

STAFF REPORT

Planning & Zoning Commission: June 13, 2005

Board of County Commissioners: July 13, 2005

APPLICANT: Perry and Bradford Ranch **FILE NUMBER:** H-05-55

PURPOSE: Master Plan Revision to Include a Reconfiguration of Lots and Roadways

GENERAL

LOCATION: Approximately 3,200' southwest of Elgin Boulevard, approximately 2,200' north of Rudi Loop, approximately 2,600' west of St. Ives Boulevard

LEGAL

DESCRIPTION: A portion of Section 16, Township 23 South, Range 18 East, Hernando County, FL

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

CITIZEN RESPONSE: FOR: 0 AGAINST: 1

STAFF FINDINGS:

Surrounding Zoning

Surrounding Land Uses

North: CPDP

Undeveloped

South: AG

Undeveloped

East: PDP(SF), AG

Undeveloped

West: AG

Undeveloped

SUMMARY OF REQUEST

The petitioner requests a master plan revision to include a reconfiguration of lots and roadways. The subject property is located approximately 3,200' southwest of Elgin Boulevard, approximately 2,200' north of Rudi Loop, approximately 2,600' west of St. Ives Boulevard.

FACTUAL INFORMATION

1. The property is currently zoned PDP(SF).
2. The property comprises approximately 40 acres.
3. The site is undeveloped.

4. The site contains no majestic or specimen trees.
5. Roadways in the area are planned as part of the Sterling Hills and Pristine Place developments.
6. The subject property is located within a residential land use classification on the adopted Future Land Use Map.
7. The on-site soil type is Candler 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 a flood zone C.
9. The subject property does not contain any wetlands, WHPAs or SPAs according to County data resources.
10. The Utilities Department has indicated that central water and sewer are available per ordinance to serve the subject site.
11. There are adequate public facilities available to serve the subject property.
12. The area is characterized by residential uses and undeveloped parcels.
13. The petitioner has not requested any deviations from the County's LDRs.

STAFF DISCUSSION

The petitioner requests a master plan revision to include a reconfiguration of lots and roadways on the subject property. In November 2003, the BCC approved a rezoning request on the site from AG to PDP(SF) 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. The maximum number of units shall be 160.
3. The minimum lot size will be 3,850 square feet.
4. The minimum internal setbacks for each single family attached villa lot will be as follows:
Front: 20' Side: 0/5' Rear: 15'

5. The perimeter setbacks will be per the LDRs.
6. The minimum total usable park space (excluding detention pond area) is two acres.
7. The developer should include information regarding the Florida Yards & Neighborhoods (FYN) principles regarding the care of turf grass and landscaped areas in sales literature associated with the project.
8. The petitioner shall submit a revised plan within 30 days of BCC approval indicating the zoning conditions or the rezoning shall be null and void.
9. A 25' access tract shall be provided to the 20 acre parcel to the east of the southern portion of the subject property.

The petitioner proposes to maintain the same residential density, minimum lot size and setbacks. The petitioner proposes to realign the Sterling Hills Boulevard ROW so that the southern terminus is relocated from the west side to the east side of the southern property line's center point. In December 2003, the BCC adopted the Functionally Classified Roadway Map 2025 showing a collector roadway connecting Elgin Boulevard and Linden Drive in order to provide connection for the existing and future development in this area. The future roadway would sweep to the southwest south of the subject property to connect to Linden Drive. The County Engineer objects to the southeast orientation of the southern terminus of the roadway as submitted. If the request is approved, the County Engineer indicates the southern portion of the roadway should be realigned so that it is perpendicular to the southern property line or angled to the southwest.

In November 2003 the Planning & Zoning Commission approved a conditional plat for Pristine Place Phase 6 on property located to the east of the subject property. The conditional plat required a connection to the west into the subject property to a point acceptable to the County Engineer. The Planning staff is of the opinion if the request is approved, the petitioner should provide the ability to interconnect to the east of the northern portion of the subject property.

In the 2003 master plan approval, the petitioner was required to provide a 25' access tract to the 20 acre parcel to the east of the southern portion of the subject property. A 25' strip reserving future access as required is provided on the submitted master plan.

The development is proposed to be served by central water and sewer service. The Utilities Department has indicated that central water and sewer are available per ordinance to serve the subject site.

