

Memorandum

To: Marlin Daniels – CAO

Veronica King - Clerk

From: Valerie Mundy, P.E. – Director of Public Works

Date: 7/13/2026

**Subject: Public Works Department Review Comments
Request to Vacate Right-of-Way
850 Mulberry Street / Perry Street**

The Town of Eatonville Public Works Department has received a request to vacate a portion of the public right-of-way adjacent to 850 Mulberry Street and Perry Street. The applicant has indicated that the purpose of the request is to acquire additional land to construct an Accessory Dwelling Unit (ADU). While the subject property is located within the City of Maitland, the right-of-way proposed for vacation is located within the Town of Eatonville.

At this time, the Public Works Department does not have sufficient information to evaluate the request. Prior to beginning the review, the applicant must submit a complete right-of-way vacation application, including, at a minimum:

- A completed application.
- A current boundary and topographic survey prepared by a licensed Florida Professional Surveyor and Mapper.
- A legal description and sketch of the portion of right-of-way proposed for vacation.
- The total square footage and dimensions of the area requested to be vacated.
- A site plan illustrating the proposed use of the property following the vacation.
- Any additional information necessary to evaluate the request.

Upon receipt of a complete application, the Public Works Department will evaluate the request based on the following considerations:

1. **Whether the proposed vacation serves the public interest** and is consistent with the Town's long-term planning objectives.

2. **Whether existing public utilities** (water, wastewater, stormwater, electric, gas, telecommunications, fiber optic, or other infrastructure) are located within the right-of-way or whether utility easements should be retained.
3. **Whether compensation to the Town is appropriate** for the conveyance of public property based on its fair market value and the public benefit associated with the request.
4. **Whether the right-of-way has present or future utility value**, including potential use by Duke Energy, telecommunications providers, or other public utility providers.
5. **Whether the right-of-way may be needed for future transportation, pedestrian, bicycle, drainage, emergency access, or other municipal purposes.**

Following completion of the technical review, Public Works will determine whether the right-of-way is no longer necessary for public use or whether vacating the right-of-way provides a greater public benefit than retaining it. If the Department determines that the vacation is appropriate, a recommendation will be forwarded to the Town Council for consideration. If the review identifies existing or future public needs, Public Works may recommend denial of the request or recommend conditions such as the reservation of utility easements or other restrictions to protect the Town's interests.

Recommendation

At this time, the Public Works Department recommends **no action** until a complete application and all supporting documentation have been submitted. Once the required information is received, staff will conduct a comprehensive technical review and provide a recommendation to the Town Council.