

RESOLUTION NO. R-04-159

RESOLUTION OF MANATEE COUNTY, FLORIDA, APPROVING SPECIAL APPROVAL FOR A PROJECT [GDS SUBDIVISION, 04-S-01] TO UTILIZE ONE ADDITIONAL SEPTIC TANK 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, 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 plat application request known as GDS Subdivision is located within the wastewater treatment collection area as shown on Comprehensive Plan Map 9-A; and

WHEREAS, The applicant proposes to subdivide 2.17 acres into two lots; 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 the project.

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

SECTION 1. FINDINGS

1. The overriding policy of Manatee County as expressed in Comprehensive Plan Policy 9.2.1.2. is to require all new development within the wastewater collection area to connect to Manatee County's public sanitary sewer system.
2. The wastewater collection area is depicted on Map 9-A of the 2020 Manatee County Comprehensive Plan and the proposed GDS Subdivision lies within the wastewater collection area.
3. The closest connection to the central sewer system in Highland Ridge @ 33rd Street East and 38th Avenue East is approximately 2,800 feet away.
4. The GDS Subdivision plat, located at 4320 37th Street East, is proposed for only 2 single-family lots.

5. There is an existing septic system on the 2.17 acre parcel to accommodate the existing single family home. Only one new home would be constructed on the new lot.
6. The additional expense to connect to the public sanitary sewer system is not warranted in this instance, based upon the criteria in the Comprehensive Plan and Land Development Code.

SECTION 2. The Board of County Commissioners hereby grants Special Approval for the GDS Subdivision [01-04-S] to utilize one additional septic system for this project, thereby not requiring this project to connect to the Manatee County sewer system.

ADOPTED, with a quorum present and voting this 8th Day of June, 2004.

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

By: 

Chairman

ATTEST:


R.B. Shore
Clerk of the Circuit Court



Special Approval
To Not Connect to the Manatee County Sewer System
Staff Analysis of Factors Listed in the Comprehensive Plan and LDC
4320 37th Street East, two lot minor subdivision

- **Description of Site:**

The site is at 4320 37th Street East, Bradenton, Florida. The applicant has filed a Final Plat application to divide the property into two residential lots. The property is zoned A-1 (Suburban Agriculture) which requires a one acre minimum lot size. There is an existing single-family home on site presently utilizing an existing septic system. The septic system will remain.

The site is in the North County Wastewater Treatment Collection Area.

- **Proposed Wastewater Impacts:**

According to Project Management, it is estimated that 285 gallons of wastewater will be produced from one single-family home per day. Therefore, the two lots would produce an estimated 570 gallons per day. Based on the above information, there will be minimal wastewater impacts if this site does not connect to the Manatee County sewer system.

- **Accessibility of the Central System:**

The site is within the North County Wastewater Treatment Plant service area (2020 Manatee Comprehensive Plan Wastewater Treatment Collection Area map). The nearest County sewer system is a gravity system in Highland Ridge @ 33rd Street East and 38th Avenue East approximately 2,800 feet away.

Project Management Department concurs with the cost estimate provided by Lynn Townsend and Associates of +\$58,000.00 for connection to sanitary sewer.

- **Proposed Infrastructure Improvements:**

According to the Manatee County Capital Improvement Program, Table 1, Wastewater Projects for Fiscal Year 2003-07, there are no plans to extend sewer lines in the vicinity.

- **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 "C" on Flood Insurance Rate Map, Community Panel 120153 0334C.

- **Development Trends and Timing:**

The surrounding area consists of A and A-1 zoning. There have been lot splits in the area within Lazy "B" Ranches.

- **Compatibility of Development:**

The parcel is bordered by similar sized parcels with residential uses on all sides of this site and surrounded by A-1 zoning. Splitting and subdividing of lots for single-family development may be found compatible with the surrounding uses.

- **Proposed Mitigation Measures:**

The State of Florida has adopted regulations pertaining to onsite sewage treatment and disposal systems to protect groundwater and surface water and preserve the public health. The Manatee County Health Department assures the systems are designed, constructed, installed, and maintained in compliance with these regulations. All residences in a subdivision will be examined on a case by case basis. Septic tank permits will be issued only if the State requirements are addressed.

Section 722.1.8.1.3 of the Land Development Code requires the installation of dry lines to readily permit future connection to the public sanitary sewer system. Dry-lines are required to be installed on all residential developments equal to or greater than one (1) dwelling unit per acre. Dry-line installation will not be required because the density is less than one dwelling unit per acre.

- **Telecommunication Facilities:**

Not Applicable.

- **Locations in Areas Subject to Flooding:**

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

Staff Summary and Recommendation:

When the issue of whether to consider requests for Special Approval to utilize septic systems was discussed by the Board on January 14,2003, the Board clearly reaffirmed that the overriding policy of the County, as expressed in Comprehensive Plan Policy 9.2.1.2, is to require connection to the Manatee County central sewer system.

This request is similar to other projects where the Board granted Special Approval. These were the Tipton Subdivision (R-03-49 for 2 lots), Whistle Stop Subdivision (R-03-77 for 2 lots), and Moden Rezone (Z-03-06 for one lot). In this case, the factors for consideration include: the distance to a sewer line, the high cost to connect for just two lots, the small impact, and no foreseeable line extensions.

Based on the above information, staff recommends approval.