

## STAFF REPORT

---

**HEARINGS:** Planning & Zoning Commission: April 9, 2007  
Board of County Commissioners: May 9, 2007

**APPLICANT:** FLA Real Estate Group, LLC

**FILE NUMBER:** H-07-16

**PURPOSE:** Rezoning from R1-A/(Residential) to PDP (MF)/ Planned Development Project (Multifamily)

**GENERAL**

**LOCATION:** Northwest corner of Fort Dade and Gronde Avenue

**LEGAL**

**DESCRIPTION:** A portion of Sections 20 and 21, Township 22 South, Range 19 East, Hernando County, FL

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

**CITIZEN RESPONSE:** Correspondence received as of the date of this report? Yes  No

---

### APPLICANT'S REQUEST:

The petitioner has submitted a request to rezone this approximately 0.75 acre site from R1-A/(Residential) to PDP(MF)/Planned Development Project (Multifamily) in order to renovate an existing ten (10) unit multifamily structure and 720 square foot single family home. The southern parcel is a nonconforming multifamily use and the northern parcel will be utilize for parking and the site managers quarters.

### SITE CHARACTERISTICS:

<b>Site Size:</b>	0.75 acres
<b>Surrounding Zoning; Land Uses:</b>	North: R1-A; Single Family South: R1-A; Single Family East: R1-A; Single Family West: R1-A; Single Family
<b>Current Zoning:</b>	R1-A(Residential)
<b>Future Land Use Map Designation:</b>	Residential

**Flood Zone:** C

**ENVIRONMENTAL REVIEW:**

**Soil Type:** Micanopy Loamy Fine Sand.

**Hydrologic**

**Features:** The subject property contains no wetlands, Well Head Protection Area (WHPA), or Special Protection Area (SPA), according to County data resources.

**Habitat:** The site may contain majestic and specimen trees.

**SCHOOL DISTRICT REVIEW:**

The Hernando County School District has indicated that the subject rezoning would have minimal impact to the Hernando County School District as it will generate approximately six (6) students.

**UTILITIES REVIEW:**

The Utilities Department has indicated that the subject site is within the City of Brooksville Utilities Department Service Area.

The Health Department has indicated that the project can not be developed with ten (10) multifamily units as the existing septic tank system is inadequate and the property does not have additional area to expand.

**ENGINEERING & TRANSPORTATION REVIEW:**

Fort Dade is designated as a collector roadway. The other roadway serving the parcel, Gronde Avenue, is an unpaved limerock road serving the residential development.

The County Engineer has reviewed the request and indicated that the petitioner shall coordinate access to Fort Dade prior to development. Furthermore, the petitioner must improve Gronde Avenue from Fort Dade to the northern portion of the development.

The Transportation Planning Coordinator has reviewed the request and indicated no transportation related issues with the proposal.

**LAND USE REVIEW:**

The Land Development Regulations (LDRs) have multifamily design standards required for multifamily development. These standards address building facades, roofing, open space, parking and internal access design. The multifamily design standards require a minimum 15% of the gross area be provided as open space, which would be a minimum of 0.11 acres for this 0.75 acre site. The plan as submitted does not depict the minimum open space or parking spaces required by the LDRs. If the request is approved, the petitioner would have to meet all of the applicable LDRs.

County LDRs require buffering consisting of a minimum five (5) foot landscape buffer. The use shall be permanently screened from the adjoining and contiguous properties by a wall, fence, and/or approved enclosure. Such screening shall be a minimum height of five (5) feet and a maximum height of eight (8) feet. The plan as submitted does not depict the minimum buffering required by the LDRs. If the request is approved, the petitioner would have to meet all of the applicable LDRs.

The petitioner is proposing approximately ten 428 square foot units. County LDRs require dwelling units be a minimum of 600 square feet. If approved the petitioner must combine existing units to comply with the minimum dwelling unit size.

