## BOARD OF COUNTY COMMISSIONERS

Dave Eggers
Pat Gerard
Charlie Justice
Janet C. Long
John Morroni
Karen Williams Seel
Kenneth T. Welch



### **MEMORANDUM**

TO:

Norman D. Loy, Deputy Clerk

**BCC** Records

FROM:

Sean P. Griffin

Real Property Manager

SUBJECT:

PETITION TO VACATE - Submitted by CBG Property Management, LLC

File No. 1488

CATS 47422

Legistar 15-530

Property Address: 1737 Doncaster Road, Clearwater, FL 33764

DATE:

November 13, 2015

Enclosed herewith are the following originals:

Petition to Vacate

Copy of the Legal Description (Original signed and sealed Legal is attached to the Resolution) Application and Findings of Fact

Letters of no objection from:

Bright House Duke Energy

Pinellas County Engineering & Technical Support

Verizon of Florida WOW! (Knology)

Receipts dated 4-JUN-2015, 1-OCT-2015 and 4- NOV-2015 and copy of checks #35528, #1001 and #38430 in the amount of \$750.00.

Please set the public hearing for the BCC meeting of December 15, 2015, place the necessary newspaper advertising in accordance with State Statute 336.10 (which requires advertising one time not less than two weeks prior to the public hearing and one time within 30 days after the adoption of the Resolution vacating), and mail notices of the public hearing date to the owners shown on the attached list. Thank you

Pinellas County
Real Estate Management
509 East Ave. S.

Clearwater, FL 33756 Main Office: (727) 464-3496

FAX: (727) 464-5251 V/TDD: (727) 464-4062



# SUBMITTED TO THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA

#### PETITION TO VACATE, PUBLIC RIGHTS-OF-WAY OR ALLEYS

Comes now your Petitioners, CBG Property Management, LLC
Name of Petitioner
and respectfully requests this Honorable Board of County Commissioners to adopt a resolution vacating
Lands described in legal description attached
hereto and by this reference made a part hereof.
Your petitioners represent that: 1) the petitioners own the fee simple title to the whole or that portion o
the plat (easement) that is sought to be vacated; 2) the vacation request herein will not cause injury to
any surrounding property or property owners, and that the above described property does not now serve
and is not needed for any public purpose; 3) the interest of the public will not be adversely affected by
this vacation, nor will such vacation affect the ownership, or the right of convenient access, of person
owning any other parts of said subdivision.
I hereby swear and/or affirm that the forgoing statements are true:
Charles
Christine L. Gagnon
STATE OF FLORIDA COUNTY OF PINELLAS
Sworn to (or affirmed) and subscribed before me this 16th day of November, 2015 by Christine L. Gagnon. She is personally known to me, or has produced 17 Drives Livery as identification, and who did (did not) take an oath.
State of Florida
My Commission Expires 06/29/2018 RY NOTARY NOTARY
Commission No. FF 133663 SEAL Print Name Thina, TKurn

My Commission Expires: Commission Number: FF 133/d/3

# SKETCH AND LEGAL DESCRIPTION PORTION OF PORTSMOTH ROAD TO BE VACATED

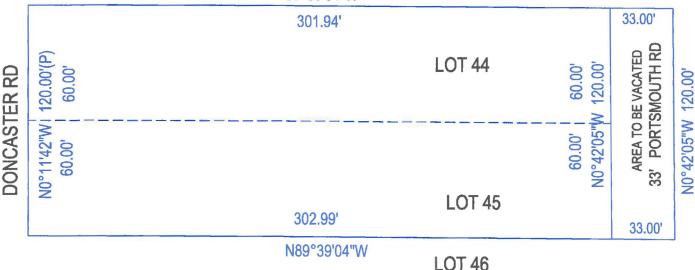
BEING A PORTION OF THE SE 1/4 OF THE NW 1/4 OF SECTION 30, TOWNSHIP 29 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL THE LAND SHOWN ON PLAT OF GULF BREEZE ESTATES LYING EAST OF LOTS 44 AND 45 OF SAID PLAT AND DESIGNATED AS 33 FEET IN WIDTH AND LABELED AS PORTSMOUTH ROAD; RUNNING FROM THE NORTH LINE OF SAID LOT 44, EXTENDED TO THE SOUTH LINE OF SAID LOT 45, EXTENDED, BEING 33.00 FEET WIDE, MORE OR LESS AND 120.00 FEET LONG; SAID LOTS AND LAND SHOWN ON PLAT OF GULF BREEZE ESTATES, RECORDED IN PLAT BOOK 27, PAGE 57, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA



**LOT 43** 

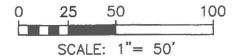
N89°39'04"W



Reviewed by: CH 586

Date: L-24-15

SFN# 501-1488



Know It Now, Inc.

Florida Business Certificate Of Authorization Number LB 6912

LOCATION = 2011 HEIDELBERG AVENUE, DUNEDIN, FL VOICE 727-415-8305 FAX 727-736-2455

#### **NOT A SURVEY**

HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBLE CHARGE AND TO THE BEST OF MY KNOWLEDGE AND BELIEF SAID SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE FURTHER, THIS DOCUMENT IS ELECTRONICALLY SIGNED AND SEALED PURSUANT TO SECTION 472.027, OF THE FLORIDA STATUTES AND CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATION CODE.

Surveyor & Mapper Number 4636

DATE SIGNED 2-15-2015



FLORIDASURVEYOR@AOL.COM



BILL HYATT

# APPLICATION AND FINDINGS OF FACT FOR PETITION TO VACATE PLATS OR PORTIONS OF PLAT (EASEMENTS)

APPLICANT(S):	PLICANT(S): CBG Property Management, LLC, a Florida limited liability company					
Address:	s: 124 Harbor View Lane					
City, State, Zip: Largo, FL 33770						
Daytime Telephone	Number:					
	awaa 1727 Danagatar Baad					
	RESS: 1737 Doncaster Road  Clearwater, FL 33764					
City, State, Zip:						
Property Appraises	r Parcel Number: 30-29-16-34074-000-0440					
PLEASE ANSWER	THE FOLLOWING QUESTIONS TO THE BEST OF YOUR KNOWLEDGE					
1. Is there a	pending "Contract for Sale"? Yes X No					
If yes, please	e list all parties involved in the sales contract:					
	oration involved as owner or buyer? case give Corporation name and list Corporate Officers:					
3. Complete	subdivision name as shown on the Subdivision Plat:					
Gulf Breeze	e Estates					
4. Subdivisi	on Plat Book Number 27 Page number(s) 57					
5. Is there a	Homeowners Association? Yes X No					
6. Reason(s)	for requesting this vacation – check all that apply:					
	to vacate to clear an existing encroachment: Pool Screened Pool & Deck Building					
-Need	l to vacate to clear title: Yes No					
	t to vacate to allow for: Pool Screened Pool/Deck Building Addition					
X	Other: Square off fencing of property to all commonly owned properties for grazing horses currently on KJ Trust Property.					

	7. Is Board of Adjustment required?  Yes X No To determine if a variance is required, please call the BUILDING DEVELOPMENT REVIEW SERVICES DEPARTMENT at 464-3888.					
	8. Please provide any relevant additional comments:					
	The applicant's family owns adjacent property and would like to fence entirety of ownership.					
	9. If anyone has assisted you with the preparation of this form, gathering of information or requesting information on your behalf, please list their name, title, address and phone					
	number below.					
	Name Katherine E. Cole Title Attorney					
	c/o Hill Ward Henderson, 311 Park Place Blvd., Address Suite 240, Clearwater, FL 33759 Phone 727-259-6791					
	CITIZEN DISCLOSURE					
	101) I have a current family relationship to an employee, or an elected					
	official, of Pinellas County Government. That person is					
	, employed in the Department of, or Office of,					
	Elected Official.					
	X 2) I am not aware of any current family relationship to any employee,					
	or Elected Official, of Pinellas County Government.					
	3) I am an employee of Pinellas County Government, in the					
	Department, or the Office of					
	, Elected Official.					
	efinition of family relationship, for the purposes of this document, is the immediate family					
	ting of: father, mother, brother, sister, half-brother or sister, adopted brother or sister, or by					
law or	marriage, father-in-law, mother-in-law, brother-in-law, or sister-in-law.					
	APPLICANT(S) SIGNATURE CBG Property Management, LLC, a Florida limited liability company  DATE: May 25, 2015  Christine L. Gagnon, Manager/Member					



