

STAFF REPORT

Planning & Zoning Commission: April 14, 2003

Board of County Commissioners: May 14, 2003

APPLICANT: Thomas E. Bronson/Majestic Oaks Partners, LLC

FILE NUMBER: H-03-18

PURPOSE: Master Plan Revision to include an addition of land, rezoning from AR-2 (Agricultural-Residential/2) and AG (Agricultural) to PDP (SF)/(Single Family), an increase in density, internal relocation of land uses, relocation of internal roadways, deviations from roadway standards, a change in access points and a reduction in setbacks

GENERAL

LOCATION: North of Mondon Hill Road, east and west of McIntyre Road

LEGAL

DESCRIPTION: Lots 1, 2, 3, 4, 13, 14, 15 and 16, Block B, East Brooksville Subdivision, as per plat thereof recorded in Plat Book 3, Page 9, of the Public Records of Hernando County, Florida in Section 24, Township 22 South, Range 19 East and a portion of Sections 13, 19 and 24, Township 22 South, Ranges 19 and 20 East, Hernando County, FL

FILE STATUS: All legal obligations have been completed.

CITIZEN RESPONSE: FOR: 0 AGAINST: 1

STAFF FINDINGS:

<u>Surrounding Zoning</u>	<u>Surrounding Land Uses</u>
North: AG, R-1C, AR-2, PDP(SF), City, C/PDP, PDP(REC)	SF, MH, golf, undeveloped
South: AG, C/PDP, AR-2	Undeveloped
East: PDP(SF), AG, C/PDP	SF, MH, undeveloped
West: AG, AR-2, C/PDP	AG, SF, MH, undeveloped

SUMMARY OF REQUEST

The petitioner requests a master plan revision to include an addition of land, rezoning from Agricultural-Residential/2 and AG to PDP (SF)/(Single Family), an increase in density, internal relocation of land uses, relocation of internal roadways, deviations from roadway standards, a change in access points and a reduction in setbacks. The subject property is located on the north of Mondon Hill Road and on the east and west sides of McIntyre Road.

FACTUAL INFORMATION

1. The property is currently zoned C/PDP, AR-2 and AG.
2. The property comprises approximately 433 acres.
3. The site is currently undeveloped.
4. The subject property has access from Mondon Hill Road, McIntyre Road, Wallien Drive, Domingo Drive and Cook Drive.
5. The subject property is located within a residential land use classification on the adopted Future Land Use Map.
6. The Hernando County Soil Survey indicates the on-site soil types include Arredondo fine sand, Blichton loamy fine sand, Flemington fine sandy loam, Kendrick fine sand, Micanopy loamy fine sand, Nobleton fine sand, Pits-Dumps complex, Sparr fine sand and Wauchula fine sand.
7. The property is located in a flood zones AE, AH, AO, B, C.
8. A portion of the property is located within flood zones as determined by the Bystre Lake Study.
9. The subject property contains wetlands and a SPA, but no WHPAs, according to County data resources.
10. The County Utilities Director has indicated that the county has both water and sewer plant capacity for the project.
11. The City of Brooksville has indicated that the city has both water and sewer plant capacity for the project.
12. There are adequate public facilities available to serve the subject property.
13. The area is characterized by a mixture of single family homes, mobile homes, golf course, rural residential uses, agricultural uses and undeveloped parcels.
14. The petitioner requested a reduction in setbacks from the previously approved (1988) master plan for individual lots, and from the roadway standards which are deviations from the County's LDRs.

