

Agenda Item Cover Sheet

Agenda Item Nº.

Meeting Date July 18, 2023

| Consent Section  | □ Regular Section                | ☑ Public Hearing                                   |         |  |
|--|----------------------------------|--|---------|--|
| Subject: Public Hearing – Vacating Petition by SREG Sunset Land LLC to vacate a portion of an unimproved platted public right-of-way within Folio No. 13693-0200, in Lutz. |                                  |  |         |  |
| Department Name:   | Facilities Management & Real Est | tate Services Department                           |         |  |
| Contact Person:  | Anne-Marie Lenton (C. Allen)     | Contact Phone: 813-272-58                          | 10      |  |
| Sign-Off Approvals:  |                                  | 1 A MARINA TI                                      | 11/23   |  |
| N/A  |                                  | John Muller John Maller 7/                         | 11/23   |  |
| Assistant County Administrator   | Date                             | Department Director                                | Date    |  |
| N/A  |                                  | Todd Sobel odd Sobel 7                             | //11/23 |  |
| Management and Budget - Approved as to Finance   | ial Impact Accuracy Date         | County Attorney - Approved as to Legal Sufficiency | Date    |  |

#### **Staff's Recommended Board Motion:**

Adopt a resolution vacating an approximately 23,087 square-foot portion of an unimproved platted public right-of-way. Staff notes that the Planning Commission has objected to vacating the eastern portion of the proposed vacating (approximately 11,800 feet) because those rights-of-way have potential connectivity and neighborhood circulation through the existing subdivision. The requested vacate area is South of and between Blocks 41, 42 and 43, within the plat of East North Tampa, as recorded in Plat Book 1, Page 128, of the public records of Hillsborough County within Folio No. 13693-0200 in Lutz. There have been multiple approved vacating resolutions within the subject plat, including the area easterly of the subject vacate area. The Petitioner, SREG Sunset Land LLC, has submitted this request to create a contiguous parcel and replat the property for a residential subdivision. Eleven County reviewing departments did not object to the vacate. Based on all the County Departments having no current or foreseeable need for the subject right-of-way, Staff recommends approval of the item. Two neighboring property owners provided an objection with comments (as further explained in the Background) which can be addressed the site development process. The financial impact associated with this item consists of required advertising per statute, recording fees and processing, estimated to be less than \$175.00, which are paid for by the Petitioners.

#### **Financial Impact Statement:**

The financial impact associated with this item consists of required advertising per statute, recording fees and processing, estimated to be less than \$175.00, which are paid by the Petitioners.

#### **Background:**

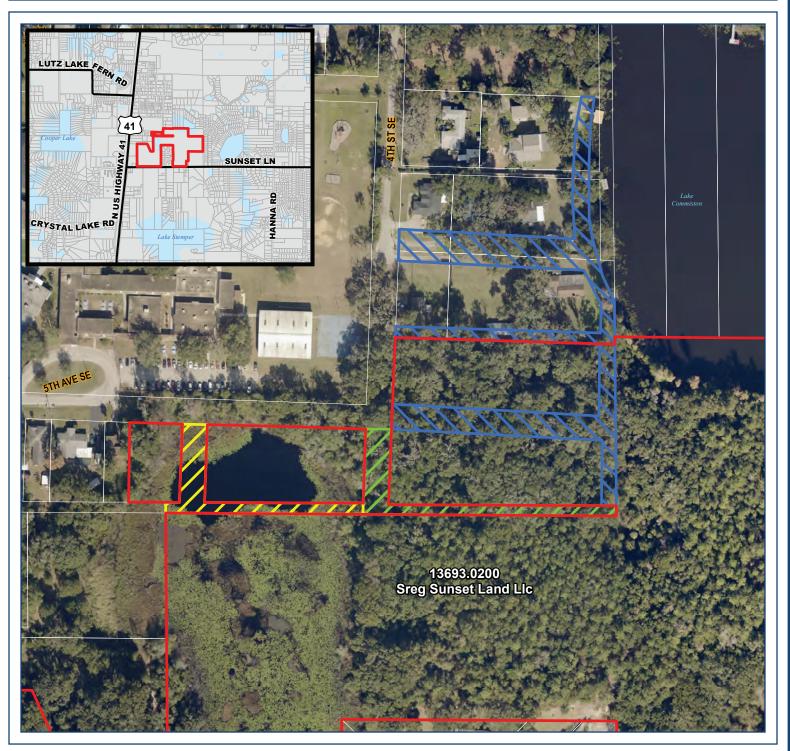
This petition is submitted by SREG Sunset Land LLC as owner of the property abutting the proposed vacate area, to vacate a portion of an unimproved platted public right-of-way located within Folio No. 13693-0200, generally lying east of North US Highway 41 and north of Sunset Lane, in Lutz. This right-of-way was established in 1913 by virtue of the plat of East North Tampa, as recorded in Plat Book 1, Page 128, of the public records of Hillsborough County. The connecting platted right-of-way east of the vacate area was previously vacated. SREG Sunset Land LLC is requesting to vacate the portion of right-of-way wholly within its property to create one contiguous parcel and intends to incorporate the vacated right-of-way into a new private residential subdivision. The Planning Commission recognizes that the western half of the vacate (west of 4<sup>th</sup> Street) can be vacated, but they are objecting to the entire vacate request as a whole due to the eastern portion being included in the vacate area. The Planning Commission finds that the right-of-way could provide the foundation for transportation connections and an efficient system of neighborhood circulation, and the vacating is therefore inconsistent with the Unincorporated Hillsborough County Comprehensive Plan. The Community & Infrastructure Planning Department also

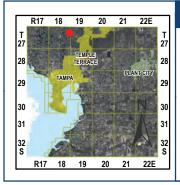
noted that the vacate would remove an opportunity for the community to access a natural environment. Additionally, the County has received objections from two neighboring property owners who object to the vacating on the basis that the wetlands provide structure for the birds and wildlife in the area, the natural drainage of the properties would be destroyed with any development; and there is already significant traffic on Sunset Lane and near Lutz Elementary School. County staff has reviewed these neighbor concerns and determined that any changes to the wetlands, drainage, or traffic would be reviewed during the site development process and have no effect on this vacating request. Pursuant to F.S. 177.101(4) and F.S. 336.10, Public Notice of this public hearing was published in *La Gaceta* on June 23, 2023, and June 30, 2023.

Staff Reference: V23-0007 Petition to vacate portion of Platted ROW, East North Tampa, (SREG Sunset Land LLC)

List Attachments: Location Map, Overview Map, Resolution, Existing Plat Excerpt, Proposed Plat Excerpt, Review Summary and Comments, Neighbor Objections, Petition.

### V23-0007 Petition to vacate portion of platted ROW, East North Tampa, (SREG Sunset Land LLC)





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|---|---|---|---|---|---|
|   |   |   |   |   |   |

 Petitioner's Property Folio - 13693.0200
 Western Right of Way to be Vacated
 Eastern Right of Way to be Vacated
 Previously Vacated Right of Way

SEC 12 TWP 27S RNG 18E



Geospatial Services Division 601 E Kennedy Blvd, Tampa, FL 33602

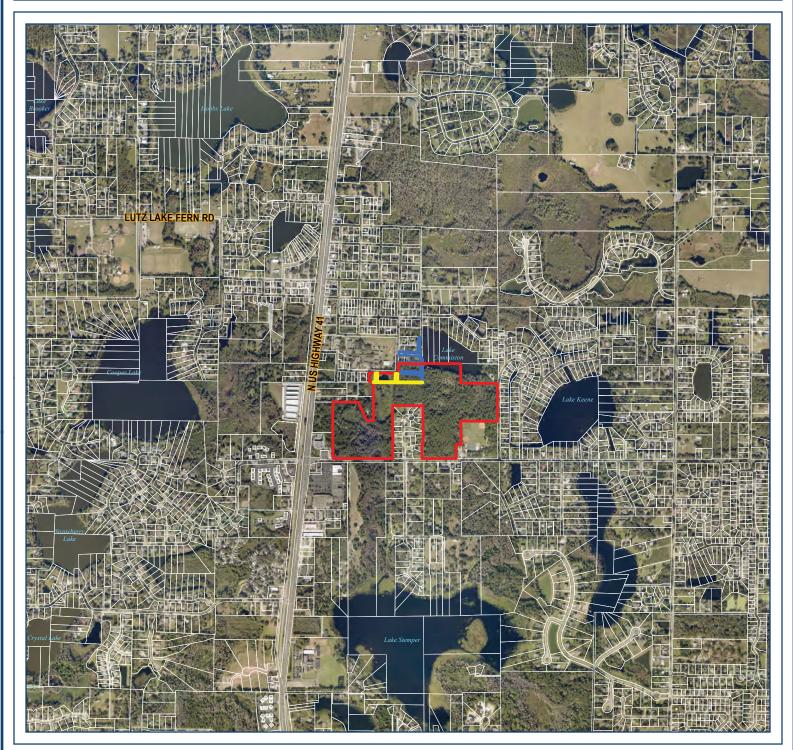
NOTE: Every reasonable effort has been made to assure the accuracy of this map. Hillsborough County does not assume any liability arising from use of this map. THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including, but not limited to, the implied warrantie of merchantability and filtness for a particular purpose.

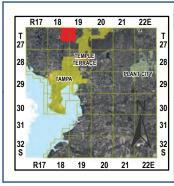
SOURCE: This map has been prepared for the inventory of real property found within Hillsborough Count and is compiled from recorded deeds, plats, and other public records; it has been based on BEST AVAILABLE data.

Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map.

Date: 7/11/2023 Path: W:\AppliedGIS\RealEstate\R20\_BoardItemMaps\Maps\V23-0007.mxd

### V23-0007 Petition to vacate portion of platted ROW, East North Tampa, (SREG Sunset Land LLC)





### LEGEND

- Petitioner's PropertyFolio 13693.0200
- Right of Way to be Vacated
   23,087 SF (0.53 Ac)
- Previously Vacated Right of Way

SEC 12 TWP 27S RNG 18E



Geospatial Services Division 601 E Kennedy Blvd, Tampa, FL 33602

NOTE: Every reasonable effort has been made to assure the accuracy of this map. Hillsborough County does not assume any liability arising from use of this map. THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including, but not limited to, the implied warrantie of merchantability and fitness for a particular purpose.

SOURCE: This map has been prepared for the inventory of real property found within Hillsborough Count ind is compiled from recorded deeds, plats, and other public records; it has been based on BEST WAILABLE data.

Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map.

Date: 6/22/2023 Path: W:\AppliedGIS\RealEstate\R20\_BoardItemMaps\Maps\V23-0007 Overview.mxd

Vacating Petition V23-0007 Project Lead: Jessica Henderson SREG Sunset Land LLC - Petitioner Portion of an unimproved platted public right-of-way East North Tampa, PB 1, PG 128 Folio: 13693-0200 Section 12, Township 27 South, Range 18 East

#### RESOLUTION NUMBER R23-

Upon motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, the following resolution was adopted by a vote of \_\_\_\_\_\_, to \_\_\_\_\_, Commissioner(s) voting no.

