

- c. Petition No. 6310, on January 25, 2005, from an ER-2 Estate-Residential District to an AR-5 Agricultural-Residential District with conditions, located approximately 50 feet west of the subject request.
7. The owners'/applicants' request is compatible with the established pattern of land use and zoning in the area.
8. The proposed request is consistent with Article 300, Subsection 303.2(E)1, Criteria and Standards to be Considered in Review of Applications for Zoning Amendments, of the Pasco County Land Development Code and with the applicable provisions of the Pasco County Comprehensive Plan dated October 2000.
9. On March 2, 2005, the applicants' representative requested a one-month continuance.

STAFF RECOMMENDATION:

Approval with Conditions

CONDITIONS:

1. Prior to or concurrent with subdivision review, the owners/applicants shall mitigate for any substandard roads pursuant to the Traffic Impact Study Guidelines for rezoning for that portion of Duck Lake abutting the subject property.
2. The owners/applicants acknowledge that any provisions of Pasco County ordinances not specifically waived shall be in full force and effect.
3. The owners/applicants shall submit a preliminary/site plan for review and approval in accordance with all requirements of Article 300, Section 306, Development Review Procedures, of the Land Development Code prior to development of the property.
4. If applicable at the time of site plan review, the owners/applicants shall be required to comply with the Pasco County Comprehensive Plan, Conservation Element, Policy No. 2.8.2, as follows:
 - 2.8.2 Require the evaluation and proper management of endangered, threatened, and species of special concern by requiring that proposed development sites be examined for the presence of State and Federally protected plant and animal species. Criteria and thresholds for reviews to examine sites in this manner shall be specified in the County's land development regulations. At a minimum, the criteria will consider:
 - (a) The Area of Potentially Significant Habitat as shown on Map 3-1 that has been identified by the Florida Fish and Wildlife Conservation Commission as a "hot spot of biological resources and rare species occurrence" or other available data sources.
 - (b) The size and distribution of listed species populations within a proposed development site.
 - (c) The feasibility and viability of on-site protection and management and whether the proposed development site includes a wildlife corridor.
 - (d) The feasibility of maintaining a wildlife corridor.
 - (e) The appropriateness of mitigation to an acceptable off-site location in the event that on-site mitigation is shown to be ineffective.

When listed species are found, the proposal shall be forwarded to the Florida Fish and Wildlife Conservation Commission for recommendations to minimize the impact of development on those species found on the site. These recommendations shall be considered during the development approval process. Failure to receive recommendations from the Florida Fish and Wildlife Conservation Commission within the development review process time frames shall not preclude a project from being scheduled, considered, or approved.
5. Calculation of allowable density and intensity shall be in compliance with the land use category limitations set forth in the Pasco County Comprehensive Plan.

6. In addition to complying with the above conditions, no activity shall commence on site until such time as the acknowledgment portion of this document is completed (including notarization) and received by the Zoning/Code Compliance Division.

OWNERS'/APPLICANTS' ACKNOWLEDGMENT:

The owners/applicants acknowledge that it has read, understood, and accepted the above-listed conditions of approval. **Do not sign until you receive a copy of this petition with the Board of County Commissioners results.**

(Date)

I hereby certify on this _____ day of _____, _____, A.D., before me personally appeared the owners/applicants, to me known to be the persons described in and who executed the foregoing document and severally acknowledged the execution thereof to be their free act and deed for the uses and purposes therein expressed.

Witness my hand and seal at _____, _____ County, Florida, the day and year aforesaid.

