

Verbatim of Item J.1. October 26, 2021

Calkins – Good morning Commission. Item J.1., is a request to waive the unpaved road agreement as established in Section 62-102(c), where the applicant is seeking a waiver in order to construct a single-family home without constructing an unpaved road within the County right-of-way, without providing the maintenance for said roadway, and also without the requirement of entering into a proportionate share agreement for the assessment of the paving of the roadway. If you have any questions we're happy to answer them.

Pritchett – Thank you, sir. I have two cards on this, Mr. Stewart and um, Ms. Shannon, if you'd help me with that last name, it'd be great. Mr. Stewart, before you get started, I'm willing to table this right now for you without us having to make a motion on it, to allow you to take time to go get some engineering plans so that we can come to some kind of um, help to be able to help you on this. Once we make a motion, it, it might mess that up but, I, I'm willing to do that for you, if you'd like, right now, to have more time, we'll table this and give you time to go...

Stewart – Okay.

Pritchett - ...get that engineering to see if this is possible to happen.

Stewart – Okay. I think that's wise. I do just want to say, I've had a very hard time finding an engineer and it's been very suspect, the engineers that initially say they would be willing to help me, come back later and say they can't after supposedly speaking with Public Works to find out what's required. So I am having a very hard time finding an engineer that's willing to um, provide to me simply what Mr. Calkins told me I would need.

Pritchett – Okay sir. I, I really like you...

Stewart – So...

Pritchett - ...I think you're the nicest guy...

Stewart – I appreciate that, I like ya'll too.

Pritchett - ...I do have a hard time with that though because these guys are pretty straight up.

Stewart. – Okay.

Pritchett – My guess is it could be that it's such a small project, that might be making it a little more difficult as well.

Stewart – Okay. Yeah I'm not accusing...

Pritchett – Okay.

Stewart - ...Public Works by any means.

Pritchett – So I'm kind of hoping somebody will even hear this today and, and, and come up to, and, and help you with this. I really would love for you to build your home...

Stewart – Okay.

Pritchett - ...but there's so many things that are accompany, accompany, involving this right now that um, we, we have to make sure that we're not putting this burden on other tax payers.

Stewart - Okay, so...

Pritchett - So, that's my concern. Ms. Susan did you want to add something to it, or, or Mr. Calkins?

Calkins - Uh, we'd be happy to work with Mr. Stewart to get that accomplished. I think that you know, um Madam Chair, is the Board has had a concern with the um, the amount of roadways and the, the required maintenance for those, so we want to be careful on how we extend that out for, to obligate the Board for future maintenance concerns.

Pritchett - Yes sir, and you know we had one of these come up a little while ago and I, I, we denied it.

Stewart - Mhm.

Pritchett - We have all these properties out there and it's typically one guy, right now, it's owning them all and he's subdividing them all and there, he's landlocking em' when he does it.

Stewart - Mhm.

Pritchett - And so this is the problem we have is trying to get access to those properties, especially with emergency vehicles that are appropriate to handle this, this growing area out there. So this is where I have to protect the other tax payers as well. If it was just you...

Stewart - Mhm.

Pritchett - ...you know, but there, it's, it's a bunch of things going on out there so we have, we have a lot of things we have to go through.

Stewart - Okay.

Pritchett - But if you're willing to table it, I'm willing to table this to allow you to have time to provide County staff engineering plans showing how the road can be constructed within the 30-foot right-of-way with additional easements of this right-of-way including necessary improvements, road drainage, utilities, and staff can have the administrative authority at that time to approve the plans if it's something they can find that'll work, including a waiver of engineering standards should the proposal become acceptable to what they receive.

Stewart - So would that be a road then built to road standards?

Pritchett - Well somethings going to have to be to the standards if that's what the engineer comes back with.

Stewart - Mhm.

Pritchett - But the thing is now, nobody knows because they don't, they don't have any information, and I can't put that on the taxpayers to do that.

Stewart - Okay.

Pritchett – So, if, if you could go do that then, we, we've probably got something we can help you work with.

Stewart – So then table until maybe what, next meeting or...

Pritchett – Well if we table this, I can give them authority to look at the items and...correct, Tad? And then they can help you through this, see if they can come up with something that'll, that'll help you get this accomplished.

