

Commissioner Chancy moved to approve these minutes on August 12th, 2021.
Motion was second by Commissioner Faglie. Minutes were approved by all

Jefferson County Planning Commission
Meeting Minutes
July 22nd, 2021

Commissioner Michael Schwier called to order at 6:01 pm.

Commissioner Roy Faglie led the opening prayer and Pledge of Allegiance to the Flag.

Physically in attendance: Commissioner Michael Schwier, Commissioner Thomas Chancy, Commissioner Roy Faglie, Commissioner Byron Arceneaux, Commissioner Kimberly Odom, Commissioner Bud Wheeler, Commissioner Andrew Wellman, Commissioner Jacqueline Seabrooks, Attorney Scott Shirley, Planning Official and Interim County Coordinator Shannon Metty.

Agenda Item #2: Approval of Draft Minutes-July 8th, 2021, Meeting:

- Commissioner Wheeler motioned to approve Minutes. Commissioner Faglie noted that he was present via Zoom during that meeting. Commissioner Seabrooks second motion. Motion passed with unanimous approval.

Agenda Item #3: Resubmission of Major Subdivision Application-Joseph Clayton:

- Mrs. Metty reintroduced the subject explaining that the B.O.C.C. had concerns for the wetlands, flag lots, etc. and asked the applicant to reconfigure his proposal and resubmit for review. She explained that the new submission has removed the flag lots entirely. She stated that after speaking with Suwannee Water Management District, they felt this project would be exempt. She also touched on Razor Creek and explained how it does flood and could potentially impact this project. Her recommendation is to make it clear that the ten-acre parcel on Ed Bishop Road which is zoned Ag-5 cannot be subdivided.
- Commissioner Schwier asked were these lots reconfigured? Attorney Shirley stated that several of the initial lots were flag lots and contained wetlands and/or floodplain issues. He explained that all the lots are now buildable except lots 10, 11, 2, 25 which will be used only for recreational purposes. Mrs. Metty continued by reviewing the map of the area and explained that to build on those mentioned lots, a letter of delineation from a botanist would be required to ensure the setbacks can be met.
- Applicant in attendance but represented by Attorney Meredith Nagle for general discussion. Mrs. Nagle reiterated Mrs. Metty and Mr. Shirley's introduction about the project. She also stated that this subdivision term isn't meaning 100 homes on tiny parcels like most think, its 25 lots spread over 700 acres. She added that there are several people looking to purchase larger tracks of land.
- Commissioner Wheeler addressed his concerns and questions:
 - He asked how large were lots 10, 11, 1 and 2? Mrs. Nagle stated 10 and 11 were 20 acre lots. Lots 1 and 2 are 10 acre lots. He feels that all lots should be 20 acres and suggested combining lots 1 and 2 to make one lot of 20 acres in size.
 - He added that lot 10 has a creek and a powerline running through it which will limit the usable space. Attorney Shirley stated that lot 10 will be for recreational purposes only and already has a potential buyer interested.

- He expressed his concern for the road and stated that currently there is only 25 feet of usable roadway. Mrs. Metty explained that the applicant will make the proper improvements. He continued by asking if you take footage from the lot to account for the road access, doesn't that minimize the use of the lot? Attorney Shirley stated that the survey already depicts the 60-foot access. Commissioner Arceneaux added that the 60-foot access is different from the actual roadway and currently the right of way is 40 feet. He expressed his feelings for the roadway and added that the County has endured a lot of grief with roadwork. Attorney Nagle stated the County will oversee all the work as they will be the ones hired to make the improvements.
- He asked about tree removal. Mrs. Metty explained that Ed Bishop Road has a lot of live oaks and so her suggestion would be to have the County claim it as a canopy road. Attorney Shirley added that Ed Bishop Road is not in need of upgrade.
- He asked, who would pay the road expense? Attorney Shirley stated that the developer would pay the County to do the work.
- He asked, how will this road project interfere with the wetlands? Attorney Shirley stated the road is not in the wetlands.
- Commissioner Schwier addressed his concerns and questions:
 - He asked for clarification on which roads were County maintained? Attorney Shirley stated that all the roads, including the ATV trail, were County maintained. Attorney Nagle added that all roads will be brought to code and will benefit the County at no expense to them.
 - He also asked who would be responsible for the costs of the permits through the Water Management District? Mrs. Metty stated the developer would be.
 - He asked, would an engineer be required for the road project? Attorney Shirley stated that is to be determined as it may be needed in certain areas. Commissioner Walker asked who would be making the roadway plans? Attorney Nagle stated that LG2 from Jacksonville would be hired to do the project plans.
 - He recommends noting the elevation of the road.
 - He asked what if this project is approved and there is a disagreement on the road costs? Attorney Shirley stated that the project would stop, and nothing would move forward.
- Commissioner Faglie addressed his concerns and questions:
 - He asked did the B.O.C.C. ask the applicant to reconfigure or turn down their application? Commissioner Chancy stated that it was denied.
 - He asked for clarification on Mrs. Metty's recommendation, one home per lot? Mrs. Metty stated yes.
 - He then expressed concern for the road work. He stated that if the road were raised to avoid flooding issues, that would create a dam which could cause even bigger issues. Attorney Nagle stated that they plan to work with the County and will do whatever is necessary. Mrs. Metty displayed the FEMA map and reviewed the area being discussed. Commissioner Arceneaux added that this seems to be

