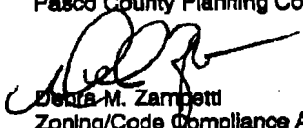


ZONING PETITION REVIEW REPORT

TO: **Pasco County Planning Commission** **PETITION #6271**
 FROM:  **Commission District #1**
Rita M. Zampetti
Zoning/Code Compliance Administrator **Planning Commission**
SUBJECT: Rezoning Request **Board of County Commissioners**
Southeast Pasco County **Hearing Date: 11/23/04, DC**
 APPLICANTS: **NEIL E AND RITA M. RUCKS/** **TAZ #249 and 250**
RUCKS MPUD

PETITION SUMMARY:

Petition No. **6271** in the names of **Neil E. and Rita M. Rucks/Rucks** 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 Gall Boulevard (U.S. 301) and Chancey Road, extending southerly approximately one-half mile on the east and west sides of Crystal Springs Road (Portions of Sections 22, 23, 26, and 27, Township 26 South, Range 21 East), and contains 276.1 acres, m.o.l.**

Project Name:	Rucks
Developers' Names:	Neil E. Rucks and Rita M. Rucks
Future Land Use Classifications:	RES-3 (Residential - 3 du/ga) and RES-9 (Residential - 9 du/ga)
Water/Sewage:	Pasco (Central)
No. of Dwelling Units:	510
Type of Dwelling Units:	Single-Family Detached; Single-Family Attached/Townhouses
Commercial Acres/Square Feet	19 Acres/120,000 Square Feet C-1 Neighborhood Commercial Uses Only; C-2 General Commercial, Specific Use for a Grocery Store in Excess of 100,000 Square Feet

The surrounding zoning districts and land uses are as follows:

	<u>Zoning District</u>	<u>Land Use</u>
North:	A-R Agricultural-Residential; C-2 General Commercial; R-MH Mobile Home	Chancey Road; Convenience Store; Gas Station; Electric Equipment Storage
East:	A-C Agricultural; A-R Agricultural-Residential; C-2 General Commercial	Pastureland; Single-Family Dwelling; Undeveloped
South:	C-2 General Commercial; A-R Agricultural-Residential; A-C Agricultural	Single-Family Dwellings; Mobile Homes; Festival Park
West:	A-R Agricultural-Residential; A-C Agricultural; R-MH Mobile Home; C-2 General Commercial	Gall Boulevard (U.S. 301); RV Park; Mobile Homes; Zephyrhills Correctional Prison

FINDINGS OF FACT:

1. Presently, the subject site contains **single-family dwellings, farm buildings, a cattle farm, and pastureland**. The applicants propose to develop the property with **410 single-family lots, 100 single-family attached units/lots, and 120,000 square feet of commercial**.
2. The surrounding area is characterized by **residential and commercial uses**.

3. Access to the site is from U.S. 301 (Gall Boulevard), which has approximately 100 feet of right-of-way, and within the area of development, has been designated a four-lane arterial facility on Map 7-18, 2025 Future Number of Lanes Map, and Map 7-20, 2025 Future Roadway Functional Classification, of the Comprehensive Plan currently in effect.
4. Access is also provided by Crystal Springs Road, a County-maintained, two-lane collector roadway with 50 to 80 feet of existing right-of-way and 20 feet of asphalt.
5. The developers/applicants are requesting to utilize 19 acres for commercial use. Based upon a floor area ratio (FAR) of .27 for the RES-9 (Residential- 9 du/ga) Land Use Classification, the developers/applicants' maximum amount of FAR for commercial would be 223,463 square feet; the developers/applicants propose 120,000 square feet.
6. Water and sewer services are to be provided by the Pasco County Utilities Department.
7. The proposed development is within Flood Zones 'A', 'AE', and 'X' according to the Federal Emergency Management Agency flood insurance rate maps. Development within Flood Zones 'A' and 'AE' must comply with the requirements of Article No. 700, Flood Damage Prevention, of the Land Development Code.
8. Approval of the commercial use is at the discretion of the DRC and/or the Board of County Commissioners as the recommending body.
9. 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.

STAFF RECOMMENDATION:

Approval with Conditions

DEVELOPMENT REVIEW COMMITTEE ACTION (10/7/04):

Approval with Amended Conditions

AMENDED:

4. The developers have submitted an environmental/habitat study which has been reviewed and the following conditions shall apply:
 - a. Prior to preliminary plan/preliminary site plan approval:
 - (1) The applicants shall complete an updated Gopher Tortoise Survey and submit copies for review and approval to the Florida Fish and Wildlife Conservation Commission (FFWCC) and to the Pasco County's Biologist. Preliminary plan/preliminary site plan conditions may be necessary to address any concerns regarding the updated survey.
 - (2) The applicants shall acquire appropriate permits from the FFWCC in regard to the Gopher Tortoise population on site and shall submit copies to the Development Review Division (DRD) for their files.
 - b. ~~Prior to construction plan/construction site plan approval. The applicants shall acquire an Environmental Resource Permit from the SWFWMD and shall submit copies to the DRD for their files.~~
12. At each preliminary plan/preliminary site plan approval, the Development Review Committee (DRC) may also require further intersection improvements for the following intersections: along the project's entrance road intersections and U.S. 301, and Crystal Springs Road and the project's entrance road intersections, and Crystal Springs Road and Chancey Road.
24. ~~The owners/applicants shall receive approval for the traffic impact study and substandard road analysis in accordance with Resolution No. 04-203 prior to submittal of the first preliminary plan. Preliminary plan conditions shall be established to address these transportation improvements in accordance with this study.~~

24. ~~25.~~—The developers have submitted a traffic study which was reviewed by the staff of the Metropolitan Planning Organization. Prior to approval of the first record plat for the affected increment or phase or where platting is not required prior to approval of the first construction plan/construction site plan, the developers shall construct the following site-related improvements:

- a. The developers shall design Crystal Springs Road as a two-lane collector road, including all drainage that shall be accommodated in a drainage plan. The developers shall improve Crystal Springs Road from the southern boundary of the property, north to Chancey Road, to County standards and in accordance with Resolution No. 04-203, Guidelines for Rezonings and Review Fees for Traffic Impact Studies and Substandard Roads, except the same shall be improved to the southern boundary of the property including all necessary intersection improvements at Chancey Road and Crystal Springs Road, including exclusive, northbound left and right turn lanes and exclusive, eastbound right turn lanes to County standards prior to the first record plat.

37. ~~38.~~—The residential design standards are as follows:

- a. Single-Family Attached Townhouses
- (1) Minimum Lot Width of 25 Feet
 - (2) Minimum Lot Depth of 60 Feet
 - (3) Minimum Front-Yard Setback of 20 Feet from the Back of the Sidewalk
 - (4) Minimum Side-Yard Setback of 7.5 Feet (15 Feet Between Buildings)
 - (5) Minimum Rear-Yard Setback of 15 Feet
 - (6) Minimum Lot Area of 1,500 Square Feet
 - (7) Maximum Lot Coverage of 100 Percent
- b. ~~Single-Family Detached~~
- ~~(1) Minimum Lot Width of 55 Feet~~
 - ~~(2) Minimum Lot Depth of 120 Feet~~
 - ~~(3) Minimum Front-Yard Setback of 20 Feet~~
 - ~~(4) Minimum Side-Yard Setback of 7.5 Feet~~
 - ~~(5) Minimum Rear-Yard Setback of 15 Feet~~
 - ~~(6) Maximum Lot Coverage of 50 Percent—Principal Structure~~
 - ~~(7) Maximum Lot Coverage of 15 Percent—Accessory Structure~~
- b. ~~g.~~ Single-Family Detached (50' X 115')
- (8) Minimum Lot Width of 50 Feet
 - (9) Minimum Lot Depth of 116 Feet
 - (10) Minimum Front-Yard Setback of 20 Feet
 - (11) Minimum Side-Yard Setback of 7.6 Feet
 - (12) Minimum Rear-Yard Setback of 15 Feet
 - (13) Maximum Lot Coverage of 50 Percent—Principal Structure
 - (14) Maximum Lot Cover of 15 Percent—Accessory Structure
- ~~*The total number of 50' X 115' lots shall not exceed 400.~~

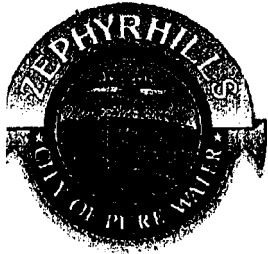
- b. ~~The commercial parcel(s) shall be developed in accordance with C-1 Neighborhood Commercial uses, including, but not limited to, a shopping plaza, and C-2 General Commercial, Specific Use for a grocery store in excess of 100,000 square feet only.~~

PLANNING COMMISSION ACTION:

Approval of Staff Recommendation: 10 Ayes; 0 Nays

BOARD OF COUNTY COMMISSIONERS ACTION:

Approval of Planning Commission Recommendation



City of Zephyrhills

City of Pure Water

335 Eighth Street • Zephyrhills, Florida 33542-4312
(813) 780-0000 • FAX (813) 780-0005

W. CLIFF McDUFFIE
Mayor

CITY COUNCIL

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City Manager

LINDA D. BOAN
City Clerk

KARLA S. OWENS
City Attorney

August 25, 2005

Shelly May Johnson, Esquire
Figurski & Harrill
The Oaks at Perrine Ranch
2550 Permit Place
New Port Richey, FL 34655

**RE: Amendment to Ordinance 885-04, Rezoning of property to City PUD
Neil and Rita Rucks Property**

Dear Attorney Johnson:

This is to inform you that at the August 22nd, meeting of the Zephyrhills City Council, the petition that was submitted on behalf of Mr & Mrs. Rucks for amending their Planned Unit Development was approved.

