



Legislation Details (With Text)

File #: 19-476A **Version:** 1

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

File created: 3/26/2019 **In control:** Board of County Commissioners

On agenda: 5/21/2019 **Final action:** 5/21/2019

Title: Petition of Anthony Mendillo and Jenee Mendillo and the Bayou Club Community Association, Inc. to vacate the northerly 5 feet of the 10-foot drainage and utility easement lying adjacent to the southerly boundary of Lot 2, Bayou Club Estates, Tract 5, Phase 1, Plat Book 111, Page 57-59, lying within Section 19-30-16, Pinellas County, Florida. (Quasi-Judicial Hearing)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Final Letter to Petitioner with Recorded RES 19-34, 2. Recorded RES 19-34, 3. Adopted RES 19-34, 4. Affidavit of Publication - Notice of Public Hearing, 5. Notification Mailing to Affected Property Owners, 6. FINAL Resolution.pdf, 7. Ad Packet.pdf, 8. Resolution.pdf, 9. Approved Sketch.pdf, 10. Location Map.pdf

Date	Ver.	Action By	Action	Result
5/21/2019	1	Board of County Commissioners	approved	Pass

Subject:

Petition of Anthony Mendillo and Jenee Mendillo and the Bayou Club Community Association, Inc. to vacate the northerly 5 feet of the 10-foot drainage and utility easement lying adjacent to the southerly boundary of Lot 2, Bayou Club Estates, Tract 5, Phase 1, Plat Book 111, Page 57-59, lying within Section 19-30-16, Pinellas County, Florida. (Quasi-Judicial Hearing)

Recommended Action:

Consider granting the petition to vacate, and if granted, adopt the attached resolution pursuant to Florida State Statute 177.

- The plat grants fee simple ownership to the Bayou Club Community Association, Inc.
- Bayou Club Community Association, Inc. supports the request to vacate and is a co-signer for the petition to vacate request.

Authorize the Clerk of the Court 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 northerly five (5) feet of the ten (10) foot drainage and utility easement to allow construction of a pool, pool enclosure and a deck.

Background Information:

The County Attorney's office identified a notation on the plat that suggested that the Bayou Club Community Association, Inc., has interest in the easements that are on the property. The County Attorney's office recommended that the HOA join the petition to vacate to request the release. The Petitioner was given a no objection letter by the HOA approving the request to vacate.

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

Letters of no objection were received from Bayou Club Community Association, Inc., 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 177. 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