Date: Feb. 18th, 2015

Re: 1737 Doncaster Rd. (Rear) 33' Vacate ROW/Ease.

Dear Katherine,

XX	Bright House Networks has no objections.
	Bright House has no objections provided easements for our facilities are Retained or granted. SEE NOTES BELOW
any Br	Bright House has no objections provided applicant bears the expense for relocation of ight House facilities to maintain service to customers affected by the proposed Vacate.
	In order to properly evaluate this request, Bright House will need detailed plans of facilities proposed for subject areas.
	Bright House has facilities within this area, which may conflict with subject project Please call one call locating. <b>SEE NOTES</b>
<del></del>	Bright House requires 30 days written notice prior to construction start date to relocate their facilities.

NOTES: No Objection.

Sincerely, W. Scott Creasy

Bright House Networks

Eng. III

Pinellas County 727-329-2847

2166 Palmetto Street Clearwater, FL. 33765: CW-13

Jason.McDarby@duke-energy.com

6: 727.562.5706 f: 727-562-5753



April 15, 2015

Hill Ward Henderson, P. A. Attn: Betsey R. Jolley, AICP, Esq 311 Park Place Blvd., Suite 240 Clearwater, Florida 33759

RE: Approval of a vacation of a 33 foot Road Right-of-Way Known as Portsmoth Rd 1737 Doncaster Road Clearwater, Florida Section 30, Township 29 South, Range 16 East, Pinellas County, Florida.

Dear Ms. Cole,

Please be advised that **DUKE ENERGY FLORIDA**, **INC.**, **d/b/a DUKE ENERGY**, *Distribution Department* and *Transmission Department* has "**NO OBJECTIONS**" to the vacation of a portion of Portsmoth Road.

See the accompany Exhibit "A" as attached hereto and incorporated herein by this reference.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Jason McDarby

Land Rep

Distribution Land Services - Florida

# BOARD OF COUNTY COMMISSIONERS

Dave Eggers
Pat Gerard
Charlie Justice
Janet C. Long
John Morroni
Karen Williams Seel
Kenneth T. Welch



Betsey R. Jolley, AICP, Esq. Hill Ward Henderson, P.A. 311 Park Place Blvd, Suite 240 Clearwater, FL 33759

April 21, 2015

RE:

Letter of No Objection to Release Easement – Utility Owner

1737 Doncaster Road, Clearwater, FL 33764

Parcel ID#: 30/29/16/34074/000/0440

Map Page 23-HN

Dear Ms. Jolley:

We have received your request for a letter of no objection to the release of the utility easement along the east side of the referenced property. Pinellas County does not have any potable water facilities in the easement. Therefore, we have no objection to the proposed release. We recommend checking with Largo regarding sanitary sewer as the City is the sewer provider for this area.

If you have any questions, please call me at (727) 464-4068.

