

STAFF REPORT

Planning & Zoning Commission: April 10, 2006

Board of County Commissioners: May 10, 2006

APPLICANT: Bricklemyer, Smoker & Bolves, PA FILE: H-06-32

PURPOSE: Master Plan Revision to include roadway deviation, change in access points and reconfiguration of internal lots

GENERAL

LOCATION: West end of Linzia Lane, South end of Sterling Hills 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: 0

STAFF FINDINGS:

| <u>Surrounding Zoning</u> | <u>Surrounding Land Uses</u> |
|---------------------------|------------------------------|
| North: CPDP | Undeveloped |
| South: AG | Undeveloped |
| East: PDP(SF), AG | SF, undeveloped |
| West: AG | Undeveloped |

SUMMARY OF REQUEST

The petitioner requests a master plan revision to include a roadway deviation, change in access points and reconfiguration of internal lots. The subject property is located on the west end of Lanzia Lane, South end of Sterling Hills Boulevard.

FACTUAL INFORMATION

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

4. The site contains no majestic and specimen trees.
5. The subject property has access from Sterling Hills Boulevard.
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 to serve the subject site.
11. There are adequate public facilities available to serve the subject property.
12. The area is characterized by single family residential and undeveloped parcels.
13. The petitioner's plan shows a cul-de-sac over 600' in length, which is a deviation from the County's LDRs.

STAFF DISCUSSION

The petitioner requests a master plan revision to include a roadway deviation, change in access points and reconfiguration of internal lots. In March 2006, the BCC approved a rezoning from AG to PDP(SF) of 60 acres located to the south of the subject property (PD-93, file H-06-06). One of the performance conditions required the applicant "(to) make roadway connection to the north into the adjacent portion (eastern portion) of the Perry/Bradford 40 acre tract as shown on the zoning site plan submitted 12-21-05. The applicant shall relocate the access reservation strip approved per rezoning petition H-05-55 (25') north and provide a 50' access reservation strip as shown on the zoning site plan. Development of the subject property shall not commence until the master plan revision for the Perry/Bradford 40 acre tract has been submitted and approved addressing the north/south connection and the relocation of the access reservation strip." The petitioner proposes providing this additional roadway connection to the south property line on the eastern side of the subject property and relocating the 25' access reservation strip approved per rezoning petition H-05-55 to the north as a 50' access reservation strip. The narrative indicates the access reservation strip is not to be granted to anyone, but set aside for purchase to provide legal access to the 20 acre AG

parcel to the east. The Planning staff is of the opinion the proposed access changes are consistent with the BCC's performance condition associated with the March 2006 zoning approval of the 60 acres to the south. The County Engineer does not object to the request.

To accommodate the roadway changes, the internal lot layout has been reconfigured. At least one of the cul-de-sacs appears to be just over 600'. No deviations were requested by the petitioner. The Planning staff is of the opinion that the petitioner has not provided justification for the roadway length deviation and the plan should be revised to meet the County roadway standards.

In November 2003, the BCC approved a rezoning and master plan on the subject property, with conditions limiting the maximum number of units to 160, limiting the minimum lot size to 3,850 square feet, setting the minimum internal setbacks to 20' front, 0'/5' side and 15' rear, requiring perimeter setbacks per the PDP rules, requiring Florida Yards and Neighbors information in the sales literature, requiring a minimum two (2) acres of open space and requiring a 25' access tract to the 20 acre parcel to the east of the southern portion of the project. In July 2005, the BCC approved a master plan revision with a reconfiguration of the lots and roadways.

The Utilities Department has indicated that central water and sewer are available to serve the subject site. A 10" water line is located on the east side and half of the south side of the subject property. A sewer pump station is located approximately 1,00' north of the property on the east side of Sterling Hills Boulevard. The applicant will have to connect to water and sewer to serve the level of intensity approved.

