

# **Board of County Commissioners**

## **Agenda Request**

Date of Meeting: March 15, 2010

Date Submitted: February 26, 2010

To: Honorable Chairman and Members of the Board

From: Benjamin H. Pingree, County Administrator  
Lindsay Stevens, Assistant County Administrator  
Sommer Strickland, Planner  
Cleve Fleming, Director, Public Works  
Brent Pell, Project Engineer, Public Works

Subject: Board Directed Comprehensive Analysis on Certain Properties Located in Greiner's Addition and Magnolia Gardens

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### **Statement of Issue:**

This agenda item provides the Board with a Comprehensive Analysis on Certain Properties located in Greiner's Addition and Magnolia Gardens.

### **Background:**

On January 11, 2010, at a regular meeting of the Board of County Commissioners, the Board directed staff to evaluate individual lots owned by Cutchin Properties, Inc., located within Greiner's Addition and Magnolia Gardens Subdivisions and present a comprehensive analysis on the properties in question.

Staff researched these lots to determine the feasibility of utilizing the platted lots for stormwater infrastructure and other improvements. The following is a background review of each subdivision and staff's analysis of the Cutchin lots.

### **Analysis:**

#### ***Greiner's Addition Subdivision:***

Greiner's Addition is located south of Lower Bridge Road, east of SR 319, east of Rehwinkle Road and north of Magnolia Gardens Subdivision. Greiner's Addition was platted in 1926, by Greiner Realty Corporation and contains 716 platted lots. Currently, 206 homes exist in Greiner's Addition. The unplatted subdivision known as Logan's Ridge contains a portion of Greiner's Addition. A group of developers created Logan's Ridge after purchasing packages of lots within Greiner's Addition. The lots within Greiner's Addition are typically two different sizes: 25'x100' and 50'x100'.

Greiner's Addition is zoned RMH-1 (Residential Mobile Homes), which allows for a density of 5 site built, single family dwellings or mobile homes per acre of land. In 1993, The Board of

Agenda Request: Board Directed Comprehensive Analysis on Certain Properties located in Greiner's Additions and Magnolia Gardens

Date: March 15, 2010

Page 2 of 9

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County Commissioners approved an Ordinance restricting the use of mobile homes within Greiner's Addition. These restrictions include: requirements for improved driveways, porches, shingle roofs and landscaping on certain lots and blocks within Greiner's Addition.

In May of 2006, the Board adopted Ordinance 06-28, and was later amended in March of 2009 by Ordinance 09-05, known as "The Specific Flood Hazard Ordinance". This Ordinance requires that all new construction proposed within lots located within the Historic Subdivisions of Wakulla County, including lots within Greiner's Addition, be elevated 24" above the established base flood elevation or 24" above the average crown of the facing road.

The Future Land Use Map designation is Urban 1. Since sewer is not currently available to this subdivision, the Urban 1 Future Land Use designation requires a minimum of 1 residential unit/acre density. If sewer were available to Greiner's Addition, the density could increase to 2 residential units/acre density. The number of platted lots within Greiner's Addition exceeds the density requirement set forth by the Wakulla County Comprehensive Plan.

Historically, Greiner's Addition remained fairly undeveloped. In recent years development increased substantially. Several roads within Greiner's Addition have been paved by the developer of Logan's Ridge. The remaining right-of-way within Greiner's Addition remains unpaved. Some platted roadways within Greiner's Addition also remain unconstructed. Sidewalks, streetlights, stormwater treatment facilities and other amenities do not exist within Greiner's Addition.

In 2005, hurricanes and thunderstorms took their toll on Greiner's Addition, causing flooding issues within the yards, homes and vehicles of citizens who reside there. FEMA flood maps designate Greiner's Addition as falling within the 500-year floodplain and the 100-year floodplain in other areas. The "Specific Flood Hazard Ordinance" applies to all new construction in areas within Greiner's Addition. However, Floodplain and Stormwater Studies have not been performed in Greiner's Addition. Therefore, the specific flood basins have not yet been identified for Greiner's Addition, nor have the base flood elevations been determined for these areas. This data is essential for proper implementation of the "Specific Flood Hazard Ordinance" and prevention of structural inundation of floodwaters.

