



# REZONING APPLICATION

City of New Port Richey  
 Planning and Development Department  
 City Hall, 5919 Main Street, 1<sup>st</sup> Floor  
 New Port Richey, FL 34652  
 Phone (727) 853-1044 \* Fax (727) 853-1052

Case #: \_\_\_\_\_  
 Send copy to Pasco County, if w/in 1 mile  
 Send to Pasco Schools, if residential  
 DRC Date: \_\_\_\_\_  
 LDRB Date: \_\_\_\_\_  
 Date Received: \_\_\_\_\_

- Submit one original signed and notarized application
- Submit original signed and sealed survey
- Submit 1 digital version of application
- Submit application fees: \$850 for rezoning; \$2,500 for rezoning-PDD; \$1,250 for rezoning-PDD (Amendment)  
 (Checks made payable to the *City of New Port Richey*)

## Property Owner and Representative Information:

Current Property Owner(s): NPR Townhomes, LLC c/o Hal Shaffer		Phone: 561-562-3914
Owner Address: 3400 South Ocean Boulevard, The Atriums, Unit 1E, Palm Beach, Florida 33480		
Owner Email Address: HalShaffer@icloud.com		
Owner's Representative(s): Amy E. Huber, Esq.	Relationship to Owner: Attorney	
Representative Mailing Address: 1299 Main Street, Suite C, Dunedin, FL 34698-5333		
Representative Email Address: amy@huberzoninglaw.com	Phone: (727) 337-4239	
Primary contact: <i>(This is the <u>one</u> person to whom the City will send all communication regarding this application)</i> C. Wayne Sweikert, 401 Third Street SW, Winter Haven, FL 33880, email: wsweikert@pennoni.com, phone: 856-656-2892		

## Property Information:

Street Address: 6450 Sea Forest Drive, New Port Richey, Florida 34652		
General Location: Southeast of the intersection of Sea Forest Drive and Green Key Road		
Size of Site:	Square Feet: 537,095.	Acres: 12.33
Legal Description of Subject Property: (*An electronic copy of the legal description, in Word format, is required as part of this application submittal)  Attached		
Parcel Number(s): 06-26-16-0050-03700-0030		

<b>Zoning District:</b> Parcel A = PDD Planned Development District Parcel B = R-1 Residential District	<b>Proposed Zoning District:</b> PDD Planned Development District
<b>Future Land Use Category:</b> LDR - Low Density Residential	<b>Proposed Future Land Use Category:</b> LDR - Low Density Residential
<b>Existing Use:</b> <i>(Include # of residential unit and/ or square footage of non-residential uses):</i>  Vacant Land	<b>Proposed Use:</b> <i>(Include # of residential units and/ or square footage of non-residential uses):</i>  61 Attached Single Family Homes (fee simple)

How is proposal consistent with the goals, objectives and policies of the Comprehensive Plan?

The proposed development of 61 Luxury single-family town homes in a clustered fashion will enhance the surrounding area and maintain the environmentally sensitive adjoining areas while meeting the existing zoning and future land use requirements of the City of New Port Richey. This aesthetically pleasing gated community will enhance the residential core of the City while providing a safe and comfortable atmosphere for it's residents.

**Submittal Information:**

*(Please address the following information on a separate sheet and attach to this application)*

**Guidelines for Granting a Rezoning. LDC § 5.01.11.**

The development department, development review committee, and land development review board shall consider all of the following guidelines when making a recommendation to the city council on a rezoning application, and the city council shall consider all these guidelines in determining whether to adopt an ordinance granting such rezoning:

1. Whether the proposed zoning district is one (1) of the zoning districts intended to implement or be consistent with the future land use map designation of the property;
2. If more than one (1) zoning district implements or is consistent with the future land use map designation of the property, whether the proposed zoning district is the most suitable zoning district;
3. Whether there are substantial reasons why the property cannot be used in accordance with its present zoning district, or the existing zoning district is otherwise unsuitable;
4. Whether the proposed zoning district is consistent with the character of the existing land use pattern;
5. Whether the proposed zoning district abuts a property with a zoning district similar in intensity to the proposed zoning district, or serves as a suitable transition zoning district between two (2) or more different abutting zoning districts;
6. Whether there are substantial changed or changing conditions in the character of the area where the property is located so that the proposed zoning district is now suitable;
7. Whether based upon the property's size, shape, or characteristics the proposed zoning district is out-of-scale with the surrounding area;
8. Whether the proposed zoning district is premature, based upon the existing conditions in the surrounding area;
9. Whether there is a substantial public need or purpose for the proposed zoning district consistent with the public health, safety and general welfare;
10. Any other factors that may be relevant to the rezoning, such as its location within an enclave, recent annexation into the city, or to conserve the value of buildings and natural resources;
11. The totality of the circumstances; and
12. Any competent substantial evidence presented at the public hearings.

