

VACATION AND CLOSURE APPLICATION

PUBLIC / PRIVATE ALLEY ABUTTING "T3"

HEARING BOARDS

444 SW 2nd Avenue, 7th Floor ♦ Miami, Florida 33130 ♦ Telephone 305-416-2030

www.miamigov.com/hearing_boards

Welcome to the City of Miami! This application is intended to serve as a guide in assisting you with our public hearing process. Please feel free to contact us, should you have any questions.

The deadline to file the complete application with supporting documents is the **last five working days of each month from 8:00 am until 3:00 pm, except on the fifth day, until 12:00 pm.**

The application submittal date is the date stamped by Hearing Boards' staff on this page.

The responses to this application must be ***typed and signed in black ink***. All pertinent and accurate information/documentation; i.e., the plans, reports, exhibits, shall be presented at the time of filing, in addition to the paid receipt. The applicant is responsible for the accuracy of the information contained in the application and all supporting materials. Should you wish, you could bring the materials to our office for review before the deadline to ensure completeness.

You will be responsible, if needed, to bring an interpreter for the English language to any presentation before city boards, committees and the city commission. A valid power of attorney will be required if neither applicant or legal counsel representing the applicant execute the application or desire to make a presentation before city boards, committees and the city commission. All documents, reports, studies, exhibits (8½x11") or other materials submitted during this process will be kept as part of the record. Any documents offered to the Planning, Zoning and Appeals Board and the City Commission, which have not been provided fifteen (15) days before the meeting as part of the agenda materials will be entered into the record at the discretion of the aforementioned Board and Commission.

ORDINANCE NO. 11469, CODIFIED IN CHAPTER 2, ARTICLE VI OF THE CITY CODE STATES THAT ANY PERSON WHO RECEIVES COMPENSATION, REMUNERATION OR EXPENSES FOR CONDUCTING LOBBYING ACTIVITIES TO REGISTER AS A LOBBYIST WITH THE CITY CLERK, PRIOR TO ENGAGING IN LOBBYING ACTIVITIES BEFORE CITY STAFF, BOARDS, COMMITTEES AND THE CITY COMMISSION. A COPY OF SAID ORDINANCE IS AVAILABLE IN THE OFFICE OF THE CITY CLERK (MIAMI CITY HALL), LOCATED AT 3500 PAN AMERICAN DRIVE, MIAMI, FLORIDA, 33133.

Ordinance No. 12918 states that each person or entity requesting approval, relief or other action from the City Commission or any of its boards, authorities, agencies, councils or committees regarding any issue, shall disclose at the commencement (or continuance) of the public hearing(s) on the issue, any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action. The *Disclosure of Consideration Provided or Committed for Agreement to Support or Withhold Objection Affidavit* included in this package must be submitted with the application. The applicant must, at the commencement of any public hearing on the issue, if there is any disclosure to report, read the disclosure into the record. Also, the applicant must supplement the affidavit if there is any new information or additional information to disclose.

Copies of City Commission resolutions and ordinances can be obtained at our website through the "Legislative Hub", or for certified copies, contact the City Clerk's Office at 305-250-5360.

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Please refer to Chapter 55 of the Miami City Code for Vacation and Closure information.

1. Applicant name(s): _____

2. Public Alley:

- a. Completed application.
- b. Legal description of all parcels of land abutting alley to be vacated and closed.
- c. List of all owners with addresses that abut the alley to be vacated and closed pursuant to the most current Miami-Dade County Tax Roll and dated no later than 10 days prior to submission of the application.
- d. Proof of ownership by the applicant of the property which abuts the alley to be vacated and closed.
- e. Statement from the applicant as to whether the general public currently uses the alley, including public service vehicles; such as, trash and garbage trucks, police, fire and/or other emergency vehicles, during the past 12 months.

3. Private Alley:

- a. Completed application, which must be executed by ALL property owners abutting the private alley.
- b. Survey of private alley to be closed and vacated including all abutting parcels of land with zoning designations, certified by a professional surveyor and mapper. Also, the survey must include the legal description and acreage of the alley to be closed and vacated.
- c. Proof of ownership from all property owners who abut the private alley to be closed and vacated.
- d. Releases from all utility companies.
- e. Statement from the applicant as to whether the general public currently uses the alley, including public service vehicles; such as, trash and garbage trucks, police, fire and/or other emergency vehicles, during the past 12 months.

4. Additionally:

- a. Signed Tentative Plat letter from Public Works indicating Plat & Street recommendation.
- b. At least two photographs showing the entire property showing land and improvements.
- c. Original *Disclosure of Consideration Provided or Committed for Agreement to Support or Withhold Objection Affidavit*.

