



PASCO COUNTY, FLORIDA

DADE CITY (352) 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

May 15, 2009

HQ Properties, LLC
36822 S.R. 54 West
Zephyrhills, FL 33541

RE: Goodwill at Cypress Creek – Preliminary/Construction Site Plan, Stormwater Management Plan and Report, and Variance Request (IIPR09-004)

Dear Sirs:

Please be advised that on April 23, 2009, the Development Review Committee, (DRC), reviewed and approved the above-referenced project as noted on the enclosed agenda memorandum DR09-561. 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.**

The owner/developer shall provide for final distribution purposes: Seven (7) complete sets of signed/sealed plans. Please submit these directly to the attention of Dorothy Masumian, Development Review Technician III.

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.

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,

Dorothy E. Masumian
Development Review
Technician III



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

CMJ/DEM/td

Enclosures

cc: EMK Consultants of Florida
7815 N. Dale Mabry Hwy., #200
Tampa, FL 33614

PASCO COUNTY, FLORIDA
INTEROFFICE MEMORANDUM

TO: Development Review Committee

DATE: 4/30/09

FILE: DR09-561

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



SUBJECT: Class II, Commercial Development Review - Goodwill at Cypress Creek Preliminary/Construction Site Plan, Stormwater Management Plan and Report, and Variance Request (Project No. IIPR09-004)

REFERENCES: Land Development Code, Section 306, Development Review Procedures; Comm. Dist. 2

It is recommended that the data herein presented be given formal consideration by the Development Review Committee (DRC).

Commission District:	The Honorable Pat Mulieri, Ed.D.
Project Name:	Goodwill at Cypress Creek
Developer's Name:	Goodwill Industries - Suncoast Inc.
Location:	On the southeast corner of Cypress Ridge Boulevard and Willow Oak Drive, Section 26, Township 26 South, Range 19 East.
Parcel ID Nos.:	26-26-19-0000-00100-0050 and 26-26-19-0000-00100-0060
Land Use Classification:	MU (Mixed Use)
Zoning District:	MPUD Master Planned Unit Development
Transportation Corridor:	N/A
Existing Right-of-Way:	N/A
Required Right-of-Way:	N/A
Flood Zones:	"A4" and "B"
Hurricane Evacuation Zone:	None
Acreage:	4.92 Acres, m.o.l.
Number of Units:	1
Type of Unit:	Retail
Size of Unit:	26,567 Square Feet
Water/Sewage:	Pasco/Pasco
Transportation Impact Fee (TIF) Zone:	3
Transportation Analysis Zone:	286
Present Land Use:	Vacant
Certificate of Capacity:	Initial

DEVELOPER'S REQUEST:

The developer of Goodwill at Cypress Creek is requesting approval of a preliminary/construction site plan, Stormwater Management Plan and Report, and variance request for a retail store of 26,567 square feet.

Variance: Section 306.6.E.2 to allow the issuance of a Building Permit prior to record plat.

BACKGROUND:

On August 20, 2002, the Board of County Commissioners (BCC) approved a rezoning petition changing 405 acres from an A-C Agricultural District to an MPUD Master Planned Unit Development District (RZ-5787).



FINDINGS OF FACT:

1. The preliminary/construction site plan, Stormwater Management Plan and Report, and variance request have been reviewed by the Growth Management Department, and it has determined that the proposed use is consistent with the above-referenced zoning district's permitted uses.
2. The preliminary/construction site plan, Stormwater Management Plan and Report, and variance request for the above-subject project were prepared for Goodwill Industries - Suncoast Inc., by EMK Consultants of Florida, Inc., and consist of ten sheets dated January 14, 2008; the sheets were last revised on March 19, 2009. The plans were originally received by the Development Review Division (DRD) on October 15, 2008, and final revisions were received on March 26, 2009.
3. Access to the property is from Cypress Ridge Boulevard and Willow Oak Drive, which are publically dedicated roadways (Official Record Book 5780, Page 810).

VARIANCE REQUEST:

The Development Director has reviewed the request for a variance and has determined the following:

This parcel was designated as one lot within the Cypress Creek Development of Regional Impact. The applicant proposes to divide the lot into three, thereby triggering the need for a plat. The infrastructure to serve the site is complete. The Development Director has no objection to this request, as the infrastructure is in place and no other improvements to serve the plat are required.

