

City of Port St. Lucie

PLANNING & ZONING DEPARTMENT

EXEMPTION FROM PLATTING

Section: 156.022

Process

Fill out:

Exemption From Platting Application Form.
See "Fee Schedule" for fee.

Submit to Planning & Zoning Department:

Restrictive Covenant (signed original),
Deed for each lot (each in exact same name), and
Survey (not required unless requested by Staff)

If Removing Easement between Abutting Lots:

Submit letters from Electric, Cable, and
Phone Companies that say that the easement
may be abandoned.

P & Z Staff Review Submittals.

If approved, Applicant takes Restrictive Covenant
to the County Clerk's Office to be recorded and stamped.

Applicant obtains 3 copies of recorded, stamped,
and certified Documents from County Clerk's Office.

Applicant returns 3 copies of recorded, certified, and stamped
Restrictive Covenants to the Planning & Zoning Department.
*(Staff gives one copy each to the Building and
Utility Departments with a copy of the Approval Memo.)*

The Planning & Zoning Department issues an
Administrative Approval for the Exemption to Platting. *(Staff gives
Applicant a copy of the Administrative Approval Document.)*

EXEMPTION FROM PLATTING APPLICATION
ONLY COMPLETE SUBMISSIONS WILL BE PROCESSED

CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPARTMENT
(772) 871-5213

P&Z File No. _____
Fee (Nonrefundable) \$ _____
Receipt # _____

.....
PRIMARY CONTACT EMAIL ADDRESS: _____

OWNER'S LAST NAME: _____

LEGAL DESCRIPTION: _____

PROPERTY ADDRESS OR STREET NAME: _____

PROPERTY TAX I.D. NUMBERS (ea. Lot): _____

STATEMENT DESCRIBING THE REASON FOR APPLYING FOR AN EXEMPTION: _____

FUTURE LAND USE DESIGNATION: _____ **ZONING DISTRICT:** _____

OWNER(S) OF PROPERTY: _____
NAME, ADDRESS, TELEPHONE & FAX NO.: _____

APPLICANT OR AGENT OF OWNER: _____
NAME, ADDRESS, TELEPHONE & FAX NO.: _____

PROJECT SURVEYOR/ENGINEER: _____
(FIRM, SURVEYOR OR ENG. OF RECORD _____
FLORIDA REGISTRATION NO., CONTACT _____
PERSON, ADDRESS, PHONE) _____

- I HEREBY AUTHORIZE THE ABOVE LISTED AGENT TO REPRESENT ME. I GRANT THE PLANNING DEPARTMENT PERMISSION TO ACCESS THE PROPERTY FOR INSPECTION.

THIS APPLICATION DOES NOT REMOVE EASEMENTS.

OWNER'S OR AGENT'S SIGNATURE HAND PRINT NAME TITLE DATE

General Provisions

Exemption Required

Side by side Lots: An Exemption from Platting is required whenever an owner of two or more adjacent lots, abutting along the sides, proposes to build into the setback or easement along shared property line but not over the property line. If uses encroach into the easement along shared property line, the applicant is to obtain permission to remove easements from the electric, phone, and cable service providers.

Back to Back Lots: An Exemption from Platting is required whenever an owner of two or more adjacent lots, abutting along the backs, proposes to build into the setback or easement along shared property line or over the shared property line. In addition to an Exemption from Platting, if uses encroach into the easement along shared property line, the applicant will need to obtain an Abandonment of Easement from the City Engineering Department and acquire permission to remove easements from the electric, phone, and cable service providers.

Exemption not Required

Principal Structure Located on Property Line: Lots that abut along the sides and that are in common ownership automatically become one lot when a principal structure is built on the shared property line. An Exemption from Platting is not required. However, it is necessary to contact the cable, phone, and electric service providers and receive approval from service providers to remove the easement prior to receiving a building permit.

Easement Removal

To remove easements along shared property line on abutting lots, the applicant is to contact cable, phone, and electric service providers and receive approval from providers for the removal of the easement. The applicant is to submit documentation of approval by the service providers to the Planning & Zoning Department in order for an Exemption from Platting application to be processed.

Restrictive Covenant

In accordance with Section 156.022, the applicant must submit a Subdivision Exemption Application and record a restrictive covenant ensuring that the lots will not be separated for a minimum designated time period and that only one principal structure will be built on the combined lots. See attached Application and Restrictive Covenant Form.

Assessment Fees on Utilities: A separate restrictive covenant is required to avoid paying multiple assessment fees on contiguous residential lots in common ownership. This covenant only applies to properties that have not been assessed for City utilities. Contact the St. Lucie County Tax Collector's Office at 337-5650 or 462-1650 to determine whether a utility assessment has been levied on your property. For properties already assessed, combining two lots will not result in reducing sewer and water assessments. The Utility Department will process a restrictive covenant only if a residence is located on one of the lots. It must be a homestead residence.

Splitting a Lot located between Adjacent Owners

Each owner of the proposed property boundary adjustment shall submit an application. A survey for each proposed property is required. A fee shall be paid by each applicant.

County Clerks Office

Ft. Pierce

St. Lucie County Courthouse
Recording Department (records documents from 8AM to 4PM) Fax (772) 462-6928
Orange Blossom Business Center (772) 462-1283
4118 Okeechobee Road
Fort Pierce, FL 34947

St. Lucie West

St. Lucie County Courthouse Annex Building (772) 871-5384
Recording Department (records documents from 8AM to 2PM) Fax (772) 871-5387
250 NW Country Club Drive
Port St. Lucie, FL 34986

Private Utility Companies

<u>Company</u>	<u>Phone</u>	<u>Contact Person</u>	<u>Address</u>
FPL Electric	(772) 337-7013 (772) 337-7099 FAX	Mr. Nate Holzmacher nate.holzmacher@fpl.com	
Comcast Cable	(561) 402-4513 (Cell) (772) 692-0759 FAX	Rick Johnson rick_johnson@cable.comcast.com	1495 NW Britt Road, Stuart 34994
AT&T	(321) 388-9719	Ivan Arill ia7286@att.com	3300 Okeechobee Road, Ft. Pierce 34947
Florida City Gas	(321) 638-3424	(321) 633-6733 Ron Mueller	

SUBDIVISION CODE: Section 156.022 APPLICATION AND EXEMPTION FROM PLATTING

(A) The recording of a plat is required when the applicant or his representative wishes to subdivide land into two or more lots or parcels.

(B) Exemptions from subdivision control shall not be self-executing. The subdivider shall be required to prove entitlement to the exemption based on one of the following exemption criteria established by the City:

- (1) The combination or recombination of residential lots or portions of previously platted lots where the number of lots is not increased and where no new parcels result in lots of less area, width, or depth than required under the zoning regulations for said lot. Providing for the application for exemption for recombination of single family lots shall be accompanied by deed restrictions in recordable form and running to the benefit of the City, providing that any future development of the combined lots shall be restricted to a single family residential unit and permitted accessory uses.
- (2) The sale or exchange of parcels of land to or between adjoining property owners where such sale or exchange does not create additional lots and does not reduce any lot to any area less than the zoning district in which the property is located permits, no dedication or improvements are required under this chapter, and provided that all lots have frontage on a public street.

(C) Exemption requests shall be accompanied by a fee. A survey shall be required if a lot or parcel is being divided to be combined with the adjacent lots or parcels. A survey is not required to combine adjacent platted lots or parcels.

(D) The Director of Planning and Zoning approves or denies subdivision exemption requests.

(E) The Director of Planning and Zoning must approve exemption requests before any action or development activity is taken on behalf of the owner or applicant of the subject property.

DECLARATION OF RESTRICTIVE COVENANTS

THIS Declaration of Restrictive Covenants made this _____ day of _____, 20__ by _____ and _____, _____, (relationship)

(hereinafter referred to as the "Owners"), the Owner/s of the following:

LOTS _____, BLOCK _____, PORT ST. LUCIE SECTION _____, according to the plat thereof recorded in Plat Book _____, Pages _____ through _____, of the public records of St. Lucie County, Florida (hereinafter referred to as the "Property").

WITNESSETH

The Owners are the owners of the Property and intend by this declaration to impose upon the Property evidence of restrictions, which would benefit the Owners of the Property and the City of Port St. Lucie.

The Owners desire to subject the Property to certain restrictions and covenants for the protection and benefit of the present and future owners of the Property or any part thereof and the City of Port St. Lucie.

ARTICLE I

Property Subject to this Declaration

The Owners hereby declare that the property shall be held, sold, and conveyed subject to the following restrictions and covenants which are for the purpose of protecting the value, desirability and the benefit of and shall run with the real property subject to this Declaration which shall be binding on all parties having any right, title, or interest in the Property or any part thereof, their heirs, successors, and assigns and shall ensue to the benefit of each owner thereof and the City of Port St. Lucie.

ARTICLE II

Restrictions and Covenants

The Property shall be considered one lot. Any future development of the Property shall be restricted to one single family residential unit and permitted accessory usages as allowed under the Code of the City of Port St. Lucie for a single lot.

ARTICLE III

Duration and Remedies for Violation

The covenants and restrictions of this Declaration shall run with and bind the Property and shall insure to benefit of any Owner(s) of the Property, their respective representatives, heirs, successors and assigns and the City of Port St. Lucie for a term of fifty years from the date this Declaration is recorded, after which time, said covenants and restrictions shall automatically be extended for successive periods of ten years unless an instrument signed by the current owner(s) of the Property and the City of Port St. Lucie is recorded terminating the covenants and restrictions of this Declaration.

ARTICLE IV

Effective Date

This Declaration shall become effective upon its recordation in the Public Record of St. Lucie County, Florida.

IN WITNESS WHEREOF the Owners have caused this Declaration to be executed as required by law on the above date.

Witness Signature

Printed Name

Witness Signature

Printed Name

Owner Signature

Printed Name

Street Address

City, State, Zip

If more than one name on deed:

Witness Signature

Printed Name

Witness Signature

Printed Name

Owner Signature

Printed Name

Street Address

City, State, Zip

**STATE OF FLORIDA
COUNTY OF ST. LUCIE**

The foregoing instrument was acknowledged before me **by means of** **physical presence** or **online notarization**, this _____ day of _____, _____(year), by _____ (name of person acknowledging), who is personally known to me or has produced _____(type of identification) as identification.

Additionally, the notarial certificate for an affidavit to be recorded should read substantially as follows:

The foregoing instrument was sworn to (or affirmed), subscribed, and acknowledged before me **by means of** **physical presence** or **online notarization**, this _____ day of _____, _____(year), by _____ (name of person making statement), who is personally known to me or has produced _____(type of identification) as identification.

Signature

Printed Name

Seal: