

STAFF REPORT

Planning & Zoning Commission: March 13, 2006
Board of County Commissioners: April 12, 2006
Board of County Commissioners: May 10, 2006

APPLICANT: Resdev, LLC **FILE NUMBER:** H-06-29

PURPOSE: Establish a Master Plan on Property Zoned PDP(SF)/Planned Development Project (Single Family) with revisions to include: an Increase in Density, Change in Access Points and Reduction in Lot Size

GENERAL

LOCATION: East of Scottville Street and Centennial Street, approximately 600' east of Landover Boulevard, approximately 700' south of Siam Drive

LEGAL

DESCRIPTION: Tracts 5- 9 of an unrecorded subdivision located in a portion of Section 4, Township 23 South, Range 18 East, Hernando County, FL

FILE STATUS: All requirements necessary to conduct the public hearing have been satisfied.

CITIZEN RESPONSE: FOR: 0 AGAINST: 0

STAFF FINDINGS:

Surrounding Zoning

North: PDP(SF)
South: AG
East: AG
West: PDP(SF)

Surrounding Land Uses

Single family, undeveloped
SF, power lines, undeveloped
SF, power lines, undeveloped
Single family, undeveloped

SUMMARY OF REQUEST

The petitioner requests establishment of a master plan on property zoned PDP(SF), including a change in density, change in access points and a reduction in lot size. The subject property is located east of Scottville Street and Centennial Street, approximately 600' east of Landover Boulevard, approximately 700' south of Siam Drive.

FACTUAL INFORMATION

1. The property is currently zoned PDP(SF).

2. The property comprises approximately 23 acres.
3. The site is undeveloped.
4. The site contains no majestic or specimen trees.
5. The subject property has access from Scottville Street and Centennial Street.
6. The subject property is located within a residential land use classification on the adopted Future Land Use Map.
7. The on-site soil type is Candler fine sand. Candler fine sand provides a habitat suitable for gopher tortoises. Since there is the potential for this listed species of special concern to be present, a Florida Fish and Wildlife Conservation Commission permit may be required prior to site alterations.
8. The property is located in a flood zone C.
9. The subject property contains a WHPA-1, but no wetlands or SPAs, according to County data resources.
10. The Utilities Department has indicated that central water and sewer capacity is available to serve the subject site.
11. There are adequate public facilities available to serve the subject property; however, the subject property is located proximate to a section of Elgin Boulevard that has reduced capacity.
12. The area is characterized by single family residential and utility uses, and undeveloped parcels.
13. The petitioner has not requested any deviations from the County's LDRs.

STAFF DISCUSSION

The petitioner requests to establish a master plan for property zoned PDP(SF). In 1990, the BCC approved a rezoning to PDP(SF) on the site with a master plan. The master plan has expired; consequently the petitioner is required to file a new master plan for approval.

The expired master plan approved 32 half-acre single family lots. The petitioner is proposing an increase in intensity over the previously approved zoning to develop the site with 59 single family lots. The minimum lot sizes proposed are 65' x 125', or 8,125 square feet. The petitioner proposes 25' perimeter setbacks. The internal lot setbacks are proposed as follows: 25' front, 7.5' and 20' rear.

The setbacks proposed are consistent with typical single family development approved in the County.

The petitioner proposes 25' buffers along the north and west property lines. The Planning staff is of the opinion that the petitioner should be required to either provide 25' buffers separate from the lots along the north and the west, or place 10,000 square foot lots on the perimeter.

The LDRs require a minimum of 5% of the total acreage be maintained in usable open space. The plan indicates 1.1 acres of recreation/open space is proposed. If the request is approved, the petitioner will have to provide the minimum usable open space as required per the LDRs, which would be 1.14 acres. The petitioner is indicating DRAs along some portions of the project perimeter. Any relocation from the perimeter to the interior of the project would require a master plan revision.

The petitioner proposes serving the development with central water and sewer service. The Utilities Department has indicated that central water and sewer capacity is available to serve the subject site. An 8" water line is located on the west side of Landover Boulevard. An 8" gravity sewer system is located on Landover Boulevard, north of the Landover Boulevard/Killian Street intersection. The applicant will have to connect to water and sewer at the time they apply for development permits.

The Hernando County School Board indicates that the request would generate approximately 20 additional students. Elementary schools students would be assigned to Spring Hill Elementary School, middle school students would be assigned to Powell Middle School, and high school students would be assigned to Springstead High School. These schools are currently over permanent capacity. The comments received by the School Board are attached to this report.

County LDRs require that new single family and multifamily development with more than 20 units, provide at least one treed roadway/access way for motor vehicles extending through the length or width (whichever is greater) of the development with a vegetative buffer at least 10' in width. The petitioner would be required to meet the applicable LDRs.