**Consistency with Concurrency:** The following calculations shall be used to **determine the projected demand** of the proposed project on the applicable public facility/service. The calculations are listed by facility/service type. (*Please fill in blanks.*)

<p><b>POTABLE WATER</b> - Adopted level of service (LOS) = 152 gal/day/capita (nonresidential uses are included in the adopted LOS).</p> <p><b>Residential:</b></p> <p><b>Single-family:</b> 152 gal × 2.12 persons/household × <u>61</u> units = <u>19,657</u> gal/day/capita (demand)</p> <p><b>Multi-family:</b> 152 gal × 1.90 persons/household × _____ units = _____ gal/day/capita (demand)</p> <p><b>Commercial:</b> See <u>Table I</u> below from the Land Development Code for estimated water/sewage flows.</p>	<p><b>WASTEWATER</b> - Adopted level of service (LOS) = 114 gal/day/capita (nonresidential uses are included in the adopted LOS).</p> <p><b>Residential:</b></p> <p><b>Single-family:</b> 114 gal × 2.12 persons/household × <u>61</u> units = <u>14,743</u> gal/day/capita (demand)</p> <p><b>Multi-family:</b> 114 gal × 1.90 persons/household × _____ units = _____ gal/day/capita (demand)</p> <p><b>Commercial:</b> See <u>Table I</u> below from the Land Development Code for estimated water/sewage flows.</p>
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<p><b>SOLID WASTE</b> - Adopted level of service (LOS) = 6.3 lbs/day/capita (nonresidential uses are included in the adopted LOS).</p> <p><b>Residential:</b></p> <p><b>Single-family:</b> 6.3 lbs × 2.12 persons/household × <u>61</u> units = <u>815</u> lbs/day/capita (demand)</p> <p><b>Multi-family:</b> 6.3 lbs × 1.90 persons/household × _____ units = _____ lbs/day/capita (demand)</p> <p><b>Commercial:</b> See <u>Table I</u> below from the Land Development Code for estimated water/sewage flows.</p>	<p><b>RECREATION/OPEN SPACE</b> - Refer to the New Port Richey Comprehensive Plan for adopted level of service standards.</p> <p><b>Single-family:</b> _____ units × 2.12 persons/household = <u>130</u> (population projection)</p> <p><b>Multi-family:</b> _____ units × 1.90 persons/household = _____ (population projection)</p> <p>Sites over five acres in area and zoned MF-30 District shall provide five percent of the total net acreage of the development for recreational purposes. Refer to Section 7.06.07 of the Land Development Code.</p>
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**Stormwater Management.** Refer to the Stormwater Management and Erosion Control Policy and Procedures Manual for standards necessary to comply: LOS = 25-year, 24-hour storm event.

Stormwater management and erosion controls will comply with applicable standards for a 25 year, 24 hour storm event in accordance with FDEP, SWFWMD, and New Port Richey regulations.

**Transportation.** Refer to the New Port Richey Comprehensive Plan for the adopted Level of Service Standards. Refer to the Land Development Code for the **requirements of a Transportation Study.**

1. Determine the number of trips generated by the proposed project during the **PM PEAK** hour using the most recent edition of the ITE "Trip Generation" report with no adjustments for internal capture or passerby trips. **Include your calculation(s) here:** 40 vph (25 in, 15 out) by fitted curve  $\ln(T)=0.88\ln(x)+0.06$ .
2. If the total number of trips is equal to or greater than 50 trips, then a transportation study shall be prepared. The report shall be signed and/or sealed by either a registered professional engineer or a member of the American Institute of Certified Planners.
  - a. If no study is required, the applicant is required to provide only the existing directional **PM PEAK** hour traffic volumes and level of service for the roadways link to which project driveways connect. This information shall include project traffic. **Provide this information here:** 62% entering, 38% exiting.
  - b. The data shall be in conformance with Notes 3a and 3b of "Existing Conditions" contained in the Land Development Code.
3.
  - a. Existing directional **PM PEAK** hour traffic volumes and LOS on all existing collectors/arterials in study area. **Provide information here:** See attached Traffic Impact Statement.
  - b. Existing turning movement volumes at the impacted intersection(s) and intersection LOS.

**Process:**

A pre-application meeting will be held with City Staff to ensure the application is complete. Applications must be submitted on Friday by 10:00 am. Once deemed complete, the application will be scheduled for review by the Development Review Committee (DRC). The DRC will review the application for compliance with codes and regulations. Changes may be suggested and additional reviews by the DRC may be necessary. Following the DRC, the case will be scheduled for review by the Land Development Review Board (LDRB) and City Council.

The hearing process to review this application is considered quasi-judicial and operates much like a court of law. The LDRB and City Council members act in a similar capacity as a judge and must govern themselves in accordance with the basics of due process in making decisions. Contact with any of these members about my application should be avoided. These members have been instructed to avoid all such conversations with applicants or people in opposition to or support of any Land Use Plan Amendment. Decisions will be made based on evidence and testimony that is presented at scheduled public hearings and not on information gathered outside of these hearings.

