

STAFF REPORT

Planning & Zoning Commission: August 8, 2005
Board of County Commissioners: September 14, 2005

APPLICANT: Premier Homes, and Ray and Sandra Bisard **FILE NUMBER:** H-05-76

PURPOSE: Rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project(Single Family)

GENERAL

LOCATION: West end of Huntington Woods Avenue, east end of Buckingham Way, south end of Citation Avenue, approximately 1,200' south of Coronado Drive

LEGAL

DESCRIPTION: A portion of Sections 32 and 33, 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: 0

STAFF FINDINGS:

<u>Surrounding Zoning</u>	<u>Surrounding Land Uses</u>
North: AG, PDP(SF)	SF, rural residential, undeveloped
South: R-1C	SF, DRA, undeveloped
East: AG, PDP(SF)	Single family, DRA
West: R-1C	SF, DRA, undeveloped

SUMMARY OF REQUEST

The petitioner requests to rezone from AG to PDP(SF). The subject property is located at the west end of Huntington Woods Avenue, east end of Buckingham Way, south end of Citation Avenue, approximately 1,200' south of Coronado Drive.

FACTUAL INFORMATION

1. The property is currently zoned AG.
2. The property comprises approximately 50 acres.
3. A portion of the site has been developed with a single family home and pasture.

4. The site is wooded and appears to contain specimen, but not majestic, trees.
5. The subject property has access from Huntington Woods Avenue, Buckingham Way and Citation Avenue.
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, but not sewer, is available to serve the subject site.
11. There are adequate public facilities available to serve limited development on the subject property.
12. The area is characterized by single family and rural residential uses, and undeveloped parcels.
13. The petitioner has not requested any deviations from the County's LDRs.

STAFF DISCUSSION

The petitioner requests to rezone from AG to PDP(SF) in order to develop the site with single family homes with a minimum lot size of 21,500 square feet. The plan provided shows 72 single family lots. The petitioner proposes 25' front, 10' side and 20' rear internal lot setbacks and perimeter setbacks per the PDP rules. The Planning staff does not object to the proposed setbacks.

In March 2005 the BCC denied a request to rezone the eastern 20 acres of the subject property from AG to PDP(SF). The petitioner's plan showed one access point to the east to serve the 32 single family development. The BCC denied the request because of inadequate access and lack of a developed roadway network in the area, and the requested rezoning not being consistent with the County's adopted Comprehensive Plan and LDRs.

County LDRs require that new single family and multifamily development with more than 20 units provide at least one treed roadway/access way for motor vehicles extending through the length or width (whichever is greater) of the development with a vegetative buffer at least 10' in width. If approved, the petitioner would be required to meet the applicable LDRs.

The subject property has access from Huntington Woods Avenue, Buckingham Way and Citation Avenue, which are local roadways. The BCC has a policy of requiring a minimum of two (2) access points for single family developments. The plan shows access to these three (3) streets. The narrative notes that another point of access to the north has been proposed to provide access to AG parcels to the north and to provide future access to Abbott Avenue. No connections currently exist to the south. The subdivision regulations require that consideration be given to interconnect every 1320'. The Planning staff is of the opinion the petitioner has provided adequate access to serve the proposed development and to provide improved interconnectivity for the area.

The petitioner proposes serving the development with central water and septic. The Utilities Department has indicated that central water, but not sewer, is available to serve the subject site. The Utilities Department notes three (3) water line connections will be required for service.

The petitioner proposes utilizing off-site areas for drainage retention. County-owned DRAs are located adjacent to the subject property's east and south property lines. The petitioner proposes regrading and landscaping these DRAs and maintaining them through the homeowners association. The petitioner indicates that if these DRAs are insufficient, additional land on the subject property will be used for the purpose of drainage retention. The County Engineer does not object to the offsite drainage concept, as long as the petitioner can demonstrate the development is designed to accommodate a 100-year storm.

The plan shows a 2.5 acre park. The LDRs require a minimum of 5% of the gross acreage be devoted to usable open space. 2.5 acres is the minimum open space that would be required for the proposed development.

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

Pasco County has been notified of the request; no response has yet been received.

