

**STAFF REPORT**

Planning & Zoning Commission: September 12, 2005  
Board of County Commissioners: October 12, 2005

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**APPLICANT:** Todd A. Mooney **FILE NUMBER:** H-05-90

**PURPOSE:** Rezoning from AG to CPDP(GC), (SF) and (MF)/ Combined Planned Development Project (General Commercial) (Single Family) and (Multifamily) with a Reduction in Setbacks

**GENERAL**

**LOCATION:** South side of Cortez Boulevard, approximately 200' east of Melacano Avenue

**LEGAL**

**DESCRIPTION:** A portion of Section 31, Township 22 South, Range 18 East, Hernando County, FL

**FILE STATUS:** All requirements necessary to conduct the public hearing have been satisfied.

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**CITIZEN RESPONSE:** FOR: 0 AGAINST: 1

**STAFF FINDINGS:**

Surrounding Zoning

Surrounding Land Uses

North: AG

Substation, communication tower, undeveloped

South: AG

Boy Scout reservation

East: AG

Boy Scout reservation, substation, communication tower

West: PDP(SF), PDP(SU)

Single family, landscape strip, undeveloped

**SUMMARY OF REQUEST**

The petitioner requests to rezone from AG to CPDP(GC), (SF) and (MF) with a reduction in setbacks. The subject property is located on the south side of Cortez Boulevard, approximately 200' east of Melacano Avenue.

**FACTUAL INFORMATION**

1. The property is currently zoned AG.
2. The property comprises approximately 45 acres.

3. The site is undeveloped.
4. The site contains no majestic or specimen trees.
5. The subject property has access from Cortez Boulevard, Brentlawn Street, Lynnhaven Road and Hazelwood Road.
6. The subject property is located within a residential land use classification on the adopted Future Land Use Map.
7. The on-site soil types include Basinger fine sand, Candler fine sand and Tavares fine sand. Candler fine sand provides a habitat suitable for gopher tortoises. Since there is the potential for this listed species of special concern to be present, a Florida Fish and Wildlife Conservation Commission permit may be required prior to site alterations.
8. The property is located in flood zones C and A.
9. The subject property contains wetlands, but no WHPAs or SPAs, according to County data resources.
10. The Utilities Department has indicated that central water and sewer capacity is available to serve the subject site.
11. The adequate public facility review indicates that there are capacity issues associated with State Road 50.
12. There are adequate public facilities available to serve limited development on the subject property.
13. The area is characterized by single family residential, utility and institutional uses.
14. The petitioner has requested a deviation the County's LDRs, specifically a reduction in setbacks from 125' to 75' from the front lot line along Cortez Boulevard.

#### **STAFF DISCUSSION**

The petitioner requests to rezone from AG to CPDP(GC), (SF) and (MF) with a reduction in setbacks. The petitioner submitted a request in 2002 to rezone the subject property from AG to PDP(MF); the petitioner ultimately withdrew the request.

The petitioner proposes developing the approximately 45-acre subject property with 6.23 acres of general commercial and office professional uses in Parcel A, approximately 13.56 acres of single

family attached (townhouse) residential uses in Parcel B, approximately 1.95 acres of single family detached uses in parcel C and an approximately 23.34 acre conservation area.

The narrative and plan indicates the northern approximately 6.23 acres would be developed with two-story buildings with general commercial uses on the first floor and business, professional and medical/dental office uses on the second floor. The petitioner indicates the first-floor retail uses would be accessed from the north facade and the second-floor office uses would be accessed from the south facade. The C-1 general commercial zoning district allows business and professional offices. If the request is approved, the commercial/office areas should be zoned PDP(OP) with C-1 uses allowable on the first floor. The Planning staff does not object to a performance condition allowing C-1 uses on the first floor and professional offices on the second floor. The narrative and plan indicate a 75' setback from Cortez Boulevard. The BCC has approved a reduction in setbacks from Cortez Boulevard from 125' to 75' when a frontage road is provided. The petitioner proposes providing a frontage road. The petitioner proposes setbacks as follows for the commercial pod/Parcel A: a 20' setback to the east lot line, a 30' setback to the west lot line and a 35' setback to the south lot line adjacent to the proposed townhouse development. The plan shows a 10' landscaped separation distance between the commercial and single family attached areas, which may include DRAs. The petitioner proposes a minimum 20' landscaped buffer with a 6' solid fence or wall along the western boundary adjacent to the commercial/office development. The Planning staff does not object to the proposed commercial area setbacks, buffer or landscaped separation strip.

