



Hernando County

Board of County Commissioners

John Law Ayers Commission Chambers, Room 160
20 North Main Street, Brooksville, FL 34601

Land Use Meeting

Agenda

Tuesday, August 5, 2025 - 9:00 A.M.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS WITH DISABILITIES NEEDING A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT REBECCA HINES, HERNANDO COUNTY PROCUREMENT DEPARTMENT, 15470 FLIGHT PATH DRIVE, BROOKSVILLE, FLORIDA 34604, (352) 754-4020, EXTENSION 20122. IF HEARING IMPAIRED, PLEASE CALL 1-800-676-3777.

If a person decides to appeal any quasi-judicial decision made by the Hernando County Board of County Commissioners with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceeding, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Public comment will be permitted during each agenda item to which Section 286.0114, Florida Statutes applies. Comment will be limited to matters on the meeting agenda time allotted for each speaker will be limited to three (3) minutes.

PLEASE NOTE THAT THIS MEETING HAS A START TIME OF 9:00 A.M., AND ALL ITEMS CAN BE HEARD ANYTIME THEREAFTER.

UPCOMING MEETINGS:

The Board of County Commissioners' next regular meeting is scheduled for Tuesday, August 12, 2025, beginning at 9:00 A.M., in the John Law Ayers County Commission Chambers, Room 160.

A. CALL TO ORDER

1. Invocation
2. Pledge of Allegiance

B. APPROVAL OF AGENDA (Limited to Board and Staff)

C. CONSENT AGENDA

1. [16065](#) Release of Maintenance Bond for Sunset Landing

2. [16171](#) Release of Performance Bond and Acceptance of Maintenance Bond for Caldera Phase 3 and 4
3. [16249](#) Resolution Designating Administrative Official as Administrative Official Authorized to Approve Plats and Replats Pursuant to Florida Statute §§ 177.071

D. CORRESPONDENCE TO NOTE

1. [16165](#) Notice of Conditional Use Permit Action Taken by Planning and Zoning Commission on July 14, 2025
2. [16166](#) Notice of Special Exception Use Permit Action Taken by Planning and Zoning Commission on July 14, 2025

E. PUBLIC HEARINGS

- * Entry of Proof of Publication into the Record
- * Poll Commissioners for Ex Parte Communications
- * Administer Oath to All Persons Intending to Speak
- * Adoption of Agenda Backup Materials into Evidence

BOARD SITTING IN ITS QUASI-JUDICIAL CAPACITY

STANDARD

DEVELOPMENT SERVICES PLANNING DIRECTOR OMAR DEPABLO

1. [15849](#) Request Submitted by Jason E. Morphet and Ayleen N. Gallahue, Property Owners, for Appeal of Administrative Official's Determination on Status of Nonconforming Use for Period Exceeding One Year for Property Located at 5025 Emerson Road
2. [16109](#) Special Exception Use Permit for Place of Public Assembly, Namely a Community Center, Submitted by Unitarian Universalist Church in the Pines (SE2414)
3. [16089](#) Rezoning Petition Submitted by Southern Valley Homes, LLC, on Behalf of John Sirvent, IV, and Melissa Sirvent for Property Located on Wiscon Road (H2471)
4. [16090](#) Rezoning Petition Submitted by Lance Lowery on Behalf of Lowery's True Value, LLC, for Property Located on Lovebird Lane and Raley Road (H2481)
5. [16105](#) Rezoning Petition Submitted by Alton B. Wingate for Property Located on Citrus Way (H2505)
6. [16107](#) Rezoning Petition Submitted by Britton Cox and Kayla Cox for Property Located on Yellow Frog Avenue (H2511)
7. [16108](#) Rezoning Petition Submitted by Jorge M. Sabater on Behalf of Infinite Trust, LLC, for Property Located on Chambord Street (H2512)

