

Gadsden County Planning Commission Agenda Report

Date of Meeting: June 15, 2006
Date Submitted: June 5, 2006
To: Honorable Chairman and Members of the Commission
From: William D. McCord, Growth Management Director
Subject: Public Hearing -- Preliminary Plat for Susan's Place, A Re-Plat part of Waha Minor Subdivision (SD-2006-06)

Statement of Issue:

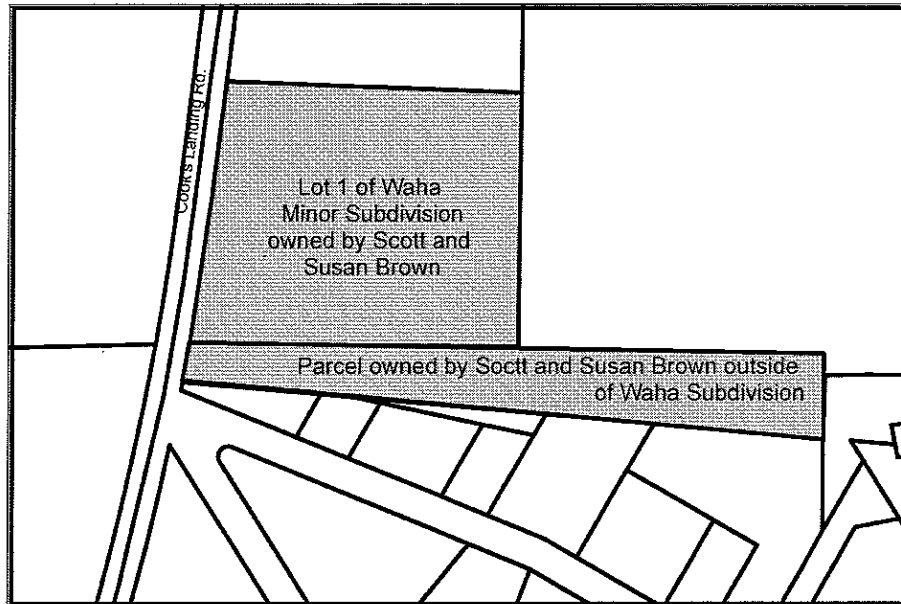
Scott B. Brown and Susan Sims-Brown, Owners / Applicant; by Thomas Skipper, Representative; request preliminary approval for Susan's Place Subdivision which will re-plate Lot 1 of Waha minor subdivision. The 4.11 acre property subject to the proposed re-plate is located on the east side of Cooks Landing Road just north of Alma Yates Street approximately 3.0 miles southeast of Wetumpka, in township 1 North, Range 4 West Section 34) (Tax ID #4-34-1N-4W-8840-00000-0010) (attachment #1). A second parcel containing 2.07 acres to the south of Lot 1 of Waha Minor Subdivision with Tax ID #6-03-1S-4W-0000-00110-0000X will be platted with into Lot 1 (see diagrams on page 2). This action is considered a quasi-judicial action in conjunction with the advertised public hearing as a Type II plan per Subsection 7202 of the Gadsden County Land Development Code. This agenda item provides guidance to the Board in making a decision on the proposed preliminary plats per Subsection 7505.

Background:

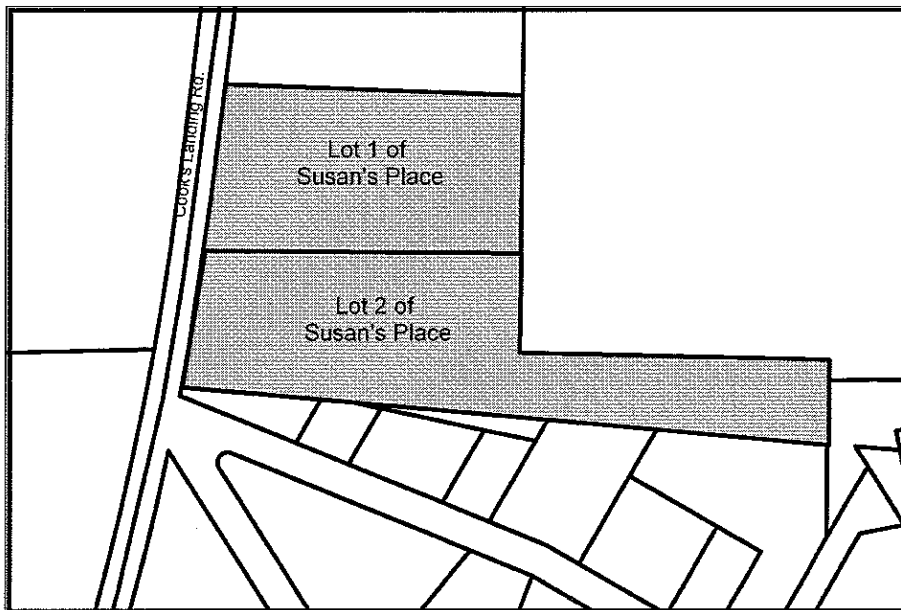
The 4.11 acre property is Lot 1 of Waha Minor Subdivision, a six lot minor subdivision originating from a 32 acre tract. Waha minor subdivision was created by Gerald Thompson in 2002. The 32 acre original tract was previously owned by Curry Powell in 1993. Scott Brown and Susan Sims-Brown acquired Lot 1 on February 6, 2004. The Brown's also acquired 2.07 acres from C.R. Shaw as illustrated on the following page.

