



Legislation Details (With Text)

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On agenda: 12/6/2021 **Final action:** 12/6/2021
Title: Resolution - Utility Vacation Easement request (LV-21-000264) for Property Located at 1066 Goldenrod Avenue and 1049 Admiralty Court, Marco Island, FL 34145

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution 21-53, 2. Staff Report, 3. Application, 4. Marco Island Utilities Letter

Date	Ver.	Action By	Action	Result
12/6/2021	1	City Council	Approved	Pass

Agenda Item: 10	Prepared By: Daniel J. Smith, AICP, Director
Business: Resolution	Department: Growth Management

Subject:

Resolution - Utility Vacation Easement request (LV-21-000264) for Property Located at 1066 Goldenrod Avenue and 1049 Admiralty Court, Marco Island, FL 34145

BACKGROUND:

PROJECT DESCRIPTION:

The request is to vacate the six-foot utility and drainage easements along each side of the common lot line of 1066 Goldenrod and 1049 Admiralty Court. No other utility and drainage easements are being requested to be vacated. The application, survey, and utility permissions are attached.

FUNDING SOURCE / FISCAL IMPACT: N / A

PLANNING BOARD SUMMARY AND RECOMMENDATION:

The Planning Board held a public hearing and considered this request at the November 5, 2021, meeting. There was discussion about riparian rights. A unity of title is required to be filed that will tie the two lots together and if the owner, or future owner, wish to separate the two properties, it will require City Council approval and the removal of improvements from and in front of the vacant lot. The Planning Board voted 7-0 to forward a recommendation of approval.

STAFF RECOMMENDATION:

Staff recommends the City Council approve this request contingent upon the below conditions:

1. A unity of title is filed with Collier County and a copy provided to Staff before the City Council meeting.
2. A ten (10) foot square portion of the utility easement shall remain in place. The location will be 10 feet behind the property line along Hartley St and five feet on both sides of the common property line of Lot 1, Block 256 and Lot 30, Block 257, Marco Beach Unit 6.
3. 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 and 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.

POTENTIAL MOTION:

Move to approve Resolution 21-53.