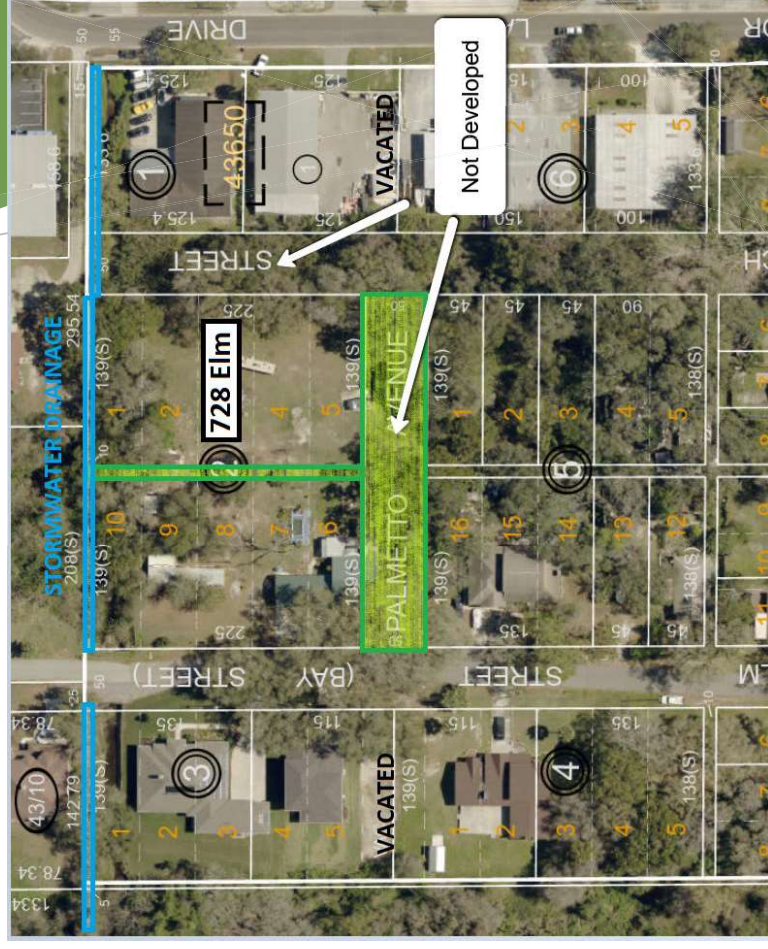


# Petition to vacate (Ruga, Gonzalez, McNeal)

December 7, 2021

## Reasons for Vacation

- The whole purpose of Petitions to vacate is to allow property owners use of their property . Petitioners’ request to vacate Palmetto Ave in order to build a 10 ft driveway to access their property is reasonable. County’s requirement to use private funds to develop public road that had never been developed in over 100 years is UNREASONABLE.
- The main reason is to obtain access to the property located at 728 Elm Street. As of today, this is the main issue that holds Petitioner’s building permit from approval by the Pinellas County.
- Preserve several grand oak trees: 2 36” , 43” , and one 51”!



## Close view of the property

- Palmetto Ave and Church St are paper streets and paper Alley
- Never been used/maintained by the county.
- 2 sides of Palmetto Ave have been vacated
- Jackson park was platted in 1915 and alley was never used.





- Petitioners were reassured by the DRS department multiple times prior to purchase that the County does not require a property owner of a single family to build a complete roadway extension, and 10ft driveway through the ROW will be sufficient.

- Now DRS requires Petitioners to fully develop the Palmetto ROW (emails), i. e. develop public road at homeowner's costs.