The petitioner proposes developing approximately 13.56 acres with 110 single family attached dwellings (townhouses). The proposed minimum lot dimensions are 85' x 21'. The townhouses are proposed to have a maximum height of 45' or three (3) stories. The petitioner proposes perimeter setbacks as follows for the townhouse development/Parcel B: 20' to the north lot line, 20' to the east lot line, 30' to the west lot line and 30' to the south lot line. The petitioner proposes internal lot setbacks as follows: 20' front, 0'/7.5' side and 20' rear with a minimum 15' setback between buildings. The internal side lot setbacks proposed do make sense relating to this product since the attached units will in some cases be 0' on both side lines. Planning staff does not object to the proposed perimeter and lot setbacks with modification to the internal side to 0', with 15' between buildings. The Planning staff is of the opinion that although the petitioner indicates the townhouse development will be single family attached fee-simple development, the high-density residential development proposed will have impacts similar to multifamily development. The Planning staff is of the opinion the townhouse development in Parcel B should be designed according to the multifamily design standards required for PDP(MF). These standards address building facades, roofing, open space, parking and internal access design. The multifamily design standards require a minimum 15% of the gross area be provided as open space, which would be a minimum of two (2) acres. The petitioner indicates recreation/open space for Parcel B would include a minimum 1.2 acre area including a boardwalk and clubhouse with pool. The multifamily design standards require a minimum 15% of the gross area be provided as open space, which would be a minimum of two (2) acres. The plan shows the boardwalk in the wetlands/conservation area. The petitioner provides no details regarding the boardwalk, such as materials of construction, width or height. The plan indicates parking would be provided on each lot and in common areas. The multifamily design

standards indicate developments with more than twelve (12) units, an additional 30% of the required parking must be provided in common areas throughout the project. The narrative indicates a 10' wide landscape strip with a 6' solid wall or fence along the west line of Parcel B adjacent to established Spring Hill Lots. It is the staff's position that the minimum strip should be 20' wide with trees planted one every 25'.

The petitioner proposes developing approximately 1.95 acres with two (2) detached single family houses. The petitioner proposes internal lot setbacks as follows: 25' front, 10' side and 30' rear. The petitioner proposes perimeter setbacks for the single family development/Parcel C as follows: 15' to the north, 15' to the south, 25' to the east and 30' to the west. The Planning staff does not object to the proposed perimeter or lot setbacks. The plan provided shows Parcel C developed with two (2) single family lots, each approximately 0.97 acres in size and developed with a dwelling with a maximum 35' or two stories in height.

The Transportation Planning Coordinator indicates that the subject property is located on a section of Cortez Boulevard which does not have adequate capacity to support additional development in this area without mitigation. The petitioner will have to obtain a certificate of concurrency during review of the conditional plat. The developer will have the option of either delaying development or entering into an agreement to address the transportation issues at that time.

The County's Land Development Regulations require the developer of the subject property to provide a frontage road across the property, at no cost to the county, upon demonstration of need and demand by the county. The plan provided shows a frontage road along the northern boundary of the subject property.

The petitioner indicates "sidewalks/bike paths will be developed throughout the village." The multifamily standards address sidewalks for multifamily projects. The County Engineer indicates that if the request is approved, the petitioner should provide interconnection between the western roundabout and the townhouse development. The County Engineer indicates the proposed walking paths or pedestrian interconnection shall connect with the frontage road. The County Engineer notes that future improvements to Cortez Boulevard may reduce to right-in/right-out only the subject property's access to Cortez Boulevard.

