

**PUBLIC WORKS DEPARTMENT
PUBLIC HEARING REPORTS
APRIL 5, 2022**

**2:00 P.M. PETITION TO VACATE – PTV-21-05-026 – FRANK C. BEFERA AND CHRISTY
N. CUTLIFF – DISTRICT 2**

The petitioners request that Orange County vacate two portions, one 5 feet wide by 40.5 feet long and another 1.5 feet wide by 30.1 feet long, of a 15 foot wide utility easement located along the north property line of their residential lot located at 3501 Hill Stream Avenue within the Spring Hollow Subdivision, containing a total of approximately 258 square feet. A portion of a garage and a portion of a shed were constructed near the northern property line without obtaining the proper building permits, and both structures encroach into the 15 foot wide utility easement. This encroachment prompted a Code Enforcement action and in order to solve the violation to obtain an after-the-fact building permit, the petitioners are requesting to vacate the two portions of the easement mentioned above.



Interoffice Memorandum

DATE: April 5, 2022

TO: Mayor Jerry L. Demings
-AND-
County Commissioners

FROM: Diana M. Almodovar, P.E., County Engineer, Public Works Department *DMA*

SUBJECT: **PETITION TO VACATE PTV-21-05-026 - Frank C. Befera and Christy N. Cutliff**

Reason For Vacation

The petitioners request that Orange County vacate two portions, one 5 feet wide by 40.5 feet long and another 1.5 feet wide by 30.1 feet long, of a 15 foot wide utility easement located along the north property line of their residential lot located at 3501 Hill Stream Avenue within the Spring Hollow Subdivision, containing a total of approximately 258 square feet. A portion of a garage and a portion of a shed were constructed near the northern property line without obtaining the proper building permits, and both structures encroach into the 15 foot wide utility easement. This encroachment prompted a Code Enforcement action and in order to solve the violation to obtain an after-the-fact building permit, the petitioners are requesting to vacate the two portions of the easement mentioned above.

Location of Property/Legal Description

The property lies west of N Rock Springs Road and north of Spring Hollow Boulevard. Public interest was created by the plat of Spring Hollow Phase 1 as recorded in Plat Book 18, Page 137 of the public records of Orange County, Florida. The parcel address is 3501 Hill Stream Avenue, and it lies in District 2.

Statement of No Objection

The Real Estate Management and Environmental Protection Divisions have no objection to the request. All utility providers have signed letters of no objection to this request. The Relationship Disclosure and Specific Expenditure forms have been submitted.

Staff Findings

County staff visited the site on March 11, 2022. A portion of a garage and a shed are located within the utility easement requested for vacation.

Staff Recommendations

Approval of this request will have no adverse effect on Orange County. Staff has no objection to this request.

ACTION REQUESTED: APPROVAL OF PTV-21-05-026 – DISTRICT 2



PTV # 21-05-026
Frank C. Befera and Christy N. Cutliff

	Proposed Vacation		Subject Property
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