

STAFF REPORT

HEARINGS: Planning & Zoning Commission: August 13, 2007
Board of County Commissioners: September 12, 2007

APPLICANT: Bricklemyer, Smolker & Bolves, P.A.

FILE NUMBER: H-07-25

PURPOSE: Master Plan revision to include a Public Service Facility Overlay District for a Fire Station with a reduction in setbacks

GENERAL

LOCATION: East side Sterling Hills Boulevard, approximately 1,300' south of Covey Run Place

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

APPLICANT'S REQUEST:

The petitioner is requesting a revision to a master plan in order to designate an approximately one (1) acre site as a Public Service Facility Overlay District for a Fire Station. The petitioner has indicated the request for a fire station is intended to secure a site early. According to the petitioner the site will be developed within 4 to 5 years. No specifics as to the building size of the fire station has been given at this time.

SITE CHARACTERISTICS:

Site Size: Approximately 1.0 acre

Surrounding Zoning; Land Uses: North: PDP(SF); Single Family
South: PDP(SF); Single Family
East: PDP(SF); Single Family
West: PDP(SF); Single Family

Current Zoning: PDP(SF)

Future Land Use Map Designation: Residential

Flood Zone: C

SITE CIRCUMSTANCES:

The subject site is situated within a previously approved PDP(SF)/Planned Development Project(Single Family), Sterling Hills Phase 3. 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 and limiting the minimum lot size to 3,850 square feet. In July 2005, the BCC approved a master plan revision with a reconfiguration of the lots and roadways which was further amended on May 10, 2006 (H0632) to include roadway deviation, changes in access points and reconfiguration of internal lots.

This portion of Sterling Hills is not located within the Holland Spring Development of Regional Impact (DRI). However, on the original Map H for the Holland Spring DRI, approximately two (2) acres were allocated for public use along Spring Drive near the entrance to Pristine Place. This property is currently undeveloped and is owned by the Pristine Place Home Owners Association (HOA). The proposed fire station along Sterling Hill Boulevard is in addition to the designated site on the Holland Spring DRI Map H.

ENVIRONMENTAL REVIEW:

Soil Type: Candler 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: Candler fine sand provides a habitat suitable for gopher tortoises. Given the presence of the candler fine soils, gopher tortoise habitat and several commensal species have a moderate potential for occurring on the project site including eastern indigo snake (*Drymarchon corais*), Florida mouse (*Podomys floridanus*), Florida pine snake (*Pituophis melanoleucus mugitus*), and gopher frog (*Rana areolata*). Since there is the potential for this listed Species of Special Concern to be present, the site should be inspected prior to construction. Due to the species' protected status, the destruction of their burrows constitutes taking under the law except as authorized by a specific permit and a Florida Fish and Wildlife Conservation Commission permit may be required prior to site alterations.

ENGINEERING & TRANSPORTATION REVIEW:

The petitioner proposes two (2) access points, one directly unto Sterling Hills Boulevard and one onto a 50' access reservation strip to the project's south which connects to Sterling Hills Boulevard. Sterling Hill Boulevard is currently constructed from Elgin Boulevard to a point approximately 950' south of the subject site. Sterling Hills is within the County's Functionally Classified Roadway Map for 2025, however there are no projections as to its completion date.

The County Engineer has reviewed the request and indicated that the developer shall be responsible for any traffic devices along Sterling Hill Boulevard, Elgin Boulevard, and any future connections to the south, as determined by the County Engineer. If approved, the petitioner shall construct the 50' access strip from Sterling Hills Boulevard to the project's entrance and make all needed modifications to the intersection of Sterling Hill Boulevard and the access strip, as determined by the County Engineer.

The Transportation Planning Coordinator has reviewed the request and had no further comments.

UTILITIES REVIEW:

The Utilities Department has indicated that central water and sewer are available to serve the subject site. There is an existing 12-inch water line on the west side of Sterling Hill. There is an existing 6-inch force main on the east side of Sterling Hill.

Capacity of the existing infrastructure is dependent on the engineer's estimated flows for this parcel. Existing water and sewer upgrades may be required to supply the proposed development. The applicant will have to connect to water and/or sewer if they meet the connection standards of the applicable ordinances at the time they apply for development permits. All required improvements will be at the applicant expense.

LAND USE REVIEW:

County LDR's require buffering consisting of a minimum five (5) foot landscape separation distance. 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 only depicts a 35' buffer along the east property line. If the request is approved, the petitioner would have to meet all of the applicable LDRs.

In November 2003, the BCC approved a rezoning and master plan on the subject property, with conditions setting the minimum internal setbacks to 20' front, 0'/5' side and 15' rear, and requiring perimeter setbacks per the PDP rules.

Proposed Setbacks:

Front: 20'

Side: 20'

Rear: 35' Building Setback; 35' Landscape Buffer

The public service facility overlay district must meet, at a minimum, the dimension and area regulations of the underlying zoning district. These standards may be increased by the Board of County Commissioners to protect the health, safety and welfare of the citizens of Hernando County. However, the County's LDRs indicates that no building, structure or use within a public service facility overlay district shall be located closer than 50' to the property line of an adjoining parcel containing a residence or the property line of a residentially zoned parcel. The petitioner has requested a 35' rear setback along the property's east boundary adjacent to Pristine Place Subdivision. If approved, the petitioner shall provide the minimum setbacks required by County LDRs and provide a 35' landscape buffer with 80% opacity along the east property line.

COMPREHENSIVE PLAN REVIEW:

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.

The subject property is located within the Residential land use classification on the adopted Future Land Use Map. Uses allowed in this category with performance standards being met include multi-family housing up to 16 units/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.

Policy 1.01T(2) Provide infrastructure for future development within areas of facility availability and investment in accordance with long range plans by the County for providing potable water, sanitary sewer, transportation and other facilities at planned levels of service and timing. Infrastructure for future development will be provided within the Residential, Commercial, Industrial, and Planned Development District Category areas indicated on the Future Land Use Map. The County may manage the timing of infrastructure availability within these areas to influence the timing and location of development.

Objective 1.01U provide for the development of mechanisms to locate public facilities in such a manner as to effectively and efficiently serve existing and Projected development and minimize the facilities' impact on nearby natural resources and existing land uses.

The request to rezone to Public Service Facility Overlay District is appropriate, with performance conditions, based on the following conclusions:

1. The proposed rezoning would be compatible with the surrounding land uses.
2. The master plan is consistent with the County's adopted Comprehensive Plan and the County's LDRs subject to performance conditions.

NOTICE OF APPLICANT RESPONSIBILITY:

The Public Service Facility Overlay District process is a land use determination and does not constitute a permit for either construction, or use of, the property, or a Certificate of Concurrency. 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 to a Public Service Facility Overlay District for a Fire Station with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The fire district shall maintain the following building setbacks:
Front: 20'
Side: 20'
Rear: 50'

3. The petitioner shall provide a five (5) foot landscape buffer with 80% opacity along the north property line in accordance with County LDR.
4. The petitioner shall provide a 35' landscape buffer with 80% opacity along the east property line as indicated on the master plan.
5. The developer shall be responsible for any traffic devices along Sterling Hills Boulevard and Elgin Boulevard as determined by the County Engineer.
6. Sterling Hills Boulevard shall be constructed to the south prior to development of the Fire Station.
7. The petitioner shall construct the 50' access strip from Sterling Hills Boulevard to the projects entrance and make all needed modifications to the intersection of Sterling Hill Boulevard and access strip, as determined by the County Engineer.
8. The petitioner shall provide a revised plan in compliance with all of the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan within 30 business days from BCC approval will result in the zoning becoming null and void.