

The applicant bears the burden of demonstrating compliance with the applicable criteria for vacation of public right-of-way. In this case, the material submitted by the applicant does provide background or analysis supporting a conclusion that vacating the subject right-of-way would be consistent with the criteria in the City Code, the Comprehensive Plan, or any applicable special area plan.

A. Land Development Regulations

Section 16.40.140.2.1.E of the LDR sets forth the criteria for the review of proposed vacations. The criteria are provided below in italics, followed by itemized findings by Staff.

1. ***The need for easements for public utilities including stormwater drainage and pedestrian easements to be retained or required to be dedicated as requested by the various departments or utility companies.***
 - The application was routed to City Departments and Private Utility Providers. There were no objections to the vacation request by City Departments.
 - Duke Energy and Spectrum/Bright House Networks have reported facilities in the area. It is a Condition of Approval at the end of this report that private easements be provided if necessary to these companies.
2. ***Whether the vacation would cause a substantial detrimental effect upon or substantially impair or deny access to any lot of record.***
 - Access will not be substantially impaired or denied to any lot of record. The affected lots are all accessed by different streets.
3. ***Whether the vacation would adversely impact the existing roadway network, such as creating dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or districts.***
 - The vacation will not impact the existing roadway network or create dead-end rights-of-way, substantially alter utilized travel patterns, or undermine the integrity of historic plats of designated historic landmarks or neighborhoods. The street is already a dead-end right-of-way, it will just be shortened by this application.
4. ***Whether the easement is needed for the purpose for which the City has a legal interest and, for rights-of-way, whether there is a present or future need for the right-of-way for public vehicular or pedestrian access, or for public utility corridors.***
 - The City Departments have not reported any need for this segment of right-of-way. It is currently unimproved its entire length.
5. ***The POD, Development Review Commission, and City Council may also consider any other factors affecting the public health, safety, or welfare.***
 - Vacation of the right-of-way will help clarify property owner maintenance responsibilities in the area and will provide the abutting property owners with more useable land.

B. Comprehensive Plan

The City's current Comprehensive Plan contains Goals, Objectives and Policies related to land use and transportation. Those applicable to the subject application have been identified below in italics. Commentary regarding whether the application advances the Goals, Objectives and Policies, or hinders achievement of same is provided after.

1. Goals, Objectives and Policies from the Land Use Element applicable to the subject application include:

Land Use Element Goals:

- (1) *Protect the public health, safety and general welfare;*
- (2) *Protect and enhance the fabric and character of neighborhoods.*

Response to LU Goals 1 and 2: The application would advance these goals by converting an unimproved street end into private property which can be fenced and better maintained.

2. Goals, Objectives and Policies from the Transportation Element applicable to the subject application include:

Obj. T2: The City shall protect existing and future transportation corridors from encroachment.

Policy T2.4 The City should preserve the historical grid street pattern, including alleys, and shall not vacate public right-of-way until it is determined that the right-of-way is not required for present or future public use.

Response to TE Policy T2.4: Approval of the application would not impair the intent and purpose of this policy because this portion of the street is unimproved and not planned for future improvement.

C. Adopted Neighborhood or Special Area Plans

The street to be vacated is located just north of the area covered under the Greater Pinellas Point Neighborhood Plan of July 14, 2005. In that plan, neighborhood security is a significant issue, and the concept of Crime Prevention Through Environmental Design (CPTED) is promoted. Making the street end privately owned, with the ability of owners to put up fencing and take ownership of the property, would help to secure the area. Nothing in this plan proposes extending the street to the waterfront or otherwise utilizing this portion of the street. There is no Neighborhood Plan for the Bahama Shores Neighborhood.

D. Comments from Organizations and the Public

As of August 26, 2020, City Staff received no comments on the application from the Bahama Shores Homeowners Association, the Greater Pinellas Point Civic Association, the Council of Neighborhood Associations (CONA) or the Federation of Inner-City Community Organizations (FICO). The property owner of 6320 4th Street South on the corner of Bahama Shores Drive South called to ask questions about the application, however did not object to the application. The Neighborhood Worksheet submitted with the application indicates that the neighbor to the south consents to the application, and that same neighbor also contributed to the application fee payment.