CONCURRENCY ANALYSIS:

An Initial Certificate of Capacity is being issued for a retail building of 26,567 square feet.

RECOMMENDATION:

The Development Director recommends approval of the preliminary/construction site plan, Stormwater Management Plan and Report, and variance request 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. Construction traffic route condition survey and videotape, if applicable.
 - g. Construction Traffic Restoration Bond, if applicable.
 - h. License and Maintenance Agreement for any allowed interim uses in the transportation corridor, if applicable.


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- i. Prior to the release of the Site Development Permit, the Notice of Proposed Change to address the extension of the build-out date must be approved by the BCC.
- j. **Revised plans showing an interconnect with the parcel to the east.**

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

3. Any roadway construction required herein as a condition of development approval shall not be entitled to the TIF credits unless such credits have been granted pursuant to prior written agreement or as provided herein. Appeal from this provision shall be made in accordance with the TIF Ordinance.
4. 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 floodplain 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.
5. 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.
6. 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*.
7. 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.
8. 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.
9. Utility service commitment fees shall be paid in accordance with the Pasco County Code of Ordinances, Chapter 110, Articles II and IV, as amended.
10. The developer acknowledges that an appeal may be filed against the decision of the DRD 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.

Construction Plan

11. Prior to final site/construction plan approval of any project taking access from 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 record plat or where a record plat is not required, prior to 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.
12. No fill shall be placed within the 100-year floodplain 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.

13. 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 in accordance with Resolution No. 93-304 as amended. 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.
14. 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.
15. 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.
16. 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 the Land Development Code (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.

17. 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.
18. 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 temporarily 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 for the duration of the production failure or shortfall.
 - 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.
19. 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.
20. The traffic study submitted by the applicant assumes the following land use:

A 26,567 Square-Foot Retail Building

Any development of land use that generates greater traffic impacts than those assumed shall require an updated traffic study utilizing a methodology approved by Pasco County. In addition, where a traffic study assumes retirement, age-restricted, 55 and older, or 62 and older housing, prior to approval of each plat, or where platting is not required, prior to approval of each construction plan, the developer shall provide to the County Attorney's office executed and recorded covenants or deed restrictions that restrict the said plat or construction plan to housing for persons 55 and older, or 62 and older, as applicable. The said covenants, if satisfactory to the County Attorney's office, may also be used to satisfy the first tier of the School Impact Fee Waiver and TIF reduction process. If the applicant or development fail to timely provide the

required covenants or deed restrictions, or fail to comply with such covenants or deed restrictions, the applicant or development shall be required, in addition to any County remedies set forth in the County-approved covenants/deed restrictions, to submit an updated traffic study without any reduction in trip generation based on retirement, age-restricted, 55 and older, or 62 and older housing, and additional approvals within the development shall be held in abeyance until the County approves the updated traffic study and determines the appropriate transportation mitigation. The DRC, BCC, or County Administrator or his designee may impose additional conditions on the applicant or development based on the updated County-approved traffic study.

21. The applicant has submitted a Traffic Impact Study which requires the following improvement:

Payment of Option 1 Full Fee Transportation Impact Fees. The fee shall be assessed at the time of Building Permit issuance and paid prior to the issuance of the CO.
22. The applicant has submitted a Substandard Roadway Analysis which requires the following improvement:

None
23. The applicant has submitted an Access Management Application which requires the following improvement:

None
24. 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.
25. 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.
26. 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.
27. 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

28. 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.
29. Where underground water mains and hydrants are to be provided, they shall be installed, completed, and in service prior to combustibles being brought on site (National Fire Protection Association, NFPA-1, 16.4.3.1.3).
30. 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.

