

Board of County Commissioners

Agenda Request

Date of Meeting: June 2, 2009

Date Submitted: May 15, 2009

To: Honorable Chairman and Members of the Board

From: Benjamin H. Pingree, County Administrator
Lindsay Stevens, Assistant County Administrator
Melissa Corbett, Planner II

Subject: Request Board Approval to File an Application to Close/Abandon the West Portion of Rock Landing Road
(Wakulla Bank, owner; Edwin Brown and Associates, agent)

Statement of Issue:

This agenda item provides the Board with a request to approve the filing of an application to close and abandon the west portion of Rock Landing Road and to advertise said road closing application for the next practical public hearing.

Background:

The current Road Closing Policy requires that citizens desiring to close and abandon a roadway must first obtain approval from the Board before an application for road closing can officially be filed (Attachment #1). If the Board determines that a closing of the subject roadway is appropriate for consideration, the citizen may then file an application with the Planning and Community Development Department and the matter will be advertised for the next practical public hearing. Wakulla Bank, through its agent, has made such a request for the closing of the western portion of Rock Landing Road. Therefore, before their application can officially be filed and a public hearing set, the Board must first determine that it desires to consider this road closing.

The portion of Rock Landing Road that is being considered for abandonment lies on the west side of Coastal Highway and contains 0.48 acres +/- . This street section contains sixty six (66) feet of right of way and measures 319.29' long per the applicant-provided survey (Attachment #2). While this roadway is currently not open, it is included in the platted subdivision of Panacea Heights, and is therefore a platted roadway. The Panacea Heights subdivision was recorded in 1957, as reflected on the subdivision plat (Attachment 3).

Analysis:

The building occupied by The Landing Restaurant was constructed in 1958, which was many years before the Land Development Code and Comprehensive Plan were adopted. As such, this building and its accessory structures do not meet the current setback requirements per the Land Development Code,

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which was adopted in 1985. Staff notes that, in fact, a portion of the structure and its fence and block wall accessory structure lie within the platted roadway of Rock Landing Road.

The current property owner, Wakulla Bank, has applied to re-plot the thirteen lots and adjoining two parcels that The Landing Restaurant structures and the adjoining motel occupy. The owner desires to make the existing structures conform as much as possible to the current code. Therefore, they have requested that the adjoining portion of Rock Landing Road, which is currently not open or being used as a roadway, be closed. The southerly half of the sixty six (66) foot right of way of the road would then be incorporated into the re-plot of The Landing property.

This section of Rock Landing Road has never been utilized for travel as evidenced by the encroachments located within the right of way. The closing of the subject roadway would not hinder access to any parcels that join its north side as they also have access from Coastal Highway and First Street West. It should be noted that First Street West is a platted but currently unopened roadway. The parcels that join the south side of this section of Rock Landing Road are The Landing Restaurant and motel properties that are included in the aforementioned re-plot, which is slated to come before the Board in the near future.

Options:

1. Vote to approve the filing of an application to close/abandon the west portion of Rock Landing Road.
2. Vote not to approve the filing of an application to close/abandon the west portion of Rock Landing Road.
3. Board Direction.

Recommendation:

Option #1 Based upon the fact that no access to platted lots would be denied by the proposed road closing, staff supports the approval of the filing of the road closing application. In addition, the closing of this section of roadway would alleviate the issue of encroachments within the platted roadway and assist in making a commercial lot as conforming as possible. Should the roadway ultimately be closed, staff feels it would not negatively impact the area's traffic and school bus flow.

Attachment(s):

1. Road Closing Policy and Procedures
2. Property Survey
3. Plat of Panacea Heights subdivision

[LS/mc]

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