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**JULY 5, 2019 PLANNING BOARD**

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**TO:** PLANNING BOARD

**FROM:** DANIEL J. SMITH, AICP, DIRECTOR OF COMMUNITY AFFAIRS

**SUBJECT:** UTILITY EASEMENT VACATION, 919 AND 929 CAXAMBAS, LV-19-000929

**DATE:** JUNE 21, 2019

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**PROJECT DESCRIPTION:**

Mr. Ross Tackett, on behalf of Mr. and Mrs. Iordanou, is requesting approval to vacate two utility easements along the common lot line of Lots 23 and 24 of Marco Beach, Unit 13, Block 403, 919 Caxambas Drive. Please find attached the application, approval letters from the various utility companies, surveys and aerial of the site.

**OWNER:**

Constantine and Marianne Iordanou  
919 Caxambas Dr.  
Marco Island, FL 34145

**AGENT:**

Mr. Ross Tackett  
Ross Tackett Custom Homes  
45 Anchor Ct.  
Marco Island, FL 34145

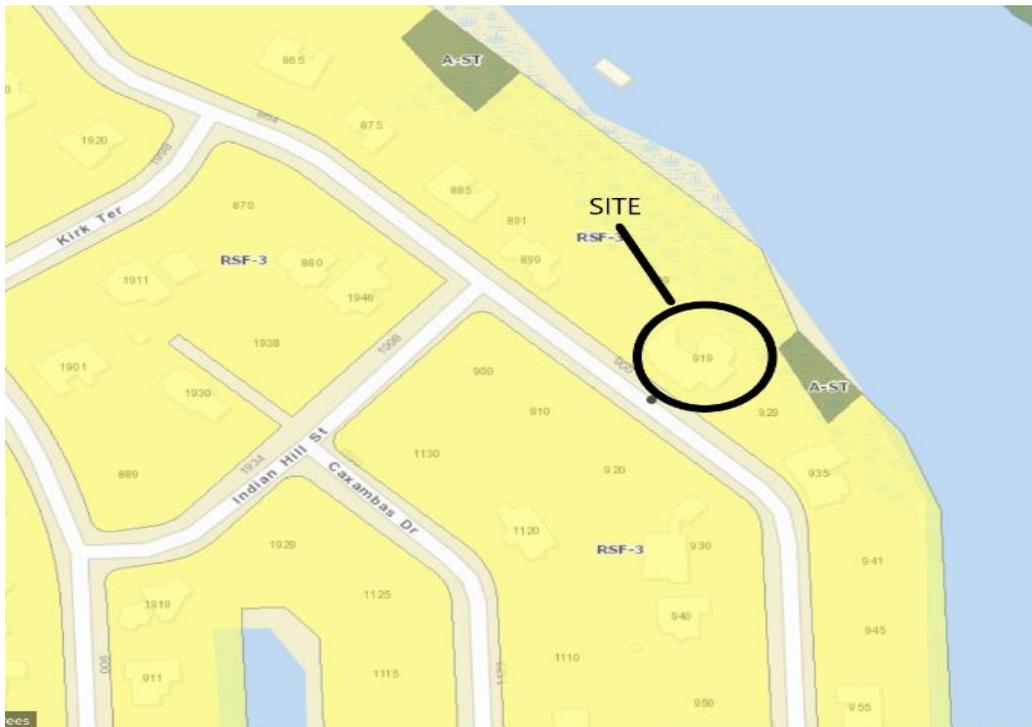
**PROJECT ADDRESS:**

919 Caxambas Dr.  
Marco Beach, Unit 13, Block 403, Lots 23 and 24

**AERIAL OF SITE:**



**ZONING:**



**STAFF ANALYSIS**

It came to our attention that certain lots combined for tax purposes only, had constructed improvements over the common lot line and associated utility easements. Upon looking into the matter, it seems an interpretation of a plat note on the original subdivision plat for Marco Beach (attached) led to the assumption that utility easements were automatically vacated along the common lot line and moved to the perimeter of the two lots. In researching this issue, it was found that the utility easements were not vacated since vacation of utility easements takes approval of the utility companies and the City Council. The second concern, the construction of improvements over the common lot line without formally combining the two lots, was addressed through the filing with the Clerk and Recorder's a unity of title that binds the two lots together without having to replat. In addition, it requires City approval to rescind the unity of title so we can ensure improvements are not built across the common lot line.

The Iordanou's have completed a unity of title and will record the document upon approval of this request. We are in receipt of approval letters from the various utilities.

Staff has no concerns with this request.

**STAFF RECOMMENDATION**

Staff recommends the Planning Board approve this request and forward their approval to the City Council.