

# Planning Application

## **Lot Split**

(Creating two lots from one lot)



Planning & Economic Development Department  
2240 Minton Road  
West Melbourne, FL 32904-4928  
phone: (321) 837-7778  
fax: (321) 768-2390  
[www.westmelbourne.org](http://www.westmelbourne.org)



# Lot Split Application

**NO PLANNING APPLICATION CAN BE ACCEPTED  
UNLESS ALL REQUIRED INFORMATION IS  
SUBMITTED.**

## GENERAL PROJECT INFORMATION

Date: \_\_\_\_\_

Subdivision Name: \_\_\_\_\_  
Property Address/  
Location Description: \_\_\_\_\_

Utility Availability: WATER: Yes -  No -  SEWER: Yes -  No -

Legal Description: section \_\_\_\_\_ township \_\_\_\_\_ range \_\_\_\_\_

(attach separate  
sheet if necessary) \_\_\_\_\_

Tax Acct. Number(s): \_\_\_\_\_

Current Acreage of Lot/Parcel/Tract: \_\_\_\_\_ Proposed Acreage of Each New Lot: \_\_\_\_\_

Zoning Designation: \_\_\_\_\_ Future Land Use Designation: \_\_\_\_\_

### **Lot Split Conditions—**

The following conditions must be met in order for the City to grant a lot split (per the City of West Melbourne Land Development Regulations Section 86-14):

- The subdivision of land increases the number of "lots" to no more than a total of two (2) lots.
- The newly created lots must have frontage on an existing right-of-way or conforming private access road.
- The newly created lots must meet the lot width requirements (the horizontal distance between side lot lines, measured along the required minimum front yard setback).
- The newly created lots must meet the lot requirements stated in Land Development Regulations Section 86-61 regarding the creation of corner lots, double frontage and reverse frontage lots and orientation.
- Utilities are required to be available and additional services or granting new easements for new main trunk lines is not required. If central water and sewer are not available to the property, the owner must have an approved site plan to show utility easements or proposed water and or sewer (depends on availability).
- The newly created lots must meet all of the dimensional standards of the zoning district of the subject property and must have no encumbrances on the subject property that would render the newly created lots undevelopable.
- If there are existing structures on the subject property, the lot split may not cause the existing structures to become non-conforming in terms of required setbacks, and shall not increase existing non-conformities.
- The property owners acknowledge that building permits will be issued only after addresses have been assigned to each lot.

Updated 2019

**CONTACT INFORMATION**

**Property Owner:** \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_  
(Submit additional sheet(s) for multiple property owners)

**Applicant:** \_\_\_\_\_

Applicant Contact: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

**Applicant's Representative**  
(Person to receive communication from the City): \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

**Applicant's Engineer (Contact Person):** \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

**Applicant's Surveyor (Contact Person):** \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

**OWNER'S AUTHORIZATION FOR LOT SPLIT APPLICATION**

*This form only needs to be completed if the Applicant or Applicant's Representative is different from the Owner*

DATE: \_\_\_\_\_

TO: City of West Melbourne  
Attn: Planning & Growth Management Department  
2240 Minton Road  
West Melbourne, FL 32904

RE: \_\_\_\_\_  
(Address and/or Legal Description)

Please accept this document as authorization for \_\_\_\_\_  
(Name of Applicant)  
to apply for a Lot Split for the property described above.

\_\_\_\_\_  
Owner's signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner's Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone Number

*The above signed applicant appeared before me and personally subscribed and sworn before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.*

*Form of identification:* \_\_\_\_\_

*My commission expires on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.*

\_\_\_\_\_  
*Signature of Notary Public*

(Seal of Notary)

\_\_\_\_\_  
*Name of Notary (printed, typed, or stamped)*

**AFFIDAVIT OF APPLICATION**

*This form can be signed by the Owner or Applicant*

1. I am the owner and/or legal representative of the owner of the property described, which is the subject of the application.
2. All the answers to the questions in said application and all surveys and/or site plans and data attached to and made part of this application are honest and true to the best of my knowledge and belief. By my signature below, I acknowledge that I have complied with all submittal requirements and that this request package is complete. I further understand that an incomplete application submittal may cause my application to not be accepted.
3. Should this application be granted, I understand that any condition(s) imposed upon the granting of this request shall be binding to the owner, his or her heirs, and successors in title to possession of the subject property.
4. I understand that I must attend all applicable meetings and have been informed of the meeting date(s) and time(s). I understand that if I fail to appear at an applicable meeting, City staff may either table or deny the request.
5. I understand that my request if approved does not encumber provision of utility, road, or other City infrastructure capacity. The analysis provided by staff of existing levels of service for public facilities and services in the vicinity of the parcel identified in this application is a non-binding analysis, and does not guarantee capacity will be available in the future or encumber/reserve capacity for any period of time.
6. I understand that I must submit a recent survey of my property showing the existing conditions (structures, roads, easements, trees) before the minor lot split and a site plan to show the minor lot split.

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

*The above signed applicant appeared before me and personally subscribed and sworn before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.*

*Form of identification:* \_\_\_\_\_

*My commission expires on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.*

\_\_\_\_\_  
*Signature of Notary Public*

(Seal of Notary)

\_\_\_\_\_  
*Name of Notary (printed, typed, or stamped)*

## **LOT SPLIT SUBMITTAL REQUIREMENTS**

Lot Split Application Fee—full fee is due at time of submittal, check can be made out to “City of West Melbourne”  
 \$200

### Reviewing Bodies

- City Staff

### **Your submittal must include the following:**

1.  A cover letter describing the project, identifying the project contact person(s), a statement of available utilities, and any other information relevant for City’s staff review. If the applicant is other than the legal owner, the applicant’s interest shall be indicated and the legal owner’s authority to apply shall be included in a certified legal form (see pages 4 and 5 of this application).
2.  Completed application form
3.  All applicable fees
4.  Affidavit of Application
5.  Owner’s Authorization (if applicable)
6.  2 copies of a Lot Split Survey (signed and sealed, not more than one year old, by a land surveyor registered and licensed in the state, each sheet of the lot split package shall be the same size and shall be no larger than 24 inches by 36 inches)
7.  A listing of any property encumbrances that affect development and transfer of title (government liens, easements)
8.  Mortgagee Consent Letter (if applicable)

### **Lot Split Survey Requirements—**

The survey shall include the following:

1.  Survey must be signed, dated, sealed and Certified to the Applicant
2.  Legal description(s) (both of the parent parcel and each of the newly created lots), parcel identification number(s), and zoning classification(s), including:
3.  Tract boundaries and total acreage in tract
4.  Property lines
5.  Right-of-ways, easements, streets and railroads
6.  Existing stormwater management systems (location and horizontal limits of all existing drainage structures, culverts, ponds, ditches, swales, and pipes within property and adjacent rights-of-way and easements)
7.  Existing buildings, structures, signage, and pavement (indicate location of all existing structures, signage, and pavement, include striping and signage of existing parking, loading, and circulation areas)
8.  Wooded areas, wetland areas, open water areas
9.  Location, size, and type of all protected, historic, and specimen trees

### **For Lot Split Recording**

1.  Final survey with a raised seal and original signature
2.  Planning Director’s approval letter with the City Clerk certification

(if West Melbourne indicates that a recorded copy is needed for its files, record this page – ex. Subdivisions from the 1980's forward require recording)

**LOT SPLIT**

Whereas the undersigned is the fee simple owner(s) of the following property situated in West Melbourne Florida and in consideration of the issuance of a permit to \_\_\_\_\_

\_\_\_\_\_ for the construction of \_\_\_\_\_

in Brevard County, Florida, and for other good and valuable considerations, the undersigned hereby agree to restrict to use of:

Lot(s) \_\_\_\_\_, Block \_\_\_\_\_, Subdivision \_\_\_\_\_  
Plat Book \_\_\_\_\_, at Page \_\_\_\_\_ of the Public Records of  
Brevard County, Florida, **or** property being otherwise described by metes and bounds as:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

in the following manner --

1. That said property shall be considered as Two (2) lots or parcels of land as shown on the attached and that no portion of said plot and parcel of land shall be sold, transferred, devised, assigned, or mortgaged separately except in its entirety as one plot or parcel of land.
2. The undersigned further agrees that this condition, restriction and limitation shall be deemed a covenant running with the land, and shall remain in full force and effect, and be binding upon the undersigned, their heirs and assigns until such time as the same may be released in writing by the authorized representative of the Planning and Economic Development Department of West Melbourne, Florida.
3. The undersigned further agrees that this instrument will be recorded in the public records of Brevard County, Florida, provided, however, that the City Manager may approve the rescinding of this covenant upon the presentation of a new recorded covenant which complies with the laws applicable to the new uses intended.
4. This covenant shall be automatically rescinded and the record title automatically cleared thereof upon the filing of a plat of record of the entire property above described or of any portion so subdivided.

Signed, sealed, executed, and acknowledged on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
at City of West Melbourne, Florida.

\_\_\_\_\_  
Owner's signature

\_\_\_\_\_  
Date

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
\_\_\_\_\_  
(Printed Name)

STATE OF FLORIDA COUNTY OF: \_\_\_\_\_

I Hereby Certify That on This \_\_\_\_\_ Day Of \_\_\_\_\_, \_\_\_\_\_ (Year)

Before Me Personally Appeared \_\_\_\_\_

Or has produced Identification \_\_\_\_\_ known as the Person Described

And who Executed Thereof to be their Free Act and Deed for the Uses and Purposes Therein Mentioned.

WITNESS MY SIGNATURE AND OFFICIAL SEAL

IN THE COUNTY AND STATE AFORESAID, THE DAY AND YEAR LAST AFORESAID.

NOTARY PUBLIC SIGNATURE \_\_\_\_\_

PRINTED NAME \_\_\_\_\_

NOTARY COMMISSION NUMBER \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_