

**SEMINOLE COUNTY GOVERNMENT
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION
AGENDA MEMORANDUM**

SUBJECT: Triple E Ranch Subdivision PSP

DEPARTMENT: Planning & Development **DIVISION:** Development Review

AUTHORIZED BY: Larry Poliner **CONTACT:** Cynthia Sweet **EXT.** 7443

Agenda Date 12/10/2008 **Regular** **Work Session** **Briefing**
Special Hearing – 6:00 **Public Hearing – 7:00**

MOTION/RECOMMENDATION:

Disapprove and recommend to the Board of County Commissioners to disapprove the Preliminary Subdivision Plan (PSP) for Triple E Ranch Subdivision that consists of 3 lots on a 16.259 acre parcel zoned A-5 (Rural Subdivision), located on the west side of Coffee Trail and north of Lake Geneva Road; for Ed Tomczak, applicant, and disapprove the following:

1. Waiver of the Land Development Code for development of a rural subdivision that does not have frontage on a legal dedicated road that meets county standards.
2. Request for a joint maintenance agreement with the applicant and Seminole County for a private access easement.

District 2 – McLean

Cynthia Sweet, Senior Planner

BACKGROUND:

The applicant, Ed Tomczak is requesting approval of a preliminary subdivision plan for Triple E Ranch Subdivision, including waiver of the Land Development Code for development of a rural subdivision that does not have frontage on a legal dedicated road that meets county standards, and a joint maintenance agreement with Seminole County for a private access easement. The project consists of 3 5-acre lots on a 16.259 acre parcel zoned A-5 (rural subdivision) and is located on the west side of Coffee Trail and north of Lake Geneva Road, in Section 15, Township 20 S, Range 32 E.

The subject property was established before the adoption of the Seminole County Land Development Code and is entitled to one permit for a single family residence without a subdivision plan approval subject to a waiver to subdivision standards for property not fronting on a public road. A waiver for not fronting on a public road is necessary

because there is no public road frontage. Access to the property is through a shared private access easement known as Coffee Trail.

Coffee Trail is not considered a road as defined by the SCLDC. The code defines a public road as land dedicated, deeded, used or to be used for a street, alley, walkway, boulevard, public utilities, drainage facility, access for ingress and egress, or other purpose by the public, certain designated individuals, or governing bodies. Coffee Trail is a private access easement that serves several properties. Coffee Trail does not meet county standards for roads and is not and will not be part of the county's maintenance system. In order for Coffee Trail to become a legal road, it will require legal dedication as a road by all interested parties, deeded as such, improved to county standards, and all other legal requirements. Private and public roads must meet minimum standards to allow approval of any new development.

The PSP does not meet code and is not recommended for approval. Staff does not support subdividing of the property into more than one lot since it does not front on a deeded dedicated public or private road that meets county standards. Staff does not support a waiver of the Land Development Code for development of a rural subdivision that does not have frontage on a legal dedicated road that meets county standards or enter into a private road maintenance agreement for a private access easement. No new development is allowed on private access easement; property must front on a dedicated road improved to county standards. Coffee Trail will require a private dedicated maintenance agreement to ensure proper maintenance and repair of the road. The county will not be a party to a private road maintenance agreement.