STAFF DISCUSSION

The petitioner has requested a master plan revision on the subject property, consisting of approximately 433 acres. The majority of the property was the subject of rezoning from AG to C/PDP(SF) and (GHC) on a subject property of approximately 680 acres approved by the BCC in 1988 with the following performance standards:

1. Not commencing development on the half-acre lots until public water service is available.
2. Not commencing development of the project, except the half-acre lots, until public water and sewer service are available.
3. Providing stub-outs to Dogwood Estates or other properties to the north of the project.
4. Indicating on the plat access to the “not included” parcel.
5. At 30 percent completion of construction plans for the project, the development shall bring the plans to the BCC for review and approval. Within 30 days of submission, the County shall review the plans and consider oversizing of the drainage facilities.
6. The developer shall provide a \$16,000.00 contribution for purchase of ROW between Mondon Hill Road and SR 50 if the purchase is accomplished within 10 years of project approval.
7. Only 5 acres of commercial or designated office can be constructed until the BCC determines that the infrastructure is ensured to support additional commercial development.
8. The eastern access road construction shall be initiated upon demand by the County but not before final platting of any of the ½ acre lots or final platting of fifty percent of the lots in the project.
9. The Zoning approval shall be concurrent with the adoption of the resolution vacating the County owned railroad right of way through the project.

The master plan approved in 1988 included 14 acres of commercial development, 441 single family lots of approximately 1/3 acre, 114 half-acre single family lots, 44 multifamily units, four model home centers consisting of 37 lots, a golf course, driving range, and clubhouse, to be served by private roadways with restricted access on approximately 650 acres. A master plan approval will be required in order to develop the balance of the 650 acres of the 1988 rezoning that is not included in the subject request.

The petitioner proposes adding land, rezoning the additional property from AR-2 and AG to PDP (SF), increasing the density, relocating internal land uses, relocating internal roadways, changing access points and has requested deviations from the County's LDRs including a reduction in setbacks and deviations from the roadway standards.

The petitioner proposes adding an approximately 23 acre parcel on McIntyre Road zoned AR-2 and an approximately 10 acre AG parcel on Mondon Hill Road zoned AG and rezoning the parcels to PDP(SF). The Planning staff does not object to the rezoning of the AR-2 and AG parcels for inclusion into this master plan because the parcels are located within the residential land use category on the County's adopted Future Land Use Map and single family residential uses would be compatible with the residential and rural residential uses in the area. The Planning staff is of the opinion that because this portion of the subject property is adjacent to rural residential uses, the "low-medium density" development would be more appropriately located in this area. The addition of the AR-2 parcel on McIntyre Road provides an opportunity for additional access for the development.

The petitioner proposes relocating land uses. The master plan submitted shows residential "medium-high density" residential uses on approximately the southwestern half of the subject property. "Medium-high density" is characterized as lots less than 75 feet in width with proposed 45' x 120' lot sizes (minimum 5,400 square feet), with proposed minimum building setbacks of 25' front, 5' side and 15' rear. The petitioner proposes lower density single family uses, characterized as "low-medium density" on the master plan, in the approximately northeastern half of the subject property, with minimum lot sizes of 75' x 125' (minimum 9,375 square feet) and proposed minimum setbacks of 25' front, 7.5' side and 15' rear.

The petitioner proposes developing the approximately 23 acre area currently zoned AR-2 with "medium high density" development. The petitioner proposes "low-medium density" development adjacent to Dogwood Estates. The existing single family development on Wallien Drive in Dogwood Estates is characterized by lots ranging in size from approximately ½ acre to 1 acre. In order to ensure compatibility with the existing single family development in Dogwood Estates, the Planning staff recommends that the lots along those boundaries have a minimum width of 175' and a minimum lot size of 30,000 square feet.

The petitioner proposes a model center with multiple lot sizes off the main entrance road, as well as individual model centers in each housing area. The individual model centers which are not depicted on the master plan can be approved through the administrative review process.

The submitted plan does not indicate open space areas. The petitioner has indicated that virtually all of the wetlands shall be retained in their natural state. The onsite wetland areas will be mapped and incorporated into the drainage systems pursuant the SWFWMD's rules and reflected on the conditional plat. The project area contains several small class III wetlands (each 5 acres or less). Prior to site development, wetlands will need to be delineated and state agency approval or permits obtained if mitigation is required for impacts. Additionally, the petitioner has stated that other open space areas within the project will be provided in the golf holes and drainage retention areas. If the request is approved, the Planning staff recommends that at the time the developer seeks conditional plat approval, the open space areas including golf course and preserved wetlands be designated.

