

MEMORANDUM

TO: Howey-in-the-Hills Planning Board
CC: D. Burke, Town Clerk
FROM: Thomas Harowski, AICP, Planning Consultant
SUBJECT: Street Vacation Request – Palm Avenue
DATE: October 4, 2019

The Town has received a request from Mr. and Mrs. Bruce Johnson to vacate an unopened road that runs behind their property and between Lake Hills School and the Venezia Subdivision, extending from SR 19 to Revels Road. The right-of-way in question is shown on a 1924 plat (see attached copy). The applicants have not stated a specific reason for the requested right-of-way vacation; having only made the request to do so.

An examination of the right-of-way and its surroundings shows the right-of-way is bounded on the right side (east) by the Lake Hills School parcel and the applicant's property. It is bounded on the left side (west) by the Venezia South subdivision. The right-of-way abuts several tracts with varying ownership and purposes within the Venezia Subdivision. The tracts are listed below in order extending from SR 19 to Revels Road.

Tract ID	Owner	Purpose
JJ	Privately Owned	Future Development
Y	Town	Lift Station
A	Property Owners Assoc.	Conservation
MM	Privately Owned	Future Development
Lot 118	Privately Owned	Single Family Home
Lot 119	Privately Owned	Single Family Home
Lot 120	Privately Owned	Single Family Home
Tract TT	Property Owners Assoc.	Landscape Buffer
Tract B	Property Owners Assoc.	Conservation

NOTE: There is an easement across Tract JJ in favor of Progress Energy to provide access to the lift station parcel. The Town also uses this easement to access the lift station.

Tracts A and B also have a conservation easement given in favor of the St. Johns River Water Management District.

When a right-of-way is vacated, the area is divided along the centerline of the right-of-way with the property owners on each side receiving 50% of the former right-of-

way. Notice will be provided to each property owner to advise them of the pending action and offer an opportunity to comment on the application. Notice will also be provided to Lake County Public Works to determine if the County has any interest in the right-of-way that may require action on their part.

When considering whether to vacate a right-of-way the Town needs to consider several factors related to the current and future use of the right-of-way. In the case of a street these factors include:

- Is the street necessary to provide access to any properties?
- Is the street necessary or potentially useful in providing any other types of transportation service such as a traffic bypass, transit route, bicycle route or pedestrian route?
- Does the street contain any utilities, or could the street be used for future utility purposes?

The staff analysis will look at each of these factors.

Access Needs: All the abutting properties have access from other sources and therefore, the right-of-way is not necessary to provide access to private property.

Transportation Uses: The Town has considered options to provide sidewalk and bicycle access from the Venezia subdivision to connect to Revels Road and Lakeshore Drive as part of an effort to provide linkages between Venezia and the rest of the Town. The need for this connection was highlighted in the Bicycle and Pedestrian Master Plan completed earlier this year. With the current right-of-way connecting SR 19 to Revels Road and ultimately Lakeshore Boulevard, the Palm Avenue right-of-way seems perfectly situated to support bicycle and pedestrian transportation uses. If the right-of-way is vacated, an access easement could be retained to allow for sidewalk and bicycle facilities.

Utility Applications: It is common to use street right-of-way for a variety of utilities including water, sewer, gas and a full range of wire-based services. The right-of-way currently includes a connection from the lift station to the school property, and this connection would need to be retained. The route also appears to be a well-positioned location to connect water and sewer facilities from the southeast area of the Town to the main distribution networks as well as allowing for looping of the water distribution system. Sewer and water connections to the proposed Whispering Hills Subdivision are a good example of this type of opportunity. If the right-of-way is vacated, retention of a broad-based utility easement could provide opportunity for access to the Town's primary service networks.

Staff Recommendation

Based on the information provided, the analysis of existing conditions, and the potential uses for the existing right-of-way, the staff is recommending the Town not vacate the right-of-way. While the right-of-way is not needed for access to private property and does not contain any large-scale utilities, the right-of-way does have

substantial value as a route for future utility networks and it has value as a potential route for bicycle and pedestrian facilities to serve the Venezia neighborhood and the Town as a whole. The portion of the right-of-way that would accrue to the applicant is not needed for development of their property in accordance with the RE Residential Estate zoning. Transportation and utility access could be accomplished through properly prepared easements, but this solution seems unnecessarily complex to achieve an end that essentially reflects the current situation.

