



City of Avon Park

110 EAST MAIN STREET

AVON PARK, FLORIDA 33825

TEL 863/452-4403 FAX 863/452-4413

APPLICATION AND SPECIFICATIONS FOR PLAT REVIEW

Date: _____

D.R.C. Date: _____

Name of Project: _____

Address of Project: _____

Legal Description: _____

Lot (10)

Block

Subdivision

Submit: (10) Copies of Plat Plan (~~Drawn to Scale~~) With All Support Information:

(~~Include: Existing proposed structure(s); All paving or other impervious cover; Landscaping; All setbacks; Lot Lines; Drainage Plan; Utilities & Fire Hydrant Locations~~)

~~Cost of Construction:~~ _____ ~~Total Square Feet of Building:~~ _____

~~Impervious Cover (Building & Pavement):~~ _____ square feet

~~No. of Parking Spaces:~~ _____ ~~No. of Handicap Parking Spaces:~~ _____

Total Acres or Part Thereof: _____

~~Setbacks from Property Line:~~ _____ ~~Front~~ _____ ~~Side~~ _____ ~~Rear~~

No. of Turnouts on State or County Roads: _____

Company Submitting Site Plans: _____

Address: _____ Tel. No.: _____

Architect: _____

Address: _____ Tel. No.: _____

Engineer: _____

Address: _____ Tel. No.: _____

FOR OFFICE USE ONLY:

(10) Copies of Plat Plan Submitted:

~~All Existing Proposed Structures Shown:~~

() Yes () No

~~All Paving or Other Impervious Cover and Landscaping Shown:~~

() Yes () No

~~Setbacks and Lot Lines Shown:~~

() Yes () No

~~Utilities, Storm Sewers, Fire Hydrants Shown:~~

() Yes () No

~~Drainage Plan:~~

() Yes () No

Cost of Application \$ 500.00

Date Paid: _____

Professional Cost for City (Engineer, etc. if need be): _____

Receipt #: _____

Applicant's Signature: _____

The Development Director shall be responsible for placing all minor subdivision plats on the City Council agenda for approval and acceptance. The plat shall be recorded with the Clerk of the Circuit Court of Highlands County prior to issuance of a certificate of occupancy.

- (G) The minor subdivision plat for recording shall conform to all requirements set forth in F.S. 177.

7.06.05 Preliminary Subdivision Plat

The developer may present a preliminary subdivision plat at any time after receiving the comments of the Development Director, the Consulting City Engineer, fire official and other City staff in response to the submission of a concept plan. The preliminary plat shall demonstrate the manner in which the comments from the concept plan review, if conducted, have been incorporated into the plat.

The purpose of the Preliminary Subdivision Plat is to provide sufficient information regarding a proposed development to enable the City to evaluate the proposed subdivision as it relates to the Comprehensive Plan and the Unified Land Development Code.

7.06.05.01 Submission of Preliminary Subdivision Plat

- (A) *Submittal.* The Preliminary Subdivision Plat review shall be initiated when the following items have been submitted:
- (1) Completed application forms with all necessary attachments.
 - (2) The preliminary subdivision review fee, as established by resolution of the City Council.
 - (3) Four (4) copies of the Preliminary Subdivision Plat, a survey and a topographic map.
- (B) *Required Information.* The Preliminary Subdivision Plat shall be drawn to a scale appropriate to displaying the proposal on a single 36" x 60" sheet and shall include the following:
- (1) Name, address, and telephone number of the applicant and the person preparing the plan.
 - (2) A statement as to the ownership and title of the property and whether any mortgages exist on the same.
 - (3) Title block identifying the name and/or title of the proposed subdivision. The name shall not duplicate or closely approximate the

name of any other subdivision recorded in the Public Records of Highlands County, Florida.

- (4) Date, north arrow, and scale.
- (5) Site location block or map on the drawing showing the subdivision's relationship to City limits and major roads.
- (6) Legal description of the property, U.S. survey section, township and range lines.
- (7) Layout and dimensions of proposed lots.
- (8) Layout of proposed streets.
- (9) Locations of adjoining subdivisions, streets, and platted rights-of-way, whether or not the platted streets have been built.
- (10) Survey or scaled drawings showing existing property lines, streets, water or drainage courses, sewers, water mains, fire hydrants and easements within the boundaries and those improvements and dedications that are adjacent to and within 500 feet of the subdivision.
- (11) A topographic map of the site, showing vertical elevations of not more than one-foot intervals, or at intervals deemed necessary by the City engineer to ensure positive drainage; and the location and the elevation of all water, wetland and flood-prone areas.
- (12) All existing restrictions on the use of the land, including easements, rights-of-way, jurisdictional wetlands areas, either assumed or confirmed.
- (13) Tabular data block including total site acreage, acres of the site in wetlands, acres of the site in water bodies, area and delineation of the site within the 100-year flood zone as identified by FEMA, total number of lots, acres in stormwater management, and acres of site in common area, open space and recreation use.
- (14) A sketch survey of all trees having a measured trunk diameter of five (5) inches or more, four (4) feet above grade.
- (15) A draft of any protective covenants proposed for the subdivision.
- (16) Zoning classification.

(C) *Procedure.*

- (1) **Planning and Zoning Board Action:** At its regular monthly meeting, the Planning and Zoning Board shall review exhibits, staff reports and comments by reviewing agencies and individuals and shall approve, approve with conditions or disapprove the preliminary plat. Approval of the preliminary plat shall be deemed an expression of approval of the subdivision layout, and shall be reported to the City Council in the form of a recommendation for approval of the preliminary plat. When approved by the City Council, the preliminary plat shall be the guide to preparation of a final plat.
- (2) **City Council Action:** The City Council shall review the action of the Planning and Zoning Board and take action to approve, approve with conditions or disapprove the preliminary plat. Approval of the preliminary plat authorized the developer to prepare construction plans for public infrastructure improvements. After approval of the construction plans by the Consulting City Engineer, the developer may proceed with construction of the infrastructure improvements.

7.06.05.02 Term of Preliminary Subdivision Plat

Preliminary Subdivision Plats shall remain valid for one year from the date of approval. Extensions for approval may be granted for a single period up to one year from the date the plan would otherwise expire. An extension may be granted if the Planning and Zoning Board concludes that the owners or successors of the preliminary subdivision plat have proceeded with due diligence and in good faith and the conditions have not changed substantially as to warrant a new application. All such requests for extensions shall be submitted in writing not less than thirty (30) days before the expiration of the preliminary subdivision plat, stating the reason for the time extension request. Upon expiration of a preliminary subdivision plat, municipal services allocated thereto shall be forfeited.

Any amendment, variation or adjustment of a Preliminary Subdivision Plat shall require approval of an amended plat. The Development Director shall determine whether a proposed modification amounts to an amendment to the Preliminary Plat. The determination shall be based on, but not limited to the following: any substantial change to the plat, including increase in density, change in permitted uses, change in stormwater runoff characteristics, change in traffic patterns and trip generation, or other similar changes to the plat. The proposed amendment shall, after staff review be placed on the agenda for review and approved, approved with conditions, or disapproved.

7.06.06 Construction Plans

After approval by the City Council of the preliminary plat and prior to the review of the final plat by the Planning and Zoning Board, the developer shall prepare and submit eight copies of the construction plans to the Engineer. The purpose of the construction plan is to allow City staff to review and approve all proposed site improvements prior to construction.

The construction plans shall consist of complete working drawings and design specifications, and shall be the basis for evaluating the quality and completeness of the proposed engineering design, compliance with all applicable regulations, the establishment of a construction schedule, and site improvement permitting.

7.06.06.01 Submission of Construction Plans

- (A) *Submittal.* Construction Plans review will be initiated when the following information has been provided.
- (B) *Required Information.* The construction plan shall be drawn to a scale of not more than 1 inch = 50 feet. The size of sheets shall be 24 inches by 36 inches and shall show, in addition to the data provided on the Preliminary Subdivision Plat, the following:
 - (1) Name, address, and seal of registered engineer and surveyor responsible for the plan and accepted data.
 - (2) Final alignments, dimensions, grades and profiles of proposed streets, utilities, drainage and other improvements to be constructed.
 - (3) Such other calculations, computation and details as may be necessary to determine the limits of wetlands, the groundwater table, off-site impacts of the proposed development, and other technical matters that may be specified by the Consulting City Engineer.
 - (4) Any permit or permits from an agency or agencies approving access to State, county, or local roadways.
 - (5) Any permit or permits from an agency or agencies approving the proposed stormwater management system.
 - (6) Any permits permitting agencies approving the utilities plan.
- (C) *Procedure.*

Upon approval of construction plans, the applicant may proceed with permitting for installation of improvements. Improvements shall include tree removal, clearing and

grubbing, installation of streets and utilities and installation of stormwater management systems. Stormwater management facilities shall be constructed for the entire area of the plan regardless of any phasing plans relative to final plat recording. Final certificates of occupancy for models shall not be issued until the Final Plat has been accepted by the City and recorded with the Clerk of the Circuit Court for Highlands County.

If the subdivider proceeds with permitting and installation of improvements prior to recording of the plat, a contract with the City for the construction of the required improvements, establishing a financial guarantee that all required improvements shall be constructed, shall be executed. An acceptable guarantee for required improvements shall be in an amount not less than the estimated cost of the improvements, as approved by the Consulting City Engineer, but may be reduced from time to time in proportion to the work completed, and may take one of the following forms, subject to the approval of the Consulting City Engineer and the City Attorney.

7.06.06.02 Construction Prior to Platting

Construction of streets, drainage facilities, and/or other subdivision improvements prior to actual platting shall be permitted only upon specific application therefor and upon specific approval by the City Council. In granting any such approval, the City Council may impose such conditions, restrictions, and/or time schedules as may be deemed necessary in the public interest.

7.06.06.03 Performance Bond

If at the time of application for final plat approval all improvements are not satisfactorily installed, the subdivider shall post a bond in an amount estimated as sufficient to secure to the City the satisfactory construction, installation and dedication of all required improvements. Such performance bond shall comply with all statutory requirements and shall be satisfactory to the City Attorney as to form, sufficiency and manner of execution as set forth in these regulations. The period within which required improvements must be completed shall be specified by the City Council as part of the approval action on the final plat and shall be incorporated in the bond and shall not in any event exceed two (2) years from date of final City approval. The City Council may at any time during the period of such bond accept a substitution of principal or sureties on the bond upon recommendation of the City Attorney.

7.06.06.04 Construction Inspection

The City shall provide for periodic inspection of required improvements during construction to ensure their satisfactory completion. If it is found that any of the required improvements have not been constructed in accordance with the City's

construction standards and specifications, the subdivider shall be responsible for modifying and/or completing the improvements so as to comply with such standards and specifications. Wherever the cost of improvements is covered by a performance bond, the subdivider and the bonding company shall be severally and jointly liable for completing the improvements according to specifications.

7.06.06.05 Engineering drawings

Three (3) sets of City-approved engineering as-built drawings shall be submitted with the final plat. All as-built drawings shall contain a certification by a professional engineer or registered land surveyor of personal verification of the exact location and dimensions of all completed improvements, as well as certification that all utilities have been installed in accordance with specifications.

7.06.06.06 Maintenance Guarantee

The developer shall guarantee the materials and workmanship of pavement, curb and gutter, sidewalks, water system, wastewater (sewage) system and the drainage system in the subdivision for a period of one (1) year after final acceptance by the Development Director. A bond shall be required for the maintenance and repair requirements to cover faulty plans, materials or workmanship. The bond shall be effective for one (1) year and in an amount set by the City Manager, in consulting with his Consulting City Engineer.

7.06.07 Final Plat

Upon the acceptance by the Consulting City Engineer of all subdivision improvements, the developer may present a final plat for approval. The intent of the final plat is to establish a legal record of the subdivision. The Final Plat may not be approved unless it is in strict conformance to details of the preliminary plat and any changes required by, and approved by the City.

7.06.07.01 Submission of Final Plat

- (A) *Submittal.* An application for final plat approval shall be submitted with an appropriate fee established by the City and with accompanying documents as specified herein to the Development Director. The Development Director shall forward copies of the final plat and the approved preliminary plan to the City attorney, and other staff, as appropriate, for their review and comments, and shall place the applications on the agenda of the Planning and Zoning Board for final review and approval.
- (B) *Required Information.* Although it may constitute only that portion of the preliminary plat that the developer proposes to record and develop at the time, the final plat for recording shall be prepared in conformance with the

requirements specified herein. Eight (8) copies of the final plat shall be submitted with the request for approval, and shall show, in addition to the data provided on the Preliminary Subdivision Plat, the following:

- (1) The final plat shall be drawn on a linen tracing cloth or stable base film at least three (3) mils thick, twenty-four (24) inches wide by thirty-six (36) inches long. Preferred scale of the final plat is one inch equals one hundred feet (1" = 100'). If a different scale is used for the recorded plat, a facsimile scaled to one inch equals one hundred feet (1" = 100") on stable base film shall be provided to the Development Director.
- (2) Name of plat.
- (3) Each plat shall show a description of lands platted and the description shall be the same in the title certification. The description shall be so complete that from it, without reference to the plat, the starting point and boundary can be determined.
- (4) All required final permits and approvals issued by agencies and governing bodies having jurisdiction over properties being subdivided shall be furnished to the Consulting City Engineer. The final plat shall not be approved by the Planning and Zoning Board without proper submission of the final permits and approvals.
- (5) All easements or rights-of-way provided for public services or utilities, and limitations of such easements.
- (6) All lots shall be numbered either by progressive numbers or, if in a block, progressively numbered or lettered in each block. Lot lines shall be marked with accurate dimensions in feet and hundredths of feet, and bearings or angles to street lines.
- (7) A statement shall be included on the final plat indicating the final length of roads, water and sewer lines installed.
- (8) The purpose of all areas dedicated must be clearly indicated or stated on the plat. Accurate descriptions of any such areas to be dedicated or reserved for public use shall state the purpose thereon.
- (9) In the event the plat includes open space, clubhouses, playgrounds or other amenities to be owned and used in common by residents of the development, a plat note shall be added requiring the creation of a homeowners or property owners association that shall be responsible for such facilities.

- (10) All interior excepted parcels shall be clearly indicated and labeled "Not A Part Of This Plat."
- (11) Any existing or proposed private restrictions and trusteeships and their periods of existence shall be filed as a separate instrument, and reference to such instrument shall be noted on the Final Plat.
- (12) City signature spaces for the Mayor, City Clerk, Consulting City Engineer, and the Chairman of the Planning and Zoning Board.
- (13) The Clerk of the Circuit Court of Highlands County of the Circuit Court certificate and the land surveyor's certificate and seal.

(C) *Plat Documentation Requirements.* The following documentation shall accompany the Final Plat:

- (1) The final plat for recording shall conform with all requirements set forth in Florida Statutes, Chapter 177, including dedications and reservations executed by the developer and certification by a registered land surveyor.
- (2) A title opinion by an Attorney at Law, licensed in Florida, or a certification by an abstractor or title company stating that the court records identify that the title of the land as described and shown on the plat is in the name of the person or persons or corporation executing the dedication. In addition, a document entitled, "Consent to Platting of Lands and Partial Release of Mortgage," shall be filed together with the Final Plat for each person or corporation holding a mortgage on all land included on the plat, where such person or corporation has not signed the Final Plat.
- (3) Certification by a registered land surveyor that the plat represents a survey made by that individual and, further, that all necessary monuments, lot sizes and lot dimensions are correctly shown thereon. Impressed thereon, and affixed thereto, shall be the personal seal and signature of the registered land surveyor by whom, or under whose authority and direction, the plat was prepared.
- (4) Certification that all real estate taxes have been paid.

(D) *Procedure.*

- (1) Planning and Zoning Board. The Planning and Zoning Board shall review the final plat and staff comments pertaining thereto, and shall

take action to approve or disapprove the plat. Any conditions of approval shall be stated with the motion to approve the plat and shall be made clear to the developer. The Planning and Zoning Board may defer action if additional information, staff review, subdivision improvements or completion assurances are needed. In any case, the Planning and Zoning Board shall be provided with a written statement by the building official to the effect that all required public improvements have been completed to his satisfaction or that satisfactory guarantees of completed installation have been provided.

- (2) **City Council Action.** The City Council shall review the action of the Planning and Zoning Board and take action on the final plat. Approval of the plat and acceptance of public improvements and dedications shall be by resolution and shall authorize the Mayor and City Clerk to sign the copy of the plat to be recorded.
- (3) **Recording.** Upon approval by the City Council, the final plat shall be filed and recorded with the City clerk. The developer shall be responsible for recording the final plat and for returning one reproducible copy of the recorded plat to the building official. The Final Plat shall be recorded prior to the issuance of any building permits within the subdivision.

7.06.08 Vacating of Plats and Replats

7.06.08.01 Vacating of Plat by Owner

The owner of any land subdivided into lots may petition the City under the provisions of Chapter 177.101, Florida Statutes, to remove (vacate and annul) the existing plat, or portion thereof, from the official records of the City of Avon Park and Highlands County. The applicant vacating a plat, or a part thereof, shall file the petition, proof of publication of notice of intent, certificate of title, Statement of taxes and resolution, and shall pay the appropriate filing fee as established by Resolution of the City Council. Following review by the appropriate City departments and recommendation by the Planning and Zoning Board, the petition shall be acted on by the City Council. The applicant shall be responsible for recording the petition and the proof of publication with the Clerk of the Circuit Court for Highlands County.

7.06.08.02 Vacating of Plat by City

The City Council may, on its own motion, order the vacation and annulment of all or any part of a subdivision within its jurisdiction. Such action may include the vacation of dedicated rights-of-way and easements, provided that: