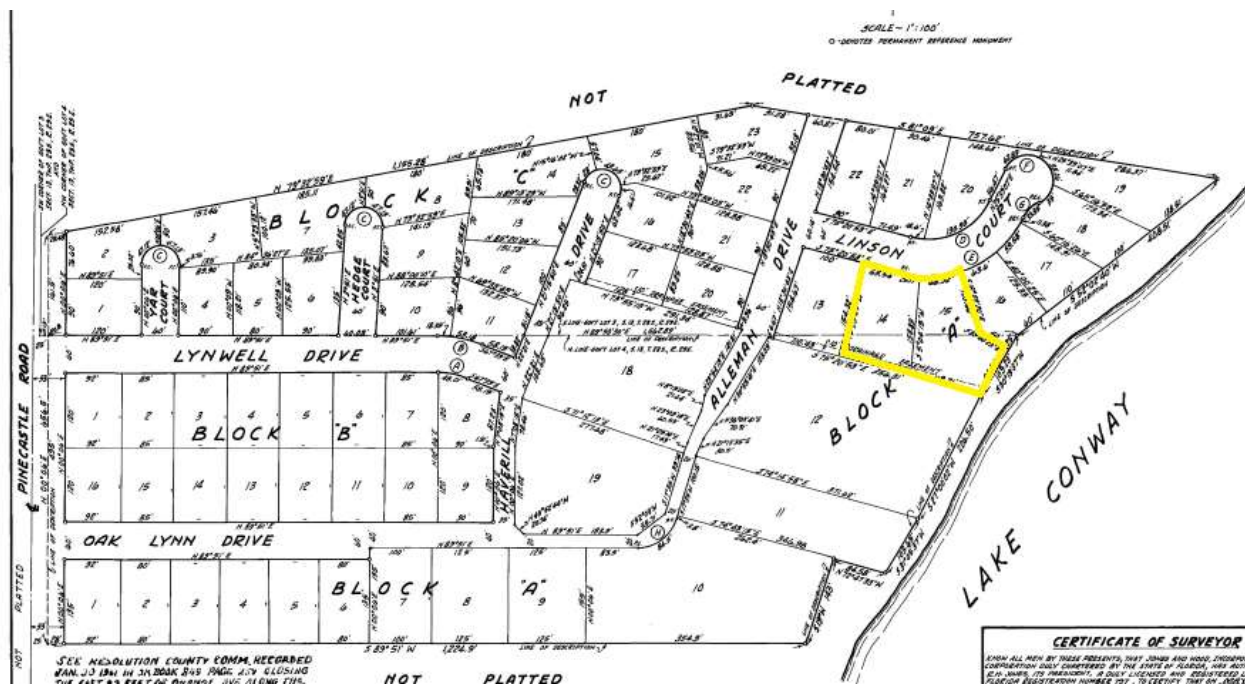




Date: March 2, 2022
 To: Planning and Zoning (P&Z) Board
 From: Ellen Hardgrove, City Planning Consultant
 Allen Lane,, City Engineering Consultant
 XC: Sandy Riffle, Interim City Clerk
 Brett Sollazzo, Administrative Assistant
 Drew Smith, City Attorney
 Re: Proposed Replat of Lots 14 and 15, Block A, Oak Lynn Second Plat, Plat Book W, Page 97

This is a review of a proposed replat of two lots of the Oak Lynn Second Plat: Lots 14 and 15 Block A as recorded in Plat Book W, Page 97, as copied to Exhibit 1. No additional lots are proposed; the proposal is a change in the lot lines of Lots 14 and 15 to provide Lot 14 (new Lot 1) with lake frontage as shown in Exhibit 2.

Exhibit 1 – Subject Property/Oak Lynn Second Replat (platted in 1958)



Code Section 126-61 provides an exemption to the full subdivision review process when no new streets, water, sewer or drainage structures are involved. Such is the case for the proposed replat. The proposed preliminary and final subdivision plan (the plat) can be considered simultaneously by the Planning and Zoning Board followed by City Council’s consideration of approval.

Exhibit 2 – Proposed Replat



Lot 14 is currently 16,528 square feet and proposed to be, as Lot 1, increased to 23,081 square feet; Lot 15 is currently 19,654 square feet and is proposed to be, as Lot 2, decreased to 13,108 square feet. Both are zoned R1AA. Both new lot configurations meet the R1AA minimum lot area (10,890 square feet).