RECOMMENDATION. Staff recommends **APPROVAL** of the proposed right—of-way vacation, and the following conditions of approval:

1. The Applicant shall coordinate with Duke Energy and Spectrum/Bright House Networks to create private easements for their facilities if required by the utility company, or relocate them.
2. Any required easements and relocation of existing City utilities shall be at the expense of the Applicant.
3. The applicant shall be responsible for all plans, permits, work inspections and costs associated with the vacation(s).

4. As required by City Code Section 16.70.050.1.1.F, approval of right-of-way vacations shall lapse and become void unless the vacation ordinance is recorded by the City Clerk in the public records within 24 months from the date of such approval or unless an extension of time is granted by the Development Review Commission or, if appealed, City Council prior to the expiration thereof. Each extension shall be for a period of time not to exceed one (1) year.

REPORT PREPARED BY:

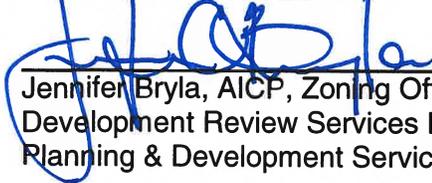
/s/Cheryl Bergailo

Cheryl Bergailo, AICP, LEED Green Assoc., Planner II
Development Review Services Division
Planning & Development Services Department

8/26/20

DATE

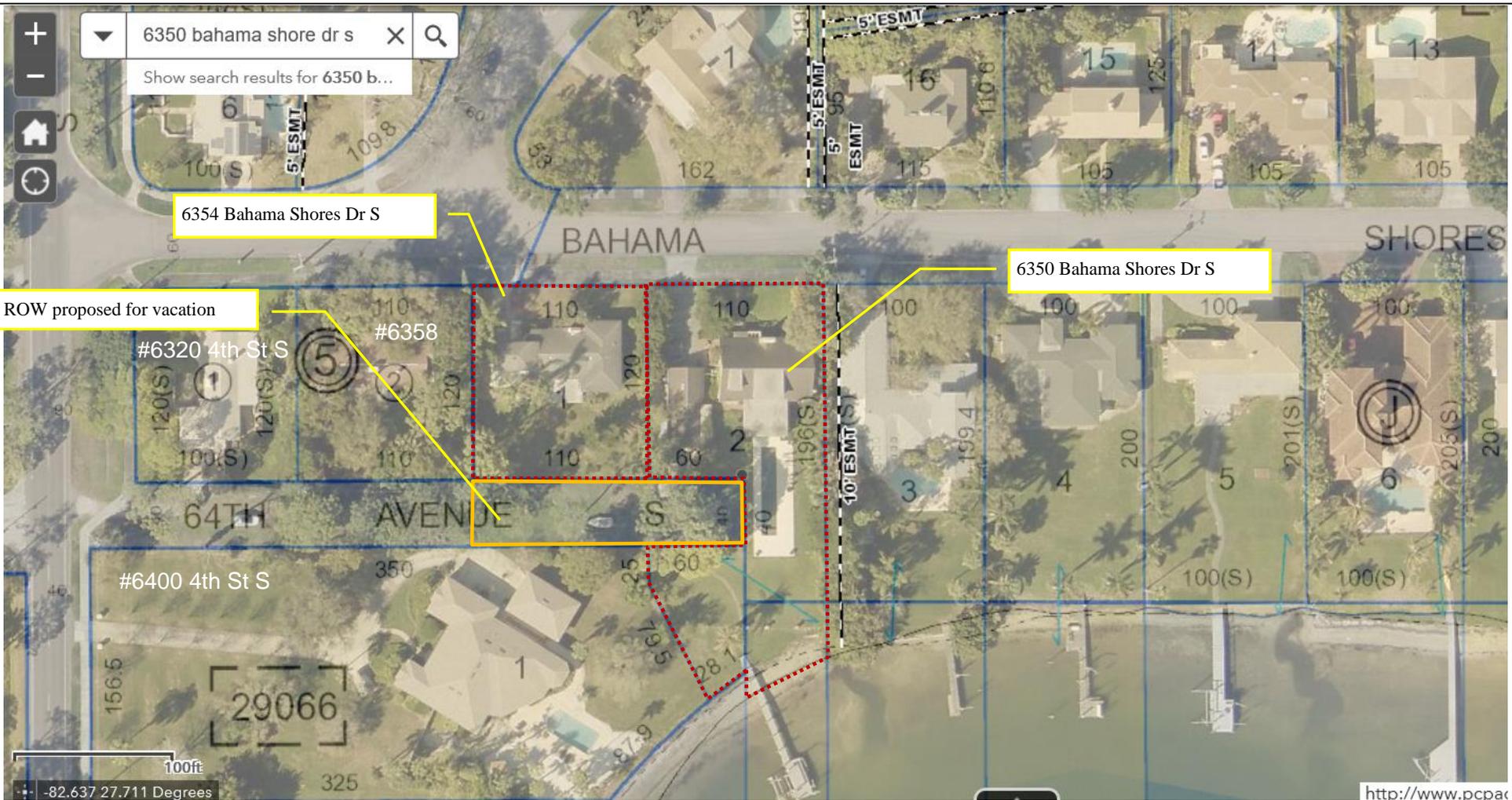
REPORT APPROVED BY:


Jennifer Bryla, AICP, Zoning Official (POD)
Development Review Services Division
Planning & Development Services Department

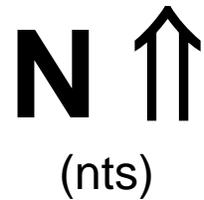
8-26-2020

DATE

Attachments: A – Location Map, B – Sketch & Legal Description, C – Application, D – Photos



ATTACHMENT - A
 Project Location Map
 City of St. Petersburg, Florida
 Planning and Development Services Department
 Case No.: 20-33000015
 Address: 6350 & 6354 Bahama Shores Dr. S.



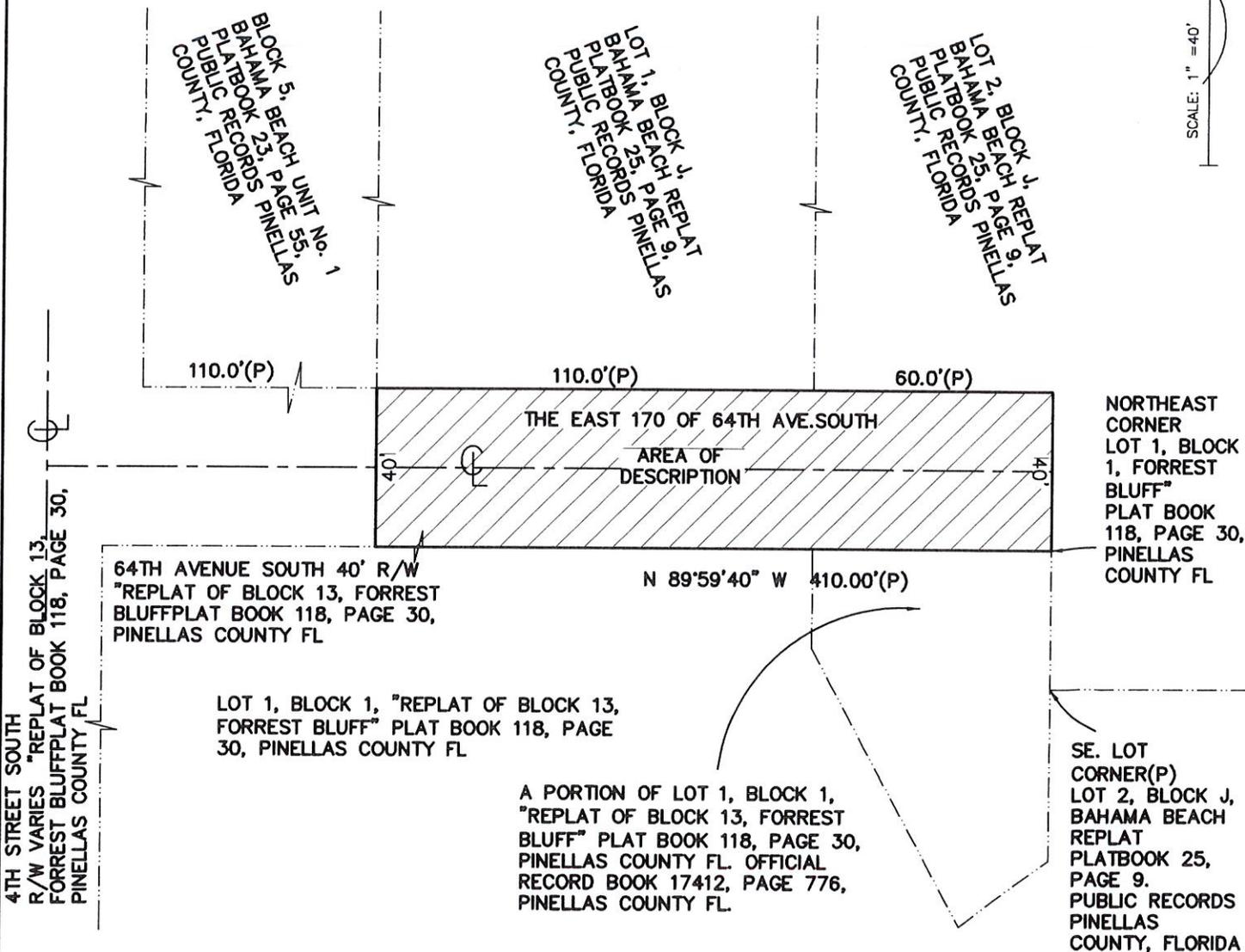
ATTACHMENT - B

SKETCH & LEGAL
 (PROPOSED RIGHT OF WAY VACATION)
 A PORTION OF 64TH AVENUE SOUTH,
 "REPLAT OF BLOCK 13, FORREST BLUFF"
 HILLSBOROUGH COUNTY, FLORIDA

NOT A SURVEY

SEC. 07, TWP. 32 S, RNG. 17 E.

BEARING BASIS: N 89°59'40" W, ASSUMED ON THE N. BOUNDARY
 OF LOT 1, BLOCK 1, "REPLAT OF BLOCK 13, FORREST BLUFF"
 PLAT BOOK 118, PAGE 30



DESCRIPTION:
 THE EAST 170 FEET OF 64TH AVENUE SOUTH, AS RECORDED IN MAP OR PLAT ENTITLED
 "REPLAT OF BLOCK 13, FORREST BLUFF" PLAT BOOK 118, PAGE 30, PINELLAS COUNTY FL.

Square Feet: 6800±

LEGEND:

(C)= CALCULATED DATA, (D)= DEED DATA, (M)= MEASURED DATA, (P)= PLAT DATA, ϵ = CENTERLINE, A/C= AIR CONDITIONER, B= BACK OF CURB, C/S= CONCRETE SLAB, CH= CHORD, CHB= CHORD BEARING, CLF= CHAIN LINK FENCE, CONC= CONCRETE, COV.= COVERED, E= EDGE OF PAVEMENT, ESM'T= EASEMENT, F/C= FENCE CORNER, FCM= FOUND CONCRETE MONUMENT, FIP= FOUND IRON PIPE, FIR= FOUND IRON ROD, FND= FOUND NAIL & DISK, FPP= FOUND PINCHED PIPE, LFE= LOWEST FLOOR ELEVATION, MAS.= MASONRY, OR= OFFICIAL RECORD BOOK, PB= PLAT BOOK, PCP= PERMANENT CONTROL POINT, PRM= PERMANENT REFERENCE MONUMENT, R/W= RIGHT OF WAY, R= RADIUS, SIR=SET 1/2" IRON ROD & CAP No. 4493, SN&D= SET NAIL & DISK, TBM= TEMPORARY BENCHMARK, U/P= UTILITY POLE, W/F= WOOD FENCE



JOHN R. BEACH & ASSOCIATES, INC.
 SURVEYORS AND MAPPERS
 911 WEST ST. PETERSBURG DRIVE
 OLDSMAR, FLORIDA 34677
 (813) 854-1276 FAX (813) 855-8370

Drawn By:
 CWC
 Checked By:
 JRB
 Scale:
 1"=40'

STATE OF FLORIDA

John R. Beach, Florida Registered Land Surveyor No. 2984

DATE: 7/02/2020
 LB#4493

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Date: 7/02/2020

Revisions:



SUBDIVISION DECISION Application

Application No. _____

All applications are to be filled out completely and correctly. The application shall be submitted to the City of St. Petersburg's Development Review Services Division, located on the 1st floor of the Municipal Services Building, One 4th Street North.

