



**RESOLUTION 378-24 - VAC24-000005
PUBLIC HEARING BEFORE THE
CAPE CORAL CITY COUNCIL
DECEMBER 11, 2024**

RESOLUTION 378-24

Owner: Freedom Boat Company

Representative: Eric P. Feichthaler, Esq.

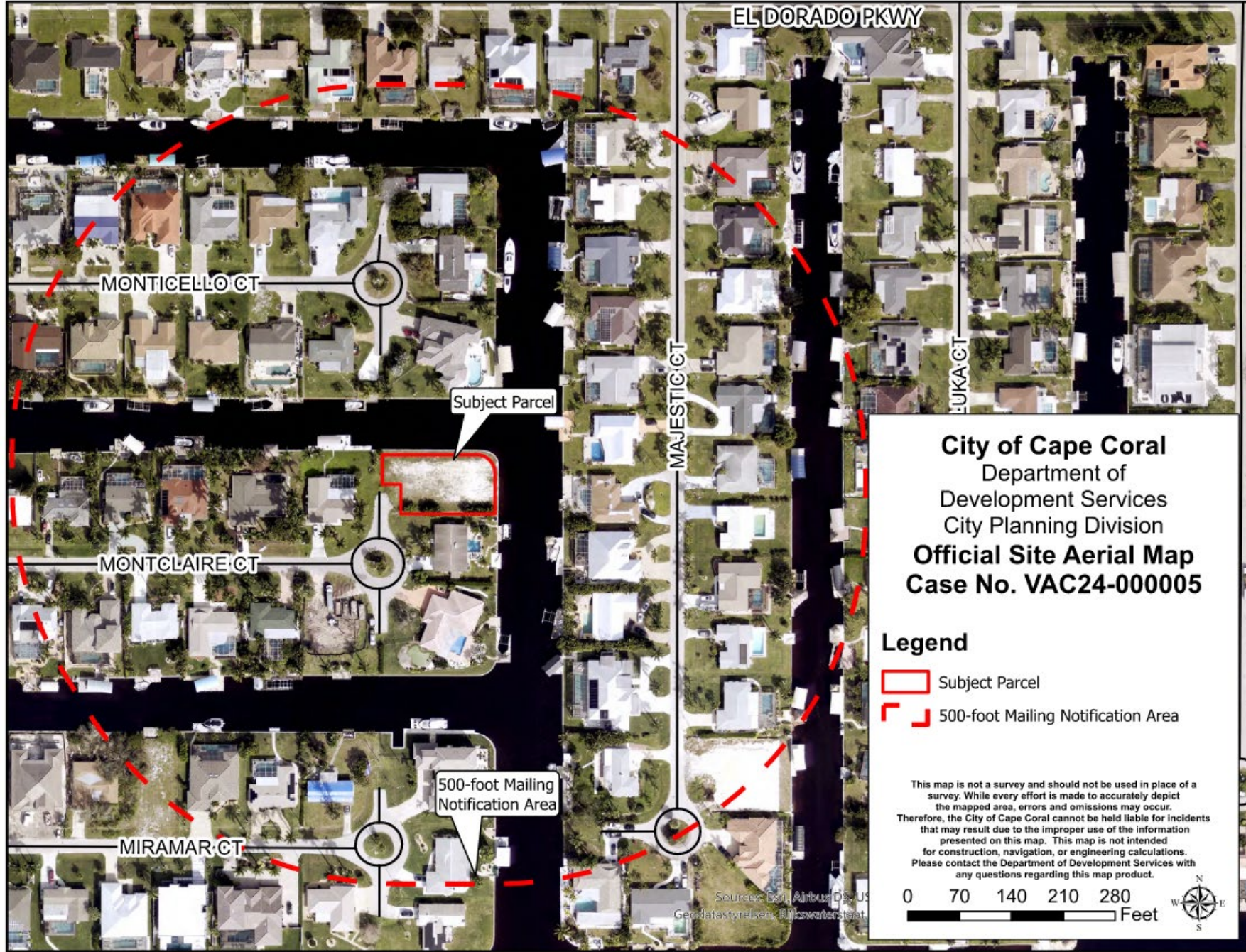
**Location: 849 Montclair Court. Cape Coral, Florida, 33904
Lots 30 and 31, Block 23, Unit 1, Part 2**

The owner is requesting to:

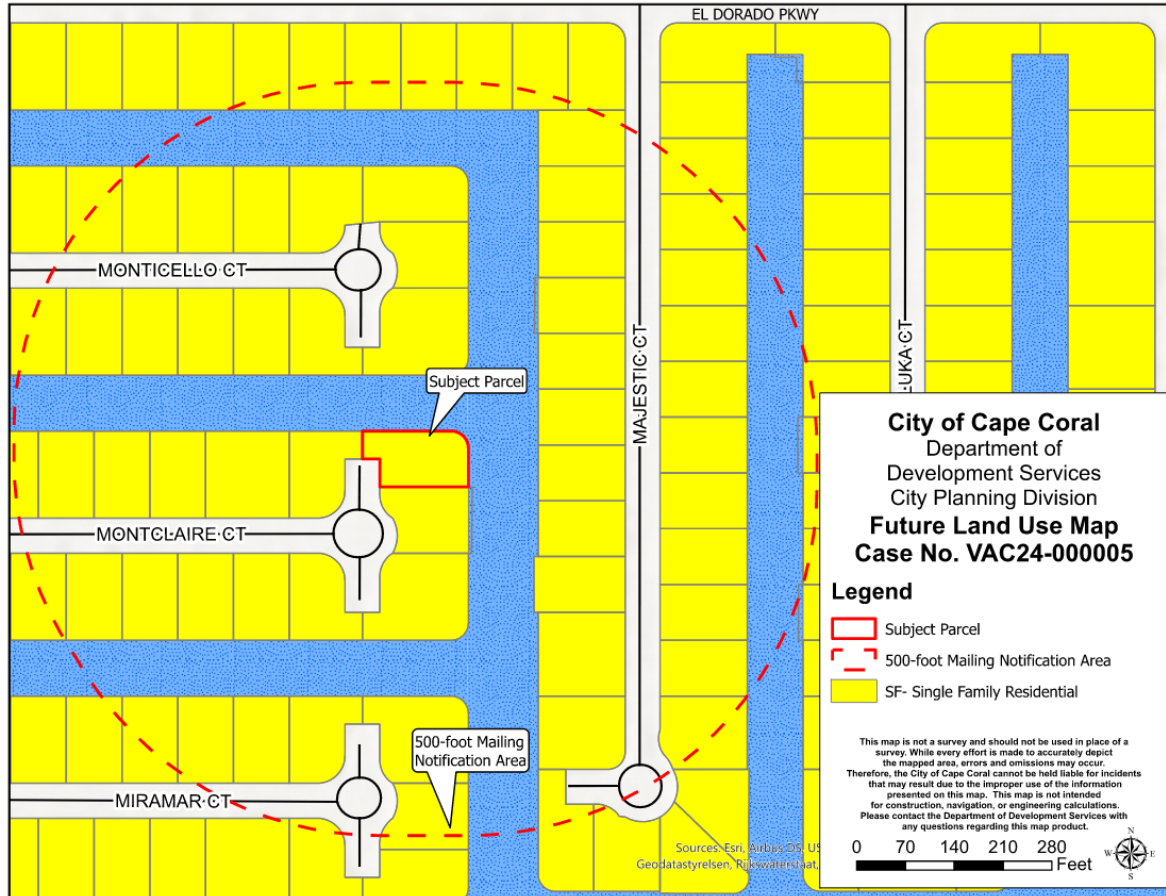
- 1. Vacate 1,436.11 sq. ft. of canal Right-of-Way (ROW) adjacent to Lots 30 and 31, Block 23, Unit 1, Part 2, and**
- 2. Vacate 1,227.34 sq. ft. of platted easements occupying Lots 30 and 31, Block 23, Unit 1, Part 2.**