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- d. Copy of the lobbyist registration processed by the Office of the City Clerk, if applicable.
- e. *Affidavit of Authority to Act* and the *Disclosure of Ownership* of all owners and contract purchasers, if applicable, of the subject property.
- f. The subject property(ies) **cannot** have any open code enforcement/lien violations.
- g. Cost of processing, according to Chapter 55 of the Miami City Code:

Application Fee	\$500.00
Publication Fee	***
Recording Fee	***

*** These fees shall be determined contingent upon fees charged by the newspaper and Miami-Dade County Recorder's Office at the time of publication and recordation.

Signature _____

Address _____

Name _____

Telephone _____

E-mail _____

STATE OF FLORIDA -- COUNTY OF MIAMI-DADE

The foregoing was acknowledged before me this _____ day of _____
 20_____, by _____ who is
 a(n) **individual/partner/agent/corporation** of _____ a(n)
individual/partnership/corporation. He/She is personally known to me or who has produced _____
 _____ as identification and who did (did not) take an oath.

(Stamp)

 Signature

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AFFIDAVIT OF AUTHORITY TO ACT

Before me this day, the undersigned personally appeared _____
_____, who being by me first deposes and says:

1. That he/she is the owner or the legal representative of the owner, submitting the public hearing application as required by the Code of the City of Miami, Florida, affecting the real property located in the City of Miami, as listed on the foregoing pages.
2. That all owners who he/she represents, if any, have given his/her full and complete permission for him/her to act in his/her behalf for the change or modification of a classification or regulation of zoning as set out in the foregoing petition, including or not including responses to day to day staff inquires.
3. That the foregoing and following pages are part of this affidavit and contain the current names, mailing addresses, telephone numbers and legal descriptions of the real property of which he/she is the owner or legal representative.
4. That the facts, as represented in the application and documents submitted in conjunction with this affidavit, are true and correct.

Further Affiant sayeth not.

Applicant(s) Name

Applicant(s) Signature

STATE OF FLORIDA -- COUNTY OF MIAMI-DADE

The foregoing was acknowledged before me this _____ day of _____
20_____, by _____ who is
a(n) **individual/partner/agent/corporation** of _____ a(n)
individual/partnership/corporation. He/She is personally known to me or who has produced _____
_____ as identification and who did (did not) take an oath.

(Stamp)

Signature

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DISCLOSURE OF OWNERSHIP

1. List the owner(s) of the subject property **and** percentage of ownership. **Note:** The Miami City Code requires disclosure of all parties having a financial interest, either direct or indirect, with respect to a presentation, request or petition. Accordingly, disclosure of shareholders of corporations, beneficiaries of trusts, and/or any other interested parties, together with their address(es) and proportionate interest are required. Please supply additional lists, if necessary.

Owner's Name(es) _____

Percentage of Ownership _____

Subject Property Address(es) _____

2. List all street address(es) and legal description(s) of any property located within 500 feet of the subject property owned by any and all parties listed in question #1 above. Please supply additional lists, if necessary.

Street Address(es):

Legal Description(s):

Owner(s) or Attorney Name

Owner(s) or Attorney Signature

STATE OF FLORIDA -- COUNTY OF MIAMI-DADE

The foregoing was acknowledged before me this _____ day of _____
20_____, by _____ who is
a(n) **individual/partner/agent/corporation** of _____ a(n)
individual/partnership/corporation. He/She is personally known to me or who has produced _____
_____ as identification and who did (did not) take an oath.

(Stamp)

Signature

VACATION AND CLOSURE CHECKLIST

Reviewer Name

Review Date

Applicant Name

Contact Information

Project Name and Address

Public Alley:

- | | | | |
|------------------------------|-----------------------------|------------------------------|---|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Completed application |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Legal of all parcels abutting the alley |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Current list of all owners who abut the alley |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Proof of ownership of applicant |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Statement from applicant regarding use of alley |

Private Alley:

- | | | | |
|------------------------------|-----------------------------|------------------------------|---|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Completed application by all property owners |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Current survey of alley, including abutting parcels |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Proof of ownership of all abutting owners |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Releases from all utility companies |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Statement from applicant regarding use of alley |

Additionally:

- | | | | |
|------------------------------|-----------------------------|------------------------------|--|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Letter from Public Works |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Current photos, two (2) minimum, showing the entire property |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Disclosure of Agreement to Support or Withhold Objection |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Proof of Lobbyist Registration |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Affidavit of Authority to Act |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Disclosure of Ownership of all owners |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Code Enforcement violation(s) |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Paid receipt |

I, _____, **authorize any refund to be issued to** _____
(Name and Complete Address).

*If any information/documentation required above is missing, application is not accepted and all documents are returned to the applicant.

*If all required information/documentation is presented, date stamp and initial the application.