

PUTNAM COUNTY
PLANNING & DEVELOPMENT SERVICES

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Palatka, FL 32177
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Planning: (386) 329-0491
Zoning: (386) 329-0316
Building: (386) 329-0307
Animal Control (386) 329-0396
Code Enforcement (386) 329-0317

VACATION OF PLAT APPLICATION
(OWNER INITIATED)

1. Name of property owner(s): _____ Address(es)(Street, City, State, Zip): _____

2. Subdivision Name: _____
3. Subdivision Id Number: _____ Official Record Book and Date: _____
4. Parcel ID Number(s): _____
5. Physical Address of Property: _____
6. Driving Directions to Property from Palatka: _____

7. Total acreage of the subdivision to be vacated: _____ acres
Road right-of-ways: _____ acres
8. Current zoning: _____ Future Land Use designation: _____
Current Use: _____
9. Purpose of vacating the plat: _____
10. Prior zoning actions on this property (include case number): _____
11. Attach the following to the application form (see instructions):

| | |
|--|-------------------------------|
| ___ Application Fee (including signs) | ___ Legal Description |
| ___ Agent Designation form (if applicable) | ___ Recorded Deed |
| ___ Tax Certifications | ___ Parcel Map (full section) |
| ___ Copy of recorded plat | |

NOTICE: Submittal of a completed application represents express permission to Department staff to enter onto the property to conduct a site visit under the conditions described in paragraph 6 on page 1 of the application packet. If you desire to be present during the site visit, contact the Department to schedule the site visit. Denial or refusal to grant such access shall be grounds rejecting the application.

Signature(s) of property owner(s):

Telephone Number(s):

(Sign)

(Print)

(Sign)

(Print)

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization,
 this _____ day of _____ 20____, by _____
(Print Name of Person(s) Acknowledging)

Notary Stamp

 Signature of Notary Public *(Print, Type, or Stamp Commissioned Name of Notary Public)*

Personally Known OR Produced Identification _____ Type of Identification Produced

THE VACATION OF PLAT APPLICATION AND REVIEW PROCESS

1. The applicant must schedule a pre-application meeting with a Planner in the Department of Planning & Development Services to discuss the proposed Vacation of Plat or Portion of Plat. This application will not be accepted until such a meeting takes place and proof of same is provided by signature of the Planner verifying the date and time of such meeting in the space provided below.
2. The applicant must complete and submit an application according to the instructions provided in this packet. The application may not be accepted unless the application is completed in full with all of the proper information and documentation.
3. You will receive a notice from staff stating whether or not the application information submitted is sufficient. If the application is insufficient and all deficiencies are not corrected by 5:00 pm within 15 business days from the date submitted the application will not be scheduled for a public hearing. If your application is sufficient, the hearing date for your case will be provided after review of your application.
4. Staff will post signs for notice of public hearing. The signs must be posted in public view on each street side of the subject property at least 10 days prior to the scheduled public hearing before the Board of County Commissioners (BOCC). If the property does not have frontage on a public street, a sign must be erected on the nearest street right-of-way with an attached notation indicating generally the direction and distance to the subject property.
5. Staff will conduct at least one site visit to the parcel that is the subject of the application. Submittal of a completed application represents express permission to Department staff to enter onto the property to conduct a site visit. When only a portion of the plat is being vacated, such a site visit necessarily includes the entire parcel and not just the portion that is the subject of the request. Such site visits will be conducted during regular business hours (8:30 am to 5:00 pm Monday through Friday) between the date of submittal of a completed application and the date of the hearing. The express purposes of the site visit is to place signs noticing the hearing, verify information submitted with this application and complete an analysis of the proposed plat vacation for consistency with the Comprehensive Plan and compliance with County Ordinances. Denial or refusal to grant such access shall be grounds for rejecting the application.
6. You will receive a copy of a staff report, prior to the BOCC public hearing, which analyzes the application for consistency with the applicable objectives and policies of the Putnam County Comprehensive Plan and County Ordinances, and makes a recommendation to the Commission. However, please be advised that you are ultimately responsible for presenting and representing your own case. The nature and the order of the hearing proceedings at the hearing are enclosed with this application packet.
7. Once the application has been advertised for public hearing, if you withdraw the application or cause the hearing to be postponed, you are responsible for payment of the original application fee and any cost incurred by the County for additional public notices.
8. There will be one (1) public hearing to review any vacation of plat requested before the Board of County Commissioners. The planning staff shall submit a written report to the Board of County Commissioners indicating whether the vacation of plat should be approved. The report shall address whether the proposed vacation of plat, or portion of plat, complies with Section 177.101, Florida Statutes, and is consistent with the Comprehensive Plan, and whether the request complies with the applicable procedures and requirements of the Land Development Code. The Board of County Commissioners shall make the final decision on the matter.