My commission expires:

Notary Public, State of _____ at Large

PLANNING COMMISSION ACTION:

Approval of Staff Recommendation: 7 Ayes; 0 Nays

BOARD OF COUNTY COMMISSIONERS ACTION:

015

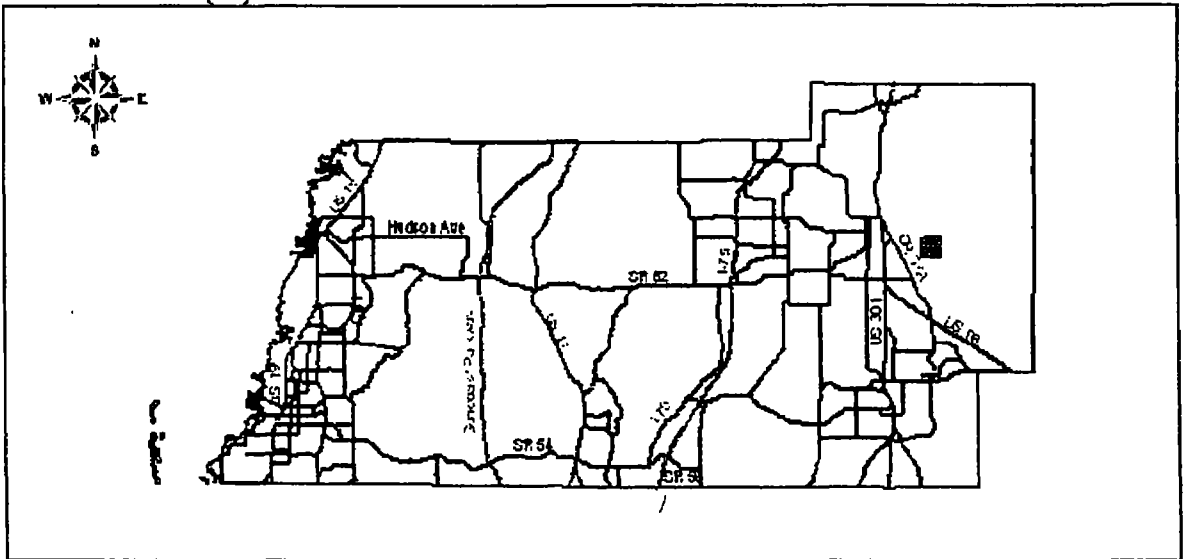
Scanned on 4/15/20

PETITION # RZ6335

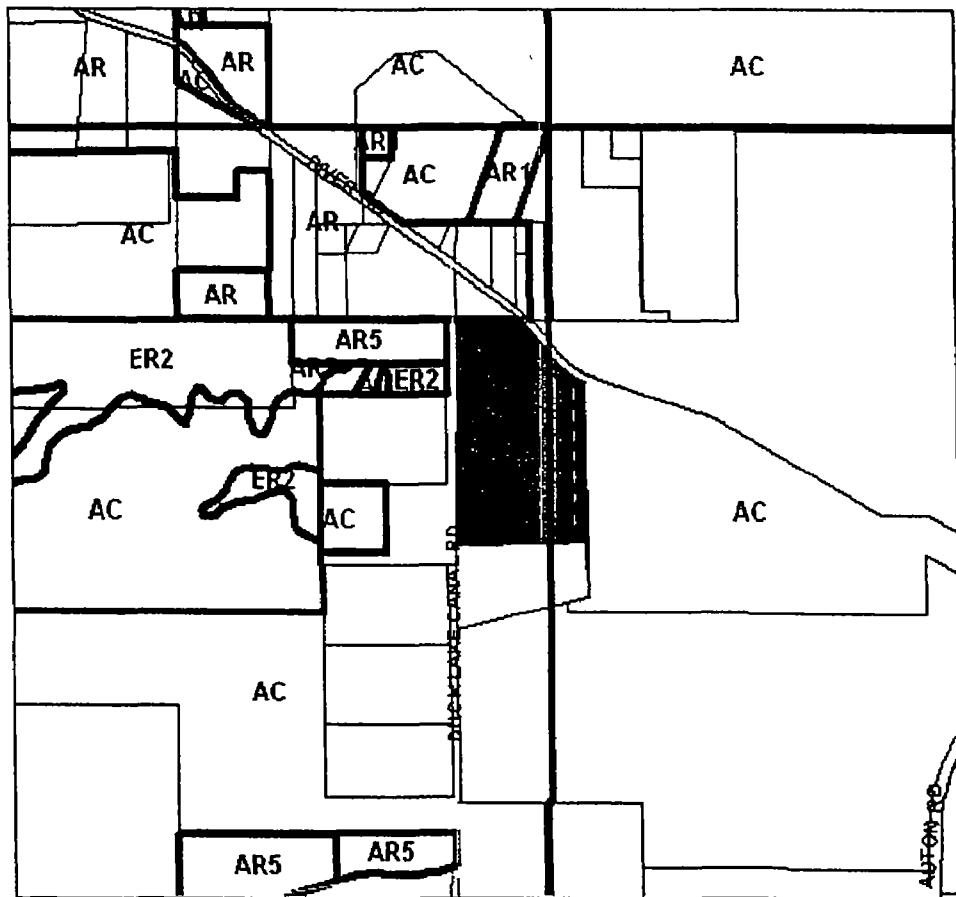
SECTION(S): 31

T.24 S.

R.22 E.



PASCO COUNTY, FLORIDA



TAZ: 211

COMMISSION DISTRICT: 1

016



SIMMONS & BEALL, INC.
SURVEYING & MAPPING

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P.O. BOX 1297
DADE CITY, FLORIDA 33526-1297
(352) 567-0048
FAX (352) 567-0875



March 2, 2005

RECEIVED
MAR 01 2005

Pasco County Zoning/Code Compliance
ATTN: Debra M. Zampetti
West Pasco Government Center
7530 Little Road, Suite 323
New Port Richey, FL 34654-5598

RE: Rezoning Petition No. 6335

Dear Ms. Zampetti:

I would like to request a continuance for the above referenced petition number. It is scheduled to be presented to the Pasco County Commissioners today at 1:30 pm. I am the representative for Mr. and Mrs. Prater in this matter. Unfortunately, I have been called out of town unexpectedly and cannot appear today.

Please contact me with the new date for this petition. I appreciate your consideration in this matter and regret any inconvenience this may have caused. Thank you for your assistance.

Sincerely,

Bobby W. Simmons
Professional Land Surveyor
Agent of Record for Petition No. 6335

BWS/jh

ATTACHMENT
REZONING

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission adopts the report and recommendation of the staff as its own.

Ayes: _____ Nays: _____

The Planning Commission disagrees with the staff report and recommendations for the following reasons:

- a. The proposed amendment (would, would not) be spot zoning;
- b. The proposed change (is, is not) inconsistent with the existing land use pattern in the area;
- c. The proposed change (would, would not) result in the possible creation of an isolated district unrelated to adjacent and nearby districts;
- d. The existing district boundaries (are, are not) illogically drawn in relation to existing conditions on the property proposed for the change;