31. 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.
32. 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.
33. 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.
34. 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

35. The site shall be platted prior to the issuance of the CO.
36. 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 DRC's approval of this preliminary/construction site plan, Stormwater Management Plan and Report, and variance request constitutes a finding by the DRC that the preliminary/construction site plan, Stormwater Management Plan and Report, and variance request, as conditioned, are consistent with those Goals, Objectives, and Policies of the Comprehensive Plan and those provisions of the LDC that are applicable to preliminary/construction site plan, Stormwater Management Plan and Report, and variance request 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

GOODWILL INDUSTRIES - SUNCOAST INC. _____

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

ATTACHMENTS:

- 1. Location Map
- 2. Site Plan
- 3. Concurrency Forms
- 4. Variance Request

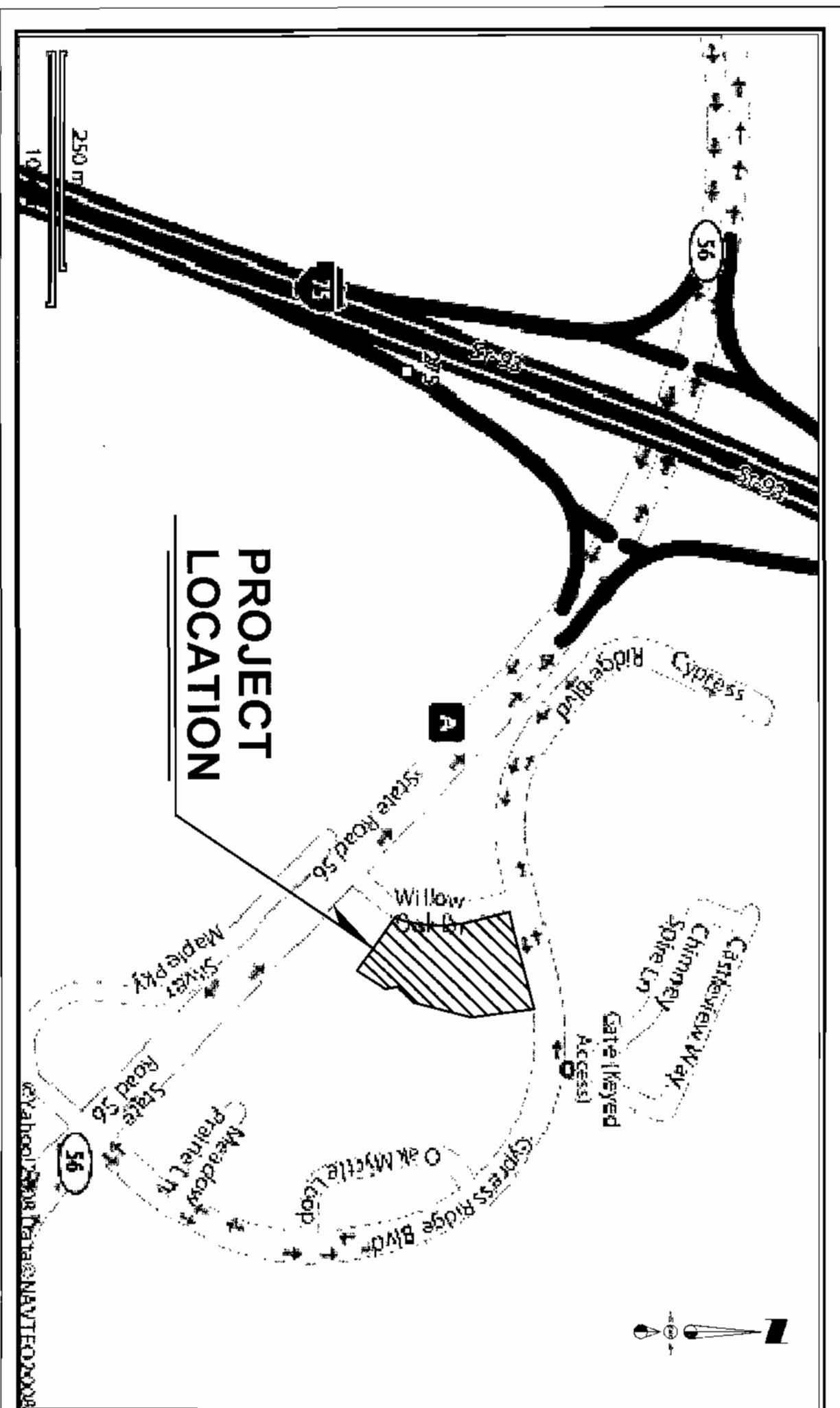
CMJ/DEM/dr/goodwilldr09561/08

DEVELOPMENT REVIEW COMMITTEE ACTION (4/23/09):

Approved Staff Recommendation with an Additional Condition


INITIAL
/ /

KEY MAP



VARIANCE NO. _____

DATE: 4/23/09

PASCO COUNTY
APPLICATION FOR VARIANCE
DEVELOPMENT REVIEW COMMITTEE
VARIANCE BOARD

The undersigned owner(s) of the following legally described property have formally requested consideration of a variance in accordance with the provisions of the Florida Statutes and the Pasco County LDC, Section 316.

