

**BOARD OF COUNTY COMMISSIONERS  
GULF COUNTY, FLORIDA  
PLANNING DEPARTMENT**

1000 CECIL G. COSTIN, SR. BLVD • ROOM 400 • PORT ST. JOE, FLORIDA 32456 • PHONE (850) 227-9562 • FAX (850) 512-1376

**The Gulf County Planner herein provides this application and the required instructions to the proposed applicant consistent with the County Policy calling for the Application and “Instructions to Vacate, Abandon, Discontinue or Close Easements, Rights-of-Way, and Plats”.**

Applicant Name: \_\_\_\_\_

Applicant Date: \_\_\_\_\_

Gulf County Parcel #: \_\_\_\_\_

Gulf County Commission QJ Hearing Date: \_\_\_\_\_

Notice of Publication Date: \_\_\_\_\_

Gulf County Planning Department review and confirmation of compliance with County Policy requirements and authorization to commence with formal petition after review of initial application:

x \_\_\_\_\_ x \_\_\_\_\_  
Planner signature Date

**GULF COUNTY RIGHT OF WAY, ALLEYWAY, ROADWAY AND PLAT  
ABANDONMENT APPLICATION:**

Gulf County Authority:

Pursuant to the Gulf County Vacation, Abandonment, Discontinue or Close Easements, Right of Ways, Roadways, Alleyways and Plats Policy adopted on 9/27/2022 as well as that authority and empowerment issued to the County under Florida Statutes, Section 336.09 the County may grant to (a) Vacate, abandon, discontinue and close any existing public or private street, alleyway, road, highway, or other place used for travel, or any portion thereof, other than a state or federal highway, and to renounce and disclaim any right of the county and the public in and to any land in connection therewith; (b) Renounce and disclaim any right of the county and the public in and to any land, or interest therein, acquired by purchase, gift, devise, dedication or prescription for street, alleyway, road or highway purposes, other than lands acquired for state and federal highway; and (c) Renounce and disclaim any right of the county and the public in and to land, other than land constituting, or acquired for, a state or federal highway, delineated on any recorded map or plat as a street, alleyway, road or highway, the following is required as the formal application to the County for requests abandonment:

**Phase I – Application Procedure and Completeness Review:**

Anyone wishing to petition the Board of County Commissioners to vacate, close or abandon places dedicated to the County or public pursuant to statutory vacation authority, or to vacate a plat previously approved by the Board, shall:

1. Complete and sign this Application and formal Petition to Vacate, which may be obtained from the County Planner’s Office, for review by staff members and affected entities.

2. Applicant shall pay the County Planning Department an initial application fee of \$400 as set forth by the Board of County Commissioners to “Vacate, Abandon, Discontinue or Close Easements, Rights-of-Way, Alleyway, Roadways and Plats”.

3. Provide the County Planner’s Office along with application and fee, seven (7) copies of a current survey from a registered surveyor and mapper showing any and all easements, encroachments or appurtenances, relevant drainage elevations, and continuing an accurate legal description of the area to be vacated; and showing all adjoining property owners, including names and addresses, whose land adjoins the right-of-way, alley, or plat proposed for vacation. *(For plat vacations in whole, provide the County Planner’s Office with seven (7) copies of a certified copy of the plat together with a certified letter from the Tax Collector certifying no outstanding or delinquent taxes against the plat petitioned for vacation.)*

4. When deemed necessary to establish ownership, County staff may request an applicant to provide a title opinion prior to proceeding with a Petition to Vacate. *(Unless provided written authority and confirmation from the County Planner to waive this requirement, said title report will be required with submission of this application).*

5. Every Petition to Vacate shall state with specificity the reasons why a vacation is requested and why the vacation is in the best interest of Gulf County and its citizens.

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(please provide attached addendum page to this application should additional space be required and so note on this application that an addendum is being submitted with the application.)