Sincerely,

**Pinellas County Engineering & Technical Support** 

Sandra L. McDonald, P.E.

pended Mi Onld

**Professional Engineer** 

Pinellas County Engineering and Technical Support 14 S. Fort Harrison Ave. • 6th floor

Clearwater, Florida 33756 Main Office: (727) 464-3588

FAX: (727) 464-3595 V/TDD: (727) 464-4062



Date: 3/13/15



Bryan Lantz Municipal Affairs and Right Of Way Section Manager Network Engineering and Planning Office: 813-740-1231 bryan.lantz@verizon.com

RE: 1737 Doncaster Rd. Clearwater FL. vacate of platted

Easement on East side of lots 44 and 45 Gulf Breeze Estates

Dear Ms. Harvey

□ Verizon Florida LLC will require easements as indicated on the attached plat.
□ Verizon Florida LLC does object to the above referenced easement or right of way vacation. This is necessary, as we have facilities in the existing easement or rights of way, which needs to be maintained
☑ Verizon Florida LLC has no objection to the above referenced request.
☐ Verizon Florida LLC has no objection to the above referenced vacate providing we may maintain an easement(s) presently occupied by our facilities or providing we are reimbursed for the relocation of our facilities to a new location.
Please be advised that Verizon may have facilities in the area. Please contact Sunshine 811 two full business days prior to commencement of construction at 811 for utility locations. Please call me if you have any questions or need any additional information at (813) 740-1231. Sincerely,
×
Byan Lantz

A Part of Verizon Corporation

Network Engineering



WOW! Internet Cable Phone

Katherine E. Cole Hill Ward Henderson, P.A. 101 E. Kennedy Blvd., Ste. 3700 Tampa, Florida, 33602

Date: February 20, 2015

Re: Petition to Release/Vacate Platted Utility Easement: See Attached

Legal Description and Sketch.

1737 Doncaster Road, Clearwater, Florida

Dear Katherine E. Cole:

Thank you for advising WOWI of the Petition to Release/Vacate.

XX WOW! has no objection/conflict.

In order to properly evaluate this request, WOW! will need the disposition of Duke Energy for this proposed Release/Vacate.

WOW! has telecommunications facilities within this area that conflict with the subject request. WOW! has no objections provided easements for our facilities are granted or applicant bears the expense for relocation of associated WOW! facilities.

Please refer any further correspondence and pre-construction meeting notices to:

WOWI
John Burlett
Construction Technician
3001 Gandy Blvd. N.
Pinellas Park, FL 33782

Sincerely,

John Burlett Construction Technician

WOW

(727) 239.0158 (Main) (727) 235.4470 (Mobile)

> 3001 Gandy Blvd N Pinellas Park, FL 33782

### PETITION TO RELEASE PUBLIC HEARING

For your information, below please find the steps necessary for the Real Estate Division to prepare your petition for the public hearing.

At the time you bring in the completed application, letters of no objection and all documents requested, a \$350.00 non-refundable application fee is required to begin the petition to release or release of easement application. When the County staff review and approval of the application is complete, <u>you will be notified by mail and requested to submit the Petition to Release form together with the \$400.00 filing and advertising fee, and all pertinent fees associated with approval of the request. Upon receipt of the check, made payable to the Board of County Commissioners (BOCC), and the Petition, the PETITION TO RELEASE PACKAGE is prepared by County staff for presentation to the BOARD OF COUNTY COMMISSIONERS as a public hearing agenda item.</u>

FYI, below are the steps necessary for the Real Estate Division to prepare for the public hearing include:

#### **ADVERTISEMENT**

In accordance with Florida State Statute 177.10, the date of the public hearing will be advertised "by publishing legal notice in a newspaper of general circulation in the county in which the parcel of land is located, in not less than two weekly issues of said paper". The advertisement is placed in the paper by the Clerk of the Circuit Court, Board Records Section.

#### **ADVERTISEMENT**

In accordance with Florida State Statute 336.09, 336.10, & 336.12, "the Commissioners shall hold a public hearing and shall publish notice thereof, one time in a newspaper of general circulation in the county in which the parcel of land is located, at least two weeks prior to the date stated therein for such hearing". Following the Public Hearing, "Notice of the adoption of the Resolution by the Commissioners shall be published one time, within 30 days following its adoption, in one issue of a newspaper of general circulation". These advertisements are placed in the paper by the Clerk of the Circuit Court, Board Records Section.



