

**INDIAN RIVER COUNTY
MEMORANDUM**

TO: Jason E. Brown
County Administrator

DEPARTMENT HEAD CONCURRENCE:

Stan Boling, AICP
Community Development Director

THROUGH: Roland M. DeBlois, AICP
Chief, Environmental Planning
& Code Enforcement

FROM: Kelly Buck
Code Enforcement Officer

DATE: January 3, 2019

RE: TRG CFG Project IV LLC's Request for Release and Replacement of a 25-Foot Wide Conservation Easement on Lots 34-46 of Huntington Place Subdivision

It is requested that the Board of County Commissioners formally consider the following information at its regular meeting of January 15, 2019.

DESCRIPTION AND CONDITIONS

The County has been petitioned by TRG CFG Project IV, LLC, owner of lots in Huntington Place Subdivision and 9.75 undeveloped acres at 6155 61st Street west of and adjacent to Huntington Place, for release of a 25-foot wide conservation easement on Lots 34-46 of Huntington Place. The purpose of the easement release request is to facilitate design and platting of the adjacent 9.75 acres as Phase 2 of Huntington Place, on which a replacement conservation easement of comparable size (0.69 acres) to that requested for release is to be established (see attached maps). The conservation easement proposed for release and replacement was established when the first phase of Huntington Place was platted to meet the County's native upland set-aside requirement (County Code Section 929.05). The proposed replacement conservation easement will meet the native upland set-aside requirement.

ANALYSIS

The 9.75 acre property has received County preliminary plat approval as Huntington Place Phase 2. Phase 2 consists of stormwater and landscape improvements (no new lots), including the proposed replacement conservation easement ("Tract K"), which will cover restored native uplands comparable to the easement area requested for release. Release of the 25-foot wide rear yard conservation easement on lots 34-46 and replacement with Tract K of Phase 2 is consistent with the approved Phase 2 preliminary plat. The applicant is to record the replacement easement, subject to County Attorney's Office approval, prior to or concurrent with County release of the 25-foot wide easement on the lots.

The request has been reviewed by the County's interdepartmental Technical Review Committee and by the County Attorney's Office. None of the reviewing agencies expressed an objection to the requested release of easement. Therefore, it is staff's position that the requested easement release (and replacement) would have no adverse impact to the subject property or to other properties.

RECOMMENDATION

Staff recommends that the Board, through adoption of the attached resolution, approve release of the 25-foot wide conservation easement described in the attached resolution, subject to the replacement easement described herein being recorded prior to or concurrently with recording of the easement release.

ATTACHMENTS

1. Map(s) depicting easement proposed for release.
2. Proposed County Resolution Releasing Easement.