FINDINGS OF FACT

The area is characterized by single family residential, rural residential uses, and undeveloped parcels. Huntington Woods, a residential subdivision characterized by single family lots, is located to the east of the subject property. Eastwood Estates and Padrons West Linden Estates are located to the south of the subject property. Barony Woods is located to the west of the subject property.

Spring Hill Unit 10 is located to the north of the subject property. These subdivisions contain single family lots with a minimum size of a half-acre. Parcels zoned AG are located to the north of the subject property.

The subject property is located within a residential land use classification on the adopted Future Land Use Map. Land uses allowed in the residential land use classification, with appropriate land use approvals, include single family residential densities up to 5.4 units per acre, resort residential, and ancillary uses such as recreation, churches and community centers. The proposed request results in a density of 1.44 units per acre which is within the range allowed by the comprehensive plan. It is the staff's opinion the density of the proposed request is consistent with the surrounding land uses and would not adversely affect the surrounding areas.

Policy 1.01H(2) indicates existing and future residential areas are to be protected from encroachment of incompatible uses that are destructive to the character and integrity of the residential environment. It is the staff's opinion that the density of the proposed development would be compatible with the adjacent single family residential land uses.

The Planning staff is of the opinion that the requested rezoning on property zoned PDP(SF) is appropriate, based on the following conclusion:

1. The proposed rezoning is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all 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.

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 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, and complete all applicable development review processes.
2. The minimum lot size approved is 21,500 square feet.
3. Internal lot setbacks approved as follows: Front: 25' Side: 10' Rear: 20'.
4. Perimeter building setbacks per the PDP rules.
5. The developer shall provide access points as indicated on the plan.

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 PDP(SF), with the following unmodified 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 minimum lot size approved is 21,500 square feet.
3. Internal lot setbacks approved as follows: Front: 25' Side: 10' Rear: 20'.
4. Perimeter building setbacks per the PDP rules.
5. The developer shall provide access points as indicated on the plan.

NOTE:

The Planning & Zoning Commission asked the staff to discuss the following items with the County Engineer prior to the BCC hearing: the timing of construction of the roadways within the project, the routing of construction traffic and the need for traffic calming features on the east-west roadway proposed linking Buckingham Way and Huntington Woods Avenue.

Additionally, the petitioner indicated at the hearing that the subdivision was proposed to be developed in one phase.

BCC ACTION:

The Board of County Commissioners voted 5-0 to adopt Resolution # 2005-244 approving the petitioner's request to rezone 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, and complete all applicable development review processes.
2. The minimum lot size approved is 21,500 square feet.
3. Internal lot setbacks approved as follows: Front: 25' Side: 10' Rear: 20'.
4. Perimeter building setbacks per the PDP rules.
5. The developer shall provide access points as indicated on the plan.
6. The petition shall provide sidewalks within 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.

SETBACKS ON INDIVIDUAL LOTS ADJACENT TO THE PERIMETER ARE 20 FEET.

The School Board of Hernando County, Florida

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352-797-7000

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July 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-05-73**, the request from Grayble Holdings to rezone and develop a 38.6 acre site with 112 single family homes, I offer the following:

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

This rezoning request is expected to add an additional 37 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 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 a worksheet developed by the District's Chief Financial Officer showing anticipated revenue and the impact of this development based on the projected 37 additional students. This worksheet shows an estimated impact in excess of school taxes between \$324,159 and \$335,617.

In reference to **H-05-74**, the request from Vatsala Sastry to rezone 20 Ac and develop 55 single 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 18 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 \$50,000 and 1 teacher at an estimated cost of \$50,000. 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 18 additional students. This worksheet shows an estimated impact in excess of school taxes between \$155,425 and \$161,051.

In reference to **H-05-76**, the request from Premier Homes and Ray and Sandra Bisard to rezone and develop 50 acres with 72 single 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 24 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 \$50,000 and 1 teacher at an estimated cost of \$50,000. 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 24 additional students. This worksheet shows an estimated impact in excess of school taxes between \$213,138 and \$220,504.

In reference to **H-05-78**, the request from Ladd Development to rezone and develop a 10 acre site with 42 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 14 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 \$50,000 and 1 teachers at an estimated cost of \$50,000. 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 14 additional students. This worksheet shows an estimated impact in excess of school taxes between \$124,331 and \$128,627.

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