BOARD OF COUNTY COMMISSIONERS

Dave Eggers Pat Gerard Charlie Justice Janet C. Long **Kathleen Peters** 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 Avik K. & Paromita C. Ganguly

File No. 1559

CATS 50829

Legistar 19-387A

Property Address: 7378 54th Avenue North, St. Petersburg, Fl 33709

DATE:

March 12, 2019

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 Frontier

Pinellas County Utilities Engineering

TECO Electric TECO Peoples Gas WOW! (Knology)

Receipts dated 30-NOV-2017 and 10-SEP-2018 and copy of checks #1528 and #1465 in the amount of \$750.00.

Please set the public hearing for the BCC meeting of May 7, 2019, place the necessary newspaper advertising in accordance with State Statute 177.101 (which requires advertising not less than in two weekly issues prior to the Public Hearing and no advertising required following the hearing), 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, EASEMENTS, PUBLIC RIGHTS-OF-WAY OR ALLEYS

Comes now your Petitioner's, <u>Avik K. Ganguly and Paromita C. Ganguly</u>
Name of Petitioners

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 of 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 persons owning any other parts of said subdivision.

and is not needed for any public pu	urpose; 3) the interest	est of the public will not be adversely affected by
this vacation, nor will such vacatio	n affect the owners	ship, or the right of convenient access, of persons
owning any other parts of said subd	ivision.	
	I hereby swear and Avik K. Ganguly	Vor affirm that the forgoing statements are true:
	I hereby swear and Paromita C. Gang	/or affirm that the forgoing statements are true:
STATE OF FLORIDA COUNTY OF PINELLAS		
		day of <u>Floruary</u> , 2019, e is personally known to me, or has produced no did (did not) take an oath.
No.		NOTARY JULES. QUOY Print Name rene S. Joloby
My Commission Expires:	IRENE 8, JACOBS BY COMMISSION # FF 804969 EXPIRES: June 25, 2020	Commission Number:

SKETCH & LEGAL DESCRIPTIONS

LEGEND

FIR = FOUND IRON ROD

FCIR = FOUND CAPPED IRON ROD

P.O.B. = POINT OF BEGINNING

S.F. = SQUARE FEET

LAKE SHORE DRIVE

50' RIGHT OF WAY 20' PAVED ROAD

S 22°00'34"W 80.00'

ALL DIMENSIONS EXPRESSED HERE ARE IN FEET AND DECIMALS OF FEET.

> 2 PG. 82 αį ۵. GEORGE UNIT VI, 9, BLOCK 0

ST.

SAT

67,29

to

HOUSE #3915 NOT SHOWN

SPECIFIC PURPOSE SURVEY

16.17' TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION OF THE PROPOSED VACATION AREA:

COMMENCING AT THE MOST NORTHERLY CORNER OF

THENCE \$67°59'26"E, 80.00'; THENCE \$22°00'34"W,

THENCE CONTINUE \$22°00'34"W, 33.83'; THENCE \$37°01'36"E, 13.33"; THENCE N22°00'34"E, 40.69"; THENCE N67°59'26"W, II.43' TO THE POINT OF

BEGINNING, CONTAINING 426 S.F. MORE OR LESS.

LOT 8, BLOCK "A", LAKE ST. GEORGE UNIT ONE,

AS RECORDED IN PLAT BOOK 78, PAGES 65-66, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

" NOT A BOUNDARY SURVEY "

67°59'26"E T BOUNDARY

UPLAND

∞ 2°00'34"W 📈 6.0'g. 50,00 S 22°00'34"W 33.83

PROPOSED ≥ 16.17

VACATION AREA 40.69 N 22°00'34"E

DRA)NAGE, UTILITY 8/OR NATURAL EASEMENT

S 22°00'34"W 16.17

POINT OF COMMENCEMENT

C/A

BEGINNING

9F

Q

BLOCK

LOT

LOT 8, BLOCK A

LEGAL DESCRIPTION:

SEC. 08 TWP. 28 S RNG. 16 E

SUBJECT TO SETBACKS, EASEMENTS AND RESTRICTIONS OF RECORD

FLOOD PLANE CERTIFICATION ACCORDING TO THE F.I.R.M. MAP, COMMUNITY PANEL NUMBER: 12103C/0078/G DATED: 09/03/03 . THIS PROPERTY APPEARS TO BE IN FLOOD ZONE " X " AND THE BASE 100 YEAR FLOOD ELEVATION IS ---- MEAN SEA LEVEL

CERTIFIED TO: AVIK K. & PAROMITA C. GANGULY

DRAWN BY: MBD CHECKED BY: DARIUS SCALE: I" = 30'

