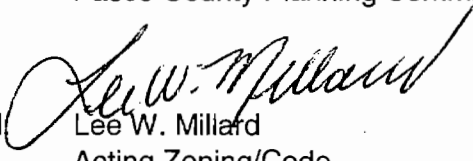


ZONING PETITION REVIEW REPORT

TO: Pasco County Planning Commission
FROM: 
Lee W. Millard
Acting Zoning/Code
Compliance Administrator
SUBJECT: Rezoning Request
Northeast Pasco County
APPLICANTS: **CHRISTIAN POWERLINE, LLC,
AND POWERLINE NORTH, LLC/
TRILBY ESTATES MPUD**

PETITION #6572
Commission District #1
CAC District #2
Development Review Committee
Meeting Date: 4/13/06
Planning Commission
Hearing Date: 5/10/06
Board of County Commissioners
Hearing Date: 6/13/06, DC
TAZ #192

PETITION SUMMARY:

Petition No. 6572 in the names of Christian Powerline, LLC, and Powerline North, LLC/Trilby Estates MPUD has been filed for a change in zoning from A-C Agricultural and A-R Agricultural-Residential Districts to an MPUD Master Planned Unit Development District. The property is located on the southeast corner of the intersection of Powerline Road and Christian Road (Parcel ID Nos. 03-24-21-0000-01400-0000, 03-24-21-0000-01900-0000, 03-24-21-0000-01900-0020, 03-24-21-0000-01900-0030, and 03-24-21-0000-01900-0040) and contains 342.39 acres, m.o.l.

Project Name:	Trilby Estates
Applicants' Names:	Christian Powerline, LLC; Powerline, LLC; and Powerline North, LLC
Future Land Use Classifications:	AG/R (Agricultural/Rural), RES-6 (Residential - 6 du/ga), and ROR (Retail/Office/Residential)
Water/Sewage:	Well/Septic
No. of Dwelling Units:	95
Type of Dwelling Units:	Single-Family Detached
Commercial Acres/Square Feet:	None

The surrounding zoning districts and land uses are as follows:

	<u>Zoning District</u>	<u>Land Use</u>
North:	A-R Agricultural-Residential; R-1MH Single-Family/Mobile Home	Christian Road; Mobile Homes; Single-Family Dwellings
East:	R-1MH Single-Family/Mobile Home; A-R Agricultural-Residential	Mobile Homes; Single-Family Dwellings
South:	AR-5 Agricultural-Residential; A-C Agricultural; A-R Agricultural- Residential	Undeveloped
West:	A-R Agricultural-Residential	Powerline Road; Mobile Homes; Single-Family Dwellings

FINDINGS OF FACT:

1. Presently, the subject site is undeveloped. The applicants propose to develop the property with 95 single-family dwellings.
2. Access to the property is from Christian Road, a County-maintained road, which has 50 feet of right-of-way unpaved, and has been designated a two-lane collector facility on Map 7-18, 2025 Future Number of Lanes, and Map 7-20, 2025 Future Roadway Functional Classification, of the Comprehensive Plan currently in effect.

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3. Access to the property is from Powerline Road, a County-maintained road, which has 70 feet of right-of-way with 24 feet of pavement, and has been designated a two-lane collector facility on Map 7-18, 2025 Future Number of Lanes, and Map 7-20, 2025 Future Roadway Functional Classification, of the Comprehensive Plan currently in effect.
4. The subject property is located in Flood Zone "C," and development within this area is not subject to the requirements of Article 700, Flood Damage Prevention, of the Land Development Code.
5. The surrounding area is characterized by very rural-residential development.
6. Water and sewer are to be serviced by well and septic.
7. Based on information provided by the Pasco County Geodetic Mapping Section, the site contains 341.96 gross acres which are designated as AG/R (Agricultural/Rural), RES-6 (Residential - 6 du/ga), and ROR (Retail/Office/Residential). Approximately 4.61 acres are jurisdictional. Therefore, the maximum number of units allowed on the site, based on a ten percent density credit for upland acreage, is 95 units (total acreage minus lakes and jurisdictional acreage, multiplied by 1.10 and multiplied by land use). The total number of lots proposed for this development is 95.
8. On May 10, 2005, the Board of County Commissioners adopted the Corridor Preservation Tables in the Transportation Element of the Comprehensive Plan necessitating the preservation of right-of-way along certain roadways.
9. A Traffic Impact Study was not required for this development, because the number of units does not exceed the threshold allowed within the Traffic Impact Study Guidelines (Exhibit B, 167 single-family dwelling units), Resolution No. 04-203. A substandard road analysis was not required at this time, since the developer is responsible for the improvement of Powerline Road, beginning at Frazee Hill Road for .9 mile north.
10. 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 as conditioned.

