

COLLIER COUNTY LAND DEVELOPMENT CODE STAFF CLARIFICATION

CURRENT PLANNING STAFF CLARIFICATION SC 09-001

DATE: March 16, 2009

LDC SECTION: 10. 02.02. B.8. Ord. No. 04-41 (formerly 3.2.4.8., Ord. No. 91-102) Lot line adjustment/reconfiguration

SUBJECT: Lot line adjustments, changing non-corner lots to corner lots and reduction of setbacks

INITIATED BY: Zoning Director as a result of BZA policy direction February 24, 2009

BACKGROUND/CONSIDERATIONS: Section 3.2.4.8 allows adjustment of lot lines between contiguous lots or parcels to correct an engineering or surveying error, or to allow an "insubstantial boundary change." There are situations where a lot line adjustment is requested for which the approval results in a lot status change from a non-corner lot to a corner lot or vice versa. This results in a rearrangement of setbacks (rear yards become side yards, etc). Other situations may result in the enlargement of the buildable area of the lot, thus potentially increasing the density or intensity or size of the permitted structure.

DETERMINATION (CLARIFICATION): When a lot line adjustment is requested, the resultant change shall not have the effect of changing a non-corner lot to a corner lot or vice versa and shall not result in any situation which causes an increase in the buildable area of a lot or otherwise would allow for a larger structure, additional structures or encroachments into the required yards in the before condition.

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Zoning Interpretation File