FIELD WORK DATE: 06/08/18 FIELD BOOK NO .: MISC. PAGE NO.: SHEET **JOB NUMBER: 180603**

REV. NO. I REV. NO. 2 REV. NO. 3 REV. NO. 4

MOHAMMAD B. FAR

8131 MEADOWVIEW PLACE TRINITY, FL 34655

(727) 375-1740 . FAX(727) 375-1741 e-mail: MOHAMMADBFAR@AOL.COM

This certifies that a survey of this legal described hereon was made under my supervision and that the survey complies with the Standards of Practice set forth by the Florida Board of Professional Land Surveyors & Mappers in Chapter 5J-17 F.A.C., pursuant to Section 472.027, Florida Statutes. And, that the sketch hereon is a frue and accurate representation thereof to the best of my knowledge and belief, subject to notes and notations shown hereon.

NOT VALID UNLESS SIGNED, DATED AND STAMPED WITH MY EMBOSSED SEAL. FOR REFERENCE ONLY.

06/08/18

DATE MOHAMMAD B. FAR. P.L.S. 45545

APPLICATION AND FINDINGS OF FACT

FOR PETITION TO RELEASE PLATS OR PORTIONS OF PLAT (EASEMENTS)

APPLICANT(S): AVIK. K. GANGULY & PAROMITA C. GANGUL
Address: 3915, Lake Shore Dr.
Address: 3915, Lake Shore Dr. City, State, Zip: Palm Harbor, FL-34684
Daytime Telephone Number: 954-821-6126.
SUBJECT PROPERTY ADDRESS: 3915, Lake Shore Dr. City, State, Zip: Palm Harbor FL-34689 Property Appraiser Parcel Number: 08-28-16-48763-001-0080 PLEASE ANSWER THE FOLLOWING QUESTIONS TO THE BEST OF YOUR KNOWLEDGE
1. The right-of-way or alley is:open and usedunopened "paper" street NA-
2. Is there a pending "Contract for Sale"? Yes No
If yes, please list all parties involved in the sales contract:
NA
3. Is a corporation involved as owner or buyer? If yes, please give corporation name and list corporate officers:
4. Complete subdivision name as shown on the subdivision plat:
Lake St-George
5. Subdivision Plat Book Number 78 Page number(s) 65-66
6. Is there a Homeowners Association? X Yes No
7. Reason(s) for requesting this release - check all that apply:
-Need to release to clear an existing encroachment: Pool Screened Pool & Deck Building Other
-Need to release to clear title: Yes X No

-Want to release to allow for: Pool Screened Pool/Deck_X_ Building Addition Other
-Want to vacate to include the vacated right of way or alley into my property for: Increased property size Prohibiting unwanted use of the area
Other:
8. Is Board of Adjustment required?YesXNo
To determine if a variance is required, please call the BUILDING DEVELOPMENT REVIEW SERVICES DEPARTMENT at 464-3888.
9. Please provide any relevant additional comments:
Sunroom by extending out to mign with the built up portion house. Also, ald a patio Outside the (Sunroom. 10. 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.
NameTitle
Address Phone
CITIZEN DISCLOSURE
111) 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.
Elected Official, of Pinellas County Government.
3) I am an employee of Pinellas County Government, in the
, Elected Official.
The definition of family relationship, for the purposes of this document, is the immediate family consisting 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
DATE: 06/05/18 Segarency
APPLICANT(S) SIGNATURE



Date June 14, 2018

Re: Letter of No Objection for Parcel No 08-28-16-48763-001-0080

3915 Lake Shore Dr. Palm Harbor Florida 34684

XXX Bright House Networks has no objections provided easements for our facilities are Retained / granted

Bright House has no objections provided applicant bears the expense for relocation of any Bright 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		_					•	

Bright House has facilities within this area, which may conflict with subject project Please call one call locating. **SEE NOTES**

Bright House requires 30 days written notice prior to construction start date to relocate their facilities.

NOTES:

Sincerely, Ozzie Perez

Bright House Networks

Field Engineer Pinellas County 727-329-2817



Lynn.Valiton@duke-energy.com o: 727.893-9265

March 11, 2019

Cynthia M. Harris Real Estate Management Real Property Division 509 East Avenue, Clearwater

RE: Re: Vacate Request

Section 08, Township 28 South, Range 16 East, Pinellas County, Florida

Parcel ID No.: 08-28-16-48763-001-0080

Address: 3915 LAKE SHORE DR., PALM HARBOR FL 34684-4210

Dear Ms. Harris:

Please be advised that **DUKE ENERGY FLORIDA**, **LLC.**, **d/b/a DUKE ENERGY** *Distribution Department* and *Transmission Department* have "**NO OBJECTIONS**" to the proposed vacation area shown on Sketch and Description by Mohammad B. Far Dated 6-08-18, Job Number 180603. Sketch enclosed as Exhibit "A".