A golf course had previously been approved on the subject property in 1988. The petitioner indicates the developer may potentially place up to nine golf holes on the property. The petitioner

indicates any golf holes constructed would be placed no closer than 150 feet from off-site residentially utilized properties and would be constructed to coordinate with the existing Brooksville Country Club layout existing to the north of the subject property. The master plan does not identify the location of the potentially proposed golf course; if the request is approved, the proposed golf course development will need to be indicated at the time of conditional plat approval no closer than 150' from adjacent residentially zoned properties.

The petitioner proposes commercial and/or “medium-high density” land uses in the southwest corner of the subject property, at the intersection of Mondon Hill Road and McIntyre Road comprising approximately 18 acres. The petitioner proposes approximately 100,000 square feet of commercial at this location. The 1988 master plan approved 14 acres of general commercial at this location. It is the staff's opinion that it is inappropriate to add an additional four acres of general commercial uses at this location, because the area is located in a residential land use category on the Future Land Use Map and the surrounding area is characterized by rural and residential development. The staff would not object to this 18 acre pod being approved with up to 14 acres of commercial and medium-high density housing. A master layout would have to be submitted to P&Z indicating the location of the use areas prior to or simultaneous with conditional plat approval.

A former mining pit is located in the northwest corner of Section 19 within the subject property. The pit was not indicated on the submitted master plan; however it is within the legal description for the application. The pit should be labeled as a “future use area” on a revised master plan.

The Planning staff does not object to the proposed relocation of land uses, with the exceptions of the proposed intensities of some residential areas and the expansion of the commercial area as discussed above.

The petitioner proposes an increase in density. The 1988 approval was for 600 units on approximately 680 acres, with an overall project density of approximately .88 dwelling units per acre. The petitioner proposes 650 units on the approximately 433 acre subject property, which increases the overall project density to 1.5 units per acre. The site plan indicates a maximum of 450 “medium-high density) dwellings on 205 acres, at a density of 2.20 units per acre and 200 “low-medium density” on 227 acres at a density of .88 units per acre. The Comprehensive Plan indicates that single family densities up to 5.4 units per acre are allowed in the residential land use category. The Planning staff does not object to the proposed increase in density.

The petitioner's master plan proposes the relocation of internal roadways and a change in access points. The Planning staff and the County Engineer do not object to the proposed roadway configuration. The narrative indicates the primary access will be from Mondon Hill Road. The petitioner proposes at least one point of access to the Brooksville Country Club community to the north. Wallien Drive and Domingo Drive are identified as potential points of access; the master plan also indicates Cook Drive as a potential point of access. Wallien Drive and Domingo Drive are public, County-maintained roadways. The petitioner suggests gating the access to the subject property. The County Engineer notes that gating public roadways is prohibited. The Planning staff does not object to gating the roadways if the roadways are privately owned. The Transportation

Planning Coordinator does not object to the gated private roadways as long as the petitioner provides ROW for the public recreational trail and provides nonvehicular access between the subject property and Dogwood Estates to the north.

The petitioner proposes an emergency access to McIntyre Road. The County Engineer recommends that if the request is approved, the petitioner be required to provide emergency access to McIntyre Road until McIntyre Road is improved, at which time the petitioner shall provide full access to McIntyre Road.

The petitioner requests deviations from the County's roadways standards. The petitioner proposes extending the length of cul-de-sacs, with a maximum length of 1,200 feet adjacent to golf holes. The County Engineer has indicated he will not support this request without having reviewed a more specific request. The petitioner requests extending cul-de-sac length within the property adjacent to McIntyre Road if an emergency access is provided. The Planning staff notes that this roadway will not be a cul-de-sac once it connects the subject property to McIntyre Road.

The petitioner requests that residential driveways be allowed on project roadways serving 150 lots or less and requests joint access drives on roadways serving more than 150 lots. The County Engineer has indicated that up to 160 residential lots may be allowed on major local roadways with minimum 70' ROW, designed for minimum 35 mph design speed, but not on roadways built to collector status or higher.