STAFF RECOMMENDATION TO THE DEVELOPMENT REVIEW COMMITTEE:

Approval with Conditions

DEVELOPMENT REVIEW COMMITTEE ACTION (4/13/06):

Approved with Amended Conditions

AMENDED CONDITIONS:

12. Prior to approval of the first preliminary plan/preliminary site plan, the developer shall submit a current aerial photograph showing the trees abutting Christian Road and Powerline Road. ~~At each preliminary plan/preliminary site plan approval, the Development Review Committee (DRC) may also require additional natural buffering within the open space area.~~ The developer shall provide landscape buffering in compliance with the Land Development Code, Section 603, Landscaping and Irrigation as amended.
26. Prior to or concurrent with the first record plat, or where platting is not required, prior to approval of the first construction plan/construction site plan, the developer shall **contribute the proportionate share amount of \$21,675.00 for substandard road improvements to Powerline Road. This amount shall be adjusted for inflation at the time of payment in accordance with the construction cost increase index, as depicted in the County's latest adopted Transportation Impact Fee Ordinance No. 04-203** ~~improve Powerline Road, from Frazee Hill Road for 0.9 mile north, to County standards.~~
31.
 - a. (6) Minimum Lot Area of 200,000 Square Feet (4.~~67~~ Acres)
 - b. (6) Minimum Lot Area of 138,000 Square Feet (3.~~1752~~ Acres)
 - e. ~~All lots shall have 50 percent open space as illustrated on the typical lot diagram. The Open Space abutting Powerline Road and Christian Road shall not be cleared.~~

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STAFF RECOMMENDATION TO THE PLANNING COMMISSION:

Approval of the Development Review Committee Recommendation with Conditions

CONDITIONS:

See Attachment

PLANNING COMMISSION ACTION:

Approval of Development Review Committee Recommendation with Conditions: 8 Ayes; 0 Nays

STAFF RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS:

Approval of Development Review Committee and Planning Commission Recommendations with Conditions

BOARD OF COUNTY COMMISSIONERS ACTION:

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**TRILBY ESTATES
MPUD MASTER PLANNED UNIT DEVELOPMENT
CONDITIONS OF APPROVAL
REZONING PETITION NO. 6572**

Master Development Plans

1. Development shall be in accordance with the application, plans, and information submitted October 21, 2005, unless otherwise stipulated or modified herein.

Instructions

2. The developer shall submit, within 45 days of the Board of County Commissioners (BCC) approval, or prior to the first preliminary plan/preliminary site plan submittal, whichever occurs first, 20 sets of the revised MPUD Master Planned Unit Development Plan to the Growth Management Department, for review and approval, that addresses all applicable conditions set forth and the following specific instructions. Without the submittal and approval of revised MPUD Master Planned Unit Development plans, preliminary plans/ preliminary site plans will not be accepted for review.

Remove all references to neighborhood park from the master plan.

Open Space/Buffering

3. Wetlands (conservation/preservation areas) shall be as defined by the Pasco County Comprehensive Plan, Chapter 3, Conservation Element, Wetlands, Policy 2.7.3, and shown on all preliminary plans/preliminary site plans and construction plans/construction site plans. Jurisdictional boundaries shall be delineated in accordance with the responsible regulatory agency. These boundaries may be adjusted following appropriate permit approval and shall be shown on each preliminary plan/preliminary site plan. Removal, encroachment, alteration, or development within wetlands shall be in accordance with the Pasco County Comprehensive Plan, Chapter 3, Conservation Element, Wetlands, Policy Nos. 2.7.3, 2.7.5, and 2.7.6; however, no removal, encroachment, alteration, or development shall be permitted within any wetland used to obtain a Comprehensive Plan or Land Development Code density credit. All permits for encroachments, alterations, or development within Category I wetlands shall be obtained and submitted to Pasco County prior to construction plan/construction site plan approval.
4. There shall be a buffer around all preserved Southwest Florida Water Management District (SWFWMD) wetlands with an average width of 25 feet, but no less than 15 feet, unless otherwise accepted by the SWFWMD. Army Corp of Engineers wetlands do not require additional buffers. The proposed upland buffer area shall be shown on the construction plans. The final upland buffer area as required by the SWFWMD shall be designated on the plat as "Wetland Conservation Areas" as required by the SWFWMD. Permissible uses of the Wetland Conservation Areas shall be those uses allowed by the SWFWMD.
5. All wetlands shall be platted within tracts and designated on the plat as "Wetland Conservation Areas." All preserved wetlands shall be platted outside lots. No activity requiring the issuance of a Building Permit shall be allowed within five feet of the wetlands' line. Concurrent with platting, all wetlands shall be deeded to the mandatory homeowners' association/Community Development District (CDD)/merchants' association. The homeowners' association/merchants' association documents shall provide that the homeowners' association/merchants' association shall be responsible for the payment of taxes, if any, on the Wetland Conservation Areas.
6. The developer has submitted an environmental/habitat study which has been reviewed and the following condition shall apply:

The applicants shall send a copy of the Florida Fish and Wildlife Conservation Commission (FFWCC) Gopher Tortoise Permit to the Development Review Division (DRD) for their project files prior to issuance of the Site Development Permit.
7. Prior to any clearing or grubbing associated with the preliminary plan/preliminary site plan approval of any unit or phase, the developer shall submit a copy of any required Incidental Take Permit issued by the FFWCC to the DRD.
8. Prior to construction plan/construction site plan approval, the developer shall submit to the DRD a copy of the Environmental Resource Permit Application as submitted to the SWFWMD. Prior to the issuance of the Site Development Permit, the developer shall submit to the DRD a copy of the Environmental Resource Permit.