The Utilities Department has indicated that central water and sewer capacity is available to serve the project and the project is within a service area. Water is available by ordinance; however, sewer is not. Connecting to sewer service will require installing an onsite sewer pump station and approximately 3,700' of offsite sewer force main. A sewer pump station is currently located to the west at the Withlacoochee River Electric office on the north side of Cortez Boulevard. The petitioner did not indicate whether sewer was being proposed to be extended to serve the SF lots at the south end of the project. The staff would not object to those lots being served by other than sewer.

The Hernando County School Board indicates that elementary school students would be assigned to Spring Hill Elementary, middle school students would be assigned to West Hernando Middle School and high school students would be assigned to Central High School. These schools are currently over permanent capacity. The comments received by the School Board are attached to this report.

Approximately 23.34 of the subject property contains a wetland area. The project narrative states that there is a sink feature within the wetland. There are well documented karst connections to the aquifer on adjacent properties to the north and east. The wetland on the subject property is classified by the Comprehensive Plan as a Class 1 wetland due to its direct connection to the Floridan aquifer. The Comprehensive Plan prohibits Class 1 wetlands from being adversely impacted by development. The dry treatment swale proposed in the narrative and shown on the plan shall treat stormwater to chapter 62-25, Florida Administrative Code standards in accordance with the Groundwater Protection Ordinance. It shall be constructed upland of the wetland buffer in all areas proposed for development adjacent to the wetland.

The proposed boardwalk shall not be considered an adverse impact to the wetland in accordance with Objective 6.05(B) of the Comprehensive Plan. Any wetland impacts associated with the boardwalk are to be permitted by the appropriate state and federal agencies.

The petitioner indicates in the narrative that the project has no known special floodplain issues of concern. However, a 100 year floodplain surrounds the wetland area. If the request is approved, all roadways, driveways and finished floor elevations shall be above the 100 year base flood elevation.

The FDOT has been notified of the request; no response has yet been received.

### **FINDINGS OF FACT**

The area is characterized by single family residential, utility and institutional uses. The Boy Scout reservation is located to the east and south of the subject property. Single family residential uses are located to the west of the subject property. A substation and communication tower are located to the northeast of the subject property. Power lines are located to the east of the subject property.

The subject property is located within a residential land use classification on the County's adopted Future Land Use Map. The residential land use classification would allow single family residential 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. As part

of this development, the functioning frontage road will be extended along the frontage of this property.

Policy 1.01A(9) indicates the LDRs shall establish a Planned Developed Plan (PDP) district which can be used for single use or mixed use projects, with flexibility in standards allowed if projects provide environmental protection, landscaping, open space, public facilities, innovative planning design or other appropriate public benefits. The petitioner requests to rezone the northern 6.23 acre to PDP(GC). Policy 1.01L(8) indicates that during the land use approval process for higher intensity commercial uses, appropriate buffering will be considered to maintain a separation from existing or proposed residential uses. The buffering method may include lower intensity commercial or multifamily uses creating a pattern of higher to lower intensity. The Planning staff is of the opinion allowing all of the C-1 uses would not be appropriate at this location, although the Planning staff is of the opinion it would be appropriate to locate retail uses at this location to serve the existing and proposed residential uses. The Planning staff is of the opinion that if the request is approved, the 6.23 acre area should be zoned PDP(OP) with C-1 uses including comparison goods stores, convenience good stores with no vehicle fueling stations, personal service establishments, domestic and business service establishments, domestic and business repair establishments, restaurants with or without alcohol dispensation, antique stores, alcoholic beverage dispensation package and restaurants only, retail food stores and drycleaning establishments.

Policy 1.01L(7) indicates the County shall establish standards to promote the integration of pedestrian traffic within and between commercial developments and adjacent residential areas. The If the request is approved, the petitioner shall provide pedestrian interconnection throughout the subject property.

