



DATE: December 7, 2023  
CASE #: VE-16-2023

# PUBLIC WORKS DEPARTMENT STAFF REPORT

## REQUEST TO VACATE EASEMENT

**PROPOSAL:** Vacation of Easement is requested to vacate the Westerly 6 feet of the Easterly 10-foot Public Utility & Drainage Easement, less the Northerly 6 foot Public Utility & Drainage Easement, and less the Southerly 70 feet thereof, containing 114 square feet or 0.003 acres, more or less, of Lot 15, Block 2124, Port Malabar Unit 42, according to the Plat thereof, as Recorded in Plat Book 21, Pages 105-125, of the Public Records of Brevard County, Florida, for an existing shed in the back yard.

**LOCATION:** 937 Camden Avenue NW  
(Lot 15, Block 2124, Port Malabar Unit 42)

**APPLICANT:** John J. Pechulis and Collen Pechulis

## SITE DATA

**PRESENT ZONING:** RS-2 – Single-Family Residential

**AREA OF VACATING:** 114 square feet, more or less

|                                            |          |                                  |
|--------------------------------------------|----------|----------------------------------|
| <b>ADJACENT ZONING<br/>&amp; LAND USE:</b> | <b>N</b> | RS-2 – Single-Family Residential |
|                                            | <b>E</b> | RS-2 – Single-Family Residential |
|                                            | <b>S</b> | RS-2 – Single-Family Residential |
|                                            | <b>W</b> | RS-2 – Single-Family Residential |

**STAFF ANALYSIS:**

Vacation of Public Utility and Drainage Easement of a portion of Lot 15, Block 2124, Port Malabar Unit 42, according to the Plat thereof, as Recorded in Plat Book 21, Pages 105-125, of the Public Records of Brevard County, Florida, being the Westerly 6 feet of the Easterly 10-foot Public Utility & Drainage Easement, less the Northerly 6-foot Public Utility & Drainage Easement, and less the Southerly 70 feet thereof, containing 114 square feet or 0.003 acres, more or less;

More particularly described as commencing at the Northeast corner of said Lot 15 and run South 89°40'06" West along the North line of said Lot 15, a distance of 10.00 feet; thence South 00°19'54" East, a distance of 6.00 feet to the point of beginning of the herein described easement; thence North 89°40'06" East, a distance of 6.00 feet; thence South 00°19'54" East, a distance of 19.00 feet; thence South 89°40'06" West, a distance of 6.00; thence North 00°19'54" West, a distance of 19.00 feet to the point of beginning. Containing 114 square feet or 0.003 acres, more or less, for an existing shed within the back yard.

