

DESOTO COUNTY DEVELOPMENT DEPARTMENT STAFF REPORT

REQUEST: Approval of Major Plat
(PLAT-0162-2024) Thomas Agricultural Estates

PROPERTY OWNER: Cozy Casa FL, Inc.
4346 SW Hull Avenue
Arcadia, Florida 34269

PROPERTY ID: 03-38-25-0000-0110-0000;
02-38-25-0000-0141-0000 (per Property Appraiser)/02-38-
25-0000-0140-0000 (per GIS)

PROPERTY ADDRESS: SE Hansel Avenue, Arcadia, FL 34266

OVERVIEW OF REQUEST

The matter before the Board of County Commissioners is a request to approve the revision of a Major Plat to be known as “Thomas Estates”.

Sec. 20-256 (c)(2) For major subdivisions, upon favorable recommendation by the Development Review Committee, the Development Director will notify the project surveyor and the subdivision plat shall be submitted to the Planning Commission and the Board of County Commissioners for their approval. Upon approval by the Board of County Commissioners, or approval with conditions, the original tracing of the subdivision plat will be returned to the owner or developer who will be responsible for completing the recording process.

The request is to subdivide the subject 139.41 acre property into 26 lots. The parcel is currently adjacent to SE Hansel Avenue and SE Brown Road. The property is located within the Agriculture-5 (A-5) zoning district and the Rural/Agricultural Land Use category.

The proposed 26 lots each meet the minimum lot size (5-acres) and minimum lot width (165-feet) and the plat can be found to be in compliance with the Comprehensive Plan and Land Development Regulations.

The plat has been reviewed by the Development Review Committee (DRC) and the conditions recommended herein were received from members of the DRC. The county surveyor’s review found the plat in compliance with Florida Statutes.

The subdivision of property into more than three (3) contiguous lots (under common ownership or control) is defined by the State of Florida as a common plan of development or sale and requires a SWFWMD/FDEP permit for stormwater. State permits will be required prior to the issuance of any building permits.

The property has potential wetlands on-site, is located within the Conservation Overlay District, and is subject to permitting by State agencies prior to any building permits being issued for such lots.

The existing parcel currently has direct access to SE Hansel Avenue and SE Brown Road, both of which are local streets (not functionally classified). The proposed subdivision shows two access easements: one for lots 1-12 from SE Hansel Avenue, with a cul-de-sac length of approximately 1,772 feet, and one for lots 13-26 off SE Brown Road, with a cul-de-sac length of approximately 2,200 feet. Both of these cul-de-sacs exceed the maximum length allowed by the Desoto County Engineering Standard Details of 1,300-feet. In order to meet the intent of the regulation, a condition is recommended for construction of a mid-point turn around for each roadway, for public safety reasons. Access will be available to the 26-lots via the planned ingress/egress easements.

The access easement, travel-way, and all driveways for the subdivision shall be designed and constructed pursuant to the standards in Article XIII, Divisions 3 and 4, of the County Land Development Regulations and the County Engineering Standard Details Manual. Approval of an Improvement Plan at the next stage of development will ensure compliance with the required construction standards. A condition is recommended that the required improvements be constructed and inspections approved prior to conveying property.

Sec. 20-256 (c)(5) of the Code states "The Board may condition its approval of a plat on the developer's recording of the plat within five business days." In this case, the plat will be recorded after a redesign and final approval with the Improvement Plan.

Recommended Conditions of Approval with Staff changes shown in strike-thru/underline following the Planning Commission hearing:

1. The Preliminary Plat shall be revised to expand the two 60-foot wide access easements, if needed, for the two planned cul-de-sac roadways to accommodate a mid-point turn-around on each roadway, designed in accordance with Detail D-14 of the Engineering Standard Details Manual or a similar alternative. This shall be approved by the County Engineer. ~~prior to the Improvement Plan.~~
2. Recording of the plat will be withheld until after a redesign and final approval of the plat by the Board of County Commissioners. ~~with the Improvement Plan.~~ The redesign described herein shall solely refer to the redesign of the access easement to include the two planned ~~cul-de-sacs~~ mid-point turn-arounds, as described above, which shall first be approved by the County Engineer, County Surveyor, and the Development Department. ~~prior to recordation as set forth herein to ensure conformance with this Resolution.~~ Any revisions to the plat except as provided in this condition shall trigger a new application. ~~require the approval of the Board of County Commissioners.~~
3. Construction of and inspection approval of the cul-de-sac's and any other required improvements are required prior to conveying property.
4. Building permits for the lots shall not be issued until the revised Subdivision Plat and Improvement Plan are approved and the plat is recorded with the Clerk of Court.
5. The private access by easements shall be designed pursuant to the standards in Article XIII, Divisions 3 and 4, of the Land Development Code and the County Engineering Standard Details Manual and approved with the Improvement Plan.
6. All driveways and access points shall be designed and constructed pursuant to the standards in Article XIII, Divisions 3 and 4, of the County Land Development Code and the County Engineering Standard Details Manual prior to any building permits being issued.
7. All work within the County right-of-way will require a Right-of-Way permit from the Engineering Division.
8. The applicant is responsible for securing jurisdictional wetland and stormwater permits from the State and submit to the Planning Department or shall provide correspondence from agencies that the project is exempted, prior to approval of the Improvement Plan.

9. Minimum setback requirements are required as follows for the principle use:
 - Front Yard – 50-feet
 - Side Yard – 30-feet
 - Rear Yard – 50-feet
10. Accessory structures are prohibited in the front yard and the minimum setback requirements are as follows:
 - Front Yard – Accessory Structures Prohibited
 - Side Yard – 5-feet
 - Rear Yard – 5-feet

Additional Condition recommended by the Planning Commission:

1. The two proposed cul-de-sac roadways shall be hard surface paved in conformance with the DeSoto County Engineering standards. This shall be approved by the County Engineer with the Improvement Plan.

ATTACHMENTS

Exhibit A: General Location Map
Exhibit B: Proposed Plat

RECOMMENDED ACTIONS

Motion to enter into the record the Staff Report and approve the Resolution for the Major Plat to be known as “Thomas Estates” with the recommended conditions of approval.

PLANNING COMMISSION Heard December 3, 2024. Adopt the findings and conclusions contained in the staff report and adopt the proposed ordinance, revising condition # 2 to read, “Recording of the plat will be withheld until after a redesign and final approval by the Board of County Commissioners. The redesign described herein shall solely refer to the redesign of the access easement to include the two planned mid-point turn-arounds, as described above, which shall first be approved by the County Engineer, County Surveyor, and the Development Department. Any revisions to the plat except as provided in this condition shall require the approval of the Board of County Commissioners. And adding all proposed roads be hard surface paved roads in conformance with the DeSoto County Engineering standards.

Motion: Brian Young made a motion recommending approval revising condition # 2 and adding an additional recommendation, which was 2nd by Roger Lowe. Motion carried unanimously 5-0.

BOARD OF COUNTY COMMISSIONERS

Scheduled for June 25, 2024