



# Pinellas County

## Staff Report

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**File #:** 18-984A, **Version:** 1

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### **Subject:**

Petition of Michael D. Mastry of Haines Road Holdings, and Mike's Haines Road Holdings to vacate a portion of a three-foot-wide public utility easement within Lots 11 through 15 Block 1, Grove Park Vista Subdivision, Plat Book 12, Pages 8 through 10, Public Records of Pinellas County, Florida, lying in Section 2/31/16.  
(Quasi-Judicial Hearing)

### **Recommended Action:**

Consider granting the petition to vacate, and if granted, adopt the attached resolution pursuant to Florida State Statute 177.101 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 purpose of this request is to vacate the identified easements for the purpose of consolidating land parcels in consideration for future development. A utility easement will be reserved over the portion of the vacated area required for the sewer main relocation and continued operation and maintenance of same.

### **Background Information:**

On June 19, 2018 the Board of County Commissioners approved a petition to vacate the utility easements within Lots 1 through 10 as advertised. The correct legal advertising request should have been to vacate the utility easement within Lots 1 through 15. This current action will complete the petition to vacate by approving the vacation of Lots 11 through 15, Block 1, Grove Park Vista Subdivision, Plat Book 12, Pages 8 through 10, Public Records of Pinellas County, Florida, lying in Section 2/31/16.

Michael Dale Mastry and Lawrence R. Mastry, through several limited liability companies, own seven (7) parcels of land at the intersection of 54th Avenue North, Haines Road North and 53rd Avenue North. The petitioners intend to seek the same zoning and land use designation for all the parcels, to consolidate all of the parcels into one site, and develop the site consistent with a land use designation.

As part of the development the petitioner will be required to construct a new sanitary sewer main outside of the alley to be vacated. It will be designed and constructed to County standards. As a condition of the vacation petition, the sewer will be tested, accepted and the flows redirected, followed by the abandonment of the existing sewer main.

If granted, the County will retain a utility easement over a portion of the vacated areas to address the requirement for future maintenance of the relocated sanitary sewer main, currently located in the alley. The County will have maintenance responsibility for relocated sanitary sewer main, once constructed.

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

Letters of no objection were received from Charter, Duke Energy, Florida Department of Transportation, Frontier, Pinellas County Utilities Engineering, TECO Electric, TECO Gas and WOW!

The petition was properly advertised in accordance with Florida State Statute 177.101. 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 yard signs were placed on the property. The Deputy Clerk will report to the Board any citizen support or opposition.

**Fiscal Impact:**

N/A

**Staff Member Responsible:**

Andrew W. Pupke, Director, Real Estate Management

Blake Lyon, Director, Development Review Services

Rahim Harji, Assistant County Administrator

Renea Vincent, Director, Planning

**Partners:**

N/A

**Attachments:**

Resolution

Exhibit A - Sketch and Legal

Location Map - ROW Vacation

Advertising Packet