The County Engineer recommends that if the rezoning request is approved, the BCC deny the petitioner's requests to design and build urban lower speed streets at 15 mph design speed without superelevation and for the FDOT table "Rounded K Values for Minimum Lengths of Vertical Curves" to not apply to the design of residential streets.

The petitioner requests to reserve the option of routing the "rails to trails" recreational trail through the subject property in a fashion least disruptive to the proposed community. The master plan submitted does not indicate the location of the trail. In 1988, the BCC approved the vacation of the railroad easement from Mondon Hill Road on the west to the Scarborough property on the east. A public right-of-way for the Rails-to-Trails recreational trail should be provided across the property from the east to west project lines.

The petitioner requests that platting not be required for golf course or sales center until surrounded by development. The Planning staff does not object, but the petitioner should be put on notice that these areas must be platted in the future and all County development regulations must be met.

The Hernando County School Board has indicated elementary school students would be allocated to Brooksville Elementary, middle school students would be allocated to D.S. Parrott Middle School and high school students would be allocated to Hernando High School. The School Board estimates the proposed development would add approximately 200 students to the Hernando County school system. The School Board has noted that these schools are currently at capacity and additional students would have to be accommodated by adding portable classrooms.

The County's Utilities Director has indicated that part of the project is in the county's first right of refusal area, and part of it is in the city's first right of refusal area. The county has both water and sewer plant capacity for the project. The City of Brooksville has noted that the subject property is located within the city's "first right of service area" and that the city has the water and sewer plant capacity to serve the area, although water and sewer line extensions and a utility service agreement will be required. If the request is approved, the development should be served by central water and sewer.

A Special Protection Area (SPA) as defined in the Groundwater Protection Ordinance (GPO) covers the eastern portion of the project with existing golf course to the north. The SPA designation is a result of the mine pit and the accompanying 500' buffer. The narrative discusses expansion of the golf course facility. Chemically treated golf courses, greens, fairways, and tees are prohibited within a SPA and design layout will need to take this prohibition into consideration. Additionally, stormwater retention ponds that will receive stormwater from chemically treated golf courses (or other prohibited land-uses) are also prohibited in a SPA.

The southern portion of the project in section 24, contains two archeological sites and two historical sites. These will need to be investigated to document archeological or historical significance and to determine if additional study or action is warranted.

Floral and faunal surveys of the property will be required to determine the presence of state or federally listed species and the presence of specimen and majestic trees.

The FEMA maps indicate the subject property is located in flood zones AE, AH, AO, B, C. Through discussions with the Engineering Department, it has been determined that portions of the project are within flood zones as determined by the Bystre Lake Study. There may be areas within the development that have the potential to flood.

FINDINGS OF FACT

The area is characterized by single family homes, mobile homes, golf course, rural residential uses, agricultural uses and undeveloped parcels. The Dogwood Estates subdivision including the Brooksville Country Club is located to the north of the subject property.

The subject property is located within the residential land use category on the adopted Future Land Use Map. Land uses allowed in the residential category include single family densities up to 5.4 units per acre, resort residential and ancillary land uses such as recreation, churches, and community centers. Land uses which can be located in this category with performance standards being met include multifamily housing up to 16 units per acre, rural residential, neighborhood commercial, commercial extending from commercial nodes with a functioning frontage road, unless it is determined that wetlands or existing development make frontage road extension unfeasible, office and professional, schools, hospitals and minor public facilities.

The residential densities proposed by the petitioner are consistent with the densities allowable per the adopted Comprehensive Plan. The Planning staff objects to the request for four additional acres of general commercial uses in this location. Although the Comprehensive Plan indicates that general commercial uses are not inappropriately placed outside of designated commercial nodal areas when proposed as part of an integrated, mixed use planned development project, staff is of the opinion the 14 acres of previously approved general commercial uses at this location is adequate.

The Planning staff is of the opinion that the conceptual arrangement of land uses proposed, with the modifications noted, is not inconsistent with the Comprehensive Plan and would not be detrimental to the existing development and surrounding areas, with the appropriate performance conditions.

The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrence. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use, which may include review by the Development Review Committee (DRC).