The plan shows access to Scottville Street and Centennial Street. The 1990 master plan showed a stub out to the east; the petitioner does not propose interconnection to the east. The County Engineer indicates that if the request is approved, the petitioner should be required to build access to the east across Progress Energy easement for future connection to Highgrove Road.

The subject property is within a WHPA-1 for a public supply well. The proposed use with central services is allowable within this designation.

FINDINGS OF FACT

The area is characterized by single family residential and utility uses, and undeveloped parcels. Development to the north of the subject property is characterized by 10,000 square foot lots, with

typical 13,000 square foot lots which abut the west boundary of the project. To the east are the Progress Energy power lines and larger AG parcels.

The proposed development requests to increase the previously approved density from .7 units per acre to 2.6 units per acre. The density recently approved in the TriCounty development petition north of Village Van Gogh approved 2.1 units per acre.

The subject property is located within a residential land use classification on the adopted Future Land Use Map. Land uses allowed in the residential land use classification, with appropriate land use approvals, include single family residential densities up to 5.4 units per acre, resort residential, and ancillary uses such as recreation, churches and community centers. The petitioner's proposal is considered medium high density pursuant to the adopted comprehensive plan.

Policy 1.01F(2) states that low density zoning districts shall be established to encourage and promote single family development at densities not to exceed 2.5 units per acre and is intended to be the district most utilized for regulating future single family development. Given the staff's position that either 10,000 square foot lots, or minimum 25' buffers separate from the lot be placed along the north and west boundaries, the density would be reduced below 2.5 units per acre which would be consistent with the comprehensive plan.

The Planning staff is of the opinion that the request for a master plan revision is appropriate, based on the following conclusions:

1. A low density rezoning of the subject property would be compatible with the surrounding land uses.
2. A low density rezoning of the subject property would be consistent with the County's adopted Comprehensive Plan subject to compliance with all performance conditions herein.

The rezoning 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 RECOMMENDATION:

Pursuant to the findings of fact outlined in the staff's report, the Planning staff recommends the Planning and Zoning Commission recommend the Board of County Commissioners adopt

Resolution # _____ approving the petitioner's request to establish a master plan for property zoned PDP(SF), 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. The minimum lot size shall be 10,000 square feet along the west and north boundaries, or the petitioner shall place a 25' buffer not to be located on the lots, but in a common area owned by the homeowners association.
3. The minimum perimeter setbacks shall be 25'.
4. The internal lot setbacks shall be as follows: Front: 25' Side: 7.5' Rear: 20'
5. The petitioner shall construct an eastern access across the Progress Energy property to provide future connection to Highgrove Road.
6. Prior to final plat approval, the developer will establish a means for mandatory solid waste and recyclable material pick up.
7. The petitioner shall provide a revised plan in compliance with all of the performance conditions within 30 calendar days of BCC approval. A \$250.00 late submittal fee will be required in the event the plan is not submitted within the specified time frame. Failure to submit the revised plan within 30 business days from BCC approval will result in the zoning becoming null and void.

P&Z RECOMMENDATION:

At the March 13, 2006 meeting, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt Resolution # _____ approving the petitioner's request to establish a master plan for property zoned PDP(SF), 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. The minimum lot size shall be 10,000 square feet along the west and north boundaries, or the petitioner shall place a 25' buffer not to be located on the lots, but in a common area owned by the homeowners association.
3. The minimum perimeter setbacks shall be 25'.

4. The internal lot setbacks shall be as follows: Front: 25' Side: 7.5' Rear: 20'
5. The petitioner shall construct an eastern access across the Progress Energy property to provide future connection to Highgrove Road.
6. Prior to final plat approval, the developer will establish a means for mandatory solid waste and recyclable material pick up.
7. The petitioner shall provide a revised plan in compliance with all of the performance conditions within 30 calendar days of BCC approval. A \$250.00 late submittal fee will be required in the event the plan is not submitted within the specified time frame. Failure to submit the revised plan within 30 business days from BCC approval will result in the zoning becoming null and void.

BCC ACTION:

On April 12, 2006, the Board of County Commissioners voted 5-0 to postpone consideration of the petition until the May 10, 2006 BCC hearing at 9:00 a.m.

The School Board of Hernando County, Florida

919 North Broad Street
Brooksville, FL 34601
352-797-7000

**Facility & Support
Operations
8060 Mobley Road
Brooksville, FL 34601
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Robert Wiggins
Vice Chairperson
Jim Malcolm
Members
John Druzbeck
Pat Fagan
Sandra Nicholson

February 21, 2005

Christopher Mettler
Hernando County Planning Department
20 North Main Street, Room 262
Brooksville, FL 34601

Dear Chris:

I reviewed the proposed rezoning requests that you forwarded to me for the March 13 P & Z and the March 15 BOCC meetings. My comments are listed below for consideration during the staff's review.