**Lots 11-19, Block 19, Greiner's Addition:**

Mr. Cutchin recently purchased several lots within Greiner's Addition by way of Tax Deeds. Currently, Mr. Cutchin holds the Tax Deeds for Lots 11-19, Block 19 of Greiner's Addition, fronting on Vine Street (Attachment #1). These lots are currently vacant and exist within the limits of Flood Zone "A" per the FEMA Flood Insurance Rate Maps (Attachment #2). FEMA defines Flood Zone "A" as an area within the 100-year floodplain, which has a one percent chance of flooding in any given year.

Agenda Request: Board Directed Comprehensive Analysis on Certain Properties located in Greiner's Additions and Magnolia Gardens

Date: March 15, 2010

Page 3 of 9

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It is important to note that staff met with one property owner adjacent to these lots owned by Mr. Cutchin on January 22, 2010. The adjacent property owner requested a meeting with staff to discuss the past and present flooding problems on her property over several years, including flooding from a recent rain event, in January 2010. During this recent rain event, the Otter Creek Wastewater Treatment Plant measured 6.2 inches of rainfall during a 5 hour period, while citizens in the general vicinity of Crawfordville reported as much as 8 inches of rain. The attached photographs indicate the flooding caused by this rain event on the Cutchin Property and on the adjoining properties (Attachment #3). Other properties adjoining Mr. Cutchin's property also experienced inundation during this rain event (Attachment #4).

Due to recent weather conditions and high water levels on this property, staff has been unable to evaluate these lots to determine the presence or absence of wetlands and other environmental constraints that might exist. To adequately evaluate these lots for environmental sensitivity, staff must first be able identify all vegetation on site and collect soil samples to determine hydrology. Currently, these lots are completely inundated with water, which prevents staff from performing these duties.

Additionally, staff reviewed LiDAR data and determined that these lots are located at a lower elevation than other lots within Greiner's Addition and may be considered to be located within a flood basin (Attachment #5).

It is important to note that a platted, but unconstructed, right-of-way exists north and east of Mr. Cutchin's property, and northeast of the concerned neighboring property owner. This platted right-of-way is 45 feet wide and lies between Block 19 and Block 15. Due to its elevation, the right-of-way also experiences flooding and may provide additional area suitable for stormwater attenuation (Attachment #6).

Taking into account the above-noted facts, staff believes these lots may hold potential for use as stormwater ponds; however, other resources are required to make a final determination of the suitability for stormwater ponds which include the following:

- **Seasonal high water table.** The water table can greatly affect the usefulness of the site as a stormwater pond. If the water table is only 1 foot beneath the existing surface elevation, the pond will remain full of water and will only provide minimal additional stormwater attenuation than what currently exists.
- **Stormwater discharge.** This site receives and discharges excess stormwater runoff by overland sheet flow. A stormwater pond would need to be designed to safely allow the excess stormwater runoff to discharge safely.

- **Mosquito control.** If the stormwater pond is not able to infiltrate the retained stormwater in a reasonable rate of time, the ponds could become a health issue by allowing the breeding of mosquitoes and other pests.

#### **Lots 22 and ½ Lot 23, Block 13, Greiner's Addition**

Mr. Cutchin also purchased Lot 22 and ½ of 23, Block 13 of Greiner's Addition. This property is located west of Webster Road and fronts on Homan Point Avenue (Attachment #7). These lots are currently vacant and exist within the limits of Flood Zone "A" per the FEMA Flood Insurance Rate Maps (Attachment #8). FEMA defines Flood Zone "A" as an area within the limits of the 100-year floodplain, which have a one percent chance of flooding in any given year.

