



## Legislation Text

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**File #: 030434, Version: 1**

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Resolution - (Quasi-Judicial) Final Plat Approval of Creek View Cluster Subdivision Located in the Vicinity of Northwest 29th Avenue and Northwest 22nd Drive. Petition 89SUB-03DB (B)

The City Development Review Board considered a request to approve a design plat of Creek View Cluster Subdivision at a public hearing held August 14, 2003. By a vote of 3-1, the Development Review Board approved Petition 89SUB-03DB with staff conditions. On September 22, 2003, the City Commission approved the design plat of Creek View Cluster Subdivision.

The petitioner is proposing to develop a ten-lot cluster subdivision on 4.51 acres, more or less, which is zoned RSF-1. The cluster subdivision process allows the petitioner to reduce lot size, width, depth and building setbacks as long as they meet certain criteria. The property is zoned RSF-1, requiring 8,500 square-foot lots that are 85 feet wide and a minimum of 90 feet deep. The normal setbacks are: front, 20-feet; back, 20-feet; and side, 7.5-feet.

The petitioner is proposing to reduce Lots 4, 5, 6, 7, 8, and 9 below the normal required 8,500 square-foot area. Those lots will range in size from 6,955 square feet to 8,088 square feet, for a total of 5,878 square feet below the average. When the average lot acreage is reduced below the average, the petitioner is required to provide 75% or 4,408 square feet of that average in cluster open space. The petitioner will be providing 73,705 square feet of cluster open space, well above the acreage required. In addition, the petitioner is allowed to reduce the lot width down to 75% of the required lot width (85-feet) of the abutting RSF-1 zoned property. The petitioner is allowed, by City Code, to reduce the new lot width down to 63.75 feet, when the proposed lot abuts an existing RSF-1 lot. The petitioner is proposing no lot less than 64 feet in width. Additionally, the petitioner is allowed to reduce building setbacks with restrictions.

When a new lot abuts an existing lot, the rear building setback must be the same as that required for the adjacent zoning, 20 feet, and the side-yard setbacks must be 7.5 feet. The petitioner is indicating 20-foot rear yard setbacks for lots four through ten and a 7.5-foot side yard setback for Lot 3.

When proposed lots do not abut existing lots, the petitioner is allowed to reduce lot size, setbacks, and lot widths as long as City approval is received. Since Lots 1 and 2 do not abut existing single-family lots, the petitioners are requesting a 10-foot rear setback and a 5-foot side setback for those lots. The total number of dwellings permitted in a cluster subdivision shall not exceed the number of dwelling units that would have been otherwise permitted by the density standards in the zoning district in which it is located. The total number of dwelling units allowed is 15 (3.5 units/acre times 4.51 acres).

None

Planning staff to City Commission - The City Commission adopt the following resolution: A resolution approving the final plat of Creek View Cluster Subdivision, located generally in the vicinity of Northwest 29th Avenue and Northwest 22nd Drive; authorizing the Mayor and Clerk of the Commission to execute a Surety Agreement to secure the construction of improvements; providing directions to the Clerk of the Commission; and providing an immediate effective date.

Staff to Development Review Board - The Design Plat is approvable with conditions.

