

AGENDA ITEM 2

MEMORANDUM

DATE: August 21, 2001

TO: Planning and Zoning Board

FROM: Jill A. Jeglie, AICP
Planning, Zoning and Building Director

RE: Vernon Subdivision, 7031 Bayside Drive

SUBJECT: Preliminary and Final Plat Application

APPLICANT: W. Anthony and Jean C. Vernon
7031 Bayside Drive
Longboat Key, FL 34228

AGENT: Michael J. Furen, P.A.
Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A.

ENGINEER: Arthur W. Attendefer, P.E.
AM Engineering, Inc.

SITE LOCATION: 7031 Bayside Drive

EXISTING ZONING: R-8SF

EXISTING USE: Vacant

REQUEST: The applicant requests a preliminary plat and final subdivision approval to allow the replat of .87 acres into two (2) single family lots with a remaining Tract 'A'. The parcel was originally platted as four (4) lots, which have been developed as one parcel with a single-family residence located on it. Tract 'A' is to remain undeveloped with the exception of an existing dock utilized by Lot 1.

BACKGROUND

The proposed subdivision is to replat a .87 acre parcel that includes .63 acres located at 7031 Bayside Drive containing a single family residence and an additional 10,134 square foot tract of land (Tract 'A') extending from the corner of Russell Street south and east along Bayside Drive to Sarasota Bay. The property located at the southwestern corner of Bayside Drive and Russell Street

was originally platted as Lots 1,2,3, and 4 of Block 2, Long Boat Beach Subdivision (Plat Book 1, p. 232, Manatee County, FL). The proposed subdivision will create Lot #1 which will have a lot area of 20,435 square feet; and, Lot #2 which will have a lot area of 7,191 square feet.

The subdivision will also include Tract 'A', created from the piece of land extending to Sarasota Bay beginning at Russell Street south up to 190 feet along Bayside Drive. The survey indicates the area of Tract 'A' as Parcel No. 2 per a final judgment recorded in Official Records Book 998, page 3721. The area of Tract 'A' is 10,134 square feet. It has an existing dock on it utilized by Lot #1. As proposed it will have a public access and drainage easement approximately 63 feet wide along its northwestern end.

The proposed subdivision is located in an R-6SF zoning district, which allows a density of up to 6 single family units per acre. The proposed density is 3.15 units per acre. The density is calculated based on the two lots on the 27,626 square foot parent parcel and exclusive of Tract 'A'. The subdivision density and lot areas comply with the minimum requirements for parcels located in the R-6SF zoning district (Section 158.145). Compliance with the minimum 7,000 square foot lot area, 30% maximum building coverage, 60 foot lot width and 90 foot lot depth has been demonstrated.

STAFF ASSESSMENT

Staff has determined that the preliminary plat and subdivision comply with the preliminary plat requirements and design standards of the Town Subdivision Regulations (Chapter 157), as well as all other applicable requirements of the Town Codes. Upon review of the subject preliminary plat/final plat application, staff has identified the following issues:

- **Life Safety**

Based on the written comments provided by the Town Fire Marshall, additional information identifying the location of proposed structures is required to determine whether installation of a fire hydrant is required (see attachment, Fire Protection Requirements in Private Water Systems).

- **Compliance with Subdivision Design Standards**

This parcel was originally platted as 4 lots, Lots 1, 2, 3, and 4 of Block 2 of Long Boat Beach Subdivision. It was developed as one parcel under single ownership. Therefore, subdivision was required to subdivide and reconfigure the parcel. The subdivision and each lot within meet the standard for legal access to a public street. The minimum area, length and width standards have been met. Lots are to be serviced by Town water and sewer service.

The applicant has included Tract 'A' with this subdivision in order to reflect the conveyance of this portion of the parcel to the present owners. The plat

provides that no buildings be erected or placed on or adjacent to Tract 'A'. In addition, Tract 'A' is not to be included in calculations to meet zoning and development criteria. Tract 'A' is vacant with the exception of a dock. Subdivision of this Tract 'A' would allow a dock to be constructed on the remaining parcel provided ownership was demonstrated.

