

# *W*INTER HAVEN *The Chain of Lakes City*

## City of Winter Haven Application for Vacating Streets, Alleys, And Public Ways And Redirecting Traffic

The following information is required for submission of an application to vacate streets, alleys and public ways. The City Commission must approve or deny the request. It is important that all information is complete and accurate when submitted to the City. The City Commission holds meetings the 2<sup>nd</sup> and 4<sup>th</sup> Monday of every month at 7:30 p.m. These applications are heard on a monthly basis.

**Please print or type the requested information below.**

### **A. GENERAL INFORMATION:**

Name of Applicant/Property Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone (Work): \_\_\_\_\_ Phone (Home): \_\_\_\_\_

Interest in Property (e.g. owner, buyer, etc.): \_\_\_\_\_

Name of Agent, if applicable: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone (Work): \_\_\_\_\_ Phone (Home): \_\_\_\_\_

### **B. NATURE OF REQUEST:**

Identify Right-of-Way Affected: \_\_\_\_\_

Legal Description of Right-of-Way: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Nature and Purpose of Request:

\_\_\_\_\_

\_\_\_\_\_

**C. PLEASE ADDRESS THE FOLLOWING:**

1. Are there any known applicable portions of any current city plans for the use of the subject right-of-way, street, or alley? If so, please address this.

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2. Identify how abutting property owners will be affected by the proposed request.

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3. What impacts will the request have on short-range and long-range public and private utilities? Please address if utilities are to be relocated.

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4. What impacts will be request have on short-range and long-range ingress and egress by private and public vehicles? Please address if alternative ingress/egress is proposed.

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5. What is the cost of relocating any public utility lines?

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The City will consider the cost and attendant responsibilities involved in maintaining utilities where improvements may be constructed over existing facilities. The City also ensures that the rights of all franchised utilities are protected

**D. PLEASE SUBMIT THE FOLLOWING INFORMATION AND EXHIBITS:**

1. A letter from the petitioner of his/her agent addressed to the Planning Director requesting that the proposal be placed on the City Commission agenda for review purposes.

2. A signed authorization form from the abutting property owner(s) making the request or who are a part of the request.

3. A survey or plat containing a description of all land uses abutting the affected right(s)-of-way.

4. Written request review responses from each franchise utility provider as well as from affected City Departments, including Public Works, Fire, and Police. A list of contact persons and their addresses are attached.
5. Schematic drawing(s) showing the location of all utilities utilizing the subject right-of-way, as provided by each utility provider, i.e., electricity, gas, sewer, water, telephone, drainage, sanitation, or underground TV cable. Applicants may be able to obtain such schematic drawings from the City Public Works Department and other applicable utility providers upon request.
6. A check or money order, made payable to the City of Winter Haven to pay the required application fee. Please contact the Planning and Development staff for the current application.

#### **E. ADDITIONAL DOCUMENTATION:**

After initial application review by staff to determine likely impacts of implementing the vacation or street/traffic redirection proposal, the City **may** require a traffic analysis report based on accepted transportation engineering criteria. This traffic analysis report may include, but shall not be limited to the following:

1. Background narrative containing the definition of the problem.
2. General data, including but not limited to:
  - a. A location map showing local streets.
  - b. Collector and arterial streets in the area as designated in the City's Thoroughfare plan.
  - c. Zoning of the affected area.
  - d. Traffic counts.
  - e. Accident counts.
  - f. Width of pavements.
  - g. On-street parking.
  - h. Related demographic data.
  - i. Identification of major trip generators in the area.
3. Analysis of traffic characteristics, including:
  - a. Estimated trip generators that would be characteristic for the neighborhood.
  - b. Comparison of actual, observed traffic volumes with estimated traffic volumes To be generated in the neighborhood.
  - c. Determination of peak-hour flows.
  - d. Estimated impact of changes on parallel facilities (e.g. alternative routing).
4. Alternative solution identification, including:
  - a. An analysis of the impact of each alternative on the overall area traffic network.
  - b. An analysis of the impact on zoning, utilities, and drainage systems.
  - c. An analysis of costs of each alternative.
  - d. A prioritization of alternatives.

5. As part of the application process, if the City Commission determines that additional of independent study is necessary, the applicant shall bear all associated costs in producing the study.

**F. CHAPTER 15, SECTION 15-51, CITY POLICY:**

1. No new construction shall occur on or over any existing right-of-way unless the petitioner or his successors and assigns assume and agree to pay all costs of relocating utility lines including legal costs resulting from development of the property.
2. All future costs involved in repairing hard surfaces placed over an easement shall be the responsibility of the petitioner or his successors and assigns.
3. The petitioner, his successors or assigns, will hold the city and all utilities harmless and immune for all claims for damages resulting from their use of the right-of-way, if any.
4. The City Commission may condition any action for widening, or permanently redirecting traffic along city streets or alleys, or closing, abandoning, or vacating any street, alley or other right-of-way based upon the timely implementation of the project which necessitated such action.