**Attendance at meetings:**

The applicant or applicant's representative needs to be present at all meetings including DRC, LDRB and/or City Council. Call Development Department Staff at 727-853-1039 to find out when this case will be scheduled for these meetings.

**Submittal Information Authorization to visit the property:**

Site visits to the property by City representatives are essential to process this application. The Owner/Applicant, as notarized below, hereby authorizes the City representatives to visit, photograph and post a notice on the property described in this application.

**Authorization for owner's representative(s):**

I Hal Shaffer, the owner, hereby authorize Amy E. Huber, Esq. to act as my representative(s) in all matters pertaining to the processing and review of this application, including modifying the project. I agree to be bound by all representations and agreements made by the designated representative.

Signature of Current Property Owner(s): [Signature]  
Date: 10/24/23

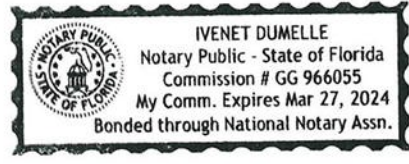
Subscribed and sworn to before me this 24 day of OCTOBER, 2023

who is personally known to me and/or produced DL as identification.

STATE OF FLORIDA, COUNTY OF PASCO

Notary Public: [Signature]

My Commission Expires: MARCH 27, 2024



**Applicant's Affidavit:**

I Amy E. Huber, Esq., the owner or authorized representative, certify that I have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted is complete and in all aspects true and correct, to the best of my knowledge. It is also acknowledged that the filing of this application does not constitute automatic approval of the request and, further, if the request is approved, I will obtain all necessary permits to comply with all applicable orders, codes, conditions, and rules and regulations pertaining to the use of the subject property. (Applications which are filed by corporations must bear the seal of the corporation over the signature of an officer authorized to act on behalf of the corporation.)

Signature of Owner or Authorized Representative: [Signature] Date: 10/25/23

Subscribed and sworn to before me this 25<sup>th</sup> day of October, 2023

who is personally known to me and/or produced FDL as identification.

STATE OF FLORIDA, COUNTY OF PASCO Pineellas

Notary Public: [Signature]

My Commission Expires: 03/09/2024

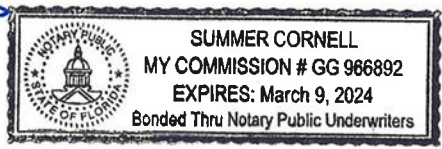


Table I: Estimated Sewage/Water Flows for Commercial Development:		
Type of Establishment		Gallons Per Day (GPD)
Airports	Per Passenger	5
	Add Per Employee (per 8 hour shift)	20
Barber and Beauty Shops	Per Chair	100
	Toilet Wastes Only per Lane	100
County Club	Per Resident	100
	Per Member	25
	Per Employee (per 8 hour shift)	20
Dentist Office	Per Wet Chair	200
	Per Non-Wet Chair	50
Doctor's Office	All Types	250
	No Showers Provided	20
Factories - exclusive of industrial wastes (gallons per employee per 8 hour shift)	Showers Provided	35
	Ordinary Restaurant (per seat)	50
Food Service Operations	24-hour Restaurant (per seat)	75
	Single Service Articles Only (per seat)	25
	Bar and Cocktail Lounge (per seat)	30
	Drive-In Restaurant (per car space)	50
	Carry-Out Only	
	Per 100 Square Feet of Floor Space	50
	Add Per Employee (per 8 hour shift)	20
Hotels and Motels	Regular (per room)	
	Result Hotels, Camps, Cottages (per person)	75
	Add For Self-Service Laundry Facilities (per machine)	400
Office Building	Per Employee, Per 8 Hour Shift	20
	Per Water Closet and Urinal	250
Shopping Center - Without Food or Laundry	Per Square Foot of Floor Space	.1
	Per Seat	5
Stadium, Race Track, Ball Parks	Per Square Foot of Floor Space	.1
	Per Person	10
Theaters	Indoor, Auditoriums (per seat)	5
	Outdoor, Drive-Ins (per space)	10
Trailer or Mobile Home Park	Per Trailer Space	200
	Overnight w/o water and sewer hook-up (per trailer space)	75
Travel Trailer or Recreational Vehicle Park	Overnight with water and sewer hook-up (per trailer space)	100

Table II: Estimated Sewage/Water Flows for Institutional Development:		
Type of Establishment		Gallons Per Day (GPD)
Churches	Per Seat	3
	Per Bed	200
Hospitals (does not include kitchen wastewater flows)	Per Bed	100
	Per Bed	100
Nursing Homes/Rest Homes (does not include kitchen wastewater flow)	With Toilets Only (per person)	5
	With Bathhouses, Showers and Toilets (per person)	10
Parks - Public Picnic	Day-Type	15
	Add For Showers	5
	Add For Cafeteria	5
	Add For Day School Workers	15
	Boarding Type	75
Work or Construction Camps - Semi Permanent	Per Worker	50