



# Pinellas County

## Legislation Details (With Text)

**File #:** 17-1378A      **Version:** 1

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

**File created:** 8/1/2017      **In control:** Real Estate Management

**On agenda:** 10/31/2017      **Final action:** 10/31/2017

**Title:** Petition of Douglas and Staci Williams to vacate a portion of Portsmouth Road, a 33-foot Right-of-Way, on Lot 3, Allen’s Creek Subdivision, Plat Book 102, Pages 5 and 6, in Section 30, Township 29, Range 16 (legislative hearing).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Final Letter to Petitioner, 2. Recorded RES 17-79, 3. Presentation - Williams Vacation Petition, 4. Affidavit of Publication for Public Notice for RES 17-79, 5. Adopted RES 17-79, 6. Comment Cards Submitted by BCC Meeting Attendees, 7. Property Owner Letters of No Objection, 8. KCole presentation - Williams ROW Hearing, 9. Williams Ad Packet, 10. Location Map, 11. Location Map ROW Vacation, 12. Resolution, 13. Exhibit A - Sketch and Legal

| Date       | Ver. | Action By                     | Action   | Result |
|------------|------|-------------------------------|----------|--------|
| 10/31/2017 | 1    | Board of County Commissioners | approved | Pass   |

**Subject:**

Petition of Douglas and Staci Williams to vacate a portion of Portsmouth Road, a 33-foot Right-of-Way, on Lot 3, Allen’s Creek Subdivision, Plat Book 102, Pages 5 and 6, in Section 30, Township 29, Range 16 (legislative hearing).

**Recommended Action:**

Consider granting the petition to vacate, and if granted, adopt the attached resolution pursuant to Florida State Statute 336 and authorize the Clerk 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 subject petition seeks to vacate a 33 foot portion of the existing 48 foot right-of-way located behind the petitioner’s property on Allen’s Creek.

**Background Information:**

County departments were queried and there are multiple objections to the vacation request.

Public Works objects because the proposed vacation area provides access to the right-of-way, serves as a vegetative buffer to Allen’s Creek, and could be utilized for future mitigation, enhancement or stormwater treatment. Existing County-owned areas for mitigation, enhancement,

and stormwater treatment are limited.

The Planning Department objects because the two lots located to the north of the petitioner's property would be made inaccessible to Allen's Creek via the public right-of-way.

Development Review Services objects because vacating the right-of-way would leave a remnant right-of-way to the north that would no longer connect to a contiguous right-of-way, eliminating the County's ability to access the remnant piece. This is relevant, because the existing right-of-way serves as a conveyance area for overland drainage to Allen's Creek.

It should be acknowledged that the vacation of the right-of-way will not prevent the public from accessing the existing boat dock or shell ramp on Allen's Creek, as those items would still remain in the public right-of-way (which is not part of this application).

Letters of no objection were received from Bright House, Duke Energy, Frontier, Pinellas County Utilities, 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 200 feet of the subject property and two (2) yard signs were placed on the property. The Deputy Clerk will report to the Board of County Commissioners 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  
Blake Lyon, Director, DRS  
Rahim Harji, Director, Public Works  
Renea Vincent, Director, Planning

**Partners:**

N/A

**Attachments:**

Resolution  
Exhibit A - Sketch and Legal  
Location Map  
Location Map - ROW Vacation  
Advertising Packet