

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**

September 24, 2009

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

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.
Development Director
Richard Gehring
Growth Management Administrator
James C. Widman, P.E.
Engineering Services Director
Debra M. Zampetti
Zoning/Code Compliance
Administrator
Ahsan Khalil - **Absent**
Transportation Planner II
Paul J. Montante
Technical Specialist II
Representative of the Clerk
of the Circuit Court
Frank Schlotter – **Absent**
Division Engineer
Michele Baker - **Absent**
Chief Assistant County Administrator

LEGAL COUNSEL

David A. Goldstein,
Senior Assistant County Attorney

CALL TO ORDER

Chairman Gallagher called the meeting to order at 1:31 p.m.

ROLL CALL

Ms. Vickie Perez, Deputy Clerk, called the roll. All Members were present. Ms. Perez swore in everyone who planned to present testimony.

The proof of publication was provided to the Clerk.

MINUTES

- M1 July 16, 2009 – Minutes – DRC – DRC Minutes for Approval
Memorandum: DR09-980
Recommendation: Approve**
- M2 August 13, 2009 – DRC Minutes – DRC – DRC Minutes for Approval
Memorandum: DR09-928
Recommendation: Approve**
- M3 August 27, 2009 – DRC Minutes – DRC – DRC Minutes for Approval
Memorandum: DR09-982
Recommendation: Approve**

MR. NURRENBROCK MOVED approval of the July 16, 2009, August 13, 2009 and August 27, 2009 minutes.

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

VARIANCE PETITIONS

ZONING/CODE COMPLIANCE

- P1 Zoning Petition – Mar-Go Interiors, Inc./Logan Outdoor Advertising, Inc. –
Location: On the north side of S.R. 54, approximately 750 feet west of
Pointe Pleasant Boulevard; Section 07, Twn 26 S, Rng 20 E
Memorandum: ZN09-2000
Recommendation: Denial**

The item was withdrawn by Staff.

- P2 Zoning Variance Petition – Mar-Go Interiors, Inc./Logan Outdoor
Advertising, Inc. – For an increase in the maximum allowed distance for the
relocation of a billboard from 1,320' to 2.4 miles. Location: on the north**

**side of S.R. 54, approximately 750 feet west of Pointe Pleasant Boulevard;
Section 07, Twn 26 S, Rng 20 E
Memorandum: ZN09-2009
Recommendation: Denial**

The item was withdrawn by Staff.

**P3 Zoning Variance Petition – Leonce and Amale Tremblay-Location: On the east side of Stanhope Drive approximately 150 feet north of Wimpole Drive; Section 27, Twn 26 S, Rng 16 E
Memorandum: ZN-09-2002
Recommendation: Approval with conditions.**

Mr. Lee Millard, Assistant Zoning/Code Administrator, gave a brief explanation of the item. He noted the Homeowner's Association had added a condition which required the applicant must camouflage any window air conditioners. Staff recommended approval with conditions as follows: the applicant must comply with fire code separation requirements between buildings and they would have to obtain all required permits.

Ms. Nicole Carmack, representative for the applicant, was in agreement with Staff's recommendation to include conditions as stated.

MR. NURRENBROCK MOVED approval of Staff's recommendation to include conditions as stated.

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

DEVELOPMENT REVIEW SERVICES – DEVELOPMENT REVIEW

**P4 Class I, Leader's Furniture S.R. 54(IPR07-019), Variance Request – Jerry and Linda Newton – Location: On the northwest corner of S.R. 54 and Catfish Lake Road; Section 30, Twn 26 S, Rng 19E
Memorandum: DR09-819
Recommendation: Approval with conditions**

Ms. Cynthia Jolly, Development Director, gave a brief explanation of the item. Staff recommended approval with conditions as listed in the packet.

Mr. Tim Wilburn, Frontier Engineering, was in agreement with Staff's recommendation.

MR. NURRENBROCK MOVED approval of Staff's recommendation.

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

**P5 Class I, Michael's Deli (IPR08-041), Variance Request – Geradi Construction, Inc. – Location: At the southeast corner of Grand Boulevard and Dove Drive approximately 630 feet north of Moog Road; Section 20, Twn 26 S, Rng 16 E
Memorandum: DR09-939
Recommendation: Approval with conditions**

Ms. Jolly gave a brief explanation of the item through photographs utilizing the overhead projector. Staff recommended approval with conditions as listed in the packet.

Mr. Ray Buzman was in agreement with Staff's recommendation.

MR. NURRENBROCK MOVED approval of Staff's recommendation.

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

**P6 Class I, Radiant Convenience Store, (IPR09-036), Variance Requests – The Radiant Group, LLC – Location: On the northeast corner of C.R. 54 (Wesley Chapel Boulevard) and Oakley Boulevard; Section 12, Twn 25 S, Rng 19 E
Memorandum: DR09-949
Recommendation: Approval with conditions**

Ms. Jolly gave a brief explanation of the item through photographs utilizing the overhead projector.

Mr. Robin Kendall was in agreement with Staff's recommendation.

MR. NURRENBROCK MOVED approval of Staff's recommendation.

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

**P7 Class III, Concord Station, Phases 1-5 (f.k.a. LeDantec, Phases 1-5) Preliminary Plan Extension Variance Request – Concord Station, LLP – Location; On the north side of S.R. 54, approximately 1.5 miles west of the intersection of S.R. 54 and U.S. 41; Sections 15, 21, and 22, Twn 26 S, Rng 18 E
Memorandum: DR09-953
Recommendation: Partial Approve**

Ms. Jolly gave a brief explanation of the item through photographs utilizing the overhead projector. She said the applicant was requesting three Variances as follows: to establish 2003 as the applicable approval; to waive the six year time period to plat at least 50%; and to establish an expiration date of March 27, 2013 to achieve 100% of platting of the project.