A house exists on each lot. The proposed new lot line will clip two corners of the house on existing Lot 15 (to become Lot 2), as shown in Exhibit 3. The applicant has stated that the existing house will be demolished if the replat is approved.

Exhibit 3 – New Lot Line Clips Existing House



A new house can be constructed to meet the minimum R1AA site standards, which are shown in the table below.

R1AA Site Standards		Proposed Lot 14	Proposed Lot 15
Minimum Lot Size	10,890 square feet	23,081 square feet	13,108 square feet
Minimum Lot Width	90 feet	No change	No change
Minimum Front Yard	30 feet*	No change	Will be able to meet
Minimum Rear Yard	35 feet	No change	Will be able to meet
Minimum Side Yard	10 feet	No change	Will be able to meet
Minimum House Size	2,200 square feet	No change	Will be able to meet
Maximum Impervious Surface	45%	Existing impervious surface percentage decreases with new lot area	Can be met while meeting the minimum house size
Minimum setback from Normal High Water Line (NHWL)	50 feet	Existing house exceeds the minimum	An effective building envelope is possible outside the NHWL minimum setback
*Per Code Sec. 126-168(8), for Lot 15, the front building setback is the distance required to meet the minimum lot width of the zoning district since it is an irregular shaped lot.			

As part of this replat application, a variance is being requested as to how the front yard setback will be applied for the new construction on new Lot 2. When lots do not meet the minimum lot width requirement at the street, the setback line is where the lot meets the minimum lot width required as measured perpendicular to a line drawn from the midpoints of the front and rear property lines. For new Lot 2, that setback line would be at an unusual location as shown in Exhibit 4.

Exhibit 4 - Estimated Front Yard Setback of New Lot 2



Furthermore, the new house would be atypically situated compared to the houses built on the surrounding lots, including houses built on irregular shaped lots. The applicant is requesting the

front setback be measured as a standard R1AA lot would be measured; i.e., 30 feet from the front property line.

Staff supports this request. The subdivision was platted in 1958, prior to City subdivision regulations requiring a different method of determining front setback for irregular shaped lots. Had the lot line not moved, a newly constructed home could have been built at the 30 foot setback without the need for a variance. Such was the case on the other houses on irregular lots on Linson Court, including the house directly to the east. The standards for granting a subdivision variance have been met. Granting the variance would make possible the reasonable use of the land, would be in harmony with the general purposes and intent of subdivision rules, and will not be injurious to the surrounding territory or otherwise be detrimental to the public welfare.

The City Engineer and CPH Surveyor have reviewed the submitted survey and plat and have identified several changes that need to be corrected prior to City Council approval (see attached Boundary Survey dated Received 2/2/22, Reviewed Plat, and City of Edgewood Record Plat Review Check Sheet signed February 28, 2022). With these changes, the plat will be in conformance with City Code Section 126-190 and Chapter 177, Florida Statutes.

Suggested Motions:

1. Approval of the Subdivision Plan and Plat, after the following changes are made and conditioned on delay in the recording of the final plat until the existing house on existing Lot 15 (new Lot 2) is demolished to avoid creating a nonconforming side setback and encroachment into new Lot 1.
 - A. Changes to Survey: Add title information
 - B. Changes to Plat:
 - (4) All Mortgages listed in Title Certificate need to be referenced on Plat.
 - (19) Correct the typo in the “Certificate of Approval by Municipality” block. It should read, “the City of Edgewood” not “the City County of the”.
 - (20) Correct the credentials of the “Certificate of Approval by Reviewing Surveyor.”
 - (25) Provide Joinder or separate filing notice.
 - (46) Illustrate the location/width of the existing 10 feet wide drainage easement along southerly property lines.
 - (53) Label or note radial lot lines (Directions of nonradial lines shall be indicated) as noted on the reviewed plat.
 - Rectify dimensions of the existing plat with that proposed as noted on the reviewed plat.
 - Add a bearing from the plat for a tie in as noted on the reviewed plat.
 - Capitalize the W as noted in General Notes #1 shown corrected on the reviewed plat.
2. Approval of a variance in measuring the front building setback. The standard front R1AA building setback shall be applied as measured from the front property line.

END