



## PASCO COUNTY, FLORIDA

DADE CITY (852) 521-4274  
LAND O'LAKES (813) 929-6084  
NEW PORT RICHEY (727) 847-8142  
FAX (727) 815-7000

DEVELOPMENT REVIEW DIVISION  
WEST PASCO GOVERNMENT CENTER  
7530 LITTLE ROAD, SUITE 230  
NEW PORT RICHEY, FL 34654

June 1, 2009

Brian G. Surak, P.E.  
Heidt & Associates  
2212 Swann Ave.  
Tampa, FL 33606

RE: Class III, Legacy Hills Subdivision – Construction Plan and Stormwater Management (SDU07-023)

Please be advised that on May 29, 2009, the Development Review Division, (DRD), reviewed and **approved** the above-referenced project, as noted on the enclosed agenda memorandum DR09-721. This approval is issued under the provisions of Section 306, Development Review Procedures, of the Pasco County Land Development Code.

The owner/developer is hereby notified that no activity shall commence on-site until both the completed notarized acknowledgment portion of the above-referenced agenda memorandum and receipt for payment of Pasco County utility impact fees (if applicable) are received by the Development Review Division. Any site specific conditions listed as requiring completion prior to Site Development Permit issuance must also be completed.

The owner's/developer's acceptance of the enclosed conditions constitutes a notice of authorization to perform all related work as allowed by Section 306, Development Review Procedures, of the Land Development Code, but **shall not** include the structure, septic tanks, signs, construction within County/State right-of-way, and all other construction activities requiring separate governmental permits. Should the owner/developer object to any condition of approval as stated on the attached, a written notice of appeal shall be submitted within 30 days of this decision in accordance with Section 317, Administrative Appeals, of the Pasco County Land Development Code. The owner/developer may contact this office for information regarding corresponding application and fee requirements.

The Owner/developer shall obtain a hard-copy Site Development Permit prior to commencing any activity. **A stamped copy of the approved site plan shall be kept on the job site at all times.** No Certificate of Occupancy shall be issued until compliance with all requirements, including building and/or site inspection finals, are completed. **Deviations from the approved plan shall be approved by Pasco County prior to commencing construction.**

RECEIVED

JUN 09 2009

PASCO COUNTY  
DEVELOPMENT REVIEW

The owner/developer shall provide for final distribution purposes: Five (5) complete sets of signed/sealed plans, along with three (3) sets of lot grading and two (2) sets of traffic control for final distribution. Please submit these directly to the attention of Rhonda L. Larsen, Development Review Technician II.

You may now submit, where applicable, four (4) complete sets of signed/sealed plans for Right-of-Way Use Permits.

Any person failing to implement or carry out developments in accordance with all applicable requirements, conditions, or approved plans shall be subject to penalties as stated in the Development Review Procedures.

With regard to the Pasco County National Pollutant Discharge Elimination System program, information on the Florida Stormwater, Erosion and Sedimentation Control Training and Certification Program is available on the Internet at [www.dep.state.fl.us/water/stormwater/erosion](http://www.dep.state.fl.us/water/stormwater/erosion).

By issuance of this permit, Pasco County, its employees, and representatives, assume no responsibility and/or liability in regard to either the design, construction, or performance of the permitted facilities.

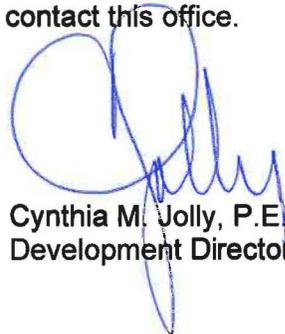
Should you have any questions, please feel free to contact this office.

Sincerely,

Rhonda L. Larson  
Development Review  
Technician II

CMJ/RRL/ec

Enclosures



Cynthia M. Jolly, P.E., CFM  
Development Director

PASCO COUNTY, FLORIDA  
INTEROFFICE MEMORANDUM

TO: Cynthia M. Jolly, P.E., CFM  
Development Director

DATE: 5/29/09

FILE: DR09-721

SUBJECT: Class III, Subdivision Development  
Review - Legacy Hills Subdivision  
Construction Plan and Stormwater  
Management Plan and Report

FROM: Rhonda R. Larsen  
Development Review  
Technician II

REFERENCES: Land Development Code,  
Section 306, Development  
Review Procedures;  
Comm. Dist. 1

It is recommended that the data herein presented be given formal consideration by the Development Director.

