

# WINTER HAVEN

THE CHAIN OF LAKES CITY

## VACATE STREETS, ALLEYS, OR PUBLIC WAYS AND REDIRECTING TRAFFIC APPLICATION

PLANNING DIVISION

451 Third Street, NW, Winter Haven, FL 33881

Phone: 863-291-5600 Email: [planning@mywinterhaven.com](mailto:planning@mywinterhaven.com)

### For Official Use Only:

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

Fee Received: \_\_\_\_\_ Meeting Date: \_\_\_\_\_

### CONTACT INFORMATION:

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

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

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

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

Name of Agent (if applicable): \_\_\_\_\_

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

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### NATURE OF REQUEST:

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

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

\_\_\_\_\_

Nature and Purpose of Request: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### 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.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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 the 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.

**SUBMIT THE FOLLOWING:**

1. A letter from the petitioner of his/her agent addressed to the Planning Division 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 Utilities, 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. Application fee payment.

**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 Code.
  - 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
  1. 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 an additional independent study is necessary, the applicant shall bear all associated costs in producing the study.

**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.

Ownership Signature

(I) (WE) \_\_\_\_\_ being duly sworn, depose and say that (I) (WE) own one of more of the properties involved in this petition and that (I) (WE) have familiarized (myself) (ourselves) with the rules and regulations 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 \_\_\_\_\_

COUNTY OF \_\_\_\_\_

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

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

\_\_\_\_\_  
TYPED, PRINTED or STAMPED NAME OF NOTARY PUBLIC

Agent, lessee, or buyer signature

(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 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 \_\_\_\_\_

COUNTY OF \_\_\_\_\_

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

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

\_\_\_\_\_  
TYPED, PRINTED or STAMPED NAME OF NOTARY PUBLIC

## **UTILITY CONTACTS FOR RIGHT-OF-WAY VACATION REQUESTS:**

### **Electric:**

Tampa Electric Company  
2200 E. Sly Avenue COC-Building C  
Tampa, Florida 33610  
813-275-3037

### **Telephone:**

Frontier Communications  
1909 US Hwy 301 N  
Tampa, Florida 33619  
813-740-1231

### **Cable Television:**

Spectrum  
1004 US Highway 92 West  
Auburndale, Florida 33823  
863-288-2340 ext. 84264

### **Natural Gas:**

Central Florida Gas Company  
1705 7<sup>th</sup> Street SW  
Winter Haven, Florida 33880  
863-289-2487

### **Water/Sewer:**

City of Winter Haven Engineering Services Division  
P. O. Box 2277  
Winter Haven, Florida 33883  
863-291-5481

### **Streets:**

City of Winter Haven Streets Department  
P.O. Box 2277  
Winter Haven, Florida 33883  
863-291-5852

### **Fire:**

City of Winter Haven Fire Department  
P.O. Box 2277  
Winter Haven, Florida 33883  
863-291-5677

### **Police:**

City of Winter Haven Police Department  
P.O. Box 2277  
Winter Haven, Florida 33883  
863-291-5874

**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

\_\_\_\_\_  
Date