



Community Platting Summit

How to make Platting Work

Permitting Services

Quarterly Educational Session

March 2008

PERMITTING SERVICES

City Mission Statement:

“Enhance the quality of life in the City by delivering public services in a knowledgeable, responsive and financially responsible manner”

This includes the Platting Process-

What is a PLAT?

- A replat vacates the existing property lines of lots or parcels and public easements within an existing recorded Plat.
- Replats are used to change the legal descriptions of a previously 'platted' parcel of land
- In order for plats and replats to become legally valid, a local governing body, such as a public works department, urban planning commission, or zoning board must review , approve and record them.

What is a PLAT?

- A plat is a map, drawn to scale, showing the divisions of a piece of land.
- U.S. General Land Office surveyors drew township plats to show the distance and bearing between survey corners, and sometimes included topographic or vegetation information.
- City, town or village plats show subdivisions into blocks with streets and alleys. Further refinement often splits blocks into individual lots; this is known as subdivision;
- After a plat is recorded, a legal description can refer to block and lot-numbers rather than portions of sections.

What is a Plat?

- State of Florida defines PLATS in Chapter 177, Land Boundaries
Part 1 – subsections 177.011–177.151
- 177.021 – Legal Status of Recorded Plats:
the recording of any plats made in compliance with the provisions of this part shall serve to establish the identity of all lands shown on and being a part of such plats, and lands may thenceforth be conveyed by reference to such plat.

What is a PLAT?

- 177.041 Boundary Survey and Title Certification Required– every plat or replat of a subdivision submitted to the approving agency of the local governing body must be accompanied by:
 - (1) A Boundary survey of the platted lands. *However, a new boundary survey for a replat is required only when the replat affects any boundary of the previously platted property or when improvements which may affect the boundary of the previously platted property have been made on the lands to be replatted.*
 - (2) A title opinion *of an attorney at law licensed in Florida or a certification by an abstractor or title company showing the record title to the land as described and shown on the plat is in the name of the person, persons, corporation, or entity executing the dedication. The title opinion or certification shall also show all mortgages not satisfied or released of record nor otherwise terminated by law.*

What is a PLAT?

- 177.051 – Every subdivision shall be given a name by which it shall be legally known.
- 177.071 – Before a plat is offered for recording, it must be approved by the appropriate governing body and evidence of such approval must be placed on the plat.
- All plats must bear the signature of an elected official for the municipality (Mayor or Mayor Pro Tem)

What is a PLAT?

- City of Orlando– Platting Requirements are set forth in Chapter 65– specifically 65.400
- Platting is intended to ensure that development in the City of Orlando takes place in an orderly and efficient manner through a process that provides adequate City review **appropriate to the size and complexity of the proposed development.**
- 65.404– No Building Permit or **Certificate of Occupancy** shall be issued for any structure on any parcel or lot that was **created** in violation of this Code.

What is a PLAT?

- 65.411 – Subdivisions **Eligible for Waivers** of the Platting Process– Planning Director may grant waivers for certain types of subdivisions:
- Lot Splits– *a subdivision that will result in the creation of exactly one lot, if the lot was previously platted, will not create a nonconforming lot and has cross access easements in place.*
- Parcel created as a result of City, County or State condemnation or abandonment.
- Parcels are created through aggregation of pieces and parts of existing platted lots, that does not create a nonconforming lot or the pieces and parts can be bound together by a binding lot agreement

What is a PLAT?

- 65.420– Minor Plats– are not eligible for waivers, and do not require the construction of public streets or public improvements (infrastructure)
- 65.425– Major Plats– are also not eligible for waivers, and requires a complete review to evaluate the potential impact of the site on the surrounding area, caused by the construction of public roads
- The difference between the two is the creation of public roads and public improvements
- Approximately 70–80% of the plats that we process are Minor plats that involve no public improvements

What is our PLAT Process?

