



# Pinellas County

## Legislation Details (With Text)

**File #:** 22-2011A **Version:** 1  
**Type:** Petition to Vacate **Status:** Passed  
**File created:** 10/28/2022 **In control:** Board of County Commissioners  
**On agenda:** 12/13/2022 **Final action:** 12/13/2022  
**Title:** Petition of Howard Allen Davis and Susan Davis to vacate a portion of the west 3.00 feet of the north 45-feet of the south 78.50-feet of the 10-foot drainage and utility easement lying along the east boundary of lot 4, Block B (9659 136th Street).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Final Letter to Petitioner With Recorded RES 22-115, 2. Recorded RES 22-115, 3. Adopted RES 22-115 w Exhibit A, 4. AATF - Davis Resolution, 5. Davis resolution draft (1), 6. Exhibit A, 7. Davis application, 8. Davis Presentation, 9. PTV Davis Legal Ad Request, 10. Location Map, 11. Electronic Affidavit of Publication, 12. Affidavit of Publication

Date	Ver.	Action By	Action	Result
12/13/2022	1	Board of County Commissioners	approved	Pass

### **Subject:**

Petition of Howard Allen Davis and Susan Davis to vacate a portion of the west 3.00 feet of the north 45-feet of the south 78.50-feet of the 10-foot drainage and utility easement lying along the east boundary of lot 4, Block B (9659 136<sup>th</sup> Street).

### **Recommended Action:**

Approval of the petition by Allen Davis and Susan Davis to vacate that portion of the 10-foot public drainage and utility easement located on the property at 9659 136<sup>th</sup> Street in unincorporated Seminole.

- Request is for the vacation of a 3-foot wide by 45-foot-long portion of a 10-foot-wide public drainage and utility easement.
- Petitioners are requesting the vacation to resolve an existing encroachment into the easement.
- County staff has no objection to the vacation request.
- If petition is granted, Board of County Commissioners is asked to adopt the attached resolution pursuant to Florida State Statue 177.101.

Authorize the Clerk of the Circuit Court to 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 the request is to vacate the western 3-feet of a 10-foot-wide platted public drainage and utility easement on the petitioner's property at 9659 136<sup>th</sup> Street. The petitioner is requesting the vacation to resolve an existing pool enclosure and building encroachment.

**Background Information:**

County departments were queried and have no objections to the vacation request. The petition was properly advertised in accordance with Florida State Statute 177.101. Notices were mailed by the Clerk of the Court to property owners within 250 feet of the subject property. The Deputy Clerk will report to the Board any citizen support or opposition

Letters of no objection were received from Spectrum, Pinellas County Utilities, TECO, Frontier, Duke and WOW!

**Fiscal Impact:**

\$750.00 has been received as a Petition Fee from the Petitioners for this request.

**Staff Member Responsible:**

Kevin McAndrew, Director, Building Development and Review Services

**Partners:**

N/A

**Attachments:**

Resolution

Exhibit A

Location Map

Advertising Packet

Petitioner Application

Powerpoint Presentation