

**INDIAN RIVER COUNTY  
MEMORANDUM**

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TO: Board of County Commissioners

THROUGH: John Titkanich, Jr.  
County Administrator

PREPARED BY: Rebeca A. Guerra, AICP, LEED-AP, CPD  
Chief, Environmental Planning & Code Enforcement Division

DATE: June 5, 2023

SUBJECT: Request for Release of a Portion of an Easement at 1150 41st Avenue

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It is requested that the Board of County Commissioners formally consider the following information at its regular meeting of June 20, 2023.

**DESCRIPTION AND CONDITIONS**

The County has been petitioned by Grace Lutheran Church, owner of 1150 41st Avenue, for release of approximately 3,447 square feet of an existing open space/conservation easement. The purpose of the request is to enable expansion of the existing outdoor play area that is used in association with onsite child care facilities. In order to offset the area being proposed for release, a new open space/conservation easement will be recorded over an approximately 3,467 square foot area in the northeast corner of the property (see attached maps).

**ANALYSIS**

The request has been reviewed by the Public Works Department, Environmental Planning Division, and the County Surveyor. None of the reviewing entities expressed an objection to the request. Therefore, it is staff's position that the request to release a portion of the easement would have no adverse impact on the subject property or to other properties.

**RECOMMENDATION**

Staff recommends that the Board, through adoption of the attached resolution, approve the release of a portion of the open space/conservation easement.

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Attachments:

1. Map Depicting Portion of Easement for Release
2. Map Depicting New Easement Created
3. Proposed Resolution Releasing Portion of Easement

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