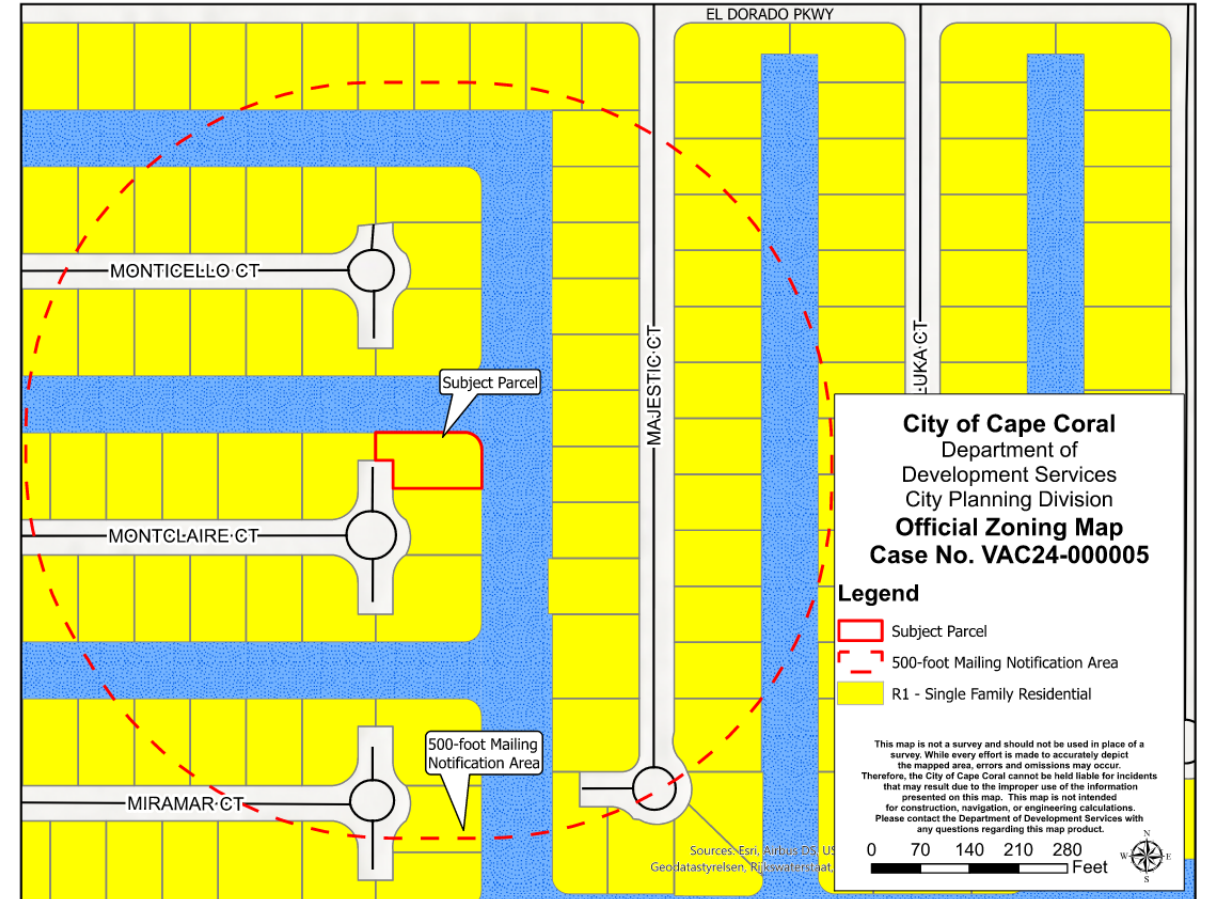
Site Location



FLU Map



Zoning Map



Background:

- ❑ The property has a Future Land Use of Single-Family (SF) and is zoned Single-Family Residential (R-1) all surrounding properties share this combination;
- ❑ The vacation will enlarge the area of the property to 12,461 sq.ft. by vacating upland canal right-of-way adjacent to two canals.

