



**CITY OF BELLE ISLE, FLORIDA  
CITY COUNCIL AGENDA ITEM COVER SHEET**

**Meeting Date:** June 18, 2019

**To:** Honorable Mayor and City Council Members

**From:** B. Francis, City Manager

**Subject:** Ordinance 19-03 Lot Split and 7020 Seminole Drive

**Background:** **Ordinance 19-03:** The City Council read Ordinance 19-03 for the first time at the June 4 Meeting. The notice for the final reading did not make the newspaper in time as required by Florida Statute; therefore the 2<sup>nd</sup> reading and probable adoption will be done at the July 2<sup>nd</sup> Regular Council Meeting. However, during discussion after the first reading there were questions on how to measure lot width and lot depth, as this will be important for future lot splits. Measuring lot width is the width of the minimum front yard setback perpendicular to the side lot lines. Depth is measured from the front lot line to the midpoint of the rear lot line. Please keep in mind that Minimum Front Yard Setback is different than Front Lot Line. For irregular shaped lots, lot width is measured the same way and lot depth is measured to the most distant point when there is no rear lot line. The attached diagram shows both measurements.

**7020 Seminole:** The City received court documents from the 9<sup>th</sup> Judicial Circuit Court as a Defendant for a lawsuit filed against the City by Bobby and Cindy Lance. The staff believes this will incur additional costs to the City in money and staff time. The City Manager, City Planner, City Attorney, and City Clerk will all have to prepare for court, research and provide additional documents, and possibly appear in court to testify, all of which will take time away from other more important projects. Therefore, it is the opinion of the staff to allow this last lot split since we are passing an ordinance that would not allow for substandard lots anymore. The Council can approve the lot split at 7020 Seminole with the following conditions: 1). The property is split as originally applied for (The Lances filed two applications with two different dimensions); 2). The Lances reimburse the City for expenses in the amount of \$18,000 for City Attorney fees (that was the amount of the Settlement agreement); 3). The Lances drop the lawsuit.

At the July 2 Meeting, the Council will adopt Ordinance 19-03 that prohibits lot splits that create substandard lots. The staff considers this one of those issues that not anyone wins, but we may stand more to lose especially if the City is going to spend more in Attorney fees with no guarantee the City will prevail in the suit and even if so, would the Court reimburse the City for Attorney fees and how much?

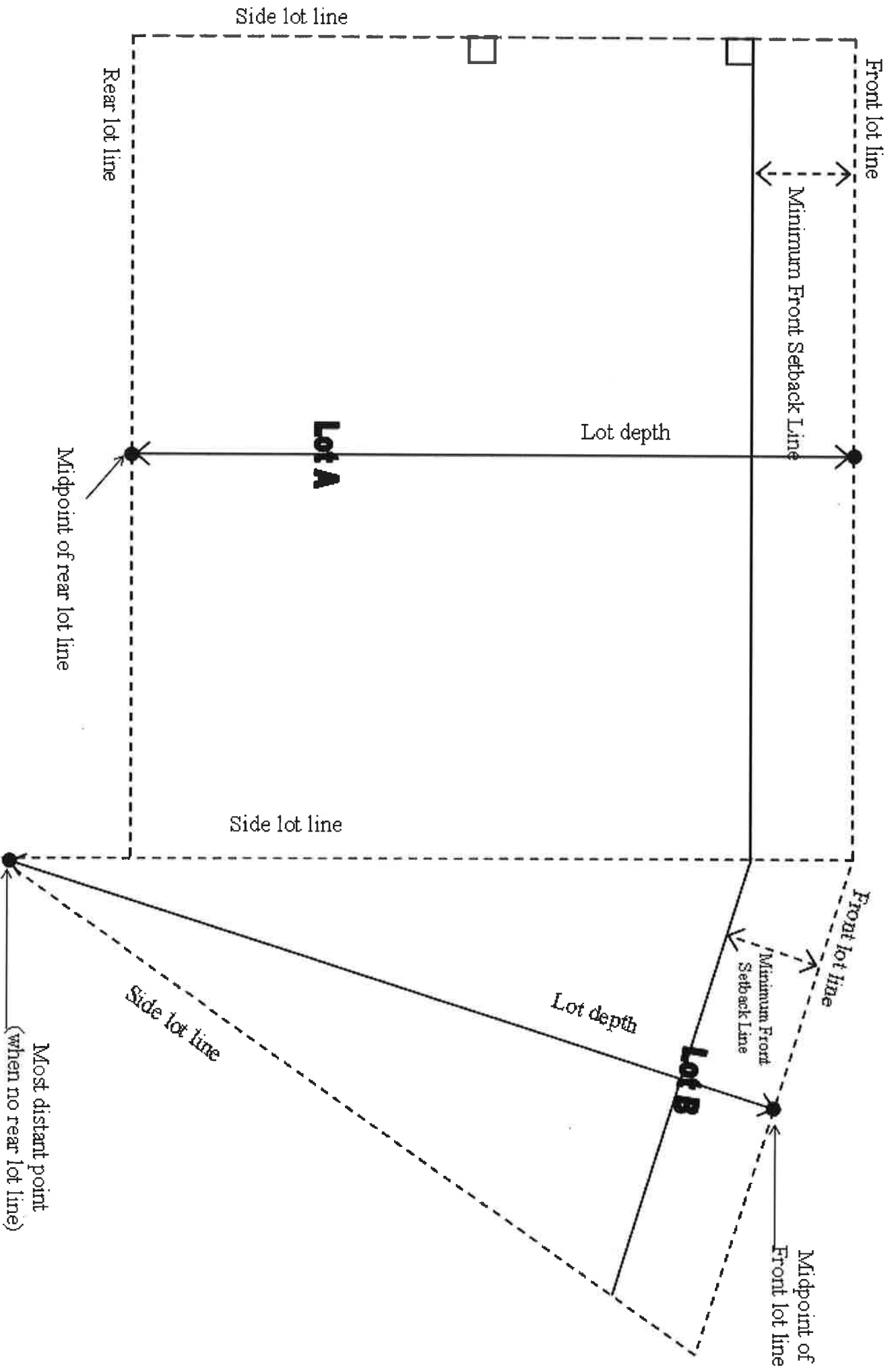
**Staff Recommendation:** To approve the original lot split for 7020 Seminole Drive with the conditions listed.

**Suggested Motion:** **I move that we approve the lot split for 7020 Seminole Drive with the three conditions stated.**

**Alternatives:** Do not approve the Lot Split and continue with the lawsuit.

**Fiscal Impact:** TBD

**Attachments:** Diagram for Measuring Lot Width and Depth and Diagram of Lance Property



# SKETCH AND DESCRIPTION

**PARENT TRACT:**

The East 45 feet of Lot 15, all of Lot 16, and the West 35 feet of Lot 17, and land to Lake, Block B, LAKE CONWAY PARK, according to the Plat thereof, as recorded in Plat Book G, Page 138, of the Public Records of Orange County, Florida.

**Parcel A:**

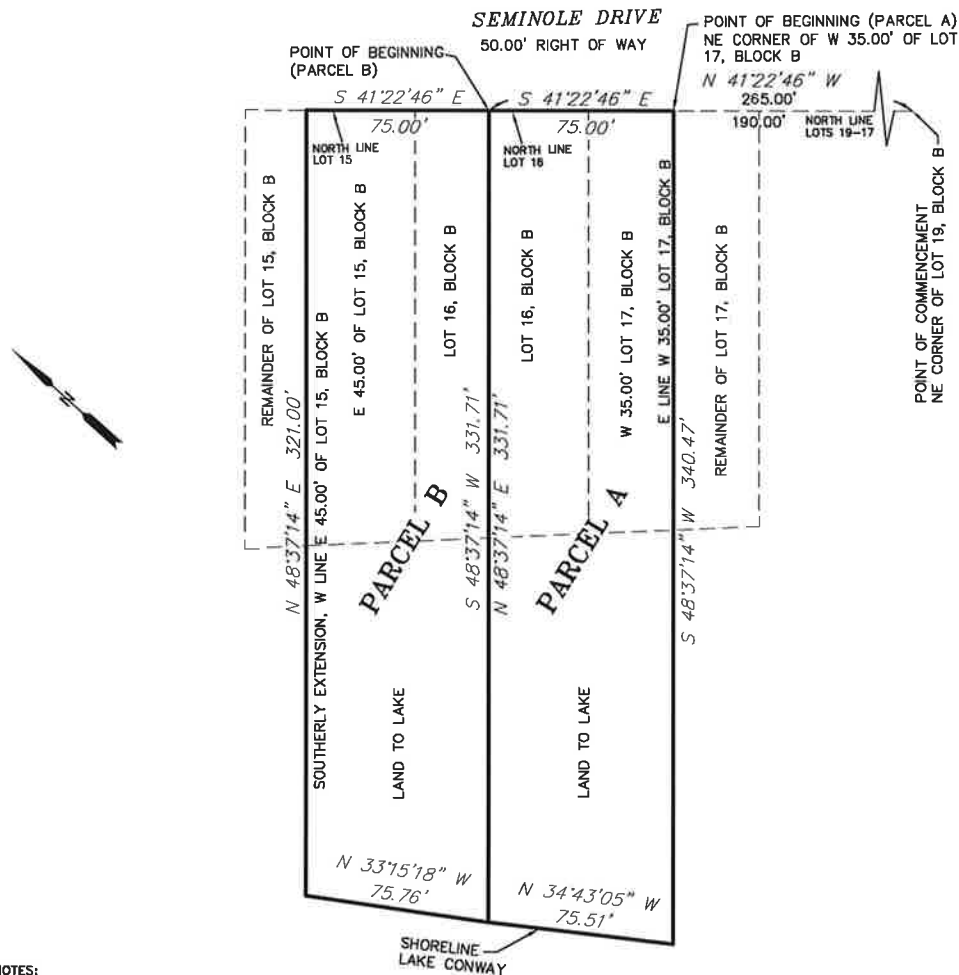
That part of the Lot 16, and the West 35.00 feet of Lot 17, and land to Lake, Block B, LAKE CONWAY PARK, according to the Plat thereof, as recorded in Plat Book G, Page 138, of the Public Records of Orange County, Florida, more particularly described as follows: Commence at the Northeast corner of Lot 19, Block B, of said LAKE CONWAY PARK, thence run N 41°22'46" W along the North line of Lots 19 through 17, Block B of said LAKE CONWAY PARK 190.00 feet to the Northeast corner of aforesaid West 35.00 feet of Lot 17 for the Point of Beginning; thence S 48°37'14" W along the East line of said West 35.00 feet of Lot 17 and the extension thereof 340.47 feet more or less to the shoreline of Lake Conway; thence N 34°43'05" W along said shoreline 75.51 feet; thence N 48°37'14" E 331.71 feet to the North line of aforesaid Lot 16; thence S 41°22'46" E 75.00 feet to the Point of Beginning.

