

STAFF REPORT

HEARINGS: Planning & Zoning Commission: December 10, 2007
Board of County Commissioners: January 9, 2008

APPLICANT: Philip Dobson

FILE NUMBER: H-07-65

PURPOSE: Reestablish a Master Plan on property zoned PDP(OP)/Planned Development Project (Office Professional)

GENERAL

LOCATION: South side of Spring Hill Drive, approximately 350' east of Antilles Lane, approximately 350' west of Omaha Circle

LEGAL

DESCRIPTION: Lots 2 & 3, Block 160, Spring Hill Unit 3, per plat thereof recorded in Plat Book 7, Pages 80-86, of the Public Records of Hernando County, Florida in Section 27, Township 23 South, Range 17 East

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

REQUEST FOR MASTER PLAN REVISION:

On April 9, 2003, the Board of County Commissioners voted 3-0 approving the petitioner's request to rezone from PDP(MF)/Planned Development Project(Multi-family) to PDP(OP)/Planned Development Project (Office Professional) with a reduction in setbacks. At such time the petitioner requested to develop a 1.4 acre site with 2 one-story 5,007 square foot office buildings. The petitioner was also approved for a reduction in rear setbacks to 14' feet along the footprint of the eastern building.

The petitioner is currently requesting to reestablish a master plan on property zoned PDP(OP)/Planned Development Project (Office Professional). The petitioner's intent is to develop the 1.4 acre subject site in accordance with the previously approved master plan. The petitioner seeks to reestablish the original master plan and no changes are requested. All previously approved conditions of approval will remain in force and effect.

A Planned Development Project requires that a petitioner initiate substantial construction as defined by the County LDR's within two (2) years of the effective date of approval. Failure

to initiate construction will result in the master plan becoming null and void and any proposed development subsequent to the expiration date will only be permitted upon approval of a revised master plan. The petitioner's master plan expired on April 9, 2005.

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 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 reestablish a master plan on property zoned PDP(OP)/Planned Development Project (Office Professional), 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. All previously approved conditions of approval shall remain in force and effect.
3. 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.