WHEREAS, SREG Sunset Land LLC, a Florida Limited Liability Company, has petitioned the Board of County Commissioners of Hillsborough County, Florida, in which petition said Board is asked to close, vacate, and abandon a portion of an unimproved platted public right-of-way described as follows:

#### LANDS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF. SKETCHES ATTACHED HERETO FOR ILLUSTRATIVE PURPOSES ONLY

WHEREAS, it appears that said property affected by such closure is owned by the above-named petitioner; and,

WHEREAS, the Board of County Commissioners finds that granting the petition to vacate the portion of an unimproved platted public right-of-way is in the best interest of the general public and does not violate any individual property rights; and,

WHEREAS, there is attached Proof of Publication and Notice of Hearing of said request; and,

WHEREAS, said petition came on for hearing before this Board of County Commissioners on July 18, 2023, and the same having been investigated and considered, and it is appearing that the representations and statements contained therein are true: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN REGULAR MEETING ASSEMBLED THIS 18<sup>th</sup> day of July 2023:

- 1. That the above-described portion of unimproved platted public right-of-way, is hereby closed, vacated, and abandoned, and the right of the public and the County in and to that portion of the right-of-way as shown on the plat of said subdivision is hereby renounced, disclaimed, and terminated.
- 2. That the petitioner and successors in title shall indemnify and hold harmless Hillsborough County from any claims, damages, expenses, and costs that result from damage to or destruction of any improvement, structure or property located within the above-described right-of-way being vacated herein as a result of the exercise by Hillsborough County of its rights within any remaining platted interests way not vacated herein.
- 3. That notice of said adoption of this Resolution be published in one issue of a newspaper of general circulation published in Hillsborough County, Florida, such publication to be made within thirty days of the adoption of this Resolution.
- 4. That this Resolution shall be filed in the offices of the Circuit Court Clerk and duly recorded on the public records of Hillsborough County, Florida.

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

I, Cindy Stuart, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board at its regular meeting of July 18, 2023, as the same appears of record in Minute Book \_\_\_\_\_, of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this \_\_\_\_\_ day of , 2023.

Cindy Stuart, CLERK

APPROVED BY COUNTY ATTORNEY

BY: Jodd Sobel

Approved as to Form and Legal Sufficiency

BY:\_\_\_\_

| SKETCH     | OF  | DESCR  | IPTION   |
|------------|-----|--------|----------|
| THIS IS NO | TAB | OUNDAR | Y SURVEY |

HILLSBOROUGH COUNTY PROJECT NO. V23-0007

| SECTION | <i>12</i> | TOWNSHIP | 27 | SOUTH | RANGE | 18 | EAST | HILLSBOROUGH | COUNTY, | FLORIDA |
|---------|-----------|----------|----|-------|-------|----|------|--------------|---------|---------|
|---------|-----------|----------|----|-------|-------|----|------|--------------|---------|---------|

#### EXHIBIT "A" LEGAL DESCRIPTION (RIGHT OF WAY VACATION PARCEL)

A parcel of land lying within EAST NORTH TAMPA as recorded in Plat Book 1 Page 128 of the Public Records of Hillsborough County, Florida and being more particularly described as follows:

COMMENCE at the Southwest corner of the Southeast 1/4 of Section 12, Township 27 South, Range 18 East, Hillsborough County, Florida; thence N.00 degrees 36'06"E., on the West line of the Southeast 1/4 of said Section 12, a distance of 1372.33 feet to a point on the South line of a 10'Alley; thence S.89 degrees 37'38"E ., on the South line of said EAST NORTH TAMPA also being the South line of said 10'Alley, distance of 461.40 feet to the POINT OF BEGINNING; thence N.00 degrees 22'22"E., departing the South line of said 10' Alley, a distance of 10.00 feet to a point on the South line of Lot 1 of Block 43 of said EAST NORTH TAMPA; thence S.89 degrees 37'38"E., on the South line of said Lot 1, a distance of 31.56 feet to the Southeast corner of said Lot 1; thence N.01 degrees 58'44"E., on the East line of said Lot 1, a distance of 151.33 feet to the Northeast corner of said Lot 1; thence S. 88 degrees 01'16"E., departing the Northeast corner of said Lot 1, a distance of 49.66 feet to the Northwest corner of Lot 6 of Block 42 of said EAST NORTH TAMPA; thence S.01 degrees 53'21 W"., on the West line of said Lot 6, a distance of 149.93 feet to the Southwest corner of said Lot 6; thence S.89 degrees 37'38"E., on the South line of Lot(s) 6, 5, 4. 3, 2 and 1 of said Block 42, a distance of 299.51 feet to the Southeast corner of said Lot 1; thence N.02 degrees 02'11"E., on the East line of said Lot 1, a distance of 141.54 feet to the Northeast corner of said Lot 1; thence S.87 degrees 57'49"E., departing the Northeast corner of said Lot 1, a distance of 50.00 feet to the Northwest corner of Lot 8 of Block 41 of said EAST NORTH TAMPA; thence S.02 degrees 02'11"W., on the West line of said Lot 8, a distance of 140.09 feet to the Southwest corner of said Lot 8; thence S.89 degrees 3738"E., on the South line of Lot(s) 8, 7, 6, 5, 4, 3, 2 and 1 of said Block 41 and their Easterly extension thereof, a distance of 428.70 feet to a point on the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 12; thence S.00 degree 34'41"E., on the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 12, a distance of 10.00 feet to a point on the South line of a 10'Alley also being the South line of said EAST NORTH TAMPA; thence N.89 dearees 37'38"W., on the South line of said 10'Alley also being the South line of said EAST NORTH TAMPA, a distance of 859.88 feet to the POINT OF BEGINNING.

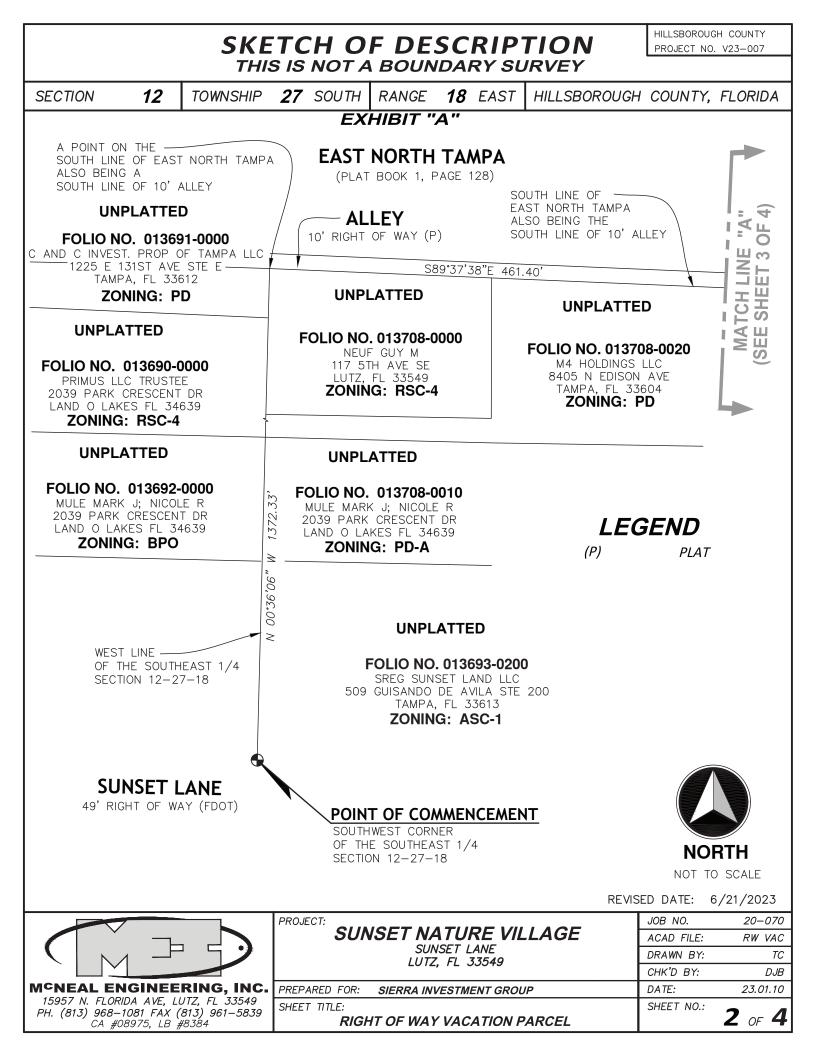
Parcel contains 0.53 acres or 23,087 square feet, more or less

#### SURVEYOR'S REPORT

- This sketch not valid unless embossed or stamped with a surveyor's seal. 1.
- Underground encroachments such as utilities and foundations, that may exist, have not been located. 2.
- Folio numbers, owners name, address, and zoning shown hereon obtained from the Hillsborough County Property Appraisers web site. .3 4. This is NOT a Boundary Survey.
- 5 Right of Ways Lines shown hereon were determined through review and analization of field monumentation and record subdivision plat.
- This sketch was prepared without the benefit of a Title Commitment, Title Opinion or Ownership and Encumbrance Report. Therefore 6. there may be easements, rights of way or other encumbrances that are not shown on this sketch that may be found in the Public Records of Hillsborough County, Florida.
- 7. Legal description shown hereon prepared by the undersigned surveyor.
- 8. Bearings shown hereon are relative to Florida State Coordinate System, West Zone, 1983–2011 adjustment
- holding the South line of EAST NORTH TAMPA Plat Book 1 Page 128 of Public Records of Hillsoborough County, Florida as being S 89 degrees 37'38"E.
- 9. Boundary lines, bearings and distance's shown hereon taken from a digital drawing file of a boundary survey prepared by Ferguson Land Surveyors, Project No. 20131-A1, and last revised on 3/04/21.
- 10. This Information is not complete without accompanying sketch.
- 11. Right of Ways Lines shown hereon were determined through review and analyzation of field monumentation and record subdivision plat. SURVEYOR'S CERTIFICATE

I, the undersigned Professional Surveyor and Mapper, hereby certify that this Sketch of Description was prepared under my direct supervision, that to the best of my knowledge, information and belief is a true and accurate representation of the land shown and described, and that it meets the Standards of Practice for Land Surveying in the State of Florida Chapter 5J-17, Florida Administrative Code. 

| Dennis J. Benham<br>Professional Surveyor and Mapper No.<br>State of Florida<br>McNeal Engineering, Inc.<br>State of Florida Licensed Business No. |  | STATE OF<br>FLORIDA             |
|--|--|---------------------------------|
|  | PROJECT:                                     | JOB NO. 20-070                  |
|  | SUNSET NATURE VILLAGE                        | ACAD FILE: RW VAC               |
|  | SUNSET LANE<br>LUTZ, FL 33549                | DRAWN BY: TC                    |
|  | 2072, 72 00040                               | CHK'D BY: DJB                   |
| M <sup>C</sup> NEAL ENGINEERING, INC.  | PREPARED FOR: SIERRA INVESTMENT GROUP        | DATE: 23.01.10                  |
| 15957 N. FLORIDA AVE, LUTZ, FL 33549<br>PH. (813) 968–1081 FAX (813) 961–5839<br>CA #08975. I B #8384  | SHEET TITLE:<br>RIGHT OF WAY VACATION PARCEL | SHEET NO.: <b>1</b> OF <b>4</b> |



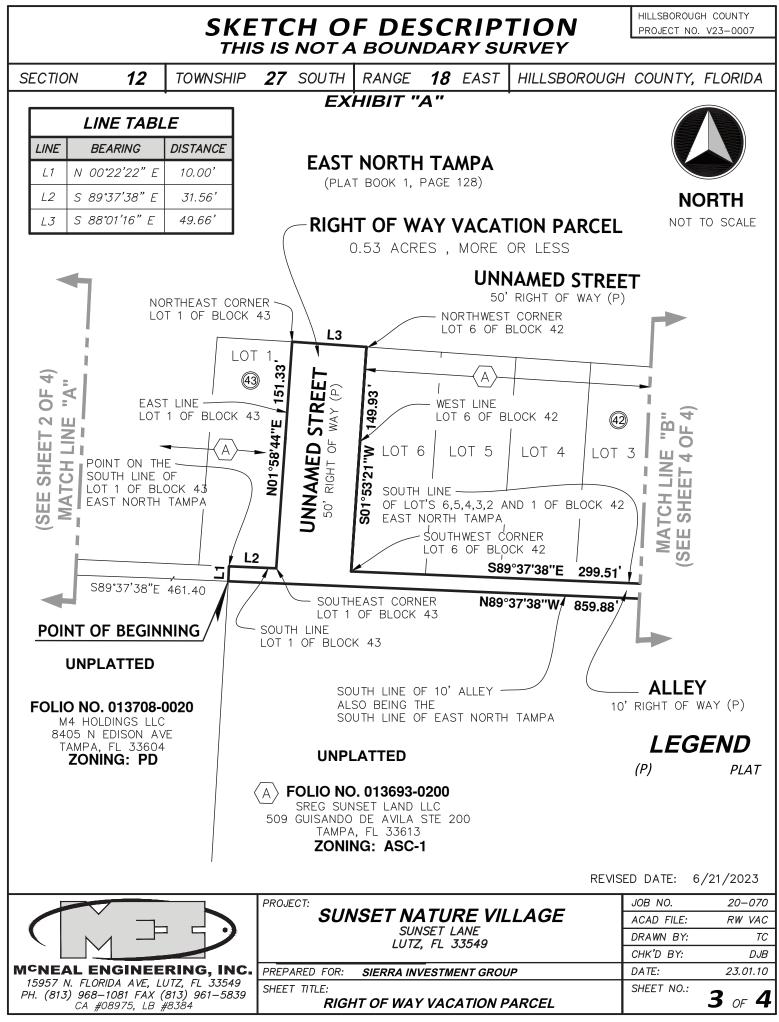
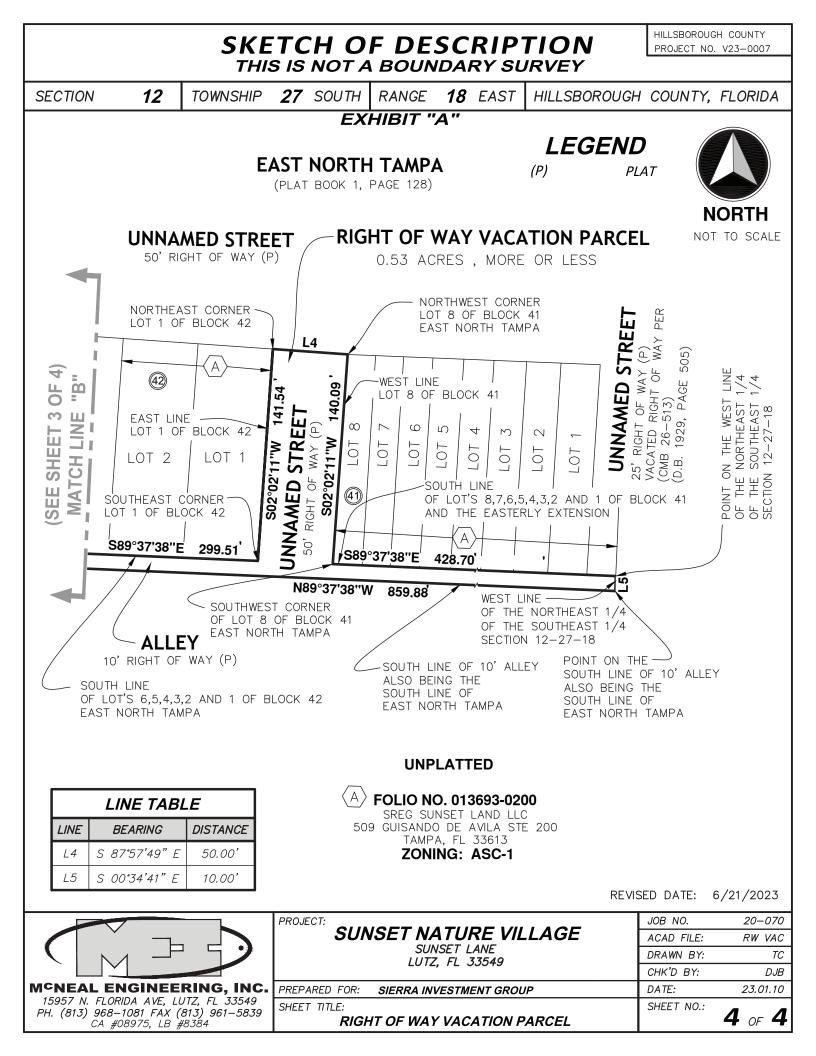


EXHIBIT "A"



### Placeholder for Notice of Hearing Affidavit

## A notice of the hearing will be published on June 23, 2023, and June 30, 2023.

#### NOTICE OF HEARING FOR CLOSING AND VACATING

Notice is hereby given that a Public Hearing will be held by the Board of County Commissioners of Hillsborough County, Florida, 2nd Floor, County Center, 601 East Kennedy Boulevard, Tampa, Florida, at 9:00 A.M., Tuesday, July 18, 2023, to determine whether or not:

Vacating Petition V23-0007, vacate a portion of an unimproved platted public right-of-way, lying South of and between Blocks 41, 42 and 43, within the plat of East North Tampa, as recorded in Plat Book 1, Page 128, of the public records of Hillsborough County, Florida, located in Section 12, Township 27S, Range 18E, within folio number 13693-0200

shall be closed, vacated, discontinued and abandoned, and any rights of Hillsborough County, Florida, and the public in and to any lands in connection therewith renounced and disclaimed.

**PARTICIPATION OPTIONS.** In response to the COVID-19 pandemic, Hillsborough County is making it possible for interested parties to participate in this public hearing by means of communications media technology or in person.

Virtual Participation: In order to participate virtually, you must have access to a communications media device that will enable you to be heard (audio) during the public hearing. Additionally, should you opt to participate virtually in this public hearing, you will be able to provide oral testimony, but you will be unable to submit documentation during the public hearing. Therefore, if you opt to participate virtually in this public hearing, you wish to be considered by the Board of County Commissioners to the staff of the Facilities Management & Real Estate Services Department at least two business days prior to the Land Use Meeting so that it may be included in the record for the hearing.

Anyone who wishes to participate virtually in this public hearing will be able to do so by completing the online Public Comment Signup Form found at: **HillsboroughCounty.org/SpeakUp.** You will be required to provide your name and telephone number on the online form. This information is being requested to facilitate the audio conferencing process. The Chair will call on the applicant representatives and speakers by name, depending on the application(s) to which each speaker signed up to speak. An audio call-in number will be provided to participants that have completed the form after it is received by the County. All callers will be muted upon calling and will be unmuted in the submission order after being recognized by the Chair by name. Call submissions for the public hearing will close 30 minutes prior to the start of the hearing. Public comments offered using communications media technology will be afforded equal consideration as if the public comments were offered in person.

**In Person:** While virtual participation is being offered, standard in-person participation is still available. The format and procedures for in-person participation may differ from a traditional hearing. For the safety of participants and staff, social distancing will be properly adhered to at all times. For planning purposes, parties wishing to participate in person are encouraged to sign up ahead of time at **HCFLGov.net/SpeakUp**.

The BOCC fully encourages public participation in its communications media technology hearing in an orderly and efficient manner. For more information on how to view or participate in a virtual meeting, visit: <a href="https://www.hillsboroughcounty.org/en/government/meeting-information/speak-at-a-virtual-meeting">https://www.hillsboroughcounty.org/en/government/meeting-information/speak-at-a-virtual-meeting</a>.

You will be required to provide your name and telephone number on the online form. This information is being requested to facilitate the audio-conferencing process. The Chair will call on speakers by name in the order in which they have completed the online Public Comment Signup Form. Prioritization is on a first-come, first-served basis. An audio call-in number will be provided

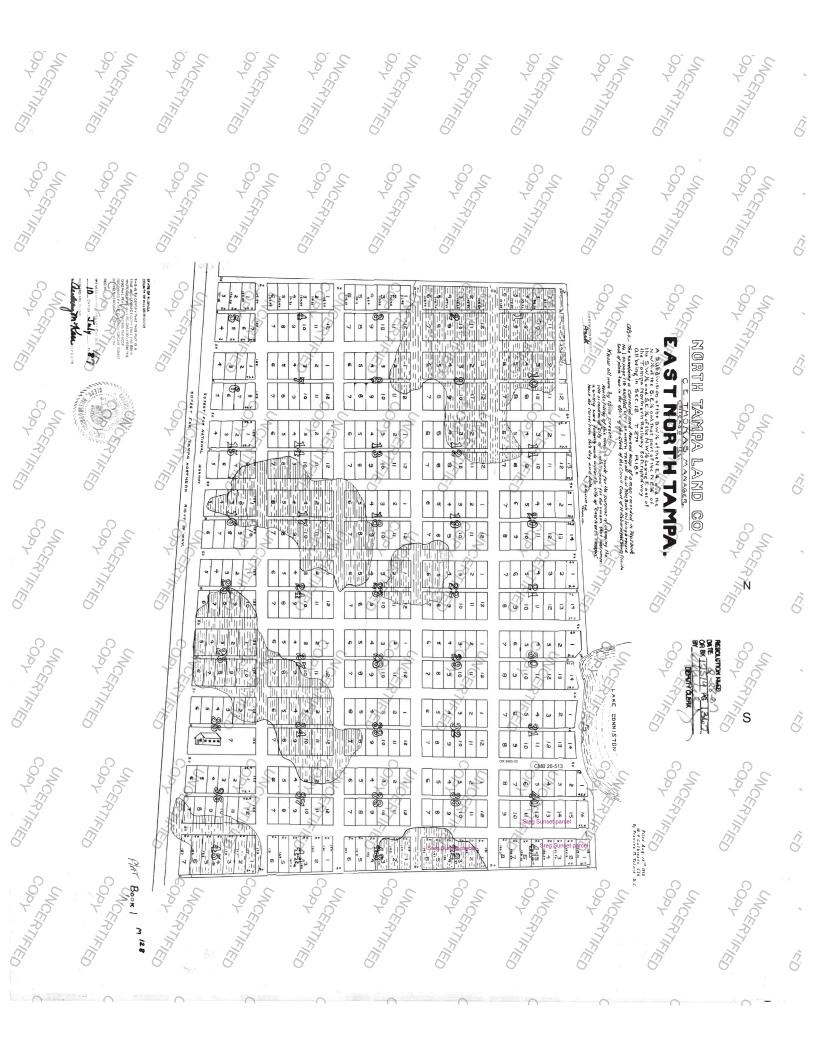
The public can listen and view the public hearing live in the following ways:

- Hillsborough County's Facebook page: HillsboroughFL
- The County's official YouTube channel: YouTube.com/HillsboroughCounty
- The County's HTV channels on cable television: Spectrum 637 and Frontier 22
- The HCFLGov.net website by going to HCFLGov.net/newsroom and selecting the "Live Meeting" button
- Listen to the meeting on smart phones by going to the above Facebook or YouTube link.