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9. The developer has submitted an Archaeological/Historical Survey, which was reviewed and found acceptable by Pasco County on January 11, 2006. Although no archaeological sites eligible for the National Register of Historic Places were found, the following statement shall be placed on all future site plans:

"If, during construction activities, any evidence of historic resources including, but not limited to, aboriginal or historic pottery, prehistoric stone tools, bone or shell tools, historic trash pits, or historic building foundations are discovered, work shall come to an immediate stop, and Pasco County and the Florida Division of Historical Resources shall be notified within two working days."

10. The developer shall create a mandatory homeowners'/property owners'/condominium owners'/merchants' association in the form of a nonprofit corporation registered with the Secretary of State, State of Florida, or, if approved by the BCC, a CDD, and the said CDD shall encompass the entire boundaries of the MPUD Master Planned Unit Development except for any real property to be conveyed to the County or the District School Board of Pasco County. If applicable, or unless otherwise approved during the site plan review process, the developer shall convey in fee simple to the association or the CDD, for ownership and maintenance, all drainage areas, common areas, landscape areas, neighborhood park, wetland buffer areas, preservation/conservation areas, and other special purpose areas unless the said area(s) is/are required to be dedicated to another governmental entity. Recreation areas and neighborhood parks shall be conveyed to the association as well, but only to the CDD if such special power pursuant to Section 190.012(2), Florida Statutes, is consented to by the County. All such conveyances shall be for a value that does not exceed the fair market value of the land. Prior to platting the first unit or phase, homeowners'/property owners'/condominium owners'/merchants' association or CDD documents, including Articles of Incorporation with proof of being filed with the Secretary of State, State of Florida, restrictive covenants, and all exhibits, shall be submitted to the Engineering Services Department for review along with copies of instruments to be used to convey in fee simple the above-mentioned areas to the said association or the CDD. Impact fee credits for improvements or dedications shall go to the association or the CDD which funded such improvements as applicable.
11. The neighborhood parks as depicted on the master plan have not been reviewed or approved for consistency with the Neighborhood Parks Ordinance. Specific review and approval of the neighborhood parks will be conducted at each preliminary plan/preliminary site plan review. The location of neighborhood park(s) after approval of the Trilby Estates MPUD Master Planned Unit Development Master Plan shall not constitute either a substantial change or nonsubstantial change to the approved MPUD Master Planned Unit Development Master Plan. The developer shall submit a revised Trilby Estates MPUD Master Planned Unit Development Master Plan within 45 days of each specific review and approval at each preliminary plan/preliminary site plan approval showing the location, size, and shape of recreation areas and neighborhood park(s).
12. Prior to approval of the first preliminary plan/preliminary site plan, the developer shall submit a current aerial photograph showing the trees abutting Christian Road. The developer shall provide landscape buffering in compliance with the Land Development Code, Section 603, Landscaping and Irrigation as amended.
13. There shall be an "Open Space" easement over 50 percent of each lot, except those lots on the site that are directly adjacent to and abut the jurisdictional wetland located on the site, that is created at or prior to plat. In addition, within the 50 percent Open Space easement, for the lots abutting Powerline Road and Christian Road, there shall be a minimum 100-foot, no-tree-removal buffer zone. Both the Open Space easement and the no-tree-removal buffer zone shall be referenced in the covenants and deed restrictions controlling the development.

Permitted uses in the Open Space designated on the MPUD Master Planned Unit Development Master Plan shall be as follows: stables; barns; corrals; fencing; family gardens; wells; pedestrian walkways and trails; play meadows; play equipment; ponds; clearing exclusive of the 100-foot, no-tree-removal buffer zone; livestock for occupant's use only not to exceed three grazing animals per one acre minimum; small animals, birds, and fowl not to exceed 20 per acre. Swimming pools are prohibited in Open Space.

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Ordinances

14. In addition to the MPUD Master Planned Unit Development conditions of approval, the developer shall comply with all Pasco County ordinances, including all impact fee ordinances.
15. In the event ordinances/resolutions are subsequently adopted by the BCC including, but not limited to, solid waste, public safety, or wildlife ordinances, the owners/developer shall be required to comply with such ordinances/resolutions.

