



HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS
ENGINEERING

505 S. Commerce Ave., Sebring, Florida 33870

Office (863) 402-6877 Fax (863) 402-6548 www.highlandsfl.gov

HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS

**Procedures and Policy for
ROAD CLOSING
(F.S. 336.09 and 336.10)**

STEP 1

The following items must be submitted to the County Engineer requesting a public hearing date to consider closing the specified road. **All items are required before an application may be deemed complete, and before a public hearing date can be set.**

- a. Written Petition (Form Attached)
- b. Resolution to set Public Hearing Date (Form Attached)
- c. Notice of Public Hearing (Form Attached)
- d. Resolution to Vacate (Form Attached)
- e. Public Notice of Adoption of Resolution (Form Attached)
- f. Two (2) maps of area involved:
 1. **1" = 200' scale aerial photograph/tax map overlay** (available at the County Property Appraisers Office located on the first floor of the Government Center).
 2. **Copy of the recorded plat** (available in the Recording Office located on the second floor of the Government Center). With the petitioned area, or border shaded in red.
- g. Letters from all utility companies in the affected area of the subject road. **If any easements are requested by any utility or the County, a 50-year title search, with all documentation attached, on the properties affected will be required.**
- h. A letter from the Highlands County Road & Bridge Superintendent (4344 George Boulevard, Sebring, Florida 33872) approving, conditionally approving, or disapproving the closing of subject road.
- i. The Petitioner shall attach a letter from the County Zoning Supervisor (501 South Commerce Avenue, Sebring, Florida 33870) stating the "the closing of the petitioned road will not cause non-conforming use of any property."
- j. The Petitioner must submit a list of all property owners within 200 feet of the proposed road to be closed. For the purpose of notification as described in **STEP 2**, an owner of property shall be deemed to be the person who, with his address, appears on the tax rolls of the County, at the time of the filing of the petition.

- k. Petition for vacation of right-of-way either in whole or in part must be accompanied by certificates showing that all State and County taxes have been paid.
- l. Processing fee as adopted by the Board, made payable to the Highlands County Board of County Commissioners.

STEP 2

After the petition is received and the application deemed complete and reviewed by the County Engineer, the Resolution to set the Public Hearing Date will be submitted, by the County Engineer, to the Board of County Commissioners requesting a public hearing date to be set for the Board to consider the closing of the road. This request will be scheduled for the next possible agenda. After adoption of this Resolution, the Notice of Public Hearing will be mailed to the Petitioner for publication (see **STEP 3**). In addition to the publication, the Notice of Public Hearing must be sent out by the Petitioner, to all property owners within 200 feet of any proposed road to be closed, and shall be mailed "Certified, Return Receipt Requested" with the proof of receipt noting return to the County Engineer's Office, 505 S. Commerce Avenue, Sebring Florida 33870-3869. The Petitioner shall be responsible for preparing the notices, addressing the envelopes, paying postage and mailing of the "Certified Notices." For verification purposes, the following must be noted on the certified notice: "Petitioner: (name of Petitioner)."

Notices must be mailed (post marked) at least two weeks prior to the Public Hearing date.

STEP 3

Petitioner shall publish the Notice of Public Hearing one time in the newspaper of general circulation in Highlands County at least **two weeks prior to the date stated therein for such hearing**. "Proof of Publication" must be received in the County Engineer's office prior to the public hearing date. **The Petitioner, or a representative, is responsible for attending the Board meeting, to explain why the petition is necessary, when the public hearing is held.**

STEP 4

A 24" x 36" sign of durable material, as to withstand the elements of weather, must be posted at each end of the proposed road to be closed and at every intersection of the proposed road to be closed with any other public or private road. The sign shall contain lettering of no less than 2" (two inches) in size and read "PUBLIC NOTICE OF INTENTION TO APPLY TO THE BOARD OF COUNTY COMMISSIONERS TO CLOSE A ROAD," and the Notice of Public Hearing, sealed in plastic material must be attached to said sign. Proof of this posting, in the form of a picture of the sign(s), shall be given to the County Engineer one week prior to the Public Hearing.

