

MORNING GLORY ESTATES III LOT SPLIT NARRATIVE

The plat for Morning Glory Estates, consisting of 12 lots, was approved by the Town and recorded in 1982. When David Kaye acquired Lots 10 and 11 in 2005, houses already existed on both lots. In conjunction with a renovation of the larger house on Lot 11 in 2007, the two lots were combined into a single 2.5-acre lot (Lot 10), as reflected on the Morning Glory Estates I lot combination plat recorded at Book 891, page 24 in 2007.

Mr. Kaye lives in the smaller house on Lot 10. Mr. Kaye is seeking a lot split to return to precisely the same two lots shown on the original 1982 plat. Since 1982, the Town's subdivision code has been amended to include the 165' circle test. If the existing 2.5-acre lot is changed back to the two lots shown on the 1982 plat, Mr. Kaye will do the following:

- The north lot (formerly Lot 11, but the new Lot 14 after the lot split) has the larger house. The overall lot coverage slightly exceeds the 25% ordinance requirement. Structures will be removed from the north lot so that it complies with the 25% lot coverage requirement.
- There are existing swing gates on the east and west ends of the property where the Cherokee Wash enters and exists the Mr. Kaye's property. These gates, together with a pedestrian bridge over the wash, will be removed, improving the flows in Cherokee Wash.

The existing house on the south lot (formerly Lot 10, but the new Lot 13 after the lot split) is approximately 3,563 SF and easily meets the minimum size requirement for primary residences. The existing house on the north lot is much larger. Except for the 165' circle test, the two new lots will meet ALL of the Town code requirements (lot size, setbacks, etc.).

As to the 165' circle test, the lots are in excess of 165' in width. While a 165' circle will fit inside each lot, the 165' circle does not touch the front yard setback line due to the current orientation of the front/side/rear yards.

The houses (on both the new Lot 13 and the new Lot 14) already exist and are part of the neighborhood. Re-creating the same two lots that existed in 1982 will have no impact on the neighborhood.