

STAFF REPORT

Planning & Zoning Commission: May 8, 2006
Board of County Commissioners: June 14, 2006

APPLICANT: Carl D. Wright **FILE NUMBER:** H-06-47

PURPOSE: Master Plan Revision to Include an Increase in Density and a Change in Access Points

GENERAL

LOCATION: East end of Tara Street, east end of Lola Drive, approximately 1,200' north of Delbarton Street

LEGAL

DESCRIPTION: Lots 16, 17 and west 1/2 of Lot 15, Evans Hi-Park Subdivision, as per plat thereof recorded in Plat Book 6, Page 25, of the Public Records of Hernando County, Florida in Section 33, Township 22 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:

<u>Surrounding Zoning</u>	<u>Surrounding Land Uses</u>
North: PDP(SF), AR	DRA
South: PDP(SF)	SF, undeveloped
East: AR	Undeveloped
West: PDP(SF)	SF, DRA, undeveloped

SUMMARY OF REQUEST

The petitioner requests a master plan revision to include an increase in density and a change in access points. The subject property is located at the east end of Tara Street, east end of Lola Drive, approximately 1,200' north of Delbarton Street.

FACTUAL INFORMATION

1. The property is currently zoned PDP(SF).
2. The property comprises approximately 16 acres.

3. The site is undeveloped.
4. The site contains no contain majestic or specimen trees.
5. The subject property has access from Lola Drive and Tara Street.
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 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 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 uses, commercial 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 an increase density through addition of a lot, and a change in access points. The master plan was approved by the BCC in November of 2005 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 maximum number of lots is 26.
3. The development shall be served by central water and sewer.

4. Internal lot setbacks shall be as follows: Front: 25' Side: 10' Rear: 20'
5. The perimeter setbacks shall be 20'.
6. The petitioner shall provide access to Lola Drive and Tara Street and shall extend those roadways to the east property line.
7. The petitioner shall provide the minimum required usable open space, demonstrating that locating usable open space within the Progress Energy easement is not precluded by the easement.
8. The petitioner shall redesign the DRA proposed for the southwest corner of the property to interconnect with the existing DRA located to the southwest of the subject property, if required by the County Engineer.
9. 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.

The existing master plan approved two access points to the subject property. The first access was via Lola, the second via Tara. The adopted Comprehensive Plan designates a future functionally classified road to provide access from Mariner Boulevard to Barclay Road. Subsequent to the master plan approval in November, the petitioner began preparing their subdivision plans. Through discussions with the County's Engineering Department and the Transportation Planning Section, it was determined that the appropriate location for the future east/west collector roadway would be via Lola Drive. It was determined that the eastern extension of Tara would not be necessary if Lola was upgraded to meet collector standards. The accommodation of the future collector road as requested by the County causes some redesign issues triggering the need to apply for a master plan revision.

If the request is approved, the eastern extension of Tara Street to the east would be eliminated. Any change to the external access to a master plan causes the need to seek master plan approval. Additionally, the petitioner requests to add one lot in place of the roadway previously extending to the east. The existing master plan was approved with a limit of 26 lots, the plan as modified proposes 27 lots which also requires master plan approval.

The petitioner proposes no change to the previously approved lot setbacks of front: 25, side: 10' and rear: 20'. The plan depicts approximately .8 acre of designated open space to serve the project which is consistent with the county's LDRs.

The subject property contains a WHPA-2 according to County data resources. The proposed land use is allowable within this designation.

The Utilities Department has indicated that central water and sewer services are available to serve the subject site. There is an existing 4 inch water line on the north side of Odham Street, a 4 inch water line on the north side of Tara Street, a 4 inch water line on the north side of Lola Drive and a 6 inch waterline on the west side of Covewood Drive. There is an existing sewer pump station on the west side of Wal-Mart approximately 290' north of the parcel.

The Hernando County School District has reviewed the project with the total of 27 lots. The school district has indicated the request is expected to add an additional 9 students to the District which is not a significant impact. Elementary students will be zoned for Spring Hill Elementary School, Middle school students to West Hernando Middle School and High school students to Central High School.

FINDINGS OF FACT

The area is characterized by single family residential and commercial uses, and undeveloped parcels. Platted Spring Hill lots are located to the west and south of the subject property. The SF lots in the area are a minimum 10,000 square feet in size. Undeveloped parcels zoned AR are located to the north and east. The development proposes larger lots than the existing Spring Hill Development. The Mariner Plaza shopping center is 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 addition of one lot to the development does not substantially affect the overall density and staff would have no objections.

The Planning staff is of the opinion that the request for the master plan revision is appropriate, with performance conditions, based on the following conclusions:

1. Accommodation of the future east/west roadway through the subject property will aid in facilitating future traffic in the area.
2. The proposed master plan revision is compatible with the existing surrounding development.
3. The proposed master plan revision is consistent with the County's adopted Comprehensive Plan.

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 master plan revision including addition of a lot, and a change in access points, 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 maximum number of lots is 27.
3. The development shall be served by central water and sewer.
4. Internal lot setbacks shall be as follows: Front: 25' Side: 10' Rear: 20'
5. The perimeter setbacks shall be 20'.
6. The petitioner shall provide access to Lola Drive, and build it to County Standards as determined by the County Engineer.
7. An access to the subject property shall be provided from the existing Tara Street.
8. The petitioner shall provide the minimum required usable open space, demonstrating that locating usable open space within the Progress Energy easement is not precluded by the easement.
9. The petitioner shall redesign the DRA proposed for the southwest corner of the property to interconnect with the existing DRA located to the southwest of the subject property, if required by the County Engineer.

P&Z RECOMMENDATION: