



City of Tampa

Jane Castor, Mayor

**Development & Growth Management
Development Coordination
Right-of-Way and Mapping**

2555 E Hanna Avenue
Tampa, Florida 33610



VACATING INSTRUCTIONS

It is highly recommended that anyone requesting to vacate Public Rights-of-Way to first consult with City of Tampa staff before applying. Below is contact information.

Email: COT-Address@tampagov.net

Phone:

1.) Patrick Canavan – Office: 813-274-3965

Or

2.) Ross Samons – Office: 813-274-7707

Please note that you may be prompted to leave a message and staff will return your call.



**DEVELOPMENT AND GROWTH MANAGEMENT
DEVELOPMENT COORDINATION
CITY OF TAMPA, FLORIDA**

INSTRUCTIONS FOR RIGHT-OF-WAY VACATING APPLICATION

Please be advised that this instruction packet has been prepared as a guide to assist you in submitting your right-of-way vacating application. These guidelines have been derived from Chapter 22 Streets and Sidewalks, Chapter 27 Zoning and City Policy.

****INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED OR PROCESSED****

NOTE:

Please check the Plat, Survey, Title Policy and all other documentation relating to your property prior to design and construction. The City of Tampa and its staff **DO NOT** review for compliance with individual private deed restrictions and covenants during permit review. The issuance of a building permit by the City of Tampa signifies that the project is in compliance with the zoning codes of the City of Tampa and City of Tampa and Florida building code. The issuance of a building permit **DOES NOT** insure compliance with private deed restrictions or covenants.

GENERAL NOTES:

Every application addressed to the City Council requesting that any public street, road, alleyway, place or highway dedicated or acquired for travel or any part of portion thereof be vacated, closed, discontinued or abandoned and requesting the city to renounce, disclaim or release any right of the city and the public in and to any land delineated, dedicated or shown on any recorded map or plat as a street, road, alleyway, place or highway within the corporate limits of the city shall be presented to the City Council in the form and following the procedures set forth herein. The applicant shall file application via the City's Accela Citizen Access when applying for a right-of-way vacating.

The attached information should be read thoroughly before filling out the application form.

The telephone numbers and departments referred to throughout this packet are provided on the following page. Please keep this information for handy reference.

The information on the application must be typewritten or neatly printed, and all attachments and information required must be provided before an application will be accepted.

Any action by the City Council may be reconsidered at the next regular meeting after the date action was taken by City Council, if new information or evidence is presented.

Appeal of any action by City Council, is filed with the Hillsborough County Circuit Court.

PHONE NUMBERS AND CONTACT INFORMATION:

Development Coordination
Right-of-Way and Mapping

City Center at Hanna Avenue
2555 E Hanna Avenue,
Tampa FL 33610

Patrick Canavan
or
Ross Samons

Phone: 813-274-3965

Phone: 813-274-7707

Email: COT-Address@tampagov.net

Legal Department

Old City Hall
315 E. Kennedy Blvd.
Phone: 813-274-8288

City Clerk's Office

Old City Hall
315 E. Kennedy Blvd., Third Floor
Phone: 813-274-8396

PLEASE READ INSTRUCTIONS THOROUGHLY

I. PRIOR TO FILING APPLICATION:

Prior to filing a right-of-way vacating application, it is suggested that the applicant contact a staff member from the Development Coordination Division to check for possible objections and/or updated policies that could result in a negative recommendation from the City for denial.

II. DEAD-END ALLEYWAY (City Code Section 22-36(a)):

If the vacating, closing, discontinuing and abandoning of a part or portion of an alleyway desired by the applicant would result in the creation of a dead-end alleyway, then the applicant is required to application to vacate, close, discontinue and abandon the entire alleyway or such part or portion thereof as will preclude the creation of a dead-end alleyway, unless the applicant provides an adequate turnaround or cul-de-sac.

III. MINIMUM REQUIREMENTS TO FILE APPLICATION - Exhibits "A", "A-1", "B" and "C"

(ALL FORMS MUST BE TYPEWRITTEN OR NEATLY PRINTED)

Application Fee (business check, cashier's check, or money order payable to the City of Tampa; Mastercard/Visa are accepted in person) CASH OR PERSONAL CHECKS ARE NOT ACCEPTED. Also Note: No check dated more than 14 days prior to the date of payment will be accepted. (For example: if an application is submitted on the 14th day of the month, the check can not be dated from the month before).