Containing 25,207 square feet (0.579 acres), more or less.

**Parcel B:**

The East 45.00 feet of Lot 15 and that part of Lot 16, and land to Lake, Block B, LAKE CONWAY PARK, according to the Plat thereof, as recorded in Plat Book G, Page 138, of the Public Records of Orange County, Florida, more particularly described as follows: Commence at the Northeast corner of Lot 19, Block B, of said LAKE CONWAY PARK, thence run N 41°22'46" W along the North line of Lots 19 through 16, Block B of said LAKE CONWAY PARK 265.00 feet to the Point of Beginning; thence S 48°37'14" W 331.71 feet more or less to the shoreline of Lake Conway; thence N 33°15'18" W along said shoreline 75.76 feet to the Southerly extension of the West line of aforesaid East 45.00 feet of Lot 15; thence N 48°37'14" E along said West line 321.00 feet to the North line of said Lot 15; thence S 41°22'46" E 75.00 feet to the Point of Beginning.

Containing 24,477 square feet (0.562 acres), more or less.



**SURVEYOR'S NOTES:**

1. THE SURVEYOR DID NOT PERFORM AN ABSTRACT OF TITLE. THE ABOVE REFERENCED PROPERTY MAY BE SUBJECT TO ADDITIONAL EASEMENTS, RIGHTS-OF-WAY AND RESTRICTIONS OF RECORD, IF ANY.
2. THIS IS NOT A SURVEY.
3. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF LOT 15, AS BEING S41°22'46" E (ASSUMED).
5. DELINEATION OF LANDS SHOWN HEREON IS ACCORDING TO THE CLIENT'S INSTRUCTIONS.

LAKE CONWAY

DATE: 1-9-19	SCALE: 1" = 60'	CAL. BY: SEB	DRAWN BY: SEB	JOB NO. 119001
Date	Revisions	<p><b>ATLANTIC SURVEYING</b>                      308 S. DILLARD STREET                      WINTER GARDEN, FLORIDA 34787                      (407) 656-4993/FAX (407) 877-9983</p>		
STEVEN E. BLANKENSHIP P.S.M. #5361 STATE OF FLORIDA				

(ASPHALT ROADWAY)

25.0'

LOT 14  
BLOCK B

ADJUSTMENT OF  
LINE ON RECORD  
TO

179.30' P.

REMAINDER OF LOT 15 BLOCK B

25.0'

0.6'

FD. 1" I.P.

90°00'00" P.  
89°58'16" M.

45.0'

139.99'

176.3' P.

70.0'

WALL

O.H.L.

35°

90°00'00" P.  
89°59'24" M.

125.08'

35.0'

FD. 1" I.P.

190.00' D.  
190.11' M.

25.0'

NW CORNER OF  
LOT 19 BLOCK B

90°00'00" P. & M.

170.00' P.

LOT 18  
BLOCK B

REMAINDER OF LOT 17 BLOCK B

314.00' M.

19.99'

314.00' M.

E. 45.0' OF  
LOT 15  
BLOCK B

14.6'

6.0'

24.0'

6.0'

41.0'

14.0'

12.6'

25.3'

12.6'

33.92'

15.0'

25.3'

46.7'

24.6'

25.50'

314.00' M.

REMAINDER OF LOT 17 BLOCK B

90°01'44" M.

120.35'

LAND TO LAKE

MEANDER LINE

150.00' M.

5'± TO  
E.O.W.

33.9'± TO  
E.O.W.

90°00'36" M.

SET 1/2" IR #6387  
P.O.L.

0.1'

6'± TO  
E.O.W.

ROCK UNDER REPAIR  
PROVIDED BY OWNER

7

75

150.00' D.

150.21' M.

75

190.00' D.

190.11' M.

25.0'

NW CORNER OF  
LOT 19 BLOCK B

Legal Dr

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