

**DEVELOPMENT REVIEW COMMITTEE, PASCO COUNTY, FLORIDA**

**MINUTES**

**THE MINUTES WERE PREPARED  
IN AGENDA ORDER AS  
PUBLISHED AND NOT IN THE  
ORDER THE ITEMS WERE HEARD**

**APRIL 1, 2010**

**1:30 P.M. – West Pasco Government Center, Board Room,  
7530 Little Road, New Port Richey, FL 34654-5598**

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DEVELOPMENT REVIEW COMMITTEE

ADVISORY STAFF

John J. Gallagher  
County Administrator  
Michael Nurrenbrock  
OMB Director  
Daniel R. Johnson  
Assistant County Administrator  
(Public Services)  
Bruce E. Kennedy, P.E.  
Assistant County Administrator  
(Utilities Services)  
Bipin Parikh, P.E.  
Assistant County Administrator  
(Development Services)  
Chris Williams  
District School Board of Pasco County

Cynthia M. Jolly, P.E. - **ABSENT**  
Development Director  
Richard Gehring - **ABSENT**  
Growth Management Administrator  
James C. Widman, P.E. - **ABSENT**  
Engineering Services Director  
Debra M. Zampetti  
Zoning/Code Compliance  
Administrator

LEGAL COUNSEL

David A. Goldstein  
Chief Assistant County Attorney

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CALL TO ORDER

Chairman Gallagher called the meeting to order at 1:30 p.m.

ROLL CALL

Ms. Beverly Beeson, Deputy Clerk, called the roll.

Ms. Beeson swore in everyone who planned to present testimony.

The proof of publication was provided to the Clerk.

## **MINUTES**

**M1 December 17, 2009, - DRC Minutes-DRC-DRC- Minutes for Approval  
Memorandum Zn10-164  
Recommendation: Approve  
Comm. Dist. All**

**MR. NURRENBROCK MOVED** approval of the December 17, 2009, minutes.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

## **PUBLIC HEARINGS**

### **VARIANCE PETITIONS**

#### **OTHERS**

**P1 Zoning – Variance Request –Soares Family Trust-Reduction of required minimum east side setback from 5’ to 4.2’ for an existing detached garage in an A-r district  
Memorandum ZN10-2007  
Recommendation: approval with conditions  
Comm. Dist. 1**

Mr. Lee Millard, Assistant Zoning/Code Administrator, read the item into the record and gave a brief explanation. Staff recommended approval with conditions as listed in the packet.

Mr. Robert Soares, applicant, agreed with Staff’s recommendation.

There was no public comment.

**MR. NURRENBROCK MOVED** approval of Staff’s recommendation.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

**P2 Zoning – Variance Request-Voncelia & Homer Amos, Jr.,-Reduction in required minimum rear setback from 50’ to 25.6’ for a room addition in an A-R district  
Memorandum ZN10-2008  
Recommendation: Approval with conditions  
Comm. Dist. 1**

Mr. Millard read the item into the record and gave a brief explanation. Staff recommended approval with conditions as listed in the packet.

Mr. Homer Amos, Jr., and Ms. Voncelia Amos agreed with Staff’s recommendation.

There was no public comment.

**MR. NURRENBROCK MOVED** approval of Staff’s recommendation.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

**P3 Zoning – Variance Request-Bryan A. & Melanie P. Weed-Increase in the maximum allowed projection into the required west side yard area from 3’ to 4’ for a heat pump and related pool equipment in a PUD district  
Memorandum Zn10-2009  
Recommendation: Approval with conditions  
Comm. Dist. 1**

Mr. Millard read the item into the record and gave a brief explanation. Staff recommended approval with conditions as listed in the packet.

Discussion followed regarding the adjoining property owner and a letter from Les Van Hall.

Mr. Randy Artlook, representative for the applicant, agreed with Staff’s recommendation.

Discussion followed regarding the parcel number being incorrect.

There was no public comment.

**MR. NURRENBROCK MOVED** approval of Staff’s recommendation.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

**P4 Class I, ALDI, Inc. – Holiday (IPR08-062), Variance Requests-ALDI, Inc. – Location: On the northwest side of Alternate U.S. 19, slightly west of its terminus with U.S. 19, at the southwest corner of Manton Lane and Alternate U.S. 19; Section 31, Twn 26 S, Rng 16 E  
Memorandum ZN10-155  
Recommendation: Partial Approve  
Comm. Dist. 3**

Ms. Debra Zampetti, Zoning/Code Compliance Administrator, explained the item in great detail. She noted the item had been before the Board on January 28, 2010, for a variety of variances. Staff recommended the Board uphold their previous approval with the exception of the closure of Manton Lane and deny the request for the variance from Subsection 618.4 of the Land Development Code.