<u>VACATING APPLICATION FOR UNIMPROVED ALLEY/RIGHT-OF-WAY</u>
\$573.00 for 1st right-of-way, \$444.50 per each additional segment after 1st
<u>VACATING APPLICATION FOR IMPROVED ALLEY/RIGHT-OF-WAY</u>
\$1,239.50 for 1st right-of-way, \$444.50 per each additional segment after 1st
<u>AMENDMENT FEE (City Code Section 22-39(b))</u>
Should an error or omission occur in the original application, in the mailing of notices, or filing of affidavit, which requires re-advertisement of the notice of public hearing, an additional fee shall be paid to the City of Tampa at the time applicant submits a written request, addressed to City Council and filed with Land Development Coordination requesting a new date of public hearing, and setting forth the reasons therefore.
\$333.00 per amendment

IV. WHAT TO FILE:

- A. Vacating application along with accurate legal description that describes right-of-way to be vacated.
- B. List of owner's name, addresses, folio numbers and legal description of abutting property owners (including petitioners). See Section V for requirements. Also see Section X(c) for additional code requirements.
- C. The applicant shall state the reason why the applicant desires the closing of the street, road, alleyway, place or highway or any part or portion thereof. The applicant will be required to provide a public purpose for the vacating application at the public hearing.
- D. Drawing or blueprint of the subdivision in which the right-of-way requested to be vacated is located. Said drawing should clearly identify the subject right-of-way. If necessary a legal description and sketch prepared by a licensed surveyor may be required. The City's Right of Way & Mapping Section will determine the need on a case by case basis.
- E. Affidavit to authorize agent (Exhibit F), if applicable.

V. LIST OF ABUTTING OWNERS:

1. The property owner list shall be composed according to the most current ad valorem tax roll, which must be obtained from: (see section X(c) for Affidavit of Compliance requirements)

Hillsborough County Property Appraiser's Office
601 E. Kennedy Boulevard, 16th Floor
Tampa, FL 33602
(www.hcpafl.org)

2. The owner list shall be included in a way that indicates the property owner, folio number, legal description, and the mailing address of the property owners.

EXAMPLE: The ownership list should be shown as such:

Property Owner	Folio Number	Legal Description	Mailing Address
John & Jane Doe	100000.0000	Lot 1 Block 1 General Map of Tampa	101 E. Main Blvd. Tampa, FL 33601

VI. WHERE TO FILE:

APPLICATION: City of Tampa's Accela Citizen Access
{See "Accela Citizen Access - Vacating Instructions" below}

AFFIDAVITS: Clerk's Office (see Section X below)

VII. SCHEDULING OF APPLICATIONS:

The Development Coordination Division (DC) will assign a 'tentative' public hearing date at time of submittal. Upon receipt of the vacating application, DC shall review for completeness. Once complete, DC shall distribute a copy to the legal department and to the City Clerk's Office to be placed on the assigned City Council agenda.

NOTES:

1. Vacating applications are scheduled at 10:30 a.m. and are placed on City Council's regular agenda, which is the first and third Thursday of the month.
2. If a vacating application is associated with a rezoning application, then the vacating application will be placed on City Council's evening public hearing. City Council generally meets the second Thursday of each month at 5:01 p.m.

VIII. APPLICANT OR AUTHORIZED AGENT TO APPEAR AT PUBLIC HEARING:

The applicant or agent must appear at the public hearing to provide City Council with testimony regarding the request. Failure to appear is grounds for City Council to deny the request or consider the application withdrawn, if no substantial cause is demonstrated for the absence.

IX. NOTIFICATION OF PUBLIC HEARING:

- A. **Good Neighbor Notice/Notice to Participating Organizations: (Exhibit C (Applicant's Responsibility))**
In addition to all other notice requirements listed below, the applicant shall be required to notify the registered Participating Organization(s). The applicant must send written notice by regular mail, entitled "GOOD NEIGHBOR NOTICE", no less than 30 days prior to the public hearing, to the address of the authorized representative of the Participating Organizations within the neighborhood area which the subject vacating is located, and to those Participating Organizations listed in the neighborhood area, which lies within two hundred and fifty (250) feet, including roads and streets, in all directions from the subject property.

Note: All applicants are responsible for obtaining the list of Participating Organizations from the following web site: https://apps.tampagov.net/Zoning_Notice_WebApp/

- B. **Notice to Abutting Property Owners: Exhibit C (Applicant's Responsibility)**

1. The applicant shall mail a notice to all of the abutting property owner's as listed in the most current ad valorem tax rolls. This notice shall be mailed by "Certificate of Mailing" through the United States Post Office and must be postmarked a minimum of 30 days prior to the date of the public hearing.
2. If the applicant is the sole abutting property owner, then notice to abutting property owner's is *Not* required.

Note: City Code requires that the original list and parcel/notice map produced by the Hillsborough County Property Appraiser's Office, shall be submitted as part of the Affidavit of Compliance.