- We have a mandatory pre-application meeting with the applicant (sometimes this is not the owner)
- We have a checklist that is given to applicants at the pre-application meeting, typically set up by a planner and coordinated with a development review coordinator from permitting.
- There is a monthly deadline which is posted on the planning website- gives staff time for posting, evaluating and advertising each case.
- After staff reviews the submittal a Report is written by both Planning, Permitting, and Transportation, which includes comments from Legal and Surveying.

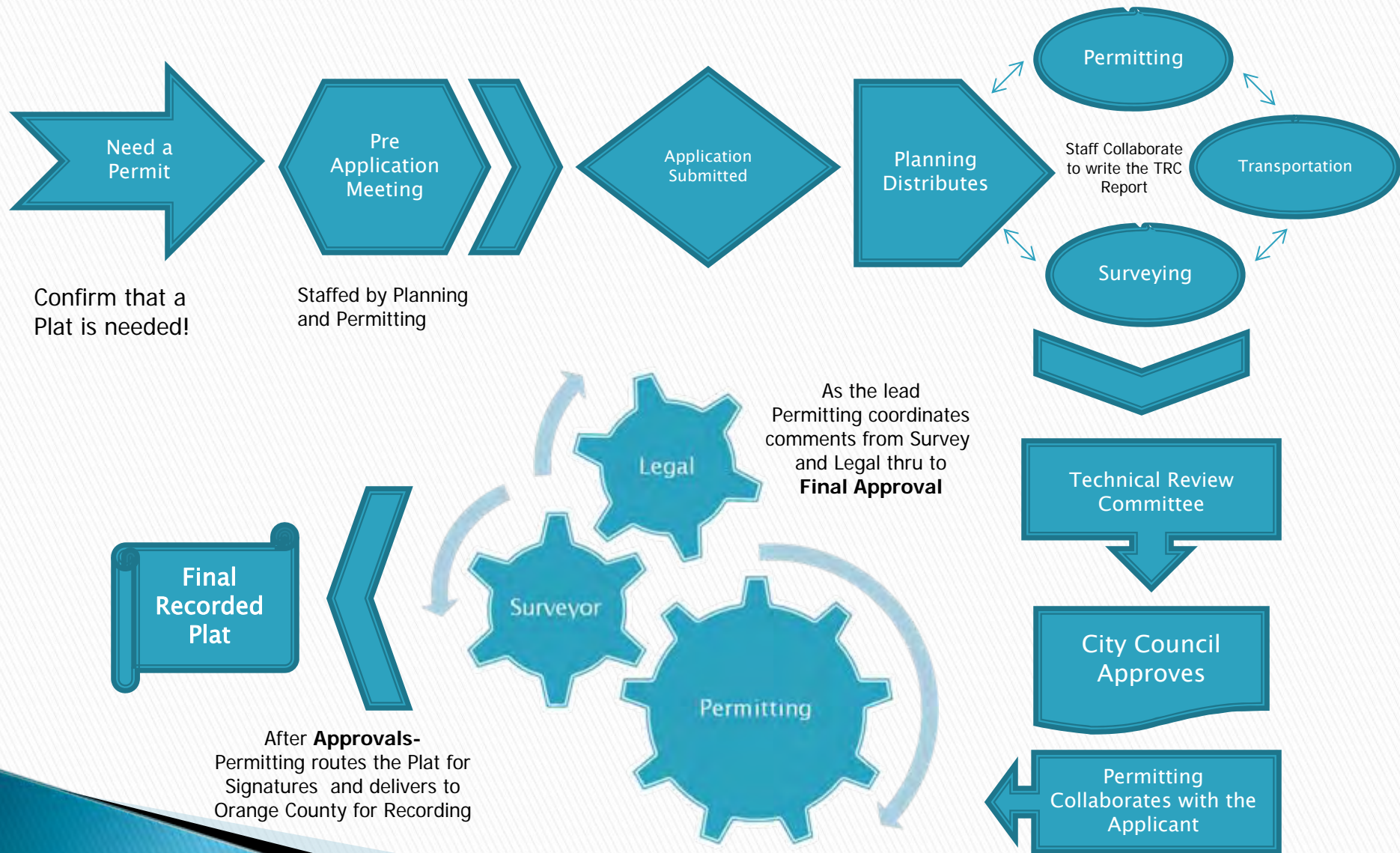
What is our PLAT Process?

