

STAFF REPORT

Planning & Zoning Commission: September 10, 2007

APPLICANT: Legacy WDM, LLC **FILE NUMBER:** P-07-11(C)

PURPOSE: Conditional Plat approval for Silver Falls

GENERAL

LOCATION: Approximately 225' west of Barclay Avenue, lying south of San Antonio Road and north of North Road

LEGAL

DESCRIPTION: A portion of Section 10, Township 23 South, Range 18 East, Hernando County, FL

ZONING: PDP(SF)

FILE STATUS: All requirements have been completed.

Citizen correspondence received as of the date of this report? Yes No

The applicant is requesting conditional plat approval for Silver Falls. This proposed development consists of 5 single family lots on 20.1 acres currently zoned PDP(SF) located approximately 225' west of Barclay Avenue, lying south of San Antonio Road and north of North Road.

The project was zoned with master plan approval in 2006 to allow one acre lots with access to San Antonio Road and North Road. The applicant has a pending request for master plan approval to allow the development of 5 lots with private road access to North Road.

The proposed road within the project is private and is proposed to be gated.

The project will utilize individual well and septic systems for water and sewer service for each lot.

The on-site soil type is Candler fine sand. Candler fine sand provides a habitat suitable for gopher tortoises and other listed sandhill and scrub species. Gopher tortoise now qualifies for reclassification from a species of special concern to threatened species status. In addition to gopher tortoises, other listed species possibly present on this property could include: southeastern American kestrel, Florida burrowing owl, Florida mouse, gopher frog, eastern indigo snake, short tailed snake, Florida pine snake, and Sherman's fox squirrel. The petitioner is required to comply with all applicable Florida Fish and Wildlife Conservation Commission (FWC) regulations.

The conditional plat has been reviewed by the Planning Department and found it to be consistent with the proposed master plan revision.

The conditional plat has been reviewed by the various County agencies and found to be consistent with County standards with conditions.

STAFF RECOMMENDATION:

It is recommended that the Planning and Zoning Commission approve the conditional plat of Silver Falls with the following performance conditions:

1. The conditional plat shall expire in two (2) years if no further approvals in the subdivision process are obtained.
2. The applicant must conform to Hernando County Facility Design Guidelines.
3. The developer shall obtain a Florida Fish and Wildlife Conservation Commission (FWC) permit prior to construction drawing approval, if permitting is required by FWC. If a gopher tortoise relocation permit was approved for the site, an approved FWC relocation plan(s) will also be required at the time of submitting construction drawings.
4. The applicant must submit a revised conditional plat to the Planning Department reflecting the Commission's approval conditions within 30 days of the applicant receiving the Planning and Zoning Commission approval notice. The final revised conditional plat must be submitted to the Planning Department no later than at the end of the 5th month following Planning and Zoning Commission approval. Staff approval of the revised conditional plat must occur within 6 months from rendering the approval notice. If not, the conditional plat will become null and void.
5. The revised conditional plat shall become null and void if the master plan for the project is not approved or is substantially modified by the Board of County Commissioners.