Discussion followed regarding the Ordinance requirement for having access to the side road.

Mr. Hsan Khalil, Transportation Planner II, gave the history of the project; reviewed the traffic study results for Manton Lane and US Alternate 19; addressed safety concerns for the resident's access onto Manton Lane; Carillon Street being used as a cut-through; traffic cam counts of the triangle area; and for the DRC to reverse their decision for the safety of the residents.

Discussion followed regarding Alternate 19 traffic; road improvements for the residents; the limited site triangle area; and the entrance into ALDI.

Mr. Yancy Lewton, representative for the applicant, addressed the concerns of the residents regarding ALDI.

Discussion followed regarding the extension of the three lanes northbound on US 19; a warrant study for traffic on the side street; other methods to decrease speed; paving the road to the end of the property as an added condition; if the site could function without the driveway; DOT alternate access approval; dedicated northbound left turn lane; 1,500 car trips per day; a minimum of 100 feet of stacking required for left turn; DOT continuous right turn lane improvements on US 19; and joint use ROW bike path on the west side of the interstate.

Mr. David Lorela and Mrs. Donna Lorela, residents, spoke regarding the petition they had submitted on January 28, 2010, where 98% of the residents in the neighborhood were opposed to the north entrance on Manton Lane; the high volume of traffic for ALDI stores; traffic backed-up a half mile away; cars exiting ALDI's parking lot to go north; the limited site at Carillon and Alternate 19; the width of the streets; safety issues for the neighborhood children; no sidewalks or streetlights on Currier Lane; making Manton Lane a dead-end street; and the residents had been maintaining the roads.

Mr. Bruce Sefmint, resident, stated he owned the property on the north side of Manton Lane and also owned the road. He had a survey of his family's property and according to tax receipts he owned the roadway. He asked the County to give him his property back, close the road, and it would take care of the Manton Lane issue and the back road problems.

Mr. Gallagher noted the road had been open to the public for many years and was now a public road.

Discussion followed regarding the maintenance of the ROW on Manton Lane; access onto Alternate 19 was a right-in and right-out only; and the residents petitioning for the road to be closed.

Mr. William Draper, resident, spoke regarding traffic, safety issues, and the quality of life for the neighborhood.

Mr. Lewton's closing statement was that the owner would not be opposed to placing a sign stating "left out is local access only."

**MR. PARIKH MOVED** approval of Staff's recommendation. He stated he was unsure if the applicant should have to pave to the end of the road.

Mr. Goldstein asked for clarification of the motion regarding the additional condition.

Mr. Parikh clarified his motion stating approval of Staff's recommendation regarding the denial of the variance and there was no added condition to his motion.

Ms. Zampetti stated Staff's recommendation was approval of the exiting variance without the condition of closing access. The variance was fine with Staff but the additional condition "to cut off the access" was what Staff requested to be eliminated.

Chairman Gallagher called on the motion; the motion failed with Mr. Kennedy, Mr. Williams, Mr. Johnson, and Mr. Nurrenbrock voting nay.

**MR. NURRENBROCK MOVED** approval of Staff's recommendation with the additional condition that the applicant be required to pave Manton back to the edge of their property.

Discussion followed regarding the amount of traffic on Manton used by the local residents; placing traffic calming devices from the entrance to the end; making the exit right-out only; making the entrance right-in and right-out; making a right-in only off Manton; dangerous intersection not used by the local residents; resurfacing the northern entrance to the west instead of to the east; and placing a sign stating "no exit."

**MR. KENNEDY MOVED** approval of Staff's recommendation with the changes to allow a right-in only connection to the local street and to provide for repaving with appropriate

traffic calming devices to the end of ALDI's property and the adjacent shopping center parcels.

Further discussion followed regarding the gridlock on Alternate 19; adding another condition based on a traffic count should the traffic on Carillon increase sufficiently; how to solve the problem of stopping traffic from using a sub-standard road and placing even more traffic on that road; different ways of making ALDI improve the road when needed; enforcement of the motion; and FDOT had required the applicant to make exit modifications to Manton and Alternate 19.

