

**INDIAN RIVER COUNTY
MEMORANDUM**

TO: Jason E. Brown
County Administrator

THROUGH: Roland M. DeBlois, AICP
Interim Community Development Director

Andrew Sobczak
Chief, Environmental Planning & Code Enforcement

FROM: Kelly Buck
Code Enforcement Officer

DATE: October 2, 2019

RE: Windsor Properties Request for Partial Release of Easements on Three Lots in Windsor PD Plat 9

It is requested that the Board of County Commissioners formally consider the following information at its regular meeting of October 8, 2019.

DESCRIPTION AND CONDITIONS

The County has been petitioned by Windsor Properties, owner of two beachfront lots and representative of a third at 10690, 10686, and 10666 Eton Way in Windsor PD Plat 9, for partial release of conservation easements on each lot. The purpose of the partial release of easements request, consisting of release of an eight-foot wide swath on the oceanfront dune portion of each lot, is to allow for dune crossover structures for beach access on each lot (see attached maps). To mitigate the area of conservation easements proposed for release, the applicant is recording conservation easements of similar area and environmental characteristics on other portions of each lot.

ANALYSIS

The request has been reviewed by AT&T; Florida Power & Light Corporation; Comcast Cable Services; the Indian River County Utilities Department; the County Road & Bridge and Engineering Divisions; the County Surveyor, the County Planning Division, and the U.S. Fish and Wildlife Service. None of the utility providers or reviewing agencies expressed an objection to the requested partial release of easements, conditioned upon the applicant recording replacement conservation easements prior to or concurrent with the release. Therefore, it is staff's position that the requested partial release of easements would have no adverse impact to environmental resource protection on the subject lots or other lots.

RECOMMENDATION

Staff recommends that the Board, through adoption of the attached resolution, approve partial release of conservation easements described in the attached resolution, conditioned upon the applicant recording replacement conservation easements prior to or concurrent with recording of the release.

Attachments:

1. Maps depicting easement portions proposed for release.
2. Proposed County Resolution Partially Releasing Easements.