Transportation/Circulation

Access Management

16. The developer shall provide a secondary functional access and emergency access to each increment in accordance with the Land Development Code as amended. The emergency access may be barricaded in a manner found acceptable by the DRD and the Emergency Services Department.
17. Prior to final site/construction plan approval of any project abutting a State roadway, the owners/developer shall furnish to the DRD a Letter of Intent indicating approval and/or an approved Driveway Permit from the Florida Department of Transportation (FDOT). Prior to the issuance of the first Certificate of Occupancy, the owners/developer shall provide a letter from the FDOT stating that the improvements within the State right-of-way have been inspected and completed to their satisfaction.
18. At each preliminary plan/preliminary site plan approval, the Development Review Committee (DRC) may also require further intersection improvements along the internal road intersections and the intersection of Christian Road and Powerline Road.
19. Any gates located within gated communities shall be setback sufficiently in order to provide vehicular stacking for a minimum of three vehicles, unless a greater distance is determined to be required at the time of each preliminary plan or preliminary site plan review. All entrances accessed by key or electronically coded systems shall be equipped with a system approved by the Emergency Services Director to allow fire or other emergency vehicles immediate access to the development. Upon replacement of any existing gated system, the replacement shall be equipped with a system acceptable to Pasco County. In addition, the access lane widths and clearance between fixed structures shall be a minimum of 15 feet in width.

Dedication of Right-of-Way

20. Public roadways shall be required unless otherwise approved by the DRC prior to the first preliminary plan/preliminary site plan approval.
21. In the case of private streets, dedication and maintenance shall be the responsibility of an appropriate entity other than Pasco County.
22. Vehicular-access rights along the rear of all double-frontage lots that abut roads within or adjoining the project shall be dedicated to Pasco County concurrent with final record platting for each phase of any increment or where no plat is required prior to final site plan approval.
23. Subject to the provisions of the Right-of-Way Preservation Ordinance, the developer shall convey at no cost to Pasco County 67.5 feet of right-of-way from the centerline of Powerline Road (Table 7-4, Pasco County Corridor Preservation Table, located in the Comprehensive Plan, Transportation Element, for arterial/collector and major intersection right-of-way requirements). The said 67.5 feet of right-of-way may be conveyed by easement, deed, or plat and result in a conveyance of 27.5 feet. The 27.5 feet of right-of-way conveyance shall not fall within the 100-foot, no-tree-removal buffer along Powerline Road.

In addition, the developer shall, at no cost to Pasco County, design, construct, provide, and obtain any and all permits required by any local, State, or Federal agency for appropriate and sufficient drainage/retention, wetland, and floodplain mitigation facilities on the developer's property or at another site acceptable to the County to mitigate all impacts associated with the initial and future planned; i.e., in the current County Comprehensive Plan Transportation Element or Metropolitan Planning Organization (MPO) Long-Range Plan, improvements of Powerline Road within or adjacent to the boundaries of the developer's property including, but not limited to, mitigation for initial and future lanes of travel, shoulders, frontage roads, sidewalks, multimodal paths, medians, and other roadway appurtenances. The required drainage/retention, wetland, and floodplain mitigation facilities shall be determined at the time of stormwater-management plan review for the portion(s) of the project adjacent to Powerline Road, and this paragraph of this condition shall expire after such stormwater-management plans have been approved for the development, unless such facilities are required pursuant to a development agreement approved pursuant to Section 403 of the Land Development Code. All

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stormwater-management plans, reports, or calculations for the developer's project shall include a detailed scope of design and permitting parameters and a signed and sealed certification that such plans, reports, or calculations comply with this condition.

24. Subject to the provisions of the Right-of-Way Preservation Ordinance, the developer shall convey at no cost to Pasco County 117.5 feet of right-of-way from the centerline of U.S. 301 (Table 7-4, Pasco County Corridor Preservation Table, located in the Comprehensive Plan, Transportation Element, for arterial/collector and major intersection right-of-way requirements).

In addition, the developer shall, at no cost to Pasco County, design, construct, provide, and obtain any and all permits required by any local, State, or Federal agency for appropriate and sufficient drainage/retention, wetland, and floodplain mitigation facilities on the developer's property or at another site acceptable to the County to mitigate all impacts associated with the initial and future planned; i.e., in the current County Comprehensive Plan Transportation Element or MPO Long-Range Plan, improvements of U.S. 301 within or adjacent to the boundaries of the developer's property including, but not limited to, mitigation for initial and future lanes of travel, shoulders, frontage roads, sidewalks, multimodal paths, medians, and other roadway appurtenances. The required drainage/retention, wetland, and floodplain mitigation facilities shall be determined at the time of stormwater-management plan review for the portion(s) of the project adjacent to U.S. 301, and this paragraph of this condition shall expire after such stormwater-management plans have been approved for the development, unless such facilities are required pursuant to a development agreement approved pursuant to Section 403 of the Land Development Code. All stormwater-management plans, reports, or calculations for the developer's project shall include a detailed scope of design and permitting parameters and a signed and sealed certification that such plans, reports, or calculations comply with this condition.