**MR. KENNEDY REPEATED** his motion to limit Manton Street to an eastbound right-in only with no exits from the shopping center, along with the requirement to pave from that point west back to the rear property line which was to Carillon Street, and then install some measure of traffic calming devices in conjunction with that paving activity.

Mr. Johnson asked if Mr. Kennedy would consider adding a condition to his motion if traffic increased sufficiently on Carillon Street that the applicant be required to widen and resurface Carillon.

Discussion followed regarding how to enforce the added condition by having ALDI post a Letter of Credit or bond for the value of that improvement with a lengthy expiration period or have them consent to a Special Assessment on the property for the value of the improvement. Further discussion followed on the feasibility of the Special Assessment and what would trigger ALDI to pave the road.

Mr. Kennedy suggested if the average daily traffic count exceeded 150% that would be the trigger by which ALDI would be obligated to participate in a paving assessment.

Discussion followed regarding the meaning of "participate" in a paving assessment; paving to County standards; consenting to a special assessment for the value of an asphaltic overlay for Carillon Street; the current trip count for Carillon was 291 vehicles and 150% of that would be 450 vehicles; and paving the length of Carillon Street which was about 500 feet.

Chairman Gallagher called on the motion; the motion passed with Mr. Nurrenbrock voting nay.

Mr. Goldstein requested to work with Staff on the drafting of the special assessment portion of the condition.

Mr. Nurrenbrock and Ms. Zampetti requested clarification of the motion.

Chairman Gallagher clarified that the DRC motion was to approve the project, have a right-in eastbound on Manton; ALDI would pave Manton to the end of their property and incorporate traffic calming devices on that section.

Further discussion continued regarding the specifics and conditions of the motion.

Mr. Goldstein added to Mr. Kennedy's motion "in the event ALDI fails to perform the repaving to Carillon Street when required, they would consent to the special assessment on the ALDI property for the value of that pavement."

Chairman Gallagher asked if a motion was required to add Mr. Goldstein's addition of the special assessment.

**MR. KENNEDY AMENDED** his motion to include "in the event ALDI fails to perform the repaving to Carillon Street when required; they would consent to the special assessment on the ALDI property for the value of that pavement" to the previous motion."

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

**P5 Class II, Village Market of Wesley Chapel (DPR87-70), Variance requests- Christopher S. McNeal, McNeal Engineering-Relief from LDC Sections 603.7, 603.9, and 603.12 to allow reduction in building perimeter landscaping, buffer widths, and allow over stormwater to be 50% of buffer. Location: 5331 SR 581, at the southwest corner of SR 54 and SR 581I Sec 07, Twn 26 S, Rng 20 E  
Memorandum ZN10-162  
Recommendation: Approval with conditions  
Comm. Dist. 2**

The item was withdrawn by Staff.

## **NON-VARIANCE PETITIONS**

### **OTHER**

**P6 Class II, Wal-Mart (Hudson), Driveway Amendment-Wal-Mart Stores East, Inc., (IIPR05-001)-Location: On the east side of US 19, north of Beacon Woods Drive and south of Di Paola Drive; Section 03, Twn 25 S, Rng 16 E  
Memorandum ZN10-168  
Recommendation: Approval with conditions  
Comm. Dist. 5**

Staff requested the item be continued to June 24, 2010, 1:30 p.m., New Port Richey.

Mr. David Walfall, representative for Wal-Mart, was in agreement with the continuance.

**MR. NURRENBROCK MOVED** to continue the item to June 24, 2010, 1:30 p.m., New Port Richey.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

**OTHERS**

**R1 NOTED ITEM – Class I, Summit Medical, Phase IV (IPR10-011) Preliminary/Construction Site Plan and Stormwater Management Plan and Report-Summit Medical Partnership-Location: North of SR 52, approximately 475 feet east of Zimmerman Road, Section 03, Twn 25 S, Rng 16 E  
Memorandum ZN10-154  
Recommendation: Not Applicable  
Comm. Dist. 5**

The item was noted.

**ADJOURN**

**MR. NURRENBROCK MOVED** to adjourn.

Chairman Gallagher called on the motion; the vote was unanimous and the motion carried.

The Committee adjourned at 3:18 p.m.

(SEAL)

DEVELOPMENT REVIEW COMMITTEE  
REGULAR MEETING  
APRIL 1, 2010

*Office of Paula S. O'Neil, Clerk and Comptroller*

Prepared By: \_\_\_\_\_  
Beverly Beeson, Deputy Clerk  
Board Records Department