8. [16103](#) Rezoning Petition Submitted by Mark Keschl of Meridien Development, LLC, on Behalf of Gary Haber, Evelyn Haber, Kenneth L. Haber, and Martha Haber for Property Located on Commercial Way (H2482)
9. [16104](#) Rezoning Petition Submitted by Arsany 66th Street, LLC, for Property Located on County Line Road (H2501)
10. [16106](#) Rezoning Petition Submitted by Shawn O'Malley on Behalf of Sunny Pines of Hernando, LLC, for Property Located on Cortez Boulevard (H2507)

F. DEVELOPMENT SERVICES PLANNING DIRECTOR OMAR DEPABLO

- [16251](#) Software Demonstration by Swiftbuild.ai a/k/a SwiftGov

G. DEPUTY COUNTY ADMINISTRATOR TONI BRADY

- [16253](#) Discussion Regarding Request From City of Brooksville for Joint Meeting Regarding Operation of Brooksville Fire Department

H. BOARD OF COUNTY COMMISSIONERS

1. Commissioner Ryan Amsler
2. Commissioner Jerry Campbell
3. Commissioner Steve Champion
4. Commissioner John Allocco
5. Chairman Brian Hawkins
6. County Attorney Jon Jouben
7. Deputy County Administrator Toni Brady
8. County Administrator Jeffrey Rogers

I. ADJOURNMENT



Board of County Commissioners

AGENDA ITEM

Meeting: 08/05/2025
Department: Planning
Prepared By: Carrie Cline
Initiator: Omar DePablo
DOC ID: 16065
Legal Request Number:
Bid/Contract Number:

TITLE

Release of Maintenance Bond for Sunset Landing

BRIEF OVERVIEW

Sunset Landing is at the end of the maintenance period and has been found to be in acceptable condition by the Hernando County Department of Public Works, Utilities Development and Fire Services. Developer Garden Street Communities Southeast, LLC will have maintenance responsibility for roads, water and sewer infrastructure.

FINANCIAL IMPACT

No financial impact as the County is not maintaining the infrastructure.

LEGAL NOTE

The Board has authority to act on this matter pursuant to Chapter 125, Florida Statutes.

RECOMMENDATION

It is recommended that the Board approve the release of Maintenance Bond for Sunset Landing.

REVIEW PROCESS

Omar DePablo	Escalated	06/20/2025 5:18 PM
KayMarie Griffith	Approved	07/07/2025 5:02 PM
Toni Brady	Approved	07/09/2025 6:16 PM
Pamela Hare	Approved	07/10/2025 9:25 AM
Victoria Anderson	Approved	07/10/2025 10:50 AM
Heidi Prouse	Approved	07/10/2025 11:04 AM
Jeffrey Rogers	Approved	07/13/2025 9:39 PM
Colleen Conko	Approved	07/15/2025 10:16 AM

MAINTENANCE BOND #872380

BY THIS BOND WE, Garden Street Communities Southeast, LLC, as Principal, and Evergreen National Indemnity Company, as Surety, are bound to Hernando County, Florida, a political subdivision of the State of Florida, hereinafter "County", in the sum of (\$ 291,884.30) for the payment of which we bind ourselves, our heirs, personal representatives, successors and assigns, jointly and severally, firmly by these presents:

WHEREAS, the above-named Principal has applied, or will apply, to the County for approval of a plat of a certain area of land within Hernando County, Florida, to be known as Sunset Landing (Project) and has agreed, or is required, as a condition to the approval of said plat by the County or pursuant to Land Development Regulations, to maintain all required, approved, or dedicated improvements, which improvements consist of, but are not necessarily limited to, roads, drainage, sewer and water lines, and all other improvements installed in connection with the Project; and,

WHEREAS, the approval of said plat by the County is further conditioned upon the furnishing of an adequate Surety Bond to the County pursuant to the County's Land Development Regulations.