Policy 1.01A(10) indicates the Comprehensive Plan shall provide a maximum opportunity for application of innovative concepts of site planning in the creation of aesthetically pleasing and natural system preserving living, shopping, and working environments on properties of adequate size, shape and location. The Planning staff is of the opinion the petitioner has demonstrated how the proposed development will be aesthetically pleasing with the provision of multiple uses and the preservation of the wetlands on the site.

Policy 1.01F(7) of the adopted Comprehensive Plan includes criteria and standards for determining residential densities for land included in the residential land use classification. The criteria and standards to consider in determination of appropriate locations of higher residential densities than 4.0 dwelling units per acre include: proximity to existing or designated commercial areas or corridors or major employment centers; direct access to arterial or collector roadways or access to arterial or collector roadways via limited use of local roadways; provision of appropriate police, fire and EMS services, water and sewer services; availability of appropriate public primary and secondary school facilities; and the character and density of existing or approved residential developments of close proximity. It is the staff's opinion that the proposed project would be appropriately located, with the appropriate performance standards, to allow the requested densities.

Policy 6.05B indicates the development of passive and active uses of wetlands such as fishing, canoeing, hiking, nature study, hunting, camping and picnicking shall be encouraged. The Planning staff does not object to the passive uses that the proposed boardwalk would support.

The Planning staff is of the opinion that rezoning the subject property to CPDP (SF) and (OP) with additional C-1 uses and a reduction in setbacks would be appropriate, based on the following conclusions:

1. Approval of PDP(MF) at the intensity proposed would not be inconsistent with the adopted comprehensive plan.
2. With the extension of the functioning frontage road along the subject property, OP uses with limited C-1 uses would be appropriate.
3. The transportation impacts resulting from rezoning the property to C/PDP(MF)(SF) and (OP) with limited C-1 uses will require off-site transportation improvements to allow development to proceed, or development must wait until concurrency is available.
4. The proposed rezoning would be consistent with the Comprehensive Plan and would be consistent with the County's Land Development Regulations subject to compliance with all performance conditions herein.

**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 Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.**

**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 AG to CPDP(SF) and (OP) with C-1 uses with a reduction in setbacks, with the following performance standards:

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, and complete all applicable development review processes.

2. The frontage road shall be built at the time of development.
3. The perimeter setbacks for the project are as follows:
  - From Cortez Boulevard: 75'
  - From the west lot line: 30'
  - From the east lot line: 20'
  - From the south lot line: 35'
4. The setbacks for the commercial/office area in Parcel A are as follows:
  - From Cortez Boulevard: 75'
  - From the west lot line: 30'
  - From the east lot line: 20'
  - From the south lot line: 35'
5. The setbacks for the single family attached lots in Parcel B are as follows:
  - From the front lot line: 20'
  - From the side lot lines: 0' with 15' between buildings
  - From the rear lot line: 20'
6. The setbacks for the SF development in Parcel C are as follows:
  - From the front lot line: 25'
  - From the side lot lines: 10'
  - From the rear lot line: 30'
7. Parcel A shall be developed with two-story buildings with C-1 uses allowed on the first floor in addition to office professional uses, and professional offices on the second floor. The C-1 uses are limited to: comparison goods stores, convenience good stores with no vehicle fueling stations, personal service establishments, domestic and business service establishments, domestic and business repair establishments, restaurants with or without alcohol dispensation, antique stores, alcoholic beverage dispensation package and restaurants only, retail food stores and drycleaning establishments.
8. The townhouse development in Parcel B shall meet the multifamily design standards required for a PDP(MF).
9. The minimum lot size for the townhouse development in Parcel B shall be 1,700 square feet.
10. There shall be a 10' landscaped separation strip between Parcels A and B as shown on the plan.
11. There shall be a 20' landscaped buffer with a 6' solid wall or fence located on the west property line in Parcel A.