Analysis:

Currently, Scott and Susan Brown own Lot 1 (4.11 acres) of Waha Minor Subdivision and a separate 2.07 acre parcel to the immediate south as shown below.



The proposed re-plat or Susan's Place Major Subdivision will consist of two lots containing 6.18 acres.



The re-platting of Waha minor subdivision and creation of Susan's Place is essentially the shifting of the south property line of Lot 1 northward. Adjusting property boundaries in platted subdivisions require formal review as stated in Subsections 5104.B.12 and 6700.A. This project is being reviewed as a Type II review per Subsections 7202 and 7103 of the Land Development Code. Re-plats trigger major subdivision review and are considered a Class 2 use. This is the first of two stages required for review and approval of the re-plat/subdivision. Essentially the conceptual plat review occurred at the Waha Subdivision review stage. After preliminary plan review and approval, the plan will be required to undergo a final plat review.

Land Uses (Subsections 4103 and 5103):

The proposed Re-Plat or two lot subdivision is bordered on the east and west by conservation land uses owned by the State of Florida. Properties to the north and south are in the Rural Residential land use (1:1). Davidson Lake Talquin Subdivision (Plat Book 1, Page 137) borders the proposed two lot subdivision to the south.

The proposed preliminary subdivision plat (attachment #2) will consist of a 2 lot single family subdivision with frontage along Cooks Landing Road. For residential uses, the Code requires that 10 % of the development or, in this case, 0.61 acres must be set aside as open space (5301). The applicant plans to provide a 25' natural buffer along the perimeter of the two lots. There are no wetlands on the properties.

The proposed subdivision would be compatible with adjacent uses since most of the uses consist of single family residences on adjacent properties within in the Rural Residential land use category.

Access/accessibility (Subsections 5611 and 6102):

The two lot subdivision will not have internal streets. The proposed 2 lot subdivision would generate 10 daily trips and 1 additional peak hour trip. All trips would be primarily assigned to Cooks Landing Road.

Sidewalks are not required in this subdivision because lot sizes exceed one acre.

Utilities (Subsections 6103 and 6106):

Potable water will be provided by Talquin Electric Cooperative via an existing 6" water line along Cooks Landing Road. Electric utilities will be provided through Talquin Electric Cooperative and should be placed underground. Subsection 6106.3 encourages the placement of underground utilities.

The Comprehensive Plan requires septic tanks to be located at least 100 feet from a wetland boundary. According to the proposed design, the two lots should meet this standard.

Drainage basin/watersheds/Flood Zone (Subsections 6104 B and 5401):

One home exists on Lot 1 of Waha Minor Subdivision. The new subdivision will only add one home and not require stormwater retention. The property is located within the Ocklawaha Creek Drainage Basin. No portion of the property is located within the FEMA flood zone (Panel 120091-0050A). The property naturally drains towards the east into Lake Talquin.

Affects to natural features resources (Subsection 5400):

The site consists mostly of planted pines. No historic or cultural features are on the site.

Schools /capacity:

The subdivision will have very minor impacts on area schools with the creation of only one new residence.

Concurrency issues:

The proposed subdivision will generate approximately 10 additional daily trips all accessing to/from Cooks Landing Road. These trips will further be dispersed along State Road 267 and other roadways on the network in close proximity to the project site. No roads in this area are experiencing level of service problems and there will be sufficient capacity available to accommodate trips generated by this development. Water will be provided by Talquin Electric Cooperative via an existing 6" water line. Approximately 350 gallons per day of water will be needed to serve the additional lot. No sewer is available. The additional lot will use a septic tank for sanitary sewage treatment.