Design/Construction Specifications

25. Alternative roadway-design standards may be considered and approved by the DRC at the time of each preliminary plan/preliminary site plan approval.
26. Prior to or concurrent with the first record plat, or where platting is not required, prior to approval of the first construction plan/construction site plan, the developer shall contribute the proportionate share amount of \$21,675.00 for substandard road improvements to Powerline Road. This amount shall be adjusted for inflation at the time of payment in accordance with the construction cost increase index, as depicted in the County's latest adopted Transportation Impact Fee Ordinance No. 04-203.
27. Transit amenities, such as bus pads, shelters, park and ride lots, and passenger security features are needed to ensure service can be planned and provided in an effective, efficient manner. These amenities need to be planned and scheduled; therefore, the developer is required to coordinate with the Public Transportation Division (PCPT) the potential inclusion of transit amenities prior to initiation of each phase of development. A letter of compliance from the PCPT attesting to the satisfactory coordination with the developer shall be required and submitted to the Growth Management Department. The applicants/developer and/or their successors agree to maintain the transit-accommodation facilities in good working condition as determined by the PCPT and further agree to assume all liability, including obtaining additional insurance if necessary, for the transit-accommodation facilities. The applicants/developer and their successors shall not refuse the PCPT, or any other transit authority, or any of its users/patrons access to such facilities.
28. The developer may submit an overall pedestrian/bike path plan to the Growth Management Department for the DRC approval prior to approval of the first preliminary plan/preliminary site plan, which provides a path circulation in accordance with the Pasco County Land Development Code as amended or an alternative method acceptable to the DRC and in compliance with the handicapped provisions of Chapter 336.045, F.S., or other applicable law. In the absence of an approved pedestrian/bike path plan, compliance with the Land Development Code is required.

Utilities: Drainage, Water Service, Wastewater Disposal

29. The developer shall submit a Stormwater Management Plan and Report for each development phase or increment in accordance with the Pasco County Land Development Code as amended. The plans shall be approved prior to or simultaneous with application for construction plan review for the development phase/increment in question. No design for an individual increment/phase or portion of an increment/phase shall be dependent upon the ultimate construction of future increments/phases, unless an interim design for drainage is approved by the DRD.
30. Finished floor elevations for all habitable structures shall be at or above the 100-year flood plain elevation. All preliminary plan/preliminary site plan submittals shall provide 100-year flood elevation data.

Land Use

31. The residential design standards are as follows:

a. Manor Lot

- (1) Minimum Lot Width of 250 Feet*
- (2) Minimum Lot Depth of 600 Feet*
- (3) Minimum Front-Yard Setback of 50 Feet (Does Not Include Access Easement)
- (4) Minimum Side-Yard Setback of 25 Feet
- (5) Minimum Rear-Yard Setback of 5 Feet from Open-Space Portion of Lot
- (6) Minimum Lot Area of 200,000 Square Feet (4.6 Acres)*

b. Estate Lot

- (1) Minimum Lot Width of 230 Feet*
- (2) Minimum Lot Depth of 600 Feet*
- (3) Minimum Front-Yard Setback of 50 Feet (Does Not Include Access Easement)
- (4) Minimum Side-Yard Setback of 25 Feet
- (5) Minimum Rear-Yard Setback of 5 Feet from Open-Space Portion of Lot
- (6) Minimum Lot Area of 138,000 Square Feet (3.17 Acres)*

c. Community Lot

- (1) Minimum Lot Width of 200 Feet*
- (2) Minimum Lot Depth of 310 Feet*
- (3) Minimum Front-Yard Setback of 50 Feet (Does Not Include Access Easement)
- (4) Minimum Side-Yard Setback of 25 Feet
- (5) Minimum Rear-Yard Setback of 5 Feet from Open-Space Portion of Lot
- (6) Minimum Lot Area of 86,000 Square Feet (2 Acres)*

*Residential design standards may vary a maximum of five percent.

- d. The above minimum setbacks are calculated based on minimum right-of-way widths in accordance with the Land Development Code. Any reduction of the minimum right-of-way width shall require an MPUD Master Planned Unit Development amendment to increase minimum setbacks.
- e. All front setbacks shall not include any portion of the access easement.
- f. Recreation-center development standards shall be in accordance with the C-1 Neighborhood Commercial District.
- g. The total aggregate number of dwelling units for Trilby Estates shall not exceed 95.
- h. The maximum density or square footage set forth above is not a vested right and is subject to reduction based on, or as a result of, applicable Pasco County ordinances and resolutions, including without limitation Section 402, Pasco County Land Development Code, relating to concurrency management.
- i. Parcels may be developed out of numerical sequence and in multiples as long as the parcels being developed do not rely upon infrastructure construction of future parcels.