# Grounds to support approval of Petition to Vacate

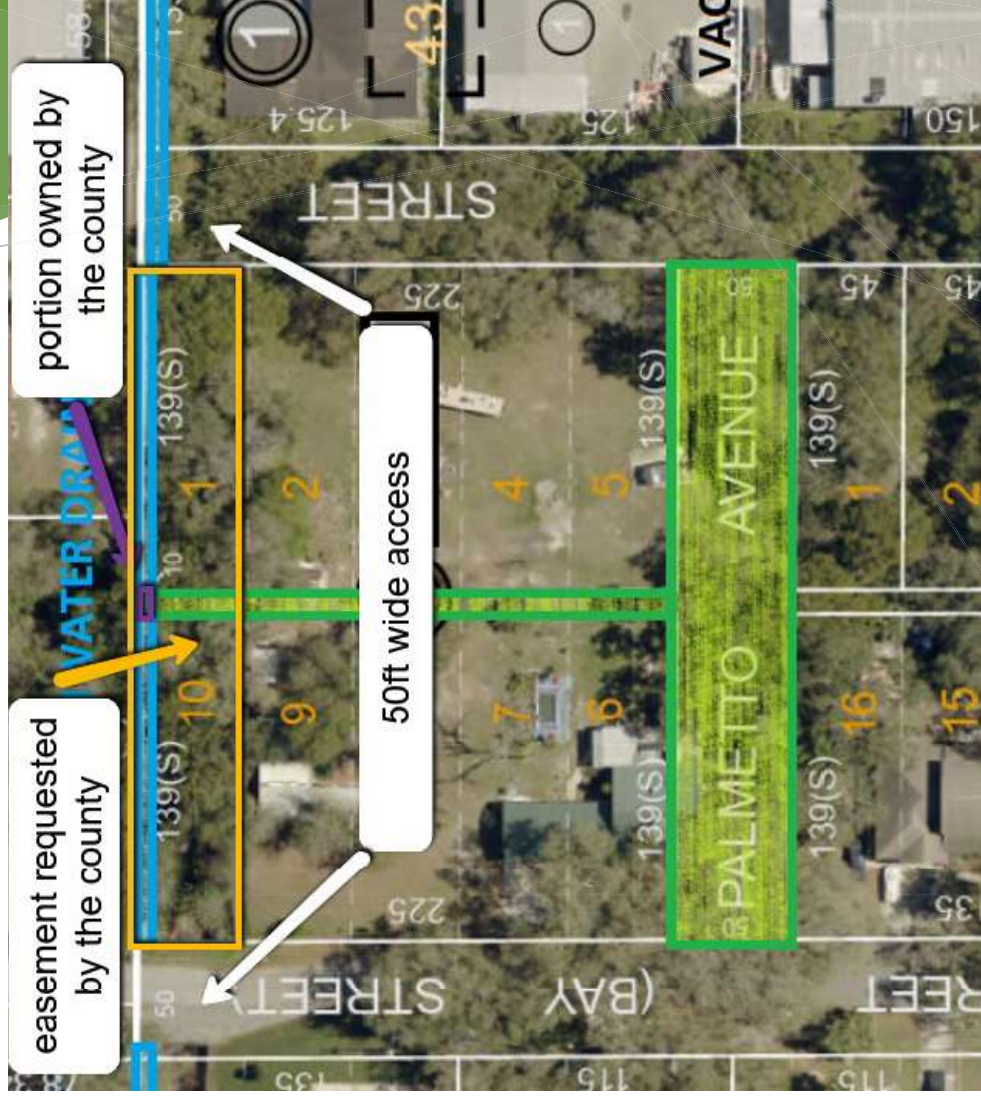
- ▶ 1. There is no need for easements for public utilities including stormwater drainage and pedestrian easements to be retained or relocated. Utility Department has no objections.
- ▶ 2. Vacating Palmetto Ave would not cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record. It will actually create an access for 2 lots including 728 Elm Street.
- ▶ 3. Vacating Palmetto Ave would not adversely impact the existing roadway network, such as creating additional dead-end rights-of-ways, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or districts. Discussed further.

# Grounds to support approval of Petition to Vacate (continued)

- ▶ 4. The easement might be needed for the purposes of maintaining the stormwater drainage.
- ▶ 5. Vacating Palmetto Avenue will not restrict/eliminate public access to beaches, lakes, rivers, bays, estuaries, streams and other waterways. (discussed further).
- ▶ 6. Palmetto Ave is not a significant component of a community redevelopment plan, community plan, or equivalent.

## Drainage channel

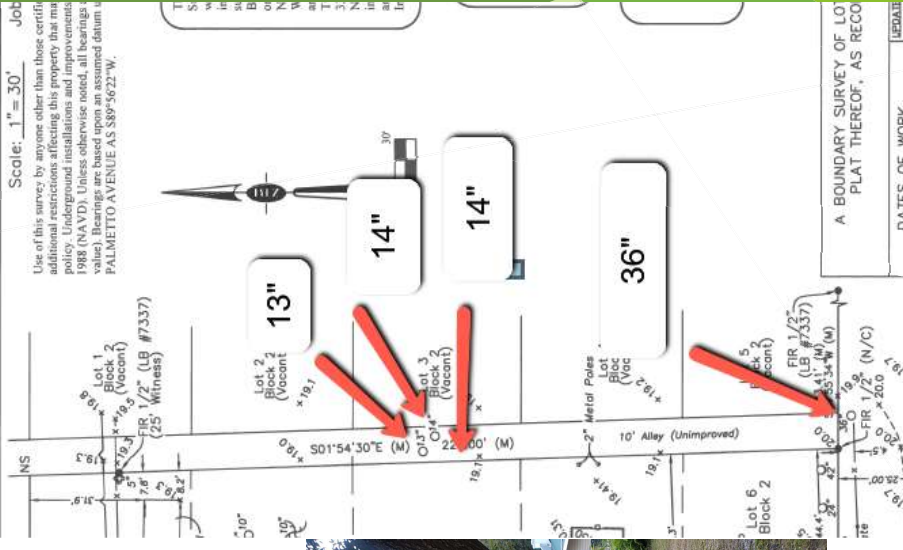
- 1. 50ft wide access to the channel remains through Elm St and Church St.
- 2. County's request for almost total of 40ft wide v. existing 10 ft small portion of the ditch is unreasonable and also creates encroachments of the existing structures.