- e. Changed or changing conditions make passage of the proposed amendment (necessary, unnecessary);
- f. The proposed change (will, will not) adversely affect living conditions in the immediate and surrounding neighborhoods;
- g. There is adequate access to the site and the proposed change (will, will not) create or excessively increase traffic congestion or otherwise affect public safety;
- h. The proposed change (might, might not) result in the reduction of light and air to adjacent properties or areas;
- i. The proposed change (might, might not) result in lower property values in adjacent areas;
- j. The property, as rezoned, (could, could not) be developed in a manner which would comply with other existing County and State regulations governing development;
- k. The proposed change (would, would not) result in or act as a deterrent to the improvement or development of adjacent property in accordance with the existing regulations;
- l. The property which is the subject of the proposed change (is, is not) a suitable site or location for the uses available under a proposed zoning district;
- m. Certain portions of the property (are, are not) suitable for development under the proposed zoning classification;
- n. Adequate public facilities (are, are not) available to the site, including, but not limited to, water and sewer facilities;
- o. The property is developable under the zoning classification (with, without) appropriate public facilities including, but not limited to, water and sewer facilities;
- p. The site proposed for zoning change (would, would not) be subject to flooding and the effect of such flooding on the proposed or possible improvements on the site;
- q. The physical characteristics of the site and the degree of site alteration which (would, would not) be required to make the site usable for any of the range of potential uses under the proposed zoning classification;
- r. The proposed zoning change (would, would not) be consistent with the goals, objectives, policies, and recommendations set forth in adopted comprehensive plans or elements;
- s. Such other factors, or criteria which the Board shall deem important in the protection of the public health, safety, and welfare.