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32. The developer shall submit and obtain BCC approval of an MPUD Master Planned Unit Development amendment request to intensify development or reduce open space or preservation/conservation areas within an increment (bubble) prior to any preliminary plan/preliminary site plan approval within such increment.
33. If the density/intensity increases by more than 20 percent within any specific increment shown on the Master Development Plan or a change in the overall design and/or content occurs, a substantial amendment shall be presumed.
34. Residential use may not be intensified within any one increment following approval of the plat or final site plan for the first unit in that increment without review and approval by the BCC.
35. Any overall increase to density/intensity or decrease in open space shall be calculated cumulatively from the last substantial amendment.
36. The developer may designate, on the Master Development Plan, a site or sites which do not exceed a total of two acres to be used for recreational vehicle storage for the exclusive use of Trilby Estates residents. Such site(s) shall have appropriate landscape buffering in compliance with Pasco County Landscaping and Irrigation Ordinance No. 02-04 as amended and shall be shown on the approved Master Development Plan. The site(s) must obtain preliminary site plan approval prior to development and be owned by the mandatory homeowners'/property owners'/condominium owners'/merchants' association or CDD.

Procedures

37. Unless required elsewhere within the conditions of approval, all conveyances shall occur at record plat or construction plan approval where a record plat is not required or within 90 days of the County's request, whichever occurs first. All conveyances shall include access easements, be in a form acceptable to the Real Estate Division, and be free and clear of all liens and encumbrances, including exemption from all covenants and deed restrictions.
38. If a complete preliminary plan or preliminary site plan for the first phase of the MPUD Master Planned Unit Development is not submitted and approved within five years after the rezoning approval, the conditions of approval and any density approved shall expire. If the MPUD Master Planned Unit Development expires, a new MPUD Master Planned Unit Development must be applied for and approved by the BCC, and the conditions of approval shall be in accordance with the Comprehensive Plan and Land Development Code in effect at that time.
39. Unless otherwise approved by the Emergency Services Director, the development shall be included into a Pasco County Municipal Fire Service Taxing Unit to provide fire protection. The developer shall submit a petition for inclusion into the Pasco County Municipal Fire Service Taxing Unit at the time of record plat submission, or when no plat is required, prior to the issuance of the first Building Permit. In no case shall a Building Permit be issued until the Emergency Services Director has received such a petition.
40. A preliminary plan/preliminary site plan must be approved for an entire increment/phase prior to any phased construction drawing approval. The maximum number of units and the density of each residential increment shall not exceed the limits shown on the Master Development Plan. A preliminary site plan must also be approved for each multifamily (nonfee simple), recreational vehicle, or commercial increment in its entirety prior to any phased site plan approval.
41. Preliminary plan/preliminary site plan submittals shall include a detailed breakdown of the individual plan approvals, including the plan name and increment or phase designation as it relates to the Master Development Plan, acreage of the site, total number of units, or gross floor area ratio of commercial space which have received preliminary plan/preliminary site plan approval, construction plan approval, and/or record plat approval.
42. Development shall occur in accordance with Section 402, Concurrency Management System, of the Pasco County Land Development Code.
43. Rezoning of this property with conditions of approval does not constitute a final development order, nor does it relieve any developer of responsibilities under the State of Florida Growth Management Legislation as implemented by the Florida Department of Community Affairs and Pasco County.

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

OWNERS' ACKNOWLEDGMENT:

The owners acknowledge that they have 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)

CHRISTIAN POWERLINE, LLC

(Date)

POWERLINE, LLC

(Date)

POWERLINE NORTH, LLC

I hereby certify on this _____ day of _____, _____, A.D., before me personally appeared the owners/developers, 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:

(Date)

