

STAFF REPORT

Planning & Zoning Commission: February 13, 2006

APPLICANT: Pulte Home Corporation **FILE NUMBER:** CU-06-06

PURPOSE: Conditional Use Permit for a Temporary Sales Center

GENERAL

LOCATION: South side of Painted Leaf Drive, west side of Trillium Boulevard, approximately 2000' north of County Line Road

LEGAL

DESCRIPTION: Lots 1-6, Block 3 and Tract L-1, Trillium Vallage "A" as per plat thereof recorded in Plat Book 36, Pages 13 - 23, of the Public Records of Hernando County, Florida in Section 35, Township 23 South, Range 18 East

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

CITIZEN RESPONSE: FOR: 0 AGAINST: 0

STAFF FINDINGS:

Surrounding Zoning

Surrounding Land Uses

North: PDP(SF)

Undeveloped

South: PDP(SF)

Undeveloped

East: PDP(SF)

Undeveloped

West: PDP(SF)

Undeveloped

SUMMARY OF REQUEST

The petitioner requests a conditional use permit for a temporary sales center. The subject property is located on the south side of Painted Leaf Drive, west side of Trillium Boulevard, approximately 2000' north of County Line Road.

FACTUAL INFORMATION

1. The property is currently zoned PDP(SF).
2. The property includes 6 platted lots within Trillium Subdivision comprising approximately 0.86 of an acre.

3. The property is located within a developing residential subdivision.
4. The site contains no majestic or specimen trees.
5. The subject property has access from Trillium Boulevard and Painted Leaf Drive.
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 Masaryk very fine sand.
8. The property is located in a flood zone C.
9. The subject property contains a WHPA-2, but no wetlands 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. There are adequate public facilities available to serve the subject property.
12. The area is currently under development with a single family subdivision.
13. The proposed temporary sales center is allowable only through approval of a conditional use permit.

STAFF DISCUSSION

The petitioner has submitted a request for a temporary sales center in the Trillium single family residential development, currently under construction. The Planning and Zoning Commission may approve a CUP for a temporary sales office exclusively for sales of property in a developing subdivision for a period up to two (2) years. The petitioner has submitted an overall plan which includes a model home center, sales center and associated parking on 6 platted lots. The sales center is proposed to be constructed on lot 4 with associated parking on lots 5 & 6. The plan indicates the parking lot will be paved with concrete. The plan shows the sales center parking lot contains a total of 17 parking spaces. The model center is proposed on lots 1 and 2 with parking on lot 3. The model center is approved through an administrative process through the development department. If the request is approved, the petitioner will be required to provide parking and landscaping as required per the LDRs.

The petitioner indicates the sales center will employ approximately 6 to 10 employees. The sales center is anticipated to be open Monday through Saturday from 10 a.m. to 6 p.m. and on Sunday from noon to 6 p.m.

The Utilities Department has indicated that central water and sewer capacity is available to serve the subject site. A 12" water line is located on the west side of Trillium Boulevard and an 8" water line is located on the south side of Painted Leaf Drive. The applicant will have to connect to water and sewer at the time they apply for development permits.

Access to the parking areas serving the model home/sales center is from Painted Leaf Drive and Trillium Boulevard.

The subject property lies within a WHPA-2 for a public supply well. The proposed use is allowable within this designation.

The Florida Turnpike Headquarters and Pasco County have been notified of the request; no responses have yet been received.

FINDINGS OF FACT

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. It is the staff's opinion the proposed use is not inconsistent with the land use designation.

The staff is of the opinion that the proposed use at the intensity proposed is appropriate, based on the following conclusion:

1. The proposed use will be compatible with the surrounding area and consistent with the adopted comprehensive plan.

The conditional use permit process is a land use determination and does not constitute a permit for either construction, 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:

The Planning staff recommends the Planning and Zoning Commission approve the Conditional Use Permit for a temporary sales center for a period of 2 years because it is staff's opinion that the request is consistent with development in the area and would not adversely affect the surrounding single-family neighborhood. Approval should be conditioned upon 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. Only sales within Trillium will be allowed from the temporary sales center.
3. The temporary sales center will be removed upon termination of the conditional use permit.
4. Development shall occur generally in conformance with the plan submitted.

P&Z ACTION:

The P&Z voted 5-0 to approve a Conditional Use Permit for a temporary sales center on the parcel addressed for a period of two years 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. Only sales within Trillium will be allowed from the temporary sales center.
3. The temporary sales center will be removed upon termination of the conditional use permit.
4. Development shall occur generally in conformance with the plan submitted.