Discussion followed between the Members and Staff regarding the expiration date; the amount of platting that had occurred; language reflected in Condition Number 74; and whether or not the language in Condition Number 3 included the two year extension.

MR. NURRENBROCK MOVED to delete Condition Number 74.

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

MR. NURRENBROCK MOVED to amend Condition Number 3 to include language which stated "this includes the two year extension as granted by Board Resolution Number 09-269".

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

Mr. Nurrenbrock confirmed that Staff was requiring only the bubbles that had not been platted to comply with the Neighborhood Park Ordinance.

Mr. Michael Brooks, representative for the applicant, gave a brief explanation of the project through photographs utilizing the overhead projector.

Discussion followed regarding when the letter of notification of the project termination date was forwarded to the applicant; whether or not the termination date was appealed by the applicant; what the standard language regarding an expiration date was; whether or not a concurrency certificate had been issued; and whether or not platting could take place if the project were on hold.

Mr. Ed Mazer, President of Florida Design Consultants, gave a brief explanation regarding why the project had not been platted to the 50% that was required.

Ms. Jolly read into the record the letter that was forwarded to the applicant by Staff regarding the project expiration date.

Discussion followed regarding what progress had been made on the project since receipt of the letter; why the applicant felt the project was on hold; why the applicant did not wish to go through construction plan approval; which portion of the project was in question regarding the platting; and the fact that the project had expired when the letter was forwarded to the applicant. Further discussion followed regarding whether or not the applicant had an issue with Staff's recommendation regarding Phases III and V.

Mr. Jim Bavouszt, Developer, said he would comply with the Neighborhood Park Ordinance for Phases III and IV and to the buffer requirements on Phase II.

MR. PARIKH MOVED approval to establish an expiration date of January 11, 2013.

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

Discussion followed regarding the Waiver of a six year time period for 50% platting and to remove the requirement to comply with the Neighborhood Park Ordinance on Phase II. Further discussion followed regarding whether or not the buffers could be made part of the record or if it would need to go through construction plan approval.

It was decided the buffers could be submitted separately and the landscaping would need to be installed within Phases I and II to meet the code for what had not been platted.

MR. NURRENBROCK MOVED to approve the language “plant buffers where required along the roadways” at which time a landscaping plan could be submitted.

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

MR. PARIKH MOVED approval to require the applicant to comply with the Neighborhood Park Ordinance on Phases III and V.

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

ZONING/CODE COMPLIANCE

**R1 Pasco Commerce Center MPUD – Pasco Industrial, Inc. – Rezoning to MPUD from A-C Agricultural to MPUD Master Planned Unit Development to allow 1,200,000 square feet of industrial use; on the east and west sides of Pasco Road, east of I-75, and approximately one-quarter mile north of S.R. 52; Sections 04, 05, 08, and 09, Twn 25 S, Rng 20 E
Memorandum: ZN09-347
Recommendation: Approval with conditions**

Staff requested the item be continued to October 22, 2009, 1:30 p.m., New Port Richey.

Mr. Ben Harrill, representative for the applicant, was in agreement with continuing the item for 30 days.

MR. JOHNSON MOVED to continue the item to October 22, 2009, 1:30 p.m., New Port Richey.

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

**R2 Trinity College MPUD Rezoning – Trinity College of Florida, Inc. – Rezoning of approximately 40 acres from MPUD Master Planned Unit Development and A-C Agricultural Zoning Districts to an MPUD Master Planned Unit Development District to allow an additional 296,500 square feet of assorted building; on the east side of Welbilt Boulevard, approximately 235 feet north of the intersection of Welbilt Boulevard and Photonics Drive, Section 26, Twn 26 S, Rng 16 E
Memorandum: ZN09-354
Recommendation: Approval with conditions**

Ms. Debra Zampetti, Zoning/Compliance Administration gave a brief explanation of the item. Staff recommended approval with conditions as listed in the packet.

Discussion followed regarding why the item had been delayed.

Mr. Rolly Doves, Spring Engineering, was in agreement with Staff's recommendation.

MR. NURRENBROCK MOVED approval of Staff's recommendation.

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

DEVELOPMENT REVIEW SERVICES

**R3 NOTED ITEM – Class III, Red Hawk Estates – Preliminary/Construction Plan and Stormwater Management Plan and Report Site and Concurrency Extension – FDAF, LLP – Location: On the southwest corner of the intersection of Suncoast Parkway and Shady Hills Road; Section 30, Twn 24 S, Rng 18 E
Memorandum: DR09-924
Recommendation: Not applicable**

The item was noted.

**R4 NOTED ITEM – Class III, Dupree Lakes, Phase 3 – Nonsubstantial Preliminary/Construction Plan Amendment-Beazer Homes – Location: On the east side of Ehren Cutoff, Dupree Drive, and Conner Drive, extending southeasterly to the proposed Collier Parkway Extension; Section 07, Twn 26 S, Rng 19 E
Memorandum: DR09-956
Recommendation: Not applicable**

The item was noted.

**R5 NOTED ITEM – Class III, Suncoast Lakes (SDU02-047), Preliminary Plan Amendment – FC Suncoast, LLC – Location: On the south side of S.R. 52; Sections 12, 13, and 14, Twn 25 S, Rng 17 E
Memorandum: DR09-960
Recommendation: Not applicable**

The item was noted.

ADJOURN

The Committee adjourned at 2:36 p.m.

(SEAL)

DEVELOPMENT REVIEW
COMMITTEE
REGULAR MEETING
September 24, 2009

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

Prepared By: _____
Vickie Perez, Deputy Clerk
Board Records Department