



MEMORANDUM

FROM: Nicole Tremblay, AICP
DEPT: Planning & Zoning
TO: Planning Commission
DATE: September 5, 2023

SUBJECT: Private Streets Amendment – Petition No. 23-49AM

BACKGROUND: The desire for this change was brought to the City's attention by the Gulf Manor Property Owners Association, who noted in the attached letter that front setback measurements for recently built homes in their neighborhood started at the center of the street, which was based on the extent of the properties' ownership. However, front setbacks for the majority of homes were measured from the edge of the pavement, regardless of where the property line was located, resulting in a larger setback.

Until approximately 2013, front setbacks were measured from the edge of pavement. A change in code interpretation occurred around this time, and setbacks were measured from the property line. Residents have expressed concerns about this change in interpretation going forward, as other houses may be torn down and replaced, built on vacant lots, or expanded. A map of the Gulf Manor neighborhood is included on the second page of this memo with a 20' buffer from the edge of the pavement, showing the maximum front setback according to the prior interpretation and in the future if this change were approved.

In order to eliminate any room for interpretation, the currently proposed change to the LDC explicitly states that the point of measurement will be the edge of pavement, even when ownership goes to the center line or elsewhere on the paved surface (as is often the case for a private street).

Previous Land Development Code Chapter 86 also measured from the edge of pavement in mobile home districts, so staff has included RMH, RMHP, and RMHS districts in this change.

