

# Board of County Commissioners

## Agenda Request

Date of Meeting: August 4, 2008

Date Submitted: July 18, 2008

To: Honorable Chairman and Members of the Board

From: Benjamin H. Pingree, County Administrator  
Lindsay Stevens, Assistant County Administrator  
Somerset Strickland, Assistant Planner

Subject: Application for Preliminary Plat PP07-01  
(Dr. Charles Harvey, owner/Robert Routa, agent)

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### **Statement of Issue:**

This agenda item provides the Board with an application for Preliminary Plat on a parcel located on the west side Hickorywood Drive.

### **Background:**

This application is a request to subdivide a 27.30+/- acre parcel into 6 lots, to be known as Hickorywood Subdivision. This property is located on the west side Hickorywood Drive (Attachment #1).

### **Technical Review Committee (TRC):**

In February of 2007, the application was reviewed and the agent was notified that additional copies of the plat were required to complete the file. These items have been submitted.

### **Planning Commission:**

The Planning Commission reviewed the application on April 9, 2007. Several concerned citizens and neighbors spoke against the request. Most of these citizens expressed concerns with building in a flood prone area, the large amount of wetlands on and around the site, the location of karst features on the site, traffic issues, and compliance with setbacks required by neighborhood deed restrictions, stormwater treatment and central water capacity for fire prevention. The Commission denied the application 4-3. Subsequently, the Applicant appealed the Planning Commission's decision to the Board of County Commissioners. Pursuant to Section 3-23, of the Wakulla County Code, appeals may be filed to the Board of County Commissioners for actions taken by the Planning Commission.

On August 20, 2007, the Board of County Commissioners considered

the application. At this public hearing, staff informed the Board that the plat was amended to address some of the concerns of the neighbors. At the conclusion of the public hearing the Board directed that the plat be reconsidered by the Planning Commission since it had been substantially revised.

The Planning Commission reconsidered the application and revised preliminary plat on October 8, 2007. The Planning Commission's motion to approve failed, 3-3. The Applicant filed a second appeal to the Board of County Commissioners, which is the request before the Board at this time.

**Analysis:**

**Comprehensive Plan:**

The Future Land Use Map (FLUM) designation for the property is Rural 2. Rural 2 allows for a density of 1 dwelling unit per 2 acres of land and 1 dwelling unit per 20 acres of land for areas which are wetlands (Attachment #2). The requested subdivision meets the density requirements set forth in the Comprehensive Plan.

**Land Development Code:**

The zoning district for the property is RR-1 (Rural Residential). This zoning district allows for the construction of single family site built homes and mobile homes. The RR-1 zoning district allows for a density of 1 dwelling unit per 1 acre of land (Attachment #3).

**Site Conditions:**

The FEMA flood zone designation for the property is zone "A" and "C". The zone "A" is an area of 100-year flood plain. Flood zone "C" is an area within the 500-year flood plain. Currently, the site is vacant and mostly forested (Attachment #4). Wetlands, characterized as Cypress Ponds exist on site as well as one karst feature. A wetland delineation and evaluation (Attachment #5) was provided and all sensitive areas will be placed within a Conservation Easement. All proposed lots contain upland areas which will provide for applicable wetland and karst feature setbacks required by the Wakulla County Code and the Comprehensive Plan.

Homes within Hickorywood Subdivision will be serviced by city water provided by Talquin Electric Cooperative and sewage will be contained by performance based septic systems. In an effort to improve the existing conditions and serve the proposed development, 1000 linear feet of water main will be installed. Although this will improve water pressure in the neighborhood, Fire Chief, Jason Honeybone expresses concern for Fire Protection. Chief Honeybone recommends that the existing 2 inch water main be upgraded to a 6

inch main on a looped system, with hydrants or an 8 inch main, if not on a lopped system, with hydrants (Attachment #6). It should also be noted that no hydrants currently exist on Hickorywood Drive.

