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MEMORANDUM

TO: Howey-in-the-Hills Town Council
CC: S. O'Keefe, Town Administrator; J. Brock, Town Clerk
FROM: Thomas Harowski, AICP, Planning Consultant
SUBJECT: West Oleander Avenue Vacation
DATE: August 5, 2021

In May of 2020, the Planning Board considered an application to vacate that portion of West Oleander Avenue lying west of Florida Avenue between Florida Avenue and the Talichet subdivision. Attached is the staff report prepared at that time for the Planning Board. After due consideration the Planning Board recommended the portion of the right-of-way be vacated provided the two benefitting property owners granted the Town a utility easement to use the former right-of-way to access the Talichet subdivision with water and/or sewer utilities. At the time, the vacation was being considered, Talichet had not yet begun construction and there was some hope that at least sewer could be connected through the new subdivision to provide eventual service to the lower end of Florida Avenue.

A request for easement was sent to each of the two benefitting property owners. Mr. and Mrs. Flack agreed to the easement in concept and staff began working with them on specific language for the easement. The other property owner, one of the owners of The Reserve, never responded to the easement request. Now, with the completion of the Talichet subdivision the ability to make a reasonable utility connection through the Oleander Avenue right-of-way appears to be gone. Any sewer serving the lower end of Florida Avenue will need to come from another source.

Staff is now asking if the Town Council wants to continue the request for the easement or drop the easement from the consideration as a condition of the vacation. Should the Town Council wish to proceed without the easement, staff can prepare a resolution vacating the right-of-way for Council consideration at a future meeting. Should the Town Council agree to vacate the requested portion of the right-of-way, the area will be divided equally between the property owners on each side of the road.