



*Planning Board Staff Report*

**Meeting Date: January 10, 2025**

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**TO:** Marco Island Planning Board

**FROM:** Josh Ooyman, Planner II

**DATE:** January 2, 2025

**RE:** Utility Easement Vacation, LV-24-000268, 917 N Barfield Dr., Marco Island

**PROJECT DESCRIPTION:**

The request is to vacate the six-foot utility and drainage easements along each side of the common lot line between Marco Beach Unit 4, Block 125, Lot 3, and Marco Beach Unit 4, Block 125, Lot 4, Marco Island, Florida. The application, survey, and utility permissions are attached.

**OWNERS:**

Carper Family Trust  
917 N Barfield Drive  
Marco Island, FL, 34145

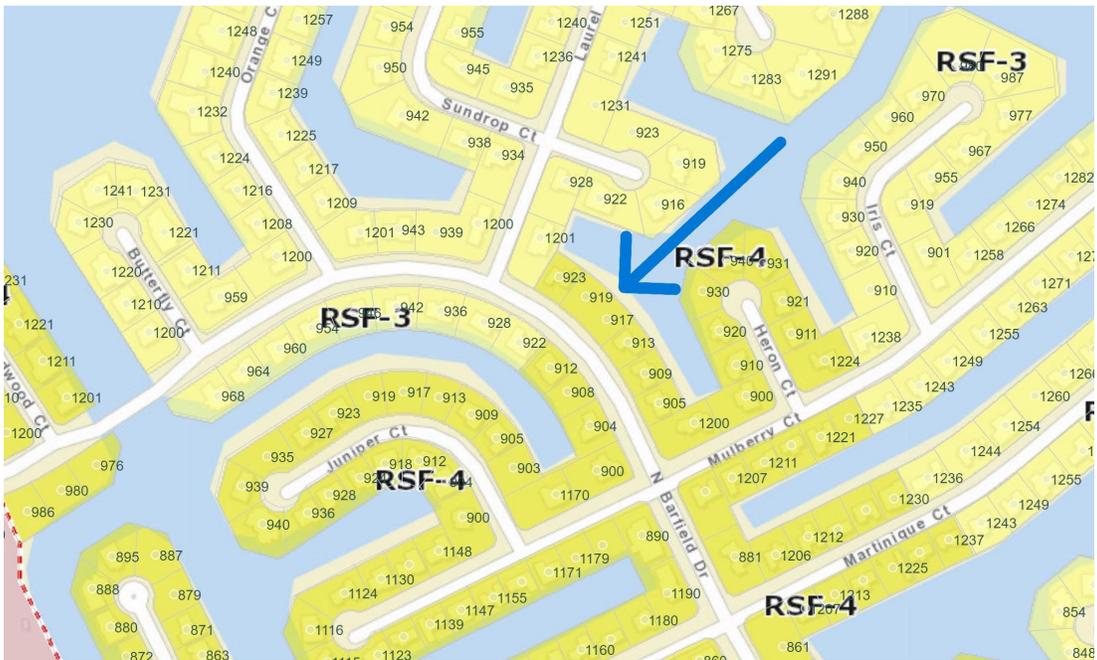
**AGENT**

Zachary W. Lombardo, Esq.  
Woodward, Pires & Lombardo, P.A.  
3200 Tamiami Trail N. Ste. 200, Naples, FL 34103