Also enclosed for your information and records is a copy of the executed Ordinance No. 934-05 (Amendment to the PUD) that has been sent for recording with Pasco County. If you have any questions, please do not hesitate to call me at (813) 780-0006.

Sincerely,

Todd H. Vande Berg
Director of Development Services

Enclosure

ORDINANCE NO.: 934-05

AN ORDINANCE OF THE CITY OF ZEPHYRHILLS FLORIDA APPROVING AN AMENDMENT TO ORDINANCE 885-04 REZONING THE SUBJECT PROPERTY HEREINAFTER DESCRIBED TO CITY ZONING CATEGORY PUD (PLANNED UNIT DEVELOPMENT) IN ACCORDANCE WITH THE PROVISION OF SECTION 166.041, FLORIDA STATUTES; PROVIDING FOR CODIFICATION, CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Neil and Rita Rucks, the owners of lands hereinafter described in Section 2 below, did petition for Future Land Use Map (FLUM) designation and rezoning of said land; and

WHEREAS, the City Council approved the annexation, rezoning and future land use amendment of said land within the corporate limits of the City on December 13, 2004; and

WHEREAS, the applicants have recently requested an amendment to the approved PUD zoning to substitute 432 multi-family housing units in an area of the project previously designated for 134 single-family homes; and

WHEREAS, the subject property associated with the amendment is located on the south side of Chaucey Road and involves multiple parcels of land totaling 274 acres m.o.l.; and

WHEREAS, the Planning Commission, sitting as the Local Planning Agency did hold a public hearing on July 12, 2005 to consider said proposed amendment; and

WHEREAS, the City Council has determined that the amendment of the prior PUD (Planned Unit Development) to substitute multi-family for single family homes in a designated area of the project would be appropriate, would promote the general welfare, and encourage proper development within the City.

NOW THEREFORE BE ENACTED AND ORDAINED BY THE CITY COUNCIL OF ZEPHYRHILLS, FLORIDA AS FOLLOWS:

Section 1: The above Whereas clauses are hereby adopted and incorporated herein.

Section 2: A portion of the following described lands, lying and being situated in Pasco County, to wit:

SEE EXHIBIT "A" ATTACHED HERETO:

PARCEL I.D. NOS. : 23-26-21-0000-00200-0000; 23-26-21-0020-01300-0020; 23-26-21-0020-03300-0000; 23-26-21-10020-04900-0000; 23-26-21-0020-06300-0010; 23-26-21-0020-06500-0000; 23-26-21-0020-08000-0000; 23-26-21-0020-09700-0000; 24-26-21-0000-00400-0000; 24-26-21-0000-00400-0010; 24-26-21-0000-00500-0000; 24-26-21-0010-03900-0010; 24-26-21-0010-07100-0000; 24-26-21-0010-07200-0000; 24-26-21-0010-10100-0000; 25-26-21-0010-00500-0000; 25-26-21-0010-01200-0000; and 25-26-21-0010-01300-0000.

264.44 acres m.o.l.

are hereby as attached on Exhibit "A" incorporated herein, and subject to the following conditions:

Section 4: That if any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 5: This rezoning amendment shall take effect as provided in the City Charter and Chapter 163, Florida Statute.

The foregoing Ordinance No. 934-05 was read and passed on the first reading in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 8 day of August, 2005.

Attest: Linda D. Boan
Linda D. Boan, City Clerk

Cathi L. Compton
Cathi L. Compton, Council President

The foregoing Ordinance No. 934-05 was read and passed on the second reading, following a public hearing, in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 22nd day of August, 2005.

Attest: Linda D. Boan
Linda D. Boan, City Clerk

Cathi L. Compton
Cathi L. Compton, Council President

The foregoing Ordinance No. 934-05 was approved by me this 22nd day of August, 2005.

W. Cliff McDuffie
W. Cliff McDuffie, Mayor

Approved as to legal form and legal content

Karla S. Owens
Karla S. Owens, City Attorney

EXHIBIT "A"**RUCKS SOUTHEAST RESIDENTIAL PARCEL.**

DESCRIPTION: Port of the Northeast 1/4 of the Southwest 1/4 of Section 24, Township 26 South, Range 21 East, Pasco County, Florida, lying West of the CSX Transportation, Inc. railroad right-of-way; AND part of ZEPHYRHILLS COLONY COMPANY recorded in Plot Book 1, Page 55, and part of CRYSTAL SPRINGS COLONY FARMS recorded in Plat Book 2, Page 24, both of the Public Records of Pasco County, Florida, TOGETHER WITH portions of platted rights-of-way (to be vacated), all lying in Section 23, said Section 24, and Section 25, Township 26 South, Range 21 East, Pasco County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of said Section 24, Township 26 South, Range 21 East, Pasco County, Florida, run thence along the South boundary of said Section 24, S.89°55'25"E., 270.79 feet to the Easterly right-of-way line of State Road No. 39 (Paul S. Buchman Highway); thence along said Easterly right-of-way line the following two (2) courses: 1) N.27°12'20"W., 16.88 feet to the POINT OF BEGINNING; 2) continue N.27°12'20"W., 1392.38 feet to the Southwest corner of that certain parcel of land described in Official Records Book 3540, Page 1461, of the Public Records of Pasco County, Florida; thence along the South boundary of said parcel of land described in Official Records Book 3540, Page 1461, N.82°54'05"E., 367.74 feet to the Southeast corner thereof; thence S.89°42'58"E., 15.00 feet to the West boundary of aforesaid Section 24, thence along said West boundary of Section 24, N.00°17'02"E., 687.23 feet; thence along the South boundary of Tract 80, and the Easterly extension thereof, and In Part the South boundary of Tract 79, of said plat of ZEPHYRHILLS COLONY COMPANY, S.89°18'49"W., 742.26 feet to aforesaid Easterly right-of-way line of State Road No. 39 (Paul S. Buchman Highway); thence along said Easterly right-of-way line, N.24°04'04"W., 151.08 feet; thence along the Southerly right-of-way line of Chancey Road the following four (4) courses: 1) N.24°25'27"E., 42.76 feet; 2) N.76°02'04"E., 811.94 feet to aforesaid West boundary of Section 24; 3) along said West boundary of Section 24 N.00°17'02"E., 20.63 feet; 4) N.76°02'04"E., 1292.50 feet; thence along the Westerly right-of-way line of said CSX Transportation, Inc. railroad right-of-way, the following two (2) courses: 1) S.25°21'34"E., 986.42 feet; 2) S.25°23'23"E., 3426.24 feet; thence along the South boundary of Tract 13B, of said plat of CRYSTAL SPRINGS COLONY FARMS, and the Westerly extension thereof, S.89°38'44"W., 474.59 feet; thence along the South boundary of Tract 12, of said plat of CRYSTAL SPRINGS COLONY FARMS, and the Easterly extension thereof, N.89°50'12"W., 659.09 feet to the Southwest corner of said Tract 12; thence along the West boundary of said Tract 12, and the West boundary of Tract 5, of said plat of CRYSTAL SPRINGS COLONY FARMS, and the Northerly extension thereof, N.00°20'53"E., 1317.97 feet to the South boundary of Tract 124, of said plat of ZEPHYRHILLS COLONY COMPANY; thence along said South boundary of Tract 124, and the South boundary of Tracts, 121, 122, and the Easterly extension thereof, and Tract 323, and the Westerly extension thereof, of said plat of ZEPHYRHILLS COLONY COMPANY, N.89°55'25"W., 1768.85 feet to the POINT OF BEGINNING.

Containing 142,909 acrtia, more or less,

**RUCKS
MASTER PLANNED UNIT DEVELOPMENT
CONDITIONS OF APPROVAL
REZONING PETITION NO. 6271**

Master Development Plans

1. Development shall be in accordance with the application, plans, and information submitted January 14, 2004, unless otherwise stipulated or modified herein.

Instructions

2. The developers shall submit, within 45 days of the Pasco County Board of County Commissioners 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 plans, the preliminary plans/preliminary site plans will not be accepted for review.
 - a. Revise master plan to show only internal access to Parcel A (or any commercial).
 - b. Revise master plan to provide a minimum lot detail for the townhouse lots in accordance with Condition No. 37a.
 - c. Revise master plan to show minimum lot detail for single-family detached lots in accordance with Condition No. 37b.
 - d. Revise the master plan to remove reference of ,five-footside-yard setback.
 - e. Revise master plan to show commercial square feet to be 120,000.

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; i.e., the Southwest Florida Water Management District (**SWFWMD**), the Florida Department of **Environmental** Protection, or the Army Corps of Engineers. These boundaries may be adjusted following appropriate permit approval and shall be shown on each preliminary **plan/preliminary** site plan and platted as conservation/preservation areas. 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. **The** developers have submitted an **environmental/habitat** study which has been reviewed and the following conditions shall apply:
 - a. Prior to preliminary **plan/preliminary** site plan approval:
 - (1) The applicants shall complete an updated Gopher Tortoise Survey and submit copies

5. Prior to any clearing or grubbing associated with the preliminary **plan/preliminary** site plan approval of any unit or phase, the developers shall submit a copy of any required Incidental Take Permit issued by the FFWCC to the DRD.
6. The developers have submitted an Archaeological/Historical Survey, which was reviewed and found acceptable by Pasco County on February 3, **2004**. 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."
7. The developers 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 Board, a Community Development District, hereinafter known as CDD, that encompasses 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. The developers shall convey in fee simple to the association or the CDD, for ownership and maintenance, all open space, drainage areas, common areas, landscape areas, wetland areas, 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 funded by the CDD or the homeowners' association shall be credited to such entity and not the developers.

Ordinances

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

Transportation/Circulation

Access Management

10. The developers 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.
11. Prior to final **site/construction** plan approval of any project abutting a State roadway, the **owners/developers** 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/developers** 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.

shall be equipped with a system approved by the Emergency Services Director, prior to construction plan approval, to allow fire and other emergency vehicles immediate access to the development.