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

Sincerely,

Lynn

Lynn Valiton
Land Representative
Distribution- Florida



Network Engineering And Planning

June 18, 2018

1280 Cleveland St., FLCW5033 Clearwater, FL 33755

Ofc: 727-562-1101 Fax: 727-562-1175

Paromita Chatterjee 3915 Lake Shore Drive Palm Harbor, FL 34684

RE: Parcel No, 08-28-16-48763-001-0080 3915 Lake Shore Drive, Palm Harbor, FL 34684

Dear Ms. Chatterjee,

Thank you for your letter advising us of your proposed construction. Frontier has no objections. Please be advised that Frontier has no facilities in the area to be vacated. Please contact Sunshine One Call 48 hours prior to commencement of construction at 1-800-432-4770 for utility location.

Thank you for cooperatively working with our office. If you need further assistance, please call Granville Stephens at 727-562-1190 in the Clearwater OSP Engineering Office.

Sincerely,

Granville Stephens Network Engineer, SR

GS:sc



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



June 18th 2018

Paromita Chatterjee 3915 Lake Shore Dr. Palm Harbor, FL. 34684

RE: Petition to Vacate Drainage Easement:

Section 8, Township 28 S, range 16 E, Pinellas County, FL.

Vacate a Portion of 3915 Lake Shore Dr, Palm Harbor, FL., Parcel # 08-28-16-48763-001-0080

Dear Mrs. Paromita Chatterjee,

We are in receipt of your email dated June 13th, 2018 requesting a response to the release of a Right of Way/Easement on the referenced property. Pinellas County Utilities has "No Objection" to this request. If you have any questions, please do not hesitate to contact me at (727) 464-8418

Sincerely,

Raymond S Letts
Engineering Specialist II
Pinellas County Utilities
14 South Ft Harrison Ave.

Clearwater, FL. 33756

727-464-8418

Pinellas County Engineering and Technical Support

14 S. Fort Harrison Ave. • 6th floor Clearwater, FL 33756





March 8, 2019

Cynthia M. Harris 509 East Avenue Clearwater, FL 33576

RE: Petition to Release: See attached Legal Description

Dear Ms. Harris,

Tampa Electric Company does not serve the subject area therefore does not object to the Petition to Release for the abovementioned property; more particularly described as follows:

See Legal Description attached hereto and by reference made a part hereof.

If you have any questions or concerns, you may contact me at (813) 228-1184 or asanford@tecoenergy.com.

Sincerely,

Ashley Sanford Real Estate Services Distribution Easement Coordinator



It's that kind of experience.

wowway.com

WOW! Internet • Cable • Phone

June 19 2018 Paromita Ganguly 3915 Lake Shore Drive Palm Harbor, FL

RE-3915 Lake Shore Drive

Thank you for advising Wide Open West (WOW!) of the subject project.

_XX WOW! Has 'NO CONFLICT' with the proposed project construction at the level of plans I received 6/18/2018

In order to properly evaluate this request, WOWI Will need detailed plans of the facilities proposed for the subject areas.

WOW! Has buried facilities within the project limits. The buried WOW! Route shown on the attached utility mark-up Drawing No.Indicate WOW!'s approximate routing. Please call Sunshine State One Call of Fla. Inc. (811) for utility locates if additional details are needed.

Please refer any further correspondence to:

WOW!
Richard LaGanga
Construction Supervisor
3001 Gandy Blvd. N.
Pinelias Park, FL 33782

Sincerely,

Richard LaGanga Construction Supervisor Cell- 727-239-0158

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, 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.

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.

AVIK K GANGULY 3915 LAKE SHORE DRIVE PALM HARBOR, FL 34684	913
Board of County Comments Three Hundred Fifty and Digital Federal	missimers \$350.00
Vacete easement Application 1:2313918251: 1145935111	1- fallejer

PETITION TO RELEASE PUBLIC HEARING

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ADVERTISE MENTINE

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AVIK GANGULY			743
PARCMITA CHATTERJEE 3915 LAKE SHORE DH. PALM HARBOR, FL. 34684	0	2/09/19_	63-6415/7678 636
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PROPERTY OWNER COURTESY NOTIFICATION LIST FOR FILE #1559

