

PINELLAS COUNTY REAL PROPERTY DIVISION

APPLICATION GUIDELINES FOR PREPARING TO FILE A PETITION TO VACATE A PLAT OR A PORTION OF PLAT (EASEMENTS, LOT LINES OR OTHER THAN ROADS, RIGHT OF WAYS, OR ALLEYS)

Dear Applicant: The process to vacate is done in two parts with the Application being the initial stage. When the Application review has been completed and approved, the Petition to Vacate will be submitted to the Board of County Commissioners for approval. We believe the steps outlined below will help you to complete a successful Application.

Vacating of Plats or portions thereof is done in accordance with State Statute 177.101.

SKETCH AND LEGAL DESCRIPTION

Your first step in the APPLICATION process is to contact a registered land surveyor to request a **SKETCH AND LEGAL DESCRIPTION (NO LARGER THAN 8.5 x 11 INCHES)** of the area you are asking to vacate. The legal description needs to describe ONLY the portion of easement to be vacated, and be **prepared, signed and sealed by a Registered Professional Land Surveyor** in compliance with the Florida Administrative Code. A survey of your property is not required nor acceptable unless your request is to vacate an entire plat in preparation for redevelopment

LETTERS OF NO OBJECTION

Letters are required from several sources stating “**NO OBJECTION**” to the requested vacation. Attached to this application is a “SAMPLE LETTER” together with names and addresses for the various Utility Companies you need to contact. **Each request letter you send should have the sketch and legal description attached to help in the response time.** We also require a **LETTER OF “NO OBJECTION”** from your Homeowner Association, if one exists.

Additional **LETTERS OF NO OBJECTION** may be required as follows:

-If your property has a pond or retention area, or portion of a pond or retention area, please contact the Southwest Florida Water Management District (SWFWMD), contact information is provided on a following page. 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 you receive the information from the District, please obtain a **LETTER OF NO OBJECTION** from the current Maintenance Entity as stated on the permit or in the transfer of maintenance. The Maintenance Entity is usually the **HOMEOWNER ASSOCIATION** for your subdivision, and is responsible for maintaining the pond or retention area in accordance with the permit conditions.

PLEASE NOTE: THE LETTER FROM THE HOMEOWNER ASSOCIATION, AS **MAINTENANCE ENTITY**, IS A SEPARATE LETTER THAN THE LETTER FROM THE HOMEOWNER ASSOCIATION AS REFERENCED ABOVE. CONFUSED? GIVE ME A CALL.

-If your property abuts property inside City limits, please contact that City for a **LETTER OF NO OBJECTION**.

-If your property has an active lease, please obtain a **LETTER OF NO OBJECTION** from the Lessee.

-If your petition involves platted public right-of-way that is submerged, please request a **LETTER OF NO OBJECTION** from the **State of Florida, Department of Environmental Protection**. Contact information is provided on a following page.

-If your petition involves platted public right-of-way that is adjacent to a State Road, please contact the **Florida Department of Transportation** for a **LETTER OF NO OBJECTION**.

Please remember to have all response letters returned to you - signed, original **LETTERS OF NO OBJECTION** are to be a part of the package at the time you submit the APPLICATION FOR PETITION TO VACATE.

APPLICATION, AND FINDINGS OF FACT

-Please include the names and addresses of all petitioners and the original signature of each of the petitioners on the attached APPLICATION where indicated, also provide the address of the property, if different than the petitioner's address. Please include a **daytime telephone number** where you can be reached.

If you are vacating public right-of-way, all adjacent property owners must sign as joint petitioners.

-If you are vacating **platted lots**, please include in the package, **PROOF OF OWNERSHIP** in the form of an affidavit of ownership from a title company or from your attorney.

-If you are vacating a **portion of easement**, please include in the package, a copy of your **WARRANTY DEED**.

-A Certificate from the County Tax Collector's Office is required confirming that all current year and previous year taxes have been paid.

-If your requested vacation of easement is in preparation to ***build a pool, screen an existing pool or add on to your home***, please provide a to scale drawing of the proposed improvement.

-If your requested vacation of platted lots is in anticipation of re-platting or redevelopment, please include an 11 x 17 inch copy of the proposed site plan or plat.

