

STAFF REPORT

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

APPLICANT: Patrick and Marion Minihance/ Raymond and Patricia Herrmann

FILE NUMBER: H-07-62

PURPOSE: Rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(SF)/Planned Development Project (Single Family)

GENERAL LOCATION: North side of Spring Hill Drive, approximately 1,000' west of Spring Parkway

LEGAL DESCRIPTION: Lots 22 & 23, Springwood Estates, Unit 4, according to the plat thereof as recorded Plat Book 37, Pages 1 and 2, of the Public Records of Hernando County, Florida

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 REQUEST:

On November 1, 1994, the Board of County Commissioner voted 4-0 to approve a rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(SF) Planned Development Project (Single Family) in order to remove the greenbelt designation from eight (8) residential lots in the Spring wood Estates subdivision west of Spring Parkway. The northern half of the lots were zoned PDP(SF) and the southern portions zoned PDP(SU) for a greenbelt. The zoning and amended deed restrictions at the time prohibited such activities in greenbelt designated areas.

The current request is located on the north side of Spring Hill Drive, approximately 1,000' west of Spring Parkway and immediately west of the previously approved lots. The petitioner seeks to rezone two (2) lots from PDP(SU)/Planned Development Project (Special Use) to PDP(SF) Planned Development Project (Single Family).

In order to preserve the integrity of the development and ensure that no additional residential lots can be created, the minimum lot size will be 40,000 square feet. The lot size limitation will assure that the current lots can not be split and made into smaller lots in the future. The

subject request does not encroach to the existing developed area of the lots 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 to rezone from PDP(SU)/Planned Development Project (Special Use) to PDP(SF)/Planned Development Project (Single Family), with the following 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 meet all required building setbacks as per the County LDRs.
3. The minimum lot size shall be 40,000 square feet.
4. No driveways shall be allowed directly onto Spring Hill Drive.