NOW, THEREFORE, THE CONDITION OF THIS BOND is such that if the Principal:

- A. Shall maintain all improvements within the project for a period of eighteen (18) months from the date established by the county for the beginning of the maintenance period; and
- B. During such maintenance period, shall provide any maintenance repairs required by the county to ensure the integrity of the improvements, as designed and constructed, is maintained, including but not limited to:
 - (1) Repair and/or replacement of pavement, culverts, catch basins, etc;
 - (2) Control of erosion, replacement of sod, removal of soil washed into the street or drainage system;
 - (3) Maintenance and/or replacement of regulatory signs and markings;
 - (4) Maintenance of sewer lines, force mains, lift stations and wastewater treatment plants if approved and maintenance of water plants and distribution systems; and
- C. Shall reimburse the County or district for any and all repairs it might make to the systems during the maintenance period; and
- D. Shall submit written requests for an inspection of all improvements to the County's Utilities and Public Works Departments, as applicable, at least sixty (60) days prior to the termination of the completion period;

then this obligation shall be void. Otherwise, it remains in full force and effect.

AND the said Surety, for value received, hereby stipulates and agrees that no change involving an extension of time, alterations, or additions to the terms of the improvements to be made hereunder, or in the plans, specifications and schedules covering the same, shall in any way affect the obligation of said Surety on this bond and the Surety does hereby waive notice of any such changes.


THIS BOND shall be for the use and benefit of the County if it should elect to proceed with said work upon the failure of the Principal to maintain the improvements in connection with the Project for a period of eighteen (18) months from the date established by the county for the beginning of the maintenance period, or any subsequent date provided through an agreement between the Principal and the County for an extension of time.

IT IS FURTHER understood that should Hernando County, Florida be required to institute legal proceedings in order to collect any funds under this bond, Garden Street Communities Southeast, LLC (Principal) shall be responsible for attorney's fees and court costs incurred by the County.

IN WITNESS THEREOF, the Principal and the Surety have caused these presents to be duly executed this 17th day of November, 2021.

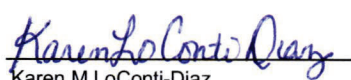

Witness

Garden Street Communities Southeast, LLC
PRINCIPAL

By: 
Name: William Bryan Adams
Title: MANAGER


Witness Julie K Bowers, Witness

Evergreen National Indemnity Company
SURETY

By: 
Name: Karen M LoConti-Diaz
Title: Attorney in Fact

EVERGREEN NATIONAL INDEMNITY COMPANY
MAYFIELD HEIGHTS, OH
POWER OF ATTORNEY

POWER NO. 872380

KNOW ALL MEN BY THESE PRESENTS: That the Evergreen National Indemnity Company, a corporation in the State of Ohio does hereby nominate, constitute and appoint: **Julie K Bowers, Denise M Borowy, Hilarie Frankenberry, Karen M LoConti-Diaz, Kathleen P Price, Patricia A Temple**

its true and lawful Attorney(s)-In-Fact to make, execute, attest, seal and deliver for and on its behalf, as Surety, and as its act and deed, where required, any and all bonds, undertakings, recognizances and written obligations in the nature thereof, PROVIDED, however, that the obligation of the Company under this Power of Attorney shall not exceed **One Million Five Hundred Thousand & no Dollars (\$1,500,000.00)**



This Power of Attorney is granted and is signed by facsimile pursuant to the following Resolution adopted by its Board of Directors on the 23rd day of July, 2004:

"RESOLVED, That any two officers of the Company have the authority to make, execute and deliver a Power of Attorney constituting as Attorney(s)-in-fact such persons, firms, or corporations as may be selected from time to time.
FURTHER RESOLVED, that the signatures of such officers and the Seal of the Company may be affixed to any such Power of Attorney or any certificate relating thereto by facsimile; and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company; and any such powers so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached."

IN WITNESS WHEREOF, the Evergreen National Indemnity Company has caused its corporate seal to be affixed hereunto, and these presents to be signed by its duly authorized officers this 1st day of June, 2017.

EVERGREEN NATIONAL INDEMNITY COMPANY



By: 
Matthew T. Tucker, President
By: 
David A. Canzone, CFO

Notary Public)
State of Ohio)


SS:

On this 1st day of June, 2017, before the subscriber, a Notary for the State of Ohio, duly commissioned and qualified, personally came Matthew T. Tucker and David A. Canzone of the Evergreen National Indemnity Company, to me personally known to be the individuals and officers described herein, and who executed the preceding instrument and acknowledged the execution of the same and being by me duly sworn, deposed and said that they are the officers of said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and signatures as officers were duly affixed and subscribed to the said instrument by the authority and direction of said Corporation, and that the resolution of said Company, referred to in the preceding instrument, is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Cleveland, Ohio, the day and year above written.