Due to recent weather conditions and high water levels on this property, staff has been unable to evaluate these lots to determine the presence or absence of wetlands and other environmental constraints that might exist. To adequately evaluate these lots for environmental sensitivity, staff must first be able identify all vegetation on site and collect soil samples to determine hydrology. Currently, these lots are completely inundated with water, which prevents staff from performing these duties (Attachment #9).

It should also be noted, that other lots adjoining Mr. Cutchin's lots within Block 13, also experienced a high volume of inundation from stormwater runoff (Attachment #10).

Additionally, staff reviewed LiDAR data and determined that these lots are located at a much lower elevation than other lots within Greiner's Addition and may be located within a flood basin. While adjoining lots within Block 13, exist at a 14' elevation, the elevation slopes off to an 8' elevation on Mr. Cutchin's lot and a half (Attachment #11).

Similar to the lots previously discussed, staff considers these lots to have potential for use as stormwater ponds; however, other resources are required to make a final determination of the suitability for stormwater ponds which include the following:

- **Seasonal high water table.** The water table can greatly affect the usefulness of the site as a stormwater pond. If the water table is only 1 foot beneath the existing surface elevation, it will remain full of water and will only provide minimal additional stormwater attenuation than what currently exists.
- **Stormwater discharge.** This site receives and discharges excess stormwater runoff by overland sheet flow. A stormwater pond would need to be designed to safely allow the excess stormwater runoff to discharge safely.

- **Mosquito control.** If the stormwater pond is not able to infiltrate the retained stormwater in a reasonable rate of time, the ponds could become a health issue by allowing the breeding of mosquitoes and other pests.

***Magnolia Gardens Subdivision:***

Magnolia Gardens was platted in 1960 by the Panacea Development Corporation. Magnolia Gardens consists of 954 platted lots and currently contains 226 homes. Generally, Magnolia Gardens is located south of Rehwinkle Road and Greiner's Addition Subdivision. Most lots in Magnolia Gardens are 50' wide, by 100' deep.

Magnolia Gardens contains several suspected karst features, as well as several relatively pristine wetland systems. During the recent real estate boom, most of the new development in Magnolia Gardens was concentrated around the Rehwinkle Road and Tafflinger Road corridors. However, some new construction inevitably found its way further into Magnolia Gardens, with local developers purchasing lots as portions of large packages.

Magnolia Gardens is zoned RMH-1 (Residential Mobile Homes), which allows for a density of 5 dwelling units per acre of land and permits the installation of mobile homes and construction of site built, single family dwellings. However, a restrictive zoning ordinance approved by the Board in 1993, requires that all mobile homes must be new at the time of installation and contain no less than 1,240 square feet of living space.

In May of 2006, the Board adopted Ordinance 06-28, and was later amended in March of 2009 by Ordinance 09-05, known as "The Specific Flood Hazard Ordinance". This Ordinance requires that all new construction proposed within lots located within the Historic Subdivisions of Wakulla County, including lots within Magnolia Gardens, be elevated 24" above the established base flood elevation or 24" above the average crown of the facing road.

The Future Land Use Map designation for Magnolia Gardens is Urban 1. Since sewer is not currently available to this subdivision, the Urban 1 Future Land Use designation requires a minimum of 1 residential unit/acre density.

Currently, public water, provided by the City of Sopchoppy services portions of Magnolia Gardens, while some lots are still serviced by private wells. Additionally, Magnolia Gardens does not have paved roads, sidewalks, streetlights, stormwater ponds or other amenities.

Many of the existing right-of-ways utilized for access within Magnolia Gardens deviate from the roads platted within the recorded subdivision plat. Some of the platted roadways remain forested and unconstructed. This appears to have occurred in an effort to avoid some low-lying or environmentally-sensitive areas.