Participants are encouraged (whenever possible) to submit questions related to vacating petitions to Facilities Management & Real Estate Services Department in advance of the meeting by email to RP-Vacating@hcflgov.net or by calling (813) 307-1059. To best facilitate advance public comments, visit <u>https://hillsboroughcounty.org/en/government/board-of-county-commissioners</u> to leave comments with the Commissioners who represents your district.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to contact the Hillsborough County ADA Officer Carmen LoBue at <a href="https://www.lobu.com">lobu.com</a> asked to contact the Hillsborough County ADA Officer Carmen LoBue at <a href="https://www.lobu.com">lobu.com</a> asked to contact the Hillsborough County ADA Officer Carmen LoBue at <a href="https://www.lobu.com">lobu.com</a> asked to contact the Hillsborough County ADA Officer Carmen LoBue at <a href="https://www.lobu.com">lobu.com</a> asked to contact the Hillsborough County ADA Officer Carmen LoBue at <a href="https://www.lobu.com">lobu.com</a> asked to contact the Hillsborough County ADA Officer Carmen LoBue at <a href="https://www.lobu.com">lobu.com</a> asked to contact the Hillsborough County ADA Officer Carmen LoBue at <a href="https://www.lobu.com">lobu.com</a> asked to contact the Hillsborough County ADA Officer Carmen LoBue at <a href="https://www.lobu.com">lobu.com</a> asked to contact the Hillsborough County ADA Officer Carmen LoBue at <a href="https://www.lobu.com">lobu.com</a> asked to contact the Hillsborough County ADA Officer Carmen LoBue at <a href="https://www.lobu.com">lobu.com</a> asked to contact the Hillsborough County ADA Officer Carmen LoBue at <a href="https://www.lobu.com">lobu.com</a> asked to contact the Hillsborough County ADA Officer Carmen LoBue at <a href="https://www.lobu.com">lobu.com</a> asked to contact the Hillsborough County ADA Officer Carmen LoBue at <a href="https://www.lobu.com">lobu.com</a> asked to contact the Hillsborough County ADA Officer Carmen LoBue at <a href="https://www.lobu.com">lobu.com</a> asked to contact the Hillsborough County ADA Officer Carmen LoBue at <a href="https://www.lobu.com">lobu.com</a> asked to contact the Hillsborough County ADA Officer Carmen LoBue at <a href="https://www.lobu.com">lobu.com</a> asked to contact the Hillsborough County ADA Officer Carmen LoBue at <a href="https://www.lobu.com

# The Notice of Hearing Publication Affidavit will be inserted prior to execution of the Resolution.





### Vacating Petition V23-0007

Vacate portion of unimproved platted public ROW East North Tampa Plat (Plat Book 1, Page 128) Section 12 - Township 27S - Range 18E Within Folio 13693-0200

Petitioner – SREG Sunset Land LLC

⊠ 1<sup>ST</sup> FEE (\$169.00) REC'D ⊠ 2<sup>ND</sup> FEE (\$250.00) REC'D INOTICE OF HEARING AD PUBL'D ☑ NOTICE OF HEARING SIGN PST'D

#### **REVIEWING DEPARTMENTS**

| •           | HC DEVELOPMENT SERVICES           | - NO OBJECTION |
|-------------|-----------------------------------|----------------|
| •           | HC WATER RESOURCES                | - NO OBJECTION |
| •           | HC PUBLIC WORKS-STORMWATER        | - NO OBJECTION |
| •           | HC PUBLIC WORS-CIP TRANSPORTATION | - NO OBJECTION |
| •           | HC PUBLIC WORKS-SYSTEMS PLANNING  | - NO OBJECTION |
| •           | HC PUBLIC WORKS-STREET LIGHTING   | - NO OBJECTION |
| •           | HC PUBLIC WORKS-SERVICE UNIT      | - NO OBJECTION |
| •           | HC FIRE RESCUE                    | - NO OBJECTION |
| •           | HC COMMUNITY & INFRASTRUCTURE     | - NO OBJECTION |
| •           | HC ENVIRONMENTAL PROTECTION       | - NO OBJECTION |
| •           | HC ADDRESSING/E 911               | - NO OBJECTION |
| •           | HC PLANNING COMMISSION            | - INCONSISTENT |
|             |                                   |                |
| <u>REVI</u> | EWING AGENCIES                    |                |
|             |                                   |                |

#### CHARTER/SPECTRUM •

- **PEOPLES GAS** •
- TAMPA ELECTRIC COMPANY •
- FRONTIER •

- CONSENT
- CONSENT
- CONSENT
- CONSENT

#### VACATING REVIEW COMMENT SHEET

| DATE:   | 05/23/2023 |
|---------|------------|
| ******* | ******     |

#### Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601 \*\*\*\*\*

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#### VACATING PETITION:

V23-0007 (SREG Sunset Land LLC) Petition to vacate portions of platted ROW, East North Tampa Plat, PB 1-128 located in Section 12 Township 27S Range 18E within Folio 13693-0200

### Reviewing Agency: Development Services Department

| $\checkmark$        | NO OBJECTION by this agency to the vacating as petitioned.  |
|---------------------|---|
|                     | OBJECTION (If you have objections, check here, complete and sign below.   |
| 1)                  | Do you currently use or have facilities in said area to be vacated?   |
| 2)                  | Do you foresee a need for said area in the future?YESNO<br>IF YES, please explain:  |
| 3)                  | IF THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES";<br>A) Could any portion of said area be vacated?<br>If YES, please specify which portion may be vacated: |
|                     | B) Could said area be vacated subject to reserving an easement over all or part of area to be vacated?  |
| 4)                  | If there are facilities in said area to be vacated, could they be moved at petitioner's expense if they so desire?  |
| ********<br>Additio |   |
| Review              | ved By: Mike Williams / Brian Grady Date: 5/23/2023   |
| Email:              | williamsm@hillsboroughcounty.org / gradyb@hillsboroughcounty.org Phone:   |

\*\*\*\*

Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601

#### VACATING PETITION:

V23-0007 (SREG Sunset Land LLC) Petition to vacate portions of platted ROW, East North Tampa Plat, PB 1-128 located in Section 12 Township 27S Range 18E within Folio 13693-0200

### Reviewing Agency: Water Resources Department

| $\checkmark$        | _NO OBJECTION by this agency to the vacating as petitioned.   |
|---------------------|---|
|                     | OBJECTION (If you have objections, check here, complete and sign below.   |
| 1)                  | Do you currently use or have facilities in said area to be vacated?   |
| 2)                  | Do you foresee a need for said area in the future?YESNO<br>IF YES, please explain:  |
| 3)                  | IF THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES";<br>A) Could any portion of said area be vacated?<br>If YES, please specify which portion may be vacated: |
|                     | B) Could said area be vacated subject to reserving an easement over all or part of area to be vacated?  |
| 4)                  | If there are facilities in said area to be vacated, could they be moved at petitioner's expense if they so desire?  |
| ********<br>Additio | nal Comments:   |
| Review              | ed By: Clay Walker, E.I. Date: 5/19/2023  |
|                     | walkerck@hillsboroughcounty.org Phone: (813)751-5178  |

\*\*\*\*\*

Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601

#### VACATING PETITION:

V23-0007 (SREG Sunset Land LLC) Petition to vacate portions of platted ROW, East North Tampa Plat, PB 1-128 located in Section 12 Township 27S Range 18E within Folio 13693-0200

### Reviewing Agency: Hillsborough County Stormwater Planning, Engineering & Operations

| $\checkmark$        | NO OBJECTION by this agency to the vacating as petitioned.   |              |
|---------------------|--|--------------|
|                     | OBJECTION (If you have objections, check here, complete and sign below.  |              |
| 1)                  | Do you currently use or have facilities in said area to be vacated?YES<br>If YES, please explain:  | ✓ NO         |
| 2)                  | Do you foresee a need for said area in the future?YESYES   | <b>V</b> _NO |
| 3)                  | IF THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES";<br>A) Could any portion of said area be vacated?<br>If YES, please specify which portion may be vacated:  | NO           |
|                     | B) Could said area be vacated subject to reserving an easement over all or part of area to be vacated?   | NO           |
| 4)                  | If there are facilities in said area to be vacated, could they be moved at petitioner's expense if they so desire?   | <u></u> NO   |
| ********<br>Additio | ional Comments: No objection from Hillsborough County Stormwater Planning, Engineering & Operations.<br>There are existing wetlands and submerged lands in the area to be vacated. Any activites in<br>the wetlands must be thoroughly designed and permitted with the appropriate regulatory ag |              |
| Review              | wed By: Ayse Figanmese Date: 5/23/2023   |              |
| Email:              | figanmesea@hillsboroughcounty.org Phone: 813-480-4960  |              |

\*\*\*\*

Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601

#### VACATING PETITION:

V23-0007 (SREG Sunset Land LLC) Petition to vacate portions of platted ROW, East North Tampa Plat, PB 1-128 located in Section 12 Township 27S Range 18E within Folio 13693-0200

### Reviewing Agency: Public Works - Technical Services Division - Transportation Design

| $\checkmark$        | NO OBJECTION by this agency to the vacating as petitioned.  |
|---------------------|---|
|                     | OBJECTION (If you have objections, check here, complete and sign below.   |
| 1)                  | Do you currently use or have facilities in said area to be vacated?   |
| 2)                  | Do you foresee a need for said area in the future?YESNO<br>IF YES, please explain:  |
| 3)                  | IF THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES";<br>A) Could any portion of said area be vacated?<br>If YES, please specify which portion may be vacated:<br> |
|                     | B) Could said area be vacated subject to reserving an easement over all or part of area to be vacated?  |
| 4)                  | If there are facilities in said area to be vacated, could they be moved at petitioner's expense if they so desire?  |
| ********<br>Additio |   |
| Review              | ved By: Marcia Bento Date: 05/16/23.  |
| Email:              | PW_CIPTransportationReview@hillsbor Phone:  |

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Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601

#### VACATING PETITION:

V23-0007 (SREG Sunset Land LLC) Petition to vacate portions of platted ROW, East North Tampa Plat, PB 1-128 located in Section 12 Township 27S Range 18E within Folio 13693-0200

Reviewing Agency: Systems Planning Stormwater Team

| $\checkmark$        | _NO OBJECTION by this agency to the vacating as petitioned.   |
|---------------------|---|
|                     | OBJECTION (If you have objections, check here, complete and sign below.   |
| 1)                  | Do you currently use or have facilities in said area to be vacated?YESNO<br>If YES, please explain:   |
| 2)                  | Do you foresee a need for said area in the future?YESNO<br>IF YES, please explain:  |
| 3)                  | IF THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES";<br>A) Could any portion of said area be vacated?<br>If YES, please specify which portion may be vacated: |
|                     | B) Could said area be vacated subject to reserving an easement over all or part of area to be vacated?  |
| 4)                  | If there are facilities in said area to be vacated, could they be moved at petitioner's expense if they so desire?  |
| ********<br>Additio | **************************************  |
| Review              | ed By: William Hand, PE Date: 5/22/23   |
|                     | handwt@hillsboroughcounty.org Phone: 813-635-5404   |