6. Upon determination by the County Planner for an initial completeness review of the Application and supporting documents, Applicant will be notified in writing of same and thereafter shall pay the Petition fee of \$600 as prescribed by these “Instructions to Vacate, Abandon, Discontinue or Close Easements, Rights-of-Way, and Plats”. The Petition will then be

reviewed by the County departments and affected entities. The Petition will be presented to the Gulf County Planning and Development Review Board for an initial review, public hearing, and recommendations to the Board of County Commissioners which will thereafter conduct a final public hearing based upon recommendations by the PDRB hearing(s) and staff content for approval. The PDRB and staff comments and recommendations for approval or denial of that recommendation will be provided to the Commission. Public hearings will not be scheduled until all PDRB and staff comments have been received and reviewed by the appropriate officials. All consideration by Gulf County advisory boards, various departments and staff technical guidance shall include any and all necessary recommendations for reservation of access rights including but not limited to Gulf County easement access for any proposed abandonments.

*Additional requirements to be followed after review and scheduling of a public hearing:*

**Phase II - Advertisement and posting:**

1. For rights-of-way, easements, and alleys, a Notice of Intent to Vacate will be published in a newspaper of general circulation, in Gulf County where the tract or parcel of land is located, two weeks prior to the public hearing. A copy of the notice of public hearing, as printed in the newspaper, will be mailed to each land owner whose land adjoins the proposed vacation. Said notice must be mailed by Certified Mail, Return Receipt Requested, at least ten (10) days prior to the Public Hearing.
2. For plat vacations, a Notice of Intent to Vacate will be published in a newspaper of general circulation in Gulf County where the tract or parcel of land is located, in not less than two weekly issues of said paper. A copy of the Notice of Intent to Vacate, as printed in the newspaper, will be mailed to each land owner whose land adjoins the platted property proposed for vacation. Said notice must be mailed by Certified Mail, Return Receipt Requested, at least ten (10) days prior to the Public Hearing.
3. Petitioner shall be responsible for posting the right-of-way, alley, easement or plat for which the Petition has been made, with appropriate notice and signs as reviewed and approved by the County Planner and County Attorney. The signs must be posted in a conspicuous location at least fifteen (15) days prior to the public hearing and shall remain posted until after the public hearing.
4. Petitioner shall pay all costs of advertising, recording documents, mailing notices, postings property in addition to the initial application fee and following formal Petition fee. (Initial application fee of \$400 shall be made to the Planning Department or Clerk's office in conjunction with initial application. Thereafter the applicant shall make the second payment of \$600 formal petition fee in addition to paying all costs and advertising fees paid by the Clerk's office in advance of the public hearing. Lastly, whereupon the approval of such application the applicant shall make a third and final payment and deposit with the County Planner through the Clerk's office for the final advertising costs, recording costs and posting fees incurred by the county in addition to the aggregate \$1,000 application and petition fees and any and all balance due and owing to conclude the formal abandonment including the post approval advertisement to the public after the County Commission's authorizing action. Any unpaid balance due to the county for all costs affiliated with the approved abandonment shall be an exclusive bar to the final

issuance and recording of the approved abandonment. The County Planner reserves all rights for completion of abandonment under Florida Statute and County Policy pending confirmation for settlement of all debts to the county prior to the final issuance of a resolution and instrument for recording an abandonment to the petitioner.

**Phase III - Public Hearing format and requirements:**

1. The County Commission shall follow its public speaking ordinance as well as policies adopted for the conduct and procedure of land use applications during a public hearing.
2. At the public hearing the Board shall take testimony under oath as to the best interests of Gulf County.
3. After the public hearing, if the Board favors granting the Petition, the Board will adopt a resolution vacating the roadway, right-of-way, alley, easement, or plat.

**Post approval and resolution of the Commission:**

1. The Petitioner, within thirty (30) days following the adoption of the resolution, will publish a Notice of Adoption of such a resolution one (1) time, in one issue of a newspaper of general circulation published in Gulf County.
2. The Petitioner shall through the Clerk of Court have recorded in the Official Records of Gulf County, the proof of publication of the Notice of Intent, the resolution as adopted by the Board, and the Notice of Adoption of such resolution.
3. The Petitioner shall thereafter provide the County Attorney copies of the recorded documents vacating roadway, rights-of-way, alleys, easements and plats who shall then distribute to the requesting parties that include the Planning Department, Public Works Department, the Property Appraiser, the Building Department and Administration.

x \_\_\_\_\_

Date: \_\_\_\_\_

Petitioner's authorized signature