15. All accesses shall be in conformance with Pasco County Access Management 2003.
16. No residential driveway access shall be allowed to U.S. 301, Crystal Springs Road, or Chancey Road.

Dedication of Right-of-Way

17. Crystal Springs Road shall remain a public roadway. All remaining subdivision roadways shall be public unless otherwise approved by the DRC prior to preliminary plan/preliminary site plan approval for that increment or phase.
18. In the case of private streets, dedication and maintenance shall be to an appropriate entity (other than Pasco County).
19. 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.
20. The developers shall convey at no cost to Pasco County right-of-way to total 135 feet for Crystal Springs Road for that portion which is contained within the development. The developers shall provide appropriate and sufficient drainage facilities at no cost to Pasco County on the developers' property, or at another site acceptable to the County, for mitigation for all impacts associated with the initial and future improvements of Crystal Springs Road. All conveyances shall occur at record plat, or where platting is not required, prior to the issuance of the first Building Permit or within 180 days of the County's request, whichever occurs first.
21. The developers shall convey at no cost to Pasco County right-of-way to total 67.5 feet from the centerline of Crystal Springs Road for that portion of Crystal Springs Road that abuts the property to the north and south. The developers shall provide appropriate and sufficient drainage facilities at no cost to Pasco County on the developers' property, or at another site acceptable to the County, for mitigation for all impacts associated with the initial and future improvements of Crystal Springs Road. All conveyances shall occur at record plat or within 180 days of the County's request.
22. The developers shall convey at no cost to Pasco County right-of-way to total 100 feet from the centerline of U.S. 301 for the entire length of the property abutting U.S. 301. The developers shall provide appropriate and sufficient drainage facilities at no cost to Pasco County on the developers' property, or at another site acceptable to the County, for mitigation for all impacts associated with the initial and future improvements of U.S. 301. All conveyances shall occur at record plat, or where platting is not required, prior to the issuance of the first Building Permit or within 180 days of the County's request, whichever occurs first.

Design/Construction Specifications

23. Alternative roadway-design standards may be considered and approved by the DRC at the time of each preliminary plan/preliminary site plan approval.
24. The developers have submitted a traffic study which was reviewed by the staff of the Metropolitan Planning Organization. Prior to approval of the first record plat for the affected increment or phase or where platting is not required prior to approval of the first construction plan/construction site plan, the developers shall construct the following site-related improvements:
 - a. The developers shall design Crystal Springs Road as a two-lane collector road, including all drainage that shall be accommodated in a drainage plan. The developers shall improve Crystal Springs Road from the southern boundary of the property, north to Chancey Road, to County standards and in accordance with Resolution No. PA 000, Guideline 1.1.1.

- c. At the intersection of U.S. 301 and Residential Drive 1 (future S.R. 56):
 - (1) Construct a northbound, right-turn deceleration lane with sufficient deceleration and taper length per FDOT Index No. 301.
 - (2) Construct a southbound, left-turn deceleration lane with minimum storage length of 100 feet and sufficient deceleration and taper length per FDOT Index No. 301.
 - (3) Prior to platting of the 301st residential unit, the developers shall pay \$75,000.00 for the signalization at the intersection of the proposed S.R. 56 and the existing U.S. 301.
- d. At the intersection of U.S. 301 and Residential Drive 2 (northern residential entrance):
 - (1) Construct a northbound, right-turn deceleration lane with sufficient deceleration and taper length per FDOT Index No. 301.
 - (2) Construct a southbound, left-turn deceleration lane with minimum storage length of 100 feet and sufficient deceleration and taper length per FDOT Index No. 301.
 - (3) Signalize when warranted.

25. Prior to the first preliminary plan/preliminary site plan approval, the following off-site improvements shall be completed or committed in the Pasco County or FDOT Capital Improvement Plan, or the developers shall enter into an agreement with the County requiring the developers to adequately mitigate the project's transportation impacts.

Off-site improvements include:

Signalization of the U.S. 301 and S.R. 39 intersection.

- 26. Prior to the first preliminary ~~plan~~/preliminary site plan approval, the developers shall enter into a development agreement with Pasco County or, at the County's option, obtain Right-of-way Use Permits for the construction of Crystal Springs Road and any off-site roadway improvements identified by the approved traffic study.
- 27. Prior to any final plat occurring after December 31, 2008, or preliminary site plan/construction site plan approval occurring after December 31, 2008, the developers shall submit an updated traffic study utilizing a methodology approved by Pasco County. The DRC may impose additional conditions based upon the traffic study as approved by Pasco County.
- 28. The traffic study submitted by the applicants assumes the following land uses: 410 single-family lots, 100 condominium~townhouse units/lots, and 170,000 square feet of commercial. Any development of land uses that generate greater traffic impacts than those assumed shall require an updated traffic study utilizing a methodology approved by Pasco County. The DRC may impose additional conditions based upon the traffic study as approved by Pasco County.
- 29. Prior to the first record plat, or where platting is not required, prior approval of the first construction plan/construction site plan, the developers shall provide a Letter of Credit acceptable to Pasco County for 125 percent of the proportionate-share cost of the signalization at the intersection of U.S. 301 and Residential Drive 2 (northern residential entrance). Prior to approval of the last record plat, or anytime at the County's request, the developers shall pay for and perform a signal warrant study. If warranted, the developers shall pay for the proportionate-share cost of signalization.
- 30. No access points are approved as shown on the master plan; therefore, prior to or concurrent with the first preliminary plan/preliminary site plan submittal, the developers shall submit a roadway alignment and construction phasing plan to the Growth Management Department for review. The plan shall include, at a minimum, intersection geometry, phasing, internal access points, and alignment for the

32. The developers 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, Florida Statutes, 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

33. The developers 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.
34. 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.
35. A Master Utility Plan for the entire development shall be submitted to the Utilities Services Branch for review and approval prior to submittal of the first construction **plan/construction** site plan. This utility plan shall minimally show the following:
- a. Trunk sewer lines and lift stations.
 - b. Main potable water lines and nonpotable water lines, if applicable.
 - c. Sewage treatment facility locations, including discussion of the proposed method of treatment and the feasibility of a nonpotable water system for irrigation.
 - d. Method of lighting all nonlocal roads shall be submitted at the time of record plat submittal for each unit or phase.
 - e. Master utility plans shall be presented in a written format in conformance with the Master Utility Plan guidelines implemented by the Utilities Services Branch. Prior to the first construction **plan/construction** site plan approval, the developers and the County shall enter into a Utilities **Service** Agreement.
36. The developers shall construct all water and wastewater facilities within the development to current Pasco County standards. A complete set of instructions may be obtained from the Utilities Services Branch.

Land Use

37. The **residential** design standards are as follows:
- a. **Single-Family Attached Townhouses**
 - (1) Minimum Lot Width of 25 Feet
 - (2) Minimum Lot Depth of 60 Feet
 - (3) Minimum Front-Yard Setback of 20 Feet from the Back of the Sidewalk
 - (4) Minimum Side-Yard Setback of 7.5 Feet (15 Feet Between Buildings)

- b. Single-Family Detached (50' X 115')
 - (1) Minimum Lot Width of **50** Feet
 - (2) Minimum Lot Depth of 115 Feet
 - (3) Minimum Front-Yard Setback of 20 Feet
 - (4) Minimum Side-Yard Setback of 7.5 Feet
 - (5) Minimum Rear-Yard Setback of 15 Feet
 - (6) Maximum Lot Coverage of 50 Percent—Principal Structure
 - (7) Maximum Lot Cover of 15 Percent—Accessory Structure
 - c. All development abutting the Hillsborough River, or the North Branch of the Hillsborough River, shall maintain a 50-foot setback from the mean annual flood line, as established by the SWFWMD. The setback shall remain in native vegetation and impervious surfaces are prohibited within the required setback. The 50-foot setback shall be shown on all **preliminary/preliminary** site plans and platted as a **conservation/easement** in favor of Pasco County, to be maintained by the homeowners' association or CDD.
 - 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. Recreation-center development standards shall be in accordance with the C-1 Neighborhood Commercial District.
 - f. The total aggregate number of dwelling units for Rucks MPUD Master Planned Unit Development shall not exceed 510.
 - g. The maximum floor area for the commercial portion shall not exceed 120,000 square feet of gross floor area, including out-parcels.
 - h. The commercial **parcel(s)** shall be developed in accordance with C-1 Neighborhood Commercial uses, including, but not limited to, a shopping plaza, and C-2 General Commercial, Specific Use for a grocery store in excess of 100,000 square feet only.
 - i. 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.
 - j. 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.
38. The developers shall submit and obtain Board approval of an MPUD Master Planned Unit Development amendment request to intensify development or reduce open space or preservation/conservation areas within an increment prior to any preliminary plan/**preliminary** site plan approval within such increment.
39. 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.

owned by the mandatory homeowners'/property owners'/condominium owners'/merchants' association or CDD.

Procedures

- 43. Unless required elsewhere within the conditions of approval, all conveyances required pursuant to this MPUD Master Planned Unit Development approval shall occur within 180 days of the County's request, shall be in a form acceptable to the Real Estate Division, and shall be free and clear of all liens and encumbrances, including exclusion from the boundaries of any special districts and exemption from all covenants and deed restrictions.
- 44. 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 Board, and the conditions of approval shall be in accordance with the Comprehensive Plan and Land Development Code in effect at that time.
- 45. 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 developers 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.
- 46. 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.
- 47. 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.
- 48. Development shall occur in accordance with Section 402, Concurrency Management System, of the Pasco County Land Development Code.
- 49. Rezoning of this property with conditions of approval does not constitute a final development order, nor does it relieve any developers of responsibilities under the State of Florida Growth Management Legislation as implemented by the Florida Department of Community Affairs and Pasco County.
- 50. 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.