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowners associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

STAFF RECOMMENDATION:

Pursuant to the findings of fact outlined in the staff's report, the Planning staff recommends the Planning and Zoning Commission recommend the Board of County Commissioners adopt Resolution # _____ approving the petitioner's request for a master plan revision to include an addition of land, rezoning from AR-2 and AG to PDP (SF), an increase in density, internal relocation of land uses, relocation of internal roadways, deviations from roadway standards, a change in access points and a reduction in setbacks, with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and meet all applicable land development regulations, for either construction or use of the property, including review of the proposed use through the DRC process.
2. Prior to, or simultaneous with, the conditional platting of that portion of the subject property which includes the 18 acre mixed use pod, the developer shall submit a master plan layout including the location of land uses and roadways. This layout must be reviewed and approved by the Planning & Zoning Commission for consistency with the overall master plan and performance conditions. Any change to the approved master layout plan after development has commenced shall require a master plan revision.

3. Either a master layout plan or a conditional plat will be submitted indicating the area south of the north line of the abandoned railroad right of way which indicates the entire location of the Rails-to-Trails ROW across the property.
4. “Medium high density” residential land uses are approved in the areas designated on the submitted master plan, excluding the area indicated in condition 7, with minimum lot size of 5,400 square feet and minimum building setbacks of 25' front, 5' side and 15' rear.
5. “Low-medium density” residential land uses are approved in the areas designated on the submitted master plan, with minimum lot size of 9,375 square feet and proposed minimum setbacks of 25' front, 7.5' side and 15' rear.
6. The open space areas, including preserved wetlands and golf course areas, shall be identified on associated mapping at the time of conditional plat application.
7. The 23 acre portion of the property extending to McIntyre Road and rezoned from AR-2 shall be developed with “~~low-medium-high~~ density “ residential development.
8. Lots adjacent to existing single family lots within Dogwood Estates shall be a minimum of 175' in width and 30,000 square feet in area.
9. Golf course development shall be a minimum of 150' from residentially zoned properties adjacent to the project boundaries.
10. Emergency access to McIntyre Road shall be provided, until McIntyre Road is improved, at which time full access to McIntyre Road shall be provided.
11. A public right-of -way for the Rails-to-Trails recreational trail shall be provided across the property from the east to west project lines.
12. Nonvehicular access shall be provided between the subject property and Dogwood Estates to the north.
13. Up to 160 residential lots may be allowed on major local roadways with minimum 70' ROW, designed for minimum 35 mph design speed, but not on roadways built to collector status or higher.
14. The development shall be served by central water and sewer service.
15. The petitioner shall obtain and comply with any DEP, FWC, or SWFWMD permits that may be required for the subject site.
16. Archeological or historical sites shall be investigated to determine their significance.

17. The SPA shall be delineated and the project developed in compliance with the GPO.
18. A preliminary floral and faunal survey shall be conducted by an environmental consultant to determine the presence and absence of state and federally listed species. The petitioner shall comply with all state and federal rules regarding listed species.
19. All lots and roadways must be constructed at or above the regulatory flood.
20. The petitioner shall ensure that the post-development volume and rate of drainage flow shall not exceed the volume and rate of pre-development for a 100 year storm event.
21. The petitioner shall be required to prepare the drainage study to determine the 100 year flood elevation concurrently with the construction plans.
22. The petitioner shall provide a revised master plan within 30 days of BCC approval reflecting the pit as a future use area, redesignating the approximately 23 acre portion to low-medium density residential and limiting the commercial/medium-high density pod to 14 acres of commercial, or the master plan shall be null and void.
23. Substantial construction shall be initiated in accordance with the approved master plan within a period of two years from BCC approval, or the master plan will become null and void.

P&Z RECOMMENDATION:

The Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt Resolution #_____ approving the petitioner's request for a master plan revision to include an addition of land, rezoning from AR-2 and AG to PDP (SF), an increase in density, internal relocation of land uses, relocation of internal roadways, deviations from roadway standards, a change in access points and a reduction in setbacks, with the following modified performance conditions:

1. The petitioner must obtain all permits from Hernando County and meet all applicable land development regulations, for either construction or use of the property, including review of the proposed use through the DRC process.
2. Prior to, or simultaneous with, the conditional platting of that portion of the subject property which includes the 18 acre mixed use pod, the developer shall submit a master plan layout including the location of land uses and roadways. This layout must be reviewed and approved by the Planning & Zoning Commission for consistency with the overall master plan and performance conditions. Any change to the approved master layout plan after development has commenced shall require a master plan revision.

