

MINUTES OF A SUBDIVISION WORKSHOP OF THE GILCHRIST COUNTY BOARD OF COUNTY COMMISSIONERS HELD JULY 11, 2005.

The Gilchrist County Board of County Commissioners, in and for Gilchrist County Florida, convened in a regular meeting on Monday, July 11, 2005 at 7:00 p.m. in the Board of County Commissioners Meeting Room located at 210 South Main Street, Trenton, Florida, with the following members present to-wit:

Commissioner Mitchell Gentry, Chair
Commissioner Randy Durden, Vice-Chair
Commissioner Sharon Langford
Commissioner Kenrick Thomas
Commissioner Tommy Langford

Others in attendance were: John McPherson, County Attorney, Joseph W. Gilliam, Clerk of Circuit Court, Janice Wasson, Deputy Clerk, Ron McQueen, John Ayers, Brad Smith, Leon Wyszowski, Alex Wyszowski, Allen Mikell, Justin Watson, Billy Cannon, Gene Parrish, and Jim Martin.

Call to Order:

Chairperson Gentry called the workshop to order at 6:58 p.m.

Mr. Ron McQueen: (1/20) advised the Board of several issues in the County that need to be addressed in regards to subdivisions. He spoke about the definition of a subdivision (minor and major), division of property, parent tract definition and relation to lot splits, easements (access) to lots, length to width ratio and remainder property, start dates for review and research, and driveways onto county roads. He stated that Mr. McPherson prepared a draft Ordinance to present to the Board.

Mr. McPherson: (1/248) presented the Board with a Draft Ordinance and advised the Board of the following:

Definition of a Subdivision: Mr. McPherson stated that a Subdivision is the division of a parent tract into two (2) or more lots or parcels of land, for the purpose of immediate or future transfer of ownership. He also defined a Minor Subdivision. Mr. McPherson recommended that the Board define exactly what a Subdivision (Minor and Major) is within the County. He also advised the Board of several options that will regulate the division of land within a subdivision. Mr. McPherson stated that the draft Ordinance set forth a procedure for the County in regards to Subdivisions.

Access to Lots: Mr. McPherson stated that he felt that the requirement of paving a public road needed to be revised to accomplish a more fair system to all landowners within the County. The Section of the Draft Ordinance relating to access had been reserved.

McQueen (Continued): (1/670) represented several concerns for Mr. Ted Burt, who could not attend the Workshop, in regards to the division of property in relations to access and requiring a front to back split of the property, and also a four (4) to five (5) lot split vs. a three (3) lot split.

Mr. Gene Parrish: (1/784) addressed the Board in regards to the lot size and minimum division. He stated that if the Lot Width to Length Ratio is omitted for the County, it could raise issues for Emergency Services, and questioned the feasibility of the change.

Parent Tract Clause – He referred to the procedure of a neighboring County in regards to the requirements/regulations on lot divisions.

Mr. Parrish requested that the Board keep in mind that changing some aspects of the current procedure could affect other aspects for the County.

Commissioner Tommy Langford: (1/1164) questioned the difference in the expense of engineering in relation to a lot split into five (5) vs. a split into three (3) pieces.

Parrish: (1/1202) discussed several reasons to altering the Minor Subdivision Rule, and discussed the

division of property to generate revenue for developments, or as a phase of development.

Chairperson Gentry: (1/1311) questioned the burden of road construction, and the benefit of phasing the driveway. He also questioned joint driveways and easement access. **Mr. Parrish** stated that as the regulation is currently, if a parent parcel is split into three (3) lots, and the third lot is not a frontal (275 ft.) lot, then the lot cannot be accessed by an easement, it must be accessed by a constructed road to County specs.

McPherson: (1/1530) discussed “clustering” of the remainder of land, which is still considered a lot/parcel of land.

Commissioner Thomas: (1/1571) questioned the issue of a division of land that would result in a property owner receiving a gift of land. *Example: a parent to a children.* **Mr. McQueen** discussed the inheritance clause under the current guidelines, and the requirement of homesteading a gift of land in regards to receiving a building permit from the County.

Alex Wyszkowski: (1/1875) questioned the re-sale of a gift.

McQueen: (1/1905) stated that if a child receives property as a gift, and that child homesteads the property, the child can receive a building permit. However, if the property is received as a gift and the child wishes to sell the property instead of build, a building permit cannot be received. However, if the property is received as a gift, and the child homesteads the property, and later decides to sell that home, it becomes a recorded lot.

Mr. Gilliam (1/1936) questioned the effect of changes to Parrish Land Survey, and questioned a timeframe.

Parrish: (1/1990) requested of the Board that if there is a substantial change in the requirements for minor/major subdivisions, that a threshold be established.

Jim Martin: (1/2094) discussed the division of property. He stated that if the rules change now, he will lose money and the County will lose revenue because if he builds on the property, the County will benefit from the taxes of the construction. He questioned the reasoning behind the changes.

Commissioner Thomas: (1/2211) stated that the preservation of the future of the County was his purpose of the review.

Commissioner Tommy Langford: (1/2255) stated that the revenue that is made from the sale of the land that brings people to the County will be needed to manage the services required by the people who come with the sale of the land.

Jim Martin: (1/2334) stated that Impact Fees can also be seen as a source of revenue. He stated that he did not purchase the property to develop the land as it is desirable, but wishes to follow the guidelines of the County. He stated that he can be sympathetic, but that growth is inevitable.

Justin Watson, Road Department: (2/2) addressed the maintenance by the County on existing Minor Subdivision roads.

Billy Cannon: (2/81) advised the Board that the Right-of-Way received is not always a clean piece of land. He stated that a lot of times the property received would require the County to clear the land to maintain it.

Justin Watson: (2/145) addressed narrow right-of-ways. He also requested the Board to allow a Plat Review Group to review plats submitted prior to approval. The Board discussed a Group being established, and also discussed the Postal Service providing group boxes. He stated that planning of this nature aid in the maintenance and life of the road. **Billy Cannon** discussed the number of driveways feeding out from County maintained roads, and the damage incurred by those driveways.

Brad Smith: (2/302) stated that as a Realtor, buyers visit his office daily to purchase land to develop subdivisions, and that he agreed that advance timeframe is needed to be established because there

are developers who have been told by the county what they can and cannot do. He stated to change it now would be unfair.

Parrish: (2/343) addressed limerock grades and County regulations. He discussed bonding and maintaining the roads, and stated that he would like to see the County to become consistent with surrounding areas. The Board directed the County Attorney research this issue.

Commissioner Durden: (2/396) questioned the Road Department on bonding and maintaining paved roads for one year instead of the current five years.

Chairperson Gentry called for recommendations from the Board on any amendments to the draft.

Mr. Gilliam: (2/539) requested clarification from the County Attorney on the establishment of a Group for review in regards to the Sunshine Laws. The Board stated that a checklist can be followed without creating a Review Group, and County Planner can include the review within their report to the Board.

Motion by Commissioner Durden, seconded by Commissioner Tommy Langford , to send the Amendments to the Draft Ordinance to the Planning and Zoning Board, with a second recommendation being presented to the Board. Motion carried unanimously with a 5-0 vote.

Langford Negotiations: (2/704) Mr. McPherson questioned called for objections to the proposal negotiations, and recommended that Mediation be presented to the Attorney for the Langfords. No objections were received by the Board.

Adjournment: (2/752)

There being no further business, the Workshop adjourned at 8:34 p.m.

APPROVED:

Mitchell Gentry, Chairperson

ATTEST:

Joseph W. Gilliam, Clerk