\*\*\*\*

Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601

#### VACATING PETITION:

V23-0007 (SREG Sunset Land LLC) Petition to vacate portions of platted ROW, East North Tampa Plat, PB 1-128 located in Section 12 Township 27S Range 18E within Folio 13693-0200

### Reviewing Agency: Hillsborough County Residential Street Lighting Program

| $\checkmark$        | _NO OBJECTION by this agency to the vacating as petitioned.   |
|---------------------|---|
|                     | _ OBJECTION (If you have objections, check here, complete and sign below.   |
| 1)                  | Do you currently use or have facilities in said area to be vacated?YESNC<br>If YES, please explain:   |
| 2)                  | Do you foresee a need for said area in the future?YESNC<br>IF YES, please explain:  |
| 3)                  | IF THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES";<br>A) Could any portion of said area be vacated?<br>If YES, please specify which portion may be vacated: |
|                     | B) Could said area be vacated subject to reserving an easement over all or part of area to be vacated? YESNO  |
| 4)                  | If there are facilities in said area to be vacated, could they beYESNC  |
| ********<br>Additio | **************************************  |
| Review              | ed By: Landon Hamilton Date: 05/10/2023   |
| Email:              | HamiltonL@HCFLGov.net Phone: (813) 538-5452   |

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Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601

#### VACATING PETITION:

V23-0007 (SREG Sunset Land LLC) Petition to vacate portions of platted ROW, East North Tampa Plat, PB 1-128 located in Section 12 Township 27S Range 18E within Folio 13693-0200

Reviewing Agency: Public Works, Traffic Maintenance Division

| $\checkmark$        | NO OBJECTION by this agency to the vacating as petitioned.  |
|---------------------|---|
|                     | OBJECTION (If you have objections, check here, complete and sign below.   |
| 1)                  | Do you currently use or have facilities in said area to be vacated?   |
| 2)                  | Do you foresee a need for said area in the future?YESNO<br>IF YES, please explain:  |
| 3)                  | IF THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES";<br>A) Could any portion of said area be vacated?<br>If YES, please specify which portion may be vacated: |
|                     | B) Could said area be vacated subject to reserving anYESNO  |
| 4)                  | If there are facilities in said area to be vacated, could they be moved at petitioner's expense if they so desire?  |
| ********<br>Additio | **************************************  |
| Review              | ved By: Glen Foster, Project Manger, TMD Date: 5/11/23  |
| Email:              | fosterg@hillsboroughcounty.org Phone: 813-298-3011  |

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Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601

#### VACATING PETITION:

V23-0007 (SREG Sunset Land LLC) Petition to vacate portions of platted ROW, East North Tampa Plat, PB 1-128 located in Section 12 Township 27S Range 18E within Folio 13693-0200

Reviewing Agency: Hillsborough County Fire Rescue

| $\checkmark$ | NO OBJECTION by this agency to the vacating as petitioned.   |
|--------------|--|
|              | OBJECTION (If you have objections, check here, complete and sign below.  |
| 1)           | Do you currently use or have facilities in said area to be vacated?  |
| 2)           | Do you foresee a need for said area in the future?YESNO<br>IF YES, please explain:   |
| 3)           | IF THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES";YESNO<br>A) Could any portion of said area be vacated?<br>If YES, please specify which portion may be vacated: |
|              | B) Could said area be vacated subject to reserving an easement over all or part of area to be vacated?   |
| 4)           | If there are facilities in said area to be vacated, could they be<br>moved at petitioner's expense if they so desire?<br>N/A   |
| Additio      | nal Comments:  |
| Review       | red By: Ray Hansen, Deputy Fire Marshal Date: May 10 2023  |
| Email: _     | hansenr@hcflgov.net Phone: 813-744-5541  |

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Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601

#### VACATING PETITION:

V23-0007 (SREG Sunset Land LLC) Petition to vacate portions of platted ROW, East North Tampa Plat, PB 1-128 located in Section 12 Township 27S Range 18E within Folio 13693-0200

Reviewing Agency: Community & Infrastructure Planning Department

| $\checkmark$        | NO OBJECTION by this agency to the vacating as petition   | oned.                                      |   |                 |                    |            |            |
|---------------------|---|--|---|-----------------|--------------------|------------|------------|
|                     | OBJECTION (If you have objections, check here, compl  | lete and sign                              | below.                                      |                 |                    |            |            |
| 1)                  | Do you currently use or have facilities in said area to If YES, please explain:   | be vacated                                 | ?   |                 | _YES _             |            | 10         |
| 2)                  | Do you foresee a need for said area in the future?<br>IF YES, please explain:<br>The Lutz Community Plan, in the Livable Communities Element of the Comprehensive Plan for Unincorpo                            | orated Hillsborough Cc                     | unty, establishes a vis                     | ion that states | YES                | <u>L</u> ' | NO         |
|                     | whose citizens treasure open spaces over urban or suburban form. We appreciate and welcome thing nd will remain in touch with natural systems, wildlife and the environment* This requested vacation would weak |  |   |                 |                    |            |            |
| 3)                  | IF THE ANSWER TO EITHER QUESTION 1 OR QU<br>A) Could any portion of said area be vacated?<br>If YES, please specify which portion may be va   |  | S "YES";<br>                                |                 | YES                |            | 10         |
|                     | B) Could said area be vacated subject to reserving<br>easement over all or part of area to be vacated'  |  |   |                 | YES                | <u>_</u> N | 10         |
| 4)                  | If there are facilities in said area to be vacated, could moved at petitioner's expense if they so desire?  | they be                                    |   |                 | _YES               |            | 10         |
| ********<br>Additio | **************************************  | Space Policy 1.5.2,<br>ersation lands, whi | that speak to contin<br>ch this could run c | uing to prov    | ide, maintain, and |            | ***<br>.n. |
| Review              | <sub>/ed By:</sub> Sarah Caper  | Date: _                                    | 06/05/23                                    |                 |                    |            |            |
| Email:              | capers@hillsboroughcounty.org   | Phone                                      | 813-807-0                                   | 743             |                    |            |            |

Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601

VACATING PETITION:

V23-0007 (SREG Sunset Land LLC) Petition to vacate portions of platted ROW, East North Tampa Plat, PB 1-128 located in Section 12 Township 27S Range 18E within Folio 13693-0200

Reviewing Agency: EPC

| $\checkmark$        | NO OBJECTION by this agency to the vacating as petitione   | ed.      |                |  |              |
|---------------------|--|----------|----------------|--|--------------|
|                     | OBJECTION (If you have objections, check here, complete  | and sign | below.         |  |              |
| 1)                  | Do you currently use or have facilities in said area to be<br>If YES, please explain:  | vacated  | 1? _           | YES                                    | NO           |
| 2)                  | Do you foresee a need for said area in the future?<br>IF YES, please explain:  |          |                | YES                                    | NO           |
| 3)                  | IF THE ANSWER TO EITHER QUESTION 1 OR QUES<br>A) Could any portion of said area be vacated?<br>If YES, please specify which portion may be vacat |          | IS "YES";<br>_ | YES                                    | NO           |
|                     | B) Could said area be vacated subject to reserving ar easement over all or part of area to be vacated? n/a                                       | )        |                | YES                                    | NO           |
| 4)                  | If there are facilities in said area to be vacated, could the moved at petitioner's expense if they so desire?                                   | ey be    |                | YES                                    | NO           |
| ********<br>Additio | onal Comments: An EPC wetland delineation has been completed for the adjacent parcels on   | ******** | **********     | ************************************** | ************ |
| Review              | ved By: Abbie Weeks  | Date:    | 5/24/202       | 23                                     |              |
|                     | weeksa@epchc.org   |          |                | 2600 ex1101                            |              |

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Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601

#### VACATING PETITION:

V23-0007 (SREG Sunset Land LLC) Petition to vacate portions of platted ROW, East North Tampa Plat, PB 1-128 located in Section 12 Township 27S Range 18E within Folio 13693-0200

Reviewing Agency: Streets and Addresses Unit

| $\checkmark$ | NO OBJECTION by this agency to the vacating as petitioned.  |                      |              |       |       |                    |
|--------------|---|----------------------|--------------|-------|-------|--------------------|
|              | OBJECTION (If you have objections, check here, complete an  | nd sign b            | elow.        |       |       |                    |
| 1)           | Do you currently use or have facilities in said area to be v<br>If YES, please explain:   | acated?              | ?<br>        | Y     | ES    | NO                 |
| 2)           | Do you foresee a need for said area in the future?<br>IF YES, please explain:   |                      |              |       | YES _ | <mark>√</mark> _NO |
| 3)           | IF THE ANSWER TO EITHER QUESTION 1 OR QUEST<br>A) Could any portion of said area be vacated?<br>If YES, please specify which portion may be vacated |                      | 9 "YES";<br> |       | YES _ | NO                 |
|              | B) Could said area be vacated subject to reserving an easement over all or part of area to be vacated?  |                      |              |       | YES   | NO                 |
| 4)           | If there are facilities in said area to be vacated, could they moved at petitioner's expense if they so desire?                                     | y be                 |              | Y     | ΈS    | NO                 |
| Additio      | onal Comments:  | ****                 | *****        | ***** | ****  | *****              |
| Review       | ved By: Deborah S. Franklin   | Date: _(             | 05/11/20     | 23    |       |                    |
| Email: _     | franklinds@HCFLGov.net  | <sup>-</sup> hone: _ | 813-264-3    | 050   |       |                    |

#### VACATING REVIEW COMMENT SHEET

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#### Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601 \*\*\*\*\*\*

#### VACATING PETITION:

V23-0007 (SREG Sunset Land LLC) Petition to vacate portions of platted ROW, East North Tampa Plat, PB 1-128 located in Section 12 Township 27S Range 18E within Folio 13693-0200

### Reviewing Agency: Hillsborough County City-County Planning Commission

|              | NO OBJECTION by this agency to the vacating as petitioned.   |             |
|--------------|--|-------------|
| $\checkmark$ | OBJECTION (If you have objections, check here, complete and sign below.  |             |
| 1)           | o you currently use or have facilities in said area to be vacated?YESYESYES, please explain:   | ]NO         |
|              |  |             |
| 2)           | o you foresee a need for said area in the future?YESYES  | ]NO         |
|              | e proposed area to be vacated provides the foundation for transportation connections and an efficient system of neighborhood circulation. The established grid net<br>ea can provide interconnections between neighborhoods and future neighborhood uses. The proposed vacating would limit the connectivity throughout the area and<br>nsistent with the policy direction established by the Unincorporated Hillsborough County Comprehensive Plan. |             |
| 3)           | THE ANSWER TO EITHER QUESTION 1 OR QUESTION 2 IS "YES";<br>Could any portion of said area be vacated?<br>If YES, please specify which portion may be vacated:<br>anning Commission staff do not forsee a future need for the portion of platted ROW located directly west of 4th Street Southeast and find that it could be vacated.   | <u>]</u> NO |
|              | aff concludes that there is still a need for the portion that includes 4th Street Southeast and its portion that extends east.   |             |
|              | Could said area be vacated subject to reserving an easement over all or part of area to be vacated?  | <u>_</u> NO |
|              |  |             |
| 4)           | there are facilities in said area to be vacated, could they be<br>loved at petitioner's expense if they so desire?   | ∠_NO        |
|              |  |             |
| Additio      | **************************************   |             |
| Review       | Bryce Fehringer Date: 6/23/2023  | <u></u>     |
|              | FehringerB@plancom.org Phone: 813.582.7359   |             |



## Hillsborough County City-County Planning Commission

#### Memorandum

June 23, 2023

- To: Jessica Henderson, MBA, Special Projects Manager, Real Estate Division
- From: Bryce Fehringer, Planner I
- Re: VACATING PETITION: V23-0007 (SREG Sunset Land LLC) portions of platted ROW, East North Tampa Plat, PB 1-128 located in Section 12, Township 27S, Range 18E, within Folio 13693-0200.