Pursuant to Chapter 177 of the Florida Statutes, prior to approval by the Town, the plat shall be reviewed for conformity to this chapter by a professional surveyor and mapper either employed by or under contract to the local governing body, and evidence of such review must be placed on the plat.

• **Compliance with Zoning Code Requirements**

The preliminary plat demonstrates that the minimum lot width and length of each lot has been indicated as required for the district in which it is located (Section 158.147(A)). In addition, Lot #1 is conforming as to setbacks, impervious area, dimensions and coverage.

The proposed subdivision use and density are consistent with the future land uses as identified within the Future Land Use Element of the Town Comprehensive Plan. The single family subdivision will result in a net increase of one (1) dwelling unit for a total of 2 units on .83 acres (27,628 square feet) under the maximum allowed density of 3 units, at 6 units per acre. This is less than the 4 units allowed pursuant to the original Long Boat Beach plat.

FINDINGS OF FACT/CONCLUSIONS

The decision of the Town shall be based not only on conclusions, but also findings of fact related to the specific proposal, and shall set forth the reasons for the granting of the approval with or without changes or conditions or in the case of disapproval. To facilitate discussions by the Planning and Zoning Board, the following findings and conclusions have been prepared by staff for your review and consideration:

FINDINGS OF FACT/CONCLUSIONS

- A. As proposed, the preliminary plat is consistent with the Comprehensive Plan and the purpose and intent of the R-8SF zoning district in which it is located.
- B. As proposed, the preliminary plat is in conformance with all applicable regulations of the zoning district in which it is located.
- C. The preliminary plat is in conformance with the Town's Subdivision Regulations, Chapter 157, the Zoning Code, Chapter 158, and all other applicable Town Code requirements, including development of the land designed to preserve the unique island character of the town and enacted in

order to protect, promote, and improve the public health, safety, comfort, order, appearance, convenience, morals, and general welfare of the people.

- D. The preliminary plat is in conformance with Town policy in respect to sufficiency of ownership, guarantees for completion of all required improvements, and, if private, the guarantees for continued maintenance.
- E. Finally, provided that the final plat is reviewed and found consistent with the requirements, all procedural and substantive requirements of Town Code regarding the subdivision application have been satisfied.

STAFF RECOMMENDATION

Based upon staff's review outlined above, staff is in a position to recommend favorable consideration of the subject Vernon Subdivision application by the Planning and Zoning Board with the following conditions:

- 1. The preliminary plat is to be revised to indicate compliance with requirements for fire protection as identified by written comments from the Town Fire Marshall.
- 2. The locations of water and waste service are to be approved by Public Works and shown on the revised preliminary plat.
- 3. Add a note to the preliminary plat stating that, "Tract 'A' shall at all times be owned and used exclusively by the Owner of Lot '1' of the Vernon Subdivision."
- 4. Prior to final approval by the Town, the final plat must be reviewed and determined to be in compliance with the requirements of Chapter 177, Florida Statutes by a professional surveyor and mapper in accordance with (Section 177.081, F.S.).

ATTACHMENTS

Attached, please find a copy of the Vernon Subdivision application and support documentation upon which the staff assessment has been based. If you should have any questions, or desire any additional information, please do not hesitate to contact the Planning, Zoning and Building Department.

Respectfully Submitted,

Jill A. Jegle, AICP
Planning, Zoning and Building Director

Vernon Subdivision
{j01040.doc}, p. #6

Attachments: Subdivision Application and Support Documentation
Comments from Town Departments and Divisions

CC:

David Persson, Town Attorney

{001040.doc}

MEMORANDUM



DATE: 7/25/01

TO: Fire Department
Building Department
Public Works Department

FROM: Jill A. Jeglie, AICP
Planning, Zoning & Building Director

SUBJECT: DEPARTMENT REVIEW OF DEVELOPMENT PROPOSALS:
Vernon Subdivision, 7031 Bayside Drive

The attached development proposal has been submitted to the Planning and Zoning Division. Please review, making your recommendations below and return to the Planning and Zoning Department with marked up drawings by **WEDNESDAY, AUGUST 1, 2001**.

General comments concerning the above project:

~~ALL WATER OR WASTEWATER AVAILABLE~~

1 Water Service and 1 large Water Service
are existing on the lot for the existing
house only. Any others would have to be added.


