



# Pinellas County

## Legislation Details (With Text)

**File #:** 19-1880A      **Version:** 1

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

**File created:** 10/9/2019      **In control:** Board of County Commissioners

**On agenda:** 11/12/2019      **Final action:** 11/12/2019

**Title:** Petition of Kevin D. Valliere and Suzanne N. Valliere to vacate a portion of a 7.5-foot sewer easement, as recorded in Official Records Book 6329, Page 1769, and a portion of a 10-foot platted drainage easement lying in Lot 5, Windward Trace Subdivision, Plat Book 135, Page 23, lying in Section 2-28-15, Pinellas County, Florida. (Quasi-Judicial Hearing)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Final Letter to Petitioner with Recorded RES 19-89, 2. Recorded RES 19-89, 3. Adopted RES 19-89, 4. Comment Cards Submitted for Public Comment - Support, 5. Affidavit of Publication - Notice of Public Hearing, 6. Notification Mailing to Affected Property Owners, 7. Advertising Packet, 8. Exhibit A, 9. RESOLUTION -Final.pdf, 10. Resolution, 11. Petitioner Application, 12. Location Map

Date	Ver.	Action By	Action	Result
11/12/2019	1	Board of County Commissioners	approved	Pass

**Subject:**

Petition of Kevin D. Valliere and Suzanne N. Valliere to vacate a portion of a 7.5-foot sewer easement, as recorded in Official Records Book 6329, Page 1769, and a portion of a 10-foot platted drainage easement lying in Lot 5, Windward Trace Subdivision, Plat Book 135, Page 23, lying in Section 2-28-15, Pinellas County, Florida. (Quasi-Judicial Hearing)

**Recommended Action:**

Consider granting the petition to vacate, and if granted, adopt the attached Resolution pursuant to §177, Florida State Statutes.

- There is an existing pool, pool deck, and pool enclosure encroaching in a portion of a 7.5-foot sewer easement and a 10-foot platted drainage easement lying within the boundary lines of the petitioners' property.
- The vacation of a portion of the seven and one-half foot sewer easement and ten-foot platted drainage easement will clear the encroachment.

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 this request is to vacate approximately three (3) foot wide of a seven and one-half (7.5) foot sewer easement and five (5) foot wide of a ten (10) foot platted drainage easement lying within the boundary lines of the petitioners' property. This action will clear an encroachment created by an existing pool, pool deck, and pool enclosure. County staff are supportive of this vacation request.

**Background Information:**

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

Letters of No Objection were received from Windward Trace Community Association, Inc., Bright House, Duke Energy, Frontier, Pinellas County Utilities Engineering, TECO Electric, TECO Peoples Gas and WOW!.

The petition was properly advertised in accordance with §177, Florida State Statutes. Pursuant to Real Property Division Procedures, notices were mailed out by the Clerk of the Court to all property owners within two-hundred-feet of the subject 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, Division Director, Facilities & Real Property Division

**Partners:**

N/A

**Attachments:**

Resolution  
Exhibit A  
Location Map  
Petitioner Application  
Advertising Packet