



# Pinellas County

## Legislation Details (With Text)

**File #:** 19-1372A **Version:** 1  
**Type:** Petition to Vacate **Status:** Passed  
**File created:** 8/6/2019 **In control:** Real Estate Management  
**On agenda:** 8/20/2019 **Final action:** 8/20/2019  
**Title:** Petition of Travis H. Duvall and Christina N. Duvall to vacate a portion of 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. Final Letter to Petitioner with Recorded RES 19-57, 2. Recorded RES 19-57, 3. Adopted RES 19-57, 4. Affidavit of Publication - Notice of Public Hearing, 5. Notification Mailing to Affected property Owners, 6. Sketch and Legal Description Duvall REVISED, 7. Plat, 8. Resolution, 9. Location Map, 10. Request for Advertising, 11. Petitioner Application

| Date      | Ver. | Action By                     | Action   | Result |
|-----------|------|-------------------------------|----------|--------|
| 8/20/2019 | 1    | Board of County Commissioners | approved | Pass   |

**Subject:**

Petition of Travis H. Duvall and Christina N. Duvall to vacate a portion of 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:**

Consider granting the petition to vacate, and 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 pond behind the house.
- Development Review Services and the Planning Department previously objected to the petition to vacate request; however, their objections have been resolved through a compromise with the petitioner.

**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 an eight (8) foot portion of 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:**

Development Review Services (DRS) previously objected 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 pond. The objection was resolved by reducing the vacation request to eight feet (8) feet rather than fifteen (15) feet.

The Planning Department also removed its objection based on the reduced vacation request.

Other County departments have no objections to the vacation 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 previously 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 (Revised)  
Location Map  
Advertising Packet