Signature of Department Representative

Date: 08-09-01

MEMORANDUM

DATE: 7/25/01

TO: Fire Department
Building Department
Public Works Department

FROM: Jill A. Jeglie, AICP
Planning, Zoning & Building Director

SUBJECT: DEPARTMENT REVIEW OF DEVELOPMENT PROPOSALS:
Vernon Subdivision, 7031 Bayside Drive

The attached development proposal has been submitted to the Planning and Zoning Division. Please review, making your recommendations below and return to the Planning and Zoning Department with marked up drawings by **WEDNESDAY, AUGUST 1, 2001.**

General comments concerning the above project:

*All Buildings Will be required to be Built
To The Florida Building Code in place at
Time of Permitting*



[Signature]
Signature of Department Representative

Date: *7-26-01*

MEMORANDUM

DATE: 7/25/01

TO: Fire Department
Building Department
Public Works Department

FROM: Jill A. Jeglie, AICP
Planning, Zoning & Building Director



SUBJECT: DEPARTMENT REVIEW OF DEVELOPMENT PROPOSALS:
Vernon Subdivision, 7031 Bayside Drive

The attached development proposal has been submitted to the Planning and Zoning Division. Please review, making your recommendations below and return to the Planning and Zoning Department with marked up drawings by **WEDNESDAY, AUGUST 1, 2001.**

General comments concerning the above project:

AFTER REVIEW OF THIS PROPOSAL, THE DEPARTMENT
HAS THE FOLLOWING REQUIREMENTS:

- ① INSTALL FIRE HYDRANTS AS OUTLINED IN
THE ATTACHED STANDARDS; (SEE ATTACHED)
PURSUANT TO C94.03 AND NFPA # 24
- ② PROVIDE OR MAINTAIN 16' RIGHT OF WAY (ALLEY)
AS INDICATED ON SUBMITTED PLAT PLAN (R94B-0001)
"EMERGENCY VEHICLE ACCESS" PURSUANT TO 94.33

NOTE: THIS DEPARTMENT IS OPEN TO DISCUSSIONS
REGARDING THE # NUMBER OF FIRE HYDRANTS... PROVIDED
THAT STRUCTURES (NEW & EXISTING) HAVE BUILT-IN
FIRE PROTECTION (SPRINKLERS) ARE INSTALLED.

C. A. J. Jeglie
Signature of Department Representative

Date: 08/02/01

I. Hydrant spacing and location:

- A. Hydrants to be located not more than 300' feet from far end of building protected. Distance computed by way of road travel.
- B. Hydrants to be placed in a readily accessible location to facilitate Fire Department use.

II. Main sizing and capacity:

- A. 6" pipe will be the minimum size acceptable for fire supply with the following limitations:
 1. Not to exceed 500' unless looped.
 2. When looped and serving 2 hydrants may be 1500' if flow requirements are met.
 3. When looped and serving 3 hydrants may be 1000' if flow requirements are met.
- B. Flow requirements are based on recommendations of the Insurance Services Office as outlined in their publication "Guide for Determination of Required Fire Flow", June 1972.
 1. There shall be sufficient hydrants to concentrate the required fire flow about any important building with no hose line exceeding 500' in length.
 2. Fire flow requirements are to be met with 20% residual pressure remaining in the system.

III. Water supply during construction:

- A. Water mains should be installed, completed, and made available for permanent use not later than the time that combustible materials are delivered to the site.
- B. An adequate water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material accumulates. There shall be no delay in the installation of the required fire protection equipment.

TOWN OF LONGBOAT KEY

COPY OF RECORD

SUBDIVISION APPROVAL APPLICATION

The undersigned hereby applies for Subdivision Approval and submits the following information in connection therewith.

