

Meeting Date
October 10, 2017



AGENDA	
Section	New Business
Item No.	V.I.F.1

AGENDA REPORT
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:		Requested Action: Honest John's Fish Camp Right-Of-Way request						
DEPT/OFFICE:		Citizen's Request/Barbara Arthur, Honest John's Fish Camp						
Requested Action:								
<p>Requesting that the Board ask staff to apply for an additional right of way to obtain a total width of 50'.</p>								
Summary Explanation & Background:								
<p><u>Honest John's Fish Camp, 750 Old Florida Trail, Melbourne Beach, FL 32951</u></p> <p>Honest John's Fish Camp has been in discussions with staff on this matter since July, 2016. Old Florida Trail, which leads to the Honest John's property was realigned and the South County Regional Park was established. The west end has just a 25' right-of-way (basically, just a bit more than the roadway itself). The State of Florida owns the land on the north side of the right-of-way. To provide adequate space for road maintenance activities, the recommended course of action is that the Board direct Staff to approach the Florida Department of Environmental Protection, requesting an additional 25' of right-of-way be granted to Brevard County for maintenance of the road. This will provide space for such items as the replacement of failing drainage culverts, and grading of shoulders.</p> <p>Requested by Dana Delzio, Brad Smith Associates acting as Agent, 321-724-1036, ddelzio@bsaplanning-design.com</p>								
Clerk to the Board Instructions:								
Exhibits Attached: ROW Sketch,								
Contract /Agreement (If attached):		Reviewed by County Attorney	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
County Manager		Assistant County Manager		Department Director / Extension				
Frank Abbate		John P. Denninghoff						
		Interim Assistant County Manager						
		Jim Liesenfelt						



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

October 11, 2017

M E M O R A N D U M

TO: Andrew Holmes, Public Works Director

RE: Item VI.F.1., Citizen Request by Honest John's Fish Camp for Additional Right-of-Way

The Board of County Commissioners, in regular session on October 10, 2017, acknowledged the citizen request by Barbara Arthur, Honest John's Fish Camp; and directed staff to apply to Florida Department of Environmental Protection (FDEP) requesting an additional 25 feet of right-of-way, for a total of 50 feet, to be granted to Brevard County for maintenance of the Old Florida Trail.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/kp

cc: Assistant County Manager Denninghoff



BOARD OF COUNTY COMMISSIONERS

V.F.I.
Attachment

Public Works Department

2725 Judge Fran Jamieson Way
Building A, Room 201
Viera Florida 32940

Staff Report

Date: 2 October 2017

Re: Honest John's Fish Camp – Citizen Request

From: Andrew J. Holmes, PE
Brevard County Public Works Director

Background

Honest Johns Fish Camp has submitted a citizen's request to ask the Board of County Commissioners to instruct staff to make a formal request for additional right of way for Old Florida Trail. Old Florida Trail currently has a 25' wide right of way at the west end, that serves as access to Honest Johns Fish Camp. This right of way is only slightly wider than the roadway itself.

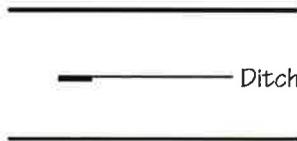
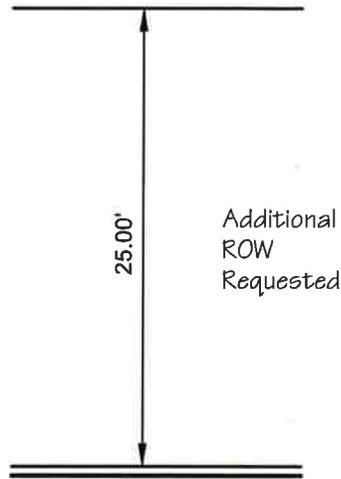
Request

Honest Johns Fish Camp is requesting that Brevard County attempt to obtain additional right of way of 25' from Florida DEP. The additional 25' of right of way would be a benefit to Brevard County in giving us additional space to facilitate maintenance of the road and drainage culverts. In addition to the benefit to Brevard County, it would also enable Honest Johns Fish Camp to further develop their property without having to seek a waiver of the requirement for a 50' wide right of way for the road providing access to their property.

Discussion

There are two options the board can consider. First, the board may elect to not instruct staff to pursue obtaining additional right of way. The result of this decision will be essentially to maintain the status quo. The maintenance of the existing roadway will continue to be done only within the existing 25' right of way, and Honest Johns Fish Camp will be somewhat limited in attempts to develop their property, due to the limitations on what can be done in terms of access within a 25' right of way.

The second option is for the BOCC to instruct staff to request the additional right of way, to the mutual benefit of Brevard County and Honest Johns Fish Camp. While it is not guaranteed that the additional right of way will be granted, there would be some benefit to Brevard County if Florida DEP approves the additional right of way.



Registration:
 FL Reg. L.A. Corp. 10000/010
 Bradley A. Smith
 L.A. #764

This Drawing and The Designs Represented
 Herein are The Exclusive Property of Brad Smith
 Associates, Inc., and May Not Be Reproduced,
 Used, or Disseminated Without Written Permission.
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<p>Proposed Right-of-Way</p>	<p>Drawing History</p> <table border="1"> <tr><td>----</td><td>----</td></tr> <tr><td>----</td><td>----</td></tr> <tr><td>----</td><td>----</td></tr> <tr><td>----</td><td>----</td></tr> <tr><td>----</td><td>----</td></tr> <tr><td>----</td><td>----</td></tr> <tr><td>----</td><td>----</td></tr> <tr><td>----</td><td>----</td></tr> </table>	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	<p>Scale: 1" = 10' Date: 9/1/2017 Date Plotted: 9/1/17</p>	<p>Date Plotted: 9/1/17</p>
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<p>Old Florida Trail Brevard County, FL</p> <p><i>"Enhancing community through PLACE CREATION"</i></p>	<p>Brad Smith Associates, Inc.  LANDSCAPE ARCHITECTURE ■ PLANNING P.O. Box 380250, Ocala, FL 34483-0250 321.742.1036</p>	<p>Sheet Number 1 of 1</p>	<p>Project #: 212-708-01</p>																

CORNER OF SECTION 23,
RANGE 38 EAST

(NO ID)
N 1310622.696
E 815877.406

GOVERNMENT LOT 10
GOVERNMENT LOT 6

589°12'53"E

2682.46'

SW CORNER OF THE
SE 1/4 OF SECTION
23, T29S, R38E

FOUND 3 1/2" x 4 1/2"
CONCRETE MONUMENT
(NO ID)

N 1310820.013
E 8171027.210

MULLET CREEK ROAD
25' MAINTAINED RIGHT-OF-WAY
(PEIT MAINTENANCE MAP
RECORDED IN SURVEY
BOOK 8, PAGES 19 & 20)
(NOT INCORPORATED)

L7

F524

F530

L6

F3036
N 1310176.85E
E 811313.329

SIGN IS ON LINE
NORTHEAST OF LINE

SUPPORT
POLE

POWER POLE IS
3.95' SOUTH &
1.4' WEST OF CORNER

F521

WEST(D)
GOVERNMENT LOT
GOVERNMENT LOT

NORTH LINE
THE NE 1/4
SECTION 25,
T29S, R38E

Asking
of add
right-o
from N
SEE FPL
of road

NOI
MUJ

L1

L5

FRAME
STRUCTURE
(POOR CONDIT
SEE DETAIL '1

SHEET 5

CITRU

OFFCH

F 124 INTERIOR GROVE ROAD

F525

L6

POWER POLE
4.0' SOUTH OF LINE

88.00 ±

WENT LOT 4
(NO ID)

500.59 ± 1.1 FT
615.41 ± 1.1 FT

EAST LINE OF
THE WEST 225'
OF GOVT. LOT 5

57°58'18" E
239.46
790.56 ± 1.8 FT

GOVERNMENT LOT 9
GOVT. LOT 5

20' EASEMENT PER O.R.B. 1589
PAGE 446, PUBLIC RECORDS OF
BREVARD COUNTY, FL.
(NOT IMPROVED)