Commission District:	The Honorable Ted Schrader
Subdivision Name:	Legacy Hills Subdivision
Developer's Name:	RESDEV
Location:	On the southwest corner of the intersection of S.R. 39 and Chancey Road, Section 23, Township 26 South, Range 21 East.
Parcel ID Nos.:	23-26-21-0020-09500-0000 and 23-26-21-0020-07700-0000
Land Use Classification:	RES-9 (Residential - 9 du/ga)
Zoning District:	MPUD Master Planned Unit Development
Transportation Corridor:	Chancey Road/S.R. 39
Existing Right-of-Way:	60 Feet from the Centerline of Chancey Road; 50 Feet from the Centerline of S.R. 39
Required Right-of-Way:	83 Feet from the Centerline of Both Chancey Road and S.R. 39
Flood Zones:	"AE" and "X"
Hurricane Evacuation Zone:	N/A
Acreage:	40.31 Acres, m.o.l.
No. of Units:	160
Type of Units:	Single-Family
Water/Sewage:	Public (Pasco)/Public (Pasco)
Traffic Impact Fee (TIF) Zone:	3
Transportation Analysis Zones:	250 and 252
Present Land Use:	Undeveloped
Level of Service (LOS) Analysis:	Conditional, which expired May 25, 2009

DEVELOPER'S REQUEST:

The developer of Legacy Hills Subdivision requests construction plan and Stormwater Management Plan and Report approval to subdivide 40.31 acres into 160 single-family lots.

BACKGROUND:

1. On October 25, 2005, the Board of County Commissioners (BCC) approved rezoning to an MPUD Master Planned Unit Development (Petition No. 6404).
2. On May 25, 2006, the Development Review Committee (DRC) approved the preliminary plan (Memorandum No. DR06-1512).

FINDINGS OF FACT:

1. The preliminary plan has been reviewed by the Growth Management Department, and it has determined that the proposed use is consistent with the density and intensity provisions of the Comprehensive Plan.

2. The preliminary plan for the above-subject project was prepared for RESDEV by Heidt and Associates, Inc.; consists of 59 sheets dated November 11, 2006; and was last revised on July 3, 2007. The plan was originally received by the Development Review Division (DRD) on December 21, 2006, and final revisions were received on July 27, 2007.
3. Access to the property is from Chancey Road and S.R. 39.

**RECOMMENDATION:**

The Development Director recommends approval of the construction plan and Stormwater Management Plan and Report for Legacy Hills Subdivision with the following conditions:

**General**

1. The developer acknowledges that any provisions of Pasco County ordinances and any rezoning conditions of approval not specifically waived shall be in full force and effect, including all impact fee ordinances.
2. The owner/developer or project contractor shall obtain a hard-copy Site Development Permit from the DRD prior to commencing any construction. To obtain this permit, the following must be submitted to the DRD:
  - a. The completed notarized acknowledgment portion of the attached agenda memorandum.
  - b. The receipt for payment of Pasco County utility impact fees (if the project is served by County water and/or sewer).
  - c. Completion of any site-specific conditions listed as requiring completion prior to the issuance of the Site Development Permit.
  - d. A copy of the approved Southwest Florida Water Management District (SWFWMD) Permit and Plan must be submitted to the DRD. In the event the SWFWMD Permit and Plan require any changes to the County-approved plan, an amendment to the County-approved plan shall be submitted for review and approval prior to the issuance of the Site Development Permit.
  - e. National Pollutant Discharge Elimination System Permit/permit application.
  - f. A copy of the Pasco County BCC approved the Utilities Service Agreement.
  - g. A copy of the approved Florida Department of Environmental Protection (FDEP) Permits and plans.
  - h. Revised site plans with changes clouded and/or bubbled addressing the following comments shall be submitted, revised, and approved by the Utilities Services Branch and DRD:
    - (1) Show the installation of a temporary mechanical sanitary sewer plug(s) in the wastewater collection system. The plugs shall be installed between the last collector manhole and the pump station; and at each sanitary sewer manhole used to isolate future phases of construction. Add notation to plans: "The sanitary sewer plugs shall be installed at the beginning of construction by the contractor and shall remain in place until the system has been cleaned, inspected, and approved by the Utilities Services Branch. When the system has been approved, the contractor shall be responsible for removal of the plugs."
    - (2) Show a temporary service-jumper connection at the connection point. Include detail drawing from the County website at [www.pascocountyfl.net](http://www.pascocountyfl.net).
    - (3) Add a notation to the plans stating that the fire hydrants shall be flow tested and color-coded based on flow results.
    - (4) Add notation to plans: "All utility material and workmanship shall comply with *Standards for Design and Construction of Water, Wastewater, and Reclaimed Water Facilities Specifications*. June 1995 Edition."

