

## **BOARD OF COUNTY COMMISSIONERS' MEETING RESULTS, AUGUST 31, 2010**

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**APPLICANT:** Powell Road Partnership, LLC

**FILE NUMBER:** H-10-13

**PURPOSE:** Rezoning from AG/(Agricultural) to PDP(SF) and (MF)/Planned Development Project (Single Family) and (Multifamily) with a reduction in setbacks

**GENERAL**

**LOCATION:** North side of Powell Road, approximately 3,000' west of US Hwy 41

**LEGAL**

**DESCRIPTION:** A portion of Section 7, Township 23 South, Range 19 East, Hernando County, FL

**BCC ACTION:**

The Board of County Commissioners voted 4-1 to adopt Resolution #2010-112 approving the petitioner's request to rezone from AG/(Agricultural) to PDP(SF) and (MF)/Planned Development Project (Single Family) and (Multifamily) with a reduction in setbacks, with the following modified performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The development shall comply with the adopted open space requirements of the County's LDRs.
3. A comprehensive wildlife survey shall be conducted in order to identify any listed species present on the property. A Florida Fish and Wildlife Conservation Commission (FWC) permit may be required prior to site alterations. The petitioner is required to comply with all applicable FWC regulations.
4. Perimeter Setbacks:

Front (Powell Road):	75'
Side:	10'
Rear:	20'
5. Single Family Lot Setbacks:

Front:	75'
Side:	35'
Rear:	50'
6. Internal Multifamily Family Building Setbacks:

## **BOARD OF COUNTY COMMISSIONERS' MEETING RESULTS, AUGUST 31, 2010**

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Front:	25'
Side:	15'
Rear:	15' (Deviation from 20')

7. The petitioner shall meet the minimum buffering requirements of the County's LDRs.
8. The maximum multifamily density approved is 12 units per acre.
9. The maximum building height for the multifamily shall be three (3) stories.
10. Development of the property shall comply with the County's flood plain management ordinance, the requirements of the County Engineer, and Facility Design Guidelines pertaining to development in the 100-year flood plain.
11. Access shall be as generally depicted on the master plan. ~~Should access to the east be approved by the Hernando Oaks subdivision, the access shall align with the proposed Hernando Oaks commercial internal roadway. No access shall be permitted to the east~~
12. Additional parking spaces for visitors shall be provided throughout the multifamily development as required by the County's LDRs.
13. The development shall utilize Florida Friendly Design standards for landscaping.
14. For the multifamily tract, the petitioner shall provide one treed roadway/access and provide a minimum of two (2) functional access points.
15. The developer shall provide an access management study and traffic analysis, to include an examination of the signal at the intersection of US Hwy 41 and Powell Road, for review and approval by the County Engineer prior to the issuance of any permits for the project. In addition, the developer shall be responsible for all operational and/or link improvements determined necessary by the access management study and traffic analysis.
16. The petitioner shall provide 80' of right-of-way from the centerline of Powell Road for the length of the project frontage as required by the County Engineer at the time of development. Additionally, easements or rights-of-way not to exceed an additional 20' for utilities and/or drainage shall be provided along Powell Road as indicated by any applicable drainage and/or corridor studies.
17. The petitioner shall provide left turn lanes to all entrances on Powell Road.
18. An evaluation by a qualified archeological professional shall be provided to determine the presence/absence of any actual artifacts. Proper development practices should be administered to insure the protection of such areas.

## **BOARD OF COUNTY COMMISSIONERS' MEETING RESULTS, AUGUST 31, 2010**

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19. The property must apply and receive a Finding of School Capacity from the School District prior to the approval of the conditional plat or the functional equivalent. The County will only issue a certificate of concurrency for schools upon the School District's written determination that adequate school capacity will be in place or under actual construction within three (3) years after the issuance of subdivision approval or site plan approval (or functional equivalent) for each level of school without mitigation, or with the execution of a legally binding proportionate share mitigation agreement between the applicant, the school board and the county.
20. The development shall connect to central water and sewer the Hernando County Utilities Department.
21. 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 will result in no further development permits being issued.

**NOTE: PLEASE NOTE THAT DEVELOPMENT ACTIONS TAKEN IN RELIANCE ON THIS ZONING APPROVAL MUST BE CONSISTENT WITH THE APPROVED MASTER PLAN, DEVELOPER'S NARRATIVE, DEVELOPER'S REPRESENTATIONS ON THE RECORD, AND THE APPROVAL CONDITIONS BY THE BCC.**