DEVELOPERS' ACKNOWLEDGMENT:

The developers acknowledge that they have read, understood, and accepted the above-listed conditions of approval.

Jan 4 2005
(Date)

Jan 4 2005
(Date)

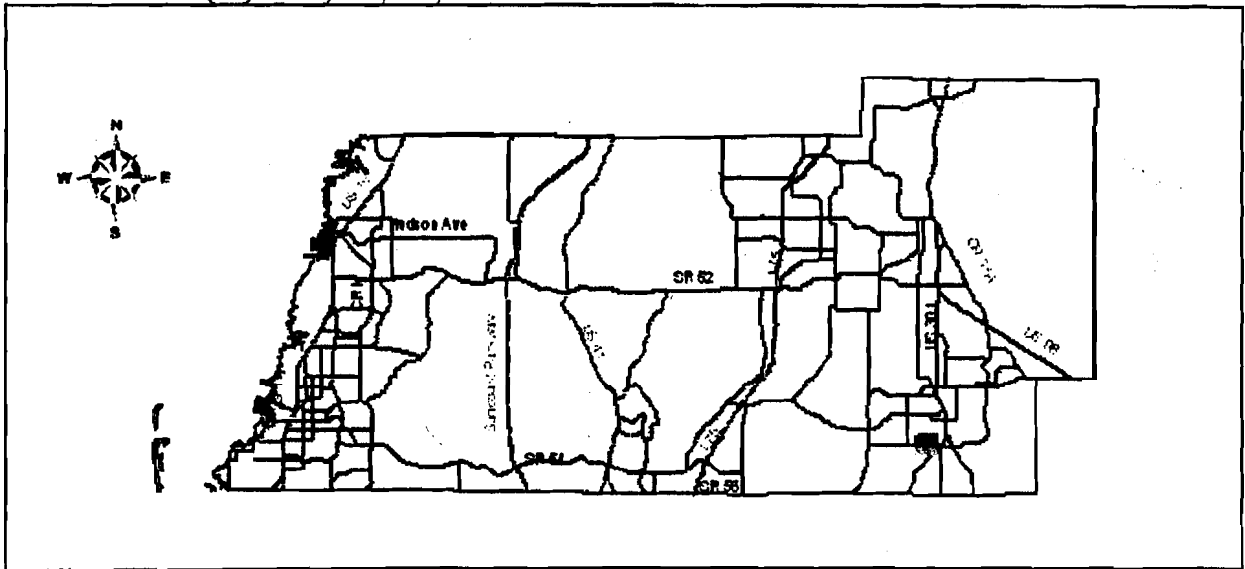
Neil E. Rucks
NEIL E. RUCKS

Rita M. Rucks
RITA M. RUCKS

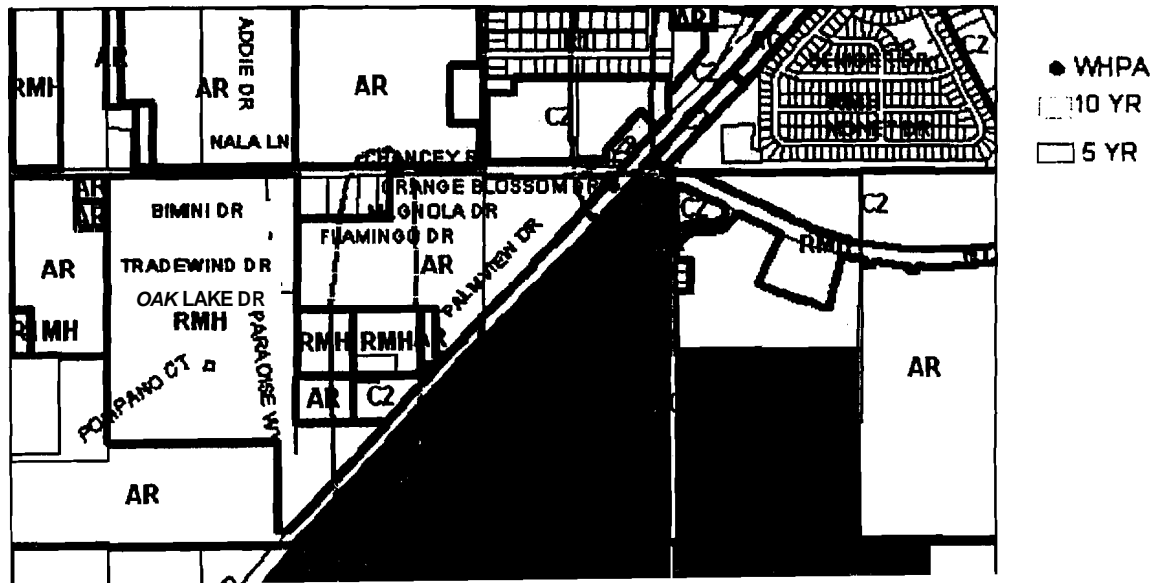
PETITION # RZ6271

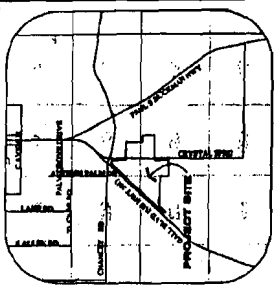
SECTION(S): 22,23,26,27 T.26 S.

R.21 E.



PASCO COUNTY, FLORIDA



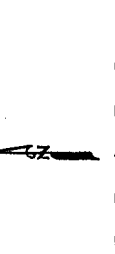


Legend

- 1. Proposed General Public Use
- 2. Proposed Residential Use
- 3. Proposed Commercial Use
- 4. Proposed Industrial Use
- 5. Proposed Office Use
- 6. Proposed Public Use
- 7. Proposed Open Space
- 8. Proposed Water
- 9. Proposed Wetlands
- 10. Proposed Wetlands - Seasonal
- 11. Proposed Wetlands - Intermittent
- 12. Proposed Wetlands - Permanent
- 13. Proposed Wetlands - Shrub
- 14. Proposed Wetlands - Tall Grass
- 15. Proposed Wetlands - Mixed
- 16. Proposed Wetlands - Other
- 17. Proposed Wetlands - Unclassified
- 18. Proposed Wetlands - Unknown
- 19. Proposed Wetlands - No Data
- 20. Proposed Wetlands - No Wetlands

Scale

1" = 200'



**MASTER PLANNED
UNIT DEVELOPMENT
RUCKS PARCEL**
US HWY 301 & CHANCEY RD
Pasco County, Florida

WOODSHED DEVELOPMENT CORP.
3000 SOUTH DALLAS MARSH HIGHWAY
TAMPA, FLORIDA 33618
813-833-0000

Professional Seal
Professional Engineer
No. 12,345
Florida State Board of Professional Engineers
3000 South Dallas Marsh Highway
Tampa, Florida 33618