Planning Commission staff has reviewed the requested petition to vacate a portion of a platted right-of-way (ROW) lying in Section 12, Township 27 South, Range 18 East, within Folio 13693-0200. The petitioner is requesting to vacate a portion of platted ROW totaling 0.53 +/- acres (23,086 square feet).

Folio 13693-0200 was previously designated as an area approved for the Environmental Lands Acquisition and Protection Program (ELAPP). This designation has been formally removed by the Hillsborough County Real Estate Division, thus prompting an updated memorandum by the Hillsborough County City-County Planning Commission.

The subject site is designated as Residential-6 (RES-6) on the Future Land Use Map. The RES-6 Future Land Use Category permits up to a maximum of 6 dwelling units per gross acre or a 0.25 FAR for non-residential development. It is specifically intended to designate areas that are suitable for low density residential development. The subject site is in the Rural Area and falls within the limits of the Lutz Community Plan.

The Lutz Community Plan seeks to maintain a semi-rural development pattern rather than allowing for traditional suburban development. The subject site is located on the east side of Dale Mabry Highway, where the community plan describes the development pattern as "semi-rural" with residential with lot sizes that are at least one half-acre in size. By contrast, the community plan describes the area west of Dale Mabry Highway as having suburban style, planned residential developments. Although these are the general descriptions of each area, the plan notes that there are several areas within the semirural portion of Lutz that have been developed with suburban style, walled residential subdivisions, and there are areas within the western area of Lutz that are developed in a rural or semi-rural, large lot pattern. The intent of the Community Plan is to recognize and protect those planned communities from incompatible land uses, but not to continue development in Lutz in a suburban manner.

The proposed vacating is not supportable by Planning Commission staff. While staff finds that a portion of the ROW located west of 4<sup>th</sup> Street could be vacated, the request as a whole may have adverse impacts on the surrounding area and would be inconsistent with Future Land Use Element (FLUE) Objective 16 and Policies 16.3 and 16.7. The direction of Objective 16 and its associated policies seek to preserve, protect, and enhance neighborhoods. Maintaining transportation connections and efficient systems of circulation are established measures that help accomplish the goals of this policy direction.

Similarly, the proposed vacating would be inconsistent with Goal 4 and Objective 4.1 of the Mobility Section. This Goal and Objective seek to provide safe and convenient



Plan Hillsborough planhillsborough.org planner@plancom.org 813- 272-5940 601 E Kennedy Blvd 18<sup>th</sup> Floor Tampa, FL, 33602 connections within communities. In suburban contexts, communities shall be designed around a grid network of streets or through a modified grid that will help provide interconnections between neighborhoods and surrounding neighborhood uses. The ROW that is subject to this petition is directly adjacent to an elementary school. There is also a public park located further southeast. The platted ROW has the potential to provide connection to these neighborhood uses through this property while also enhancing the neighborhood's street grid network within the horizon of the currently adopted Unincorporated Hillsborough County Comprehensive Plan. The proposed petition to vacate would conflict with the continuation of the neighborhood's grid network of streets and would limit the ability to connect neighborhood serving uses. The petition is therefore inconsistent with the policy direction established by the Mobility Section.

Upon thorough review, Planning Commission staff recognizes that a portion of the platted ROW may potentially be vacated. Staff does not foresee a future need for the portion of ROW located directly west of 4<sup>th</sup> Street Southeast. This portion of the request is distinct in that it goes into an environmentally sensitive area and does not have the potential to connect to other residential or community uses through the property. The portion that includes 4<sup>th</sup> Street Southeast and the area that extends east still has the potential to be utilized in the future. Additional context regarding the western portion can be found on the accompanying comment sheet to this memorandum.

Planning Commission staff has reviewed the request for consistency with the applicable Comprehensive Plan policies and the Lutz Community Plan and has found the proposed vacating to be inconsistent. For a complete list of the applicable Goals, Objectives and Policies, please see the list provided at the end of this memorandum.

The request to vacate this portion of platted right-of-way may have adverse impacts on the future development pattern of this area. The Planning Commission staff finds the proposed vacating **INCONSISTENT** with the Goals, Objectives and Policies of the *Unincorporated Hillsborough County Comprehensive Plan*.

Thank you for the opportunity to review the vacating of the vacating petition. If you have any questions regarding these comments or need further information, please contact Melissa Lienhard at (813) 547-4364.

#### FUTURE LAND USE ELEMENT

#### **Neighborhood/Community Development**

**Objective 16**: **Neighborhood Protection** The neighborhood is the functional unit of community development. There is a need to protect existing, neighborhoods and communities and those that will emerge in the future. To preserve, protect, and enhance neighborhoods and communities, all new development must conform to the following policies.

**Policy 16.3:** Development and redevelopment shall be integrated with the adjacent land uses through:

- the creation of like uses; or
- creation of complementary uses; or
- mitigation of adverse impacts; and
- transportation/pedestrian connections

**Policy 16.7:** Residential neighborhoods shall be designed to include an efficient system of internal circulation and street stub-outs to connect adjacent neighborhoods together.

#### **MOBILITY SECTION**

#### **Promote Connectivity**

**Goal 4:** Provide safe and convenient connections within the transportation network that support multimodal access to key destinations, such as community focal points, employment centers and services throughout the County.

**Objective 4.1:** In urban and suburban contexts, design communities around a grid network of streets, or a modified grid, which will improve interconnections between neighborhoods and surrounding neighborhood-serving uses.

Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601

#### VACATING PETITION: V23-0007 (SREG Sunset Land LLC) Petition to vacate portions of platted ROW, East North Tampa Plat, PB 1-128 located in Section 12 Township 27S Range 18E within Folio 13693-0200

Reviewing Agency: <u>Spectrum Sunshine LLC</u>

|         |       | CONSENT by this agency to the vacating as petitioned.   |                                  |                     |
|---------|-------|---|----------------------------------|---------------------|
|         |       | OBJECTION by this agency to the vacating as petitioned  | d                                |                     |
| 1)      |       | you currently use or have facilities in said area to be<br>′ES, please explain:   | vacated?                         | YES NO              |
|         |       |   |                                  |                     |
| 2)      | ls C  | QUESTION #1 is "YES", answer question 2, otherwis   | e skip.                          |                     |
|         | A)    | Could any portion of said area be vacated?  |                                  | YES NO              |
|         |       | If YES, please specify which portion may be vacate  | ed:                              |                     |
|         |       |   |                                  |                     |
|         | B)    | Could said area be vacated subject to reserving an easement over <b>all or part of area</b> to be vacated?                                  |                                  | YESNO               |
|         |       | If YES, please specify if easement should be over   | <u>all</u> or <u>part</u> of the | area to be vacated: |
|         | C)    | If there are existing facilities in said area to be vaca<br>they be moved at petitioner's expense if they so des<br>If YES, please explain: |                                  | YESNO               |
| ******  | ****  | ***************************************   | ****                             | *****               |
| Additio | nal ( | Comments:   |                                  |                     |
|         |       |   |                                  |                     |
|         |       |   |                                  |                     |
| Review  | ved F | By: Tony Stevenson  | 05/10/<br>Date:                  | 2023                |
| Email   | ant   | thony.stevenson@charter.com   | Phone: 813-3                     | 302-0251            |
| Email.  |       | ,   |                                  |                     |

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Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601

#### VACATING PETITION: V23-0007 (SREG Sunset Land LLC) Petition to vacate portions of platted ROW, East North Tampa Plat, PB 1-128 located in Section 12 Township 27S Range 18E within Folio 13693-0200

#### Reviewing Agency: TECO PGS

|         |        | CONSENT by this agency to the vacating as petitioned.<br>OBJECTION by this agency to the vacating as petitioned  |
|---------|--------|--|
| 1)      |        | you currently use or have facilities in said area to be vacated?YESNO<br>YES, please explain:  |
| 2)      |        | QUESTION #1 is "YES", answer question 2, otherwise skip.   |
|         | A)     | Could any portion of said area be vacated?   |
|         | В)     | Could said area be vacated subject to reserving an easement over <b>all or part of area</b> to be vacated?YESNO If YES, please specify if easement should be over <u>all</u> or <u>part</u> of the area to be vacated: |
|         | C)     | If there are existing facilities in said area to be vacated, could<br>they be moved at petitioner's expense if they so desire?YESNO<br>If YES, please explain:   |
| ******  | *****  | ***************************************  |
| Additic | onal ( | Comments:  |
|         |        | By: Joan A Domning-Sr Admin Specialist Date:05/18/2023   |
| Email:  | jdc    | pmning@tecoenergy.com     Phone:     813-275-3783       Joan A Domning   |
|         |        | Joan A Domning   |

Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601

#### VACATING PETITION: V23-0007 (SREG Sunset Land LLC) Petition to vacate portions of platted ROW, East North Tampa Plat, PB 1-128 located in Section 12 Township 27S Range 18E within Folio 13693-0200

Reviewing Agency: <u>Tampa Electric Company</u>

|         |       | CONSENT by this agency to the vacating as petitioned.  |                    |
|---------|-------|--|--------------------|
|         |       | OBJECTION by this agency to the vacating as petitioned   |                    |
| 1)      |       | o you currently use or have facilities in said area to be vaca<br>YES, please explain:   | cated?             |
| 2)      | ls (  | QUESTION #1 is "YES", answer question 2, otherwise ski   | kip.               |
|         | A)    | Could any portion of said area be vacated?<br>If YES, please specify which portion may be vacated:   | YESNO              |
|         | B)    | Could said area be vacated subject to reserving an<br>easement over <b>all or part of area</b> to be vacated?<br>If YES, please specify if easement should be over <u>all</u> or | YESNO              |
|         | C)    | If there are existing facilities in said area to be vacated,<br>they be moved at petitioner's expense if they so desire?<br>If YES, please explain:                              |                    |
| ******  | ****  | ***************************************  | *********          |
| Additic | nal   | Comments:  |                    |
|         |       |  |                    |
| Review  | iad [ | By: Joseph H. Williams Dat   | 05/18/2023<br>ate: |
| Email:  | JH    | IWilliams@tecoenergy.com     Pho   | one: 8132281405    |

Return to: Hillsborough County Real Estate Department, P. O. Box 1110, Tampa, Florida 33601

#### VACATING PETITION: V23-0007 (SREG Sunset Land LLC) Petition to vacate portions of platted ROW, East North Tampa Plat, PB 1-128 located in Section 12 Township 27S Range 18E within Folio 13693-0200

Reviewing Agency: Frontier Florida LLC

|                     |        | CONSENT by this agency to the vacating as petitio   | ned.          |             |           |
|---------------------|--------|---|---------------|-------------|-----------|
|                     |        | OBJECTION by this agency to the vacating as petit   | ioned         |             |           |
| 1)                  |        | you currently use or have facilities in said area to<br>/ES, please explain:  | o be vacated? | Yes _       | NO        |
| 2)                  | ls (   | QUESTION #1 is "YES", answer question 2, othe<br>Could any portion of said area be vacated?   | erwise skip.  | YES         | NO        |
|                     |        | If YES, please specify which portion may be value   | acated:       |             |           |
|                     | B)     | Could said area be vacated subject to reservin<br>easement over <b>all or part of area</b> to be vacate<br>If YES, please specify if easement should be c | ed?           | YES         | <u>NO</u> |
|                     | C)     | If there are existing facilities in said area to be<br>they be moved at petitioner's expense if they so<br>If YES, please explain:                        |               | YES         | NO        |
| ********<br>Additic | onal ( | **************************************  | *****         | *****       | ****      |
|                     |        |   |               |             |           |
| Reviev              | ved I  | <sub>By:</sub> Stephen Waidley  | 05/1<br>Date: | 0/2023      |           |
| Email:              | ste    | ephen.waidley@ftr.com   |               | 1) 266-9218 |           |

Josph V., Jr. and Pauline Risher 201 5th Ave SE Lutz, FL 33549

Senior Real Property Specialist-Vacating Facilities Management & Real Estate Svcs Dept 601 E Kennedy Blvd, 23rd Floor Tampa, FL 33602

Re: NOTICE OF INTENT TO FILE PETITION TO VACATE #V23-0007

To Whom It May Concern:

Please accept this letter as our objection to this proposed vacating petition.

