



# Pinellas County

## Legislation Details (With Text)

**File #:** 15-489      **Version:** 1

**Type:** Petition to Vacate      **Status:** Held

**File created:** 10/13/2015      **In control:** Board of County Commissioners

**On agenda:** 11/10/2015      **Final action:** 11/10/2015

**Title:** Petition to Vacate submitted by Christopher and Laura Muller for a portion of 9th Street right-of-way between Ohio Avenue and Illinois Avenue (legislative hearing).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment 1 - Resolution, 2. Attachment 2 - Contract Review, 3. Attachment 3 - Location Map, 4. Attachment 4 - Review Packet, 5. Attachment 5 - Ad Request, 6. Attachment 6 - Ad Form, 7. Attachment 7 - Ad Text, 8. Attachment 8 - Presentation, 9. Attachment 9 - Notification Letter Mailing.pdf, 10. Attachment 10 - BCC Meeting Comment Cards.pdf, 11. Attachment 11 - Correspondence to BCC in Support.pdf, 12. Attachment 12 - Correspondence to BCC in Opposition.pdf, 13. Attachment 13 - Affidavit of Publication.pdf

Date	Ver.	Action By	Action	Result
11/10/2015	1	Board of County Commissioners	continued	
11/10/2015	1	Board of County Commissioners	continued	Pass

**Subject:**

Petition to Vacate submitted by Christopher and Laura Muller for a portion of 9th Street right-of-way between Ohio Avenue and Illinois Avenue (legislative hearing).

**Recommended Action:**

Adoption of a resolution granting the petition of Christopher and Laura Muller to vacate a portion of 9th Street right-of-way between Ohio Avenue and Illinois Avenue.

Approval of authority for the Clerk to record the resolution. Interested property owners were notified as to the date of the public hearing.

**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 subject petition seeks to vacate a portion of 9<sup>th</sup> Street right-of-way between Ohio Avenue and Illinois Avenue inclusive of the 20-foot unimproved alley lying between Lot 1 and Lot 12, Block 134 and a 20-foot alley lying between Lots 7, 8, 9 and 10, Block 135, all being part of Town of Sutherland Subdivision, Plat Book H1, Page 1A, of the Public Records of Pinellas County, located in Section 2, Township 28 South, Range 15 East.

The petitioner agrees to grant the County sufficient property interests for the additional right-of-way needed for the required cul-de-sac and a utility easement for any and all necessary utilities and to allow access to the existing alley between Lots 1, 2, 3, 10, 11 and 12, Block 134.

**Background Information:**

On August 4, 2015 this item was deferred at the request of the Petitioner. The Planning Department has an objection to the vacation because Old Palm Harbor is one of the few areas in Palm Harbor to have a grid street pattern. The community agreed in the Vision Statement for Old Palm Harbor that this original street layout is a historic feature that should be preserved because of its value in understanding the community's origins and its contribution to the quality of life. The Vision Statement also stipulated that changes should support the community features that characterize Old Palm Harbor, such as providing a safe, walkable community with ample sidewalks, and streets that are safe for bicyclists. The original street layout supports these desired community features. The proposed vacation request is felt to be inconsistent with the adopted Vision Statement for Old Palm Harbor in that it would interrupt the original street layout that the community desires to retain as an important feature of the community.

Letters of no objection have been received from Bright House and Duke Energy Transmission and Distribution, with stipulations that the applicant bears the expense for relocation of any facilities in the proposed vacated area. Engineering and Technical Support has expressed a need to retain a utility easement if the vacation is granted. TECO Electric and WOW! have no objection to the vacation request.

The Petition was properly advertised in accordance with Florida Statute §336 and additionally notice was mailed by the Clerk of the Court to the adjacent property owners and nearby residents. The Deputy Clerk will report any citizen support or opposition to the Board of County Commissioners.

**Fiscal Impact:**

The owners paid \$850.00 including advertising costs.

**Staff Member Responsible:**

Andrew W. Pupke, Director, Real Estate Management  
Blake G. Lyon, Director, Building & Development Review Services

**Partners:**

N/A