12. There shall be a 20' landscaped buffer with a 6' solid wall or fence, and trees planted one every 25' on the west property line of Parcel B as indicated on the plan.
13. The minimum lot size for the two (2) single family lots in Parcel C shall be approximately ½ acre as indicated on the plan.
14. The SF area can be served by central water and septic; however, the remainder of the project shall be served by central water and sewer.
15. The wetland jurisdictional lines shall be delineated and shown on all future plats and construction drawings.
16. The boardwalk is the only permitted element of the development permitted to impact the wetland area.
17. The dry treatment swale shall treat stormwater to chapter 62-25, Florida Administrative Code standards and shall be constructed upland of the wetland buffer in all areas proposed for development adjacent to the wetland.
18. All roadways, driveways and finished floor elevations shall be above the 100 year base flood elevation.
19. The petitioner shall provide vehicular interconnection between the commercial/office and townhouse development as indicated on the master plan.
20. The petitioner shall provide pedestrian interconnection between the commercial and office uses in Parcel A and the townhouse development in Parcel B. The proposed walking paths or pedestrian interconnection shall connect with the frontage road.
21. The petitioner shall provide a revised plan in compliance with all of the performance conditions within 30 calendar days of BCC approval. A \$250.00 late submittal fee will be required in the event the plan is not submitted within the specified time frame. Failure to submit the revised plan within 30 business days from BCC approval will result in the zoning becoming 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 to rezone from AG to CPDP(SF) and (OP) with C-1 uses with a reduction in setbacks, with the following modified performance standards:

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, and complete all applicable development review processes.
2. The frontage road shall be built at the time of development.
3. The perimeter setbacks for the project are as follows:
  - From Cortez Boulevard: 75'
  - From the west lot line: 30'
  - From the east lot line: 20'
  - From the south lot line: 35'
4. The setbacks for the commercial/office area in Parcel A are as follows:
  - From Cortez Boulevard: 75'
  - From the west lot line: 30'
  - From the east lot line: 20'
  - From the south lot line: 35'
5. The setbacks for the single family attached lots in Parcel B are as follows:
  - From the front lot line: 20'
  - From the side lot lines: 0' with 15' between buildings
  - From the rear lot line: 20'
6. The setbacks for the SF development in Parcel C are as follows:
  - From the front lot line: 25'
  - From the side lot lines: 10'
  - From the rear lot line: 30'
7. Parcel A shall be developed with two-story buildings with C-1 uses allowed on the first floor in addition to office professional uses, and professional offices on the second floor. The C-1 uses are limited to: comparison goods stores, convenience good stores with no vehicle fueling stations, personal service establishments, domestic and business service establishments, domestic and business repair establishments, restaurants with or without alcohol dispensation, antique stores, alcoholic beverage dispensation package and restaurants only, retail food stores and drycleaning establishments.
8. The townhouse development in Parcel B shall meet the multifamily design standards required for a PDP(MF).
9. The minimum lot size for the townhouse development in Parcel B shall be 1,700 square feet.
10. There shall be a 10' landscaped separation strip between Parcels A and B as shown on the plan.

11. There shall be a 20' landscaped buffer with a 6' solid wall or fence located on the west property line in Parcel A.
12. There shall be a 20' landscaped buffer with a 6' solid wall or fence, and trees planted one every 25' on the west property line of Parcel B extending approximately 460' from the southern boundary of the frontage road as indicated on the plan. (P&Z modification clarifies staff intent)
13. The minimum lot size for the two (2) single family lots in Parcel C shall be approximately ½ acre as indicated on the plan.
14. The SF area can be served by central water and septic; however, the remainder of the project shall be served by central water and sewer.
15. The wetland jurisdictional lines shall be delineated and shown on all future plats and construction drawings.
16. The boardwalk is the only permitted element of the development permitted to impact the wetland area.
17. The dry treatment swale shall treat stormwater to chapter 62-25, Florida Administrative Code standards and shall be constructed upland of the wetland buffer in all areas proposed for development adjacent to the wetland.
18. All roadways, driveways and finished floor elevations shall be above the 100 year base flood elevation.
19. The petitioner shall provide vehicular interconnection between the commercial/office and townhouse development as indicated on the master plan.
20. The petitioner shall provide pedestrian interconnection between the commercial and office uses in Parcel A and the townhouse development in Parcel B. The proposed walking paths or pedestrian interconnection shall connect with the frontage road.
21. The petitioner shall provide a revised plan in compliance with all of the performance conditions within 30 calendar days of BCC approval. A \$250.00 late submittal fee will be required in the event the plan is not submitted within the specified time frame. Failure to submit the revised plan within 30 business days from BCC approval will result in the zoning becoming null and void.
22. Prior to the BCC hearing, the petitioner shall a revised plan indicating fences/walls and buffering as proposed at the P&Z hearing. (Staff had no objections).

