

STAFF REPORT

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

APPLICANT: Ladd Development Inc. **FILE NUMBER:** H-06-50

PURPOSE: Master Plan Revision to Include a Relocation of Land Uses and Buffer Modification

GENERAL

LOCATION: West side of Anderson Snow Road, approximately 4,500' north of County Line Road

LEGAL

DESCRIPTION: A portion of Section 34, 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:

Surrounding Zoning

North: AG, AR
South: PDP(SF)
East: AG, PDP(SF)

West: CPDP, PDP(SF)

Surrounding Land Uses

Undeveloped
Avalon (under construction)
Suncoast Parkway, Trillium Development (under construction)
Avalon (under construction)

SUMMARY OF REQUEST

The petitioner requests a master plan revision to include a relocation of land uses. The subject property is located on the west side of Anderson Snow Road, approximately 4,500' north of County Line Road.

FACTUAL INFORMATION

1. The property is currently zoned PDP(SF).
2. The property comprises approximately 22 acres.

3. The site is undeveloped; however, the entry road is under construction.
4. The site contains majestic and specimen trees.
5. The subject property has access from Anderson Snow Road.
6. The subject property is located within a residential land use classification on the adopted Future Land Use Map.
7. The on-site soil types include Candler fine sand and Masaryk very 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 flood zones C and x500.
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 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 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 a master plan revision to a project which received zoning approval in July 2004. The prior performance conditions approved are as follows:

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 provide a walking connection into the park area from the subdivision.
3. Minimum lot size approved: 10,000 square feet.

4. Minimum internal setbacks are as follows: front: 25' side: 7.5' rear: 20'
5. Perimeter setbacks: per the PDP rules
6. The petitioner shall install a 6' high fence with landscaping on both sides of the fence along the southern portion of the project between the roadway and the double frontage lots in the adjacent Avalon subdivision to screen the project from view.
7. The petitioner must provide a plan prior to the BCC meeting indicating the acreage of the open space indicated on the plan.
8. The petitioner would be required to enter into an agreement with the County for the provision of sewer services.
9. All project access shall be restricted to the internal access road, no access to Anderson Snow Road is allowed.
10. The petitioner shall indicate a roadway connection to the north.
11. The petitioner shall submit a revised plan within 30 days of approval reflecting the approved zoning conditions or the zoning shall be null and void.

The plan submitted indicates several changes to the original plan. A previously designated drainage retention area on the north perimeter of the project is proposed to be replaced by a single family lot. Any relocations of land uses which are either adjacent to platted or developed portions of the project, or adjacent to the project perimeter require approval through the master plan process.

A DRA along the southwest portion of the project has been extended. A prior performance condition required a 6' fence with landscaping along both sides of the entrance road and the double frontage lots to the south. The proposed plan appears to eliminate the fence and landscaping adjacent to the double frontage lots in Avalon. Staff would see no reason to modify the buffer along the south.

The plan proposes some internal modifications of the park area previously designated, and modifications to sizes and configurations of DRAs. These modifications would not require master plan revisions, but are mentioned for the respective Boards information. The park area previously indicated has been modified, but not reduced in size. The subject request includes two additional lots beyond what was indicated on the prior plan.

The County Engineer has reviewed the proposal and has no objections.

The Utilities Department has indicated that central water and sewer are available to serve the subject site. There is an existing 16 inch water line on the west side of Anderson Snow Road, and an 8 inch force main on the east side of Anderson Snow Road. The project will be required to contact to water and sewer services.

The subject property has access from Anderson Snow Road.

The Hernando County School Board has indicated that the development, with 54 units, will result in an additional 17 students to the district which is not a significant impact. Elementary students are zoned for Suncoast Elementary School, Middle school students are zoned for Powell Middle School and High School students for Springstead High School.

The subject property is within a Wellhead Protection Area-2 (WHPA-2) for a public supply well(s). The proposed use is allowable within this designation.

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

FINDINGS OF FACT

The area is characterized by single family and rural residential uses, and undeveloped parcels.

The subject property is located within a residential land use classification on the adopted Future Land Use Map.

The Planning staff is of the opinion that the master plan revision would be appropriate, based on the following conclusions:

1. The proposed master plan revision, with the exception of removal of fencing along the double frontage lots to the south, would be consistent with the surrounding area.
2. Fencing along the double frontage lots to the south would be necessary to ensure compatibility with the subject project.
3. The proposed master plan revision is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

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, 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 provide a walking connection into the park area from the subdivision.
3. Minimum lot size approved: 10,000 square feet.
4. Minimum internal setbacks are as follows: front: 25' side: 7.5' rear: 20'
5. Perimeter setbacks: per the PDP rules
6. The petitioner shall install a 6' high fence with landscaping on both sides of the fence along the southern portion of the project between the roadway and the double frontage lots in the adjacent Avalon subdivision to screen the project from view.
7. The petitioner would be required to enter into an agreement with the County for the provision of sewer services.
8. All project access shall be restricted to the internal access road, no access to Anderson Snow Road is allowed.
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.

P&Z RECOMMENDATION: