

DESOTO COUNTY PLANNING AND ZONING DEPARTMENT STAFF REPORT

REQUEST: Minor Plat – PLAT-0173-2024

PROPERTY OWNERS: Albert & Joan Hoff
32641 Washington Loop Road
Punta Gorda FL 33982

PLAT NAME: Neversail Acres Subdivision

PROPERTY: 26-38-24-0000-0024-0000

TOTAL PARCEL SIZE: 10 acres (parent parcel)

PROPOSED PARCEL SIZE(s): 2 total lots: Both 5 Acres

FUTURE LAND USE DESIGNATION: Neighborhood Mixed Use

PROPOSED REQUEST:

Albert and Joan Hoff, owners, request an approval of a minor plat to be known as “Neversail Acres Subdivision”. The request is for the current parcel of 10 acres to be subdivided into a total of 2 lots. Each lot meets or exceeds the minimum lot size of 5 acres (217,800 s.f.) required in the Agricultural 5 (A-5) zoning district. The property, currently identified as parcel id 26-38-24-0000-0024-0000 is located on the north side of SW Neversail Street in Section 26, Township 38, and Range 24.

DISCUSSION OF REQUEST:

This request is for an approval of the re-plat of Parcel 4 of “Thomas Subdivision”, recorded in Plat Book 1, Page 52 (Exhibit A). The Thomas Subdivision minor plat was recorded on 12/11/1995 with the DeSoto County Clerk of Courts office.

The owners request to split Parcel 4 into two (2) lots (identified therein as Lot 1 and Lot 2), as reflected in the proposed Neversail Acres Subdivision Minor Plat (Exhibit B).

Both lots will have access onto SW Neversail Street by way of a 60-foot ingress/egress easement. Specifically, Lot 2 has access by way of an existing 60foot access easement that runs north from SW Neversail Street along the west side of Parcel 3 of Thomas Subdivision. Pursuant to the current minor plat request, the existing 60-foot access easement will be extended an additional 181 feet across Lot 2 up to the southern edge of Lot 1, thereby providing Lot 1 of Thomas Subdivision access to/from Neversail Street, as depicted in Exhibit B.

SW Neversail Street is a local street, not a functionally classified road.

Comprehensive Plan and Future Land Use Review

The Future Land Use Map designation for the subject site is Neighborhood Mixed Use. It allows up to 3.5 dwelling units per acre. The Zoning District is Agricultural 5 (A-5) with a minimum lot size requirement of 5 acres (217,800 s.f.) per lot and a minimum lot width requirement of 165 feet.

Land Development Regulations Review (Minor Plat)

Section 20-230 MINOR SUBDIVISION DEFINED:

The term "minor subdivision" means the division of a tract, parcel or lot into no more than six lots, including the parent lot or parcel, where:

- (1) Each lot meets the minimum lot size and dimensional standards for its zoning district and the Comprehensive Plan, and abuts an existing public road or an existing, functional private road that connects to a publicly maintained right-of-way;
- (2) No lot interferes with or obstructs a County, State or Federal right-of-way;
- (3) No new public roads are created;
- (4) It is clearly indicated on any plat, survey, easement and/or deed conveying property within the minor subdivision that roads within the minor subdivision are private and are not the County's responsibility to maintain;
- (5) No lengths, widths or alignments of existing roads are changed;
- (6) An application for a drainage or surface water permit, if required, has been submitted to the Southwest Florida Water Management District or the Florida Department of Environmental Protection.

Staff Finding:

The proposed subdivision request qualifies as a "minor subdivision" pursuant to Section 20-230 of the County's Land Development Regulations (LDRs) and is consistent with the Land Development Regulations. The proposal is to divide the property into a total of 2 lots. The parent parcel is 10 acres in size. All lots meet the minimum lot width of 165 feet and minimum lot area of 5 acres (217,800 s.f). The plat has been prepared by a licensed Florida surveyor and has been reviewed by our County Surveyor. The County surveyor found the plat compliant with Florida Statutes Chapter 177.

Section 20-256(3) Subdivision Plat: submittal:

Staff Finding:

This minor plat has been reviewed by the Planning Staff for compliance with the DeSoto County Comprehensive Plan, Future Land Use Map 2040, Land Development Regulations, and the Agricultural 5 (A-5) zoning districts. The proposed plat is in compliance with the regulations outlined in these documents.

Staff review has determined that PLAT-0173-2024, a request for minor plat to subdivide 10 acres into 2 total lots both measuring 5 acres (217,800 s.f), and all zoned Agricultural 5 (A-5), is consistent with the Comprehensive Plan, Chapter 177 of the Florida Statutes regarding platting, and the intent of the Land Development Regulations, subject to the following standard minor plat conditions.

Recommended conditions for approval

1. Following approval by the Board of County Commissioners, the property owner is required to record the plat with the DeSoto County Clerk of Courts within 5 business days, and to provide the Development Director those documents identified in Section 20-256(3) of the LDRs.
2. The site has potential wetlands and is subject to permitting by State agencies prior to any building permits being issued.
3. All driveways shall be designed and constructed pursuant to the standards in Article XIII, Divisions 3 and 4, of the Land Development Regulations and the County Engineering Standard Details Manual prior to any building permits being issued.
4. Prior to commencement of any work within the County right-of-way the property owner shall obtain a Right-of-Way permit from the Engineering Division.

PUBLIC HEARING SCHEDULE

Board of County Commissioners
Tuesday, December 17, 2024

Staff report presented by:
Laura McClelland, Planner I