STEP 5

After the public hearing is held and the Resolution to Vacate has been adopted by the Board, the Petitioner must advertise the Public Notice of Adoption of Resolution one time in a newspaper of general circulation published in Highlands County within thirty (30) days following the adoption of the resolution, and proof of this publication shall be sent to the County Engineer's Office, 505 S. Commerce Avenue, Sebring, Florida 33870-3869.

STEP 6

The County Engineering Department shall forward the necessary originals of the following documents to be recorded to the Finance Department. Items needed prior to forwarding to the Finance Department include the following:

- a. Resolution to set Public Hearing Date
- b. Proof of Publication of Notice of Public Hearing
- c. Resolution to Vacate
- d. Proof of Publication of Notice of Adoption of Resolution
- e. Check made payable to Clerk of Courts for recording fee

Finance Department will forward the original documents to the Recording Department. Finance will distribute copies of recorded documents to the County Engineer's Office. The County Engineer's Office will send copies to the Petitioner of record.

Adopted by Highlands County Board of Commissioners on 11/06/2007.

SAMPLE UTILITY LETTER

Dear Utility Representative,

Please review the enclosed copy of a petition being submitted to the Highlands Board of County Commissioners regarding a Vacation of Road for the purpose of _____ . After your review, please send a Letter of No Objection (or Objection, if any) in the enclosed self-addressed stamped envelope. The legal description for the Road to be vacated is as follows:

Sincerely,

Electric Companies

Duke Energy

<https://www.duke-energy.com/community/trees-and-rights-of-way/vacate-request>

****LETTERS FROM BOTH DEPARTMENTS LISTED BELOW ARE NEEDED****

Distribution Department

and

Transmission Department

Vacate@duke-energy.com

Service Area: Portions all over County

FL Power and Light

Donna Padgett
825 NE 34th Ave
Okeechobee, FL 34972
(863) 467-3708
(800) 343-7941

Service Area: Kissimmee River Estates

Glades Electric Coop., Inc

Glenn Stimson, Staking
Technician PO Box 519
Moore Haven, FL
33471 (863) 946-0061
(863) 946-6262 Fax
gstimson@gladesecc.com

Service Area: Southern portions of Sebring, Lake Placid

Peace River Electric Cooperative Inc.

JR Gough
Engineering Department
PO Box 1310
Wauchula, FL 33873
(800) 282-3824 Option #2

Service Area: Portions all over Highlands County

TECO – Tampa Electric

Ken Kronenwetter
Engineering
Department Atten:
Real Estate
PO Box 111
Tampa, FL 33601
(813) 635-1500
(813) 228-1111 Ext. 31182

Service Area: Portions all over Highlands County

Gas Companies

AmeriGas

Eugene Hamilton
Service Manager
2812 Silverstar Rd.
Orlando, FL 32808
(407) 293-6644

Service Area: Portions all over
Highlands County

Coker Fuel, Inc./Sebring Gas

Jerry Melendy
3515 US 27 N
Sebring, FL 33870-5452
(863) 385-0194
(863) 385-3423 Fax
sebringgas@floridasbestgas.com

Service Area: Portions all
over Highlands County

Ferrellgas

(866) 544-3121

Only call if you have a Ferrellgas
tank on your property.

Service Area: Portions all over
Highlands County

FL Gas Transmission (AKA) Call Before You Dig

Dial 811

Help Desk (713) 989-2035

Service Area: Portions all over
Highlands County

Suburban Propane

Jesse Logue PO Box 856
Tallevast, FL 34270
(941) 755-1531

Service Area: Portions all over
Highlands County

TECO Peoples Gas

Jennifer Lowers
2448 US Hwy 27 S.
Avon Park, FL 33825
(863) 603-2226
jdlowers@tecoenergy.com

Service Area: Portions all
over Highlands County

Miscellaneous Companies

Century Link

Madelyn Johnson
924 Memorial Dr.
Avon Park, FL 33825
800-355-5654
(863) 452-3185 Office
(850) 251-7733 Cell
(863) 452-3472 Fax
Madelyn.Johnson@Centurylink.com

Service Area: Portions all over
Highlands County

Comcast

Lynn Dundas
Construction Specialist II
12600 Westlinks Dr. Suite#4
Fort Myers, FL. 33913
Cell 239-896-6328

Lynn.Dundas@comcast.com**Service**
Area: Portions all over Highlands
County

Road & Bridge Department

Jonathan Harrison
Road & Bridge Director
4344 George Blvd.
Sebring, FL 33875
(863) 402-6529
jharrison@highlandsfl.gov

Service Area: Portions all over
Highlands County

Zoning Department

Rachel Barry
Zoning Department
501 South Commerce Ave Sebring, FL
33870
(863) 402-6640
rbarry@highlandsfl.gov

Service Area: Portions all over
Highlands County

Water/Sewer Companies

City of Avon Park

City Manager
110 E Main St
Avon Park, FL 33825
(863) 452-4403
(863) 452-4413 Fax

Service Area: Portions of Avon Park

City of Sebring

Bob Boggus, Utilities
Director 321 N Mango St.
Sebring, FL 33870
(863) 471-5112
(863) 471-5148 Fax
BobBoggus@mySebring.com

Service Area: Portions of Sebring

Pugh Utilities Services Inc.

Danny Holmes
760 Henscratch Rd.
Lake Placid, FL 33852
(863) 465-6911
(863) 465-5159 Fax
Pus79@outlook.com

Service Area: Country Walk
Subdivision

Placid Lakes Utilities

Pam Brewer
410 Washington Blvd NW
Lake Placid, FL 33852
(863) 465-0345
(863)465-1313 Fax

Service Area: Placid Lakes
Subdivision

Sebring Ridge Utilities

Chris Miller
3625 Valerie Blvd
Sebring, FL 33870
(863)385-8542
(863)402-0407

Service Area: Sewer only in The
Crossings

Short Utilities

Wendell Faircloth
1527 Valiant Ave
Sebring, FL 33870
(863) 471-1400

Service Area: Hickory Ridge &
Valencia Acres

Water/Sewer Companies

Spring Lake Improvement District

Joe DeCerbo
115 Spring Lake Blvd
Sebring, FL 33876
(863) 655-1715
(863)655-4430 Fax

Service Area: Spring Lake
Improvement District

Sun N' Lake Improvement District

Tanya Cannady, General Manager
5306 Sun N' Lake Blvd
Sebring, FL 33872
(863) 382-2196
(863) 382-2988
tcannady@snldistrict.org

John Martinez (Sewer)
(863) 382-2196
jmartinez@snldistrict.org

Service Area: Sun N' Lake Estates of
Sebring

Town of Lake Placid/Placid Utilities

McQueen Small
51 Park Dr.
Lake Placid, FL 33852
Clerk@myLakePlacid.org
(863) 699-3747
(863) 699-3749 Fax

Service Area: Lake Placid City Limits,
Tomoka Heights, Lake June areas,
Highway Park, Lake Huntley areas

US Water Services Corporation

Ron DeRossett (Utility Manager)
4939 Cross Bayou Boulevard
New Port Richey, FL 34652
(866)753-8292
(904) 540-9765

Service Area: Lake Josephine Area

**** PLEASE NOTE ****

If your property is within an improvement district, a letter must be received from that improvement district. The two improvement districts in Highlands County are:

Spring Lake

Sun N' Lake Estates of Sebring

PETITION

TO: HIGHLANDS COUNTY
BOARD OF COUNTY
COMMISSIONERS C/O
ENGINEERING DEPARTMENT
505 SOUTH COMMERCE
AVENUE SEBRING, FLORIDA
33870

FROM: _____

This is to Petition the Board of County Commissioners to consider vacating a road, as shown on the attached map, legal description as follows:

The petition is being requested for the following reason:

I will publish the Notice of Public Hearing in not less than two weekly issues of a newspaper of general circulation in Highlands County prior to the date stated therein for such hearing and will have proof of publication in your office prior to the date of hearing.

Signature of Petitioner

Attachments: (MAP)
Proof of Publication
Certificates Showing Taxes Paid

PUBLIC NOTICE OF INTENTION TO APPLY TO THE BOARD OF COUNTY COMMISSIONERS TO CLOSE A ROAD

Notice is hereby given that the Board of County Commissioners of Highlands County, Florida, upon petition of _____ will on the ____ day of _____ 20____, at 9:00 AM., in the Board of County Commissioner's Meeting Room at 600 South Commerce Avenue, Sebring, Florida, consider and determine whether the county will close the road described below and renounce and disclaim any rights of the County and the public in and to the road and land in connection therewith. The road is described as:

Persons interested may appear and be heard at the time and place specified above. Any person who might wish to appeal any decision made by the Board of County Commissioners of Highlands County, Florida, in public hearing or meeting is hereby advised that he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made which will include the testimony and evidence upon which such appeal is to be based.