It shall be the responsibility of the petitioner, or her/his legal agent of record, to provide all information required below or any other information which is reasonable and relevant to the formulation of a recommendation to the adjustment being considered. **No application for review shall be deemed complete until all required information is provided**

1. Project Name Goodwill at Cypress Creek
 2. Project No. (from DRD): IIPR09-004
 3. Name of Owner: HQ Properties, LLC - SEE ATTACHED AGENT AUTHORIZATION
Mailing Address: 36822 SR 54 West
City: Zephyrhills State: FL Zip Code: 33541
Telephone Number: --- Fax Number: ---
E-Mail Address: ---
 4. Applicant
Name of Developer: Goodwill Industries-Suncoast, Inc. c/o Deborah Passerini
Mailing Address: 10596 Gandy Blvd.
City: St. Petersburg State: FL Zip Code: 33702
Telephone Number: 727-523-1512 Fax Number: _____
E-Mail Address: dpasserini@aol.com
 5. Name of Agent, if applicable: EMK Consultants of Florida, Inc.
Mailing Address: 7815 N. Dale Mabry Hwy Ste 200
City: Tampa State: FL Zip Code: 33625
Telephone Number: 813-931-8900 Fax Number: 813-931-5848
E-Mail Address: robin@emkfla.com & bridgett@emkfla.com
(Attach completed Agent of Record)
- Locational Description Southeast corner of Cypress Ridge Blvd. & Willow Oak Dr., Just North of SR 56
- Parcel Identification Number: 26-26-19-0000-00100-0050 & 26-26-19-0000-00100-0060
- Section 26, Township 26 South, Range 19 East, Sub _____, Block _____, Lot _____
- Present Zoning District: MPUD # 5787 (11-22-05)

REASONS FOR REQUEST FOR VARIANCE:

Using a separate application for each request, please answer the following. If additional space is needed, attach extra pages to the application.

1. State the specific section of the LDC for which the variance is requested:
Variance to LDC Section 306.6.E.2

2. Describe the variance requested:
To allow issuance of building permit prior to platting

3. Demonstrate compliance with one or more of the following:
 - a. The strict application of the land development regulation creates an unreasonable or unfair non-economic hardship, or an inordinate burden that was not created by the variance applicant.
 - b. The specific application of the land development regulation conflicts with an important Goal, Objective, or Policy of the Comprehensive Plan, or with the intent and purpose of another recently adopted land development regulation that serves a greater public purpose.
 - c. The granting of the variance will provide a net economic benefit to the taxpayers of Pasco County and is not in conflict with important Goals, Objectives, and Policies of the Comprehensive Plan. The issuance of building permit prior to platting will provide a net economic benefit to the taxpayers of Pasco County by creating employment & does not conflict w/ goals of the comprehensive plan
 - d. The granting of the variance is necessary to achieve an innovative site or building design that furthers the Goals, Objectives, and Policies of the Comprehensive Plan.
 - e. The intent and purpose of the land development regulation and related land development regulations and Comprehensive Plan provisions is met or exceeded through an improved or alternate technology or design.
 - f. The granting of the variance is necessary to protect the public health, safety or welfare.
 - g. The variance is necessary to comply with State or Federal law.
 - h. The variance satisfies variance criteria set forth in the specific County land development regulation that is the basis for the variance request.
4. All variance applications that affect site conditions shall be accompanied by site plans depicting the site conditions with the granting of the variance and without the granting of the variance. Conceptual site plans may be allowed if approved by the Division Engineer (DRD) or Development Director.