**NOTE:**

Pursuant to condition #22, the petitioner was to provide a revised plan indicating the location of the fences/walls and buffers as proposed at the P&Z meeting. Nothing was provided to the staff for inclusion into the BCC packet.

**BCC ACTION:**

The Board of County Commissioners voted 5-0 to adopt Resolution # 2005-288 approving the petitioner's request to rezone from AG to CPDP(SF) and (OP) with C-1 uses with a reduction in setbacks, with the following performance standards:

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, and complete all applicable development review processes.
2. The frontage road shall be built at the time of development.
3. The perimeter setbacks for the project are as follows:
  - From Cortez Boulevard: 75'
  - From the west lot line: 30'
  - From the east lot line: 20'
  - From the south lot line: 35'
4. The setbacks for the commercial/office area in Parcel A are as follows:
  - From Cortez Boulevard: 75'
  - From the west lot line: 30'
  - From the east lot line: 20'
  - From the south lot line: 35'
5. The setbacks for the single family attached lots in Parcel B are as follows:
  - From the front lot line: 20'
  - From the side lot lines: 0' with 15' between buildings
  - From the rear lot line: 20'
6. The setbacks for the SF development in Parcel C are as follows:
  - From the front lot line: 25'
  - From the side lot lines: 10'
  - From the rear lot line: 30'
7. Parcel A shall be developed with two-story buildings with C-1 uses allowed on the first floor in addition to office professional uses, and professional offices on the second floor. The C-1 uses are limited to: comparison goods stores, convenience good stores with no vehicle

- fueling stations, personal service establishments, domestic and business service establishments, domestic and business repair establishments, restaurants with or without alcohol dispensation, antique stores, alcoholic beverage dispensation package and restaurants only, retail food stores and dry-cleaning establishments.
8. The townhouse development in Parcel B shall meet the multifamily design standards required for a PDP(MF).
  9. The minimum lot size for the townhouse development in Parcel B shall be 1,700 square feet.
  10. There shall be a 10' landscaped separation strip between Parcels A and B as shown on the plan.
  11. There shall be a 20' landscaped buffer with a 6' solid wall or fence located on the west property line in Parcel A.
  12. There shall be a 20' landscaped buffer with a 6' solid wall or fence, and trees planted one every 25' on the west property line of Parcel B extending approximately 460' from the southern boundary of the frontage road as indicated on the plan.
  13. The minimum lot size for the two (2) single family lots in Parcel C shall be approximately ½ acre as indicated on the plan.
  14. The SF area can be served by central water and septic; however, the remainder of the project shall be served by central water and sewer.
  15. The wetland jurisdictional lines shall be delineated and shown on all future plats and construction drawings.
  16. The boardwalk is the only permitted element of the development permitted to impact the wetland area.
  17. The dry treatment swale shall treat stormwater to chapter 62-25, Florida Administrative Code standards and shall be constructed upland of the wetland buffer in all areas proposed for development adjacent to the wetland.
  18. All roadways, driveways and finished floor elevations shall be above the 100 year base flood elevation.
  19. The petitioner shall provide vehicular interconnection between the commercial/office and townhouse development as indicated on the master plan.

