

BOARD OF COUNTY COMMISSIONERS
November 26 , 2019
PLANNING CASE # PLN19-130: RECORD LOT LINE VACATION RESTRICTIVE
COVENANT ; LOT 7 AND 8, BLOCK 2, CRESTWOODS SUB
CONSENT AGENDA

PROJECT INFORMATION:

Location: Lot 7 and 8, Block 2, Crestwoods Subdivision, 0036 Sitzmark Cir (CR 903)
Project/Request: A request to record a Lot Line Vacation Restrictive Covenant to memorialize a previously approved lot line vacation (PLN98-169).

ISSUES:

None

PLANNING COMMISSION RECOMMENDATION:

The Upper Blue Planning Commission does not review lot line vacations.

RESOLUTION STATUS

None

STAFF RECOMMENDATION:

Staff recommends the Board of County Commissioners authorize the execution of a Lot Line Vacation Covenant.

ATTACHMENTS:

- A. Vicinity Map
- B. Crestwoods Subdivision Plat (Reception No. 112107)
- C. Approved Resolution 98-117 (Reception No. 579388)
- D. Proposed Restrictive Covenant
- E. Exhibit A to the Covenant



STAFF REPORT

TO: Board of County Commissioners

FROM: Suzanne Pugsley, Planning Technician

FOR: Regular Meeting of October 8, 2019

SUBJECT: PLN19-130 - Record a Lot Line Vacation Restrictive Covenant

APPLICANT /OWNER: Arthur and Elizabeth Aikin

REQUEST: A request to record a Lot Line Vacation Restrictive Covenant to memorialize a previously approved lot line vacation (PLN98-169). The property is located in the Crestwoods Subdivision, Lots 7 and 8, Block 2; 0036 Sitzmark Cir (CR 903). Lot 7 and 8 contains 1.02 acres. The property is zoned R-2.

PROJECT DESCRIPTION

Location: 0036 Sitzmark Cir (CR 903)

Legal Description: Lot 7 and 8, Block 2, Crestwoods Subdivision

Existing Zoning: R-2

Existing/Proposed Use: Single-Family Residential

Other Uses: No new uses

Total site area: 1.02 Acres

Adjacent land uses:

- East:** Single-Family Residential, Crestwoods Subdivision
- West:** Single-Family Residential, Crestwoods Subdivision
- North:** Single-Family Residential, Crestwoods Subdivision
- South:** Single-Family Residential, Discovery Subdivision

DEVELOPMENT REQUIREMENTS:

	<u>Required</u>	<u>Proposed</u>
Density limit:	1 unit / 20,000 sq. ft.	No changes

BACKGROUND:

On February 28, 1969, the Crestwoods Subdivision plat was recorded at Reception Number 112107. This subdivision includes Lots 7 and 8, Block 2. On October 12, 1998, Resolution 98-117 recorded at reception number 579388 approved the lot line vacation between Lots 7 and 8 via Planning Case PLN98-169; however, a restrictive covenant was never recorded.

The Aikins have owned Lots 7 and 8 since 1997 and applied for the lot line vacation in 1998. According to the County Assessor records, they constructed a 3,271 square foot single-family residence located on both lots in 2000. The Aikins now desire to voluntarily record a restrictive covenant to memorialize the vacation of the lot line between Lots 7 and 8 in order to legally avoid certain tax and special assessment charges against the properties. While the lot line was

previously vacated, the resolution did not restrict future subdivision. The covenant specifically prohibits future subdivision of the property.

STAFF RECOMMENDATION:

Staff recommends the Board of County Commissioners authorize the execution of a Lot Line Vacation Covenant located on Lot 7 and 8, Block 2, Crestwoods Subdivision.