



City of Eustis

Development Services Department

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To: Eustis City Commission

From: Tom Carrino, City Manager

Date: October 17, 2024

Re: Resolution Number 24-80: Authorizing the Vacation of a 16' by 25' Wide Utility Easement located on property at 7 Forest Lane (also referred to as Lot 4, Block II, Harbor Villas Subdivision, as recorded in Lake County Plat Book 25, Pages 16 and 17)

A. Introduction: The applicant, Gilles Deluxe Properties, LLC, has petitioned the City to vacate the utility easement (approximately 25 feet by 16 feet) in the Harbor Island Villas Subdivision Plat (as recorded Lake County Plat Book 25, Pages 16 and 17) on their property at 7 Forest Lane.

1. Pertinent Site Information

- a. The subject property is located at 7 Forest Lane. This property is Lot 4, Block II of the Harbor Island Villas Subdivision, as recorded in Lake County Plat Book 25, Pages 16 and 17).
- b. The property has a land use designation of Suburban Residential (SR) and a design district designation of Suburban Neighborhood.
- c. The Eustis City Commission approved the Harbor Island Villas Subdivision on May 15, 1980.
- d. There is a single-family home constructed on the site that was constructed in 1987.

2. Considerations

- a. Staff confirmed that no City utilities are located within the easement and there is no future need for the easement area in question.
- b. The utility companies including Duke Energy, Comcast Communications, TECO Energy (Gas), and Century Link, were notified to review this request; however, no responses have been received from them.
- c. Approval of the easement vacation will reduce the easement area by 400 square feet from a total size of 1,450 square feet.
- d. It appears that there was a scrivener's error on the plat which denoted that each lot had utilities within the first 25' of the property line. This property line doesn't begin until 25'+ from the street's edge.

3. Compliance with Applicable Codes and Policies

- a. Land Development Regulations: Section 115-4.8 (c)(1)g. states that "water mains shall be located in dedicated rights-of-way or utility easement[s]. The minimum width of water and sewer utility easements is 15 feet. Water mains shall not be placed under retention/detention basins, tennis courts, parking lots, or other structures, unless approved by the city."

- b. Code of Ordinances: Section 94-7. City's right of access, states "The applicant for such service shall grant or cause to be granted to the city without cost all rights, easements, permits and privileges which are necessary for the rendering of water or sewerage service."

B. Background: Resolution Number 24-80 approves the vacation of the easement that includes the garage footprint located at 7 Forest Lane (also referred to as Lot 4, Block II, Harbor Island Villas Subdivision, as recorded in Lake County Plat Book 25, Pages 16 and 17).

Specifically, the easement's legal description is as follows:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 4, BLOCK II, HARBOR ISLAND VILLAS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 25, PAGES 16 AND 17, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN N 00° 07'40" W. ALONG THE EAST LINE OF SAID LOT 4 A DISTANCE OF 9.00 FEET TO THE POINT OF BEGINNING; THENCE RUN N 89° 49'40" W. A DISTANCE OF 25.00 FEET; THENCE RUN N 00°07'40" W. A DISTANCE OF 16.00 FEET; THENCE RUN N 89°49'40" W. A DISTANCE OF 25.00 FEET RETURNING TO THE EAST LINE OF SAID LOT 4; THENCE S 00°07'40" E. ALONG SAID LINE A DISTANCE OF 16.00 FEET TO THE POINT OF BEGINNING.

C. Recommendation: The administration recommends approval of Resolution Number 24-80 based on the following findings:

- a. There are no City utilities within the easement.
- b. There appears to be no objections from the other utility providers.

Prepared By:

Mike Lane, Development Services Director