3. Either a master layout plan or a conditional plat will be submitted indicating the area south of the north line of the abandoned railroad right of way which indicates the entire location of the Rails-to-Trails ROW across the property.
4. “Medium high density” residential land uses are approved in the areas designated on the submitted master plan, excluding the area indicated in condition 7, with minimum lot size of 5,400 square feet and minimum building setbacks of 25' front, 5' side and 15' rear.
5. “Low-medium density” residential land uses are approved in the areas designated on the submitted master plan, with minimum lot size of 9,375 square feet and proposed minimum setbacks of 25' front, 7.5' side and 15' rear.
6. The open space areas, including preserved wetlands and golf course areas, shall be identified on associated mapping at the time of conditional plat application.
7. The 23 acre portion of the property extending to McIntyre Road and rezoned from AR-2 shall be developed with “low- medium density “ residential development.
8. Lots adjacent to existing single family lots within Dogwood Estates shall be a minimum of 175' in width and 30,000 square feet in area.
9. Golf course development shall be a minimum of 150' from residentially zoned properties adjacent to the project boundaries.
10. Emergency access to McIntyre Road shall be provided, until McIntyre Road is improved, at which time full access to McIntyre Road shall be provided.
11. A public right-of -way for the Rails-to-Trails recreational trail shall be provided across the property from the east to west project lines.
12. Nonvehicular access shall be provided between the subject property and Dogwood Estates to the north.
13. Up to 160 residential lots may be allowed on major local roadways with minimum 70' ROW, designed for minimum 35 mph design speed, but not on roadways built to collector status or higher.
14. The development shall be served by central water and sewer service.
15. The petitioner shall obtain and comply with any DEP, FWC, or SWFWMD permits that may be required for the subject site.
16. Archeological or historical sites shall be investigated to determine their significance.

17. The SPA shall be delineated and the project developed in compliance with the GPO.
18. A preliminary floral and faunal survey shall be conducted by an environmental consultant to determine the presence and absence of state and federally listed species. The petitioner shall comply with all state and federal rules regarding listed species.
19. All lots and roadways must be constructed at or above the regulatory flood.
20. The petitioner shall ensure that the post-development volume and rate of drainage flow shall not exceed the volume and rate of pre-development for a 100 year storm event.
21. The petitioner shall be required to prepare the drainage study to determine the 100 year flood elevation concurrently with the construction plans.
22. The petitioner shall provide a revised master plan within 30 days of BCC approval reflecting the pit as a future use area, redesignating the approximately 23 acre portion to low-medium density residential and limiting the commercial/medium-high density pod to 14 acres of commercial, or the master plan shall be null and void.
23. Substantial construction shall be initiated in accordance with the approved master plan within a period of two years from BCC approval, or the master plan will become null and void.
24. Access to the commercial uses shall be only from Mondon Hill Road and interior roadways.
25. The petitioner shall provide a conceptual configuration of the proposed cul-de-sac, with increased turnaround size, to be located in the northwest portion of the subject property, prior to the BCC hearing.
26. The petitioner shall indicate the conceptual location of the roadways proposed to be designed for 15 mph speeds prior to the BCC hearing.
27. The petitioner shall provide a map indicating the conceptual flood delineations with best available information prior to the BCC hearing.
28. The petitioner shall show the locations of existing majestic trees on the conditional plat.