20. The petitioner shall provide pedestrian interconnection between the commercial and office uses in Parcel A and the townhouse development in Parcel B. The proposed walking paths or pedestrian interconnection shall connect with the frontage road.
21. The petitioner shall provide a revised plan in compliance with all of the performance conditions within 30 calendar days of BCC approval. A \$250.00 late submittal fee will be required in the event the plan is not submitted within the specified time frame. Failure to submit the revised plan within 30 business days from BCC approval will result in the zoning becoming null and void.
22. Prior to the BCC hearing, the petitioner shall a revised plan indicating fences/walls and buffering as proposed at the P&Z hearing.
23. The developer shall construct a six (6') foot solid fence along the eastern and southern property boundaries where it abuts parcels R31 422 18 0000 0040 0000 and R06 423 18 0000 0010 0000 subject to permitting review and approval by the Southwest Florida Water Management District and other applicable permitting agency.
24. Development of the subject property must comply with the architectural renderings presented at the Board of County Commissioners meeting on October 12, 2005.
25. The petitioner shall enter into a development agreement which will require them to pay their proportionate fair share of offsite transportation improvements, including a traffic signal at Nightwalker Road, to mitigate impacts associated with development of the project.
26. The multifamily structures shall be limited to two (2) stories in height on the western half of the project, and a maximum of three (3) stories on the eastern half of the project.

**NOTE: PLEASE NOTE THAT DEVELOPMENT ACTIONS TAKEN IN RELIANCE WITH 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.**

*The School Board of Hernando County, Florida*

919 North Broad Street  
Brooksville, FL 34601  
352-797-7000

**Facility & Support  
Operations  
8050 Mobley Road  
Brooksville, FL 34601  
Phone 352-797-7096**

**Superintendent**  
*Wendy L. Tellone, Ed.D.*  
**Chairperson**  
*Robert Wiggins*  
**Vice Chairperson**  
*Jim Malcolm*  
**Members**  
John Druzbeck  
Pat Fagan  
Sandra Nicholson

August 16, 2005

Christopher Mettler  
Hernando County Planning Department  
20 North Main Street, Room 262  
Brooksville, FL 34601

Dear Chris:

I reviewed the proposed rezoning requests that you forwarded to me. My comments are listed below for consideration during the staff's review.

In reference to **H-05-83**, the request from Q2 Brooksville 191, LLC to rezone and develop a 191 acre site with 400 single family homes, I offer the following:

Schools for which students from this development will be zoned:  
Elementary (K-5) – Brooksville Elementary School  
Middle (6-8) – D.S. Parrott Middle School  
High (9-12) – Hernando High School

This rezoning request is expected to add an additional 133 students to the District. The above mentioned schools are currently over permanent capacity. An immediate solution to solve the impact of additional students would be adding portable classrooms at an estimated cost of \$210,000 and 6 teachers at an estimated cost of \$300,000. However, the state requires us to build permanent capacity facilities and eliminate portables. I have attached a worksheet developed by the District's Chief Financial Officer showing anticipated revenue and the impact of this development based on the projected 133 additional students. This worksheet shows an estimated impact in excess of school taxes between \$1,176,711 and \$1,217,631.

In reference to **H-05-84**, the request from Alvin R. Mazourek to rezone 33 Ac and develop 145 multi family homes, I offer the following:

Schools for which students from this development will be zoned:  
Elementary (K-5) – Suncoast Elementary School  
Middle (6-8) – Powell Middle School  
High (9-12) – Springstead High School

This rezoning request is expected to add an additional 48 students to the District. The above mentioned schools are currently over permanent capacity. An immediate solution to solve the impact of additional students would be adding portable classrooms at an estimated cost of \$70,000 and 2 teachers at an estimated cost of \$100,000. However, the state requires us to build permanent capacity facilities and eliminate portables. I have attached a worksheet developed by the District's Chief Financial Officer showing anticipated revenue and the impact of this

development based on the projected 48 additional students. This worksheet shows an estimated impact in excess of school taxes between \$421,847 and \$436,681.

