

**STAFF REPORT**

Planning & Zoning Commission: June 9, 2003

Board of County Commissioners: July 9, 2003

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**APPLICANT:** Brian & Julie Cordes **FILE NUMBER:** H-03-28

**PURPOSE:** Rezoning from R-1C (Residential) to AR (Agricultural-Residential)

**GENERAL**

**LOCATION:** Approximately 600' north of Faculty Street, approximately 300' north of River Forest Cove

**LEGAL**

**DESCRIPTION:** A portion of Section 22, Township 22 South, Range 21 East, Hernando County, FL

**FILE STATUS:** All legal obligations have been completed.

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**CITIZEN RESPONSE:** FOR: 0 AGAINST: 0

**STAFF FINDINGS:**

Surrounding Zoning

North: CV  
South: R-1C  
East: R-1C  
West: R-1C

Surrounding Land Uses

Withlacoochee State Forest  
Undeveloped  
Undeveloped  
Undeveloped

**SUMMARY OF REQUEST**

The petitioner requests to rezone from R-1C to AR. The subject property is located approximately 600' north of Faculty Street, approximately 300' north of River Forest Cove.

**FACTUAL INFORMATION**

1. The property is currently zoned R-1C.
2. The property comprises approximately 3.2 acres.
3. The site is currently being cleared for development.
4. The subject property has access from Faculty Street via River Forest Cove.

5. The subject property is located within a rural land use classification on the adopted Future Land Use Map.
6. The on-site soil types include EauGallie fine sand, Pomello fine sand and Tavares fine sand.
7. The property is located in a flood zone A9, requiring an elevation of 55'.
8. The subject property does not contain any wetlands, WHPAs or SPAs according to County data resources.
9. The Utilities Department has indicated that central water and sewer are not available to serve the subject site.
10. There are adequate public facilities available to serve limited development on the subject property.
11. The area is characterized by undeveloped lots and state forest.
12. The petitioner has not requested any deviations from the County's LDRs.

#### **STAFF DISCUSSION**

The petitioner requests to rezone the property from R-1C to AR in order to keep horses on the property. Horses are not permitted on R-1C zoned property. Horses are allowed on AR-zoned property at the rate of one mature animal and offspring less than one year of age per acre. The residential housing types allowed in the R-1C and AR zoning categories are the same.

The 3.2 acre subject property exceeds the one acre minimum lot area in the AR zoning district. The site plan submitted indicates the proposed house will meet the minimum 50' front, 10' side and 35' rear setbacks for the AR district. The site plan indicates the proposed 2,500 square foot house will exceed the minimum 600 square foot minimum dwelling living area of the AR district.

All of the roadways in this area of Ridge Manor are limerock roads. The subject property has access from Faculty Street via River Forest Cove. County mapping indicates that River Forest Cove is a private road.

Sumter County has been informed of the request; no response has yet been received.

#### **FINDINGS OF FACT**

The subject property is located within a rural land use classification as identified on the adopted Future Land Use Map. Potential uses in the rural land use category include farms, ranches, agri-industrial uses, agricultural commercial, farm worker housing, residential uses, neighborhood commercial uses, recreation, and public and semi-public uses. The rural land use classification

allows a density of no greater than 1 unit per 10 acres. However, Ridge Manor has been developed with platted lots at a density of approximately 1 unit per acre. The Planning staff is of the opinion that rezoning the subject property to AR furthers the property's compliance with the Comprehensive Plan more so than the existing R-1C residential zoning.

The subject property is located between an area of undeveloped platted residential lots and the Withlacoochee State Forest. The Planning staff is of the opinion the proposed use will be compatible with the surrounding area and not inconsistent with the Comprehensive Plan.

**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 to rezone from R-1C to AR with the following performance standard:

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.

**P&Z RECOMMENDATION:**

On June 9, 2003, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt Resolution # \_\_\_\_\_ approving the petitioner's request to rezone from R-1C to AR with the following performance standard:

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.

**BCC ACTION:**

The Board of County Commissioners voted 5-0 to adopt Resolution # 2003-196 approving the petitioner's request to rezone from R-1C to AR with the following performance standard:

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.