In reference to **H-06-18** the request from BBC, LLC for a Master Plan Revision and Rezoning of a 168 acre site with 80 multi-family units and 53 single family units, I offer the following:

Schools for which students from this development will be zoned:
Elementary (K-5) – Brooksville Elementary School
Middle (6-8) – D.S. Parrott Middle School
High (9-12) – Hernando High School

This rezoning request is expected to have an impact to the District with an increase of an additional 45 students. The above mentioned schools are currently over permanent capacity. An immediate solution to solve the impact of additional students would be adding portable classrooms at an estimated cost of \$175,000 and 2 teachers at an estimated cost of \$100,000. However, the state requires us to build permanent capacity facilities and eliminate portables. I have attached a worksheet developed by the District's Chief Financial Officer showing anticipated revenue and the impact of this development based on the projected 45 additional students. This worksheet shows an estimated impact in excess of school taxes between \$408,192 and \$416,172.

In reference to **H-06-22**, the request from Cornerstone Communities to rezone and develop a 103 Ac site with 300 multi-family and 200 single family residential units, I offer the following:

Schools for which students from this development will be zoned:
Elementary (K-5) – East Side Elementary School
Middle (6-8) – D. S. Parrott Middle School
High (9-12) – Hernando High School

This rezoning request is expected to have an impact to the District with an increase of an additional 167 students. The above mentioned schools are currently over permanent capacity. An immediate solution to solve the impact of additional students would be adding portable classrooms at an estimated cost of \$700,000 and 7.5 teachers at an estimated cost of \$375,000. However, the state requires us to build permanent capacity facilities and eliminate portables. I have attached a worksheet developed by the District's Chief Financial Officer showing anticipated revenue and the impact of this development based on the projected 167 additional students. This worksheet shows an estimated impact in excess of school taxes between \$1,486,389 and \$1,516,389.

In reference to **H-06-26**, the request from Bluestone Construction & Development to Establish a Master Plan on 31.5 Ac and develop 432 multi-family homes, I offer the following:

Schools for which students from this development will be zoned:

Elementary (K-5) – Spring Hill Elementary School
Middle (6-8) – Powell Middle School
High (9-12) – Springstead High School

This rezoning request is expected to have an impact to the District with an increase of an additional 144 students. The above mentioned schools are currently over permanent capacity. An immediate solution to solve the impact of additional students would be adding portable classrooms at an estimated cost of \$675,000 and 6.5 teachers at an estimated cost of \$325,000. However, the state requires us to build permanent capacity facilities and eliminate portables. I have attached a worksheet developed by the District's Chief Financial Officer showing anticipated revenue and the impact of this development based on the projected 144 additional students. This worksheet shows an estimated impact in excess of school taxes between \$1,277,856 and \$1,303,776.

In reference to **H-06-28**, the request from Bill W. Mazas, Thomas W. Mazas, and Sophia Vasilaros to rezone 154 Ac and develop 360 single family homes, I offer the following:

Schools for which students from this development will be zoned:
Elementary (K-5) – Pine Grove Elementary School
Middle (6-8) – West Hernando Middle School
High (9-12) – Central High School

This rezoning request is expected to have an impact to the District with an increase of an additional 120 students. The above mentioned schools are currently over permanent capacity. An immediate solution to solve the impact of additional students would be adding portable classrooms at an estimated cost of \$525,000 and 5.5 teachers at an estimated cost of \$275,000. However, the state requires us to build permanent capacity facilities and eliminate portables. I have attached a worksheet developed by the District's Chief Financial Officer showing anticipated revenue and the impact of this development based on the projected 120 additional students. This worksheet shows an estimated impact in excess of school taxes between \$1,064,880 and \$1,086,480.

In response to **H-06-29**, the request to Establish a Master Plan from Resdev, LLC, I offer the following:

Schools for which students from this development will be zoned:
Elementary (K-5) – Spring Hill Elementary School
Middle (6-8) – Powell Middle School
High (9-12) – Springstead High School

This rezoning request is expected to have an impact to the District with an increase of an additional 20 students. The above mentioned schools are currently over permanent capacity. An immediate solution to solve the impact of additional students would be adding portable classrooms at an estimated cost of \$150,000 and 1 teacher at an estimated cost of \$50,000. However, the state requires us to build permanent capacity facilities and eliminate portables. I have attached a worksheet developed by the District's Chief Financial Officer showing anticipated revenue and the impact of this development based on the projected 20 additional students. This worksheet shows an estimated impact in excess of school taxes between \$181,911 and \$185,451.

I hope this information will be helpful for the staff review. Please contact me if you have any questions or need further information. Thank you for the opportunity to comment on the effect that these proposed rezoning requests will have on the Hernando County School System.

Sincerely,

Ken Pritz

Hernando County School Board
Facility & Support Operations, Executive Director