



# Pinellas County

## Legislation Details (With Text)

**File #:** 17-1146A **Version:** 1  
**Type:** Petition to Vacate **Status:** Passed  
**File created:** 6/28/2017 **In control:** Real Estate Management  
**On agenda:** 8/15/2017 **Final action:** 8/15/2017  
**Title:** Petition of Bryan Ellerman and Mari Ellerman to vacate the five foot easement over the southwesterly five feet of Lot 1, Block 5, Pasadena Golf Club Estates, Plat Book 32, Page 13, lying in Section 29, Township 31, Range 16, Pinellas County, FL  
Quasi-Judicial Hearing.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Final Letter to Petitioner - Resolution Adopted, 2. Recorded RES 17-51, 3. Adopted Res 17-51, 4. Affidavit of Publication - Notice of Public Hearing, 5. Resolution, 6. Mailing for Notice of Public Hearing, 7. PTV 1528 Ellerman Advertising Packet.pdf, 8. PTV 1528 Ellerman Location Map.pdf, 9. PTV 1528 Ellerman Approve Sketch and Legal.pdf

Date	Ver.	Action By	Action	Result
8/15/2017	1	Board of County Commissioners	approved	Pass

### **Subject:**

Petition of Bryan Ellerman and Mari Ellerman to vacate the five foot easement over the southwesterly five feet of Lot 1, Block 5, Pasadena Golf Club Estates, Plat Book 32, Page 13, lying in Section 29, Township 31, Range 16, Pinellas County, FL  
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.

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 the five foot utility easement. An existing addition to the home encroaches into the easement.

### **Background Information:**

The petitioner's property is for sale and is seeking to vacate the utility easement along the property line to release an encroachment caused by a home addition permitted in 1990.

County departments were queried and have no objection to the vacation of the easement. There are no County utilities within the subject easement.

Letters of no objection were received from Bright House, City of St. Petersburg, Duke Energy, Frontier, Pinellas County 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. 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, Director, Real Estate Management

**Partners:**

N/A

**Attachments:**

Resolution

Exhibit A - Sketch and Legal

Location Map

Advertising Packet