Parcel	Area (Ac.)	Use	Notes
Parcel A	1.2	Residential	
Parcel B	1.5	Residential	
Parcel C	1.8	Residential	
Parcel D	2.1	Residential	
Parcel E	2.4	Residential	
Parcel F	2.7	Residential	
Parcel G	3.0	Residential	
Parcel H	3.3	Residential	
Parcel I	3.6	Residential	
Parcel J	3.9	Residential	
Parcel K	4.2	Residential	
Parcel L	4.5	Residential	
Parcel M	4.8	Residential	
Parcel N	5.1	Residential	
Parcel O	5.4	Residential	
Parcel P	5.7	Residential	
Parcel Q	6.0	Residential	
Parcel R	6.3	Residential	
Parcel S	6.6	Residential	
Parcel T	6.9	Residential	
Parcel U	7.2	Residential	
Parcel V	7.5	Residential	
Parcel W	7.8	Residential	
Parcel X	8.1	Residential	
Parcel Y	8.4	Residential	
Parcel Z	8.7	Residential	
Parcel AA	9.0	Residential	
Parcel AB	9.3	Residential	
Parcel AC	9.6	Residential	
Parcel AD	9.9	Residential	
Parcel AE	10.2	Residential	
Parcel AF	10.5	Residential	
Parcel AG	10.8	Residential	
Parcel AH	11.1	Residential	
Parcel AI	11.4	Residential	
Parcel AJ	11.7	Residential	
Parcel AK	12.0	Residential	
Parcel AL	12.3	Residential	
Parcel AM	12.6	Residential	
Parcel AN	12.9	Residential	
Parcel AO	13.2	Residential	
Parcel AP	13.5	Residential	
Parcel AQ	13.8	Residential	
Parcel AR	14.1	Residential	
Parcel AS	14.4	Residential	
Parcel AT	14.7	Residential	
Parcel AU	15.0	Residential	
Parcel AV	15.3	Residential	
Parcel AW	15.6	Residential	
Parcel AX	15.9	Residential	
Parcel AY	16.2	Residential	
Parcel AZ	16.5	Residential	
Parcel BA	16.8	Residential	
Parcel BB	17.1	Residential	
Parcel BC	17.4	Residential	
Parcel BD	17.7	Residential	
Parcel BE	18.0	Residential	
Parcel BF	18.3	Residential	
Parcel BG	18.6	Residential	
Parcel BH	18.9	Residential	
Parcel BI	19.2	Residential	
Parcel BJ	19.5	Residential	
Parcel BK	19.8	Residential	
Parcel BL	20.1	Residential	
Parcel BM	20.4	Residential	
Parcel BN	20.7	Residential	
Parcel BO	21.0	Residential	
Parcel BP	21.3	Residential	
Parcel BQ	21.6	Residential	
Parcel BR	21.9	Residential	
Parcel BS	22.2	Residential	
Parcel BT	22.5	Residential	
Parcel BU	22.8	Residential	
Parcel BV	23.1	Residential	
Parcel BV	23.4	Residential	
Parcel BW	23.7	Residential	
Parcel BX	24.0	Residential	
Parcel BY	24.3	Residential	
Parcel BZ	24.6	Residential	
Parcel CA	24.9	Residential	
Parcel CB	25.2	Residential	
Parcel CC	25.5	Residential	
Parcel CD	25.8	Residential	
Parcel CE	26.1	Residential	
Parcel CF	26.4	Residential	
Parcel CG	26.7	Residential	
Parcel CH	27.0	Residential	
Parcel CI	27.3	Residential	
Parcel CJ	27.6	Residential	
Parcel CK	27.9	Residential	
Parcel CL	28.2	Residential	
Parcel CM	28.5	Residential	
Parcel CN	28.8	Residential	
Parcel CO	29.1	Residential	
Parcel CP	29.4	Residential	
Parcel CQ	29.7	Residential	
Parcel CR	30.0	Residential	
Parcel CS	30.3	Residential	
Parcel CT	30.6	Residential	
Parcel CU	30.9	Residential	
Parcel CV	31.2	Residential	
Parcel CW	31.5	Residential	
Parcel CX	31.8	Residential	
Parcel CY	32.1	Residential	
Parcel CZ	32.4	Residential	
Parcel DA	32.7	Residential	
Parcel DB	33.0	Residential	
Parcel DC	33.3	Residential	
Parcel DD	33.6	Residential	
Parcel DE	33.9	Residential	
Parcel DF	34.2	Residential	
Parcel DG	34.5	Residential	
Parcel DH	34.8	Residential	
Parcel DI	35.1	Residential	
Parcel DJ	35.4	Residential	
Parcel DK	35.7	Residential	
Parcel DL	36.0	Residential	
Parcel DM	36.3	Residential	
Parcel DN	36.6	Residential	
Parcel DO	36.9	Residential	
Parcel DP	37.2	Residential	
Parcel DQ	37.5	Residential	
Parcel DR	37.8	Residential	
Parcel DS	38.1	Residential	
Parcel DT	38.4	Residential	
Parcel DU	38.7	Residential	
Parcel DV	39.0	Residential	
Parcel DV	39.3	Residential	
Parcel DW	39.6	Residential	
Parcel DX	39.9	Residential	
Parcel DY	40.2	Residential	
Parcel DZ	40.5	Residential	
Parcel EA	40.8	Residential	
Parcel EB	41.1	Residential	
Parcel EC	41.4	Residential	
Parcel ED	41.7	Residential	
Parcel EE	42.0	Residential	
Parcel EF	42.3	Residential	
Parcel EG	42.6	Residential	
Parcel EH	42.9	Residential	
Parcel EI	43.2	Residential	
Parcel EJ	43.5	Residential	
Parcel EK	43.8	Residential	
Parcel EL	44.1	Residential	
Parcel EM	44.4	Residential	
Parcel EN	44.7	Residential	
Parcel EO	45.0	Residential	
Parcel EP	45.3	Residential	
Parcel EQ	45.6	Residential	
Parcel ER	45.9	Residential	
Parcel ES	46.2	Residential	
Parcel ET	46.5	Residential	
Parcel EU	46.8	Residential	
Parcel EV	47.1	Residential	
Parcel EV	47.4	Residential	
Parcel EW	47.7	Residential	
Parcel EX	48.0	Residential	
Parcel EY	48.3	Residential	
Parcel EZ	48.6	Residential	
Parcel FA	48.9	Residential	
Parcel FB	49.2	Residential	
Parcel FC	49.5	Residential	
Parcel FD	49.8	Residential	
Parcel FE	50.1	Residential	
Parcel FF	50.4	Residential	
Parcel FG	50.7	Residential	
Parcel FH	51.0	Residential	
Parcel FI	51.3	Residential	
Parcel FJ	51.6	Residential	
Parcel FK	51.9	Residential	
Parcel FL	52.2	Residential	
Parcel FM	52.5	Residential	
Parcel FN	52.8	Residential	
Parcel FO	53.1	Residential	
Parcel FP	53.4	Residential	
Parcel FQ	53.7	Residential	
Parcel FR	54.0	Residential	
Parcel FS	54.3	Residential	
Parcel FT	54.6	Residential	
Parcel FU	54.9	Residential	
Parcel FV	55.2	Residential	
Parcel FV	55.5	Residential	
Parcel FW	55.8	Residential	
Parcel FX	56.1	Residential	
Parcel FY	56.4	Residential	
Parcel FZ	56.7	Residential	
Parcel GA	57.0	Residential	
Parcel GB	57.3	Residential	
Parcel GC	57.6	Residential	
Parcel GD	57.9	Residential	
Parcel GE	58.2	Residential	
Parcel GF	58.5	Residential	
Parcel GG	58.8	Residential	
Parcel GH	59.1	Residential	
Parcel GI	59.4	Residential	
Parcel GJ	59.7	Residential	
Parcel GK	60.0	Residential	
Parcel GL	60.3	Residential	
Parcel GM	60.6	Residential	
Parcel GN	60.9	Residential	
Parcel GO	61.2	Residential	
Parcel GP	61.5	Residential	
Parcel GQ	61.8	Residential	
Parcel GR	62.1	Residential	
Parcel GS	62.4	Residential	
Parcel GT	62.7	Residential	
Parcel GU	63.0	Residential	
Parcel GV	63.3	Residential	
Parcel GV	63.6	Residential	
Parcel GW	63.9	Residential	
Parcel GX	64.2	Residential	
Parcel GY	64.5	Residential	
Parcel GZ	64.8	Residential	
Parcel HA	65.1	Residential	
Parcel HB	65.4	Residential	
Parcel HC	65.7	Residential	
Parcel HD	66.0	Residential	
Parcel HE	66.3	Residential	
Parcel HF	66.6	Residential	
Parcel HG	66.9	Residential	
Parcel HH	67.2	Residential	
Parcel HI	67.5	Residential	
Parcel HJ	67.8	Residential	
Parcel HK	68.1	Residential	
Parcel HL	68.4	Residential	
Parcel HM	68.7	Residential	
Parcel HN	69.0	Residential	
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Parcel HQ	69.9	Residential	
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Parcel IB	73.5	Residential	
Parcel IC	73.8	Residential	
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Parcel IE	74.4	Residential	
Parcel IF	74.7	Residential	
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Parcel IH	75.3	Residential	
Parcel II	75.6	Residential	
Parcel IJ	75.9	Residential	
Parcel IK	76.2	Residential	
Parcel IL	76.5	Residential	
Parcel IM	76.8	Residential	
Parcel IN	77.1	Residential	
Parcel IO	77.4	Residential	
Parcel IP	77.7	Residential	
Parcel IQ	78.0	Residential	
Parcel IR	78.3	Residential	
Parcel IS	78.6	Residential	
Parcel IT	78.9	Residential	
Parcel IU	79.2	Residential	
Parcel IV	79.5	Residential	
Parcel IV	79.8	Residential	
Parcel IY	80.1	Residential	
Parcel IZ	80.4	Residential	
Parcel JA	80.7	Residential	
Parcel JB	81.0	Residential	
Parcel JC	81.3	Residential	
Parcel JD	81.6	Residential	
Parcel JE	81.9	Residential	
Parcel JF	82.2	Residential	
Parcel JG	82.5	Residential	
Parcel JH	82.8	Residential	
Parcel JI	83.1	Residential	
Parcel JJ	83.4	Residential	
Parcel JK	83.7	Residential	
Parcel JL	84.0	Residential	
Parcel JM	84.3	Residential	
Parcel JN	84.6	Residential	
Parcel JO	84.9	Residential	
Parcel JP	85.2	Residential	
Parcel JQ	85.5	Residential	
Parcel JR	85.8	Residential	
Parcel JS	86.1	Residential	
Parcel JT	86.4	Residential	
Parcel JU	86.7	Residential	
Parcel JV	87.0	Residential	
Parcel JV	87.3	Residential	
Parcel JY	87.6	Residential	
Parcel JZ	87.9	Residential	
Parcel KA	88.2	Residential	
Parcel KB	88.5	Residential	
Parcel KC	88.8	Residential	
Parcel KD	89.1	Residential	
Parcel KE	89.4	Residential	
Parcel KF	89.7	Residential	
Parcel KG	90.0	Residential	
Parcel KH	90.3	Residential	
Parcel KI	90.6	Residential	
Parcel KJ	90.9	Residential	
Parcel KK	91.2	Residential	
Parcel KL	91.5	Residential	
Parcel KM	91.8	Residential	
Parcel KN	92.1	Residential	

ORDINANCE NO. 885-04

AN ORDINANCE OF THE CITY OF ZEPHYRHILLS FLORIDA APPROVING A LARGE SCALE FUTURE LAND USE MAP AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN; CHANGING THE FUTURE LAND USE MAP DESIGNATION FOR THE TERRITORY HEREINAFTER DESCRIBED FROM COUNTY FUTURE LAND USE MAP DESIGNATION IL (LIGHT INDUSTRIAL) AND RES-3 (3 du/ga) TO THE CITY FUTURE LAM, USE MAP DESIGNATION MU (MIXED USE), CONSISTENT WITH THE GOALS, OBJECTIVES AND POLICIES OF THE ADOPTED COMPREHENSIVE PLAN, AS REQUIRED BY THE GROWTH MANAGEMENT ACT OF 1985; AMENDING THE ZEPHYRHILLS LAND DEVELOPMENT CODE TO CHANGE THE ZONING ON LAND HEREINAFTER DESCRIBED FROM COUNTY ZONING CATEGORY AC (AGRICULTURAL) TO CITY ZONING CATEGORY PUD (PLANNED UNIT DEVELOPMENT) IN ACCORDANCE WITH THE PROVISION OF SECTION 166.041, FLORIDA STATUTES; PROVIDING FOR CODIFICATION, CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Neil and Rita Rucks, the owners of lands hereinafter described in Section 2 below, did petition for Future Land Use Map (FLUM) designation and rezoning of said land; and