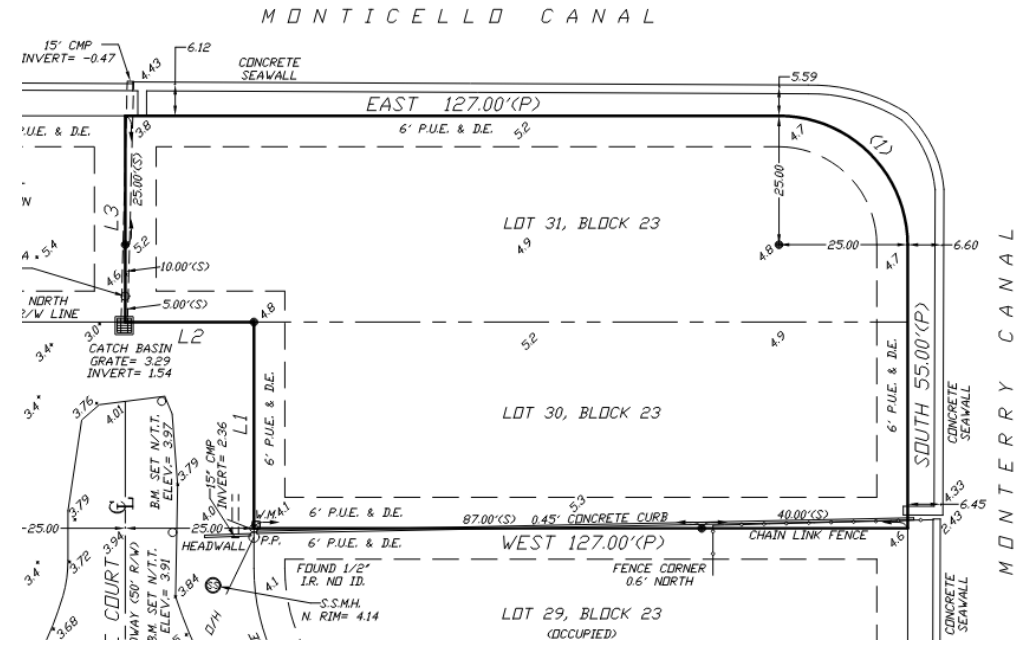
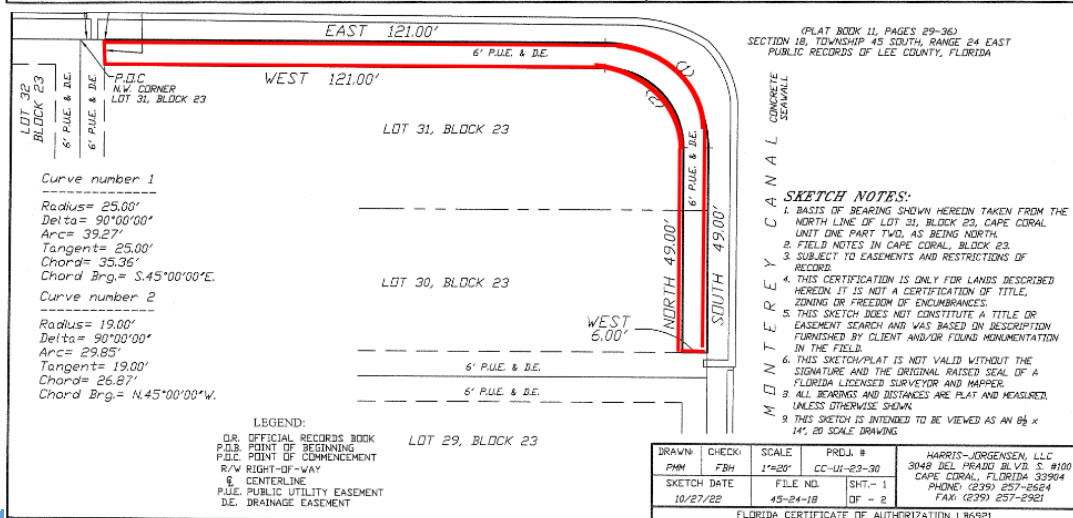
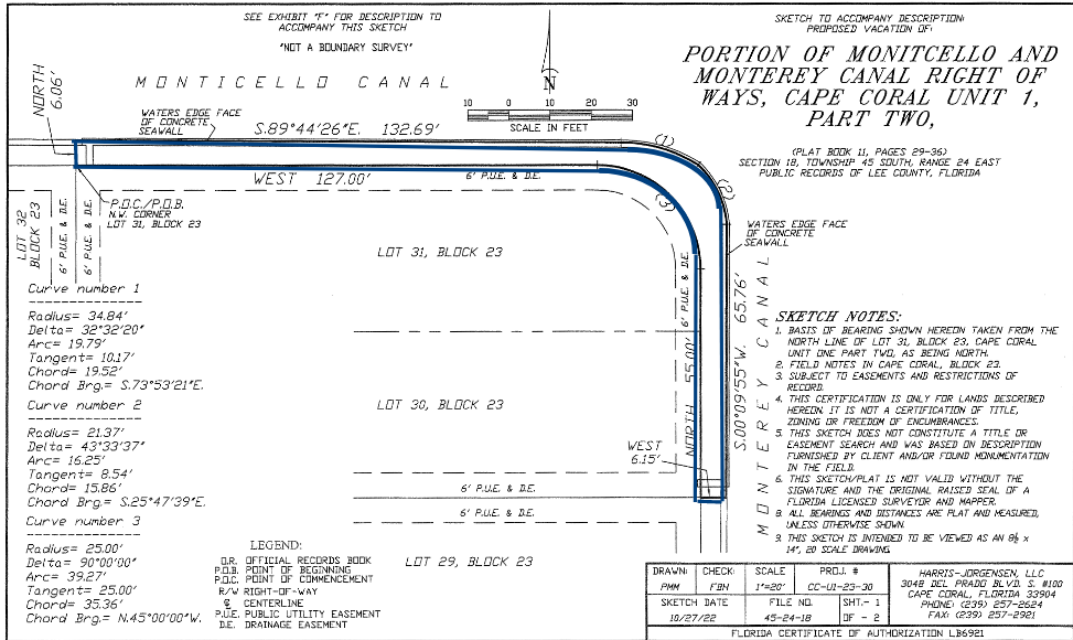


Exhibit A and B – ROW Vacation in Blue; PUE Vacation in Red



Analysis: LDC, Section 3.4.5.B.

- 1. The application meets the requirements of LDC, Section 3.4.5.B.**
- 2. This request involves unexcavated canal ROW. This ROW is between the property lines and the seawalls. The ROW was intended to be part of the canal network but was not excavated during construction.**
- 3. All easements to be vacated are not required. The City will retain easements to maintain a perimeter easement.**
- 4. Utility providers have provided the necessary letters of no objection.**

Recommendations

- 1. Staff recommends approval of Resolution 378-24.**
- 2. The Hearing Examiner recommended approval with selected staff conditions following a Public Hearing held August 6, 2024.**
- 3. Resolution 378-24 contains a modified Condition 4.**
- 4. All Conditions have been accepted by the applicant's representative.**

Thank You