Stewart – Okay.

Zonka – So you don't have to come back.

Stewart – Okay.

Pritchett – There's going to be some cost.

Stewart – Right, sure.

Pritchett – Our goal is to make it the less costs we can...

Stewart – I understand I just can't afford to construct a road, you know, along an existing road, that's already used for agricultural reasons...

Pritchett – Well it's, it's a right-of-way, and, and there's so much to that. I mean, there's two houses that're hooked up and, and to start bringing in all these other properties, have a potential of 12 other houses, actually with the zoning that's there, but to, to build on AU, you have to be connected to a County road.

Stewart – Mhm.

Pritchett – So that's our problem. So, I, I don't know, I still like the idea if you would go see if you could buy a neighbor's area there, and make a right-of-way.

Stewart – (Inaudible)

Pritchett - You could build a flag lot straight up.

Stewart – Yes.

Pritchett – But other than that, you know, this is, this is our Code and there's a reason for it because...

Stewart – Mhm.

Pritchett - ...if you do this, all the other tax payers have to pick up your cost to build your project, and, and I can't, I can't do that to other places plus, since all of Scottsmeer is blowing up like this right now. And it's typically one guy that's subdividing all his property and, and making this mess.

Stewart - I'm not involved in that situation.

Pritchett – I know.

Stewart – The parcel that I'm purchasing is not being subdivided by the definite, definition in State statute, it is not a subdivision, so that is a separate...

Pritchett – Well I, I did substance over form, I kind of disagree with ya. I really want you to be able to build there. Um, you might want to, to pull back on purchasing it until, til this can be worked out to make sure that, that you can afford all this on that property, but as of right now, I have great concerns, because someone, since the time I started talking to you, someone went out there and put millings on our right-of-way after I kind of made it clear don't mess with it right now. Someone just blatantly did that.

Stewart – So I don't know where the milling came from, obviously I didn't do that. I...

Pritchett – I, I know. We...

Stewart – When I was a child back in the mid-80's, I mean I would ride my bicycle in that same place and it was milled back then.

Pritchett – Well, not, not, not that we know of on our right-of-ways, so somebody's taking advantage of our right-of-way without permission. And so, I, I, I've got a real concern about that. Again I don't believe it was you. I think you're a straight up guy but...

Stewart – It is being used for agricultural purposes...

Pritchett - ...very suspect.

Stewart - ...which less than a mile from me there's a special district, State of Florida, um that utilizes a road exactly like my road for their purposes to get to their property, so...

Pritchett – To build a home on an AU property you have to be connected to a County road, or with a flag lot, or, or with the road.

Stewart – Okay.

Pritchett – So...

Stewart – So...

Pritchett – ...but I'm willing to do that. I'm willing to table this so that your cost isn't...

Stewart – Okay.

Pritchett - ...totally thrown away that they can work with you and help you work it out, but I'm, I'm going to be adamant that you have to go get some kind of engineering here, so even we know what we're dealing with.

Stewart – I'm agreeing with you...

Pritchett – Okay.

Stewart – I've been trying to get that for three or four months.

Pritchett – Okay.

Stewart – Actively pursuing it. I do feel like I have a pretty good argument to most of the things that, that you're stating, however, I will step back and maybe take one more month to attempt to get an engineer and maybe next month see...

Pritchett – It's either that or it's going to be disapproved by me today.

Stewart – Okay.

Pritchett – So, I would like to do that for you because I think you're a good guy.

Stewart – Okay.

Pritchett – Okay.

Stewart – Alright, thank you.

Pritchett – K. Ma'am did you still want to say anything? You had a card. Okay. Commissioners can I make a motion to table this and allow staff to have administrative authority to work with the um, applicant to see if he can get a roadway that's acceptable.

Lober – Madam Chair?

Pritchett – Yes, sir.

Lober – I think just to keep with the procedure, I'll go ahead and make that motion, but you're welcome to second it.

Pritchett – Okay. I have a motion. Have a second Commissioners?

Tobia – Second.

Pritchett – Second by Commissioner Tobia, all in favor say aye.

Pritchett, Lober, Smith, Zonka, Tobia – Aye.

Pritchett – Opposed? Passes 5:0. I hope we work something out, sir. Yes sir.