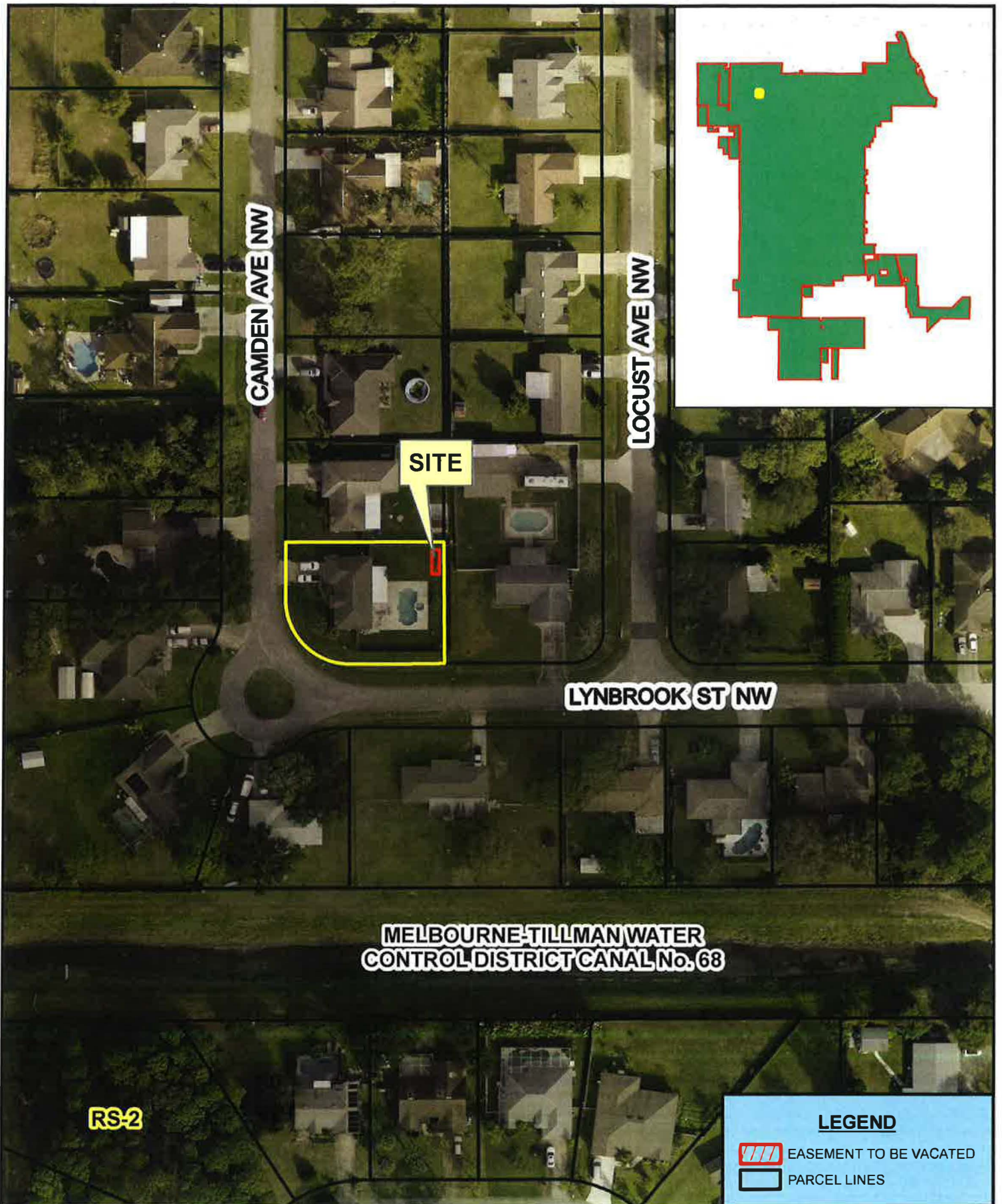
AT&T, Florida Power and Light, and Spectrum have no objections to the vacating request.

The City of Palm Bay's Public Works Department has the following comments relating to the vacating request: The existing structure's location shall require a variance from the Growth Management Department. Stormwater run off from the structure's roof shall be routed to a legal positive outfall.

Staff has no other adverse comments regarding removal of the Westerly 6 feet of the Easterly 10-foot Public Utility & Drainage Easement, less the Northerly 6 foot Public Utility & Drainage Easement, and less the Southerly 70 feet thereof, containing 114 square feet or 0.003 acres, more or less, of Lot 15, Block 2124, Port Malabar Unit 42, according to the Plat thereof, as Recorded in Plat Book 21, Pages 105-125, of the Public Records of Brevard County, Florida, for an existing shed in the backyard.

**STAFF RECOMMENDATION:**

Staff recommends approval of the vacating of easement with conditions per the analysis section of this staff report.



