

PINELLAS COUNTY REAL ESTATE MANAGEMENT DEPARTMENT – REAL PROPERTY DIVISION

Application Process and Guidelines for Preparing to File a Petition to Release for: Easements, Roads, Right-of -Ways, or Alleys Established by Plat; or Public Roads, Right-of-Ways Established by Deed or Instrument

The petition to release process is comprised of two steps: The application process and the public hearing. The two steps are described in this document.

Application Process:

There are four (4) steps in the application process. The four steps will result in the assemblage and submittal of an application package to include the application, sketch and legal description, and letters of review and recommendation.

1. The first step is to complete the application. A completed application packet, with all requested documentation, is first submitted to the Real Estate Management Department for review and verification. The Real Estate Department will then route the request to other pertinent County departments. Once staff review and verification is complete, staff will indicate whether there are any staff objections to the petition, and if so, the basis for said objections. The petition is submitted to the Pinellas County Board of County Commissioners for its consideration at a public hearing. Please note that an objection from staff will not hinder the petitioner's ability to proceed to the Board of County Commissioners.

Please ensure the application contains the following additional information, as applicable:

- Names and addresses of all petitioners and the original signature of each of the petitioners on the application where indicated.
 - Address of the subject property, if different than the petitioner's address.
 - A Proof of Payment Certificate from the County Tax Collector's Office confirming that all current year and previous year taxes have been paid.
 - Petition for a public right-of-way extending beyond what abuts your property: All adjacent property owners sign as joint petitioners.
 - Release of platted lots: Include PROOF OF OWNERSHIP in form of an affidavit of ownership from the title company or from your attorney, or a copy of your deed.
 - Release of a portion of an easement: Include a copy of your deed and a copy of the easement.
 - Request made in preparation to build a pool, pool screen, or home addition: Provide a to-scale drawing of the proposed improvement.
 - Request made in anticipation of re-platting or redevelopment: Include an 11 x 17 inch copy of the proposed site plan or plat, if available.
 - Request includes portions of platted lots located within city limits: The City needs to process the release of City property first. When submitting to the County for the release of the interest in the remaining lots, a certified copy of the City resolution approving the release is required to be submitted as part of the package.
2. The second step in the application process is to obtain a SKETCH AND LEGAL DESCRIPTION prepared, signed and sealed by a Registered Professional Land Surveyor. Please note that the legal description needs to describe only the portion of the property interest to be released and should be submitted in an 8.5" x 11" format. A boundary survey, which is different from a sketch and legal description of your property, is not required or acceptable unless your request is to release an entire plat in preparation for redevelopment.

3. The third step in the application process is the submitting of letters of review and recommendation. These letters are sent by the applicant. Attached is a sample letter together with the names and addresses of various utility companies that must be contacted. All response letters are to be returned to the applicant, and the signed original letters are to be a part of the package submitted with the application. The letters should include the sketch and legal description of the property. A letter is also required from your homeowner's association, if applicable. The respondents will indicate either an objection or no objection to the requested vacation.
4. The fourth step in the application process is the application package submittal. Once the above three steps have been completed, the application, sketch and legal description, and letters of review and recommendation are ready to submit to the Real Estate Management Department for staff review, and recommendation to the Board of County Commissioners (BCC). At the time the completed application is submitted, a non-refundable \$350.00 application fee, made payable to the Board of County Commissioners is required to begin the petition process. You will be notified by mail when the County staff review of the application is complete. If you decide to continue the application process, you will be required to submit the Petition to Release form, together with a \$400.00 filing and advertisement fee made payable to the Board of County Commissioners. Upon receipt of the check and the form by the Real Estate Management Department, the petition to release request will be prepared by County staff for presentation to the BCC as a public hearing agenda item.

Please include the following additional letters as applicable:

1. Pond or retention area: If your property has a pond or retention area, or a portion of a pond or retention area, or any other Southwest Florida Water Management District (SWFWMD) permitted facility, please contact SWFWMD and request a letter of no objection, a copy of the original SWFWMD permit for the pond and/or retention area and a copy of the Transfer of Maintenance, if applicable. Once this information is obtained please request a letter of no objection from the current Maintenance Entity as stated on the permit or on the Transfer of Maintenance. The Maintenance Entity is usually the homeowner's association for your subdivision, and is usually responsible for maintaining the pond or retention area in accordance with the permit conditions. The letter from the homeowner's association as the Maintenance Entity, is a separate letter than the letter from the homeowner's association as referenced in #3 above.
2. Property abuts municipal limits: If your property abuts property inside City limits, please contact that City for a letter of objection or no objection.
3. Submerged and platted public right-of-way: If your application involves such right-of-way, please request a letter of no objection from the State of Florida Department of Environmental Protection using the contact information provided on the additional agencies page.
4. Adjacent to a State Road: If your petition involves platted public right-of-way that is adjacent to a State Road, please request a letter of objection or no objection the Florida Department of Transportation for a letter using the contact information provided on the additional agencies page.

