



# Pinellas County

## Legislation Details (With Text)

**File #:** 19-964A **Version:** 1

**Type:** Petition to Vacate **Status:** Public Hearing

**File created:** 6/6/2019 **In control:** Real Estate Management

**On agenda:** 8/6/2019 **Final action:** 8/6/2019

**Title:** Petition of Travis H. Duvall and Christina N. Duvall to vacate a fifteen foot drainage and utility easement lying in Lot 70, Rolling Oaks Subdivision, Plat Book 102, pages 57 and 58, lying in section 23-27-15, Pinellas County, Florida. (Quasi-Judicial Hearing)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Comment Card Submitted for Public Comment, 2. Notification Mailing to Affected Property Owners, 3. Affidavit of Publication - Notice of Public Hearing, 4. Plat.pdf, 5. Petitioner Application.pdf, 6. Request for Advertising.pdf, 7. Approved Sketch.pdf, 8. Resolution.pdf, 9. Resolution\_draft redline, 10. DRS objection.pdf, 11. Location Map

Date	Ver.	Action By	Action	Result
8/6/2019	1	Board of County Commissioners	continued	Pass

### **Subject:**

Petition of Travis H. Duvall and Christina N. Duvall to vacate a fifteen foot drainage and utility easement lying in Lot 70, Rolling Oaks Subdivision, Plat Book 102, pages 57 and 58, lying in section 23-27-15, Pinellas County, Florida. (Quasi-Judicial Hearing)

### **Recommended Action:**

Denial of the petition to vacate, based on County staff objections. If granted, adopt the attached Resolution pursuant to §177, Florida Statutes.

- The vacation request area is part of a larger easement platted by the Developer of the Rolling Oaks Subdivision.
- The easement was platted to allow for the rear yard stormwater drainage.
- The easement is used for drainage runoff discharge into the right-of-way.
- Development Review Services objects to the petition to vacate request, and the Planning Department concurs with this objection.

### **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 for the request is to vacate a fifteen (15) foot x forty (40) foot portion of the easement to allow the Petitioners to construct a pool and screened deck in their backyard.

### **Background Information:**

County departments were queried and have objections to the vacation request.

Development Review Services (DRS) objects to the request because the easement allows rear yard drainage runoff and utility installations to serve lots 70,71,72,74 and 75. This particular portion of the easement is critical as it is the only means for the drainage runoff or utility easement to be accessed or discharged into the right-of-way.

The Planning Department concurs with DRS in its objections to the request.

Letters of No Objection were received from Bright House, Duke Energy, Frontier, Pinellas County Utilities Engineering, Rolling Oaks HOA of Pinellas, Inc., TECO Electric, TECO Gas and WOW! The petition was properly advertised in accordance with §177, Florida Statutes.

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 any citizen support/opposition to the Board of County Commissioners.

**Fiscal Impact:**

\$750.00 has been received for this request.

**Staff Member Responsible:**

Andrew W. Pupke, Director, Real Estate Management

Blake Lyon, Director, Building Development Review Services

Renea Vincent, Director, Planning

**Partners:**

N/A

**Attachments:**

Resolution

Exhibit A - Sketch and Legal

Location Map

Advertising Packet