## **MEMORANDUM**

TO:

Katherine Carpenter, Deputy Clerk

**BCC** Records

FROM:

Diana Sweeney

Asset Management and Real Property Division Manager

SUBJECT:

PETITION TO VACATE - Submitted by Parkview Animal Hospital

File No. 1597

CATS 52329

Legistar 21-1840A

Property Address: 3720 54th Avenue N, Saint Petersburg, FL 33714

DATE:

September 08, 2021

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** 

City of Saint Petersburg

Duke Energy Frontier

Pinellas County Utilities Engineering

TECO Electric
TECO Peoples Gas

WOW!

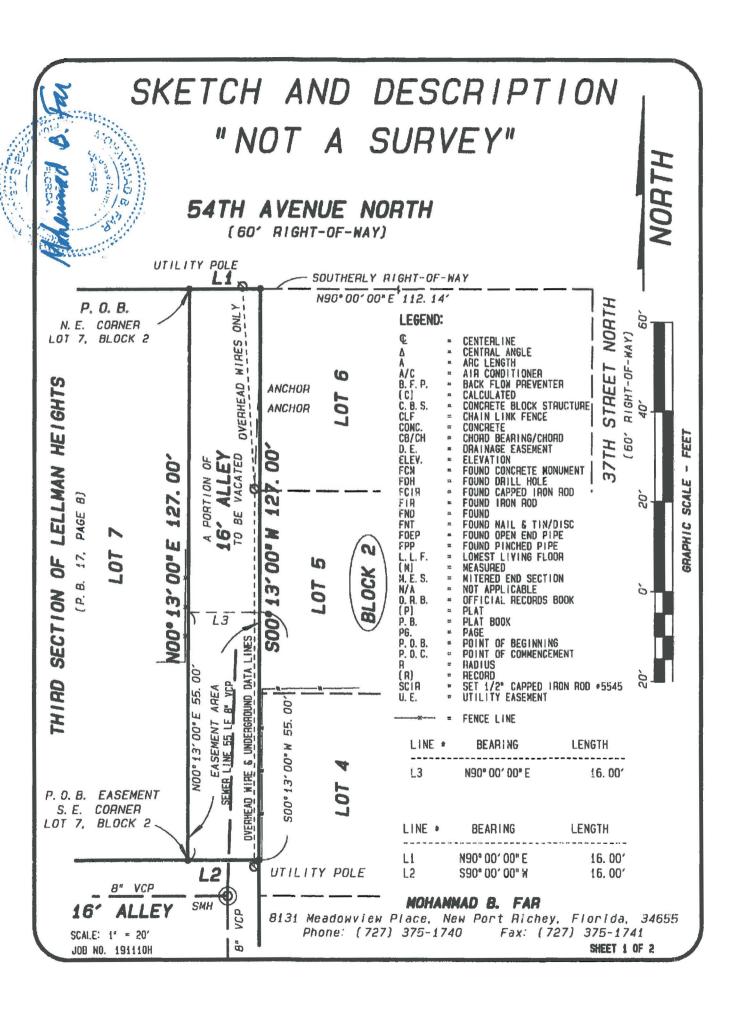
Receipt dated 27-APRIL-2020 and 23-AUGUST-2021 and copy of checks #10795 and #11153 in the total amount of \$750.00.

Please set the public hearing for the BCC meeting of October 12, 2021, place the necessary newspaper advertising in accordance with State Statute 336.10 (which requires advertising one time at least 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.

# APPLICATION AND FINDINGS OF FACT

FOR PETITION TO RELEASE PLATS OR PORTIONS OF PLAT (EASEMENTS)
APPLICANT(S): Park View Animal Hospital, Inc
Address: 3720 544 QUENO / 3700 544 QUENO
City, State, Zip: ST Pete, FC 33714
Daytime Telephone Number: 727-526-3137
SUBJECT PROPERTY ADDRESS: 3720 SYM QUE NO /3700 SYM City, State, Zip: ST Peters Wry FC 33714  Property Appraiser Parcel Number: 63/31/16/51030/002/0070
PLEASE ANSWER THE FOLLOWING QUESTIONS TO THE BEST OF YOUR KNOWLEDGE
1. The right-of-way or alley is:open and usedunopened "paper" street
2. Is there a pending "Contract for Sale"? Yes YesNo
If yes, please list all parties involved in the sales contract:    N/A
3. Is a corporation involved as owner or buyer?  If yes, please give corporation name and list corporate officers:  ParkView Animal Hospital, Inc.  Michelina CHoelzle, Res Namette Charra, Vf
4. Complete subdivision name as shown on the subdivision plat:  Lellman Heights 3 Section Bk2, Lots 789
5. Subdivision Plat Book Number 17 Page number(s) 8
6. Is there a Homeowners Association?YesNo
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 No

Pool Screened Pool/Deck 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: Other: Drive Hrough gate
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:
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.  Name  Title
Address Phone
CITIZEN DISCLOSURE
CITIZEN DISCLOSURE  11. 1) I have a current family relationship to an employee, or an elected official, of Pinellas County Government. That person is,
CITIZEN DISCLOSURE  11. 1) 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
CITIZEN DISCLOSURE  11. 1) I have a current family relationship to an employee, or an elected official, of Pinellas County Government. That person is,
2) am not aware of any current family relationship to any employee, or an elected official, of Official, of Pinellas County Government. That person is, or Office of, Elected Official.
2) I have a current family relationship to an employee, or an elected official, of Pinellas County Government. That person is, or Office of, or Office of, Elected Official.  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 of
In an an employee of Pinellas County Government.  2) I am not aware of any current family relationship to any employee, or an elected official, of Official, of Pinellas County Government.  3) I am an employee of Pinellas County Government, in the Department of, or Office of, Elected



# SKETCH AND DESCRIPTION

VACATION DESCRIPTION: (SECTION 03, TOWNSHIP 31 SOUTH, RANGE 16 EAST)

A PORTION OF A 16' ALLEY TO BE VACATED DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 7, BLOCK 2, THIRD SECTION OF LELLMAN HEIGHTS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 17, PAGE 8, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, SAID POINT LYING AND BEING ON THE SOUTHERLY RIGHT-OF-MAY LINE OF 54TH AVENUE NORTH AND RUN THENCE NORTH 90°00'00' EAST, ALONG SAID RIGHT-OF-MAY LINE, A DISTANCE OF 16.00 FEET; THENCE SOUTH 00°13'00' MEST, A DISTANCE OF 127.00 FEET; THENCE SOUTH 90°00'00' WEST, A DISTANCE OF 16.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 7, BLOCK 2; THENCE, ALONG THE EASTERLY BOUNDARY OF SAID LOT 7, NORTH 00°13'00' EAST A DISTANCE OF 127.00 FEET TO THE POINT OF BEGINNING.

CONTAINNING 2032 SQUARE FEET OR 0, 0466 ACRES MORE OR LESS.

UTILITY EASEMENT:

(SECTION 03, TOWNSHIP 31 SOUTH, RANGE 16 EAST)

THE SOUTH 55 FEET OF 16 FOOT ALLEY LYING EASTERLY OF AND ADJACENT TO LOT 7. BLOCK 2. THIRD SECTION OF LELLMAN HEIGHTS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 7, BLOCK 2, THIRD SECTION OF LELLMAN HEIGHTS, ACCORDING TO THE PLAT THEREOF. AS RECORDED IN PLAT BOOK 17, PAGE 8, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, AND RUN THENCE NORTH DO° 13' 00" EAST ALONG THE WESTERN BOUNDARY OF SAID VACATED PORTION OF SAID 16 FOOT ALLEY, A DISTANCE OF 55. 00 FEET; THENCE NORTH 90° 00' 00" EAST, A DISTANCE OF 16. 00 FEET TO THE EASTERLY BOUNDARY OF SAID VACATED ALLEY; THENCE SOUTH 00° 13' 00" WEST ALONG SAID BOUNDARY, A DISTANCE OF 55. 00 FEET TO THE SOUTHEAST CORNER OF SAID VACATED ALLEY; THENCE SOUTH 90° 00' 00" WEST, A DISTANCE OF 16. 00 FEET TO THE POINT OF BEGINNING.

CONTAINNING 880, 5 SQUARE FEET OR 0, 0202 ACRES MORE OR LESS.

#### SURVEYOR'S REPORT/NOTES:

- NOT A BOUNDARY SURVEY AS SUCH.
- THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTHERLY R/W OF 54TH AVENUE NORTH BEARING N90'00'00"E
- ELEVATIONS SHOWN HEREON ARE BASED ON 3. N. A. V. D. 1988
- BENCHMARK:
- CALCULATED INFORMATION IS BASED ON (A) CONCEPTUAL RECREATION OF PLAT INTENT, (B) INFORMATION REQUIRED TO SET RECORD CORNERS, 8/OR (C) COMPILED DATA FROM SURRONDING PLATS, DEEDS, AND CERTIFIED CORNER DOCUMENTS.
- ALL PROPERTY DIMENSIONS ARE RECORD
- UNLESS NOTED OTHERWISE. DIMENSIONS ARE EXPRESSED IN FEET AND
- DECIMAL PARTS THEREOF.
- PHYSICAL ADDRESS: 3700, 3720 54TH AVENUE NORTH, ST. PETERSBURG, FLORIDA 33714

