

RESOLUTION NO. R-03-051

RESOLUTION OF MANATEE COUNTY, FLORIDA, GRANTING SPECIAL APPROVAL FOR A PROJECT (TIPTON, Z-02-06) TO UTILIZE SEPTIC TANKS RATHER THAN REQUIRING CONNECTION TO MANATEE COUNTY'S PUBLIC SANITARY SEWER SYSTEM

WHEREAS, Comprehensive Plan Policy 9.2.1.2 requires new projects located within the wastewater treatment collection area to connect to the Manatee County sewer system except as allowed by Special Approval; and

WHEREAS; It has been identified that the process for obtaining such Special Approval from the Board is not clear from the requirements of the Comprehensive Plan and the Land Development Code; and

WHEREAS, Until such time as the Special Approval Chart (Chart 605) is amended and the Comprehensive Plan and Land Development Code language can be reconciled, the Board has authorized requests for Special Approval to be presented in the form of a Resolution for consideration by the Board; and

WHEREAS, A pending rezone request known as Tipton, Z-02-06, is located within the wastewater treatment collection area as shown on Comprehensive Plan Map 9-A; and

WHEREAS, The applicant proposes to rezone the 5.05 acre parcel from A (General Agriculture) to A-1 (Suburban Agriculture) in order to divide the parcel into 2 lots; and

WHEREAS, There is an existing single-family residence on the site that is served by a septic system, which will remain on one of two lots; and

WHEREAS, The second lot also has a septic system which formerly served a mobile home that has been removed from the site, and which septic system could be used again to serve any new residence on the site; and

WHEREAS, The Utility Operations and Project Management Departments believe the cost to extend sewer lines to serve this project would be well in excess of one million dollars; and

WHEREAS, An analysis of the factors to be reviewed when a project proposes to not connect to the Manatee County sewer system has been conducted by the appropriate review agencies, as specified in the Comprehensive Plan and the Land Development Code, the results of which are attached, recommending that the Board grant Special Approval for this project,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, THAT:

SECTION 1. The Board of County Commissioners hereby grants Special Approval for the Tipton project (Z-02-06) to utilize septic systems for no more than 2 lots, thereby not requiring this project to connect to the Manatee County sewer system.

ADOPTED, with a quorum present and voting this 28th day of January, 2003.

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA.**

By: _____

John Bruce
Chairman

ATTEST:

R. B. Shore
R. B. Shore

Clerk of the Circuit Court



Special Approval
To not Connect to the Manatee County Sewer System

Analysis of Factors listed in the Comprehensive Plan and LDC

- **Description of Site**

The Tipton site contains 5.05 acres, with a single-family residence on the western half and a pole barn on the eastern half. The street address is 9506 25th Street East (Lyntor Road). This site is ± 4,700' east of Wellon Ranch Road (80th Ave. E.), ±3,100' west of Honey Road (104th Ave E.), and ± 600' south of Pleasant Oaks Subdivision.

Based on the acreage, dimensions, and roadway frontage of the parcel, up to 4 lots could be created if the site is rezoned from A to A-1. However, given the location of the existing residence and the pole barn, it appears more likely that this parcel could be spit into two lots; one containing the existing home and the other lot the pole barn and a future homesite.

Staff contacted the purchaser and verified that the intent to create 2 parcels as outlined above.

- **Proposed wastewater impacts**

The existing residence is currently served by a septic system. There is a second septic system in place on the eastern side of the property. This system served a mobile home which was removed this past summer and continues to serve the pole barn. It appears the second system could be reused if another residence was constructed on the second lot.

Based on the above information, there appear to be no new or additional wastewater impacts if this site does not connect to the Manatee County sewer system.

- **Accessibility of the central system**

The nearest possible connection to the Manatee County sewer system is at the corner of Wellon Ranch Road and 29th Street East ± 1.13 miles from the site. The sewer system also runs through the Pleasant Oaks Subdivision, some 610 ft. to the

north. However, connection to Pleasant Oaks is not possible as there are no easements in which to run sewer lines. A rough estimate of connection cost to extend county sewer to this site is over one million dollars.

- **Proposed infrastructure improvements**

According to the Project Management and Utility Operations Departments, there are no plans to extend sewer lines along Lyntnor Road.

- **Environmental sensitivity**

The subject site is not within one of the County's potable watersheds, adjacent to a perennial stream, or adjacent to an Outstanding Florida Water. The site is totally within Zone "X" on Flood Insurance Rate Map, Community Panel 120153-0215-C dated 7/15/92. The site is ±800' north of a tributary of the Manatee River.

Based on this information, the Environmental Management Department concluded that the use of septic tanks on this parcel will have minimal impacts on the Manatee River.

- **Development trends and timing**

The Tipton site is currently zoned A - General Agriculture. The FLUC is RES-3 (Residential, 3 d.u./gross acre). A rezone to A-1 is consistent with this Future Land Use Category.

This area of the County has experienced considerable growth since adoption of the Comprehensive Plan in 1989, although most of this growth has been to the north, where projects have direct to US 301, Old Tampa Road, Erie Road, or another arterial roadway. Examples include River Wilderness, Kingsfield Estates, Timberly), Parkwood Lakes, Veranda Springs Mobile Home Park, Terra Siesta Mobile Home Park, Pleasant Oaks, and Colony Lakes Estates Mobile Home Park.

Recently approved projects which have not yet been constructed include Kingsfield Lakes, to the east, (239 single-family lots), Timberly (150 multi-family units, and Meadow Walk (222 single-family lots). There is also commercial development underway at the southwest corner of Old Tampa Rd. and U.S. 301 North, which includes a shopping center, an Albertson's store, a 7-11 convenience store with gas pumps, along with several vacant commercial outparcels.

The development patterns along Lyntnor Road specifically are somewhat different, largely because of the lot size and ownership patterns. This area has predominantly 1 to 5 acre parcels, which were divided under existing A or A-1 zoning. There are very few, if any, large parcels or opportunities for assemblages that would accommodate a large enough project that would make a sewer extension cost effective.

A rezone to A-1 and subsequent creation of minimum one acre lots is consistent with development trends in the area, surrounding zoning, and lot sizes in the vicinity.

- **Compatibility of development**

A rezone to A-1 will allow development that is compatible with surrounding development. This property is bordered to the south and east by similar size parcels with residential uses in the A-1 zoning district. To the north and west are residential uses with larger parcel sizes and some agricultural uses. The A-1 zoning district should be compatible with the surrounding zoning districts. A-1 zoning can also be considered to be a logical expansion of the A-1 zoning district to the east as well as across 25th Street East to the south.

- **Proposed mitigation measures**

Mitigation proposed by the applicant is to limit the development potential of the site to two lots, with each lot using existing septic systems.

- **Telecommunication facilities**

This project does not include any telecommunication facilities.

- **Location in areas subject to flooding**

The site lies within Zone "X", as shown on the FEMA maps, which is not an area of known flooding.

01/30/03 QA

cc: County Attorney, Internal Audit, and Kim, Planning