



Legislation Details (With Text)

**File #:** 160635. **Version:** 2 **Name:**  
**Type:** Resolution **Status:** Adopted  
**File created:** 12/20/2016 **In control:** City Manager  
**On agenda:** 12/19/2017 **Final action:** 12/19/2017  
**Title:** QUASI-JUDICIAL - FINAL PLAT - WILTSHIRE CLUSTER SUBDIVISION (B)

Resolution No. 160635

A resolution of the City of Gainesville, Florida, approving the final plat named "Wiltshire Cluster Subdivision" located in the vicinity of 5041 NW 23rd Avenue, Gainesville, Florida, as more specifically described in this resolution; authorizing the City Manager to execute a security agreement to secure the construction and completion of the subdivision improvements required under the ordinances of the City of Gainesville; providing directions to the Clerk of the Commission and accepting the dedication of the easements and other dedicated portions as shown on the plat; and providing an immediate effective date.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 160635A\_Staff Report and Attachments\_20170119, 2. 160635B\_161122 DRB Minutes draft\_20170119, 3. 160635C\_Staff ppt\_20170119, 4. 160635A\_Resolution - Final Draft\_20171219.PDF, 5. 160635B\_Staff PPT\_20171219.pdf, 6. 160635\_final Resolution\_20171219.pdf

Date	Ver.	Action By	Action	Result
12/19/2017	2	City Commission	Adopted (Resolution)	Pass
1/19/2017	1	City Commission	Approved (Petition)	Pass

**QUASI-JUDICIAL - FINAL PLAT - WILTSHIRE CLUSTER SUBDIVISION (B)**

Resolution No. 160635

A resolution of the City of Gainesville, Florida, approving the final plat named "Wiltshire Cluster Subdivision" located in the vicinity of 5041 NW 23<sup>rd</sup> Avenue, Gainesville, Florida, as more specifically described in this resolution; authorizing the City Manager to execute a security agreement to secure the construction and completion of the subdivision improvements required under the ordinances of the City of Gainesville; providing directions to the Clerk of the Commission and accepting the dedication of the easements and other dedicated portions as shown on the plat; and providing an immediate effective date.

The City Commission adopt the proposed resolution.

The platting of land, which is governed by Chapter 177, Florida Statutes, and the City of Gainesville Land Development Code (LDC), serves to establish the legal identity of all lands included on the plat to provide for conveyance (i.e., the sale of land) by reference to such plat. Platting also ensures that adequate and necessary physical improvements will be installed in subdivisions by the subdividers. Sections 30-3.38 and 30-6.6 of the LDC describe the subdivision improvements that the subdivider must construct for plat approval.

The subdivider may choose to provide security (i.e., surety bond, letter of credit, cash deposit, or construction loan agreement) to ensure that the improvements get constructed within 12 months of plat approval, and in such case the subdivider may record the plat and sell lots therein immediately upon City Commission approval. In the alternative, the subdivider may choose to request a “conditional” final plat approval, whereby in lieu of security the subdivider has two years to construct the subdivision improvements but may not record the plat until city staff and the City Commission has certified that the improvements have been constructed to city specifications.

In this case, the owner has submitted a security agreement and deposited cash with the City’s Finance Director to secure the construction of the required subdivision public improvements, and therefore this resolution will approve a Final Plat for Wiltshire Cluster Subdivision, which is located on 5.37 acres of land in the vicinity of 5041 NW 23<sup>rd</sup> Avenue. The land will be subdivided into 13 single-family residential lots with a private road, plus additional parcels for stormwater management, utilities, and common area. The subdivision is submitted as a cluster subdivision, which allows modifications to the standard setbacks, lot widths, and lot size provided for in the LDC. The property complies with most of the development standards in the LDC, but is requesting setbacks and minimum lot width reductions consistent with the criteria for cluster subdivisions. The following modifications are requested: a reduction in the minimum lot width from 85 feet to 75 feet; a reduction of the front building setback from 20 feet to 15 feet; and a reduction of the side setbacks from 7.5 feet to 5 feet.

On November 22, 2016, the City’s Development Review Board reviewed and approved the design plat (a preliminary and temporary development order that is a prerequisite of a final plat) for Wiltshire Cluster Subdivision, and on January 19, 2017, the City Commission approved the design plat.

None.