In reference to **H-05-86**, the request from Tri County Development, Inc to rezone and develop 80.88 acres with 135 single family homes, I offer the following:

Schools for which students from this development will be zoned:  
Elementary (K-5) – Spring Hill Elementary School  
Middle (6-8) – West Hernando Middle School  
High (9-12) – Central High School

This rezoning request is expected to add an additional 45 students to the District. The above mentioned schools are currently over permanent capacity. An immediate solution to solve the impact of additional students would be adding portable classrooms at an estimated cost of \$70,000 and 2 teachers at an estimated cost of \$100,000. However, the state requires us to build permanent capacity facilities and eliminate portables. I have attached a worksheet developed by the District's Chief Financial Officer showing anticipated revenue and the impact of this development based on the projected 45 additional students. This worksheet shows an estimated impact in excess of school taxes between \$399,634 and \$413,444.

In reference to **H-05-88**, the request from Emerson Oaks, LLC to rezone and develop a 23.45 acre site with 248 multi-family homes, I offer the following:

Schools for which students from this development will be zoned:  
Elementary (K-5) – Moton Elementary School  
Middle (6-8) – DS Parrott Middle School  
High (9-12) –Hernando High School

This rezoning request is expected to add an additional 83 students to the District. The above mentioned schools are currently over permanent capacity. An immediate solution to solve the impact of additional students would be adding portable classrooms at an estimated cost of \$140,000 and 3.5 teachers at an estimated cost of \$175,000. However, the state requires us to build permanent capacity facilities and eliminate portables. I have attached a worksheet developed by the District's Chief Financial Officer showing anticipated revenue and the impact of this development based on the projected 83 additional students. This worksheet shows an estimated impact in excess of school taxes between \$741,531 and \$766,901.

In reference to **H-05-90**, the request from Todd A. Mooney to rezone and develop a 44.96 acre site with 124 single family town-homes, I offer the following:

Schools for which students from this development will be zoned:  
Elementary (K-5) – Spring Hill Elementary School  
Middle (6-8) – West Hernando Middle School  
High (9-12) –Central High School

This rezoning request is expected to add an additional 41 students to the District. The above mentioned schools are currently over permanent capacity. An immediate solution to solve the impact of additional students would be adding portable classrooms at an estimated cost of \$70,000 and 2 teachers at an estimated cost of \$100,000. However, the state requires us to build permanent capacity facilities and eliminate portables. I have attached a worksheet developed by the District's Chief Financial Officer showing anticipated revenue and the impact of this

development based on the projected 41 additional students. This worksheet shows an estimated impact in excess of school taxes between \$359,682 and \$372,367.

In reference to **H-05-91**, the request from Terry A. Whaley, Sr. to rezone and develop a 35 acre site with 490 multi-family homes, I offer the following:

Schools for which students from this development will be zoned:  
Elementary (K-5) – Moton Elementary School  
Middle (6-8) – DS Parrott Middle School  
High (9-12) –Hernando High School

This rezoning request is expected to add an additional 163 students to the District. The above mentioned schools are currently over permanent capacity. An immediate solution to solve the impact of additional students would be adding portable classrooms at an estimated cost of \$260,000 and 7 teachers at an estimated cost of \$350,000. However, the state requires us to build permanent capacity facilities and eliminate portables. I have attached a worksheet developed by the District’s Chief Financial Officer showing anticipated revenue and the impact of this development based on the projected 163 additional students. This worksheet shows an estimated impact in excess of school taxes between \$1,443,134 and \$1,493,261.

I hope this information will be helpful for the staff review. Please contact me if you have any questions or need further information. Thank you for the opportunity to comment on the effect that these proposed rezoning requests will have on the Hernando County School System.

Sincerely,

Ken Pritz

Hernando County School Board  
Facility & Support Operations, Executive Director