



Legislation Details (With Text)

File #: 19-0980

Type: Public Hearing Quasi Judicial **Status:** Passed

In control: Board of County Commissioners

On agenda: 10/8/2019 **Final action:** 10/8/2019

Title: REQUEST ABANDONMENT OF A PORTION OF SE FRONT STREET, LYING WITHIN THE PLAT OF PORT SALERNO

Sponsors:

Indexes:

Code sections:

Attachments: 1. SE Front Street - Location Map.pdf, 2. SE Front Street - Exhibit A.pdf, 3. SE Front Street - Application Packet.pdf

Date	Ver.	Action By	Action	Result
10/8/2019	1	Board of County Commissioners	approved	Pass

PLACEMENT: Public Hearings - Quasi-Judicial

TITLE:

REQUEST ABANDONMENT OF A PORTION OF SE FRONT STREET, LYING WITHIN THE PLAT OF PORT SALERNO

EXECUTIVE SUMMARY:

This is a request for the Board to consider an application for the abandonment of a portion of platted SE Front Street right-of-way.

DEPARTMENT: Public Works

PREPARED BY: **Name:** Thomas Walker, Jr., PSM
Title: County Surveyor

REQUESTED BY: The Port Salerno Church of God, Inc.

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

The Port Salerno Church of God, Inc. requests that the Board consider the abandonment of 11,816.48 square feet (Exhibit "A") of unopened platted right-of-way of SE Front Street, lying within the plat of Port Salerno. Said right-of-way being sought for abandonment is not, nor has it ever been an open road. Said right-of-way abuts existing abandonments of SE Front Street and adjacent platted alley and therefore would not block any existing access to or from SE Cove Road (see Location Map).

The Petitioner is the owner of Lots 1 through 4 and 9 together with a portion of right-of-way previously abandoned by Martin County adjacent to the subject unopened right-of-way. St. Luke's Episcopal Church of Port Salerno is the owner of the property located east of the right-of-way proposed to be abandoned and has provided a letter of no objection. Upon successful abandonment of the subject right-of-way the Petitioner would receive the westerly half and St. Luke's Episcopal Church would receive the easterly half.

ISSUES:

The Petitioner previously requested this item be continued to October 8, 2019. Since Commissioner Heard is not going to be at the October 8 meeting, and she paid the application fee from her District funds, and because of unresolved issues staff is working through with the Petitioner; staff is requesting this item be continued to December 3, 2019.

LEGAL SUFFICIENCY REVIEW:

This item has been reviewed for legal sufficiency to determine whether it is consistent with applicable law, has identified and addressed legal risks, and has developed strategies for legal defensibility.

RECOMMENDED ACTION:

RECOMMENDATION

Move that the Board continue the public hearing to December 3, 2019.

ALTERNATIVE RECOMMENDATIONS

None

FISCAL IMPACT:

RECOMMENDATION

The application fee for the Petition to Abandon is \$3,200.00

Funding Source	County Funds	Non-County Funds
Commission District 4 MSTU discretionary	3,200.00	
Subtotal	3,200.00	
Project Total	3,200.00	

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- ☐ Budget Transfer / Amendment ☐ Chair Letter ☐ Contract / Agreement
☐ Grant / Application ☐ Notice ☐ Ordinance ☐ Resolution
☐ Other:

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