Location: Southwest Corner of Russell Street/Owner/Applicant W. Anthony and Jean C. Vernon, husband and wifeBayside Drive (7031 Bayside Drive)Address: 7031 Bayside DriveSubdivision Name Vernon***Longboat Key, FL 34278Section No 15, 1355, R16EPhone No.: (215) 540-8885 Fax No.: (215) 540-8886Acreage: .87 No Lots: 2Reg Engineer: Art Altendefor, PEAverage Lot Area: Lot 1 = 20,335 s.f./Lot 2 = 7,191 s.f.Address: 6230 Tower Lane, Sarasota, FL 34240Average Road Frontage per Lot: Lot 1 = 150' onPhone No.: (941) 377-9178 Fax No.: (941) 378-3786Russell/126.37' on Bayside DriveLot 2 = 60' on Russell

PLEASE ANSWER THE FOLLOWING QUESTIONS COMPLETELY:

1. Is construction and development contemplated in near future? Yes
2. Approximate price range of houses contemplated? Lot 1 = \$1,500,000 / Lot 2 = \$700,000
3. Improvements to be installed by subdivider (list) N/A - Replat of existing lots
4. What lands will be offered for dedication? A public access and drainage easement over northwesterly 63.64' of Tract A
5. What lots are to be used for what uses other than single-family residential? None
6. State type and location of water supply Central water from Russell Street, Longboat Key
7. State type and location of sanitary waste disposal system Sewerage Collection System from Russell Street, Longboat Key
8. Zoning district in which property is located: "R-65F"
9. Local zoning/subdivision regulation minimums for lot area 7000 s.f.
Width frontage 60' and setback 20' streets; 20/8' sides; 15' rear

In addition to the preliminary plat, a boundary survey and title opinion are required. Fees and plans showing all public improvements are submitted with this application. Any additional plans or information required by the Public Works Department will be submitted promptly. The undersigned agrees to comply with all requirements of the Town of Longboat Key Subdivision Ordinance No. 74-27, as amended, and further agrees to execute contract, submit required bonds within stipulated time limit, and obtain all necessary permits in connection with the subject subdivision. Prior to recording, ALL plats will be subject to review for compliance with Chapter 177, F.S., by an independent surveyor, the costs of which shall be borne by the applicant.

LIST OF NAMES AND ADDRESSES OF ALL OWNERS OF PROPERTY WITHIN A DISTANCE OF 500 FT. FROM THE OUTSIDE EDGES OF THE PROPERTY INVOLVED WILL BE PROVIDED BY THE TOWN TO THE APPLICANT FOR CERTIFIED MAILING

*** replat of Lots 1, 2, 3 and 4,
Block 2, Long Boat Beach
Subdivision in Plat Book 1,
Page 232/Monroe County, Florida

Signed

W. Anthony Vernon
W. Anthony Vernon Owner/Applicant

Jean C. Vernon
Jean C. Vernon



Revised 11/00

ICARD, MERRILL, CULLIS, TIMM,
FUREN & GINSBURG, P.A.

ATTORNEYS AND COUNSELORS
2033 MAIN STREET, SUITE 800
SARASOTA, FLORIDA 34237
FACSIMILE (941) 366-8384
TELEPHONE (941) 366-8100

MICHAEL J. FUREN

TAMPA TELEPHONE
(813) 221-9100
REPLY TO
P.O. BOX 4198
SARASOTA, FLORIDA 34230

July 23, 2001

Jill Jeglie, Director of Planning, Zoning and Building
Planning, Zoning & Building Department
Town of Longboat Key
561 Bay Isles Road
Longboat Key, FL 34228



Re: Subdivision Approval Application for "Vernon" Subdivision
7031 Bayside Drive, Longboat Key, Florida 34228

Dear Jill:

After reviewing all applicable record title information, this will certify that as of 4:00 p.m. on July 19, 2001, the fee simple title to the real property that is the subject of, and included within, the above-referenced Subdivision Approval Application and reflected on the proposed preliminary plat and final plat for "Vernon" Subdivision as Lots 1 and 2 and Tract A was owned of record by:

"W. Anthony Vernon and Jean C. Vernon, husband and wife"

subject only to easements, restrictions and reservations of record and the current year's taxes.

This will also certify that the subject real property is only subject to the following mortgages:

1. Mortgage from Tony Vernon and Jean C. Vernon to Emigrant Mortgage Company, Inc., dated March 15, 2001 and recorded on March 29, 2001 in Official Records Book 1672, Page 3833, Public Records of Manatee County, Florida; and
2. Mortgage dated March 15, 2001 from W. Anthony Vernon and Jean C. Vernon, husband and wife, to Corinne A. Ragheb, as Trustee under Agreement dated December 26, 1990 and recorded on March 29, 2001 in Official Records Book 1672, Page 3836, Public Records of Manatee County, Florida.

Sincerely,

ICARD, MERRILL, CULLIS, TIMM,
FUREN & GINSBURG, P.A.

Michael J. Furen

MJF/lmb

Enclosures

cc: Dr. & Mrs. Ragheb

ICARD, MERRILL, CULLIS, TIMM,
FUREN & GINSBURG, P.A.

ATTORNEYS AND COUNSELORS

2033 MAIN STREET, SUITE 600

SARASOTA, FLORIDA 34237

FACSIMILE (941) 366-6384

TELEPHONE (941) 366-8100

TAMPA TELEPHONE

(813) 281-8100

REPLY TO:

P.O. BOX 6188

SARASOTA, FLORIDA 34230

MICHAEL J. FUREN

August 14, 2001

**VIA FACSIMILE (316-1970)
AND FIRST CLASS MAIL.**

Jill Jeglie, Director of Planning, Zoning and Building
Planning, Zoning & Building Department
Town of Longboat Key
561 Bay Isles Road
Longboat Key, FL 34228

**Re: Description of Subdivision Approval Application for "Vernon" Subdivision
7031 Bayside Drive, Longboat Key, Florida 34228**

Dear Jill:

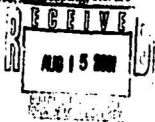
You have requested that we, on behalf of the Applicants who have filed the above referenced Application for subdivision approval; (a) describe the purpose of the Application for Subdivision Approval, and (b) discuss the history of Tract "A" and the reason it is being included in the proposed plat for "Vernon" Subdivision as a separate Tract.

(a) Purpose of Application for Subdivision Approval The Applicants acquired and own all of the property included within the proposed plat including the property depicted on the plat as Tract "A". The property included within the plat consists of four (4) old platted lots in Long Boat Beach Subdivision and the northerly portion of a bayfront strip or parcel on the east side of Bayside Drive that was reserved by the original developer of Long Boat Beach Subdivision and that is now owned by the Applicants.

The old platted lots consist of Lots 1, 2, 3 and 4, Block 2, Long Boat Beach Subdivision.

Lots 1 and 2 are conforming lots under the present lot standards of the Longboat Key Zoning Code and Lots 3 and 4 are non-conforming lots under the present lot standards of the Longboat Key Zoning Code.

An existing residence and its amenities, i.e. a pool and deck, landscaping, etc. are located on Lots 1 and 2 and the easterly 50 feet \pm of Lot 3.



The remaining part of Lot 3, i.e. its westerly 10 feet \pm , and all of Lot 4 are basically vacant and unused and are also unnecessary to meet all of the Town's zoning and development standards and criteria for the existing residence and its amenities. Simply stated, these existing areas of Lots 3 and 4 are vacant but developable areas that are not being used and therefore are areas whose economic value are being wasted and serve no real purpose.

The purpose of the Application for Subdivision Approval is therefore to create two (2) conforming lots from the existing four (4) old platted lots in order to avoid the economic waste of Lot 3 and that portion of Lot 4, both of which are not necessary to meet the Town's lot, yard and bulk requirements for the existing residence and its amenities.

(b) History of Tract "A" and Reason for Including It In Plat. Tract "A" is a portion of a tract or parcel located easterly of the Bayside Drive right-of-way adjacent to Sarasota Bay that was reserved by and remained in the ownership of the original developer of the Long Boat Beach Subdivision.

Subsequently the original developer of Long Boat Beach Subdivision conveyed those portions of the tract or parcel that is reflected as Tract "A" on the plat to the predecessors in title of the Applicants. These conveyances occurred in the 1950's, many years prior to the Town's present Subdivision Regulations. Today Tract "A" is owned by the Applicants and is appurtenant to the Applicant's property this is being platted as new Lots 1 and 2 of the proposed Vernon Subdivision.

Tract "A" is being shown on the proposed plat for Vernon Subdivision as a separate tract so that it can, in the future, be properly conveyed as an appurtenance to these Lots pursuant to the Town's present Subdivision Regulations.