## Response to County's Concerns regarding the drainage channel (continued)

SOLUTIONS, LLC.;  
D TITLE INSURANCE COMPANY



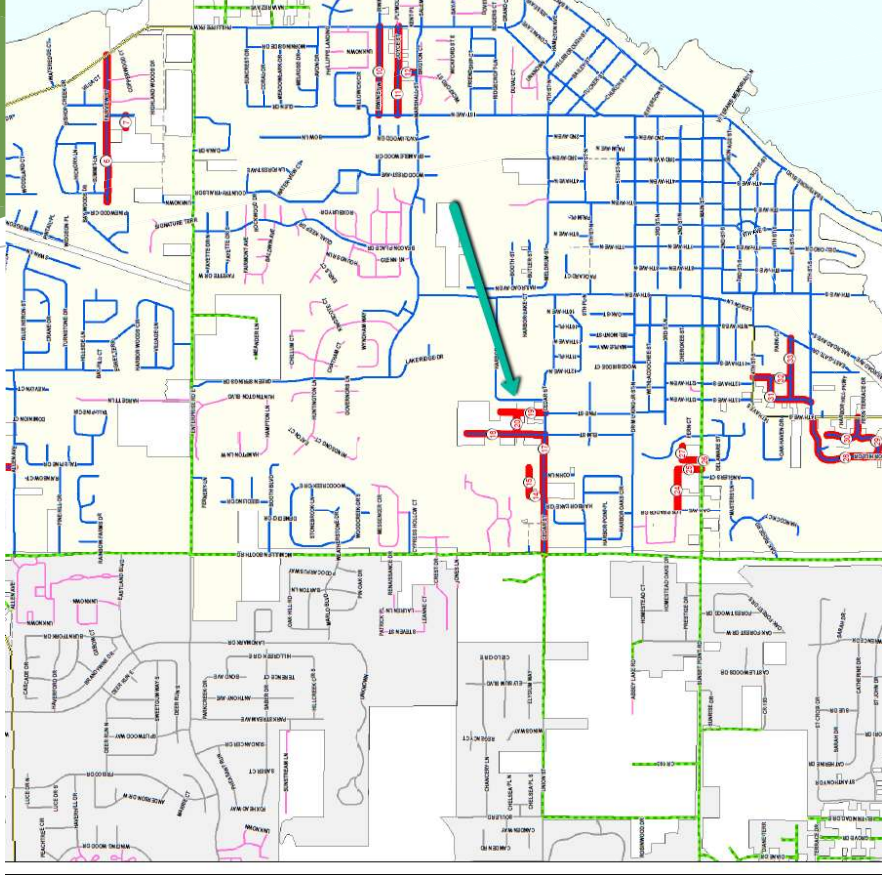
- There are several oak trees including 36" wide, indicating this alley has not been used by the county for over 50 years





## Response to County's Concerns regarding connectivity to Church Street and potential future transportation

- NO or low Impact on roadway network:
- Palmetto Ave is a part of "No outlet" zone.
- Does not alter any utilized travel patterns.
- All neighbors affected support this Petition



## Response to City's concerns

- 1. There are no utilities in the ROW or Alley. St Petersburg easement does not seem to affect the Palmetto Ave (water line seems to be over 25ft away)
- 2. All affected properties are part of this process.
- 3. Minimal impact on “roadway network” .
- 4. In response to Petitioners’ public record request no proof of present or future use of requested ROW and alley was provided.



## Conclusion

- Petitioners request to vacate Palmetto Ave to build a driveway is reasonable.
- County's requirement to develop public road at homeowners' expenses is unreasonable.
- Neighbors support this Petition.
- We've sold 2 houses to build our dream home.
- We see the value of the money evaporating
- Kids are growing up in rented mobile home and winters in mobile home are brutal!
- We hope you help us execute our basic property right – build our home and grant this vacation request.