- (5) Add a notation to plans: "Connections into existing County-owned system shall be via wet tap. Wet taps shall be performed by the Utilities Services Branch at the developer's expense. Excavation, backfill, and surface restoration shall be the contractor's responsibility. Material for wet taps larger than two inches shall be provided and installed by the project contractor.
- (6) Add a notation to the plans: "The Utilities Services Branch shall not own or maintain water and sewer lines or facilities on-site."
- (7) Show all existing utility lines/facilities (proposed in bold and existing in gray) on the landscaping, paving, and grading plan, as well as the stormwater plan.
- (8) The pump station detail drawing included within the plans is outdated and obsolete. The site plan shall be revised to include the current pump station detail drawing from the County website at [www.pascocountyfl.net](http://www.pascocountyfl.net).

No construction shall commence until the permit has been properly posted on the site.

3. All areas proposed for use as model/sales centers, recreational areas, and commercial areas shall be designated on the preliminary plan. Prior to construction within these areas, a detailed site plan conforming to all applicable requirements must be approved by the DRD.
4. The percentage of lots which could be used for the temporary commercial use as a model center, and the number of model centers per phase are as follows:
  - a. The total number of lots designated for the temporary commercial use as model centers shall not exceed ten percent of the total number of lots shown on the preliminary plan. The developer will be allowed a minimum of two lots designated as model centers.
  - b. Temporary commercial use for model centers shall be restricted to one "center" per phase, according to the phasing plan for construction and platting shown on the preliminary plan.
5. The developer acknowledges that in accordance with the Land Development Code (LDC), Section 402, Concurrency Management System, the conditional Certificate of LOS shall expire in three years from the date of approval of this project by the DRC.
6. The owner/developer or successors in interest are advised of the following restrictions:
  - a. No owner of the property within the development may construct or maintain any building, residence, or structure, or undertake or perform any activity in the wetlands, buffer areas, and upland conservation areas described in the approved plan or record plat unless prior approval is received from the SWFWMD pursuant to environmental resource permitting.
  - b. No owner of the property within the development may construct or maintain any building, residence, or structure, or undertake or perform any activity within the 100-year flood plain described in the approved plan and/or record plat of the subdivision unless prior approval is received from the SWFWMD pursuant to environmental resource permitting.
  - c. No owner of the property may undertake any roadway improvements within this development unless prior written authorization or notification of exemption is received from the SWFWMD pursuant to environmental resource permitting.
7. In the event ordinances/resolutions are adopted by the BCC including, but not limited to, solid waste, public safety, or wildlife, the developer shall be required to comply with such ordinances/resolutions.
8. The owner/developer acknowledges for a Class IIIU development, 50 percent of the project must be platted, or where no plat is required, 50 percent of the infrastructure must be constructed or 50 percent of the Building Permits for the project must be issued within six years of the original preliminary plan or preliminary site plan approval. Further, 100 percent of the project must be platted, or where no plat is required, 100 percent of the infrastructure must be constructed or 100 percent of the Building Permits for the project must be issued within ten years of the original preliminary plan or preliminary site plan approval. In the event that the developer does not comply with this provision, the preliminary plans or preliminary site plans, Stormwater Management Plan and Report, and construction plans related to the uncompleted portion of the preliminary plans or preliminary site plan shall be deemed void and approval shall

be deemed withdrawn unless an extension has been obtained from the DRC prior to expiration of any of the above time limits. An extension shall be applied for at least 60 days prior to expiration of any of the above time limits (Section 306.3.H.2).

9. All construction work, including roads, drainage, and utilities, shall be constructed in accordance with Pasco County design standards and tested in compliance with the Engineering Services Department's *Testing Specifications for Construction of Roads, Storm Drainage, and Utilities*.
10. The owner/developer shall acknowledge that should Pasco County collect funds under a guarantee document, the developer shall authorize the County, or its designee, access to the property in question to complete the required work.
11. The owner/developer shall acknowledge that should Pasco County be required to institute legal proceedings in order to collect any funds under a guarantee document, the developer shall be responsible for attorney's fees and court costs incurred by the County in such action.
12. The developer shall install all driveway cuts to local streets and not collector streets.
13. Utility service commitment fees shall be paid in accordance with the Pasco County Code of Ordinances, Chapter 110, Articles II and IV, as amended.
14. The owner/developer acknowledges that Pasco County Utilities shall not accept any water mains, other water structures, sewer mains, or other sewage structures for ownership, operation, or maintenance within the development unless otherwise approved by the Utilities Service Agreement.
15. The developer acknowledges that an appeal may be filed against the decision of the DRC within 30 days of the date of this approval. Any development that takes place within the 30-day-appeal deadline shall not establish vested rights with respect to construction of the project.
16. The developer shall provide 1.60 acres of neighborhood parks in accordance with Ordinance No. 02-26 as amended. The land provided for use as neighborhood parks shall be developable uplands exclusive of required setbacks from wetland or environmental areas and shall not contain any restrictions or encumbrances that prevent its use as a neighborhood park. The land provided for each neighborhood park shall be an area easily accessible to the residents by automobile, foot, and bicycle. The required neighborhood park acreage shall be located no greater than one-half mile from 50 percent of the subdivision lots or dwelling units to be served by the neighborhood park or no greater than one-quarter mile from 50 percent of the subdivision lots or dwelling units to be served by the neighborhood park if the neighborhood park is separated from the subdivisions or dwelling units by a collector or arterial roadway. The required neighborhood park acreage may consist of single or multiple neighborhood parks; however, each neighborhood park shall be a minimum of one acre in size. A minimum of 25 percent of the required neighborhood park acreage and not less than one-half acre of each neighborhood park shall consist of an unpaved, open-play area without trees and structures that impair open play. Neighborhood parks shall be maintained by the developer, a nonprofit homeowners' association, a Community Development District, or an open-space trust in accordance with Ordinance No. 02-26 as amended.
17. Subject to the provisions of the Right-of-Way Preservation Ordinance, the developer shall convey at no cost to Pasco County 83 feet of right-of-way from the centerline of Chancey Road and S.R. 39 (Table 7-4, Pasco County Corridor Preservation Table, located in the Comprehensive Plan, Transportation Element, for arterial/collector and major intersection right-of-way requirements).

In addition, the developer shall, at no cost to Pasco County, design, construct, provide, and obtain any and all permits required by any local, State, or Federal agency for appropriate and sufficient drainage/retention, wetland, and floodplain mitigation facilities on the developer's property or at another site acceptable to the County to mitigate all impacts associated with the initial and future planned; i.e., in the current County Comprehensive Plan Transportation Element or Metropolitan Planning Organization Long-Range Plan, improvements of Chancey Road and S.R. 39 within or adjacent to the boundaries of the developer's property including, but not limited to, mitigation for initial and future lanes of travel, shoulders, frontage roads, sidewalks, multimodal paths, medians, and other roadway appurtenances. The required drainage/retention, wetland, and floodplain mitigation facilities shall be determined at the time of stormwater-management plan review for the portion(s) of the project adjacent to Chancey Road and S.R. 39, and this paragraph of this condition shall expire after such stormwater-management plans have been approved, unless such facilities are required pursuant to a development agreement approved pursuant to the LDC, Section 403.

All conveyances shall occur at record plat or construction plan approval where a record plat is not required or within 90 days of the County's request, whichever occurs first. All conveyances shall include access easements, be in a form acceptable to the Real Estate Division, and be free and clear of all liens and encumbrances, including exemption from all covenants and deed restrictions. All stormwater-management plans, reports, or calculations for the developer's project shall include a detailed scope of design and permitting parameters and a signed and sealed certification that such plans, reports, or calculations comply with this condition.

18. Prior to final site/construction plan approval of any project abutting a State roadway, the owner/developer shall furnish to the DRD a Letter of Intent indicating approval and/or an approved Driveway Permit from the Florida Department of Transportation (FDOT). Prior to the issuance of the first Certificate of Occupancy (CO), the owner/developer shall provide a letter from the FDOT stating that the improvements within the State right-of-way have been inspected and completed to its satisfaction.
19. No fill shall be placed within the 100-year flood plain designation unless compensating volume to mitigate the fill is provided on-site or off-site within the same basin and reviewed and approved by Pasco County.
20. The owner/developer shall provide and install all required traffic-control devices associated with the project in accordance with Development Review Policy No. 32-90R dated October 16, 1990, and any amendments thereto.
21. Where excavation in excess of 30,000 cubic yards is proposed to be removed from the site by using publicly dedicated rights-of-way, roadways, or easements, a Class I Mining Permit and Conditional Use Permit shall be required. Prior to construction plan approval, the developer shall submit calculations indicating the amount of excess fill that will result from development of the site. Prior to construction plan approval, the developer shall submit, along with a statement as to where and how the excess material will be disposed of, calculations indicating the amount of excess fill that will result from development of the property.
22. The owner/developer acknowledges that a Building Permit shall be obtained for all structures that have a footer, regardless of size, through the Central Permitting Division; i.e., including, but not inclusive of, buildings, accessories, and retaining walls.
23. Driveway, road, and intersection improvements requiring roadway widening and/or left-turn, storage lane construction shall also include an asphaltic concrete overlay of the entire limits of intersection improvement area to Pasco County specifications as approved by the County.
24. The developer shall construct all local and collector streets within the development to current Pasco County standards; however, in no instance shall roadway standards be less than those required by the State of Florida *Manual of Uniform Minimum Standards*.
25. All construction within Pasco County right-of-way will require a Right-of-Way Use Permit. The review and issuance of the Right-of-Way Use Permit shall be conducted in accordance with LDC, Section 311, Right-of-Way Use Permit, and must be obtained prior to commencement of construction. The developer shall ensure that any improvements installed in rights-of-way are constructed to County standards.  
  
All construction within non-County-maintained right-of-way will require a Driveway Connection Permit. The owner/developer shall obtain a Driveway Connection Permit from the DRD's New Port Richey office.
26. Bicycle and pedestrian ways shall be established in accordance with Chapter 335.065, Florida Statutes. Curb ramps are required at all intersections of curbs and sidewalks and shall be constructed in conformance with the uniform *Federal Accessibility Standards* published by the General Services Administration, Department of Housing and Urban Development, Department of Defense, and United States Postal Service (Chapter 336.045, Florida Statutes).
27. A T-type turnaround shall be provided on all dead-end roadway stubs. Dead ends shall be barricaded in a manner found acceptable to the Development Services Branch and the Emergency Services Department.
28. The developer shall provide a Letter of Commitment and/or approval for water and/or sewer services from the Utilities Services Branch prior to preliminary plan approval. Prior to construction plan approval, the developer and the County shall enter into a Utilities Service Agreement. A Master Utilities Plan, approved by the Utilities Services Branch, is required prior

to final construction plan approval. The developer shall construct all water and wastewater facilities within and external to the development to current Pasco County standards. Design and construction standards and Master Utilities Plan outline may be obtained from the Utilities Services Branch.

29. In consideration of Pasco County's agreement to provide potable water and/or reclaimed water to the subject property, the owner/developer and its successors and assigns agree to the following:
  - a. In the event of production failure or shortfall by Tampa Bay Water (TBW), as set forth in Section 3.19 of the Interlocal Agreement creating TBW, the owner/developer shall transfer to Pasco County any and all water-use permits or water-use rights the owner/developer may have to use or consume surface water or groundwater within Pasco County.
  - b. Prior to the owner/developer selling water, water-use permits, or water-use rights, the owner/developer shall notify Pasco County, and Pasco County shall have a right of first refusal to purchase such water or water-use permits or water-use rights.
30. The developer shall provide fire protection in compliance with the Pasco County Code of Ordinances, Chapter 46, Article III, and any subsequent amendments. The developer shall show hydrant site locations on the construction plans. Raised pavement markings shall be installed.

#### **Record Plat**

31. The developer acknowledges that approval of this preliminary plan and/or construction plan does not establish vested rights with respect to construction of the project. Further, the developer acknowledges that no permit shall be issued or plat approved without the issuance of an unconditional Certificate of LOS Compliance. The developer is, however, put on further notice and hereby agrees that the BCC is not irrevocably bound by the current schedule of capital projects and shall not be held liable for any expenses, costs, or other damages incurred by the developer in reliance on the current schedule.
32. If a Pasco County Global Positioning System (GPS) network point is located within the boundary of the site or within 50 feet of the same, the point shall be re-established using GPS methods and "Blue Booked" prior to the issuance of any Building Permits or the recording of any plat. Proof of the said Blue Booking shall be submitted to the County Surveyor prior to the issuance of the said permit or the recording of the said plat. If it is discovered that the said point has been destroyed by construction, then the owner/developer of the land will be responsible for payment to Pasco County in the amount of \$5,000.00 each.
33. Prior to platting, or where platting is not required prior to the issuance of the first CO, the developer shall submit all necessary State and Federal permits including, but not limited to, dredge and fill, surface water, water distribution, wastewater collection, and reclaimed water from the appropriate agencies. The permit shall include the copies of the actual permit itself and all drawings that are approved by the respective regulatory agency. Any annual reports required by such agencies shall be submitted to the biologist and the stormwater engineer.
34. When drainage facilities, which are not within a previously recorded drainage easement, are utilized for off-site drainage, the owner/developer shall provide a drainage easement on the approved form, with a legal description and sketch (certified by a Registered Land Surveyor) for each off-site drainage facility. The drainage easement shall be submitted to the County Administrator, or his designee, prior to the construction plan approval of the individual unit or phase affected. Any variation from the approved stormwater management or construction plans shall be submitted to the County Administrator, or his designee, for review.
35. Two unique and/or independent corners on the boundary of the subdivision plat shall have State plane coordinates noted on them and shall be tied by bearing and distance to the current GPS network. The coordinates for the said corners shall be noted on the plat.
36. All open space, drainage areas, retention and detention ponds, recreation areas, common areas, buffer areas, and preservation areas shall be record platted as tracts and/or easements and shall be conveyed to a mandatory homeowners'/merchants'/property owners' association. Maintenance responsibility will be that of the association.
37. All recreational areas shall be record platted as tracts and deeded to a mandatory homeowners' association or another entity other than Pasco County for maintenance.

37. All recreational areas shall be record platted as tracts and deeded to a mandatory homeowners' association or another entity other than Pasco County for maintenance.
38. The developer shall create a mandatory homeowners'/merchants' association in the form of a nonprofit corporation registered with the Secretary of State, State of Florida, or, where such association currently exists, proof of good standing shall be submitted and shall provide for the maintenance of all open space, drainage areas, common areas, buffer areas, preservation areas, recreation areas, and other special purpose areas by the said association. Prior to platting the first unit or phase, homeowners'/merchants' documents, including Articles of Incorporation with proof of being filed with the Secretary of State, State of Florida, the bylaws, restrictive covenants and conditions, and all exhibits, shall be recorded in the Clerk's Office, Pasco County, Florida, and submitted to the Engineering Services Department, Survey Division, for review along with copies of instruments to be used to convey the above-mentioned areas to the said association.
39. All areas designated as SWFWMD, FDEP, or Army Corps of Engineers (ACOE) jurisdiction on the preliminary plan subject to any SWFWMD, FDEP, or ACOE required and/or approved mitigation adjustments shall be recorded on the record plat as preservation areas. The bearings and distances of the jurisdictional lines shall be so denoted on the plat. Within these areas, there shall be no construction, clearing, filling, or improvements of any kind unless appropriate permits have been obtained allowing wetland encroachment.
40. Prior to record platting of any unit or phase, or where platting is not required, prior to the issuance of the first CO, the developer shall furnish a Letter of Commitment from the serving utility company stating that it will accept the water and sewer lines for maintenance, and the said letter shall certify that adequate domestic water and sewer services are available to meet the requirements of the Land Development Code as specified in Section 610.12, Potable Water, and Section 610.13, Wastewater.
41. The developer shall provide streetlights along all internal collector roads and local streets in accordance with the Pasco County Code of Ordinances, Chapter 94, Article II. Streetlight agreements for service from the serving utility shall be provided to the Engineering Services Department for review and acceptance prior to record platting. The streetlight plans shall include a certification by the engineer of record, electrical utility company, or other entity acceptable to the Engineering Services Department, that the streetlights will be in conformance with the American National Standard Practice for Roadway Lighting in accordance with the provisions of the Pasco County Code of Ordinances, Chapter 94, Article II. Unless otherwise approved by the Utilities Services Branch, when the development is record platted, the development shall be included into a street lighting area. The street lighting plan shall be submitted in both hard copy and digital drawing file (formatted in AutoCAD, Arc/Info, or DXF drawing file format).
42. Prior to record platting of any unit or phase within a special taxing district, the developer shall submit documents sufficient to guarantee that all required improvements have been completed and maintenance of all improvements will be the responsibility of the taxing district. There shall be no Building Permits issued prior to record platting.
43. Unless otherwise approved by the Emergency Services Director, when the development is record platted, or where a plat is not required, prior to the issuance of the first Building Permit, the development shall be included into a Pasco County Municipal Fire Service Taxing Unit to provide fire protection. The developer shall submit a petition for inclusion into the Pasco County Municipal Fire Service Taxing Unit at the time of record plat submission, or when no plat is required, prior to the issuance of the first Building Permit. In no case shall a Building Permit be issued until such a petition has been received by the Emergency Services Director.