The petitioner indicates the proposed development will be served by central water and sewer service by the County Utilities Department. HCUD has indicated central water and sewer service are available for the proposed development.

The Hernando County School Board indicates that the request would generate approximately 53 additional students. Elementary schools students would be assigned to J. D. Floyd Elementary, middle school students would be assigned to Powell 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.

FINDINGS OF FACT

The area is characterized by residential uses and undeveloped parcels. The subject property is currently surrounded by undeveloped parcels.

The subject property is located within a residential land use classification on the adopted Future Land Use Map. Land uses allowed in this category include single family residential densities up to 5.4 units per acre, resort residential and ancillary land uses such as recreation, churches and community centers. The proposed density of the subject request is 4.0 units per acre which is within the range allowed by the adopted Comprehensive Plan.

The staff is of the opinion the master plan revision is appropriate based on the following conclusions:

1. The relocation of the collector roadway with a realignment acceptable to the County Engineer provides a collector roadway in this area as required by the BCC.
2. The requested master plan revision is consistent with the County's adopted Comprehensive Plan and the County's land development regulations.

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.

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 a reconfiguration of lots and roadways, 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, and complete all applicable development review processes.
2. The petitioner shall realign the collector roadway so that it is acceptable to the County Engineer.
3. The petitioner shall provide the ability to interconnect to the east into Pristine Place Phase 6 via an easement or ROW.
4. All conditions of PD-593 (approved under file H-03-56) shall be in full force and effect.
5. 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 for a master plan revision to include a reconfiguration of lots and roadways, 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, and complete all applicable development review processes.
2. The petitioner shall realign the collector roadway so that it is acceptable to the County Engineer.
- ~~3. The petitioner shall provide the ability to interconnect to the east into Pristine Place Phase 6 via an easement or ROW. (Note: needs further discussion)~~
3. All conditions of PD-593 (approved under file H-03-56) shall be in full force and effect.
4. 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.

5. The petitioner shall provide a 25' access tract to the 20 acre parcel to the east of the southern portion of the subject property

NOTE:

The Planning staff is of the opinion the condition added by the P&Z requiring the petitioner to provide the 25' access tract to the east is duplicative, as the tract is already required per the condition indicating that all the conditions of PD-593 shall be in full force and effect.

BCC ACTION:

The Board of County Commissioners voted 4-0 to adopt Resolution # 2005-189 approving the petitioner's request for a master plan revision to include a reconfiguration of lots and roadways, 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, and complete all applicable development review processes.
2. The petitioner shall realign the collector roadway so that it is acceptable to the County Engineer.
3. All conditions of P.D.-593 (approved under file H-03-56) shall be in full force and effect.
4. 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.

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
FAX 352-797-7156

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

May 25, 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-05-46**, the request from Aamon Buchan to establish a master plan with 95 single family homes, I offer the following:

Schools for which students from this development will be zoned:
Elementary (K-5) –J.D. Floyd Elementary School
Middle (6-8) –Powell Middle School
High (9-12) –Central High School

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 1.5 teachers at an estimated cost of \$75,000. However, the state requires us to build permanent capacity facilities and eliminate portables. I have attached two worksheets which were developed by the District's Chief Financial Officer showing anticipated revenue and the impact of this development based on a projected 32 additional students. These worksheets, one utilizing the current \$2,406 impact fee and one utilizing the proposed impact fee of \$4,982, show an estimated impact in excess of school taxes between \$469,730 and \$475,031 at the current impact fee and between \$225,010 and \$230,311 using the proposed impact fee.

In reference to **H-05-55**, the request from Perry & Bradford Ranch for a master plan revision to develop 160 lots, I offer the following:

Schools for which students from this development will be zoned:
Elementary (K-5) –J.D. Floyd Elementary School
Middle (6-8) –Powell Middle School
High (9-12) –Central High School

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 \$120,000 and 2.5 teachers at an estimated cost of \$125,000. However, the state requires us to build permanent capacity facilities and eliminate portables. I have attached two worksheets which were developed by the District's Chief Financial Officer showing anticipated revenue and the impact of this development based on a projected 53 additional students. These worksheets, one utilizing the current \$2,406 impact fee and one utilizing the proposed impact fee of \$4,982, show an estimated impact in excess of school taxes between \$771,291 and \$780,219 at the current impact fee and between \$359,131 and \$368,059 using the proposed impact fee.

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