

Don Pedro & Knight Islands Community Meeting

Right-of-Way Encroachment

August 18, 2025

Roadway and Right-of-Way Issues

- Sand roads on the island are not centered within the right-of-way, creating alignment and management challenges.
- Some properties have additional right-of-way space due to the meandering topography of the sand roads (approx. 40–66 feet, depending on location), complicating maintenance and community expectations. If a clear zone was enforced, some property owners could have more space within the ROW to work with than others.
- Hardscape, vegetation, and landscaping in the right-of-way were identified as potential hazards.
- Safety concerns were raised regarding walking along roads, vehicles backing out of driveways, and limited visibility at curves.
- Clear zone requirements (10–15 feet depending on speed/conditions) are not always met, creating liability and risk exposure for the county.
- Low-lying, frangible plants in the right-of-way could be acceptable; larger plants or trees may obstruct sight lines and be unsafe.
- Questions were raised about permitting requirements for working or placing items in the right-of way.

Beach Parking and Beach Access Concerns

- Community concerns about beach parking and access were discussed.
- The 250 designated parking spots are required for beach renourishment project funding.
- There are 13 private beach access easements as part of PIE (Palm Island Estate) and 5 additional easements providing public access; each contains approximately 50 spots.
- Residents suggested the possibility of designating vacant land or WCIND land for public beach parking.

- Complaints have been raised regarding blocked access and proper use of parking areas. Staff confirmed there are no vehicle restrictions for the parking spaces.
- Parking spots are measured at 10x20 feet. Staff confirmed an additional 10-foot clear zone along the road would not be necessary at these locations, unless otherwise specified by engineering.
- Easements across private and public property were discussed, including their role in grant funding for beach renourishment.
- Some public easements are granted for five years and renewed periodically.
- Public beach access easements do not indicate county ownership; they are granted for public use.
- Clarification provided that signage and markings indicate property access, but enforcement and public education remain challenges.
- Public and private access points must be clearly communicated to visitors and residents. Staff will look into public outreach and education options available such as social media. The conservancy also optioned to post information on their bulletin just outside of PIE.

Enforcement Challenges

- Obstructions in the right-of-way create enforcement challenges.
- Current enforcement is largely complaint-driven rather than proactive.
- County legal guidance disapproves of selective enforcement, provided it aligns with code and liability standards.

Advisory Committee Input

- Committee gathers input from residents and ensures representation of island interests.
- County-appointed advisory board members provided recommendations on right-of-way encroachment issues:
 - Follow the July 2024 Beach Parking Plan
 - Prioritize N. Gulf Boulevard
 - Focus on hardscape items

- Advisory board recommendations are advisory; enforcement and final implementation rest with the Board of County Commissioners and the County Attorney.

Legal and Liability Considerations

- Property owners are responsible for maintaining right-of-way in front of their properties.
- County and property owners may be liable for accidents caused by obstructions or unsafe conditions.

Public Comments

- Residents expressed concerns about road visibility, pedestrian and child safety, and equitable access to parking.
- Emphasis on balancing community input, safety, and compliance with county ordinances.
- Questions were raised about parking proximity to public beach access points, ownership of easements, and management of vegetation in right-of-way.
- Clear communication and education regarding public versus private access are needed to prevent misuse.
- Emphasis on equitable treatment across all properties.

Recommendations Received

1. Implement July 2024 Beach Parking Plan for consistency and funding compliance.
2. Maintain 10-foot clear zone along roads for safety and traffic flow.
3. Review of easement and access issues.
4. Educate the public on designated access points (private and public).
5. Monitor and maintain roads, vegetation, and parking areas to ensure safety and compliance.
6. Phase enforcement where possible to maintain safety and access while minimizing disruption.
7. Explore potential use of vacant land for additional designated parking, where feasible and safe.