During severe storms, the subdivision of Magnolia Gardens experiences flooding in the more densely developed blocks and low lying areas. Lack of stormwater retention causes standing water within the roadways, which occasionally makes them impassable. FEMA flood maps indicate that some areas of Magnolia Gardens are in areas of the 100-year floodplain, while most of the subdivision is determined to be within areas of the 500-year floodplain.

### **Lots 30-32, Block "O", Magnolia Gardens**

Mr. Cutchin recently purchased lots 30-32 of Block "O" within Magnolia Gardens Subdivision by way of Tax Deeds. These lots front on Shar-Mel-Re Lane, north of King Bee Drive (Attachment #12). These lots are currently vacant and exist within the limits of Flood Zone "C" per the FEMA Flood Insurance Rate Maps (Attachment #13). FEMA defines flood zone "C" as an area within the 500-year flood plain.

Staff evaluated these lots and determined that no wetlands and other environmental constraints exist on-site; however staff notes that the elevation of these lots slightly slope south and decrease in elevation (Attachment #14).

Additionally, staff reviewed LiDAR data and determined that lots 30-32, Block "O" are located at a somewhat lower elevation than the adjoining lots within Block "O". Lot 32 exists at an 18' elevation, while lots 30 and 31 exist at a 16' elevation (Attachment #15).

Staff believes these lots may potentially be suitable for use as stormwater ponds before stormwater run-off enters the near-by wetland; however, other factors must be analyzed to make a final determination of the suitability for stormwater ponds which include the following:

- **Seasonal high water table.** The water table can greatly affect the usefulness of the site as a stormwater pond. If the water table is only 1 foot beneath the existing surface elevation, it will remain full of water and will only provide minimal additional stormwater attenuation than what currently exists.
- **Stormwater discharge.** This site receives and discharges excess stormwater runoff by overland sheet flow. A stormwater pond would need to be designed to safely allow the excess stormwater runoff to be discharged safely.
- **Mosquito control.** If the stormwater pond is not able to infiltrate the retained stormwater in a reasonable rate of time, the ponds could become a health issue allowing the breeding of mosquitoes and other pests.

**Conclusions:**

While some of the Cutchin's lots may hold the potential to provide an appropriate location for stormwater infrastructure improvements, at this time staff is unable to make a recommendation to the Board to purchase these lots. First, staff was not able to completely analyze the lots because of the current water levels. Additionally, a Floodplain Study and Stormwater Study have not been performed on Greiner's Addition and Magnolia Gardens. Therefore, it is difficult to say whether the Cutchin's lots would be a beneficial purchase for the County.

Staff believes that it would be more cost effective and productive to perform a joint Floodplain Study and Stormwater Study on Greiner's Addition and Magnolia Gardens prior to purchasing property within either Greiner's Addition or Magnolia Gardens. Taking into consideration, the fact that these subdivisions are immediately adjacent to one another as well as the contours of the land depicted in the LiDAR data are connected, staff anticipates the possibility for shared flood basins. Staff estimates that the cost to perform the Floodplain Study and Stormwater Study will be approximately \$25,000. This estimation is based on a comparison of the acreage size and number of lots in Wakulla Gardens (which a Floodplain Study and Stormwater Study was recently prepared for) to the acreage size and number of lots that are platted collectively in both Greiner's Addition and Magnolia Gardens. Wakulla Gardens makes up 607.93+/- acres and contains 3,738 lots. Greiner's Addition and Magnolia Gardens jointly encompasses 236.5+/- acres and comprise of 1,670 lots.

At this time, funding has not been identified to pay for this needed work. However, Preble-Rish, Inc. and Hydra Engineering, LLC have been actively working with County staff to identify potential grant funding sources.

In addition, a geotechnical analysis will be necessary for identifying the Seasonal High Water Table and infiltration rates to determine suitability for the construction of stormwater retention ponds. Staff estimates the overall cost of the geotechnical analysis to be approximately \$2,000. Funding for this analysis has been identified by Public Works in the General Road and Bridge Repair Fund since this analysis will be used for determining potential drainage solutions caused by stormwater from the existing roadways within these Historic Subdivisions.