HILL WARD HENDERSON

TAMPA, FLORIDA GENERAL ACCOUNT 83-216/631

35528

P.O. BOX 2281, TAMPA, FLORIDA 33601

June 5, 2015

Date:

Pay: Three hundred fifty and 00/100\*\*

\$ \*\*\*350.00\*\*\*

PAY TO THE ORDER O

ORDER OF: Pinellas County Real Property Division



## PETITION TO RELEASE PUBLIC HEARING

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CBG PROPERTY MANAGEMENT LLC	1001
124 Harbor View Lane	63-751/631 BRANCH 0048
Largo, FL 33770	1.1.15
0.00.0	DATE
PAY TO THE Board Od Condy Con	1 1550m \$ 00.76
Bo Westroop A	DOLLARS DE Bectra
	VOID AFTER 90 DAYS
WACHOVIA	7/11/1/
Wachovia Bank, N.A. wachovia.com	1 Ja
FOR	

### PETITION TO RELEASE PUBLIC HEARING

For your information, below please find the steps necessary for the Real Estate Division to prepare your petition for the public hearing.

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HILL WARD HENDERSON

SUNTRUST BANK TAMPA, FLORIDA GENERAL ACCOUNT 63-215/631 38430

Date:

November 4, 2015

O. BOX 2281, TAMPA, FLORIDA 33601

\$ \*\*\*300.00\*\*\*

Pay: Three hundred and 00/100\*\*\*

TO THE ORDER OF: Board of County Commissioners Pinellas County



#### PROPERTY OWNER COURTESY NOTIFICATION LIST FOR FILE #1488

#### **PETITIONERS**

CBG PROPERTY MANAGEMENT, LLC 1737 DONCASTER ROAD CLEARWATER, FLORIDA 33764

# ADJACENT PROPERTY OWNERS NOTIFICATION LETTER SENT TO THESE OWNERS BY THE CLERK OF THE CIRCUIT COURT – BCC RECORDS DIVISION

REAL PROPERTY DIVISION ATTN: CYNTHIA M. HARRIS 509 EAST AVENUE S CLEARWATER, FL 33756

C B G PROPERTY MGMT LLC 124 HARBOR VIEW LN BELLEAIR BLUFFS, FL33770-2605 APHORAO TO THE SON LLC 124 HARBOR VIEW LN BELLEAIR BLUFFS, FL33770-2605

BELL, SALLE V 1730 DONCASTER RD CLEARWATER, FL33764-6526

LANGE, JAMES T MC GLATHERY, GAIL E 1722 DONCASTER RD CLEARWATER, FL33764-6526

FERNANDEZ, JAIME A 12531 95TH ST LARGO, FL33773-2508

LORING, MELVIN LORING, CHRISTINE M 1718 DONCASTER RD CLEARWATER, FL33764-6526 WALLEN, DAVID WALLEN, AMANDA 1735 ALBEMARLE RD CLEARWATER, FL33764-6520

BEHRENS, DEBRA T 1738 DONCASTER RD CLEARWATER, FL33764-6526

NAGY, AMANDA M 1762 DONCASTER RD CLEARWATER, FL33764-6526 TUCKER, TAMRA Y 1756 DONCASTER RD CLEARWATER, FL33764-6526 KING, CHARLES P KING, RITA M 1725 DONCASTER RD CLEARWATER, FL33764-6525

WALLEN, DAVID WALLEN, AMANDA M 1735 ALBEMARIE RD CLEARWATER, FL33764-6520

BEESLEY, ANNE M 1737 ALBEMARLE RD CLEARWATER, FL33764-6520 WALTERS, EDMUND L JR WALTERS, MELANIE 1761 DONCASTER RD CLEARWATER, FL33764-3524

