

Board of County Commissioners

Agenda Request

Date of Meeting: May 5, 2009

Date Submitted: April 17, 2009

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 Final Plat FP09-02-Magnolia Park Subdivision
Citizens' Bank-Wakulla d.b.a Ameris Bank, Property Owner/Moore Bass,
Agent

Statement of Issue:

This agenda item provides the Board with an Application for Final Plat FP09-02 on a parcel located on the south side of Harvey Mill Road, west of Cynthia Street.

Background:

This application requests final plat approval for a 46 lot residential subdivision known as Magnolia Park Subdivision. This property was a 36.68+/- acre parcel located on the south side of Harvey Mill Road, west of Cynthia Street, that has since been subdivided into 46 lots upon the Board of County Commissioners approval of the preliminary plat on March 6, 2006 (Attachment #1).

Technical Review Committee (TRC):

On February 19, 2009, the Application was reviewed. The Agent was present and notified that additional items were required to complete the file. The Applicant was required to provide 20 copies of the revised final plat to include setbacks, corrected certifications for the Planning Commission Chairman, Board of County Commissioners Chairman and Planning Director and the addition of the adjoining landowners and recorded subdivision plats. Additionally, the conservation easement was required to be recorded, a Letter of Authorization, Title Opinion, Covenants and Restrictions and Homeowners Association documents to be provided. Furthermore, the agent was required to satisfy all requirements set forth by the Public Works Department regarding the required infrastructure improvements. These items were submitted by the required deadline.

Planning Commission:

On April 13, 2009, the Commission reviewed the request. Staff noted that the Applicants have fulfilled the staff recommended conditions

of approval, which were the approval by FDEP of the constructed central sewer system and the Engineers Certification for the General Stormwater Permit to FDEP; therefore staff changed its recommendation from approval with conditions to a recommendation of approval. The Commission voted 4-2 to recommend approval.

Analysis:

Preliminary Plat:

The Preliminary Plat and related PUD was approved by the Board of County Commissioners at Public Hearing on March 6, 2006. Subsequently the Magnolia Park Subdivision was constructed in accordance with the provisions set forth by the approved PUD document and preliminary plat. No changes have been made between the approval of the PUD and preliminary plat and the submittal of the Application for Final Plat FP09-02.

Comprehensive Plan:

The Future Land Use Map (FLUM) designation for the property is Urban 1. Urban 1 allows for residential density of 2 dwelling unit per acre of land, with connection to central water and sewer (Attachment #2).

Land Development Code:

The current zoning district for the property is PUD (Planned Unit Development). This zoning district allows for a 47 lot residential subdivision, which permits one dwelling unit per lot (Attachment #3).

Site Conditions:

The FEMA flood zone designations for the property is zone "C" and "A5". Zone "C" is an area of minimal flooding, and usually does not require flood insurance by mortgage lenders. Zone "A5" is an area within the 100-year floodplain, in which the property owner has a one percent chance of experiencing a flood in any given year.

Water service is provided by the City of Sopchoppy and sewer service is provided by Wakulla County.

The Subject Property currently contains one site-built, single family dwelling (Attachment #4).

Adjacent Parcels:

Abutting parcels are zoned RR-1 (Rural Residential) and AG (Agriculture), RR-5 (Rural Residential) and R-1 (Single Family Residential) (Attachment #5). The RR-1 zoning district allows for residential density of 1 dwelling unit per acre of land and permits the construction of both site-built, single family dwellings and the installation of mobile homes. The AG zoning district allows for residential density of 1 dwelling unit per 5 acres of land and permits agricultural production, livestock and the construction of both site-

built, single family dwellings and the installation of mobile homes. The RR-5 zoning district allows for residential density of 1 dwelling unit per 5 acres of land and permits the construction of site-built, single family dwellings and the installation of mobile homes. The R-1 zoning district allows for residential density of 5 dwelling units per acre of land and permits the construction of site-built, single family dwellings.

Compatibility: This property's current PUD zoning district is consistent with the Urban 1 Future Land Use designation.

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 final plat request. The Code does not require written notice to adjacent property owners for requests of this type. To date, the Planning Department has not received any written responses to the notice.

The advertisement for this public hearing appeared in the Wakulla News on March 26, 2009 (Attachment #6).

Additional Issues It should be noted that as of the date of this Agenda Request, the Department of Environmental Protection (FDEP) has not yet approved the constructed central sewer system and the Applicant has not yet provided the Engineers Certification for the General Stormwater Permit to FDEP. The Applicant expects to have these complete by the date of the Public Hearing before the Board of County Commissioners.

Options:

1. Conduct the final Public Hearing and approve Application for Final Plat FP09-02, based upon the recommendation of the Planning Department and the Planning Commission 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 Application for Final Plat FP09-02, 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 Application for Final Plat FP09-02. The proposed final plat meets all applicable requirements set forth in the Wakulla County Code and Comprehensive Plan.

Attachment(s):

1. Location Map
2. FLUM Policy 1.2.6
3. Magnolia Park PUD
4. Site Photos
5. Tax and Zoning Maps
6. Advertisement
7. Final Plat

[LS/ss]