Order of Proceedings:

Board of County Commissioners: The order of proceedings at the Board of County Commissioner’s hearing shall be as follows:

| ORDER | ITEM |
|-------|---|
| 1 | Introduction of Petition |
| 2 | Staff Presentation |
| 3 | Applicant Presentation |
| 4 | Interested Party For |
| 5 | Interested Party Against |
| 6 | Rebuttals |
| 7 | Close of Formal Proceedings |
| 8 | Public Input |
| 9 | Close Public Hearing, Deliberation and Vote |

Interested Party: For purposes of these proceedings, an “interested party” is a person who is prepared to present evidence to the reviewing board and willing to be subject to cross examination. Persons simply wishing to provide comment or other input without being subject to cross examination may do so during the “public input” portion of the hearing.

Direct and Cross Examination: Direct and cross-examination of witnesses shall be permitted in the course the above proceedings. However, the reviewing Board may approve or deny a request from a person attending the hearing to ask a question. Unless the Board specifies otherwise, if the request to ask a question is approved, the Board will direct the question to the person submitting testimony.

Board Deliberation: Before the hearing has concluded, the Board shall restate the issues and comment upon the law and facts pertaining to the decision, and if opportunity for rebuttal is provided, may ask additional questions of any person who has testified or presented information. Board decisions shall be decided by motion.

ARTICLE 12, DIVISION 8, SECTION 45-1045 of the Land Development Code

- a. Initiated by Property Owner: A plat may be vacated by the County upon a petition filed by the owner of the land covered by the plat, or portion of a plat, pursuant to the procedures and standards therefore in Section 177.101, Florida Statutes. The petition shall be submitted to the Department and the Department shall set the matter on the next available agenda of the Board of County Commissioners, allowing adequate notice pursuant to Article 12, Division 6 of this Code, and the final order vacating the plat, or portion thereof, shall be recorded in the official records for Putnam County.
- b. The County Commission shall hold a quasi-judicial hearing on the matter pursuant to the procedures set forth in Article 12, Division 7 of this land development code. The County Commission may issue a final order vacating the plat upon making the following determinations:
 - 1. Vacation of the plat is consistent with the Putnam County Comprehensive Plan.
 - 2. Vacation of the plat is in the public interest.

3. There will be no substantial interference with vested private property rights.
- c. The final order vacating the plat, or portion thereof, shall be recorded in the official records for Putnam County.
- d. Effect. Every such order vacating a plat, or portion thereof, shall have the effect of:
 1. Vacating all streets and rights-of-way which have not become necessary for use by the traveling public, and of vacating all other dedications to the public. A right-of-way or dedication, or portion thereof that is not intended to be vacated shall be expressly excepted out of the vacation order.
 2. Returning the property to acreage.
 3. Requiring future development or land uses to comply with the Putnam County Comprehensive Plan and the most current land development regulations.

Please see Florida State Statute 177.101 - Vacation and annulment of plats subdividing land.

INSTRUCTIONS FOR FILING A VACATION OF PLAT APPLICATION

ITEM #1: The owner(s) must list their name(s) and mailing address(es) in ITEM #1. **The applicant(s) must be the property owner(s).**

ITEM #2: Provide the subdivision name that is to be vacated.

ITEM #3: Provide the subdivision identification number and official record book and page where the plat is recorded and the date of when the plat was recorded. This may be obtained from the Property Appraisers Office or Recording Department.

ITEM #4: The parcel identification number(s) for the property is on your tax notice or can be obtained from the Property Appraisers Office or Planning & Development Services.

ITEM #5: Provide the physical address of the property. If the property does not have an address assigned then an address may be assigned by contacting the 911 addressing Department.

ITEM #6: Provide road numbers, street names, and distances.

ITEM #7: Calculate the total acreage of area within the subdivision to be vacated and the total acreage in the road right-of ways.

ITEM #8: Provide the current zoning designation, future the land use designation (this information is available at the Department), and describe the current use of the property; for example, is it vacant, residential or commercial.

ITEM #9: State the purpose of your request for vacating the plat.

ITEM #10: If a prior rezoning, special use permit or variance application has been submitted for the property, print YES and provide the case number(s). If none, print NO.

