

STAFF REPORT

Planning & Zoning Commission: August 14, 2006
Board of County Commissioners: September 13, 2006

APPLICANT: Sherman Hills LLC **FILE NUMBER:** H-06-74

PURPOSE: Master Plan Revision to reduce internal lot setbacks

GENERAL

LOCATION: East and west of Sherman Hills Boulevard, approximately 1/2 mile north of SR 50

LEGAL

DESCRIPTION: A portion of Section 32, Township 22 South, Range 21 East in Hernando County, FL

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

Citizen correspondence received as of the date of this report? Yes No

STAFF FINDINGS:

Surrounding Zoning

North: CV; AG
South: PDP(SF)
East: PDP(REC); PDP(SF)
West: PDP(REC)

Surrounding Land Uses

Undeveloped
Single Family; Golf Course
Golf Course; Single Family
Golf Course

SUMMARY OF REQUEST

The petitioner has submitted a request for a master plan revision to reduce internal lot setbacks for the Sherman Hills development located north of SR 50, east of I-75.

FACTUAL INFORMATION

1. The property is currently zoned PDP(SF).
2. The property comprises approximately 118 acres.
3. The subject property is a portion of Sherman Hills that has not been developed.
4. The site does not appear to contain specimen or majestic trees.

5. The subject property has access from internal roadways in Sherman Hills; Barcelona Blvd, Sherman Hills Blvd.; and Satin Leaf Run.
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 are Sparr fine sands and Candler Fine Sands. 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 WHPAs or SPAs according to County data resources. There is a small wetland identified on the generalized mapping of the County's adopted Comprehensive Plan on the subject property.
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 subject property is located within a developing residential community with an associated golf course.
13. The petitioner has not requested any deviations from the County's LDRs.

STAFF DISCUSSION

The petitioner has submitted a request for a master plan revision on a portion of property within the Sherman Hills Development. The petitioner is requesting a reduction of internal lot front setbacks from 25' to 20'.

The subject property includes property within phases 2, 3, and 4 of Sherman Hills. Phase 1 of Sherman Hills has been developed with single family homes. The minimum Front setback requirement for Phase 1 of Sherman Hills are 20'.

The County Engineer has indicated that 5' side setbacks are creating drainage problems in the County. In order to keep the drainage acceptable, engineered drawings will be required for permitting purposes.

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.

The petitioner’s proposal is appropriate based on the following conclusions:

1. The requested modification to internal setbacks is consistent with the existing development in Sherman Hills.
2. The proposed request is consistent with the County’s adopted Comprehensive Plan and the County’s land development regulations.

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, it is recommended that 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 necessary 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 setbacks for the minimum 80' x 100' lots are approved as follows:
Front: 20' Side: 7.5' side Rear: 20'
3. The setbacks for the minimum 50' x 100' lots are approved as follows:
Front: 20' Side: 5' side Rear: 20'
4. All other conditions of H-06-04, H-97-24 and H-90-60 are in full force and effect.

P&Z RECOMMENDATION: