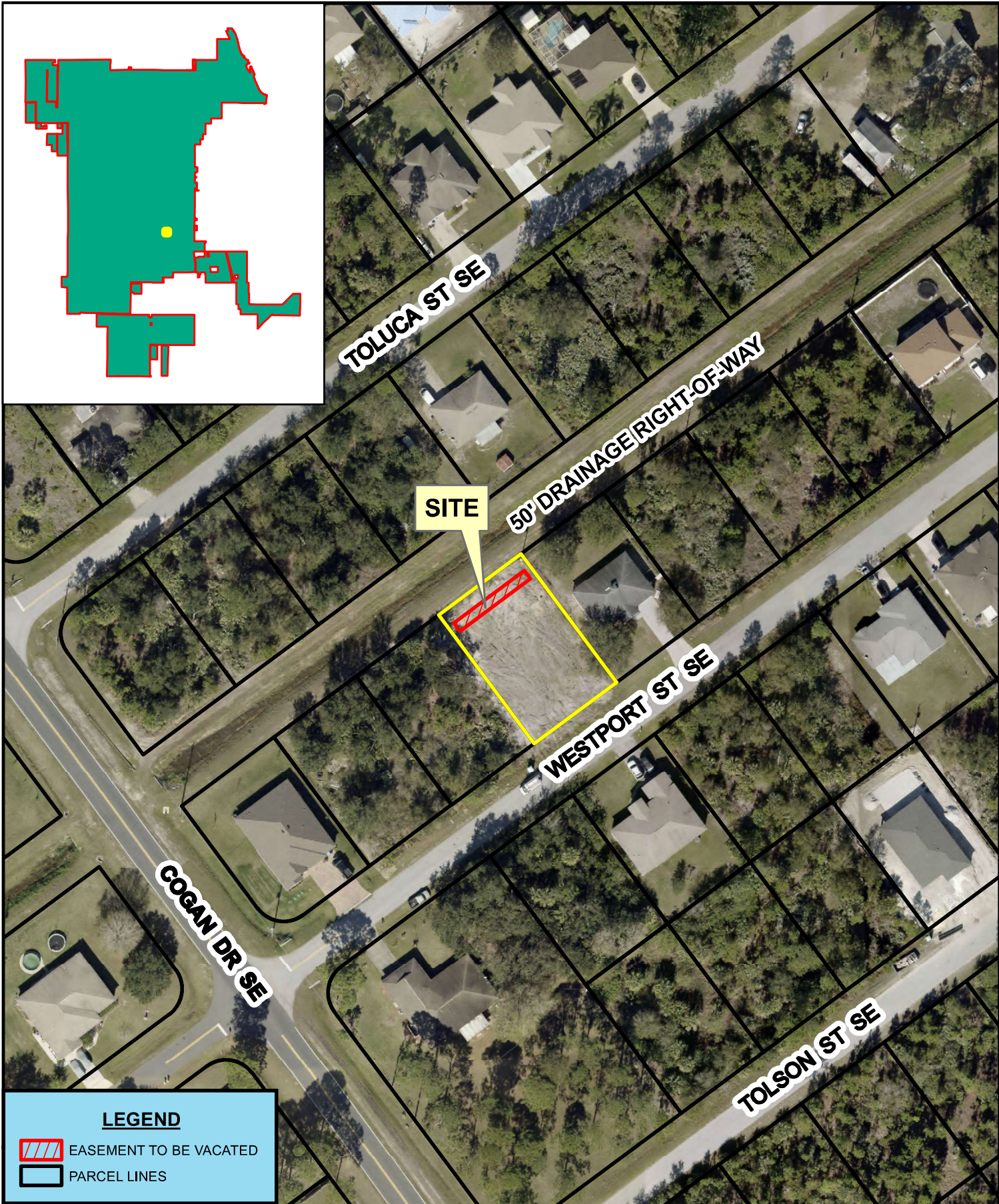
LOCATION MAP



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 April 17, 2024.

VE-4-2024

0 25 50 100
Feet
1 inch = 100 feet



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 April 17, 2024.

LOCATION MAP VE-4-2024

0 25 50 100
 Feet
1 inch = 100 feet



Florida

PO Box 631244 Cincinnati, OH 45263-1244

GANNETT

AFFIDAVIT OF PUBLICATION

Scott Dexter
attn: Accounts Payable
City Of Palm Bay
120 Malabar Rd Se
Palm Bay FL 32907-3009

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Florida Today, a daily newspaper published in Brevard County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Govt Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

05/01/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 05/01/2024

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$93.08
Order No: 10118289 # of Copies:
Customer No: 1127256 1
PO #: Vaca Easement 4-2024

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

VICKY FELTY
Notary Public
State of Wisconsin

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 May 16, and July 2, 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 - 4-2024

Vacation of Easement is requested to vacate the Southerly 8 feet of the Northerly 20-foot Public Utilities & Drainage Easement, less the Easterly and Westerly 6 foot Public Utilities & Drainage Easement, containing 544 square feet or 0.012 acres, more or less, of Lot 19, Block 1107, Port Malabar Unit 23, according to the Plat thereof, as Recorded in Plat Book 16, Pages 19 - 28, of the Public Records of Brevard County, Florida. For construction of a pool 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
Pub: 5/1/24; #10118289