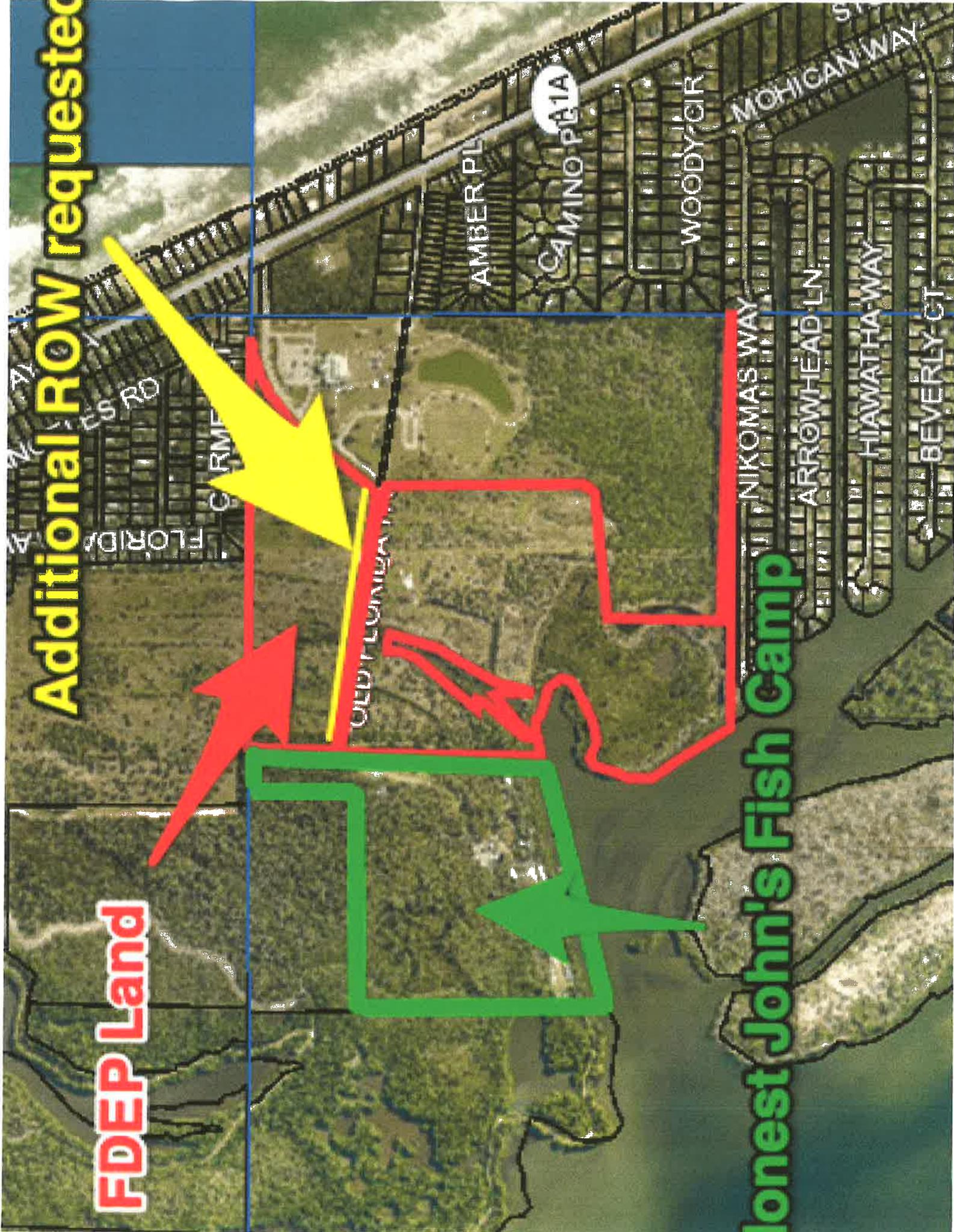
DETAIL

GOVERNMENT LOT 4

Additional ROW requested

FDEP Land

Honest John's Fish Camp





BOARD OF COUNTY COMMISSIONERS

V.F. 1

Public Works Department

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6. 17