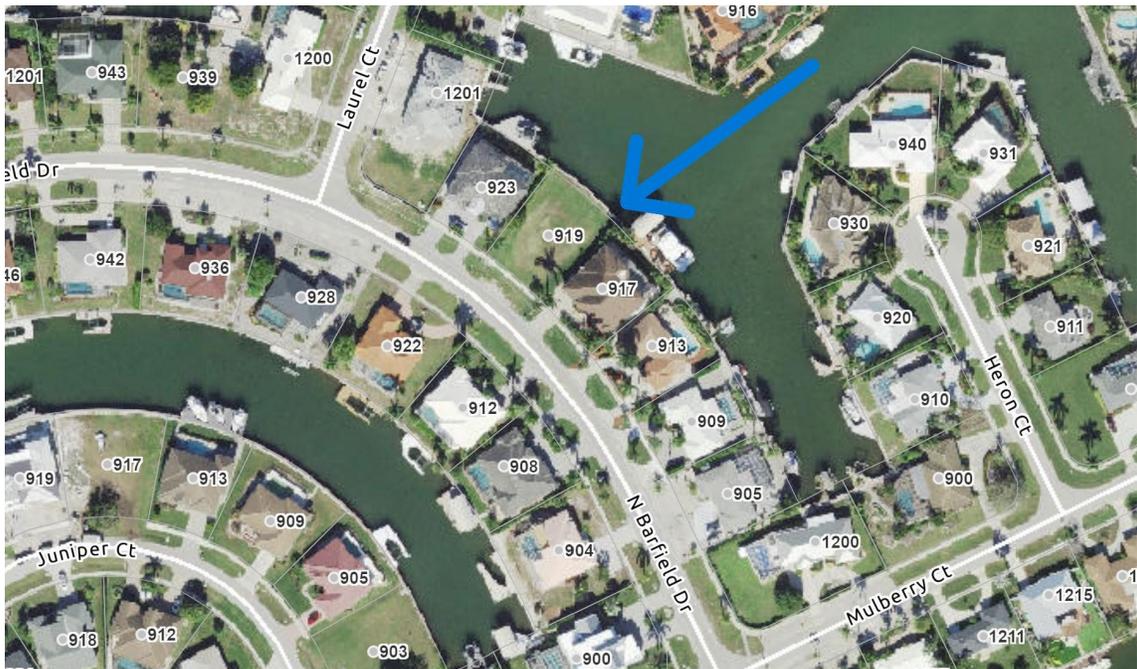
**PROJECT INFORMATION:**

917 N Barfield Drive  
Marco Beach Unit 4, Block 125, Lot 3 and Lot 4  
Parcel No.: 56940480103 (Lot 3 and Lot 4)  
Zoning: RSF-4

**SUBJECT PARCEL ZONING:**



**SUBJECT PARCEL AERIAL:**



**STAFF ANALYSIS:**

The subject parcel, which is subject to a Unity of Title recorded in 2023, contains a single-family home on Lot 4 which was constructed in 2016. The portion of the parcel consisting of Lot 3 is currently vacant. The application states that construction is planned across the common lot line across the two six-foot public utility and drainage easements on both sides of the lot line, for a 12-foot total easement width. The vacation of the easements is necessary to accommodate the proposed construction.

The Marco Island Utility department has added their standard condition of keeping the first ten feet of the original easement from the property side of the sidewalk onto the property (towards the seawall).

As with other utility vacation requests, the applicant has recorded a unity of title with Collier County to combine the two lots into one lot for property record purposes. The unity of title was executed on November 22, 2023 – and recorded in the Collier County Public Records in Official Record Book 6308, Page 236.

**STAFF RECOMMENDATION:**

Staff recommends the Planning Board forward an approval to the City Council with the conditions below:

1. Retaining a ten foot by twelve foot (10' x 12') portion of the utility easement, (six feet on each side of the lot line), as measured from the front property line of back of sidewalk.
2. The Owner/Developer is solely responsible for any and all costs associated with this Drainage and Utility Easement vacation, including but not limited to the following:
  - a. Property surveys;
  - b. Professional design fees;
  - c. Permit costs;
  - d. Preparation and recording of new deeds and this resolution, including attorney fees;
  - e. Removal, replacing or relocation of any utilities (if applicable);
  - f. Removal of existing ground cover;
  - g. Fill, loam and seed; and
  - h. Disposal of any and all construction debris including any and all infrastructure which may exist within the utility easement.