

**INDIAN RIVER COUNTY, FLORIDA
MEMORANDUM**

TO: Board of County Commissioners

THROUGH: John Titkanich, Jr., ICMA-CM, AICP; County Administrator

PREPARED BY: Brandon C. Creagan, LEED Green Associate; Senior Planner,
Current Development

DATE: November 6, 2023

SUBJECT: Enterprise Leasing Company of Florida, LLC's Request for Abandonment
of a 30' Wide Platted Right-of-Way [ROWA-23-06-02 / 94070074 - 94465]

It is requested that the data herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of November 21, 2023.

DESCRIPTION AND CONDITIONS:

Enterprise Leasing Company of Florida, LLC, is requesting abandonment of a 30' wide platted right-of-way, west of Lot 7 and east of the FEC Railroad in the Vero Land Company's Subdivision per St. Lucie County Plat Book 3, Page 19, said lands now lying in Indian River County, Florida (see attachment 1). As required by the County land development regulations (LDRs), prior to the Technical Review Committee (TRC) meeting at which the subject petition was reviewed, staff notified by mail each property owner adjacent to the subject right-of-way. No questions or responses were received from any adjacent property owners. Additionally, all County departments and utility providers having jurisdiction or potential interests have reviewed the abandonment request and support the request.

At this time, the applicant requests that the subject portion of right-of-way be abandoned.

ANALYSIS:

Consistent with guidelines established by the Board of County Commissioners, this petition was reviewed by all County departments and utility providers having jurisdiction or potential interests within the subject 30-foot-wide strip of land reserved for a public road that is located west of Lot 7 and east of the FEC Railroad within the Vero Land Company's Subdivision. Upon review, all reviewing departments recommended approval, to support the request for abandonment. Therefore, all departments support the request for abandonment, and no easements are being retained within any portion of the area being abandoned. It should be noted that the proposed abandonment area will have no impact on the existing FEC Railroad right-of-way. If approved, the abandonment request will slightly increase the buildable area for the applicant's property and will ensure that any possible claim of right-of-way is abandoned adjacent to or within the bounds of the property.

As noted on the County Thoroughfare Plan, the subject right-of-way is not part of the County's major roadway system and is not needed for the thoroughfare system or for traffic circulation in the surrounding neighborhood. In this case, the subject right-of-way does not provide primary access to any property. The abandonment will not affect the right of convenient access to any surrounding properties. Also, the County Attorney's Office has reviewed and approved the attached abandonment resolution for legal form and sufficiency.

RECOMMENDATION:

Staff recommends that the Board of County Commissioners abandon its rights to the subject portion of right-of-way, and authorize the chairman to execute the attached abandonment resolution.

ATTACHMENTS:

1. Location Map
2. Abandonment Resolution