**G. FILING APPLICATIONS:**

You are welcome and encouraged to contact the Planning and Development staff at (863) 291-5600 from 8:00 a.m. to 5:00 p.m. Monday through Friday to obtain help with this application. Meeting with staff can help to ensure that your application is complete. Staff can also explain and answer any questions you may have concerning the City Commission and the hearing process.

The Planning Department is located at 451 Third Street, NW, Winter Haven, Florida 33881. The mailing address is P.O. Box 2777, Winter Haven, Florida 33883. If you wish to contact us by fax, our number is (863) 297-3090.

**City Use Only:**

Date Received: \_\_\_\_\_ Received By: \_\_\_\_\_

Fee Received: \_\_\_\_\_ Receipt Number: \_\_\_\_\_

Case Number: \_\_\_\_\_ Date Accepted: \_\_\_\_\_

Tentative Meeting Date: \_\_\_\_\_

STATE OF FLORIDA:  
COUNTY OF POLK:

(I) (WE) \_\_\_\_\_  
Being duly sworn, depose and say that (I) (WE) own one or more of the properties involved in this petition and that (I) (WE) have familiarized (myself) (ourselves) with the rules and regulations of the City Commission with respect to preparing and filing this petition and that the foregoing statements and answers herein contained and other information attached hereto present the arguments in behalf of the petition herein requested to the best of (my) (our) ability and that the statement and information above referred to are in all respects true and correct to the best of (my) (our) knowledge and belief.

SIGNED: \_\_\_\_\_ SIGNED: \_\_\_\_\_

SIGNED: \_\_\_\_\_ SIGNED: \_\_\_\_\_

STATE OF FLORIDA:  
COUNTY OF POLK:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification and who (did) (did not) take an oath.

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC

\_\_\_\_\_  
TYPED OR PRINTED NAME OF NOTARY PUBLIC

\_\_\_\_\_  
NOTARY PUBLIC SERIAL # (IF ANY)

STAMP & DATE MY COMMISSION EXPIRES: \_\_\_\_\_

Agent, Lessee, or Buyer's Signature Page

(I) (We), \_\_\_\_\_ being duly

sworn, depose and say that (I) (We) serve as \_\_\_\_\_ for the  
(Agent or Lessee)

owner(s) in making this petition and that the owner(s) (has) (have) authorized (me) (us) to act in this capacity. Further, (I) (We) depose and say that the statements and answers herein contained and other information attached hereto present the arguments in behalf of the petition herein requested to the best of (my) (our) ability and that the statements and information above referred to are in all respects true and correct to the best of (my) (our) knowledge and belief.

Agent, Lessee, or Buyer(s)

\_\_\_\_\_  
Signature of Agent, Lessee, or Buyer(s)

\_\_\_\_\_  
Signature of Agent, Lessee, or Buyer(s)

\_\_\_\_\_  
Printed Name of Agent, Lessee, or Buyer(s)

\_\_\_\_\_  
Printed Name of Agent, Lessee, or Buyer

\_\_\_\_\_  
Signature of Agent, Lessee, or Buyer(s)

\_\_\_\_\_  
Signature of Agent, Lessee or Buyer(s)

\_\_\_\_\_  
Printed Name of Agent, Lessee, or Buyer(s)

\_\_\_\_\_  
Printed Name of Agent, Lessee, or Buyer

STATE OF FLORIDA:  
COUNTY OF POLK:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, by \_\_\_\_\_, who is personally known to me or who  
has produced a Driver's License as identification and who did not take an oath.

\_\_\_\_\_  
Notary Seal and Commission Expiration Date

**Adjoining Property Owner Signature Form**

I, \_\_\_\_\_, understand that \_\_\_\_\_  
is requesting that the City of Winter Haven to close, vacate, and abandon the \_\_\_\_\_  
\_\_\_\_\_ right-of-way which adjoins my property. I also understand that I will receive one-half of the  
right-of-way fronting my property.

- I hereby approve or have no objections to this request.
- I hereby disapprove and have an objection to this request.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Date

## Utility Contacts for Right-of-Way Vacation Requests

### **Electric:**

Dan Breznay  
Tampa Electric Company  
1770 Sixth Street, NW  
Winter Haven, FL 33881

### **Water/Sewer:**

Joey Murphy  
City of Winter Haven Utility Services  
P. O. Box 2277  
Winter Haven, FL 33883

### **Telephone:**

Kimberly Wiley  
Verizon Florida, Inc.  
120 E Lime Street  
Lakeland, FL 33801

### **Streets:**

Terrence Nealy  
Public Services Department  
P. O. Box 2277  
Winter Haven, FL 33883

### **Cable Television:**

Randy Lyle  
Brighthouse Networks  
1004 US Highway 92 West  
Auburndale, FL 33823

### **Fire:**

Tony Jackson  
Fire Chief  
P. O. Box 2277  
Winter Haven, FL 33883

### **Natural Gas:**

Reagan Anderson  
Central Florida Gas Company  
P. O. Box 960  
Winter Haven, FL 33881

### **Police:**

Paul Goward  
Police Chief  
P. O. Box 2277  
Winter Haven, FL 33883