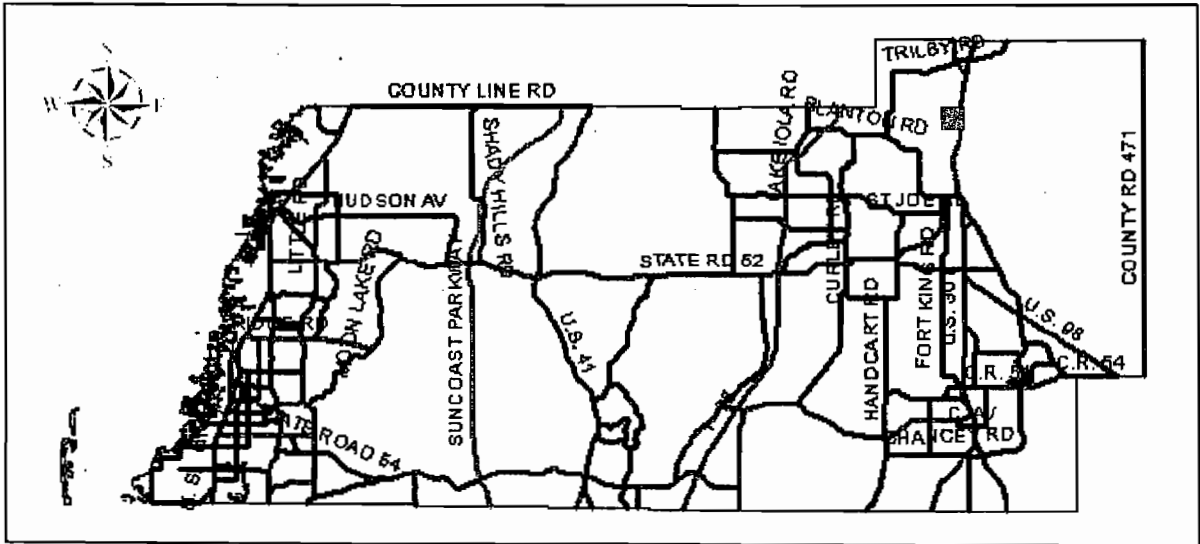
Notary Public, State of _____ at Large

PETITION # RZ6572

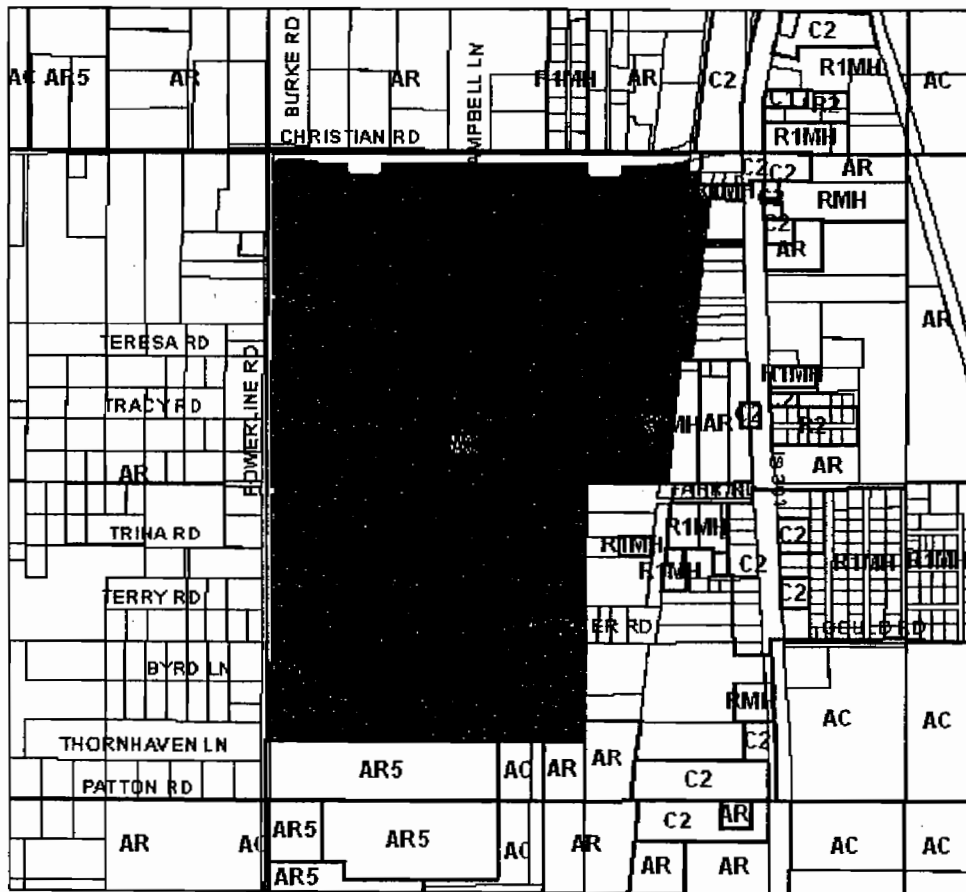
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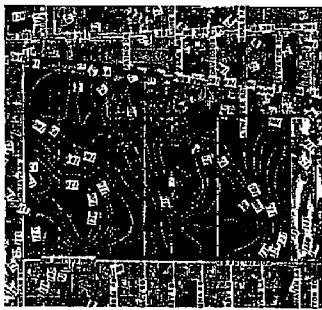
PASCO COUNTY, FLORIDA



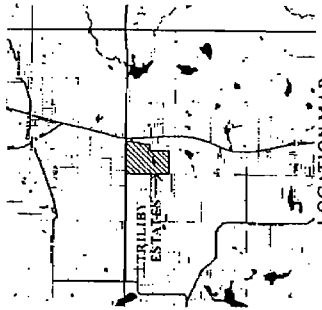
TAZ: 192

COMMISSION DISTRICT: 1

TRILBY ESTATES MPUD MASTER PLAN



TOPOGRAPHIC AND DRAINAGE FLOW MAP



LOCATION MAP
SCALE FOR COUNTY PROPERTY MAPS

100' NO TREE REMOVAL BUFFER ZONE

25' R.O.W. PRESERVATION

AR ZONING AGR/FLUC

POWERLINE ROAD

SITE DATA	
ALL ACREAGES SHOWN ARE FILL OR WETLANDS	
TOTAL ACREAGE	- 342.4 AC.
TOTAL UPLAND	- 337.0 AC.
TOTAL WETLAND	- 5.4 AC.
EXISTING ZONING	- AC
FUTURE LAND USE	- AGR/RES-6,ROR
CLASSIFICATIONS	- AGR/RES-6,ROR
NEIGHBORHOOD PARK	- 1.62 AC.
LOCATION SUBJECT TO PRELIMINARY PLAN REVIEW	-
OPEN SPACE	- 171.2 AC. = 50%
RESIDENTIAL LOTS	- 95
GROSS RESIDENTIAL DENSITY	- .28 DU'S/AC.
NET RESIDENTIAL DENSITY	- .28 DU'S/AC.
PHASE I (ONLY PHASE)	- .28 DU'S/AC.



