



Pinellas County

Legislation Details (With Text)

File #: 19-029A **Version:** 1
Type: Petition to Vacate **Status:** Passed
File created: 1/7/2019 **In control:** Board of County Commissioners
On agenda: 2/26/2019 **Final action:** 2/26/2019
Title: Petition of Tommy G. Mathison to vacate that portion of 74th Street North lying west of Lots 11 through 14, Block D, Bon Creek Park, Plat Book 24, Page 81, lying in Section 6/31/16, Pinellas County, Florida (Legislative Hearing).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Final Letter to Petitioner with Recorded RES 19-7, 2. Affidavit of Publication for Public Notice - Approved Resolution, 3. Recorded RES_19-7, 4. Adopted RES 19-7, 5. Comment Card Submitted by BCC Meeting Attendee, 6. Affidavit of Publication - Notice of Public Hearing, 7. Notification Mailing to Affected Property Owners, 8. Exhibit C - Drainage and Access Easement.docx.pdf, 9. Exhibit B - Ingress Egress Easement.doc.pdf, 10. Mathison Resolution.pdf, 11. Ad Packet.pdf, 12. Exhibit A - Approved Sketch and Legal.pdf

Date	Ver.	Action By	Action	Result
2/26/2019	1	Board of County Commissioners	approved	Pass

Subject:

Petition of Tommy G. Mathison to vacate that portion of 74th Street North lying west of Lots 11 through 14, Block D, Bon Creek Park, Plat Book 24, Page 81, lying in Section 6/31/16, Pinellas County, Florida (Legislative Hearing).

Recommended Action:

Consider granting the petition to vacate, and if granted, adopt the attached resolution pursuant to Florida State Statute 336.

- The Petition to Vacate was deferred from the November 20, 2018 Board Meeting to provide the petitioner time to secure an ingress/egress easement from the property owner immediately adjacent to the 20 feet of right of way (ROW) to be vacated.
- The petitioner is the owner of the adjacent lots 1-4 and 11-14. The ROW is on the petitioner's plat.
- If approved, County will retain a ten foot easement along the south side of Lots 4 and 11 in exchange for the ROW that will be vacated.

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 an unopened twenty (20) foot ROW adjacent to the

petitioner's property to allow for future development.

Background Information:

The Petition to Vacate was deferred on November 20, 2018 to give the petitioner the time to secure an ingress/egress easement for the property owner next to the 20 feet of right of way to be vacated. The petitioner is the owner of the adjacent lots 1-4 and 11-14. The ROW is on the petitioner's plat. To assure maintenance access for repair and replacement of the creek wall system, Stormwater & Vegetation Division will retain a ten foot easement along the south side of Lots 4 and 11 in exchange for the ROW that will be vacated. A drainage and access easement has been submitted by the Petitioner and will be recorded after the approval of the petition to vacate by the Board of County Commissioners. An ingress/egress easement has been submitted by the Petitioner for the property owner to the west of Lot 14 for access to their property.

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

Letters of no objection were received from Bright House, Duke Energy, Frontier, Pinellas County Utilities Engineering, 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 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.

Authorize the Clerk of the Court to attest and record the resolution and the new easements in the public records of Pinellas County.

Fiscal Impact:

\$750.00 has been received for this request.

Staff Member Responsible:

Rahim Harji, Assistant County Administrator
Andrew W. Pupke, Director, Real Estate Management

Partners:

N/A

Attachments:

Resolution
Exhibit A - Sketch and Legal
Drainage and Access Easement
Ingress/Egress Easement
Location Map
Advertising Packet