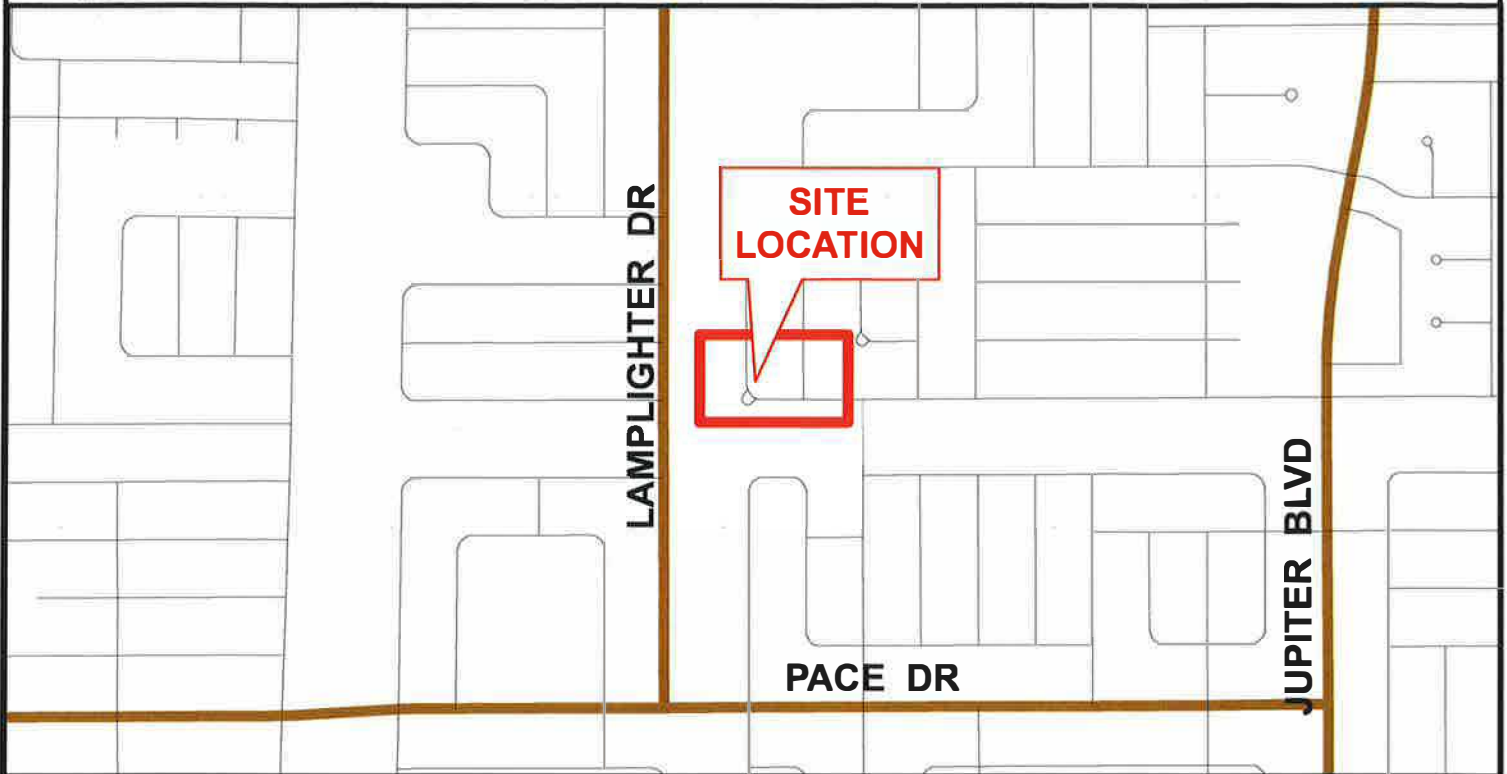
Map is for illustrative purposes only!  
Not to be construed as binding or a survey.  
Map created by the City of Palm Bay  
Public Works Department (RSD), on October 17, 2023.

## LOCATION MAP VE-16-2023

0 25 50 100  
Feet  
1 inch = 100 feet



# LOCATION MAP



Map is for illustrative purposes only!  
Not to be construed as binding or a survey.  
Map created by the City of Palm Bay  
Public Works Department (RSD), on October 17, 2023.

## VE-16-2023

0 25 50 100  
Feet  
1 inch = 100 feet

**POINT OF COMMENCEMENT**

NORTHEAST CORNER OF  
LOT 15, BLOCK 2124  
PORT MALABAR UNIT FORTY TWO  
(PLAT BOOK 21, PAGES 105-125)

LOT 14  
BLOCK 2124

S00°19'54"E (BASIS OF BEARINGS)

95.00'

LOT 13  
BLOCK 2124

S89°40'08"W  
10.00'

S00°19'54"E  
6.00'

L2

L3

L4

SUBJECT EASEMENT  
114 SQUARE FEET

POINT OF BEGINNING

10' PUBLIC UTILITY & DRAINAGE EASEMENT

NORTH LINE  
OF LOT 15

LOT 15  
BLOCK 2124

LOT 16  
BLOCK 2124

6' PUBLIC UTILITY & DRAINAGE EASEMENT

LYNBROOK STREET

**LINE TABLE**

| LINE | BEARING     | LENGTH |
|------|-------------|--------|
| L1   | N89°40'08"E | 6.00'  |
| L2   | S00°19'54"E | 19.00' |
| L3   | S89°40'08"W | 6.00'  |
| L4   | N00°19'54"W | 19.00' |

CAMDEN AVENUE

SKETCH OF DESCRIPTION ONLY! THIS IS NOT A SURVEY!