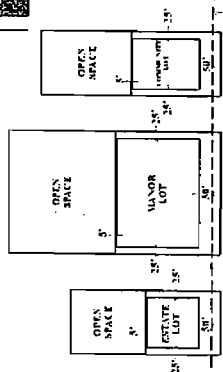
AERIAL PHOTOGRAPH
SCALE FOR COUNTY PROPERTY MAPS

Open Space Analysis

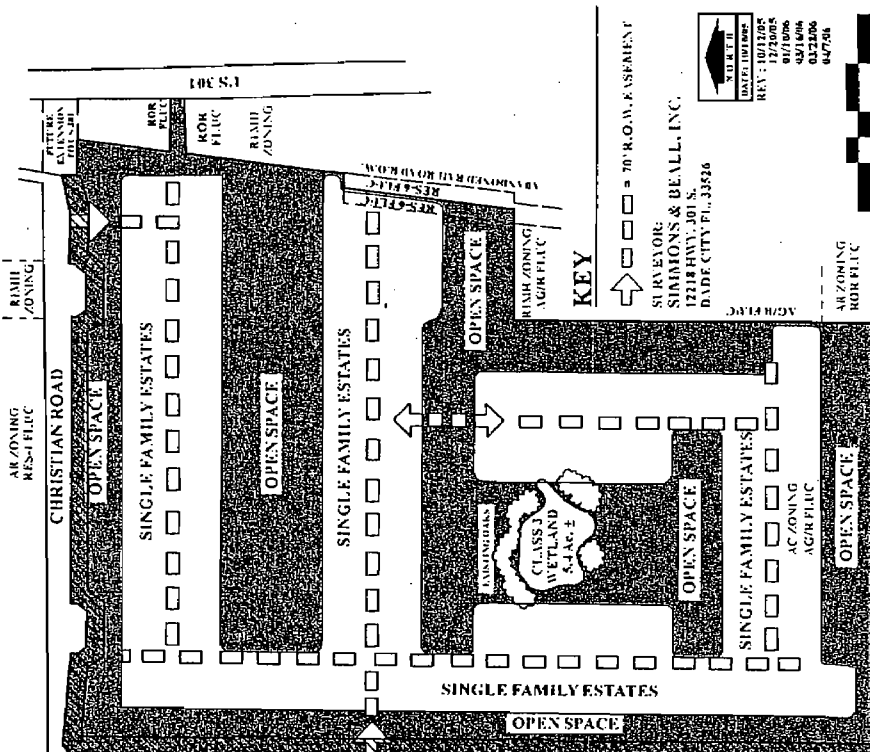
Total Open Space 171.2 acres
Open Space (Wetlands) 5.4 acres
Useable Open Space 165.8 acres

RESIDENTIAL LOT SIZE AND DIMENSIONS

	MINIMUM LOT SIZE	MINIMUM FRONTAGE	MINIMUM DEPTH
MINOR	200.000 ± S.F. (14.6 ± AC.)	250'	600'
ESTATE	136,000 ± S.F. (9.7 ± AC.)	210'	600'
COMMUNITY	87,000 ± S.F. (6.2 ± AC.)	200'	310'



TYPICAL SINGLE FAMILY LOT DIAGRAMS WITH YARD SETBACKS



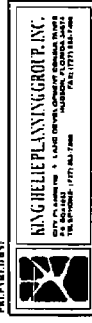
KEY

↑ = 70' R.O.W. EASEMENT
SIMMONS & BEALL, INC.
17218 HWY. 101 S.
DADE CITY FL, 33526

DATE: 10/1/06
REV: 10/1/06
1/2/06
02/1/06
03/2/06
04/7/06



PREPARED FOR:
**CHRISTIAN POWERLINE, LLC,
POWERLINE, LLC &
POWERLINE NORTH, LLC**



POTABLE WATER AND SEWER PRIVATE W.L.L.
FIRE SERVICE TAMPA COUNTY FIRE/RESCUE
ELECTRIC SERVICE TAMPA ELECTRIC COMPANY

LEGAL DESCRIPTION:
A PORTION OF S3-T14S-R21E,
PART OF LOT 174 FL (REFERRED
BOUNDARY SKETCH) FOR COMPLETE
LEGAL DESCRIPTION

DATE 4-13-16

RZ6572

ATTACHMENT
REZONING

PLANNING COMMISSION RECOMMENDATION:

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

Ayes: 8 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;
- 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.



Planning Commission Chairman

5/10/04 051
Date _____
Rezoning No. RZ-6572

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;
- 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 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

Date

Rezoning No. RZ 6572 052