



Pinellas County

Legislation Details (With Text)

File #: 18-270A **Version:** 1

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

File created: 2/15/2018 **In control:** Board of County Commissioners

On agenda: 6/19/2018 **Final action:** 6/19/2018

Title: Petition of Michael D. Mastry and Haines Road Holdings, and Mike's Haines Road Holdings to vacate a portion of a three-foot-wide public utility easement within Lots 1 through 10 and Lots 59 through 63, 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 and a portion of an alley lying and being within Lots 1 through 15 and Lots 60 through 63, Block 1, Grove Park Vista Subdivision, Plat Book 12, Pages 8 through 10, Public Records of Pinellas County, Florida, in Section 2/31/16. (Quasi-Judicial Hearing)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Final Letter to Petitioner with Recorded Resolution, 2. Recorded RES 18-36, 3. Adopted RES 18-36, 4. Comment Card Submitted by BCC Meeting Attendee, 5. Affidavit of Publication for Notice of Public Hearing, 6. Notification Mailing to Affected Property Owners, 7. Revised Resolution_aatf.pdf, 8. REVISED RESOLUTION_.pdf, 9. Haines Rd Location Map_PTV1543.pdf, 10. Resolution_aatf.pdf

Date	Ver.	Action By	Action	Result
6/19/2018	1	Board of County Commissioners	approved	Pass

Subject:

Petition of Michael D. Mastry and Haines Road Holdings, and Mike's Haines Road Holdings to vacate a portion of a three-foot-wide public utility easement within Lots 1 through 10 and Lots 59 through 63, 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 and a portion of an alley lying and being within Lots 1 through 15 and Lots 60 through 63, Block 1, Grove Park Vista Subdivision, Plat Book 12, Pages 8 through 10, Public Records of Pinellas County, Florida, 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 dedicated public right-of-way (alley) and easements for the purpose of consolidating land parcels in consideration for future development. A utility easement will be reserved over the vacated areas.

Background Information:

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 the 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 the vacated areas to address the requirement for future maintenance of a 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 three 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:

\$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 - ROW Vacation
Advertising Packet