Application Type:
Per: 16.40.140 &
16.70.050

- Lot Line Adjustment
- Lot Split
- Lot Refacing
- Street Name Change
- Street Closing
- Vacating - Street Right-of-Way
- Vacating - Alley Right-of-Way
- Vacating - Walkway Right-of-Way
- Vacating - Easement
- Vacating - Air Rights

GENERAL INFORMATION	
NAME of APPLICANT (Property Owner): <u>Catherine Belcher Mark Hunter</u>	
Street Address: <u>6350 6354 Panama Spina Dr + 1/2 Acre</u>	
City, State, Zip: <u>6450 4th St St. Pete, FL 33705</u>	
Telephone No: <u>787 409 0266</u>	Email Address: <u>4cathyba@gmail.com</u>
NAME of AGENT or REPRESENTATIVE:	
Street Address:	
City, State, Zip:	
Telephone No:	
Email Address:	
PROPERTY INFORMATION:	
Street Address or General Location:	
Parcel ID#(s):	
DESCRIPTION OF REQUEST: <u>We are requesting the vacation of 64th Dr S which backs up to a 3 property. We have called for this</u>	
PRE-APPLICATION DATE: <u>PROPERTY PLANNER 1995</u>	

FEE SCHEDULE			
Lot Line & Lot Split Adjustment Administrative Review	\$200.00	Vacating Streets & Alleys	<u>\$1,000.00</u>
Lot Line & Lot Split Adjustment Commission Review	\$300.00	Vacating Walkway	\$400.00
Lot Refacing Administrative Review	\$300.00	Vacating Easements	\$500.00
Lot Refacing Commission Review	\$500.00	Vacating Air Rights	\$1,000.00
Variance with any of the above	\$350.00	Street Name Change	\$1,000.00
		Street Closing	\$1,000.00

Cash, credit, and checks made payable to the City of St. Petersburg

AUTHORIZATION

City Staff and the designated Commission may visit the subject property during review of the requested variance. Any Code violations on the property that are noted during the inspections will be referred to the City's Codes Compliance Assistance Department.

The applicant, by filing this application, agrees he or she will comply with the decision(s) regarding this application and conform to all conditions of approval. The applicant's signature affirms that all information contained within this application has been completed, and that the applicant understands that processing this application may involve substantial time and expense. Filing an application does not guarantee approval, and denial or withdrawal of an application does not result in remittance of the application fee.

NOTE: IT IS INCUMBENT UPON THE APPLICANT TO SUBMIT CORRECT INFORMATION. ANY MISLEADING, DECEPTIVE, INCOMPLETE, OR INCORRECT INFORMATION MAY INVALIDATE YOUR APPROVAL.

Signature of Owner/Agent: Catherine Belcher
*Affidavit to Authorize Agent required, if signed by Agent.

Date: 7/12/2010

Typed name of Signatory: Catherine Belcher



NEIGHBORHOOD WORKSHEET

Applicants are strongly encouraged to obtain signatures in support of the proposal(s) from owners of property adjacent to or otherwise affected by a particular request.

NEIGHBORHOOD WORKSHEET	
Street Address:	Case No.:
Description of Request:	
The undersigned adjacent property owners understand the nature of the applicant's request and do not object (attach additional sheets if necessary):	
1. Affected Property Address: <i>6400 4th St S St. Petersburg FL 33705</i>	
Owner Name (print): <i>Hunter Burkholder</i>	
Owner Signature: <i>[Signature]</i>	
2. Affected Property Address:	
Owner Name (print):	
Owner Signature:	
3. Affected Property Address:	
Owner Name (print):	
Owner Signature:	
4. Affected Property Address:	
Owner Name (print):	
Owner Signature:	
5. Affected Property Address:	
Owner Name (print):	
Owner Signature:	
6. Affected Property Address:	
Owner Name (print):	
Owner Signature:	
7. Affected Property Address:	
Owner Name (print):	
Owner Signature:	
8. Affected Property Address:	
Owner Name (print):	
Owner Signature:	