CRUMP, TRACY L 1750 DONCASTER RD CLEARWATER, FL33764-6526 TRUMP, CYNDI L 1743 ALBEMARLE RD CLEARWATER, FL33764-6520

HANCOCK, HAROLD E HANCOCK, SANDRA L 1729 ALBEMARLE RD CLEARWATER, FL33764-6520

DOYLE, A T 1717 DONCASTER RD CLEARWATER, FL33764-6525

#### NOTICE OF PUBLIC HEARING

Notice is hereby given that on December 15, 2015, beginning at 6:00P.M., a public hearing will be held by the Board of County Commissioners in the County Commission Assembly Room, Fifth Floor, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, 33756, to consider the petition of CBG Property Management, LLC to vacate, abandon and/or close the following:

A 33 foot wide right-of-way known as Portsmouth Road lying east of Lots 44 and 45, Gulf Breeze Estates, Plat Book 27, Page 57, of the Public Records of Pinellas County located in Section 30, Township 29 South, Range 16 East.

Persons are advised that, if they decide to appeal any decision made at this meeting/hearing, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOUR ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. WITHIN TWO (2) WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE, PLEASE CONTACT THE OFFICE OF HUMAN RIGHTS, 400 SOUTH FORT HARRISON AVENUE, SUITE 500, CLEARWATER, FLORIDA 33756, (727) 464-4880 (VOICE), (727) 464-4062 (TDD).

KEN BURKE, CLERK TO
THE BOARD OF COUNTY COMMISSIONERS
By: Norman D. Loy, Deputy Clerk

## **REQUEST FOR ADVERTISING**

TO:	BCC Records		MM			
FROM:	Sean P. Griffin, Manager Real Estate Management		erty Divisior	1		
RE:	Petition to Vacate Public Hearing File No. 1461 - CBG Property Management, LLC					
DATE:	November 13, 2015					
THIS VACATION OF RIGHT-OF-WAY IS DONE UNDER STATE STATUTE 336.10. ADVERTISING IS REQUIRED ONE TIME AT LEAST TWO WEEKS PRIOR TO THE PUBLIC HEARING AND NOTICE OF THE ADOPTION OF THE RESOLUTION VACATING IS TO BE ADVERTISED ONE TIME WITHIN 30 DAYS FOLLOWING THE ADOPTION.  AD COPY ATTACHED: Yes XXX No						
REQUIRES SPECIAL HANDLING: Yes No _XXX						
NEWSPAPE		ourg Times _		as Review XXX		
SIZE OF AD	<u> </u>					
SIZE OF HE	ADER:					
SIZE OF PR	INT:					
SPECIAL INSTRUCTIONS OR COMMENTS:						
R:\REAL PROPERTY\VACATIONS AND RELEASES\PETITIONS-PENDING 1400'S\File#1488-V CBG Property  Management LLC\Req Ad Form.doc						

FILE No.: 1488 CBG Property Mgmt LLC

**BCC:** December 15, 2015

# SPECIAL INSTRUCTIONS

- 5 weeks prior to Public Hearing date:

Tuesday of that week Real Estate (Cynthia Harris) 11/10/15 coordinates with Paula Gonya for availability on the proposed agenda and gives notice of the proposed number of Petition to Release packages.

- 4 weeks prior to Public Hearing date:

Tuesday of that week Real Estate (Cynthia Harris) 11/17/15 Notifies Paula the actual number of petitions and the names of the petitioners projected to go to the agenda.

**ADVERTISEMENT ACTION:** 

weeks prior to Public Hearing date

(for F.S. 177 101)

Wednesday of that week, the Request to Advertise package for each petition must be delivered to BCC Records (Norman Loy) to meet State Statute advertising requirements. (If any petition package is not approved as of this day, please notify Paula ASAP so they can PULL the item from the Board agenda.)

PLEASE NOTE: When the Request to Advertise package is delivered to Board Records/Norman, a copy of the ad is provided to Paula. Thank you.