



## *City Council Staff Report*

**Meeting Date: July 19, 2021**

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**TO:** Marco Island City Council

**FROM:** Daniel J. Smith, AICP – Director of Community Affairs

**DATE:** July 6, 2021

**RE:** Right-of-way Vacation for City of Marco Island Veteran's Community Park, 21-000100, 901 Park Avenue, Planning Board recommendation

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### **PROJECT DESCRIPTION:**

The request is to vacate approximately 4,562 square feet of the Park Avenue right-of-way (ROW) to be incorporated into Veteran's Community Park for the construction of a restroom facility.

### **PLANNING BOARD SUMMARY AND RECOMMENDATION**

The Planning Board considered this request at their July 2, 2021, meeting. Tim Pinter, Public Works Director, presented the request to the Planning Board. The only discussion concerned a correction needed on the survey, which needs to reflect "POC" in the legend not "POB". The Planning Board unanimously approved this request with the correction.

### **PETITIONERS:**

Timothy Pinter, PE  
City of Marco Island, Public Works Director  
50 Bald Eagle Dr.  
Marco Island, FL 34145

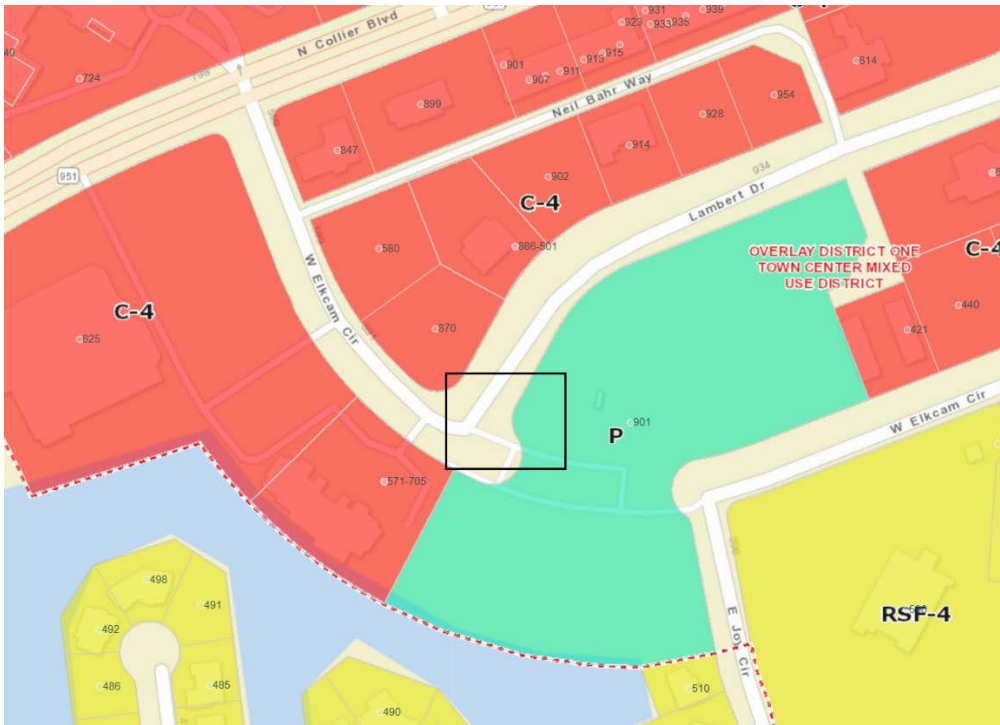
### **OWNER:**

City of Marco Island  
50 Bald Eagle Dr.  
Marco Island, FL 34145

### **PROJECT INFORMATION:**

Park Avenue Right-of-way abutting Veteran's Community Park.  
Zoning: Right-of-way

**SUBJECT PARCEL ZONING:**



**SUBJECT PARCEL AERIAL:**



Aerial Photography, January - 2021 Urban [6IN] - 2021 Rural [2FT] - 2021 Rural [10FT] - 2021 Rural [50FT]



**STAFF ANALYSIS:**

Staff has no concern with this request. This area of Park Avenue is proposed to have improvements built on it in conjunction with the construction of the restroom, band shell and other associated uses at Veteran's Community Park.

**STAFF RECOMMENDATION:**

Staff recommends the Planning Board approve this request contingent upon the below conditions and forward such approval to the City Council:

1. The Owner/Developer is solely responsible for any and all costs associated with this Right-of-way vacation, including but not limited to the following:
  - (1) Property surveys;
  - (2) Professional design fees;
  - (3) Permit costs;
  - (4) Preparation and recording of new deeds and this resolution, including and attorney fees;
  - (5) Removal, replacing or relocation of any utilities (if applicable);
  - (6) Removal of existing ground cover;
  - (7) Fill, loam and seed; and
  - (8) Disposal of any and all construction debris including any and all infrastructure which may exist within the utility easement.

Daniel J. Smith, AICP  
Director of Community Affairs