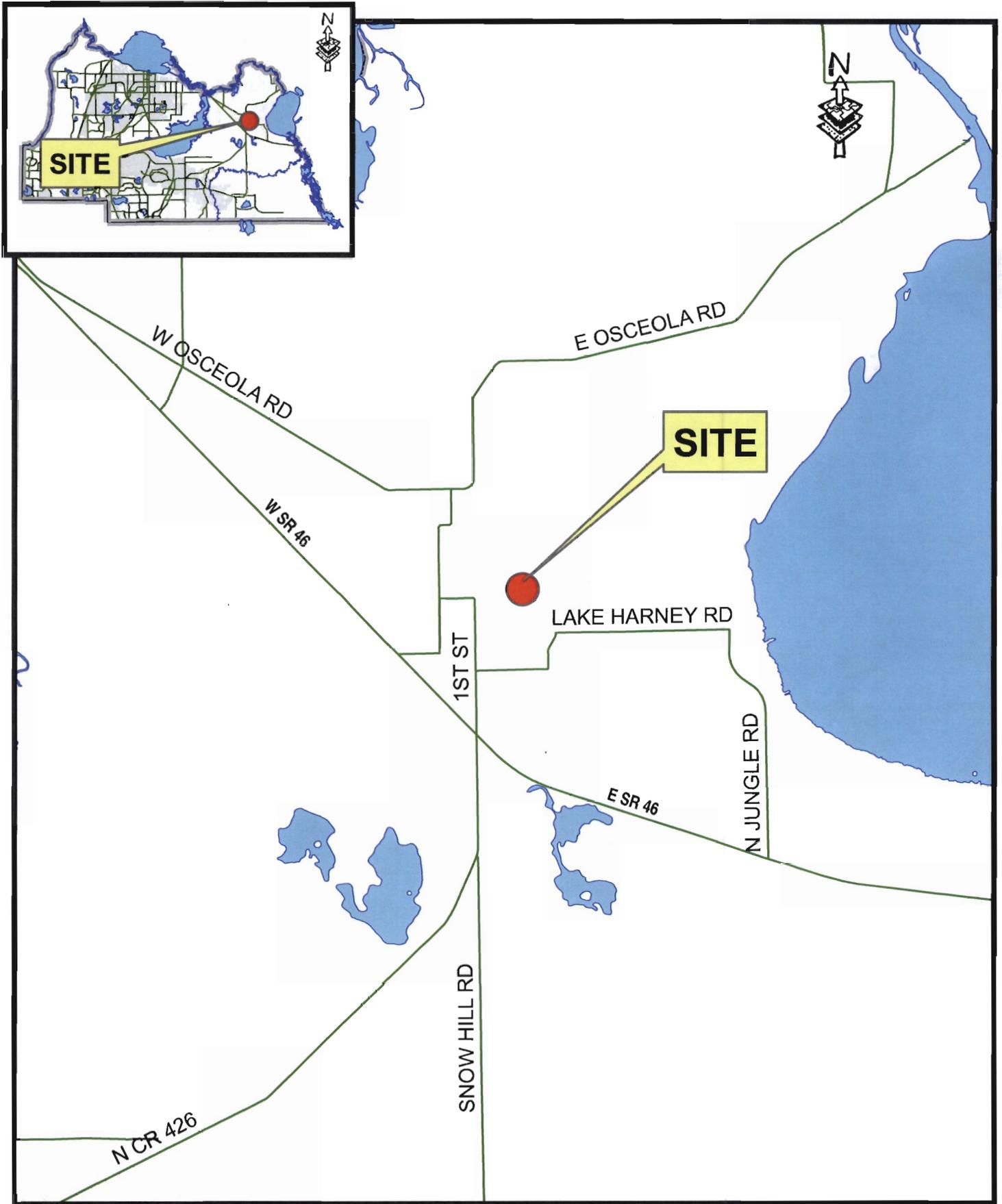
STAFF RECOMMENDATION:

Staff recommends the Planning & Zoning Commission disapprove and recommends to the Board of County Commissioners to disapprove the Preliminary Subdivision Plan for Triple E Ranch Subdivision. The project consists of 3 lots on a 16.259 acre parcel zoned A-5 (Rural Subdivision), located on the west side of Coffee Trail and north of Lake Geneva Road in Geneva for Ed Tomczak, applicant, and disapprove the following:

1. Waiver of the Land Development Code for development of a rural subdivision that does not have frontage on a legal dedicated road that meets county standards.
2. Request for a joint maintenance agreement with the applicant and Seminole County for a private access easement.

Attachments: Site Area Map – Exhibit A
Location Map - Exhibit B
Preliminary Plan Reduction - Exhibit C

DR No. _____
Parcel ID#: 15-20-32-300-0240-0000



Triple E Ranch Subdivision PSP



Triple E Ranch Subdivision PSP
Location Map