Since funding has not been identified for a Floodplain Study and Stormwater Study for Greiner's Addition and Magnolia Gardens at this time, staff believes it would be prudent for the following to occur prior to the potential purchase of the Cutchin's lots:

- Direct staff to continue working with Preble-Rish, Inc. and Hydra Engineering, LLC to seek funding to conduct a joint Floodplain Study and a Stormwater Study for Greiner's Addition Subdivision and Magnolia Gardens Subdivision.

Agenda Request: Board Directed Comprehensive Analysis on Certain Properties located in Greiner's Additions and Magnolia Gardens

Date: March 15, 2010

Page 8 of 9

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- Direct staff to work with the County Attorney to seek written permission from Mr. Cutchin and/or other adjoining property owners to conduct a geotechnical analysis to determine the Seasonal High Water Table and Infiltration Rates for the potential use as stormwater ponds. Staff will utilize funds from the Public Works General Road and Bridge Repair Fund, account number 160-0300-541-460.
- Direct staff to provide the Board with an update when funding sources have been identified and the geotechnical analysis is complete.

**Options:**

1. Direct staff to continue working with Preble-Rish, Inc. and Hydra Engineering, LLC to seek funding to conduct a joint Floodplain Study and a Stormwater Study for Greiner's Addition Subdivision and Magnolia Gardens Subdivision, work with the County Attorney to seek written permission from Mr. Cutchin and/or other adjoining property owners to conduct a geotechnical analysis to determine the Seasonal High Water Table and Infiltration Rates for the potential use as stormwater ponds, authorize staff to utilize funds from the Public Works General Road and Bridge Repair Fund (account number 160-0300-541-460), and to provide the Board with an update when funding sources have been identified and the geotechnical analysis is complete.
2. Do not direct staff to continue working with Preble-Rish, Inc. and Hydra Engineering, LLC to seek funding to conduct a joint Floodplain Study and a Stormwater Study for Greiner's Addition Subdivision and Magnolia Gardens Subdivision, do not work with the County Attorney to seek written permission from Mr. Cutchin and/or other adjoining property owners to conduct a geotechnical analysis to determine the Seasonal High Water Table and Infiltration Rates for the potential use as stormwater ponds, do not authorize staff to utilize funds from the Public Works General Road and Bridge Repair Fund (account number 160-0300-541-460), and do not provide the Board with an update.
3. Board Direction.

**Recommendation:**

Option #1

**Attachment(s):**

1. Location map of Block 19, Lots 11-19, Greiner's Addition
2. FEMA Flood Map of Block 19, Lots 11-19, Greiner's Addition
3. Photos of Cutchin's lots 11-19, Block 19, Greiner's Addition and photos of adjacent property
4. Photos and Tax Cards of other adjoining properties
5. LiDAR image of Block 19, Lots 11-19, Greiner's Addition
6. Portion of Greiner's Subdivision Plat, indicating the platted, unconstructed right of way
7. Location map of Block 13, Lots 22 and ½ 23, Greiner's Addition

Agenda Request: Board Directed Comprehensive Analysis on Certain Properties located in Greiner's Additions and Magnolia Gardens

Date: March 15, 2010

Page 9 of 9

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8. FEMA Flood Map of Block 13, Lots 22 and ½ 23, Greiner's Addition
9. Photos of Cutchin's lots, Block 13, Lots 22 and ½ 23, Greiner's Addition
10. Photos and Tax Cards of other adjoining properties
11. LiDAR image of Block 13, Lots 22 and ½ 23, Greiner's Addition
12. Location map of Block "O", Lots 30-32, Magnolia Gardens
13. FEMA Flood Map of Block "O", Lots 30-32, Magnolia Gardens
14. Photos of Block "O", Lots 30-32, Magnolia Gardens
15. LiDAR image of Block "O", Lots 30-32, Magnolia Gardens

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