

**PUBLIC WORKS DEPARTMENT
PUBLIC HEARING REPORTS
March 7, 2017**

**2:00 P.M. PETITION TO VACATE -- PTV-15-04-011 -- DAYALAL G. BHARADVA --
DISTRICT 1**

The petitioner requests that Orange County vacate a 16 ft wide portion of an opened and improved 66 ft wide right-of-way known as Kilgore Road, containing approximately 0.074 acres. An error in the residential lot survey submitted to Orange County during the permitting process resulted in an encroachment of the single family structure into the right-of-way. The petitioner wishes to vacate the 16 ft wide portion of the right-of-way in order to eliminate the encroachment and clear his title. This public hearing was continued at the November 1, 2016 and January 10, 2017 Board of County Commissioners' meetings.



Interoffice Memorandum

DATE: March 7, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners (BCC)

FROM: *Self for* Joseph C. Kunkel, P.E., Deputy Director, Public Works Department

SUBJECT: **PETITION TO VACATE PTV-15-04-011 – Dayalal G. Bharadva**

Reason For Vacation

The petitioner requests that Orange County vacate a 16 ft wide portion of an opened and improved 66 ft wide right-of-way known as Kilgore Road, containing approximately 0.074 acres. An error in the residential lot survey submitted to Orange County during the permitting process resulted in an encroachment of the single family structure into the right-of-way. The petitioner wishes to vacate the 16 ft wide portion of the right-of-way in order to eliminate the encroachment and clear his title. This public hearing was continued at the November 1, 2016 and January 10, 2017 Board of County Commissioners' meetings.

Location of Property/Legal Description

The property lies west of Kilgore Road and north of Charles E. Limpus Road. Public interest was created per a Right-of-Way Agreement, as recorded in Deed Book 781, Page 690, of the Public Records of Orange County, Florida. The parcel address is 9900 Kilgore Road and it lies in District 1.

Statement of No Objection

The Real Estate Management, Engineering, Transportation Planning, Roads and Drainage and Environmental Protection Divisions and the Legal Department do not object to the request. All utility providers have also consented. The Relationship Disclosure and Specific Expenditure forms have been submitted.

Staff Findings

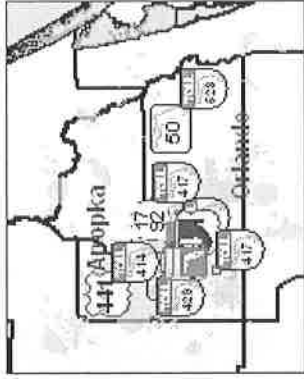
Two corners of the residence encroach into the portion of right-of-way requested for vacation. If the petition to vacate is granted, a paver driveway and path, a concrete apron, a portion of the septic tank drainfield, a portion of a retaining wall, trees and light poles will remain within the portion of right-of-way not requested for vacation, subject to the terms of a Use Agreement that the Board of County Commissioners is being asked to approve on today's consent agenda.

Staff Recommendations

Approval of this request shall be contingent upon the execution of a right-of-way Use Agreement between the petitioner and Orange County, a General Release in the County's favor executed by the petitioner, and approval by the Board of County Commissioners of variances sought by petitioner in Case No. VA-17-01-190.

Staff has no objection to this request.

ACTION REQUESTED: APPROVAL OF PTV-15-04-011 – DISTRICT 1



Legend



Petitioner's property



16 ft wide portion of
right-of-way to be
vacated

1:814



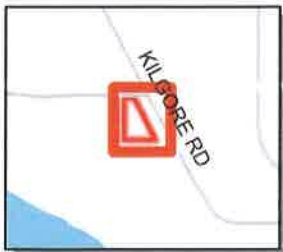
Notes

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

0.0 0.01 0.0 Miles





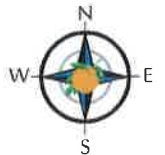
PTV # 15-04-011
Dayalal G. Bharadva



Portion of Right-of-Way to be Vacated



Subject Property



0 15 30
Feet
1 in = 30 ft