The petitioner has indicated that the northern parcel will be utilized for parking; however, no plan has been submitted illustrating the petitioners intent. If the request is approved, the petitioner would have to meet all of the applicable LDRs.

**COMPREHENSIVE PLAN REVIEW:**

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. Land uses which can be located in this category with performance standards include multifamily housing up to 16 units per acre, rural residential, neighborhood commercial, commercial extending from commercial nodes with a functioning frontage road, unless it is determined that wetlands or existing development make frontage road extension unfeasible, offices and professional, schools, hospitals and minor public facilities. The Comprehensive Plan contains goals, objectives, and policies which provide guidance regarding appropriate density for single family attached housing. The petitioner is proposing a development at a density of 14.6 units per acre which is considered high-density pursuant to the Comprehensive Plan.

**Policy 1.01F(7)** provides criteria for determination of appropriate locations of higher residential densities greater than 4.0 units per acre which include such things as proximity to existing or designated commercial areas

or corridors or major employment centers, direct access to arterial or collector roadways, character and density of existing or approved residential development of close proximity, service by water and sewer facilities, suitability of the land septic tank sewage disposal, provision of open space beyond minimum county standards, aesthetic or architectural quality.

**Comments:** The existing site is located along a collector road and provides access to local commercial areas. With performance conditions the site may be renovated and brought to compliance with County LDRs, providing a more appealing structure and compatible use than currently exist.

**Policy 1.01G(9):** Require high density and medium density multi-family residential development to have appropriate open space, buffering, landscaping, and recreation areas suited to their density and design.

**Comments:** The petitioner must meet all County LDR requirements.

**Objective 1.04C:** indicates land development shall not be permitted unless the necessary facilities and services to maintain public health, safety and general welfare are either existing or ensured.

**Comments:** The petitioner has the option to coordinate with the Health Department for sanitary facilities or connecting to the City of Brooksville utilities.

**Policy 1.01H(2)** indicates existing and future residential areas are to be protected from encroachment of incompatible uses that are destructive to the character and integrity of the residential environment.

**Comments:** The petitioner's request is an allowable use in a residential area as per the County's adopted Comprehensive Plan. The current use is a nonconforming use that has limited development rights. In its current condition, the structure is detrimental to the character and integrity of the neighborhood. However, with proper performance conditions the existing structure may be renovated and brought to current LDR standards providing a compatible structure in the residential area.

The request to rezone from R1-A/(Residential) to PDP(MF)/Planned Development Project(Multifamily) would be appropriate based on the following conclusions:

1. The proposed project is an improvement over the existing conditions and can be compatible with the existing single family homes in the area with performance conditions.
2. Rezoning the subject property to PDP(MF)/Planned Development Project(Multifamily) is consistent with the County's adopted Comprehensive Plan.

**NOTICE OF APPLICANT RESPONSIBILITY:**

*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 RECOMMENDATIONS:**

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt Resolution # \_\_\_\_\_ approving the petitioner's request to rezone from R1-A/(Residential) to PDP(MF)/Planned Development Project (Multifamily), 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. Any additional development and/or improvements shall meet the current setbacks.
3. A minimum 5' landscape buffer with 80% opacity or a minimum 6' opaque fence or wall shall be constructed along the projects boundaries adjacent to any residential use.
4. Maximum density approved is eight (8) units per acre.
5. Access to Fort Dade shall be coordinated with the County Engineer.

6. The petitioner shall coordinate with the County Engineer for improvements to Gronde Avenue.
7. The plan shall be revised to reflect the minimum open space acreage.
8. Any additional development and/or improvements shall meet the minimum architectural design standards for multifamily development pursuant to the County's LDRs.
9. The petitioner must coordinate with the Health Department and/or the City of Brooksville to provide the project with adequate sanitary facilities prior to any development.
10. The development shall meet the minimum dwelling unit square footage as indicated in the County LDRs.
11. 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.