

**INDIAN RIVER COUNTY  
MEMORANDUM**

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TO: Jason E. Brown  
County Administrator

DEPARTMENT HEAD CONCURRENCE:

Phillip J. Matson, AICP  
Community Development Director

THROUGH: Rebeca Guerra, AICP, LEED-AP, CPD  
Chief, Environmental Planning  
& Code Enforcement

FROM: Kelly Buck  
Code Enforcement Officer

DATE: 4/26/2022

RE: Request for Release of conservation easements in Verolago Subdivision

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It is requested that the Board of County Commissioners formally consider the following information at its regular meeting of May 17th, 2022.

**DESCRIPTION AND CONDITIONS**

The Verolago Homeowners Association Inc. has petitioned the County for partial releases of conservation easements on lots 144 and 145 of Verolago Subdivision Phase 4, and lots 159 and 172 of Verolago Subdivision Phase 3. The HOA is requesting the partial easement releases as a means of abating violations of County land development regulations and the Verolago subdivision declaration of covenants, conditions and restrictions. The violations were created as a result of the placement of fill and lot grading encroachments into the conservation easements that occurred during construction of single-family homes on the subject lots. The encroachments were recently discovered by the HOA while they were performing native upland habitat maintenance and boundary survey activities within the preserves. To offset the partial conservation easement releases, the HOA is proposing to record conservation easements over the existing rear 20' landscape and maintenance easements on Verolago Phase 4 lots 108, 109, 110, and 111. The proposed conservation easements would result in a 654 square-foot increase in conservation easement area within the Verolago Subdivision.

**ANALYSIS**

The request has been reviewed by the County Public Works and Environmental Planning Divisions; and the County Surveyor. None of the reviewing agencies expressed an objection to the requested release of easements. Therefore, it is staff's position that the requested easement release would have no adverse impact on the subject properties or to other properties, and that the net result will be an overall increase in conservation easement area within Verolago.

**RECOMMENDATION**

Staff recommends that the Board, through adoption of the draft resolution, approve release of the conservation easements described in the draft resolution.

Attachments:

1. Map depicting easements proposed for release and recordation.
2. Draft County Resolution Releasing Easements.
3. Draft County Resolution attachments.

ease.bccmemo  
proj./appl. no. 2015110044/91997