Plat Documents (Subsections 6007, 6105 and 6101)

Plat Documents have not been provided since this is a re-plat of an existing minor subdivision. The covenants and restrictions for the Waha Subdivision shall apply to this re-plat. At the time of final plat review these documents will be reviewed and if necessary amended to incorporate the additional properties and provide consistency with Subsection 6005.C.10.

Fiscal Impact:

Approving the proposed preliminary plat will permit the development of 1 additional single family residential unit which will generate additional tax revenue for the County. Estimated tax revenue for the lot would be approximately \$3179.

* Based on the assumed value of \$200,000 per lot/home with a \$25,000 homestead exemption for each lot with a millage rate of 18.169.

Code required standards and findings:

The Planning Commission shall review the conceptual/preliminary plan for consistency with the Comprehensive Plan and minimal aspects of the Land Development Regulations and make a recommendation to the Board of County Commissioners. These plans only require that the details described in Subsections 6004 and 6005 be shown on the plans. These plans generally comply with these minimal requirements. The attachment of reasonable conditions to the subdivision of land is an exercise of valid police powers delegated by the State to the County. This may result in the application of conditions of approval of the preliminary plat.

Upon review of the preliminary plat, The Planning Commission shall make findings and or findings with conditions in making their recommendation. The findings by the Planning Commission include including:

1. A statement(s) of the criteria and standards used for evaluation of the proposed changes;

The proposed subdivision preliminary plat is consistent with the Gadsden County Comprehensive Plan, and in particular the Future Land Use Map, The Future Land Use Element Objective 1.1, Policies 1.1.5 (B), 1.1.8, 1.1.9, Objective 1.2, Policies 1.2.1, Objective 1.3, Policies 1.3.1, 1.3.2, 1.3.4, 1.3.5, and 1.3.6, Objective 1.8, Policies 1.8.2, 1.8.3, 1.8.4, and 1.8.5, Objective 1.10, Policies 1.10.1, 1.10.2, 1.10.4, 1.10.5, 1.10.6, 1.10.12, and 1.10.14, and Objective 1.11, Policy 1.11.1; the Transportation Element, Objective 2.1, Policies 2.1.5 and 2.1.6, Objective 2.2, Policies 2.2.4 and 2.2.5, Objective 2.3, Policies 2.3.1 and 2.3.2, Objective 2.4, Policies 2.4.1 and 2.4.2; The Housing Element, Objective 3.1, Policy 3.1.1; The Infrastructure Element, Objective 4.2 Policies 4.2(A) and (B), and 4.2.1, Objective 4.3, Policies 4.3.1 and 4.3.2, Objective 4.5, Policies 4.5.1 and 4.5.5, Objective 4.6, Objective 4.10, Policies 4.10.1, 4.10.3, 4.10.4, 4.10.6, and 4.10.7, Policy 4.11.3; The Conservation Element, Objective 5.2, Policies 5.2.1, 5.2.4, 5.2.8, 5.2.9, 5.2.11, 5.2.20, Objective 5.3, Policies 5.3.2, 5.3.3 and 5.3.4, Objective 5.4, Policies 5.4.2 and 5.4.5, Objective 5.7, Policy 5.7.1: The Recreation and Open Space Element, Objective 6.2, Policies 6.2.2 and 6.2.3, Objective 6.4, Policies 6.4.1 and 6.4.2; The Intergovernmental Coordination Element, Objective 7.1, Policies 7.1.1, 7.1.5, 7.1.7, and 7.1.8, and the Concurrency Management plan requirements/compliance.

2. A statement(s) of the findings which staff found establishing compliance or noncompliance with each applicable criterion;

The proposed subdivision conceptual/preliminary plat complies with and is consistent with the Gadsden County Land Development Code and specifically Chapter 4, Land Use, Chapter 6, Subdivision Regulations, Chapter 5, Development Standards, Chapter 7, Development Orders and Chapter 8,

Concurrency Management System upon approval of the proposed preliminary plat approval.

3. The reason(s) for a conclusion to approve or deny;

Per Section 7501 Gadsden County Land Development Code, staff has provided the Code required public notification for the preliminary plat review (attachment #3) and has demonstrated that the proposed plat meets the intent of the Comprehensive Plan and substantially complies with the requirements of the Gadsden County Land Development Code, and, in particular, the requirements for preliminary plat as described in Subsections 6004, 6005 and 6100.