Because we do not know your intention for the future of this property we offer the following comments as to our objections.

The wetlands provide structure for the birds and wildlife in this area. Yes there is wildlife in this area. Gopher Tortoises have tunnels and are protected. Sandhill cranes and other birds have nests. We have seen possums, raccoons, coyote, armadillos, deer(even as recent as yesterday) and even a bobcat and wild turkeys in the 38 years we have lived here.

The natural drainage of the properties would be destroyed with any development.

There is already more traffic on Sunset Lane than can be handled properly.

The Lutz Elementary School cannot handle any more traffic. There is already over 600 cars a day that come down 5<sup>th</sup> Ave SE and we are prisoners to the school hours if we want to come or go.

Thank you for your consideration of these objections.

Sincerely,

Esept V. Riskel

Joseph V. Risher.40

Pauline Risher

Pouline Risher

Block 43, Lot 6

Please email confirmation you recieved this letter To jrisherzebrighthouse.com. Thank you.

Charles L and Frances P Williams 203 5<sup>th</sup> Ave SE Lutz, FL 33549

Senior Real Property Specialist-Vacating Facilities Management & Real Estate Svcs Dept 601 E Kennedy Blvd, 23rd Floor Tampa, FL 33602

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The Lutz Elementary School cannot handle any more traffic. There is already over 600 cars a day that come down 5<sup>th</sup> Ave SE and we are prisoners to the school hours if we want to come or go.

Thank you for your consideration of these objections. I would like also appreciate acknowledgement of receipt of this letter in an email to bebop 2@msn.com, please

Sincerely.

Chab L Williams Charles L Williams Frances P Williams

Frances P Williams

Block 43, Lots 4&5

|  | Hillsborough<br>County Florida |
|--|--------------------------------|
|--|--------------------------------|

#### **PETITION TO VACATE**

Hillsborough County Facilities Management & Real Estate Services Department County Center 601 East Kennedy Boulevard – 23<sup>rd</sup> Floor Tampa, Florida 33602 Telephone: (813) 272-5810 | Fax: (813) 272-5597 Submission email: <u>RP-Vacating@HillsboroughCounty.org</u>

Right-of-Way

Easement

Subdivision Plat

Zip Code: 33613

PETITIONER'S INFORMATION Name(s); Sreg Sunset Land LLC c/o Stuart S. Sierra, Jr

State: FL

Address: 509 Guisando de Avila Suite 200

City: Tampa

Phone Number(s): (813) 442-5492

Email address: SSierra@SierraInvestmentGroup.com

For multiple Petitioners, additional signature sheets may be used for each Petitioner.

The above named Petitioner(s) hereby petition(s) the Honorable Board of County Commissioners of Hillsborough County to adopt a resolution vacating, abandoning, renouncing, and disclaiming any right or interest of Hillsborough County and the public in and to the following described right(s)-of-way, easement(s), or subdivision plat or portion thereof (*provide or attach legal description of area or property interest to be vacated*):

See attached sketch & description.

Located in Section 12

\_\_\_\_, Township\_27\_\_\_\_, Range\_18\_\_\_\_\_, Folio # 013693.0200

AGENT AUTHORIZATION - PLEASE COMPLETE IF APPLICABLE

The above-named Petitioner(s) hereby authorizes as the following to act as agent on my/our behalf:

State: FL

Name(s): Christopher S. McNeal

Company: McNeal Engineering

Address: 15957 N Florida Avenue

City: Lutz

Lutz

\_\_\_\_Zip Code: 33549

Phone Number(s): (813) 968-1081

Email address: permitting@mcnealengineering.com

| PETITION   |
|--|
| Page 1 of 4  |
| Submission email: RP-Vacating@HillsboroughCounty.org |

Provide a detailed reason for, and the purpose of, the Vacating request. Please be specific:

The street has never been constructed in the subject area. Approximately half of the right-of-way vacation request falls within wetlands. The applicant desires to plat this property so as to have the parcels on either side of the right-of-way be contiguous.

For Right-of-Way Vacating Petitions Only: If any adjacent property owners have not signed the Petition, please explain why an adjacent property owner has not signed.

N/A

If the Petition seeks to clear or resolve an encroachment into an easement or right-of-way, please state the construction date and type of encroachment:

N/A

If the Petition seeks to clear or resolve a code enforcement violation, please provide all information regarding such violation (date of violation, nature of violation, assigned officer, etc.):

N/A

PETITION Page 2 of 4 Submission email: RP-Vacating@HillsboroughCounty.org

#### Please review and initial:

#### SS

- The Petitioner(s) hereby acknowledges that the average minimum processing time for bringing a Petition for 1. public hearing is sixty (60) to ninety (90) days from the date the County receives a completed, sufficient Petition. The Petitioner(s) acknowledge that this timeframe is only an estimate and Hillsborough County is not responsible for any extensions, delays, or otherwise due to unfulfilled or incomplete Petition requirements.
- SS The Petitioner(s) hereby expressly acknowledges and agrees that all Petitions are circulated for review and 2. comment by both internal and external departments and agencies, and that it is the Petitioner(s) sole responsibility to address and/or resolve any and all objections in writing prior to scheduling the matter for public hearing. Note: failure to cure such objections prior to public hearing may result in a staff recommendation of denial of the Petition.
- The Petitioner(s) will forward a check for the initial filing fee in the amount of \$414.10 made payable to the 3. Board of County Commissioners of Hillsborough County, Florida, to cover the administrative costs of processing the Petition after direction from staff that the petition submission is sufficient. Petitioner acknowledges and agrees that the initial filing fee is non-refundable in whole or in part.
- SS The Petitioner(s) hereby waive(s), renounce(s), absolve(s), relinquish(es) and discharge(s) Hillsborough County 4. from any claims or damages of any nature and kind whatsoever that such Petitioner(s) may have or claim or demand, now or in the future, by reason of the vacating, closing, discontinuing and abandoning of said right(s)-of-way, easement(s), or subdivision plat.
- The Petitioner(s) acknowledges and agrees that if the Petition proceeds to public hearing the Petitioner(s) will 5. pay the additional filing fee of \$250.00 made payable to the Board of County Commissioners of Hillsborough County, Florida. Petitioner further acknowledges and agrees the additional filing fee is non-refundable in whole or in part.
- SS The Petitioner(s) hereby acknowledges and agrees that all terms and conditions of the Vacating Resolution, if 6. approved and adopted by the Board of County Commissioners, shall be strictly complied with by the Petitioner(s).
- SS The Petitioner(s) hereby acknowledges and agrees they have read and understand all applicable steps listed 7. within the VACATING PETITION INFORMATION PACKET received by Petitioner(s) prior to submittal of this PETITION TO VACATE.
- SS The Petitioner(s) hereby acknowledges and agrees that the Petition may not cure any and/or all code 8. enforcement violations and that additional curative measures may be required to be completed by Petitioner prior to removal of such violation.
- SS The Petitioner(s) hereby acknowledges and agrees that HILLSBOROUGH COUNTY MAKES NO 9. STATEMENT, OPINION OR WARRANTY AS TO THE TITLE OF VACATED PUBLIC PROPERTY INTERESTS BY VIRTUE OF ANY VACATING ACTION BY ITS BOARD OF COUNTY COMMISSIONERS. PETITIONER(S) SHOULD VERIFY WITH A TITLE COMPANY WHERE TITLE VESTS FOLLOWING THE VACATING ACTION.

#### REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

The Petitioner(s) herein named hereby waive(s), renounce(s), relinquish(es), absolve(s), and discharge(s) Hillsborough County from any claims for damages of any nature and kind whatsoever that petitioner(s) may have or claim or demand, now or in the future, by reason of the vacating, closing, discontinuing, and abandoning of public right(s)-of-way, easement(s) or subdivision plat(s), or any part or portion thereof; and shall indemnify and hold harmless Hillsborough County from any claims, damages, expenses and costs that result from damage to or destruction of any improvement, structure or property located within the portion of right(s)-of-way, easement(s) or subdivision plat(s) being vacated herein as a result of the exercise by Hillsborough County of its rights within any remaining public right(s)-of-way, easement(s), or subdivision plat(s) hot vacated.

For multiple Petitioners, attach additional signature sheets for each additional Petitioner

| PETITIONERS' SIGNATURES   | MAILING ADDRESS  |
|---|--|
| Aliphill  | Sreg Sunset Land LLC   |
| Stuart S. Sierra, Jr, Manager   | 509 Guisando de Avila Suite 200  |
| Printed name and title if applicable  | Tampa, FL 33613  |
|   |  |
|   |  |
|   |  |
| Printed name and title if applicable  |  |
|   |  |
|   |  |
|   |  |
| Printed name and title if applicable  |  |
|   |  |
| STATE OF FLORIDA  |  |
| COUNTY OF HILLSborough  |  |
| The following instrument was sworn to (or affir<br>notarization this <u>13</u> day of <u>App(1)</u><br>who is/are personally known to me or who has p | med) and subscribed before me by means of M physical presence or [] online<br>, 20,23, by Stuart S. Sierra, Jr.<br>produced as identification.   |
| NOTARY PUBLIC:  |  |
| Signature:  | Braderic and the second s |
| <u>C</u> i O  | ERIN A COX<br>Notary Public-State of Florida   |
| Printed Name: Crin CoX  | Commission # HH 211065<br>My Commission Expires  |
| Title or Rank: <u>Motary Publi</u>  | C December 26, 2025  |
| Serial / Commission Number:   | 1065   |
| My Commission Expires:  | nber 26,2025   |

PETITION Page 4 of 4 Submission email: RP-Vacating@HillsboroughCounty.org

| SKETCH     | OF  | DESCR  | IPTION   |
|------------|-----|--------|----------|
| THIS IS NO | TAB | OUNDAR | Y SURVEY |

HILLSBOROUGH COUNTY PROJECT NO. V23-0007

| SECTION | <i>12</i> | TOWNSHIP | 27 | SOUTH | RANGE | 18 | EAST | HILLSBOROUGH | COUNTY, | FLORIDA |
|---------|-----------|----------|----|-------|-------|----|------|--------------|---------|---------|
|---------|-----------|----------|----|-------|-------|----|------|--------------|---------|---------|