#### **Hard-Copy Site Development Permit**

44. The owner/developer or project contractor shall notify the Engineering Services Department at least two working days prior to commencing any activity on the site.
45. Prior to any construction activity, the developer shall ensure that proper erosion and sediment control measures are in place. The developer shall control all fugitive dust originating from the project site and shall indicate on the construction drawings the manner in which fugitive dust is to be controlled. Further, all retention pond side slopes and associated swales shall be sodded to prevent soil erosion.
46. 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 foundation, are discovered, work shall come to an immediate stop, and the Florida Department of Historic Resources (State Historic Preservation Officer) and Pasco County shall be notified within two working days of the resources found on the site.

47. If the site is identified on Map 3-1a, 3-1b, or 3-1c in the Comprehensive Plan as a location of known endangered and threatened species, the developer shall submit to the DRD, a copy of the approved Federal, State, or other regulatory permit, or if no permit has been issued, then the developer shall submit a copy of the application submitted to the Federal, State, or other regulatory agency prior to site development.
48. If, during construction activities, any evidence of the presence of State and Federally protected plant and/or animal species is discovered, work shall come to an immediate stop, and Pasco County shall be notified within two working days of the plant and/or animal species found on the site.
49. The developer shall provide a Letter of Commitment and/or approval for water and/or sewer services from the appropriate serving utility prior to the issuance of the hard-copy Site Development Permit.

#### **Certificate of Occupancy**

50. The developer shall ensure the installation of four-foot sidewalks along both sides of all streets within the development, including those areas abutting nonlot areas. All sidewalks shall be constructed to current Pasco County standards. The said sidewalks shall be constructed prior to the issuance of a CO to its corresponding dwelling unit. Along nonlot areas, sidewalks shall be constructed with the infrastructure improvements to provide an uninterrupted sidewalk network throughout the subdivision. Maintenance of the sidewalks shall be the responsibility of the homeowners' association or an entity other than Pasco County.

#### **Development Standards**

51. The residential design standards are as follows:
  - a. Minimum Lot Width of 55 Feet
  - b. Minimum Lot Depth of 110 Feet
  - c. Minimum Front-Yard Setback of 15 Feet
  - d. Minimum Side-Yard Setback of 7.5 Feet
  - e. Minimum Rear-Yard Setback of 15 Feet
  - f. Minimum Lot Area of 5,550 Feet
  - g. Maximum Lot Coverage of 65 Percent (of Principal and Accessory Structures)
52. The developer is hereby notified that the effective date of this development approval shall be the date of the final County action; however, no activity shall commence on site until such time as the acknowledgment portion of this document is completed (including notarization) and received by the DRD.

The DRD's approval of this construction plan and Stormwater Management Plan and Report constitutes a finding by the DRD that the construction plan and Stormwater Management Plan and Report, as conditioned, is consistent with those Goals, Objectives, and Policies of the Comprehensive Plan and those provisions of the LDC that are applicable to the construction plan and Stormwater Management Plan and Report approvals. This action is based on the office review of the plans, supporting documentation, and certifications of the Engineer of Record.

DEVELOPER'S ACKNOWLEDGMENT:

The developer acknowledges that it has read, understood, and accepted the above-listed conditions of approval.

\_\_\_\_\_ Date

RESDEV \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

\_\_\_\_\_ Title

The foregoing instrument was acknowledged before me this \_\_\_\_\_ (date),  
by \_\_\_\_\_ (name of corporation  
acknowledging) a \_\_\_\_\_ (State or  
place of incorporation) corporation, on behalf of the corporation. He/she is personally known to me or  
who has produced \_\_\_\_\_ (type of identification) as identification.

Seal:

\_\_\_\_\_ NOTARY

CMJ/RRL/dr/legacyhillsdr09721/11a

DEVELOPMENT REVIEW DIVISION ACTION :