Ayes: _____ Nays: _____

The Planning Commission recommends _____ approval _____ denial of the application, based upon the foregoing reasons, which constitutes the report of the Planning Commission.

The recommendation and report of the Planning Commission is based upon study and consideration of the factors outlined in Section 303.2.E.1 of the Pasco County Land Development Code and the evidence presented at the public hearing on the application.

The Planning Commission's recommendation is hereby submitted to the Board of County Commissioners as required under Section 303.2.C. of the Pasco County Land Development Code.

Cont to 4/6/05
Planning Commission Chairman

03-02-05
Date

Rezoning No. RZ-6335

ATTACHMENT
REZONING

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission adopts the report and recommendation of the staff as its own.

Ayes: 7 Nays: 0

The Planning Commission disagrees with the staff report and recommendations for the following reasons:

- a. The proposed amendment (would, would not) be spot zoning;
- b. The proposed change (is, is not) inconsistent with the existing land use pattern in the area;
- c. The proposed change (would, would not) result in the possible creation of an isolated district unrelated to adjacent and nearby districts;
- d. The existing district boundaries (are, are not) illogically drawn in relation to existing conditions on the property proposed for the change;
- e. Changed or changing conditions make passage of the proposed amendment (necessary, unnecessary);
- f. The proposed change (will, will not) adversely affect living conditions in the immediate and surrounding neighborhoods;
- g. There is adequate access to the site and the proposed change (will, will not) create or excessively increase traffic congestion or otherwise affect public safety;
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- s. Such other factors, or criteria which the Board shall deem important in the protection of the public health, safety, and welfare.

Ayes: _____ Nays: _____

The Planning Commission recommends _____ approval _____ denial of the application, based upon the foregoing reasons, which constitutes the report of the Planning Commission.

The recommendation and report of the Planning Commission is based upon study and consideration of the factors outlined in Section 303.2.E.1 of the Pasco County Land Development Code and the evidence presented at the public hearing on the application.

The Planning Commission's recommendation is hereby submitted to the Board of County Commissioners as required under Section 303.2.C. of the Pasco County Land Development Code.

Sandra Lu Werner
Planning Commission Chairman

04-06-05
Date
Rezoning No. RZ-6335

019

ATTACHMENT
REZONING

BOARD OF COUNTY COMMISSIONERS ACTION:

The Board of County Commissioners adopts the recommendation of the Planning Commission as its own.

Ayes: _____ Nays: _____

The Board of County Commissioners disagrees with the Planning Commission recommendations for the following reasons:

- a. The proposed amendment (would, would not) be spot zoning;
- b. The proposed change (is, is not) inconsistent with the existing land use pattern in the area;
- c. The proposed change (would, would not) result in the possible creation of an isolated district unrelated to adjacent and nearby districts;
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- r. The proposed zoning change (would, would not) be consistent with the goals, objectives, policies, and recommendations set forth in adopted comprehensive plans or elements;
- s. Such other factors, or criteria which the Board shall deem important in the protection of the public health, safety, and welfare.

Ayes: _____ Nays: _____

The Board of County Commissioners Action: _____ approval _____ denial of the application, based upon the foregoing reasons, which constitutes the action of the Board of County Commissioners.

The action of the Board of County Commissioners is based upon study and consideration of the factors outlined in Section 303.2.E.1 of the Pasco County Land Development Code and the evidence presented at the public hearing on the application.

Board of County Commissioners Chairman

04-26-05

Date

Rezoning No. RZ-6335

020