**Adjacent Parcels:** Abutting parcels are also zoned RR-1 (Rural Residential) and range from 2 acres to 10 acres in size (Attachment #7).

**Compatibility:** This property's current RR-1 zoning is inconsistent with the Rural 2 FLUM land use requirements. This zoning district is typically not permitted within the Rural 2 land use designation, however, this is considered to be a legal non-conforming use. This is because the RR-1 zoning district predates the Comprehensive Plan Future Land Use Map. The proposed lots are consistent with all applicable Land Developments Codes and Policies within the Comprehensive Plan.

**Public Notification:** This request has been noticed and advertised in accordance with the provisions of the Wakulla County Land Development Code. The Planning Department also posted appropriate signage on the property indicating the Preliminary Plat request. The Code does not require written notice to adjacent property owners for Preliminary Plat applications of this type. To date, the Planning Department has not received any written responses to the notice, however, staff has met with citizens to discuss their concerns on several occasions. Some issues discussed with citizens include: building in a flood prone area, the large amount of wetlands and a karst feature that exists on-site, increasing traffic, natural buffers from Hickorywood Drive, stormwater treatment and permitting, as well as central water capacity for fire prevention.

The advertisement for this public hearing appeared in the Wakulla News on June 26, 2008 (Attachment #8).

**Additional Issues:** No new roads will be created as part of this plat. All 6 lots have access from Hickorywood Drive. It should also be noted that the preliminary plat indicates that the existing Hickorywood Community requests that the County provide centerline striping along Hickorywood Drive, as a safety upgrade due to an increase in traffic. After staff visited the site, it was determined that the centerline striping currently exists on Hickorywood Drive and extended beyond the Subject Property.  
The Northwest Water Management District permitted two (2) Stormwater Treatment facilities on the Subject Property.

The proposed preliminary plat also provides a mandatory 75 foot setback fronting on Hickorywood Drive, which is consistent with neighborhood deed restrictions. Additionally, homes will not be permitted to be constructed within the "A" flood zone.

It should also be noted that some discrepancies have been identified within the documents of this file. The original Environmental Assessment declared that the wetlands of the Subject Property were jurisdictional. Later, the Environmental Assessment was revised by Phoenix Environmental, stating that the wetlands are isolated. Staff made contact with the U.S. Army Corp of Engineers to further discuss this matter. Staff with U.S.A.C.E. stated that they could not make a determination of whether or not the wetlands are isolated or jurisdictional until the property owner made an application to the U.S.A.C.E. Also, it was discussed that if any construction activities were to take place within the wetland, enforcement of the matter would be conducted by U.S.A.C.E. Staff notes that no construction plans are proposed within the wetlands and the Preliminary Plat meets the County's buffer requirements for wetlands.

**Options:**

1. Conduct the final public hearing and approve the Preliminary Plat PP07-01, based upon the Planning Department's recommendation and the findings of fact and conclusions of law made by the Board and any evidence submitted at the Hearing hereon.
2. Conduct the final public hearing and deny the Preliminary Plat PP07-01, based on the findings of fact and conclusions of law made by the Board and any evidence submitted at the Hearing hereon.
3. Board Direction.

**Recommendation:**

- Option #1** Staff recommends approval of Preliminary Plat PP07-01. The proposed subdivision complies with all applicable regulations set forth in the Land Development Code and the Comprehensive Plan. The manner in which the plat was designed will provide building room for residences, while preserving the sensitive areas within Conservation Easements. The Applicant has also made an effort to address some of the concerns of the citizens in this area by extending the water line and requiring a 75 foot natural buffer be maintained on the Hickorywood Drive.

**Attachment(s):**

1. Location Map
2. FLUM Policy 1.2.4
3. Section 5-27, LDC

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4. Site Photos
5. Wetland Evaluation
6. Letter from Fire Chief
7. Tax and Zoning Maps
8. Advertisement
9. Preliminary Plat

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