ADDITIONAL ITEMS REQUIRED FOR VARIANCE:

1. Two signed and sealed legal descriptions and sketches to be supplied at time of application.
2. Copy of Warranty Deed
3. Copy of Last Year's Tax Bill
4. Notarized Agent of Record Letter (if applicable)
5. Is this application the result of a Notice of Violation? No If so, please attach a copy of the notice.
6. Application Fee. \$200.00 (each variance request).

I certify that all the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief.

I consent to the entry in or upon the premises described in this application by any authorized official of Pasco County for the purpose of posting, maintaining, and removing such notices as may be required by law.

DATE: April 3, 2009

APPLICANT'S SIGNATURE: 

APPLICANT'S REPRESENTATIVE: Deborah Passerini, Executive Vice President of Goodwill Industries, Inc.

ADDRESS: 10596 Gandy Blvd.

CITY: St. Petersburg STATE: FL ZIP CODE: 33702

AFFIDAVIT

STATE OF FLORIDA

COUNTY OF PASCO

BEFORE ME, the undersigned authority, personally appeared, Deborah Passerini

who being by me first duly sworn, under oath, deposes and states as follows:

1. That she/he/they has/have filed a variance application on property (Parcel ID No. 26-26-19-0000
00100-0050 & 0060) in the unincorporated area of Pasco County, which, if approved,
would allow the developer(s) to: To allow issuance of building permit prior to platting

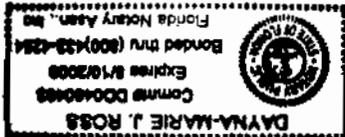
2. That I hereby acknowledge that the variance, if approved, shall not:
 - a. Constitute authorization to begin construction
 - b. Exempt the project from certification of Level of Service compliance
 - c. Obligate the County to provide additional services and facilities

FURTHER AFFIANT SAYETH NOT.

Deborah Passerini
AFFIANT

AFFIANT

SWORN to and subscribed before me this 3rd day of April, 2009.



Dayna-Marie J. Ross
NOTARY PUBLIC
State of Florida at Large

My Commission Expires: 08/10/2009

Note: All property owners of the subject property or their designated Agent of Record must sign this affidavit.

INITIAL CERTIFICATE OF CAPACITY

REQUIRED FOR DRIs, REZONINGS, PRELIMINARY SITE PLANS, PRELIMINARY PLANS,
NON-RESIDENTIAL SUBDIVISION, RESIDENTIAL SUBDIVISION INTO MORE THAN
ONE DWELLING UNIT PER LOT, AND PUBLIC SCHOOL COMPREHENSIVE PLAN CONSISTENCY REVIEW

To Be Completed By Department Responsible For Approval Sought; Completed Certificate Must Be Attached To the Agenda Item and Approval Document

Retun 3

Completed Application Received On (Date): 10/22/08 Certificate Form Completed By: Donna

Parcel I.D. #'s: 25 26 19 0000 00100 0050, 0060 (attach survey if project includes portion of parcel)

Project Name: Goodwill AT Cypress Creek Subdivision Name: _____

TAZ No.: 286 TAZ Map Version: G15

Applicant Name, Address, and Telephone Number: Goodwill Industries 10596 Gandy Blvd St Petersburg FL 33702

Job Site Address: Cypress Ridge Blvd / Willow Oak DR SEC

Project has direct connection (See 402.5.C.5.A.) to following collectors/arterials: Cypress Ridge Blvd + Willow Oak Dr

Aggregated With Another Project ?(See 402.5.C.5.B) Yes No (If yes, identify project name and I.D. No. _____)

Prior building(s) on or after January 1, 1985? Yes No (If yes, identify use and units/sq. ft. _____)

Approval Sought (Check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> DRI | <input type="checkbox"/> Non-Residential Subdivision |
| <input type="checkbox"/> Rezoning | <input type="checkbox"/> Residential Subdivision Into More Than One Dwelling Unit Per Lot |
| <input type="checkbox"/> Preliminary Plan | <input type="checkbox"/> Public School Comprehensive Plan Consistency Review |
| <input checked="" type="checkbox"/> Preliminary Site Plan | |

TYPE OF DEVELOPMENT

(Use TIS Exhibits for land use description and units of measurement and if not on Exhibits, use ITE land use codes and description)
(If not restricted by applicant, use maximum allowed by requested (rezoning or DRI) or approved (other approvals) zoning or land use, whichever is less)