- All cases go before the Technical Review Committee—on the first Tuesday of every month. Conditions are given to the Applicant
- Major Plats and Minor Plats go directly to City Council— consent agenda
- Only on special cases does a Major Plat go to the Municipal Planning Board, because of the public improvements being created
- City Council authorizes the Mayor or Mayor Pro-Tem to sign the final plat, **after staff has completed the final technical review with the applicant**

What is our PLAT Process?

- After plats go to council, staff continues dialogue with the applicant– typically legal and survey have multiple rounds of comments.
- Permitting Staff coordinates the review of the plat with the applicant, the Office of Legal Affairs and the City Surveyor.
- After all conditions are met, the Final Plat is submitted for signatures and recording, in accordance with 65.440

What does our Process look like?



Top Reasons for Plat Denial/Rejection

- Incomplete Survey Responses (missing required information or poor attention to detail)
- Failure to Respond (little or no response to staff comments)
- Missing Required Documents–
 - Joiner and Consent (required by State Statute)
 - Title Opinion (beyond 30 days old)
 - Title Block is not completed
 - Lien and Settlement Statements (prior to Nov. 1 of the current year)

Top Reasons for Plat Denial/Rejection

- No Boundary Survey as required by Law
- Lack of Proper Signatures– Owner, Surveyor, etc.
- Change of Ownership during the PLAT process
- Expired Applications (pre application good for 60 days)
- Lack of Coordinated Responses (applicants frequently respond to comments from legal and not survey or vice versa)

Top Reasons for Plat Denial/Rejection

- Affidavit is not complete
 - Pages left blank (typically on page two)
 - Signer uses Nicknames (legal names only)
 - Abbreviations in parcel description
 - Notary failed to sign and seal
- The owner of record is incorrect (anticipated sale)
- In the case of Corporations– only President, Vice or CEO signatures allowed
- In the case of Limited Liability Company– Manager/Member, Partner or Managing Member allowed to sign

Example of a Need to Plat



Is there a chance that I **don't** have to Plat?

