



Pinellas County

Legislation Details (With Text)

File #: 20-644A **Version:** 1

Type: Contract/Agreement **Status:** Passed

File created: 4/2/2020 **In control:** Board of County Commissioners

On agenda: 4/21/2020 **Final action:** 4/21/2020

Title: Petition of HSLD, LLC to vacate 1.1 feet of a 40-foot-wide drainage easement lying in Lot 62, Saint Joseph Sound Estates, Plat Book 81, Page 63, lying in Section 2-28-15, Pinellas County, Florida. (Quasi-Judicial Hearing)

Sponsors:

Indexes:

Code sections:

Attachments: 1. FINAL Letter to HSLD LLC with Re-Re-Recorded RES 20-30, 2. RE-Re-Recorded RES 20-30, 3. Adopted RES 20-30, 4. Notification Letter to Affected Property Owners, 5. Affidavit of Publication - Notice of Public Hearing, 6. Business Observer Ad, 7. PTV Presentation HSLD 04-21-20, 8. Advertising Packet, 9. Petitioner Application, 10. Resolution, 11. Location Map, 12. Exhibit A

Date	Ver.	Action By	Action	Result
4/21/2020	1	Board of County Commissioners	approved	Pass

Subject:

Petition of HSLD, LLC to vacate 1.1 feet of a 40-foot-wide drainage easement lying in Lot 62, Saint Joseph Sound Estates, Plat Book 81, Page 63, 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.

- The vacation will clear an accidental encroachment created by a newly built stairway.
- The new stairway would have to be reconstructed to avoid this encroachment.
- County staff have no objection to the vacation request.

Authorize the Clerk of the Circuit Court to 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 Petitioner seeks to vacate a sixteen (16) inch (1.1 foot) portion of the forty (40) foot wide drainage easement. The Petitioner desires to clear an encroachment created by a newly built stairway.

Background Information:

The applicant received a construction permit that showed no encroachment of the stairway into the County's drainage easement. Onsite conditions resulted in the constructed stairway encroaching 1.1 foot into the County's drainage easement. Removing this unintended encroachment would pose a significant financial hardship on the applicant. County staff would not permit this encroachment during the permitting phase. However, in evaluating the financial impacts to the applicant if they were to clear this encroachment and the remaining area available to maintain drainage infrastructure in this drainage easement, County departments have no objection to the vacation request.

Letters of No Objection were received from Duke Energy, Frontier, Pinellas County Utilities Engineering, TECO Electric, TECO Peoples Gas and WOW! Bright House requested that the applicant be aware that if the possibility of relocation occurs, the relocation will be at the expense of the Petitioner.

The petition was properly advertised in accordance with §177, Florida State Statutes. 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. 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, Administrative Services

Partners:

N/A

Attachments:

Resolution
Exhibit "A"
Location Map
Advertising Packet
Petitioner's Application