The plat of Vernon Subdivision, of course, clearly prevents Tract "A" from ever being developed and unequivocally provides that:

- (1) No building shall be constructed, erected or placed on or adjacent to Tract "A", and
- (2) Tract "A" shall not be included in any calculation or utilized in any fashion to meet zoning and development criteria and standards for Lots 1 and 2 including, but not limited to, permitted density, required open space or maximum building coverage.



Jill Jeglie, Director of Planning, Zoning and Building
August 14, 2001
Page 3

I hope this provides the information you requested. If you have any questions or need anything additional, please do not hesitate to contact me.

Sincerely,

ICARD, MERRILL, CULLIS, TIMM,
FUREN & GINSBURG, P.A.



Michael J. Furen

MJF/jku

cc: Dr. & Mrs. Samir Ragheb
Phillip A. Wolff, Esq.
Mr. Scott Britt
Mr. Arthur Altendefor

PLEASE REPLY TO THE ABOVE ADDRESS



**ENGINEERING INC.****Consulting Engineers - Surveyors**
 6320 Tower Lane, Sarasota, FL 34248-8889 Telephone (941) 377-9178
 Facsimile (941) 378-3786
FAX TRANSMITTALDATE: AUGUST 20, 2001TO: TOWN OF LONGBOAT KEY
FAX: 316-1970ATTN: MS. JILL JEGUE, P.E.RE: VERNON SUBDIVISION - LOT 1
2011 BAYVIEW DRIVE
TABULATIONFROM: ARTHUR W. ALTENDORF, P.E.**WE ARE TRANSMITTING TO YOU:**☐ For your approval☐ For your use or information☒ As Requested☐ For review or comment☐ For Bids Due☐ Returned☐ For Signature☐ Other _____**THE FOLLOWING INFORMATION:**☐ Shop Drawings☐ Plans/Prints☐ Specifications☐ Copy of Letter☐ Report☐ Permit Application☐ Pay Estimate _____☐ Invoice☐ Disk with Disklabel☐ Survey☐ Check☒ Other: _____08/20/2001 REVISED TABULATIONSIGNED & SEALEDREMARKS: ALL ORIGINAL COPY OF THE TABULATION WILL BE MAILED TO YOUR
OFFICE.IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT OUR OFFICE.

MAIL CONFIRMATION

YESX
NO

TOTAL NUMBER OF PAGES (INCLUDING THIS SHEET)

2FAX CC: MIKE FUREN @ 346-6334JOB NO: RCH0001

CALL (941) 377-9178 REGARDING ANY PROBLEMS WITH THIS TRANSMISSION

**ENGINEERING INC.****Consulting Engineers - Surveyors**

4328 Tower Lane, Sarasota, FL 34240-8809 Telephone (941) 377-9178

Facsimile (941) 378-3786

VERNON SUBDIVISION**Lot 1 - 7931 Bayside Drive****I. Tabulation of Building Coverages (existing house on reduced lot)**

Total Lot Area = 20,434.8 SF

1.	Base Foot Print of house	4317.5 SF
2.	Cantilever Decks	12.0 SF
		32.0 SF
		32.0 SF
3.	Stairs	68.15 SF
	Total	4461.65 SF

% Coverage $4461.65/20,434.8 \text{ SF} = 21.81\%$

Allowable coverage without pool deck = 30%

 $21.81\% < 30\%$ Meets Requirements**II. Tabulation of Impervious Area**

1.	Base House Foot Print	4317.5 SF
2.	Stairway	68.15 SF
3.	Walk	57.6 SF
4.	Pool Deck	2145.2 SF
5.	Ramp	53.82 SF
6.	Concrete Slab (south apron)	337.34 SF
7.	Pool Equipment Slab	24.0 SF
8.	Concrete Slab (east apron)	470.1 SF
9.	Entry	50 SF
10.	Gravel Drive Front - Bayside Drive	1392 SF
11.	Gravel Drive (Side - Russell Street)	1176 SF
	Total Impervious Area	10,091.7 SF

Allowable Impervious Area = 50%

50% of 20,434.8 SF = 10,217.4 SF

 $10,091.7 < 10,217.4 \text{ SF}$ Meets Requirements

Arthur M. White, P.E. #21394

RCH20001
06/26/2001