The Board of County Commissioners of Highlands County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discriminatory policy involves every aspect of the Board's functions, including one's access to, participation, employment or treatment in its programs or activities. "Anyone requiring reasonable accommodation as provided for in the Americans with Disabilities Act or Section 286.26, Florida Statutes, should contact Human Resources, ADA Coordinator at: 863-402-6509 or via Florida Relay Service 711, or email: hrmanager@highlandsfl.gov. Requests for CART or interpreter services should be made at least 24 hours in advance of the meeting to permit coordination of the service."

BOARD OF COUNTY
COMMISSIONERS HIGHLANDS
COUNTY, FLORIDA ATTEST:
Jerome Kaszubowski, Clerk

TO BE PUBLISHED IN THE _____ NEWSPAPER ON _____
20____

REQUEST "PROOF OF PUBLICATION"

**PUBLIC NOTICE OF ADOPTION OF RESOLUTION BY THE
BOARD OF COUNTY COMMISSIONERS**

Notice is hereby given on the ___ day of _____, 20____, in accordance with Section 336.09 and 336.10 of the Florida Statutes, the Board of County Commissioners of Highlands County, Florida, adopted a resolution vacating, abandoning, discontinuing and closing a road described as follows:

Renouncing and disclaiming any rights of the County and public in and to same. Dated this ___ day of _____, 20____

**BOARD OF COUNTY COMMISSIONERS
HIGHLANDS COUNTY, FLORIDA**

ATTEST: Jerome Kaszubowski, Clerk

TO BE PUBLISHED IN THE _____ NEWSPAPER ON _____
20____

REQUEST "PROOF OF PUBLICATION"

RESOLUTION _____
RESOLUTION PERTAINING TO THE CLOSING OF A
ROAD IN HIGHLANDS COUNTY, FLORIDA

WHEREAS, a written request has been received from _____
(a copy of which is attached hereto) requesting that the Board of County
Commissioners of Highlands County, Florida, close a road, located in
Highlands County, Florida, described as follows:

NOW THEREFORE, the Board of County Commissioners of Highlands
County, Florida, does hereby declare that it will hold a public hearing in the
Board of County Commissioners' Meeting Room at 600 South Commerce
Avenue, Sebring, Florida on
_____, 20___ at 9:00 A.M., or as soon thereafter as possible, to consider
the request to close the road described above.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately
upon its adoption.

DONE AND ADOPTED in regular session this ___ day of _____
20___.

BOARD OF COUNTY
COMMISSIONERS HIGHLANDS
COUNTY, FLORIDA

By: _____
Chairman

ATTEST:

By:

Jerome Kaszubowski, Clerk

RESOLUTION

WHEREAS, the petition of _____ requesting that the Board of County Commissioners of Highlands County, Florida, close the road described below, and renounce and disclaim any rights of the county and the public in and to the road and any lands in connection therewith, was duly presented to the Board at a regular meeting held on _____, 20____; and

WHEREAS, a notice of intention to apply to the Board of County Commissioners to close the road was duly published in the _____, a newspaper of general circulation in Highlands County, Florida, on _____, 20____; and

WHEREAS, a hearing was held on _____, 20____, and after due weight, consideration and determination, it was determined that the statutory requirements have been complied with and that the closing of the road will not adversely affect the ownership of any person.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Highlands County, Florida, that the road described below be and it is hereby vacated, abandoned, discontinued, and closed, and all rights of the County and the public in and to the road and any lands in connection therewith be and they are hereby renounced and disclaimed. The road is described as:

ADOPTED this ____ day of _____, 20____.

BOARD OF COUNTY
COMMISSIONERS HIGHLANDS
COUNTY, FLORIDA

By: _____
Chairman

ATTEST:

By: _____
Jerome Kaszubowski, Clerk