BCC ACTION:

The Board of County Commissioners voted 4-0 to adopt Resolution #2003-145 approving the petitioner's request for a master plan revision to include an addition of land, rezoning from AR-2 and AG to PDP (SF), an increase in density, internal relocation of land uses, relocation of internal roadways, deviations from roadway standards, a change in access points and a reduction in setbacks, with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and meet all applicable land development regulations, for either construction or use of the property, including review of the proposed use through the DRC process.
2. Prior to, or simultaneous with, the conditional platting of that portion of the subject property which includes the 18 acre mixed use pod, the developer shall submit a master plan layout including the location of land uses and roadways. This layout must be reviewed and approved by the Planning & Zoning Commission for consistency with the overall master plan and performance conditions. Any change to the approved master layout plan after development has commenced shall require a master plan revision.
3. Either a master layout plan or a conditional plat will be submitted indicating the area south of the north line of the abandoned railroad right of way which indicates the entire location of the Rails-to-Trails ROW across the property.
4. "Medium high density" residential land uses are approved in the areas designated on the submitted master plan, excluding the area indicated in condition 7, with minimum lot size of 5,400 square feet and minimum building setbacks of 25' front, 5' side and 15' rear.
5. "Low-medium density" residential land uses are approved in the areas designated on the submitted master plan, with minimum lot size of 9,375 square feet and proposed minimum setbacks of 25' front, 7.5' side and 15' rear.
6. The open space areas, including preserved wetlands and golf course areas, shall be identified on associated mapping at the time of conditional plat application.
7. The 23 acre portion of the property extending to McIntyre Road and rezoned from AR-2 shall be developed with "low- medium density " residential development.
8. Lots adjacent to existing single family lots within Dogwood Estates shall be a minimum of 175' in width and 30,000 square feet in area.
9. Golf course development shall be a minimum of 150' from residentially zoned properties adjacent to the project boundaries.
10. Emergency access to McIntyre Road shall be provided, until McIntyre Road is improved, at which time full access to McIntyre Road shall be provided.
11. A public right-of -way for the Rails-to-Trails recreational trail shall be provided across the property from the east to west project lines.
12. Nonvehicular access shall be provided between the subject property and Dogwood Estates to the north.

13. Up to 160 residential lots may be allowed on major local roadways with minimum 70' ROW, designed for minimum 35 mph design speed, but not on roadways built to collector status or higher.
14. The development shall be served by central water and sewer service.
15. The petitioner shall obtain and comply with any DEP, FWC, or SWFWMD permits that may be required for the subject site.
16. Archeological or historical sites shall be investigated to determine their significance.
17. The SPA shall be delineated and the project developed in compliance with the GPO.
18. A preliminary floral and faunal survey shall be conducted by an environmental consultant to determine the presence and absence of state and federally listed species. The petitioner shall comply with all state and federal rules regarding listed species.
19. All lots and roadways must be constructed at or above the regulatory flood.
20. The petitioner shall ensure that the post-development volume and rate of drainage flow shall not exceed the volume and rate of pre-development for a 100 year storm event.
21. The petitioner shall be required to prepare the drainage study to determine the 100 year flood elevation concurrently with the construction plans.
22. The petitioner shall provide a revised master plan within 30 days of BCC approval reflecting the pit as a future use area, redesignating the approximately 23 acre portion to low-medium density residential and limiting the commercial/medium-high density pod to 14 acres of commercial, or the master plan shall be null and void.
23. Substantial construction shall be initiated in accordance with the approved master plan within a period of two years from BCC approval, or the master plan will become null and void.
24. Access to the commercial uses shall be only from Mondon Hill Road and interior roadways.
25. The conceptual configuration of the proposed cul-de-sac, with increased turnaround size, to be located in the northwest portion of the subject property is approved.
26. The petitioner shall provide a map indicating the conceptual flood delineations with best available information prior to the BCC hearing.
27. The petitioner shall show the locations of existing majestic trees on the conditional plat.

28. The developer shall provide recreational areas appropriate for all ages within the project.

NOTE: PLEASE NOTE THAT DEVELOPMENT ACTIONS TAKEN IN RELIANCE ON THIS ZONING APPROVAL MUST BE CONSISTENT WITH THE APPROVED MASTER PLAN, DEVELOPER'S NARRATIVE, DEVELOPER'S REPRESENTATIONS ON THE RECORD AND THE APPROVAL CONDITIONS BY THE BCC.