

STAFF REPORT

HEARINGS: Planning & Zoning Commission: November 13, 2007
Board of County Commissioners: December 12, 2007

APPLICANT: Ladd Development, Inc.

FILE NUMBER: H-07-61

PURPOSE: Master Plan revision to realign access to Tract "A"

GENERAL LOCATION: North side of County Line Road, east side of Sparks 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: Correspondence received as of the date of this report? Yes No

APPLICANT'S MASTER PLAN REVISION REQUEST:

On October 12, 2005, the Board of County Commissioners voted 3-2 to approve the petitioner's request to rezone from Agricultural (AG) to Combined/Planned Development Project (Office Professional) and (Single family) with setback reductions and landscape deviations. The previously approved request included 28 single family attached units and approximately 3.4 acres of Office Professional use.

The applicant is currently requesting to revise the previously approved master plan in order to realign access to the north single family tract. The reconfiguration of the access point would allow a direct connection to the proposed frontage road along the south and one (1) direct access onto Sparks Road along the north portion of the single family use. This new configuration also eliminates one (1) direct access onto Sparks Road from the single family use. Two (2) drainage retention areas are proposed on the southern portion of the single family tract to act as buffers between the frontage road, office professional use, and the single family development. As a result of the realignment, the petitioner's single family dwellings increased from 28 previously approved units to 32 units. No other revisions to the previous conditions of approval are requested, and all previously approved conditions would remain in effect. The petitioner's request to realign an access point to the single family use

is internal, does not encroach on adjoining development, and poses minimal impact on the subject site.

NOTICE OF APPLICANT RESPONSIBILITY:

The Master Plan 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 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 for a master plan revision to realign access to Tract "A", 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. All previously approved conditions of approval shall remain in force and effect other than those pertaining to site access.
3. The petitioner shall provide a frontage road across the property, at no cost to the county, upon demonstration of need and demand by the county.
4. A maximum of 32 single family attached units shall be permitted.
5. 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.