CERTIFICATION:

I HEREBY CERTIFY THAT A SURVEY OF THE PROPERTY DESCRIBED HEREON WAS MADE UNDER MY DIRECT SUPERVISION AND THAT THE SURVEY COMPLIES WITH THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 5J-17 F. A.C., PURSUANT TO SECTION 472.027, FLORIDA STATUTES. ALSO, THE SKETCH SHOWN HEREON IS A TRUE AND ACCURATE REPRESENTATION OF SAID, PROPERTY BOTTHE BEST OF MY KNOWLEDGE AND BELIEF.

SUBJECT TO MOTES AND ROTATIONS SHOWN HEREON.

06/14/2021

NOT VALUE UNLESS SOONED DATED, AND STAMPED WITH AN EMBOSSED SEAL.

#### MOHAMMAD B. FAR

8131 Meadowview Place, New Port Richey, Florida, 34655 Phone: (727) 375-1740 Fax: (727) 375-1741

#### FLOOD INSURANCE RATE MAP INFORMATION:

COMMUNITY PANEL NUMBER: 12103C-0208-H DATED: 08/18/2009 THE PROPERTY APPEARS TO BE IN FLOOD ZONE 'X' THE BASE 100 YEAR FLOOD ELEVATION IS N/A MEAN SEA LEVEL.

CH	18
8/18/202	21
501-1597	
	8/18/202

#### REVISIONS

- 1: 1/25/21 REVISE VACATION AREA
- 2: 4/22/21 REVISE EASEMENT
- 3: 8/10/2021 EMBOSSED SEAL

SHEET 2 OF 2

DRANN BY: WGM	CHEN CHIEF:	1703
CHECKED BY: MBF	F.B. FILE	
SCALE: 1" = 20'	FIELD WORK:	N/A

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

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

Comes now your Petitioners	Name of Petitioner
and respectfully requests this Honor	rable Board of County Commissioners to adopt a resolution vacating:
	s described in legal description attached and by this reference made a part hereof.
The Petitioners hereby represent the	at to the best of their knowledge and belief, the interest of the public
will not be adversely affected by thi	is vacation, nor will such vacation affect the ownership or the right of
convenient access of surrounding pr	roperty owners.
RECEIVED BY	I hereby swear and/or affirm that the forgoing statements are true:
AUG 2 6 2021	Machela CHarel
PROCURE TO PAY SERVICES	Sign
	Michelius CHoelzle Presiden 1
E)	Print Name Title
STATE OF TL COUNTY OF PINEILAS	
	lead before the by manne of the business recover to Destine exterior this
day of HUJS 1 2021	lged before me by means of physical presence or online notarization this, by Michelus CHOELZ . Such person(s) Notary Public
Tare pe	ersonally known to me.
produ	iced her current driver license.
produ	cedas identification.
	286-26-
(Notary Seal)	Notary Public
MELISSA GAIL GARNER Commission # GG 919885	Notary Public Printed Name of Notary: M.1.554 Cail Canara Commission Number: 66 319835
Expires November 6, 2023	Commission Number: 66 314385

My Commission Expires: 4 November 2021

Bonded Thru Budget Notary Services



May -1,2020

RE: parcel vacate of alley at Lealman Heights 3 sec blk 2, lots 5 & 6 Better known as 3700-54 /ave north st Petersburg Fla

Bright House Networks has no objections.
 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 areas.
 Bright House has facilities within this area, which may conflict with subject project Please call 811 for locating. SEE NOTES
 Bright House requires 30 days written notice prior to construction start date to relocate their facilities.

#### NOTES:

Sincerely, Ted Bingham Bright House Networks Field Engineer Pinellas County 727-329-2847

### 3700, 3720 54th Avenue North info on petition for vacation of alley

From: WRD-UtilityReviewRequest (wrd-utilityreviewrequest@stpete.org)

To: Michael.Larimore@stpete.org; parkviewanimal@yahoo.com

Cc: WRD-UtilityReviewRequest@stpete.org; Nancy.Davis@stpete.org; Mark.Riedmueller@stpete.org;

Martha.Hegenbarth@stpete.org; ANITA.WANG@stpete.org; Kirsten.Corcoran@stpete.org

Date: Tuesday, April 21, 2020, 10:25 AM EDT

The City of St. Petersburg, Water Resources Department does not have any objection vacating the north/south alley between 3700 and 3720 54<sup>th</sup> Avenue North.

