

**RESOLUTION CHANGING ZONING CLASSIFICATION OF
PROPERTY DESCRIBED IN APPLICATION NO. 7824 FROM A
A-C AGRICULTURAL DISTRICT TO A AR-5 AGRICULTURAL-
RESIDENTIAL DISTRICT**

WHEREAS, the Board of County Commissioners of Pasco County, after due public notice, held a public hearing on November 12, 2024, on Rezoning Application No. 7824; and

WHEREAS, the Board of County Commissioners has heard the presentation and evidence of the applicant and individuals in opposition to and in favor of the application; and

WHEREAS, the Board of County Commissioners has taken into consideration other factors relevant to the decision as to whether the zoning classification should be approved for the subject property; and

WHEREAS, the Board of County Commissioners has reviewed the report and recommendations of the Planning Commission and the recommendation of the County staff and does hereby adopt the following findings of fact:

FINDINGS OF FACT:

1. The subject site consists of two single family homes on approximately 92.60 acres. The applicant proposes to develop the property with 18 single family homes on 5 acre lots in conformance with the AR-5 Agricultural-Residential District standards for development.

2. The Applicant has provided the following narrative:

Sandarben LLC, the Applicant and Property Owner, is submitting this Rezoning Application for a 92.6 acre parcel in northeast Pasco County. The Rezoning site is located on the west side of Bellamy Brothers Boulevard approximately two miles north of St. Joe Road and approximately six miles north of State Road 52. To the west of Bellamy Brothers Boulevard, Johnston Road runs along the site's south property line but is a gated private driveway, not a public right-of-way. To the east of Bellamy Brothers Boulevard, Johnston Road operates as a local road that continues east to its termination at Lake Lola Road.

On June 4, 2024, the Board of County Commissioners approved a Large Scale Plan Amendment to change the site's Future Land Use Map Plan Category from the AG, Agricultural Plan Category (1 dwelling unit per 10 acres) to the AG/ R, Agricultural Rural Plan Category(1 dwelling unit per 5 acres). Based on this approval, the Applicant now wishes to rezone the property to align with the approved AG/R Plan Category and allow five-acre lots on the site. This Rezoning Application proposes a Rezoning from the current AC, Agricultural District to the AR-5 Agricultural Residential District. If the Rezoning is approved, the site could be developed with a maximum of 18 single family lots.

3. Access to the property is from Bellamy Bros Boulevard, a County-maintained arterial road with approximately 50 feet of right-of-way.
4. The subject site is not located adjacent to any trails.
5. The subject site is located in Flood Zones "X" and "A" and development is subject to the requirements of the Land Development Code (LDC), Section 1104, Flood Damage Prevention.
6. The surrounding area is characterized by residential and agricultural pursuits development.
7. The subject parcel has a Future Land Use classification of AG/R (Agricultural/Rural). On June 4, 2024, the Board of County Commissioners (BCC) approved a Comprehensive Plan Amendment CPAS 23(11) for a Future Land Use (FLU) amendment from designation from AG (Agricultural) to AG/R (Agricultural/Rural) for the subject parcel.
8. The subject site is within the North Market and Rural Transition Area and is outside of the Urban Service Area.
9. The subject application was submitted for review by the Natural Resources Division, and the following comments were received.
 - a. If during construction activities any evidence of the presence of State or Federally protected plant and/or animal species is discovered, Pasco County and applicable agencies shall be notified within two working days of the plant and/or animal species found on the site. All work in the affected area

shall come to an immediate stop until all pertinent permits have been obtained, agency written authorization to commence activities has been given, or unless compliance with state and federal guidelines can be demonstrated.

- b. A preliminary wildlife survey was provided. This survey shall be provided at the time of first site plan submittal. Natural Resources will verify the survey and condition the approval memo at that time.
- c. A SWFWMD approved wetland delineation survey shall be provided with site plan application submittal.
- d. Pasco County Wetland Categories will be finalized at site plan review upon receipt of the SWFWMD approved wetland delineation survey.

10. The subject application was submitted for review by the Planning, Development and Economic Growth Department (Planning Services), and the following comments were received.

- a. The proposed rezoning from a A-C Agricultural District to a AR-5 Agricultural-Residential District is consistent with the existing AG/R (Agricultural/Rural) Future Land Use (FLU) Classification.

11. On July 1, 2024, the applicant met with staff for a pre-application meeting to discuss the requirements of the subject rezoning and/or associated preliminary site plan or preliminary development plan review (PREAPP-2024-00221).

12. On August 3, 2024, the owner/applicant submitted a waiver request for a neighborhood meeting. The Zoning Administrator granted the neighborhood meeting waiver request.

13. On June 26, 2024, the subject request was found to be exempt from Timing and Phasing T&P-2024-00057) as the highest and best use of the proposed Zoning District would result in a gross trip increase of less than 50 peak hour trips a.m. or p.m., whichever is higher. Access Management Analysis shall be performed at the time of Preliminary Site Plan, or Preliminary Development Plan, if applicable.

14. Bellamy Bros Boulevard was determined to be exempt from Substandard Roadway Analysis since Bellamy Bros Boulevard is an arterial; thus, it is not subject to Substandard Roadway Review per LDC 901.4. (SSRRA-2024-00183).

15. On May 3, 2022, the BCC adopted the Corridor Preservation Tables in the Transportation Element of the Comprehensive Plan, necessitating the preservation of right-of-way along certain roadways. The tables require a corridor preservation width of 114 feet for Bellamy Bros Boulevard for future road improvements.
16. Subject to the LDC, Section 901.2.I (Transportation-Corridor Management; Dedication-Rough Proportionality), the owner/applicant, may be required to convey, at no cost to Pasco County, the amount of right-of-way needed to achieve 57 feet from the centerline of Bellamy Bros Boulevard. The required width is based on the Pasco County Corridor Preservation Table as amended, located in the Comprehensive Plan, Transportation Element, for arterial/collector and major intersection right-of-way requirements.
17. The LDC, Section 403, requires that owners/applicants submit a preliminary site plan or preliminary development plan, as applicable, for review and approval prior to the development or redevelopment of the property.
18. The proposed request is consistent with the LDC, Chapter 400, Permit Types and Applications; Section 402.1.E, Zoning Amendments, Review Considerations; and the applicable provisions of the County's Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County, Florida, with a quorum present and voting, this 12th day of November 2024, that the zoning classification of the following described real property is hereby changed from a A-C Agricultural District to a AR-5 Agricultural-Residential District.

See Description on Exhibit A Attached

DONE AND RESOLVED this 12th day of November 2024

(SEAL)

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

NIKKI ALVAREZ-SOWLES, ESQ
PASCO COUNTY CLERK & COMPTROLLER

Sandarben LLC 25-11RZ

RONALD E. OAKLEY, CHAIRMAN