PUBLIC PARTICIPATION REPORT

Application No. _____

In accordance with LDR Section 16.70.040.1.F., "It is the policy of the City to encourage applicants to meet with residents of the surrounding neighborhoods prior to filing an application for a decision requiring a streamline review or public hearing. Participation in the public participation process prior to required public hearings will be considered by the decision-making official when considering the need, or request, for a continuance of an application. It is not the intent of this section to require neighborhood meetings, (except when the application is for a local historic district) but to encourage meetings prior to the submission of applications for approval and documentation of efforts which have been made to address any potential concerns prior to the formal application process."

NOTE: This Report may be updated and resubmitted up to 10 days prior to the scheduled Public Hearing.

APPLICANT REPORT

Street Address:

1. Details of techniques the applicant used to involve the public

(a) Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal

(b) Content, dates mailed, and number of mailings; including letters, meeting notices, newsletters, and other publications

(c) Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located

2. Summary of concerns, issues, and problems expressed during the process

NOTICE OF INTENT TO FILE

A minimum of ten (10) days prior to filing an application for a decision requiring Streamline or Public Hearing approval, the applicant shall send a copy of the application by email to the Council of Neighborhood Associations (CONA) at variance@stpetecona.org, by standard mail to Federation of Inner-City Community Organizations (FICO) at 3301 24th Ave. S., St. Pete 33712, and by email to all other Neighborhood Associations and/or Business Associations within 300 feet of the subject property as identified in the Pre-Application Meeting Notes. The applicant shall file evidence of such notice with the application.

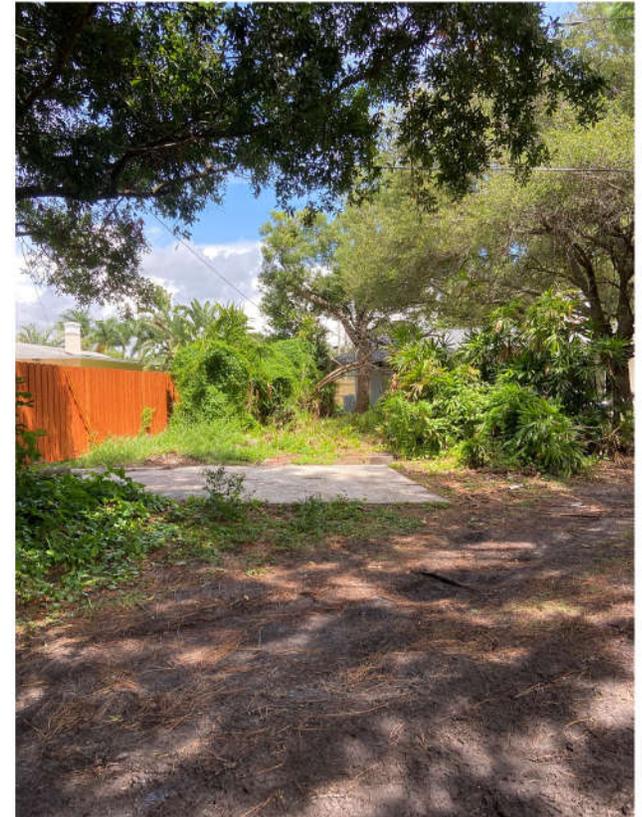
- Date Notice of Intent to File sent to Associations within 300 feet, CONA and FICO: May 20, 2020
- Attach the evidence of the required notices to this sheet such as Sent emails.



View from sidewalk on 4th Street S., toward 64th Ave. S. right-of-way.



Garage access off ROW for corner lot 6320 4th St. S., not in area to be vacated.



Rear vehicular access off ROW for adjacent lot 6358 Bahama Shores Dr. S., not in area to be vacated.



Another view of rear vehicular access off ROW for adjacent lot 6358 Bahama Shores Dr. S., not in area to be vacated.



View from ROW toward 6400 4th St. S., which does not require access off of 64th Ave. S.