Let's us know we can be of further assistance.

Kelly A. Donnelly, Designer II

**Water Resources Department** 

PH 727-892-5614 / Text Only 727-423-3969

Kelly.donnelly@stpete.org

From: Michael W. Larimore

Sent: Tuesday, April 21, 2020 8:28 AM

To: 'Parkview Animal' <parkviewanimal@yahoo.com>

Cc: WRD-UtilityReviewRequest <WRD-UtilityReviewRequest@stpete.org>; Nancy Davis <Nancy.Davis@stpete.org>;

Mark Riedmueller < Mark. Riedmueller@stpete.org>; Martha Hegenbarth < Martha. Hegenbarth@stpete.org>

Subject: RE: info on petition for vacation of alley

Hello,

For City Utilities (Sewer & Water) you will probably need to speak with Water Resources & Engineering and Capital Improvements. Links to the City Departments website are below and I have cc'd the appropriate parties on this email.

2401 25th St. N. St. Petersburg, FL 33713 SP-15 Jonathan.Kasper@duke-energy.com o: 727-893-9262



May 4, 2020

Mickie Hoelzle Parkview Animal

RE: Approval of a Right of Way Alley Vacation

Section 03, Township 31 South, Range 16 East, Pinellas County, Florida

Address: 3720 54TH AVE N and 3700 54TH AVE N

Parcel Number(s): 03-31-16-51030-002-0050 and 03-31-16-51030-002-0070

Owner: PARKVIEW ANIMAL HOSPITAL INC

#### Mickie Hoelzle:

Please be advised that **DUKE ENERGY FLORIDA**, **LLC.**, **d/b/a DUKE ENERGY** *Distribution Department* and *Transmission Department* have "**OBJECTIONS**" to the approval of a vacation of a portion of a 16' alley Right of Way as shown by sketch provided by Mohammad B. Far, dated 11/14/2019, Job Number 191110H.

This is due to Overhead facilities in the area. No Objection letter would be provided upon the removal/relocation of existing facilities OR granting of a Duke Energy easement over the described property. Removal or relocation will need to be handled by a Duke Energy Engineer.

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

Sincerely,

#### Jonathan Kasper

Jonathan Kasper Research Specialist-Land Services Duke Energy Florida



Frontier Communications 3712 W Walnut St. Tampa, FL USA 33607 Office: (727) 462-1760 Fax: (727) 562-1175

Mobile: (941) 266-9218 Email: stephen.waidley@ftr.com

#### 5/12/2020

Attn: Michelina Hoelzle Co-Owner, Hospital Manager Parkview Animal Hospital Inc. 3700 54th Ave N St. Petersburg, FL 33714

RE: Release Portion of Alley - 3700 54th Ave N & 3720 54th Ave N (between Lots 5 & 6 and Lot 7, Blk 2)

Dear Ms. Hoelzle, ☐ Our records do not indicate that there are Frontier Communications facilities in the area of the Plat request as per the attachment provided. Frontier Communications has no objection to the above referenced request as per the attachment. ☐ Frontier Communications has facilities within the proposed vacate area. A recordable non-exclusive Easement in favor of Frontier will be required for Frontier Communications facilities to remain in the proposed vacated R.O.W. ☐ Frontier Communications has facilities in the area, which may be in conflict with your proposed construction plans. Please contact Sunshine 811 by dialing 811, 2 full business days prior to the start of your work to have these facilities located for you. Please take all necessary precautions to protect and avoid damage of these facilities during your construction. ☐ Frontier Communications has facilities in the area, which may be in conflict with your proposed construction plans. Please send a set of construction plans and references to the Frontier Communications Engineering Department in regards to the above project. ☐ Frontier Communications has facilities in the area of your proposed construction. Prepayment is required to markup a set of construction plans in order to confirm and accurately depict Frontier Communications facilities. There will also be a reimbursement of all costs required for relocation/adjustments of Frontier Communications facilities needed to accommodate the proposed construction project.

Please call me if you have any questions or need any additional information at (941) 266-9218.

Sincerely.