**AAL LAND SURVEYING SERVICES, INC.**

**SKETCH OF DESCRIPTION**

JOB # 37668  
DATE: 07-03-23  
SECTION 27, TOWNSHIP 20S, RANGE 56E  
L.B. #6623

1. THIS SKETCH AND DRAWING HAVE BEEN PREPARED TO CONFORM WITH APPLICABLE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 54-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.  
2. BEARINGS ARE BASED ON ASSUMED DATUM AND ON THE LINE SHOWN AS BEING THE BASIS OF BEARINGS.

ANDREW W. POWSHOK  
P.L.S. No. 5383

3970 MINTON ROAD  
WEST MELBOURNE, FL. 32904  
(321) 768-8110

SHEET 1 OF 2

SCALE: 1" = 20'



DESCRIPTION: A PORTION OF A 10 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 15, BLOCK 2124, PORT MALABAR UNIT FORTY TWO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 21, PAGES 105-125, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

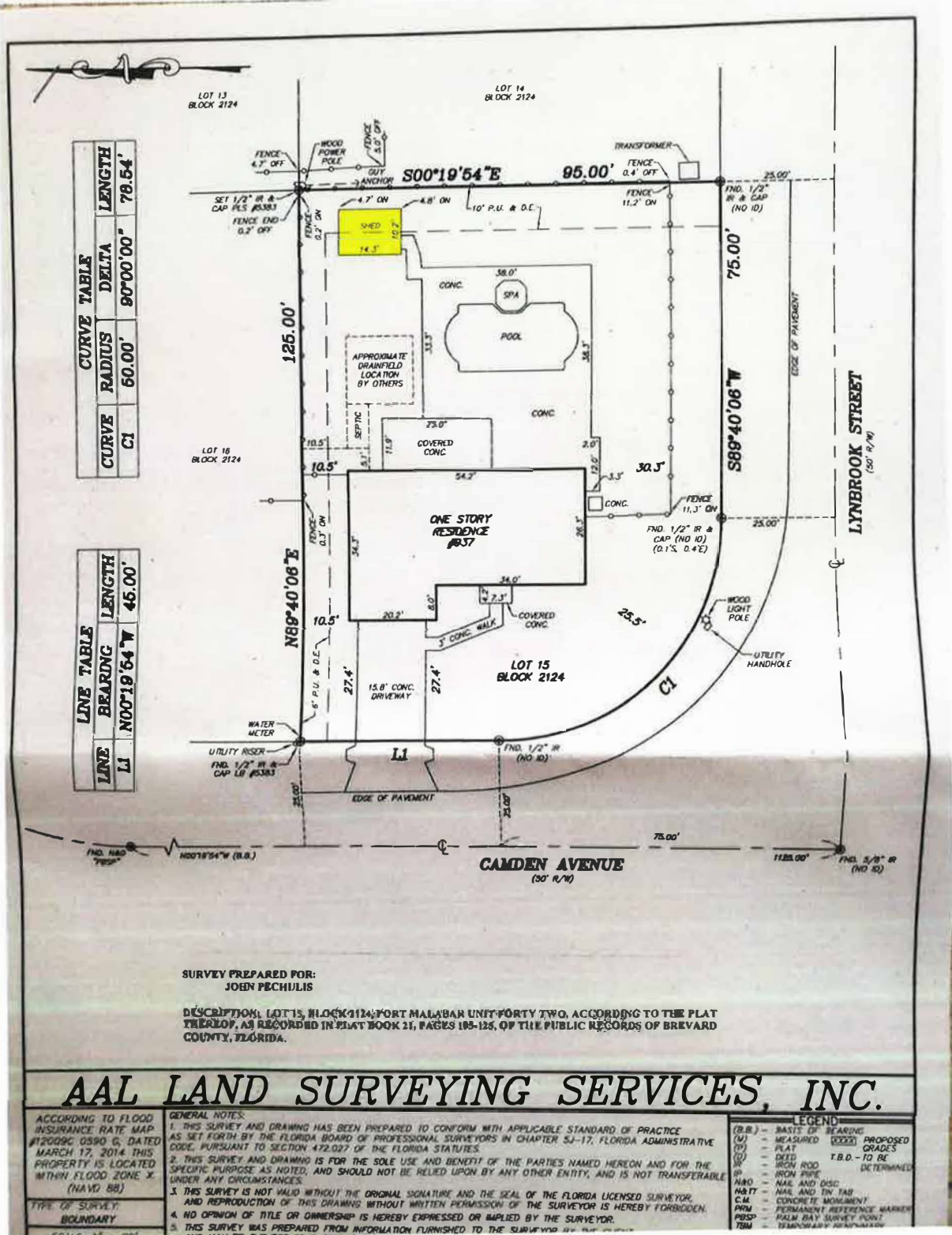
COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 15 AND RUN SOUTH 89°40'06" WEST ALONG THE NORTH LINE OF SAID LOT 15, A DISTANCE OF 10.00 FEET; THENCE SOUTH 00°19'54" EAST, A DISTANCE OF 6.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT; THENCE NORTH 89°40'06" EAST, A DISTANCE OF 6.00 FEET; THENCE SOUTH 00°19'54" EAST, A DISTANCE OF 19.00 FEET; THENCE SOUTH 89°40'06" WEST, A DISTANCE OF 6.00 FEET; THENCE NORTH 00°19'54" WEST, A DISTANCE OF 19.00 FEET TO THE POINT OF BEGINNING. CONTAINING 114 SQUARE FEET OR 0.003 ACRES, MORE OR LESS.