#### EXHIBIT "A" LEGAL DESCRIPTION (RIGHT OF WAY VACATION PARCEL)

A parcel of land lying within EAST NORTH TAMPA as recorded in Plat Book 1 Page 128 of the Public Records of Hillsborough County, Florida and being more particularly described as follows:

COMMENCE at the Southwest corner of the Southeast 1/4 of Section 12, Township 27 South, Range 18 East, Hillsborough County, Florida; thence N.00 degrees 36'06"E., on the West line of the Southeast 1/4 of said Section 12, a distance of 1372.33 feet to a point on the South line of a 10'Alley; thence S.89 degrees 37'38"E ., on the South line of said EAST NORTH TAMPA also being the South line of said 10'Alley, distance of 461.40 feet to the POINT OF BEGINNING; thence N.00 degrees 22'22"E., departing the South line of said 10' Alley, a distance of 10.00 feet to a point on the South line of Lot 1 of Block 43 of said EAST NORTH TAMPA; thence S.89 degrees 37'38"E., on the South line of said Lot 1, a distance of 31.56 feet to the Southeast corner of said Lot 1; thence N.01 degrees 58'44"E., on the East line of said Lot 1, a distance of 151.33 feet to the Northeast corner of said Lot 1; thence S. 88 degrees 01'16"E., departing the Northeast corner of said Lot 1, a distance of 49.66 feet to the Northwest corner of Lot 6 of Block 42 of said EAST NORTH TAMPA; thence S.01 degrees 53'21 W"., on the West line of said Lot 6, a distance of 149.93 feet to the Southwest corner of said Lot 6; thence S.89 degrees 37'38"E., on the South line of Lot(s) 6, 5, 4. 3, 2 and 1 of said Block 42, a distance of 299.51 feet to the Southeast corner of said Lot 1; thence N.02 degrees 02'11"E., on the East line of said Lot 1, a distance of 141.54 feet to the Northeast corner of said Lot 1; thence S.87 degrees 57'49"E., departing the Northeast corner of said Lot 1, a distance of 50.00 feet to the Northwest corner of Lot 8 of Block 41 of said EAST NORTH TAMPA; thence S.02 degrees 02'11"W., on the West line of said Lot 8, a distance of 140.09 feet to the Southwest corner of said Lot 8; thence S.89 degrees 3738"E., on the South line of Lot(s) 8, 7, 6, 5, 4, 3, 2 and 1 of said Block 41 and their Easterly extension thereof, a distance of 428.70 feet to a point on the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 12; thence S.00 degree 34'41"E., on the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 12, a distance of 10.00 feet to a point on the South line of a 10'Alley also being the South line of said EAST NORTH TAMPA; thence N.89 dearees 37'38"W., on the South line of said 10'Alley also being the South line of said EAST NORTH TAMPA, a distance of 859.88 feet to the POINT OF BEGINNING.

Parcel contains 0.53 acres or 23,087 square feet, more or less

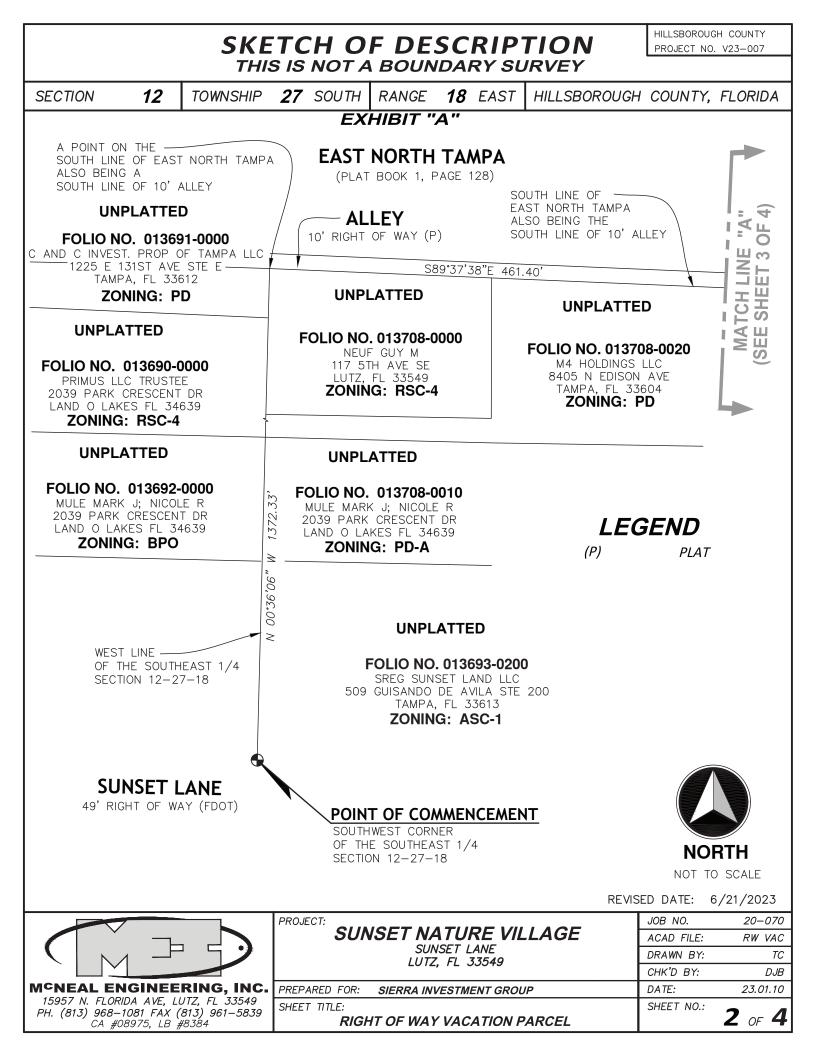
#### SURVEYOR'S REPORT

- This sketch not valid unless embossed or stamped with a surveyor's seal. 1.
- Underground encroachments such as utilities and foundations, that may exist, have not been located. 2.
- Folio numbers, owners name, address, and zoning shown hereon obtained from the Hillsborough County Property Appraisers web site. .3 4. This is NOT a Boundary Survey.
- 5 Right of Ways Lines shown hereon were determined through review and analization of field monumentation and record subdivision plat.
- This sketch was prepared without the benefit of a Title Commitment, Title Opinion or Ownership and Encumbrance Report. Therefore 6. there may be easements, rights of way or other encumbrances that are not shown on this sketch that may be found in the Public Records of Hillsborough County, Florida.
- 7. Legal description shown hereon prepared by the undersigned surveyor.
- 8. Bearings shown hereon are relative to Florida State Coordinate System, West Zone, 1983–2011 adjustment
- holding the South line of EAST NORTH TAMPA Plat Book 1 Page 128 of Public Records of Hillsoborough County, Florida as being S 89 degrees 37'38"E.
- 9. Boundary lines, bearings and distance's shown hereon taken from a digital drawing file of a boundary survey prepared by Ferguson Land Surveyors, Project No. 20131—A1, and last revised on 3/04/21.
- 10. This Information is not complete without accompanying sketch.
- 11. Right of Ways Lines shown hereon were determined through review and analyzation of field monumentation and record subdivision plat.

#### SURVEYOR'S CERTIFICATE

I, the undersigned Professional Surveyor and Mapper, hereby certify that this Sketch of Description was prepared under my direct supervision, that to the best of my knowledge, information and belief is a true and accurate representation of the land shown and described, and that it meets the Standards of Practice for Land Surveying in the State of Florida Chapter 5J-17, Florida Administrative Code. 

| Dennis J. Benham<br>Professional Surveyor and Mapper No.<br>State of Florida<br>McNeal Engineering, Inc.<br>State of Florida Licensed Business No. | 8384   | STATE OF            |             |
|--|--|---------------------|-------------|
|  | REVISED DATE: 6/21/2023                      | willing.            |             |
|  | PROJECT:                                     | JOB NO.             | 20–070      |
|  | SUNSET NATURE VILLAGE                        | ACAD FILE:          | RW VAC      |
|  | SUNSET LANE<br>LUTZ, FL 33549                | DRAWN BY:           | TC          |
|  | 2012, 12 00040                               | CHK'D BY:           | DJB         |
| M <sup>C</sup> NEAL ENGINEERING, INC.  | PREPARED FOR: SIERRA INVESTMENT GROUP        | DATE:               | 23.01.10    |
| 15957 N. FLORIDA AVE, LUTZ, FL 33549<br>PH. (813) 968–1081 FAX (813) 961–5839<br>CA #08975. LB #8384   | SHEET TITLE:<br>RIGHT OF WAY VACATION PARCEL | SHEET NO.: <b>1</b> | OF <b>4</b> |



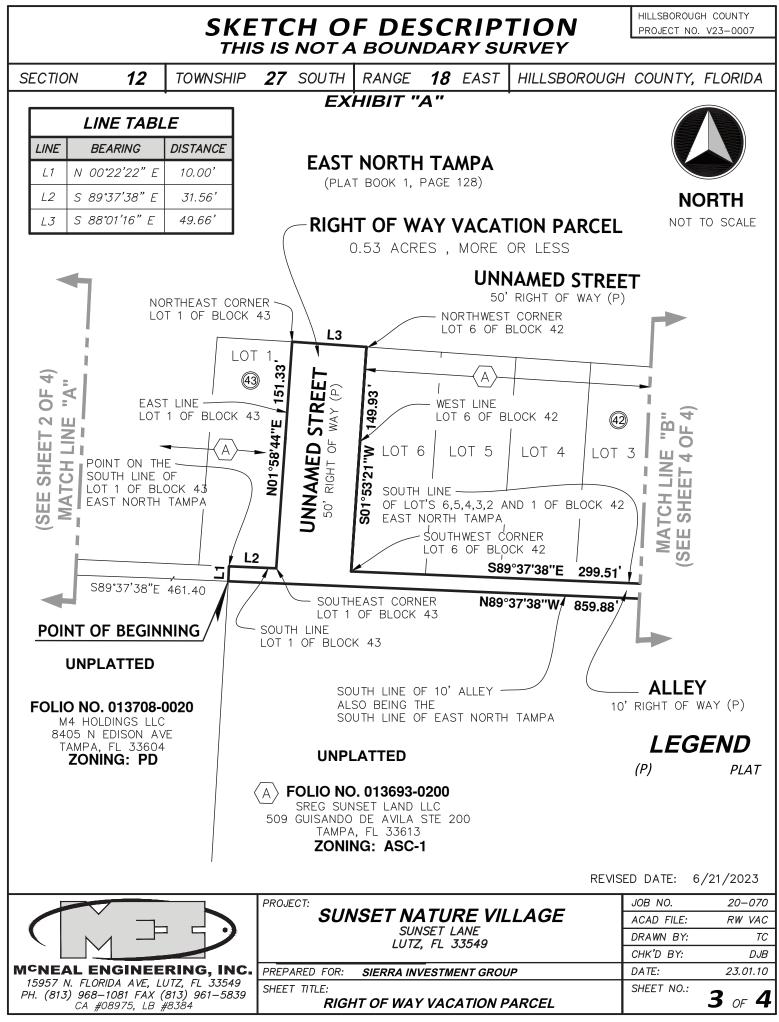


EXHIBIT "A"