- C. **Sign Posting: (Applicant's Responsibility)**

1. The Development Coordination Division will provide the applicant with a sign, which states the date, time, and place of the public hearing. The applicant shall post the sign in a conspicuous place on or near the front of the right-of-way to be vacated, not obstructed by any site feature, no less than 30 days prior to the public hearing.
2. When all or a majority of the alley rights-of-way within a platted subdivision or within an area of four (4) or more contiguous blocks are included in a single application, then the posting of signs, as required in, City Code Section 27-149(c)(2), shall not be required for those alleys within that subdivision or for those alleys within the four (4) or more contiguous blocks referred to above.
Note: City Code requires that Two (2) photographs must be submitted of each sign as part of the Affidavit of Compliance, which must show the following:
 - 1). The posted sign placed on or near the subject right-of-way.
 - 2). The language as written on the sign when posted.

- CI. **Legal Advertisement in the Newspaper: (City's Responsibility)**

The City Clerk shall publish notification of the public hearing in a newspaper of general circulation a minimum of 10 days prior to the public hearing.

X. SUBMITTAL OF AFFIDAVIT OF COMPLIANCE: (Applicant's Responsibility)

The applicant must submit the Affidavit of Compliance (Exhibit E), which includes a statement attesting to notification of applicable Participating Organizations, to the City Clerk's office a minimum of fifteen (15) days prior to the public hearing. For each Participating Neighbor/Organization on the notification list, the applicant shall submit the following documents as proof of notification:

- a. A postmarked receipt of the "Certificate of Mailing" for the Participating Neighbors
- b. Two (2) photographs of each posted sign (one depicting location of sign on right-of-way and one depicting language as written on sign).
- c. Original List and Notice Parcel Map of Participating Neighbors as produced by Hillsborough County Property Appraiser's Office (250' distance from site including streets), and affected Participating Organization(s).
- d. A copy of the notice that was sent out to the abutting property owners and affected neighborhood association(s) (Exhibit D).

The documents shall be submitted to:

**City Clerk's Office, City Hall
315 E Kennedy Blvd., 3rd Floor Tampa, FL 33602
(813) 274-8396**

XI. FAILURE TO COMPLY WITH NOTIFICATION PROCEDURE:

GENERAL NOTICE:

Failure to notify all Participating Neighbor(s)/Organization(s)(see Section IX) or file the Affidavit of Compliance (see Section X) by the designated deadlines, means that proper notification of the public hearing has not been provided. Therefore, the public hearing will be cancelled. To request a new hearing date, the applicant shall submit a letter requesting to amend the vacating application with the applicable amendment fee to the Development Coordination Division.

The amendment request and fee must be filed within ten (10) days of the cancelled public hearing date, according to the City Council Rules of Procedure. The amended vacating request will be rescheduled on the first available City Council agenda. The applicant will be required to complete all public notice requirements as described in Sections IX & X for the new public hearing.

***NOTE:** If it is determined by City staff that the information provided relating to the Participating Organization is incorrect, the application will not need to be amended (no amendment fee to be paid); however, the case shall be rescheduled in order for the applicant to provide proper notice.*

XII. CITY COUNCIL ACTION:

City Council may approve, approve with easements and/or conditions, continue, or deny the request. Approval is granted by ordinance; denial is accomplished by a motion of the City Council. Pursuant to state law, the ordinance adopting the request takes approximately 2-4 weeks, including final reading by the City Council and signature by the Mayor. Please note that the second or final reading is also a public hearing and open to the public for comments and/or objections.

XIII. REFUNDS:

*Once an application has been accepted and the review process has begun, **NO** portion of any application fees will be refunded.*

ACCELA CITIZEN ACCESS – VACATING INSTRUCTIONS

To file a Vacating Application in Accela, you will need to logon to <https://aca.tampagov.net/citizenaccess> following steps below:

- 1). Logon to <https://aca.tampagov.net/citizenaccess>.
- 2). Register for an account (upper right-hand corner).
- 3). Once registered and logged in, select +New, then Right of Way and Easements.
- 4). Read the terms and then check the box.
- 5). Click on "Continue Application".
- 6). Select Right of Way and Easements under Record Type.
- 7). Under Right of Way and Easements, click on ROW Vacating
- 8). Click on "Continue Application".
- 9). Under Required Information - (ONLY) fill in Street No., Street Name and Type, then click on search.
- 10). If the search results in multiple selections, select the one that applies, the rest of the fields should populate on their own based on the address.
- 11). Add your contact information to the system.
- 12). Fill in required information on the Application Information screen.
- 13). Attach any supporting documentation.
- 14). Review and verify information.
- 15). Pay \$50.00 filing fee (This is non-refundable) and then check out.

Once the application is accepted by the City of Tampa an application will be generated and sent to be signed, notarized, and uploaded to Accela. Vacating fees will be accessed at this time based on condition and number of segments to be vacated.

if you need help or additional information, please don't hesitate to contact Patrick Canavan at 813-274-3965 or Ross Samons at 813-274-7707.