PLEASE NOTE: If portions of the platted lots being vacated are within City limits, the City needs to process vacation of the City property **FIRST**. When submitting to the County to vacate the remaining lots, a certified copy of the approved City Resolution is required as part of the package.

BOARD OF ADJUSTMENT VARIANCE

A vacation of easement may not be all that is required. It is recommended that you contact the Development Review Services Department (DRS) at (727) 464-3888 to determine if a Board of Adjustment Variance may also be needed. If so, the DRS Department staff can assist you with that process.

ONCE THE ABOVE STEPS HAVE BEEN COMPLETED, THE APPLICATION SHOULD BE READY TO SUBMIT TO PUBLIC WORKS REAL ESTATE FOR STAFF REVIEW AND RECOMMENDATION FOR APPROVAL.

APPLICATION FOR PETITION TO VACATE PLAT OR EASEMENT
CHECKLIST

- _____ Sketch & Legal Description – Signed & Sealed by a Registered Land Surveyor

- _____ Required Letters of “No Objection” (SIGNED ORIGINALS ONLY, PLEASE)
NO conditional letters will be accepted
 - _____ Bright House (Cable)
 - _____ Knology (Cable)
 - _____ Pinellas County Utilities (Water & Sewer)
 - _____ Progress Energy – (Distribution)
 - _____ Progress Energy (Transmission)
 - _____ Verizon Florida, Inc. (Telephone)

- _____ Additional Letters of “No Objection” as may be required
if the following are NOT required, please mark “n/a” to indicate the letter is not applicable.
 - _____ DEP – Department of Environmental Protection
 - _____ FDOT – Florida Department of Transportation
 - _____ SWFWMD – Southwest Florida Water Management District (Ponds Only)
 - _____ Letter of “No Objection”
 - _____ Copy of the Permit
 - _____ Copy of the Transfer of Maintenance
 - _____ Letter of “No Objection” from the HOA as Maintenance Entity
 - _____ Adjacent Municipality, if applicable
 - _____ Gas Service (TECO Gas – formerly Peoples Gas)
 - _____ Homeowner Association
 - _____ Lessee

- _____ Copy of your ownership Warranty Deed
- _____ Affidavit of Ownership of your property (from a title company or real estate attorney)
- _____ Copy of Certificate of Taxes Paid for current and previous years (from Property Appraiser)
- _____ Copy of approved City Resolution (if portion of vacation request is inside City limits)
- _____ Completed Application and Findings of Fact for Petition to Vacate

Please submit the completed Application Package to:

Pinellas County Real Property Division
ATTENTION: Cynthia M. Harris, Real Estate Specialist
509 East Avenue South
Clearwater, Florida 33756
(727) 464-3773 464-5251(Fax)

Package may be mailed or hand-delivered
(It is recommended that you retain copies of all documents for your records)

SAMPLE LETTER

Here is a suggested format for requesting a “LETTER OF NO OBJECTION”
(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 Vacate: See attached Legal Description
Section, Township, Range
Street Address of the subject property**

Dear:

Please provide a letter of “No Objection” to the above referenced Petition to Vacate, and forward your reply to the above address. Thank you for your consideration of this request.

Sincerely,

(Your Signature)

(Please see next page for Names & Addresses)

NAMES & ADDRESSES for LETTERS OF “NO OBJECTION”

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: W. Scott Creasy, Field Engineer III (scott.creasy@mybriighthouse.com)
700 Carillon Parkway, Suite 6
St. Petersburg, FL 33716
Phone # - (727) 329-2817

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

KNOLOGY BROADBAND (Cable Service for Unincorporated County)
Attn: Jay Young, Construction Manager (jay.young@knology.com)
3001 Gandy Boulevard North
Pinellas Park, Florida 33782
Phone # - (727) 239-0156

PINELLAS COUNTY UTILITIES (Water & Sanitary Sewer Service)
Sandra McDonald, P.E., Engineering Supervisor
Engineering Department (smcdonal@pinellascounty.org)
14 South Fort Harrison Avenue
Clearwater, Florida 33756
Phone # - (727) 464-3588