WHEREAS, the City Council approved the annexation of said land within the corporate limits of the City on December 13, 2004, and

WHEREAS, the City Council has been given authority by the State of Florida, pursuant to Chapter 163, Florida Statutes, to amend the Future Land use Map of the City's territorial boundaries upon receipt of written consent of the landowner, together with approval of the City Council of said Future Land Use Map Amendment duly expressed by Ordinance; and

WHEREAS, the City Council has been given authority by the State of Florida, pursuant to Chapters 166 and 163, Florida Statutes, to rezone property within the City limits upon receipt of written consent of the landowner, together with approval of the City Council of said rezoning duly expressed by Ordinance; and

WHEREAS, due public notice of hearing on the proposed FLUM amendment and rezoning was given by the City Council on November 11 and November 18, 2004 as required by the Zephyrhills Land Development Code, as amended, and Chapters 163 and 166, Florida Statutes; and

WHEREAS, the Planning Commission, sitting as the Local Planning Agency did hold a public hearing on May 11, 2004 to consider said proposed FLUM amendment and rezoning; and

WHEREAS, the City Council agrees to formal adoption of a large scale amendment to the Future Land use Map of the Zephyrhills Comprehensive Plan to designate the hereinafter described real property consistent with all comprehensive plan goals, objectives, and policies which shall pertain to said land, and

WHEREAS, the City Council has determined that the Mixed Use (MU) Future Land Use Map designation and PUD (Planned Unit Development) zoning category would be appropriate, would promote the general welfare, and encourage proper development within the City.

WHEREAS, the City Council has approved, for transmittal to DCA, the future land use map amendment of said land to Mixed Use and zoning to PUD on December 13, 2004; and

NOW THEREFORE BE IT ENACTED AND ORDAINED BY THE CITY COUNCIL OF ZEPHYRHILLS, FLORIDA AS FOLLOWS:

Section 1: The above Whereas clauses are hereby adopted and incorporated herein.

Section 2: The following described lands, lying and being situated in Pasco County, to wit:

Record and Return to:
City Clerk's Office
8335 6th Street
Zephyrhills, FL 33542

SEE EXHIBIT "A" ATTACHED HERETO:

PARCEL I.D. NOS. : 23-26-21-0000-00200-0000; 23-26-21-0020-01300-0020; 23-26-21-0020-03300-0000; 23-26-21-0020-04900-0000; 23-26-21-0020-06300-0010; 23-26-21-0020-06500-0000; 23-26-21-0020-08000-0000; 23-26-21-0020-09700-0000; 24-26-21-0000-00400-0000; 24-26-21-0000-00400-0010; 24-26-21-0000-00500-0000; 24-26-21-0010-03900-0010; 24-26-21-0010-07100-0000; 24-26-21-0010-07200-0000; 24-26-21-0010-10100-0000; 25-26-21-0010-00500-0000; 25-26-21-0010-01200-0000; and 25-26-21-0010-01300-0000.

264.44 acres m.o.l.

be the same is hereby designated on the Future Land Use Map and rezoned and included within the boundaries of the City of Zephyrhills, Florida.

1. Development shall be in accordance with the application, plans and information submitted by the developer unless otherwise stipulated or modified herein.
2. All wetlands and adjoining buffer, conservation/preservation areas and wildlife habitat/corridor areas shall be placed under a perpetual conservation easement in favor of the City of Zephyrhills. Prior to record plat submittal, the developer shall submit one (1) copy of the executed and recorded conservation easement in a form acceptable to the City Attorney, to the Zephyrhills Planning Director. All conservation easement areas shall be depicted as an overlay on the Final Development Plan and Final Plat.
3. The developer shall create a mandatory homeowners' association in the form of a non-profit corporation registered with the Florida Secretary of State. The developer shall convey in fee simple to the association for ownership and maintenance, all open space, drainage areas, common areas, landscape areas, wetland areas, buffer areas, preservation/conservation areas, and other special purpose areas unless the said area(s) are required to be dedicated to another governmental entity. Recreation areas and neighborhood parks shall be conveyed to the association. Prior to approval of the final plat, the homeowners' association, documents, including Articles of Incorporation with proof of filing with the Secretary of State, restrictive covenants, and all exhibits, shall be submitted to the Planning Director for review along with copies of instruments to be used to convey in fee simple the above-mentioned areas to said association.
4. In addition to these PUD conditions of approval, the developer shall comply with all City of Zephyrhills ordinances including all impact fee ordinances.
5. In the event ordinances/resolutions are subsequently adopted by the City Council including, but not limited to, utilities, public safety, impact fee or other, the developer shall be required to comply with same except if such ordinances/resolutions materially and adversely change any conditions of approval granted.
6. Streets shall be public and donated to the City and shall be constructed to City standards.
7. The developer has submitted a traffic study which was reviewed and approved by staff and the site plan review committee. Prior to approval of the final plat, the developer shall bond or construct all transportation improvements identified herein. The developers shall construct the following site-related improvements:
 - a. At the intersection of S.R. 39 and Residential Drive 1:
 - (1) Construct a southbound left turn lane and a westbound combined left and right turn lane.
 - b. At the intersection of S.R. 39 and Residential Drive 2:
 - (1) Construct a southbound left turn lane and a westbound combined left and right turn lane.

- c. At the intersection of Chancy Road and Residential Drive 3:
 - (1) Construct a northbound combined left and right turn lane.
- d. At the intersection of Chancey Road and Residential Drive 4:
 - (1) Construct a northbound and southbound combined left and right turn lane and through lane.
- e. At the intersection of S.R. 39 and Community Drive 1:
 - (1) Construct a southbound left, westbound left, and right turn lanes, and signalize when warranted by MUTCD.
- f. At the intersection of Chancey Road and Community Drive 2:
 - (1) Construct northbound and southbound left and right turn lanes and through lane;
 - (2) Construct eastbound and westbound left turn lanes, and signalize when warranted by MUTCD.
- g. At the intersection of Chancey Road and Community Drive 3:
 - (1) Construct northbound and southbound left and right turn lanes and through lane.

8. The traffic study submitted by the developer assumes mixed use development. Prior to approval of the final plat, the developer shall bond or construct any off-site improvements identified herein. Offsite improvements include:

- a. Signalization of the U.S. 301 and 39 intersection when warranted by MUTCD.

9. Stormwater management and drainage plans, including construction of ponds and lift stations shall be at the 25 year flood elevation and shall be designed in accordance with Southwest Florida Water Management District (SWFWMD) requirements for open drainage basins. The developer shall submit a lot grading plan.

10. The City of Zephyrhills shall provide water and/or wastewater service to the project, a master utility plan for the project shall be submitted to the Utilities Director for review and approval prior to the construction plan approval and the developer shall construct all water and wastewater facilities within the development to current City standards.

11. Development shall be in accordance with the Preliminary Development Plan submitted to the City dated May 5, 2004. The approved uses and conditions of approval are as follows:

- a. Maximum of 354 single family (lot layout may be modified based on final engineering design); 126 Town-home Units; and 270,000 Square Feet of Commercial Uses
- b. Typical Minimum Lot Sizes and side setbacks shall be:
 - ~~45 ft. x 120 ft. with 6 ft. side setbacks~~
 - 50 ft. x 115 ft. with 7.5 ft. side setbacks
 - 60 ft. x 115 ft. with 7.5 ft. side setbacks
- c. Front and Rear Setbacks:
 - Front - 20 ft.
 - Rear - 15 ft.
- d. A uniform mailbox and post design shall be provided throughout the community.
- e. A Street Tree Plan shall be included in the Final Development Plan.



- f. Landscape and/or fence buffers will be shown on the Final Development Plan.
 - g. A minimum of 2 trees, including existing trees, shall be provided on each lot.
 - h. Tree preservation shall be shown on Final Development Plan
 - i. Entry features and signage shall be shown on Final Development Plan.
 - j. Street lights shall be operated and maintained by a street lighting district or homeowners association.
 - k. Decorative post-top street lights shall be provided within residential villages.
12. Recreation site development standards shall be in accordance with the City of Zephyrhills Land Development Code and the Park Impact Fee Ordinance as amended.
13. Unless required elsewhere within the conditions of approval, all conveyances to the homeowners association required pursuant to this rezoning shall occur prior to the issuance of the first certificate of occupancy in a form acceptable to the City Attorney, and excluding any homeowner association restrictions or encumbrances, shall be free and clear of all liens and encumbrances.
14. The re-zoning request and preliminary plans have been reviewed by staff and deemed consistent with the Land Development Code, the Comprehensive Plan and the levels of service requirements and a compliance certificate will be issued by the City of Zephyrhills upon final approval of this ordinance.
15. The developer will comply with the City of Zephyrhills fire hydrant regulations in the Land Development Code.

Section 3: This ordinance shall supersede all ordinances or parts of ordinances in conflict herewith.

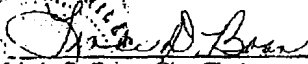
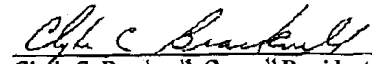
Section 4: That if any section, sentence, clause or phrase of this ordinance is held to be invalid of unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

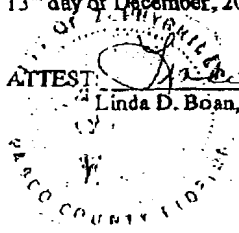
Section 5: This rezoning and large scale FLUM amendment shall take effect as provided in the City Charter and Chapter 163, Florida Statutes.

The foregoing Ordinance NO. 885-04 was introduced on first reading by the City Council of the City of Zephyrhills, Florida on the 14th of June, 2004.