Residential	Nonresidential
<input type="checkbox"/> Single Family D.U. _____	<input type="checkbox"/> Specific Use <u>Retail</u> <u>26,567</u> sq. ft.
<input type="checkbox"/> Mobile Home Park D.U. _____	<input type="checkbox"/> <u>713</u> <u>1,258/12</u> sq. ft.
<input type="checkbox"/> Congregate Care Facility D.U. _____	<input type="checkbox"/> _____ (specify unit)
<input type="checkbox"/> Apartments D.U. _____	<input type="checkbox"/> Storage/ Display Area _____ sq. ft.
<input type="checkbox"/> Low-Rise Condo/Townhome D.U. _____	
<input type="checkbox"/> Hi-Rise Condominium (3 or more stories) D.U. _____	
<input type="checkbox"/> Other Residential D.U. _____	

EXEMPTIONS AND LIMITED EXEMPTIONS (Requires Authorized Signature)

***EXEMPTIONS (See 402.6 and Concurrency Applicability):**

- A. ALL FACILITIES**
- Approved school consistency review or preliminary/construction plan for the school prior to December 1, 2006
 - Complete application prior to December 1, 2006 (Apply old 402 and TIS Guidelines)
 - Unexpired Certificate of Level of Service Compliance
 - Unexpired DRI approved prior to April 9, 1991
 - Unexpired Initial Certificate of Capacity
 - None of the above

- B. ROADS ONLY**
- Unexpired DRI applied for or approved prior to December 1, 2006
 - Unexpired Traffic Study Completed After June 4, 1999
 - Unexpired approved Traffic Study Methodology Prior to December 1, 2006 (Apply old TIS Guidelines)
 - Unexpired approved Development Agreement exempt from transportation concurrency
 - None of the above

Exemption Expires On: 2018
Exemption Revoked On: _____

[Signature]
Authorized Growth Management Signature (required for roads only)

***LIMITED EXEMPTIONS (See 402.7; requires signature from County Administrator or his designee):**

- Public School or School Required for School Concurrency
- Governmental Building or Use
- Target Business (requires letter from PEDC)
- Employment Center
- Affordable Housing (requires letter from Community Development)
- TND Development

- Exemptions (check all that apply):
- Impact Fees or Interlocal Agreement As Proportionate Share (Roads Only)
 - Traffic Study Waiver (Roads Only)
 - 3 years committed capacity vs. 1 yr. (Roads Only)
 - Extension of Certificate w/o Additional Review
 - Other (requires CAO approval)

Authorized Signature

ISSUANCE DATE: _____
(Use date of final zoning/development order approval)

Authorized Signature

EXPIRATION (See 402.3.A.):
All Facilities (other than roads): Certificate of Capacity Expires (or subject to additional review) On: _____ Revoked On: _____ Relinquished On: _____
(6 yrs from issuance)
Roads: Certificate of Capacity Expires (or subject to additional review) On: _____ (See Page 2) Revoked On: _____ Relinquished On: _____

*Completed Certificate of Capacity with limited exemptions or with exemptions for which no prior certificate of capacity has been issued must be distributed to the following: (1) Growth Management Administrator, (2) Engineering Services Director, (3) Parks and Recreation Director, (4) Transportation Manager, (5) Development Review Director, (6) MPO Transportation Planning Coordinator, (7) Assistant County Administrator for Development Services, (8) Assistant County Administrator for Utility Services, (9) OMB Director, and (10) BOCC as a noted item on agenda (excluding (3) and (8) if exemption is for roads only).

CONCURRENCY REVIEW

(To Be Completed by Department Listed Below Only ; Leave Blank if a 402.6 Exemption Applies)

Comp. Plan Elements

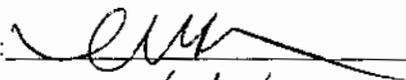
Meets LOS Std.