PROGRESS ENERGY FLORIDA (Distribution)
Attn: Tuyet La (tuyet.la@pgnmail.com)
2166 Palmetto Street
Clearwater, Florida 33757
Phone # - (727) 562-5651

PROGRESS ENERGY FLORIDA (Transmission)
Attn: Todd Boyer (todd.boyer@pgnmail.com)
3300 Exchange Place, NP3B
Lake Mary, Florida 32746
Phone # - (407) 942-9374

VERIZON FLORIDA, INC. (Phone Service)
Attn: Randy Johnson (Larry.R1.Johnson@Verizon.com)
1280 E. Cleveland Street
FLCW 5033
Clearwater, Florida 33755
Phone# - (727) 562-1101

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

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. Verified & Revised 07-07

ADDITIONAL AGENCIES TO BE CONTACTED AS NEEDED

STATE OF FLORIDA Department of Environmental Protection (DEP)
(Copies of pond permits – 1978 through 1984)
Phone # - (813) 744-6100

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

STATE OF FLORIDA Department of Transportation (DOT)
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

PETITION TO VACATE
PUBLIC HEARING

At the time you bring in the completed application, letters of no objection and all documents requested, a \$350.00 non-refundable application fee is required to begin the petition to vacate or release of easement application. When the County staff review and approval of the application is complete, **you will be notified by mail and requested to submit the Petition to Vacate form together with the \$340.00 filing fee, and advertising costs, and all pertinent fees associated with approval of the request.** Upon receipt of the check, made payable to the Board of County Commissioners (BOCC), and the Petition, the **PETITION TO VACATE PACKAGE** is prepared by County staff for presentation to the **BOARD OF COUNTY COMMISSIONERS** as a public hearing agenda item.

FYI, below are the steps necessary for the Real Estate Division to prepare for the public hearing include:

ADVERTISEMENT

In accordance with State Statute, 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, in not less than two weekly issues of said paper*”. The advertisement is placed in the paper by the Clerk of the Circuit Court, Board Records Section.

POSTING

At staff discretion, 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 - **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 from the Clerk of the Circuit Court. You or your representative are encouraged to attend the public hearing to answer any questions that may arise. Keep in mind that if the Board 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 Board Records Section that your petition was approved. 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 me at (727) 464-3773.

APPLICATION AND FINDINGS OF FACT
FOR PETITION TO VACATE PLATS OR PORTIONS OF PLAT (EASEMENTS)

APPLICANT(S): _____

Address: _____

City, State, Zip: _____

Daytime Telephone Number: _____

PROPERTY ADDRESS: _____

City, State, Zip: _____

Property Appraiser Parcel Number: _____

PLEASE ANSWER THE FOLLOWING QUESTIONS TO THE BEST OF YOUR KNOWLEDGE

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

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

2. Is a corporation involved as owner or buyer?

If yes, please give Corporation name and list Corporate Officers:

3. Complete subdivision name as shown on the Subdivision Plat:

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

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

6. Reason(s) for requesting this vacation – check all that apply:

-Need to vacate to clear an existing encroachment:

_____ **Pool** _____ **Screened Pool & Deck** _____ **Building**

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

-Want to vacate to allow for:

_____ **Pool** _____ **Screened Pool/Deck** _____ **Building Addition**

_____ **Other:** _____

7. Is Board of Adjustment required? _____ Yes _____ No
To determine if a variance is required, please call the DEVELOPMENT REVIEW SERVICES DEPARTMENT at 464-3888.

8. Please provide any relevant additional comments:

9. 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

10. _____ 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: _____

APPLICANT: _____

Address: _____

City, State, Zip: _____

Daytime Telephone Number: _____

Signature: _____

APPLICANT: _____

Address: _____

City, State, Zip: _____

Daytime Telephone Number: _____

Signature: _____

APPLICANT: _____

Address: _____

City, State, Zip: _____

Daytime Telephone Number: _____

Signature: _____

APPLICANT: _____

Address: _____

City, State, Zip: _____

Daytime Telephone Number: _____

Signature: _____

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For Property Address _____

APPLICANT: _____

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Signature: _____

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City, State, Zip: _____

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Signature: _____