Potential Additional Required Action: A vacation may not be all that is required to achieve your goals. It is recommended that you contact the Pinellas County Building & Development Review Services Department (BDRS) at (727) 464-3888 to determine if a variance from the Board of Adjustment is also needed. If so, the BDRS Department staff can assist you with that process.

Public Hearing:

A public hearing is required for the petition to release process. The steps necessary to prepare for a public hearing include:

ADVERTISING

In accordance with Florida State Statutes, the date of the Public Hearing will be advertised by publishing legal notice in a newspaper of general circulation in the county in which the parcel of land is located. The advertisement is placed in the newspaper by the Clerk of the Circuit Court, Board Records Section. The Real Estate Management Department will coordinate this activity.

POSTING

In accordance with Pinellas County's Real Estate Management Policies and Procedures, the date of the public hearing may be posted by a sign placed upon your property by County personnel several days prior to the hearing. The Real Estate Management Department will coordinate this activity. **PLEASE DO NOT REMOVE THE SIGN** until after the public hearing.

NOTIFICATION

Notification of the public hearing date will be mailed to you and your adjacent neighbors by the Clerk of the Circuit Court. You or your representative are encouraged to attend the public hearing to answer any questions that may arise. Please be aware that if the BCC has questions during the hearing that cannot be answered by County staff, the petition to vacate could be denied or deferred.

Following the meeting, you will be notified by mail from the Clerk of the Circuit Court's Board Records Section of the results of your petition and the Board of County Commissioners' decision. Copies of the recorded resolution and other pertinent documents will be included with that notification letter.

If you have any questions at any time during this process please do not hesitate to contact Cynthia Harris, Sr. Real Property Specialist at (727) 464-3773.

SAMPLE LETTER

The suggested format for requesting a “LETTER OF REVIEW AND RECOMMENDATION”

(Please fill out completely with all of your information requested below)

(Date)

(Your Name)

(Street Address)

(City, State, Zip Code)

(Your Telephone Number)

(Contact Person)

(Utility Company Name)

(Department/Division, if applicable)

(Street Address)

(City, State, Zip Code)

**Re: Petition to Release: See attached Legal Description
 Section, Township, Range
 Street address of the subject property**

Dear:

Please provide a letter in response to the above-referenced Petition to Release, indicating either “No Objection” or “Objection,” to the address listed above. Thank you for your consideration of this request.

Sincerely,

(Your Signature)

NAMES & ADDRESSES for LETTERS OF REVIEW AND RECOMMENDATION

PLEASE ASK EACH UTILITY TO USE YOUR PROPERTY ADDRESS IN THE REFERENCE LINE ON THE LETTERS OF NO OBJECTION.

BRIGHT HOUSE NETWORKS (Cable Service north of Belleair Road)
Attn: Oswaldo (Ozzie) Perez, Field Engineer II (oswaldo.perez@Charter.com)
700 Carillon Parkway, Suite 6
St. Petersburg, FL 33716
Phone # - (727) 329-2817

BRIGHT HOUSE NETWORKS (Cable Service south of Belleair Road)
Attn: Ted Bingham, Field Engineer III (Ted.Bingham@mybriighthouse.com)
700 Carillon Parkway, Suite 6
St. Petersburg, FL 33716
Phone # - (727) 329-2847

WOW! (Wide Open West) (Cable Service for Unincorporated County)
Attn: Jay Young, Construction Manager (jay.young@wideopenwest.com)
3001 Gandy Boulevard North
Pinellas Park, Florida 33782
Phone # - (727) 239-0156

PINELLAS COUNTY UTILITIES (Water & Sanitary Sewer Service)
Attn: Dennis Simpson, P.E., Engineering Section Manager (dsimpson@pinellascounty.org)
14 South Fort Harrison Avenue
Clearwater, Florida 33756
Phone # - (727) 464-4223

DUKE ENERGY FLORIDA (Distribution) & (Transmission)
Attn: Jason McDarby (Jason.McDarby@duke-energy.com)
2166 Palmetto Street
Clearwater, Florida 33757
Phone # - (727) 562-5706 Cell: (813) 373-1289

FRONTIER COMMUNICATIONS (VERIZON) (Phone Service)
Attn: Michael Little (michael.e.little@ftr.com)
120 E. Lime Street
Lakeland, FL 33801
Phone# - O (813) 682-8506/ M 813-892-9648

TECO PEOPLES GAS (Gas Service)
Attn: Jeff Frazier (SPJXF@TECOENERGY.com)
1920 9th Avenue North
St. Petersburg, Florida 33713
Phone # - (727) 423-7621

TECO ELECTRIC (Electric Service)
Attn: Melissa Douglas (medouglas@TECOENERGY.com)
P.O. Box 111
Tampa, FL 33601
Phone# - (813) 228-1090

PLEASE NOTE: If your neighborhood receives gas line service, a letter of “No Objection” is required from whichever company provides that service; i.e. TECO Peoples Gas, Suburban Propane, etc.