4. The decision to deny or approve the proposed change, with or without conditions, and if appropriate, a statement(s) of the hearing body's interpretation of what would be required to achieve compliance with the standards and criteria of the land development Code or the Comprehensive Plan.

The proposed Preliminary Plat will promote the public health, safety, welfare, economic order, development, aesthetics and quality of life in the community and region by providing uses permitted in the Comprehensive Plan including housing. All proposed lots comply with the requirements of the County's subdivision regulations and with the requirements of the Rural Residential land use category. The proposed preliminary plat is consistent with the Land Development Code with following conditions.

Options:

1. Approve the preliminary subdivision plan for Susan's Place Subdivision, a Re-Plat of Waha Minor Subdivision (SD-2006-06) on Tax Parcel #'s 4-34-1N-4W-8840-00000-0010 and 6-03-1S-4W-0000-00110-0000X consisting of a one sheet plan (Sheet number 1) prepared by Thomas Skipper, Professional Surveyor and Mapper of Quincy, FL with project number 2006-053 dated April 12, 2006 based on the above referenced findings and the following conditions:
 - a. Provide a copy of the Covenants and Restrictions and include all of the additional property under the covenants and restrictions for the existing Waha Subdivision or newly created covenants and restrictions for these properties consistent with the covenants and restrictions of the Waha Subdivision and compliant with Subsection 6005.C.10.
2. Deny the request for approval of "Susan's Place" Subdivision and make findings for denial.
3. Discretion of the Board

Recommendation: Move option #1

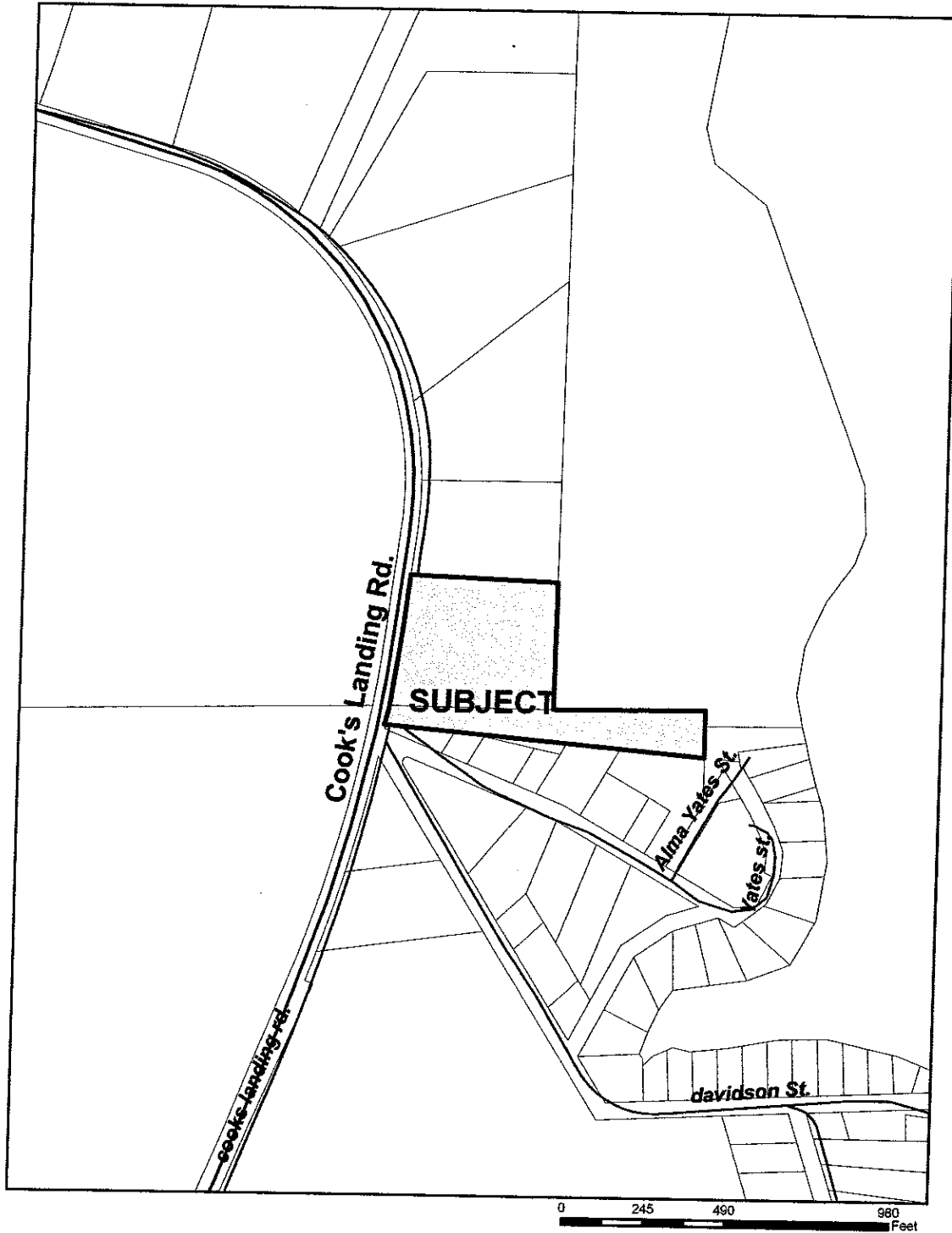
The Growth Management Department recommends approval of the preliminary subdivision plan for Susan's Place Subdivision (SD-2006-06) on Tax Parcel #'s 4-34-1N-4W-8840-00000-0010 and 6-03-1S-4W-0000-00110-0000X consisting of a one sheet plan (Sheet number 1) prepared by Thomas Skipper, Professional Surveyor and Mapper of Quincy, FL with project number 2006-053 dated April 12, 2006 based on the above referenced findings and the following conditions:











- a. Provide a copy of the Covenants and Restrictions and include all of the additional property under the covenants and restrictions for the existing Waha Subdivision or newly created covenants and restrictions for these properties consistent with the covenants and restrictions of the Waha Subdivision and compliant with Subsection 6005.C.10.

Attachments:

- #1 Location Map
- #2 Preliminary Plat for Susan's Place Subdivision
- #3 Public Hearing Notice

SUSAN'S PLACE LOCATION MAP SD-2006-06



- Legend**
-  parcels_20060418
 - Major Roads**
 -  <all other values>
 - CLASS**
 -  Freeway
 -  Major Collector
 -  Minor Arterial
 -  Minor Collector
 -  Principal Arterial
 -  localroads05
 -  Railroads
 -  Susans_Place



GADSDEN COUNTY Board of County Commissioners

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GADSDEN COUNTY GOVERNMENTAL COMPLEX
DEPARTMENT OF GROWTH MANAGEMENT
PLANNING ♦ CODE ENFORCEMENT ♦ BUILDING PLANS REVIEW & INSPECTIONS

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June 2, 2006

PUBLIC HEARING NOTICE

Project name: Susan's Place Subdivision, A Re-Plat of Waha Minor Subdivision
Project number: SD-2006-06
Type Review: Preliminary Plat review
Tax Parcel ID #: 4-35-1N-4W-8840-00000-0010

This Public Hearing is called to consider a request for Preliminary Plat approval for Susan's Place Subdivision by re-platting Lot 1 Waha Minor Subdivision and platting a single parcel consisting of a total of a 6.18 acre parcel in the Rural Residential (RR) (1:1) land use category, located on the east side of Cooks Landing Road and north of Yates Street as indicated on the attached location map (on the back of this notice).

This notice is being provided to all property owners within 1000 feet of the subject site as required by subsection 7500, Gadsden County Land Development Code. The applicant proposes to develop a 2 lot single family subdivision on the site.

The Planning Commission will hold a public hearing and receive comment on the proposal on **Thursday, June 15, 2006**, and if duly forwarded, the Board of County Commissioners will hear the request and receive public comment on **Tuesday, July 11, 2006**. Both meetings will be held at 6:00 p.m. in the commission meeting room at 7 East Jefferson Street, Quincy, Florida.

Copies of the proposed application will be available at the Growth Management Department, 1B East Jefferson Street, Quincy. Persons wishing to comment may do so in person at the public hearing or in writing to the Gadsden County Board of County Commissioners, 7 East Jefferson Street, Quincy, FL 32351. If a person decides to appeal a decision by the Board of County Commissioners with respect to any matter considered at such public hearing, he/she will need a record of the proceedings and for such purpose he/she may need to insure that a verbatim record of the proceedings is made, which record includes testimony and evidence to which the appeal is to be heard.

H: Major Subdivisions\2006\Susan's Place\1000' mailout