the best thing for the County because the reality is if this applicant isn't approved the question remains will this road ever be brought up?

- He mentioned that there is a lot of timber on these properties and asked, do you plan to segregate? Attorney Nagle stated no it will be up to the individual buyers.
- Commissioner Walker addressed his concerns and questions:
 - One of his main concerns is the entrance to each lot in relation to the creek which was depicted on the map and asked how far from the wetlands a project needed to be? Attorney Shirley explained that the diagram did not depict a creek but showed the edge of the wetlands and floodplain zone A. Mrs. Metty explained that the setback from the wetlands is 80 feet.
 - He asked, how many acres of this project are not in the wetlands? Attorney Meredith Nagle stated that a precise delineation map has not been completed yet.
- Commissioner Chancy asked about the type of septic system which plan to be used. Mrs. Metty explained that they will be the nitro system which is a very costly system.
- Commissioner Arceneaux addressed his concerns and questions:
 - He asked if Suwannee Water Management District was informed about the road project prior to saying the project would be exempt from permitting? Mrs. Metty stated yes. Attorney Nagle again stated that all costs, including necessary permits, would be at the expense of the developer.
 - He also asked isn't it a requirement that all potential lots be a buildable lot? Attorney Shirley explained that in a subdivision a lot is only required to have 1 acre of buildable area. He continued by explaining if the 1 acre could not be provided, then that lot is noted a recreational lot. Commissioner Chancy asked who makes note of those lots? Attorney Shirley explained it is done in the current stage of development through the Planning Commission before the final plat is created.
- Commissioner Wellman addressed his concerns and questions:
 - He asked for a recap clarification... The County does the work, the developer pays for it, who designs and approves the project? Attorney Nagle stated the County would. He then asked so this would be a county road project. Attorney Shirley stated yes, and it would be funded through the developer.
 - He expressed concern for the future of the road, additional usage would create more wear and tear, would the developer be responsible for future upkeep costs?
 - He asked, if there was a representative from the County to touch on the roads and costs of the project? Mrs. Metty stated no.
 - He asked, if the developer determines that there is less than 1 acre of usable land on a lot, what happens? Attorney Shirley again explained that it would be noted on the final plat, and it would be deemed a recreational lot only.
 - He asked, what if the estimated cost from the County to do the roadwork is more than the developer estimated? Attorney Shirley explained that there would be an agreement and if the cost was not agreed upon then the final plat would not be approved.

General Discussion on Resubmission of Major Subdivision Application:

- Terry Clayton-applicant and resident of Suwannee County, stated he is trying to provide something to the County that is much needed by improving the roads while the area is being developed for future use.
- Ted Nixon, resident, has a lot of family in the Big Woods area. He stated that this area is under water 6 out of 12 months. His opinion is the idea of putting in the culvert pipes seems to be a nightmare and will cost the County taxpayers in the future. He asked, what about building a bridge? He also asked, what about the current bridge on Ed Bishop Road, will this be upgraded to withstand the additional travelers? He continued by stating if you haven't physically visited this area, you need to. He closed by saying all the discussion seems to be about one end of the project, what about the South end?
- Misha Bishop, resident located across from the proposed development on Ed Bishop Road. She stated that there are already current problems maintaining the road as it is with the few travelers there are. She says that Big Woods Road has not been maintained at all by the County because they cannot access it. She described it as a long-wet road that is not passible unless on a four-wheeler. She worries with adding embankments and what that will potentially do to the surrounding nature and asks that this be taken into consideration.
- Extensive conversation regarding the motion:
 - Commissioner Arceneaux summarized Ag-5/Ag-20 lots, and someone is offering the County money to improve a road which they should already be maintaining and will never be fixed. Motion to approve. Motion stalled.
 - Commissioner Chancy motion to wait until the wetlands are noted/delineated so that it is known how much wetlands will be on each lot. Commissioner Wheeler second. Attorney Nagle stated that no developer would take on that expense without understanding the concept. Commissioner Schwier suggested providing GIS guestimate based on the upland vs wetland data. Commissioner Wellman respects that the developer doesn't want to take on that expense but asks if there is way to run those calculations and get close without having the expense?
 - Commissioner Arceneaux motion to table based on the wetland summary. Attorney Shirley clarified that this would be based on existing data and would not cost the developer more than they have already paid out. Attorney Nagle stated, full disclosure the only thing we can do is have this completed by our surveyor based on the data we currently have.
 - Attorney Shirley reviewed the difference with a motion to table verses a motion to continue and asked for clarification of the motion being voted on.
 - Commissioner Odom recused herself from the vote due to conflict of interest with Delta Land Surveyors. She stated she will file a memorandum of conflict.
 - Commissioner Chancy clarified motion to continue to August 12th meeting. Commissioner Wheeler second. Motion passed unanimously with 1 abstention.