SKETCH OF DESCRIPTION ONLY! THIS IS NOT A SURVEY!

## AAL LAND SURVEYING SERVICES, INC.

|                                                       |                                                                                                                                                                                                                                                                                                                                                               |                                                                 |
|-------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| SKETCH OF DESCRIPTION                                 | 1. THIS SKETCH AND DRAWING HAVE BEEN PREPARED TO CONFORM WITH APPLICABLE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 6J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.<br>2. BEARINGS ARE BASED ON ASSUMED DATUM AND ON THE LINE SHOWN AS BEING THE BASIS OF BEARINGS. | SHEET 2 OF 2                                                    |
| JOB # 37666                                           | NOT VALID WITHOUT<br>SHEET 1 OF 2                                                                                                                                                                                                                                                                                                                             |                                                                 |
| DATE: 07-03-23<br>SECTION 22, TOWNSHIP 28S, RANGE 30E |                                                                                                                                                                                                                                                                                                                                                               | SCALE: N/A                                                      |
| L.B. #6623                                            |                                                                                                                                                                                                                                                                                                                                                               | 3970 MINTON ROAD<br>WEST MELBOURNE, FL. 32904<br>(321) 768-8110 |

# Survey and legal description for 937 Camden Ave NW, Palm Bay, FL 32907





Florida

PO Box 631244 Cincinnati, OH 45263-1244

GANNETT

**PROOF OF PUBLICATION**

Elena Sarazua  
attn: Accounts Payable  
City Of Palm Bay  
120 Malabar Rd Se  
Palm Bay FL 32907-3009

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11/13/2023

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CITY OF PALM BAY, FLORIDA  
NOTICE OF PUBLIC HEARING

Notice is hereby given that City Council of the City of Palm Bay will hold a public hearing on December 7th, and December 21st, 2023, at 6:00 p.m. at the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida to consider application requesting vacation of the following described properties:

**1. Case No. Vacating Easement -16-2023**

Vacation of Easement is requested to vacate the Westerly 6 feet of the Easterly 10-foot Public Utility & Drainage Easement, less the Northerly 6 foot Public Utility & Drainage Easement, and less the Southerly 70 feet thereof containing 114 square feet or 0.003 acres, more or less, of Lot 15, Block 2124, Port Malabar Unit 42, according to the Plat thereof, as Recorded in Plat Book 21, Pages 105 - 125, of the Public Records of Brevard County, Florida. For an existing shed in the back yard.

If an individual decides to appeal any decision made by City Council with respect to any matter considered at these meetings, a record of the proceedings will be required, and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim.

Valentino Perez

Palm Bay Public Works Director

RECEIVED

NOV 27 2023

CITY OF PALM BAY  
PUBLIC WORKS