



# Pinellas County

## Legislation Details (With Text)

**File #:** 19-604A      **Version:** 1

**Type:** Petition to Vacate      **Status:** Passed

**File created:** 4/16/2019      **In control:** Board of County Commissioners

**On agenda:** 7/23/2019      **Final action:** 7/23/2019

**Title:** Petition of Michael S. Smith and Shawntee M. Smith to vacate a portion of Bayshore Drive right-of-way as recorded in Official Record Book 1881, Pages 325 and 326, lying adjacent to Lot 4, Block 4, Bayhaven First Addition Subdivision, Plat Book 60, Page 52, lying within Section 30-30-15, Pinellas County, Florida. (Legislative Hearing)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Final Letter to Petitioner with Recorded RES 19-44, 2. Recorded RES 19-44, 3. Affidavit of Publication - Public Notice for Approved Resolution, 4. Adopted RES 19-44, 5. Comment Cards Submitted by BCC Meeting Attendees, 6. Notification Mailing to Affected Property Owners, 7. Affidavit of Publication - Notice of Public Hearing, 8. Resolution.pdf, 9. Request for Advertising.pdf, 10. Petitioner Application.pdf, 11. Location Map.pdf, 12. EXHIBIT "A" - Sketch and Legal.pdf

Date	Ver.	Action By	Action	Result
7/23/2019	1	Board of County Commissioners	approved	Pass

**Subject:**

Petition of Michael S. Smith and Shawntee M. Smith to vacate a portion of Bayshore Drive right-of-way as recorded in Official Record Book 1881, Pages 325 and 326, lying adjacent to Lot 4, Block 4, Bayhaven First Addition Subdivision, Plat Book 60, Page 52, lying within Section 30-30-15, Pinellas County, Florida. (Legislative Hearing)

**Recommended Action:**

Consider granting the petition to vacate, and if granted, adopt the attached resolution pursuant to Florida State Statute 336.

- The width of the original request was modified due to potential conflicts with existing underground infrastructure.
- The modified request accommodates the existing infrastructure.

Authorize the Clerk of the Court to attest and record the resolution in the Public Records of Pinellas County.

**Strategic Plan:**

- Deliver First Class Services to the Public and Our Customers
- 5.2 Be responsible stewards of the public’s resources
- 5.3 Ensure effective and efficient delivery of county services and support

**Summary:**

The purpose of the request is to vacate an 835 square foot portion of platted and unopened right-of-

way. The petitioners are seeking to keep their fence in its existing location and to increase the size of their lot.

**Background Information:**

The petitioners originally requested the release of a larger area, however, the Public Works Department has infrastructure in the area and required the petitioners submit a revised sketch showing a reduction in the amount of right-of-way requested due to potential conflicts with the existing infrastructure (stormwater pipe and underdrain).

County departments were queried and have no objection to the vacation request.

Letters of no objection were received from Bright House, Duke Energy, Frontier, Pinellas County Utilities Engineering, TECO Electric, TECO Gas and WOW! The petition was properly advertised in accordance with Florida State Statute 336.

Pursuant to the Real Property Division Procedures, notice was mailed by the Clerk of the Court to property owners within two hundred feet of the subject property and two yards signs were placed on the property. The Deputy Clerk will report to the Board any citizen support or opposition.

**Fiscal Impact:**

\$750.00 has been received for this request.

**Staff Member Responsible:**

Andrew W. Pupke, Director, Real Estate Management

**Partners:**

N/A

**Attachments:**

Resolution  
Exhibit A - Sketch and Legal  
Location Map  
Advertising Packet