Stephen Waidley Stephen Waidley Frontier Communications

Regional Rights of Way & Municipal Affairs Manager



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



April 21, 2020

Park View Animal Hospital 3700 /3720 54<sup>th</sup> Ave. N. St. Petersburg, FL 33714

RE: Petition to Release: 16' Alley Parcel ID# - 03/31/16/51030/002/0050

Ms. Hoelzle,

Pinellas County Utilities (PCU) has an 8" wastewater main located within the requested area. PCU has "No Objection" to the vacation, with the following conditions:

- 1. The wastewater line will need to be located/surveyed at the owner's expense.
- 2. If the wastewater main exists within the area being vacated, then a 10' wide (on center) utility easement will need to be provided.

I have included a GIS map of the alley showing the 8" wastewater main for your use.

If you have any questions, please do not hesitate to contact me at (727) 464-4068.

Sincerely,

Senelle Ostrowski, P.E.

**Engineer 3** 

Pinellas County Utilities,

**Development Review Services** 

**Enclosures** 

JMO:jmo



May 18, 2020

Michelina Hoelzle Co-Owner, Hospital Manager 3700 54th Ave N, St. Petersburg 33714

RE: Petition to Release: See attached Legal Description Section 3, Township 31 South, Range 16 East Lellman Heights 3rd Sec Blk 2, Lots 5 & 6, PB 17, Page 8

Dear Ms. Hoelzle,

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) 228-1424 or tileggatt@tecoenergy.com.

Sincerely,

Taylor J Leggatt

Taylor J. Leggatt
Real Estate Services
Distribution Easement Coordinator

#### 4/21/2020

To: Michelina Hoelzle Parkview Animal Hospital 3720 54<sup>th</sup> Ave. N. St. Petersburg, FL 33714

**RE: Vacate Easement** 

Parcel no: 03/31/16/51030/002/0050

Site Address: 3700 54th Ave N, St. Petersburg

Plat: 17 page: 8

Legal:

Lellman Heights 3rd Sec

Blk 2, Lots 5 & 6

From: TECO Peoples Gas

To Whom It May Concern:

Thank you for contacting TECO Peoples Gas Company regarding the vacate easement at the above referenced location. After reviewing the documents provided, TECO-PGS has no objection to this vacate request. Furthermore TECO-PGS has no facilities in this area.

If you have further questions, please do not hesitate to call.

Sincerely,

Joan Domning

Administrative Specialist, Senior Peoples Gas-Distribution Engineering

8416 Palm River Road

Tampa, FL 33619

Office: 813-275-3783



May 12, 2020

Michelina Hoelzle 3720 54th Ave. N. St. Petersburg, FL 33714

Re: Said Property at 3700 & 3720 54th Ave. North, St. Petersburg, FL33714

Attn: Michelina Hoelzle

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

XXX Wow! Has "NO Objection with Petition to release.

Please refer any further correspondence to:

WOW!
Dave Hamlin
Construction Coordinator
3001 Gandy Blvd. N.
Pinellas Park, FL 33782

Sincerely

David E. Hamlin Jr.

**Construction Project Coordinator** 

WOW!

(727) 239-0156 Office (578) 409-8721 Cell

#### 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:

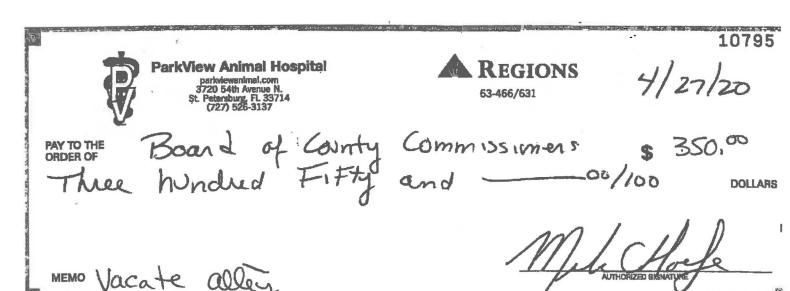
ADVERTISEMENT

In accordance with Florida State Statute 177.101, 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.





ParkView Animal Hospital parkviewanimal.com 3720 54th Avenue N. St Petersburg, FL 33714 (727) 526-3137



63-466/631

8/23/2021

Y TO THE

**Board of County Commissioners** 

\*\*400.00

DOLLARS

0

Pinellas County Facilities/Real Property Att: Josh Rosado 509 East Avenue South Clearwater, FL 33756

**IEMO** 

FILE No.: 1597 – Parkview Animal Hospital

**BCC: October 12, 2021** 

# SPECIAL INSTRUCTIONS

- 5 weeks prior to Public Hearing date:

9/7/2021

Tuesday of that week Real Property (Josh Rosado) 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:

9/14/2021

Tuesday of that week Real Property (Josh Rosado) 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

9/22/2021

- (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.)

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