ATTEST:  
 Linda D. Boan, City Clerk Clyde C. Bracknell, Council President

The foregoing Ordinance No. 885-04 was read and passed on the second reading, following a public hearing, in an open and regular meeting of the City Council of Zephyrhills, Florida on this 13th day of December, 2004.

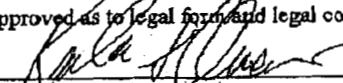
ATTEST:  
 Linda D. Boan, City Clerk Clyde C. Bracknell, Council President



The foregoing Ordinance NO. 885-04 was approved by me this 13th day of December, 2004.



W. Cliff McDuffie, Mayor

Approved as to legal form and legal content


Karla S. Owens, City Attorney

Dec 22 04 08:58a

City of Zephyrhills

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p. 9

EXHIBIT "A"

Parcel No. 1:
 Tract 13, lying East of Railroad right-of-way and East of right-of-way of State Road No. 39;
 Tract 14, less Railroad right-of-way; Tracts 16, 19 and 311 and that portion of Tracts 30, 97, 112
 and 113, lying East of the right-of-way of State Road No. 39; all being in Section 23, Township
 26 South, Range 21 East, as per plat of ZEPHYRHILLS COLONY COMPANY Lands, recorded in Plat
 Book 1, Page 55, Public Records of Pasco County, Florida.

Parcel No. 2:
 That portion of Tract 63, lying East of the right-of-way of State Road No. 39, in Section 23,
 Township 26 South, Range 21 East, as per plat of ZEPHYRHILLS COLONY COMPANY Lands, recorded
 in Plat Book 1, page 55, Public Records of Pasco County, Florida.

Parcel No. 2(c):
 Tracts 68 and 80, in Section 23, Township 26 South, Range 21 East, as per plat of ZEPHYRHILLS
 COLONY COMPANY Lands, recorded in Plat Book 1, Page 55 of Public Records of Pasco County,
 Florida.

Parcel No. 3:
 Tracts 17, 32, 49, 50 and 84, and that portion of Tracts 88, 79 lying East of the right-of-way of
 State Road No. 39; all being in Section 23, Township 26 South, Range 21 East, as per plat of
 ZEPHYRHILLS COLONY COMPANY Lands, recorded in Plat Book 1, Page 55, Public Records of Pasco
 County, Florida.

Parcel No. 4:
 Tracts 33, 34, 47 and 48, in Section 23, Township 26 South, Range 21 East, as per plat of
 ZEPHYRHILLS COLONY COMPANY Lands, recorded in Plat Book 1, Page 55, Public Records of Pasco
 County, Florida.

Parcel No. 5:
 That portion of Tract 20, lying East of the right-of-way of State Road No. 39, in Section 23,
 Township 26 South, Range 21 East, as per plat of ZEPHYRHILLS COLONY COMPANY Lands, recorded
 in Plat Book 1, Page 55, Public Records of Pasco County, Florida.
 ALSO,

That portion of the SW 1/4 of the NE 1/4, lying East of the right-of-way of State Road No. 39,
 in Section 23, Township 26 South, Range 21 East.

Parcel No. 6:
 Tracts 41, 56, 57, 72, 73, 74, 87, 1031 and that portion of Tracts 38, 40, 42, 53, 58 and 71,
 lying West of the Railroad right-of-way, all in Section 24, Township 26 South, Range 21 East, as
 per plat of ZEPHYRHILLS COLONY COMPANY Lands, recorded in Plat Book 1, Page 55, Public
 Records of Pasco County, Florida.

Parcel No. 6(a):
 That portion of Tracts 117 and 124, lying West of Railroad right-of-way, in Section 24,
 Township 26 South, Range 21 East, as per plat of ZEPHYRHILLS COLONY COMPANY Lands, recorded
 in Plat Book 1, Page 55, Public Records of Pasco County, Florida.

Parcel No. 7:
 That portion of the SW 1/4 of the NW 1/4 of the NW 1/4, and the S 1/2 of NE 1/4 of SW 1/4,
 lying West of the Railroad right-of-way, in Section 24, Township 26 South, Range 21 East.
 ALSO,

Tracts 86, 89, 90, 104, 105, 108, 119 and 122; and that portion of Tracts 120 and 121, lying
 East of the right-of-way of State Road No. 39, in Section 24, Township 26 South, Range 21 East,
 as per plat of ZEPHYRHILLS COLONY COMPANY Lands, recorded in Plat Book 1, Page 56, Public
 Records of Pasco County, Florida.

Parcel No. 7(d):
 Tracts 107, 118, and 123; and that portion of Tracts 101, 102, and 108, lying West of Railroad
 right-of-way, in Section 24, Township 26 South, Range 21 East, as per plat of ZEPHYRHILLS
 COLONY COMPANY Lands, recorded in Plat Book 1, Page 55, Public Records of Pasco County,
 Florida.

Parcel No. 8:
 Tracts 48 and S. the North 1/2 of Tract 12, and All of Tract 135, in Section 25, Township 26
 South, Range 21 East, CRYSTAL SPRINGS COLONY FARMS, as per plat thereof recorded in Plat Book
 2, page 24, Public Records of Pasco County, Florida.

Parcel No. 9:
 That part of the NW 1/4 of the NW 1/4 of the NW 1/4 of Section 24, Township 26 South, Range
 21 East, lying West of the Seaboard Coast Line Railroad right-of-way, in Pasco County, Florida.

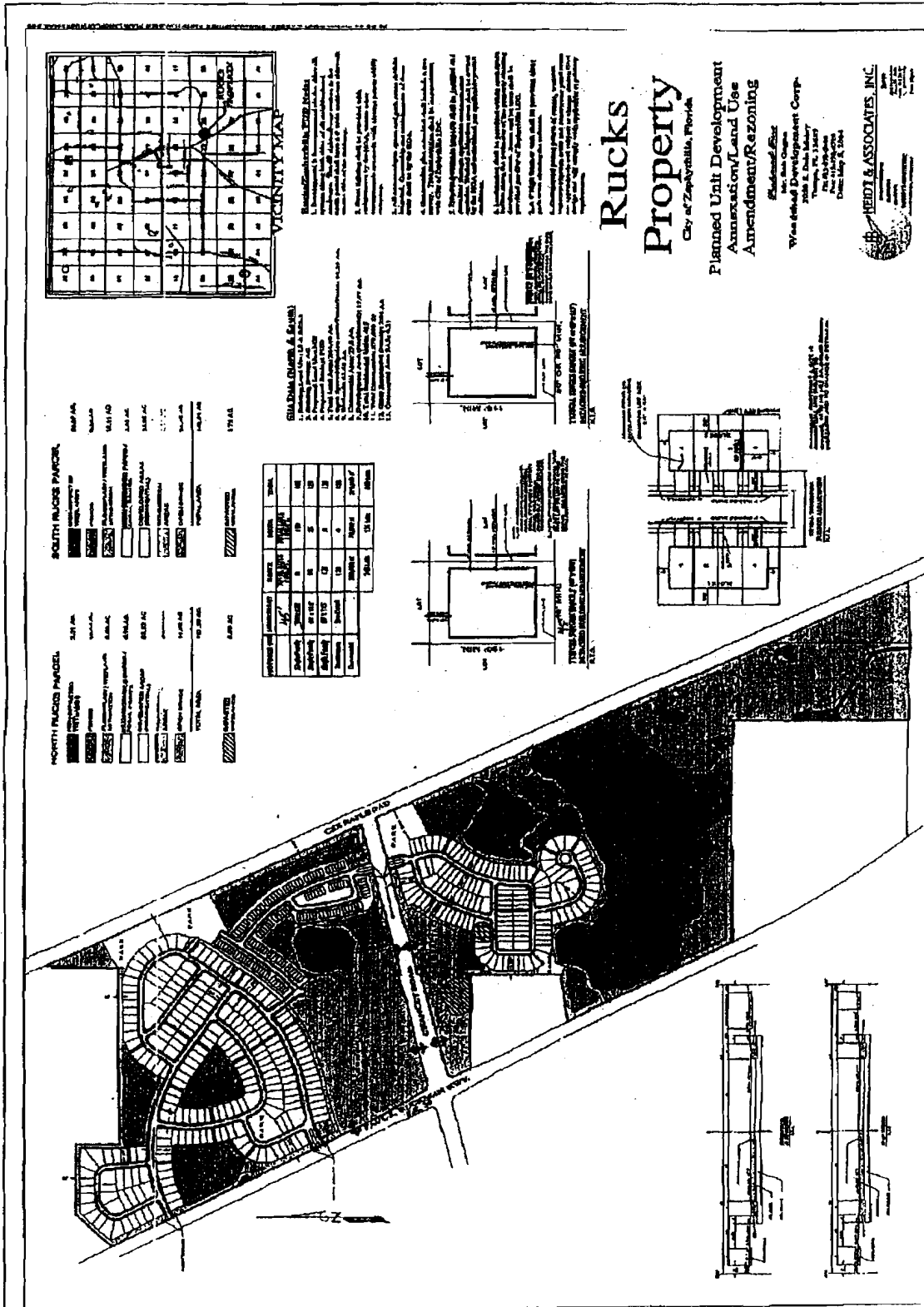
And

The South 1/2 of Tract 12, in Section 25, Township 26 South, Range 21 East, CRYSTAL SPRINGS
 COLONY FARMS, as per plat thereof recorded in Plat Book 2, Page 24, Public records of Pasco
 County, Florida.

ALL THE FOREGOING PARCELS BEING LESS AND EXCEPT the land described in the instruments
 recorded at Official Records Book 1864, Page 1016, at Official Records Book 3274, Page 1181, and
 at Official Records Book 3540, Page 1488, all in the Public Records of Pasco County, Florida.

