

INDIAN RIVER COUNTY, FLORIDA BOARD MEMORANDUM

TO: Jason E. Brown, County Administrator

FROM: Richard B. Szpyrka, P.E., Public Works Director

SUBJECT: Unconditional Offer for a parcel of right-of-way located at 4740 58th Avenue, Vero Beach, Florida, owned by Paulette Brown

DATE: December 26, 2019

DESCRIPTION AND CONDITIONS

Paulette Brown owns a 0.98-acre parcel of property located at 4740 58th Avenue. This site is rectangular in shape with 146 feet of frontage along 58th Avenue and is 293 feet deep. The property is located inside the urban service boundary and is zoned RS-6, single family, up to six units per acre. The property is improved with a 4 bedroom, 3 bath, 2,090 sq. foot wood frame house built in 1990 which includes a two car garage. The site also contains a detached storage shed. This property is Ms. Brown's homestead property.

According to the appraisal report, the kitchen and master bath were recently improved within the last 5 years. Updates to other areas of the home appear to have been made to accommodate wheel chair access.

In order to accommodate the planned improvements to 58th Avenue, the County needs to acquire approximately 0.22 acres from Ms. Brown, 0.08 acres of which is encumbered by a Murphy Reservation. Site improvements lying within the area of take include approximately two thirds of the concrete circular drive, a majority of the front yard aesthetic pond, palm trees and some landscaping. Two brick pillars have been constructed at the entrance to the driveway, but the pillars lie within the Murphy Reservation. The home lies outside of the area of take and will be approximately 70 feet from the new right-of-way line. A copy of the sketch of the parent parcel, the part to be taken, and remainder are attached to this memorandum.

A recent appraisal establishes the value of the entire parcel at \$220,000. The partial taking was valued at \$44,516. Severance damages may apply as the take will result in a 22% reduction to the size of the property if the Murphy Reservation is ignored or 14% if the Murphy Reservation is used. Both the full and partial appraisals are attached.

While staff has been negotiating with Ms. Brown and her attorney, David Holloway, the Board is required to make an unconditional offer to Ms. Brown and provide her with a copy of the appraisal on which it is based. In the past, the Board has extended an offer of the appraised value plus 15% in order to defray possible attorney's fees. In this case the

appraised value of \$44,516.00 plus 15% would equal \$51,193.40. Staff is not recommending an offer based on a whole take as it cannot be justified based on construction plans. Also, Ms. Brown has expressed a desire to remain in her home she has owned since 2003. Although the home was damaged by a fire in April 2019 and is currently uninhabitable, staff was informed that Ms. Brown has hired a contractor to make repairs to the house.

A recent search of issued building permits has shown that a demolition permit (#2019120286) to remove the entire structure was issued to Lifestyle Homes Builders, Inc., by the County Building Division on December 6, 2019.

FUNDING

Funding is budgeted and available in account # 31521441-066120-15813, Optional Sales Tax/Right-of-Way/58th Avenue 4 lanes 26th Street to CR 510 in the amount of \$51,193.40.

RECOMMENDATION

Staff recommends the Board approve an unconditional offer to purchase the necessary right-of-way from Ms. Brown at a price of \$51,193.40.

ATTACHMENTS

58th Avenue ROW Required Exhibit
58th Avenue – Paulette Brown Property
Full Appraisal
Partial Appraisal

APPROVED AGENDA ITEM FOR JANUARY 7, 2020