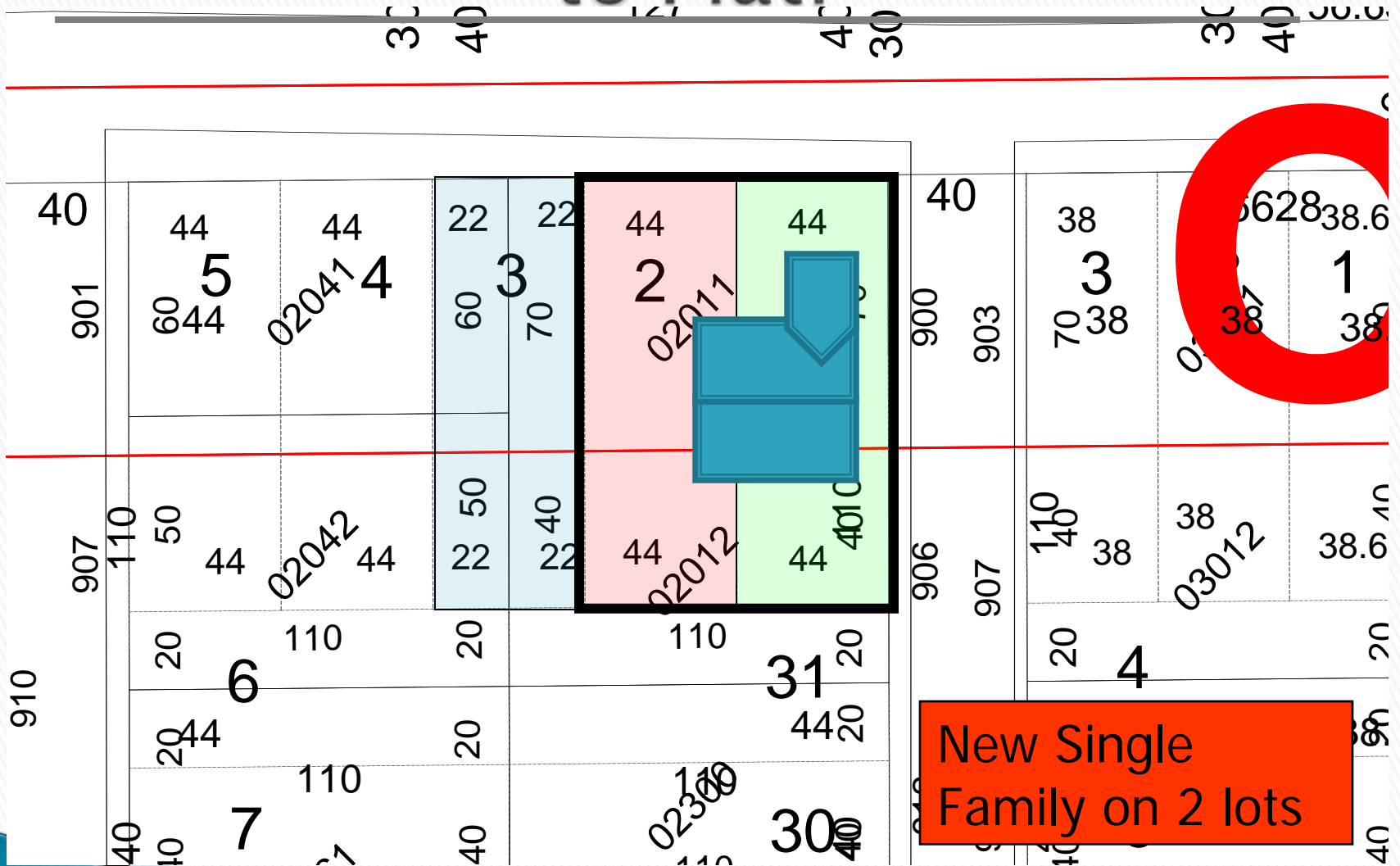
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Is there a chance that I **don't** have to Plat?

- Accessory Structure– the structure being built is not the principal structure on an unplatted parcel
- Building a structure on two or more platted pieces– use a binding lot agreement
- Any lot of record or parcel of land recorded prior to February 4, 1959

All of these examples are eligible for a waiver from the Planning Division Manager

Is there a chance that I **don't** have to Plat?



Suggestions to Improve the Plat Process

- Host a PLATTING Educational Seminar to Surveyors, Developers and Builders to familiarize them with our process
- Mandate a ONE on ONE meeting with the City Surveyor, Applicant and Owner after the third round of review comments
- Return any application that is incomplete at the time of submission. Provide the applicant with a list of deficiencies that are needed.
- The applicant needs to follow the Subdivision Checklist Guidelines, as discussed during the pre-application meeting.

Suggestions to Improve the Plat Process

- Provide a copy of the comments to the owner as well as the applicant to ensure positive communication
- Have a single point of contact that will communicate with the applicant and owner. Establish a single point of contact as the applicant to communicate with the City as well.
- Request the surveyor performing the work, attend the pre-application meeting to clarify any outstanding issue up front.
- Permitting will provide a checklist of required items, including those to avoid such as using a 'ball-point' pen or signing in red.

How do we compare to other Municipalities Plat Process?

- We are the one of the few Cities that requires 'Single Lot' plats.
- We have a minor and major plat process, while others only have major
- Platting is required on unplatted parcels before a permit can be issued
- Typically minimum plat requirements are for three or more lots, etc.

City of Orlando- Platting Flow Chart

