
MEMORANDUM

TO: GREGORY J. ORAVEC, CITY MANAGER
FROM: PAM E. BOOKER, SENIOR ASSISTANT CITY ATTORNEY 
DATE: APRIL 30, 2012
SUBJECT: UNITY OF TITLE
BERNARD H. SMALL AND DANNA L. SMALL

Pursuant to Ordinance No.11-39, please find a Unity of Title for Mr. and Mrs. Small to combine Lots 13 and 14, Block 1699, Port St. Lucie Section 31. The Unity of Title is being placed on the property so that the owners can place a shed on their adjacent vacant lot. Please place this item on the next available City Council agenda. Should you have any questions, please do not hesitate to contact me at 871-5165.

PB/liw

RECEIVED

APR 30 2012

City Manager's Office

This instrument was prepared by:
Pam E. Booker, Senior Assistant City Attorney
City of Port St. Lucie
121 SW Port St. Lucie Boulevard
Port St. Lucie, FL 34984

UNITY OF TITLE

In consideration of the issuance of a Permit to Bernard H. Small and Danna L. Small, also known as Danna L. Civetti, as "Owners" in Port St. Lucie, Florida, and for other good and valuable considerations, the undersigned hereby agrees to restrict the use of lands described as follows, to-wit:

Lots 13 and 14, Block 1699 of Port St. Lucie Section 31, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court, in and for St. Lucie County, Florida as recorded in Plat Book 14, Page 22, 22A through 22G of the Public Records of St. Lucie County, Florida.

in the following manner:

1. That said property shall be considered as one plot and parcel of land and that no portion of said plot and parcel of land shall be sold, transferred, devised, or assigned 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, successors and/or assigns until such time as the same may be released in writing by the City Council.

3. The Unity of Title is being placed on the properties consistent with Ordinance 11-39, and the undersigned further agrees that this instrument shall be recorded in the Public Records of St. Lucie County.

Signed, sealed, and acknowledged on the ____ day of _____, 2012, in St. Lucie County, Florida.

Witness
(Print Name): _____

By: _____
Bernard H. Small

Witness
(Print Name): _____

STATE OF FLORIDA
COUNTY OF ST. LUCIE

The foregoing instrument was acknowledged before me this ____ day of _____, 2012, by _____, who has produced _____ as identification.

Notary Public

Witness
(Print Name): _____

By: _____
Danna L. Small

Witness
(Print Name): _____

STATE OF FLORIDA
COUNTY OF ST. LUCIE

The foregoing instrument was acknowledged before me this ____ day of _____,
2012, by _____, who has produced _____ as
identification.

Notary Public

AN ORDINANCE AMENDING THE CITY OF PORT ST. LUCIE CODE OF ORDINANCES, AMENDING CHAPTER 158.006(A) DEFINITIONS, AND CHAPTER 158.217(C)(1) ACCESSORY USES IN SINGLE-FAMILY RESIDENTIAL DISTRICTS OF THE CITY OF PORT ST. LUCIE ZONING CODE; PROVIDING AN EFFECTIVE DATE.

THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. All remaining provisions of Chapter 158 shall remain in full force and effect. ~~Strikethrough text is proposed for deletion and~~ underlined text is new language. The amendment to the code shall read as follows:

§ 158.006 DEFINITIONS

(A) For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ACCESSORY USE OR STRUCTURE. A use or structure of a nature customarily incidental and subordinate to the principal use or structure and, unless otherwise provided, on the same ~~premises~~ lot. On the same ~~premises~~ lot with respect to accessory uses and structures shall be construed as meaning on the same lot or on a contiguous lot in the same ownership. See § 158.217 for restrictions related to design and size of accessory structures.

§158.217 ACCESSORY USES AND STRUCTURES

(C) Accessory Uses in Single-Family Residential Districts.

(1) Accessory uses or structures shall not be located in that area extending from the front building line to the front property line, unless otherwise specifically provided. Accessory uses or structures shall be located a minimum of ten feet from the rear property line. The minimum setback from side property lines shall be those set forth in the applicable zoning district.

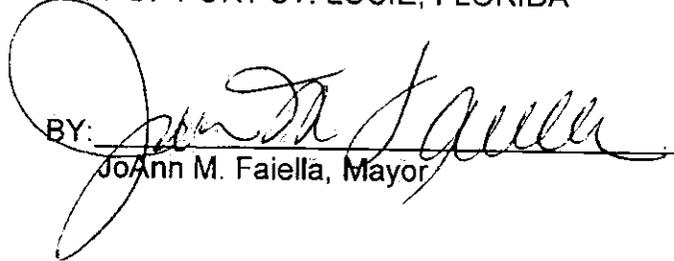
Temporary structures and fences are allowed as an accessory use on the same lot or on a contiguous lot in the same ownership. Any contiguous lot under the same ownership with a permanent structure requiring a building permit, other than a fence, is required to join the lots through a Unity of Title.

ORDINANCE 11-39

Section 2. This ordinance shall become effective ten (10) days after its final adoption.

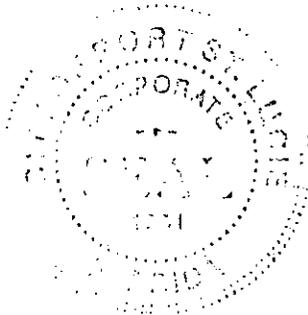
PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this 27th day of June 2011.

CITY COUNCIL
CITY OF PORT ST. LUCIE, FLORIDA

BY: 
JoAnn M. Faiella, Mayor

ATTEST:


Karen A. Phillips, City Clerk



APPROVED AS TO FORM:

BY: 
Roger G. Orr, City Attorney