ITEM #11: Each of the following items **MUST** be submitted with the application:

APPLICATION FEE - A vacation of plat application requires a processing fee that is established by the Putnam County BOCC. Fees are non-refundable, unless the application is formally withdrawn at least 21 days prior to the first scheduled hearing date or the Board of County Commissioners determines to waive or reduce the fee at the hearing, in which case the fee would be refunded. If the application is withdrawn 21 days or more prior to the scheduled hearing, then any request for a refund shall be based on cost incurred by the County in processing the application, including time spent in pre- and post-application meetings and DRC review, subject to the minimum fee in all cases.

AGENT DESIGNATION FORM - This should be submitted with the application but may be submitted any time prior to the hearing and is not required unless the applicant(s) choose to designate an agent other than an applicant to represent them at the public hearings. Please note that the notarized signatures of the owner(s) and the agent are required on this form. The owner(s) signatures must be the same as in ITEM #12 on the application form.

RECORDED DEED - A copy of the recorded deed to the property involved in the request must be provided.

LEGAL DESCRIPTION - A legal description of the area for the plat, or portion of plat, to be vacation must be provided, if the area is different from the legal description in the deed to the property.

COPY OF RECORDED PLAT – A copy of the plat that is subject to the application. This may be obtained from the Recording Department.

TAX CERTIFICATION – A certification by the Tax Collector that states all taxes have been paid. (see 177.101 FS for additional information regarding cash bonds or partial payments).

ITEM #12: ALL OWNERS OF RECORD must sign the Vacation of Plat application. If all owners are unable to appear before the notary public, then a duplicate completed application must be signed by each owner and notarized. All signatures submitted must be originals. **IF THE OWNER IS A CORPORATION OR A BUSINESS ENTITY**, all officers/ partners must sign, or one officer may sign if written proof in a form acceptable to the Department is provided establishing that the one person has been delegated authority to represent the corporation or business entity.

| | |
|---|-------------------------|
| Office Use Only | |
| Pre-application Meeting Verification: Date: _____ | Time: _____ am/pm Staff |
| Signature: _____ | |

AGENT DESIGNATION FORM

The applicant(s) does (do) hereby appoint and designate: _____

as agent in fact for the owner(s) of parcel(s): _____

To present an application for Development Review for all or a portion of the referenced parcel(s) and to present all evidence in support thereof to the Putnam County Development Review Committee, and to respond and furnish all information and data requested by said Committee.

Print name of property owner(s):

Signature(s) of property owner(s):

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization,

this _____ day of _____ 20____, by _____.

(Print Name of Person(s) Acknowledging)

Notary Stamp

Signature of Notary Public

*(Print, Type, or Stamp Commissioned
Name of Notary Public)*

Personally Known OR Produced Identification _____ Type of Identification Produced

AGENT OATH AND SIGNATURE:

The undersigned _____, being duly appointed as agent in fact for the above named owner(s) of the property whereby said owners are seeking a rezoning and the undersigned does hereby accept said appointment and will faithfully and truly carry out the request of said owner(s).

Signature of Agent: _____

Address: _____

Telephone Number: _____ Fax Number: _____

Email Address: _____

| |
|---|
| STATE OF _____ |
| COUNTY OF _____ |
| The foregoing instrument was acknowledged before me by means of <input type="checkbox"/> physical presence or <input type="checkbox"/> online notarization, this _____ day of _____ 20____, by _____. |
| <i>(Print Name of Person(s) Acknowledging)</i> |
| <div style="border: 1px solid black; padding: 5px; display: inline-block;">Notary Stamp</div> |
| _____ Signature of Notary Public |
| <i>(Print, Type, or Stamp Commissioned Name of Notary Public)</i> |
| Personally Known <input type="checkbox"/> OR Produced Identification _____ Type of Identification Produced |

-DO NOT WRITE BELOW THIS PAGE-

-THIS PAGE IS FOR OFFICE USE ONLY -

Staff Sufficiency Review Comments:

1. Submittals Check List:

- | | |
|---|--|
| <input type="checkbox"/> Application Fee (including signs) | <input type="checkbox"/> Concept Plan (optional) |
| <input type="checkbox"/> Agent Designation form (if applicable) | <input type="checkbox"/> Legal Description |
| <input type="checkbox"/> Tax Certifications | <input type="checkbox"/> Recorded Deed |
| <input type="checkbox"/> Copy of recorded plat | <input type="checkbox"/> Parcel Map (full section) |

2. Property is currently/proposed to be serviced by: central sewer_____ package treatment plant_____

septic tank_____ central water_____ public supply well_____ private well_____.

Health Department

Comments: _____

3. Case Number: _____

4. Hearing Date: _____

5. SpecialComments: _____

Reviewed by: _____

Date: _____

Planner Reviewed by: _____

Date: _____