The Hernando County School Board indicates the request will have minimal impact to the school district. There are no additional units being proposed as part of this master plan revision.

FINDINGS OF FACT

The area is characterized by single family residential and undeveloped parcels. The Sterling Hills residential subdivision is under development to the north. The Pristine Place residential subdivision is located to the east. Undeveloped AG property is located to the west and south.

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 density of the subject request is 4.0 units per acre which is within the range allowed by the adopted Comprehensive Plan. The petitioner has not requested an increase in density.

The Planning staff is of the opinion that the proposed master plan revision is appropriate with performance conditions:

1. The proposed master plan revision is compatible with the surrounding single family uses.

2. The proposed master plan revision 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 for a master plan revision to include roadway deviation, change in access points and reconfiguration of internal lots, 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. All conditions of PD-359 (approved under file H-05-55) shall be in full force and effect with the exception of the condition regarding the 25' access tract which has been replaced with the 50' reservation strip on the revised master plan.

P&Z RECOMMENDATION:

The School Board of Hernando County, Florida

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

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Operations
8060 Mobley Road
Brooksville, FL 34601
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Pat Fagan
Sandra Nicholson

March 20, 2006

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 for the April P & Z meeting. My comments are listed below for consideration during the staff's review.

In reference to **H-06-27** the request from BDC, LLC to Establish a Master Plan for a 10 acre site with 96 multi-family units, 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) – Hernando High School

This rezoning request is expected to have an impact to the District with an increase of an additional 32 students. 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 \$175,000 and 1.5 teachers at an estimated cost of \$75,000. However, the state requires us to build permanent capacity facilities to support their goal of eliminating 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 32 additional students. This worksheet shows an estimated impact in excess of school taxes between \$283,968 and \$289,728.

In reference to **H-06-40** the request from Hampton Ridge Partners, LLC to rezone a 78.9 acre site with 128 single family lots, I offer the following:

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

This rezoning request is expected to have an impact to the District with an increase of an additional 43 students. 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 \$175,000 and 2 teachers at an estimated cost of \$100,000. However, the state requires us to build permanent capacity facilities to support their goal of eliminating 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 43 additional students. This worksheet shows an estimated impact in excess of school taxes between \$386,013 and \$393,693.

In reference to **H-06-37** the request from J. Lewless Holdings, LLC to rezone a 79.6 acre site with 230 single family lots, I offer the following:

Schools for which students from this development will be zoned:

Elementary (K-5) – Eastside Elementary School
Middle (6-8) – D. S. Parrott Middle School
High (9-12) – Hernando High School

This rezoning request is expected to have an impact to the District with an increase of an additional 77 students. 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 \$350,000 and 3.5 teachers at an estimated cost of \$175,000. However, the state requires us to build permanent capacity facilities to support their goal of eliminating 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 77 additional students. This worksheet shows an estimated impact in excess of school taxes between \$687,729 and \$701,529.

In response to **H-06-42**, the request to rezone from GGW, LLC and BTM, LLC it appears that residential units are planned, however, not enough information was provided to allow me to comment. If need be, I will make my comments at the public input portion of the meeting.

It appears that the request from GCMB Properties, LLC **H-06-16** will have no student impact; however if children are allowed to reside in the proposed condominium units the impact will be as follows:

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

This rezoning request is expected to have an impact to the District with an increase of an additional 96 students. 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 \$350,000 and 4 teachers at an estimated cost of \$200,000. However, the state requires us to build permanent capacity facilities to support their goal of eliminating 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 96 additional students. This worksheet shows an estimated impact in excess of school taxes between \$851,904 and \$869,184.

H-06-31, H-06-32, H-06-36 and H-06-39 will have minimal impact to the Hernando County School District as each of these will generate less than 10 students.

The request from Levitt Homes, LLC **H-06-41** will have no student impact to the Hernando County School District.

Sincerely,

Ken Pritz

Hernando County School Board
Facility & Support Operations, Executive Director