



COMMUNITY DEVELOPMENT DEPARTMENT
STREET VACATION APPLICATION

Date Received:	Date of Log-in:
Petition #:	
Receipt #:	Amount Paid:

1. Name of street(s) to be vacated: unnamed Alley

2. Parties involved in the application

A. Name of Applicant*: Jeffrey M. Devine
Mailing Address: 27492 Cleveland Ave
City: Punta Gorda State: FL Zip Code: 33982
Phone Number: 239-207-6894 Fax Number:
Email Address: ~~jeff~~ jmdevine85@yahoo.com
* The applicant must own property abutting on the right-of-way to be vacated

B. Name of Agent: NA
Mailing Address:
City: State: Zip Code:
Phone Number: Fax Number:
Email Address:

C. Name of Surveyor: MSB Surveying Inc
Mailing Address: 536 Interstate Court
City: Sarasota State: FL Zip Code: 34240
Phone Number: 941-341-9935 Fax Number:
Email Address: msb@msbsurveying.com

3. Applicant's Property ID #: 402327229001

4. Total acreage of street to be vacated: ~ 0.072

5. Commission District: 2

6. Purpose of request:
rectify permitting issue, connect two polygons with same parcel ID

AFFIDAVIT

I, the undersigned, being first duly sworn, depose and say that I am the applicant or agent for this Street Vacation and that data and other supplementary matter attached to and made part of the application are honest and true to the best of my knowledge.

STATE OF FLORIDA, COUNTY OF Sarasota

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or ☐ online notarization, this 20th day of 2023, by Jeffrey M. Devine, who is ☒ personally known, or ☐ produced identification with _____ and ☐ did ☐ did not take an oath.

Joan Vervaecke
Notary Public Signature
Joan VERVAECKE

Notary Printed Signature

Notary
Title

HH404158
Commission Code

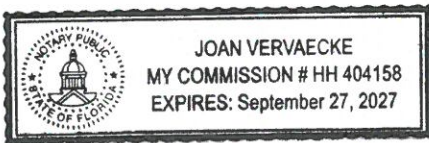
Jeffrey M. Devine
Signature of Applicant/Agent

Jeffrey M. Devine
Printed Signature of Applicant/Agent

27492 Cleveland Ave
Address

Punta Gorda FL 33982
City, State, Zip

239-207-6894
Telephone Number



Jeffrey M Devine
27492 Cleveland Ave.
Punta Gorda, FL 33982

October 24, 2023

Charlotte County BOCC
18500 Murdock Cir #536
Port Charlotte, FL 33948

Dear Commissioners,

Please find the attached Street Vacation Application of an unnamed alley for your consideration. I am the homeowner of 27492 Cleveland Ave., Punta Gorda FL 33982, one of two parcels this dead-end, undeveloped alley transects. The adjacent parcel 27502 Cleveland avenue is also transected by this alley, a letter of no objection is also supplied by that owner.

In the aftermath of Hurricane Ian, we began cleanup and repairs of our property in doing so we decided to make some modifications to our pool enclosure and patio. When we applied for our permit to add a minimal amount of concrete to the existing patio, we became hung up in permitting. Through various conversations with Charlotte county staff in planning, zoning, and real estate departments, it was determined that the issue was the presence of an unnamed alley that transects the property. With the help of staff, it was determined that the property was originally platted in the late 1800s (when it was still Desoto county) and then re-platted sometime after that. We could come to no formal consensus as to the purpose, or if it has previously been vacated as both of the parcels that it transects are identified as two distinct polygons but with the same parcel ID numbers.

As you can see from the attached documents, the alley was has previously built in by both property owners. These are not non-conforming structures, they are structures that the county has previously issued permits for. Charlotte County permitted construction in the alley to include A detached garage (1950), two separate pool and patios with screen enclosures (1950, 1972), two septic systems, concrete driveway (2017) and a carport (2017).

In addition to requesting the Street Vacation I would also like to request a waiver or reduction of the \$1,315.00 county-imposed fee. I feel that waiver of the fee is appropriate as all abutting property owners are included either as applicant or with letters of no objection. And there appears to never have been any public use of the alley, so there is no negative impact or reduction to public use which would require notification of the public. Additionally, by going through the formal vacation process it clears up the confusion and issues that could arise from the fact that Charlotte county previously issued permits for structures built in the alley. By vacating the alley, it is a mutually beneficial resolution to the issue. As property owner, I have already incurred the costs associated with the survey work and legal descriptions, I think it is fair that the county waives the fee as their part of the solution to this matter.

Respectfully,



Jeffrey M. Devine