ADDITIONAL AGENCIES TO BE CONTACTED AS APPLICABLE

STATE OF FLORIDA Department of Environmental Protection (DEP)
(Copies of pond permits – 1978 through 1984)
Southwest District Office
Phone # - (813) 470-5700

Title & Land Records
(Letter of “No Objection” for submerged right of way)
Phone # - (850) 245-8336

STATE OF FLORIDA Department of Transportation (DOT)
(Platted public right-of-way adjacent to a State Road)
11201 North McKinley Drive
Tampa, Florida 33612
Phone # - (813) 975-6495

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD)
(Copies of SWFWMD permits)
Richard Alt or Alberto Martinez
7601 Highway 301 North
Tampa, FL 33637
Phone # - (813) 985-7481 Ext. 2045

APPLICATION AND FINDINGS OF FACT

FOR PETITION TO RELEASE PLATS OR PORTIONS OF PLAT (EASEMENTS)

APPLICANT(S): _____

Address: _____

City, State, Zip: _____

Daytime Telephone Number: _____

SUBJECT PROPERTY ADDRESS: _____

City, State, Zip: _____

Property Appraiser Parcel Number: _____

PLEASE ANSWER THE FOLLOWING QUESTIONS TO THE BEST OF YOUR KNOWLEDGE

1. The right-of-way or alley is: ___ open and used ___ unopened "paper" street

2. Is there a pending "Contract for Sale"? _____ Yes _____ No

If yes, please list all parties involved in the sales contract:

3. Is a corporation involved as owner or buyer?

If yes, please give corporation name and list corporate officers:

4. Complete subdivision name as shown on the subdivision plat:

5. Subdivision Plat Book Number _____ **Page number(s)** _____

6. Is there a Homeowners Association? _____ Yes _____ No

7. Reason(s) for requesting this release – check all that apply:

-Need to release to clear an existing encroachment:

_____ Pool _____ Screened Pool & Deck _____ Building _____ Other

-Need to release to clear title: _____ Yes _____ No

-Want to release to allow for:

____ Pool ____ Screened Pool/Deck ____ Building Addition ____ Other

-Want to vacate to include the vacated right of way or alley into my property for:

____ Increased property size ____ Prohibiting unwanted use of the area

____ Other:

8. Is Board of Adjustment required? ____ Yes ____ No

To determine if a variance is required, please call the BUILDING DEVELOPMENT REVIEW SERVICES DEPARTMENT at 464-3888.

9. Please provide any relevant additional comments:

10. If anyone has assisted you with the preparation of this form, gathering of information or requesting information on your behalf, please list their name, title, address and phone number below.

Name _____ Title _____

Address _____ Phone _____

CITIZEN DISCLOSURE

11. _____ 1) I have a current family relationship to an employee, or an elected official, of Pinellas County Government. That person is _____, employed in the Department of _____, or Office of _____, Elected Official.

_____ 2) I am not aware of any current family relationship to any employee, or Elected Official, of Pinellas County Government.

_____ 3) I am an employee of Pinellas County Government, in the _____ Department, or the Office of _____, Elected Official.

The definition of family relationship, for the purposes of this document, is the immediate family consisting of: father, mother, brother, sister, half-brother or sister, adopted brother or sister, or by law or marriage, father-in-law, mother-in-law, brother-in-law, or sister-in-law.

APPLICANT(S) SIGNATURE

DATE: _____

SUPPLEMENTAL PAGE FOR ADDITIONAL APPLICANTS/PETITIONERS

For Property Address _____

APPLICANT: _____

Address: _____

City, State, Zip: _____

Daytime Telephone Number: _____

Signature: _____

Date: _____

APPLICANT: _____

Address: _____

City, State, Zip: _____

Daytime Telephone Number: _____

Signature: _____

Date: _____

APPLICANT: _____

Address: _____

City, State, Zip: _____

Daytime Telephone Number: _____

Signature: _____

Date: _____

APPLICANT: _____

Address: _____

City, State, Zip: _____

Daytime Telephone Number: _____

Signature: _____

Date: _____

APPLICANT: _____
Address: _____
City, State, Zip: _____
Daytime Telephone Number: _____
Signature: _____
Date: _____

APPLICANT: _____
Address: _____
City, State, Zip: _____
Daytime Telephone Number: _____
Signature: _____
Date: _____

APPLICANT: _____
Address: _____
City, State, Zip: _____
Daytime Telephone Number: _____
Signature: _____
Date: _____

APPLICANT: _____
Address: _____
City, State, Zip: _____
Daytime Telephone Number: _____
Signature: _____
Date: _____