Review Standards

Yes	No	Conditional Approval(attach conditions of approval or list below)
-----	----	---

roads (Growth Management)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.5, Transportation Element 2.4.1 and TIS Guidelines
Water/Water Supply (Utilities)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.A. and Public Facilities Element 1.1 and 1.3
sewer (Utilities)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.A. and Public Facilities Element 3.1
Parks/Recreation (Parks)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.B. and Recreation and Open Space Element 1.1
Solid Waste (Utilities)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.A. and Public Facilities Element 4.1
Mass Transit (Public Transportation)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.A. and Transportation Element 5.1

Reviewed by: ~~M. Robert Rodle~~

Authorized Signature: 

Title

Date

11/4/08

*See updated
NOPC conditions*

CONCURRENCY REVIEW

(To Be Completed by Department Listed Below Only; Leave Blank if a 402.6 Exemption Applies)

Comp. Plan Elements	Meets LOS Std.		Conditional Approval (attach conditions of approval or list below)	Review Standards
	Yes	No		
roads (Growth Management)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.5, Transportation Element 2.4.1 and TIS Guidelines
water/Water Supply (Utilities)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.A. and Public Facilities Element 1.1 and 1.3
sewer (Utilities)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.A. and Public Facilities Element 3.1
parks/Recreation (Parks)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.B. and Recreation and Open Space Element 1.1
solid Waste (Utilities)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.A. and Public Facilities Element 4.1
mass Transit (Public Transportation)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.A. and Transportation Element 6.1

Reviewed by: Michael H. Carroll
Transp. Mgr.
Title

Authorized Signature: [Signature]
11/14/07
Date

CONCURRENCE REVIEW

(To Be Completed by Department Listed Below Only ; Leave Blank if a 402.6 Exemption Applies)

Comp. Plan Elements	Meets LOS Std.		Conditional Approval (attach conditions of approval or list below)	Review Standards
	Yes	No		
Roads (Growth Management)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.5, Transportation Element 2.4.1 and TIS Guidelines
Water/Water Supply (Utilities)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	LDC 402.4.A. and Public Facilities Element 1.1 and 1.3
Power (Utilities)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	LDC 402.4.A. and Public Facilities Element 3.1
Parks/Recreation (Parks)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.B. and Recreation and Open Space Element 1.1
Solid Waste (Utilities)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	LDC 402.4.A. and Public Facilities Element 4.1
Mass Transit (Public Transportation)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.A. and Transportation Element 5.1

Reviewed by: Sergeant Bennett
Eng. Records Tech. 11/6/08
 Title

Authorized Signature: [Signature]
 Date: 11/04/08

GOODWILL @ CYPRESS CREEK PARCEL ID # 26-26-19-0000-00100-0050/0060 PCU# 00-245.30

We have reviewed the referenced parcel and have determined that this parcel is within the existing/future areas where water, wastewater and/or solid waste service(s) may be provided by Pasco County Utilities. An application for Service, per County codes and ordinances, for water, wastewater and/or solid waste service(s) to this property must be submitted and will be subject to the following conditions:

The provision of water and wastewater services is contingent upon the County obtaining adequate water supply from Tampa Bay Water; receiving all the necessary permits and approvals to implement and construct the County's planned system improvements and facility expansions needed to serve the development; and the Developer's, and its successors or assigns, compliance with the conditions of Pasco County Code Chapters 46 and 110, (including but not limited to the obligation to execute and implement, as applicable, a Utility Services Agreement and a Master Utility Plan, both acceptable to the County, and the payment of water and/or wastewater impact fees).

Likely points of service connection to the County's existing water transmission and wastewater collection facilities may be located at **significant distances and off-site** of the project development area. Off-site facilities and any on-site facilities will be addressed, as applicable, through the development approval process and approval of a project specific Master Utility Plan (MUP). Furthermore, the County may, as a matter of standard utility service policy, require necessary line extensions by the developer in accordance with the provisions of a standard Utilities Service Agreement. This agreement must be executed between the County and Owner/Developer prior to construction approval of the project.

For Solid Waste:

The provision of solid waste service is contingent upon the County receiving all permits and approvals necessary to implement and construct the County's planned disposal system improvements and facility expansions needed to serve the development; and the Developer's, and its successors or assigns, compliance with the conditions of Pasco County Code Chapter 90 and other applicable regulatory requirements.

RECEIVED
 NOV 10 2008
 PASCO COUNTY
 DEVELOPMENT REVIEW

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DOT
 12/1/2006