AND

That part of the Northwest 1/4 of the Northeast 1/4 of the Southwest 1/4 of Section 24,
 Township 26 South, Range 21 East, lying West of the Seaboard Coast Line Railroad, Pasco County,
 Florida.



ORDINANCE NO.: 884-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA, ANNEXING ADDITIONAL TERRITORY TO BE INCLUDED WITHIN THE BOUNDARIES OF SAID CITY PURSUANT TO THE REQUEST OF THE OWNERS OF SUCH LANDS AND IN ACCORDANCE WITH SECTION 171.044, FLORIDA STATUTES, AS AMENDED. (RUCKS PROPERTY).

WHEREAS, NEIL AND RITA RUCKS are the present owners of the lands hereinafter described in Section 1, Parcel 1(a) below, and have requested and consented to the annexation by the City of Zephyrhills of the lands herein described in Section 1, Parcel 1(a) below; and

WHEREAS, the City is authorized by Chapter 171, Florida Statutes, to annex contiguous and infill areas, and to extend the City limits upon receipt of written consent of the land owner, together with the approval of the City Council after notice and public hearing; and

WHEREAS, the City Council has reviewed and evaluated the applications submitted, and has determined that the annexation of said lands into the City is in the public interest and is consistent with the City's Comprehensive Plan and Land Development Regulations.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the City Council of the City of Zephyrhills, Florida, as follows:

SECTION 1: The following described lands, lying and being situate in Pasco County, Florida, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO:

CONTAINING 264.44 ACRES, MORE OR LESS.

PARCEL ID. NOS.: 23-26-21-0000-00200-0000; 23-26-21-0020-01300-0020; 23-26-21-0020-03300-0000; 23-26-21-0020-04900-0000; 23-26-21-0020-06300-0010; 23-26-21-0020-06500-0000; 23-26-21-0020-08000-0000; 23-26-21-0020-09700-0000; 24-26-21-0000-00400-0000; 24-26-21-0000-00400-0010; 24-26-21-0000-00500-0000; 24-26-21-0010-03900-0010; 24-26-21-0010-07100-0000; 24-26-21-0010-07200-0000; 24-26-21-0010-10100-0000; 25-26-21-0010-00500-0000; 25-26-21-0010-01200-0000; and 25-26-21-0010-01300-0000.

Be, and the same are hereby annexed to and included within the boundaries of the City of Zephyrhills, Florida, a municipal corporation.

SECTION 2: Said lands are contiguous to or is infill of the present City limits of the City of Zephyrhills. That said Lands are now unincorporated and lie in the same County as said City, and when annexed would form a compact addition to the incorporated territory of said City. That the owners of said lands contained in said area to be annexed have given written consent to have such annexation for said area.

Record and Return to:
City Clerk's Office
W35 8th Street
Zephyrhills, FL 33542

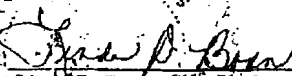
SECTION 3: The City of Zephyrhills, Florida, is authorized by the legislature of the State of Florida, pursuant to Section 171,044, Florida Statutes, and pursuant to the Charter of the City of Zephyrhills, to annex contiguous or infill areas and to extend the City limits or territorial boundaries upon receipt of a written consent of all owners of land contained in the area to be annexed, together with the approval of the City Council of the City of Zephyrhills, of said annexation duly expressed by Ordinance.

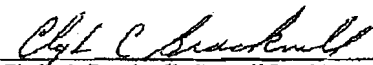
SECTION 4: It is the intention of the City Council of the City of Zephyrhills, Florida to annex the above-described lands to said City within its territorial limits and the boundary lines of said City are hereby redefined and extended so as to include said area of land within its territorial limits upon the final passage of this Ordinance.

SECTION 5: This Ordinance shall be published in a newspaper of general circulation for two (2) consecutive weeks, and proof of publication of this Ordinance shall be filed herein


SECTION 6: Upon the filing of the Proof of Publication and final adoption of this Ordinance, a copy of same shall be filed with the Clerk of the Circuit Court of Pasco County, Florida, and a copy will be forwarded to the Department of State, Tallahassee, Florida

The foregoing Ordinance No. 884-04 was read and passed on the first reading in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 14th day of June, 2004.

Attest: 
Linda D. Boan, City Clerk

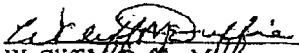

Clyde C. Bracknell, Council President

The foregoing Ordinance No. 884-04 was read and passed on the second reading, following a public hearing, in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 13th day of December, 2004.

Attest: 
Linda D. Boan, City Clerk


Clyde C. Bracknell, Council President

The foregoing Ordinance No. 884-04 was approved by me this 13th day of December, 2004.


W. Cliff McDuffie, Mayor

Approved as to legal form and legal content

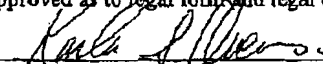

Karla S. Owens, City Attorney

EXHIBIT "A"

Parcel No. 1:

Tract 13, lying East of Railroad right-of-way and East of right-of-way of State Road No. 39; Tract 14, less Railroad right-of-way; Tracts 18, 19 and 21, and that portion of Tracts 30, 37, 112 and 113, lying East of the right-of-way of State Road No. 39; all being in Section 23, Township 28 South, Range 21 East, as per plat of ZEPHYRHILLS COLONY COMPANY Lands, recorded in Plat Book 1, Page 55, Public Records of Pasco County, Florida.

Parcel No. 2:

That portion of Tract 63, lying East of the right-of-way of State Road No. 39, in Section 23, Township 26 South, Range 21 East, as per plat of ZEPHYRHILLS COLONY COMPANY Lands, recorded in Pbt Boob 1, page 56, Public Records of Pasco County, Florida.

Parcel No. 2(a):

Tracts 65 and 80, in Section 23, Township 28 South, Range 21 East, as per plat of ZEPHYRHILLS COLONY COMPANY Lands, recorded in Plat Book 1, Page 55 of Public Records of Pasco County, Florida.

Parcel No. 3:

Tracts 17, 32, 49, 50 and 64, and that portion of Tracts 66, 79 lying East of the right-of-way of State Road No. 39; all being in Section 23, Township 28 South, Range 21 East, as per plat of ZEPHYRHILLS COLONY COMPANY Lands, recorded in Plat Book 1, Page 55, Public Records of Pasco County, Florida.

Parcel No. 4:

Tracts 33, 34, 47 and 48, in Section 23, Township 26 South, Range 21 East, as per plat of ZEPHYRHILLS COLONY COMPANY Lands, recorded in Plat Book 1, Page 55, Public Records of Pasco County, Florida.

Parcel No. 5:

That portion of Tract 20, lying East of the right-of-way of State Road No. 39, in Section 23, Township 26 South, Range 21 East, as per plat of ZEPHYRHILLS COLONY COMPANY Lands, recorded in Plat Book 1, Page 55, Public Records of Pasco County, Florida.

Parcel No. 6:

That portion of the SW 1/4 of the NE 1/4, lying East of the right-of-way of State Road No. 39, in Section 23, Township 26 South, Range 21 East.

Parcel No. 6:

Tracts 41, 58, 67, 72, 73, 74, 87, 103; and that portion of Tracts 39, 40, 42, 55, 58 and 71, lying West of the Railroad right-of-way; all in Section 24, Township 24 South, Range 21 East, as per plat of ZEPHYRHILLS COLONY COMPANY Lands, recorded in Plat Book 1, Page 55, Public Records of Pasco County, Florida.

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That portion of Tracts 117 and lying 124, lying West of Railroad right-of-way, in Section 24, Township 26 South, Range 21 East, as per plat of ZEPHYRHILLS COLONY COMPANY Lands, recorded in Plat Book 1, Page 55, Public Records of Pasco County, Florida.

Parcel No. 7:

That portion of the SW 1/4 of the NW 1/4 of the NW 1/4, and the S 1/2 of NE 1/4 of SW 1/4, lying West of the Railroad right-of-way, in Section 24, Township 26 South, Range 21 East.

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Tracts 88, 89, 90, 104, 108, 118 and 122; and that portion of Tracts 120 and 121, lying East of the right-of-way of State Road No. 39, in Section 24, Township 26 South, Range 21 East, as per plat of ZEPHYRHILLS COLONY COMPANY Lands, recorded in Plat Book 1, Page 55, Public Records of Pasco County, Florida.

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Tracts 107, 118, and 123; and that portion of Tracts 101, 102 and 108, lying West of Railroad right-of-way, in Section 24, Township 26 South, Range 21 East, as per plat of ZEPHYRHILLS COLONY COMPANY Lands, recorded in Plat Book 1, Page 55, Public Records of Pasco County, Florida.

Parcel No. 8:

Tracts 48 and 5, the North 1/2 of Tract 12, and All of Tract 138, in Section 26, Township 26 South, Range 21 East, CRYSTAL SPRINGS COLONY FARMS, as per plat thereof recorded in Plat Book 2, page 24, Public Records of Pasco County, Florida.

Parcel No. 9:

That part of the NW 1/4 of the NW 1/4 of the NW 1/4 of Section 24, Township 26 South, Range 21 East, lying West of the Seaboard Coastline Railroad right-of-way, in Pasco County, Florida.

And

The South 1/2 of Tract 12, in Section 25, Township 24 South, Range 21 East, CRYSTAL SPRINGS COLONY FARMS, as per plat thereof recorded in Plat Book 2, Page 24, Public records of Pasco County, Florida.

ALL THE FOREGOING PARCELS BEING LESS AND EXCEPT the land described in the instruments recorded at Official Records Book 1884, Page 1016, at Official Records Book 3274, Page 1181, and at Official Records Book 3540, Pages 1468, all in the Public Records of Pasco County, Florida.

AND

That part of the Northwest 1/4 of the Northeast 1/4 of the Southwest 1/4 at Section 24, Township 26 South, Range 21 East, lying West of the Seaboard Coast Line Railroad, Pasco County, Florida.