PETITIONERS

AVIK K. GANGULY PAROMITA C. GANGULY 3915 LAKE SHORE DRIVE PALM HARBOR, FL 34684

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	SUZANNE M EGGERT 3919 LAKE SGIRE DR PALM HARBOR, FL 34684-4210	BRANDON M WALLECH KALY M WALLECH 3902 LAKE SHORE DRIVE PALM HARBOR, FL 34684-4209
REAL ESTATE MANAGEMENT ATTN: ANDREW W. PUPKE 509 EAST AVENUE S CLEARWATER, FL 33756	ALEXIS LYNN PALMIERI TRUST TERRI IDSKOU LAVALLEE TRUST 2787 DELANCY CT PALM HARBOR, FL 34684	C L CHANCE TRUST 3570 LAKE HIGHLAND DR PALM HARBOR, FL 34683-6718
JOSEPH MONTAGNINO SKYE AMATO 2791 DELANEY CT PALM HARBOR, FL 34684-4251	JOSEPH P COOK RITA K COOK 3911 LAKE SHORE DR PALM HARBOR, FL 34684-4210	RAUL ANDRES RIVERA 2795 DELANEY CT PALM HARBOR, FL 34684-4251
MELISSA YOUNG 3907 LAKE SHORE DRIVE PALM HARBOR, FL 34684-4210	ELIZABETH A HARRISON 3898 LAKE SHORE DR PALM HARBOR, FL 34684-4240	THOMAS G WELLS EVELYN R WELLS 3903 LAKE SHORE DR PALM HARBOR, FL 34684-4210
GRISEL CABRERA 2712 SWEETBAY LN PALM HARBOR, FL 34684-4231	LAKE ST GEORGE COMM ASSN 552 MAIN ST SAFETY HARBOR, FL 34695-3549	CHARLES DALESCH 2713 SWEETBAY LN PALM HARBOR, FL 34684-4231
LAKES OF PALM HARBOR LLC 400 GALLERIA PKWY SE STE 400 ATLANTA, GA 30339-3182	MELISSA MARIE BONILLA MICHAEL ALLEN COPP 3937 LAKE SHORE DR PALM HARBOR, FL 34684-4210	EDWARD C CLIFT TRANG KIM-TU CLIFT 3925 LAKE SHORE DR PALM HARBOR, FL 34684-4210

AVIK K. GANGULY PAROMITA C. GANGULY 3915 LAKE SHOURE DR PALM HARBOR, FL 34684-4210

REQUEST FOR ADVERTISING

TO:	BCC Records		
FROM:	Sean P. Griffin, Manager Real Estate Management /Real Property Division		
RE:	Petition to Vacate Public Hearing		
	File No. 1559 – Avik K. and Paromita C. Ganguly		
DATE:	March 8, 2019		
ADVERTISE MEETING, MEETING. AD COPY A	TION OF EASEMENT IS DONE UNDER STATE STATUTE 177.101. NG IS REQUIRED IN TWO WEEKLY ISSUES PRIOR TO THE WITH NO ADVERTISING REQUIREMENT AFTER THE TTACHED: Yes XXX No SPECIAL HANDLING: Yes No XXX		
NEWSPAPE			
DATE(S) TO	APPEAR: 4/26/2019 and 5/3/2019		
SIZE OF AD:			
SIZE OF HE	ADER:		
SIZE OF PRI	NT:		
SPECIAL IN	STRUCTIONS OR COMMENTS:		
R:\REAL Ad Form,doç	PROPERTY/VACATIONS AND RELEASES/PETITIONS-PENDING 1500'S/File#1559-V Ganguly/Req		

NOTICE OF PUBLIC HEARING

Notice is hereby given that on May 7, 2019, beginning at 9:30 A.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 Avik K. Ganguly and Paromita C. Ganguly, to vacate, abandon and/or close the following:

A portion of a drainage, utility and/or natural area easement lying in Lot 8, Block A (3915 Lake Shore Drive), Lake St. George – Unit 1, Plat Book 78, Pages 65 thru 66, lying in Section 8-28-16, Pinellas County Florida.

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

FILE No.: 1559 Avik and Paromita Ganguly

BCC: May 7, 2019

SPECIAL INSTRUCTIONS

- 5 weeks prior to Public Hearing date:

Tuesday of that week Real Estate (Cynthia Harris) 4/2/19 coordinates with Jo Lugo 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) 4/9/19 Notifies Jo the actual number of petitions and the names of the petitioners projected to go to the agenda.

- ADVERTISEMENT ACTION:
 - 3 weeks prior to Public Hearing date

4 24 19 - (for F.S. 177.101:) (for F.S. 336.09, 10, 12) 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 Jo 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 Jo. Thank you.

R:\REAL PROPERTY\VACATIONS AND RELEASES\PETITIONS-PENDING 1500'S\File#1550-V Boulevard Park Properties\Special Instructions Form.doc