Agenda Item #4: Discussion of Floodplain Ordinance Update:

- Mrs. Metty opened by explaining the current Community Rating System (CRS) rate is a 9. She continued by explaining the CRS rating effects the flood insurance rates and by updating the flood ordinance in Muni-code the County could potentially receive a better rating.
- Attorney Shirley added that FEMA has been employing contractors to assist with this process and the person who has been assisting the County has been a huge asset.
- Discussion for Floodplain Ordinance Update-Led by Attorney Shirley
 - Topic: Page 3-Elevation Requirements:
 - Under Florida Building Code the first habitable level is at one foot, County is upgrading to two foot to allow for natural flood and human error.
 - Commissioner Walker asked to clarify states that the original language already says two feet. Attorney Shirley stated we aren't changing the language just adopting it into the ordinance.
 - Topic: Page 19 and 20-Agriculture Structures:
 - Variances will be allowed if:
 - It is a bona fide agriculture used building
 - Has low damage potential
 - Is not a public health risk
 - Is not located in coastal high hazard area (zone V/VE)
 - Complies with wet flood proofing requirements
 - Wet flood proofing requirements:
 - Must be anchored
 - If enclosed by walls, walls must have flood openings
 - Mechanical and Electrical components to be above flood level
 - Commissioner Walker asked can dirt be used to build up? Attorney Shirley answered yes. Commissioner Arceneaux then asked what about the wetlands? Attorney Shirley clarified his answer by explaining dirt build up can be used if it is in the proper area.
 - Commissioner Schwier asked if you build a home in the floodplain would you need a permit from Water Management? Attorney Shirley stated that is only necessary when trying to build in the wetlands.
 - Commissioner Walker asked if this is Florida Code or Local? Attorney Shirley stated this will be Local Code and will be a recommendation to all rural communities.

- Topic: Page 20-Section 11-114:
 - Attorney Shirley reviewed that this was only for parking and storage accessory structures.
- Attorney Shirley reviewed the definition changes.
- Topic: Page 31-Mobile Home Elevation:
 - Reviewed the additional language
 - Commissioner Arceneaux asked was this elevation measures at the bottom of the frame or the tires? Attorney Shirley stated the I-Beam not the tires.
 - Commissioner Schwier inquired what Coastal Zone A was. Attorney Shirley clarified that Zone A is for rainfall while Zone V is for salt waves.
- Commissioner Faglie asked who determines the elevation? Commissioner Arceneaux and Odom answered that is determined by the surveyor. Mrs. Metty explained that a benchmark letter is required to begin the project and an elevation certificate is required before the Certificate of Occupancy is issued.
- Attorney Shirley closed by informing the board this discussion is set for public hearing August 12th, 2021, in order to be completed prior to the CRS Audit.

Agenda Item #6: Comments from the Planning Commission:

- Commissioner Wellman mentioned that with the proposed subdivision, less than 10 lots will be eligible for underground septic. Commissioner Faglie stated that to build the road a dam would need to be constructed. Attorney Shirley discouraged continuing this conversation as the applicant wasn't present.
- Commissioner Wheeler asked who changed the size and required number of signs on projects as it was a 4x4? Mrs. Metty stated that she wasn't sure as this was done some years ago. Commissioner Walker added that the signs are too small and are easily blown over. Mrs. Metty stated 9.2.3-C in Land Development Code states 2x2. Commissioner Wheeler argued this needs to be changed back to the original as it was not voted on. Commissioner Schwier asked Council how to make changes. Attorney Shirley stated that it can be added on an upcoming agenda.

Commissioner Wheeler motioned to adjourn; Commissioner Walker and Seabrooks second. Commissioner Schwier adjourned meeting at 7:24pm.

Respectfully submitted,

Renee' Long

Renee Long
Jefferson County Planning Assistant