PENNY M HAMM
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
04-04-2022


Penny M. Hamm, Notary Public
My Commission Expires April 4, 2022


State of Ohio)

SS:

I, the undersigned, Secretary of the Evergreen National Indemnity Company, a stock corporation of the State of Ohio, DO HEREBY CERTIFY that the foregoing Power of Attorney remains in full force and has not been revoked; and furthermore that the Resolution of the Board of Directors, set forth herein above, is now in force.

Signed and sealed in Mayfield Hts, Ohio this 17th day of November, 2021.




Wan C. Collier, Secretary

**Florida
Department
of Insurance**

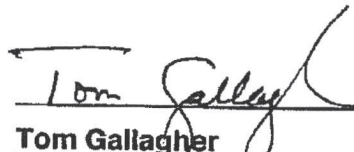


EVERGREEN NATIONAL INDEMNITY COMPANY

**Is hereby authorized to transact
insurance in the State of Florida.**

**This certificate signifies that the company
has satisfied all requirements of the
Florida Insurance Code for the issuance
of a license and remains subject to
all applicable laws of Florida.**

**Date of Issuance: November 28, 1983
No. 94-36-2467238**



**Tom Gallagher
Treasurer and Insurance Commissioner**



Evergreen National Indemnity Company

Certificate

2020

The following financial information was obtained from the Statutory Annual Statement filed by Evergreen National Indemnity Company with the Ohio Department of Insurance.

Statement of Income

Direct Written Premium	35,895,192
Reinsurance Assumed	2,259,989
Reinsurance Ceded	(20,456,657)
Net Written Premium	17,698,524
Change in Unearned	823,527
Net Earned Premium	18,522,051
Losses & LAE Incurred	4,374,692
Net Commission Expense	6,753,389
Other Expenses	3,648,888
Underwriting Gain/ (Loss)	3,745,082
Net Investment Income	1,672,329
Net Realized Capital Gains (Loss)	(542,817)
Other Income/ (Expense)	27,081
Income Before FIT	4,901,675
Federal Income Tax	1,114,489
Net Income	3,787,186

Balance Sheet

Assets

Invested Assets	57,481,182
Uncollected premium and agents' balances	994,006
Reinsurance Recoverable	224,597
Other Assets	282,932
Total Assets	58,982,717

Liabilities & Surplus

Unearned Premium Reserve	7,785,732
Loss & LAE Reserves	6,556,937
Ceded Reinsurance Payable	2,494,525
Other Liabilities	3,942,746
Total Liabilities	20,779,940
Surplus	38,202,777
Total Liabilities & Surplus	58,982,717

I hereby certify that the above information is that contained in the Statutory Annual Statement filed by Evergreen National Indemnity Company with the Ohio Department of Insurance for the year ending December 31, 2020.


David A. Canzone, Treasurer



Board of County Commissioners

AGENDA ITEM

Meeting: 08/05/2025
Department: Planning
Prepared By: Carrie Cline
Initiator: Omar DePablo
DOC ID: 16171
Legal Request Number:
Bid/Contract Number:

TITLE

Release of Performance Bond and Acceptance of Maintenance Bond for Caldera Phase 3 and 4

BRIEF OVERVIEW

Developer Pulte Home Company, LLC is requesting to release the \$10,380,623.50 Performance Bond for Caldera Phases 3 and 4 and enter into the Maintenance Period for The Caldera Phases 3 and 4 project. Pulte Home Company, LLC has met the conditions of the performance bond and they have posted a Maintenance Bond in the amount of \$2,076,124.70 for Caldera Phases 3 and 4 to secure the related subdivision.

FINANCIAL IMPACT

There are no budgetary impacts associated with the recommended action.

LEGAL NOTE

The Board has the authority to act on this matter pursuant to Chapter 26, Code of Ordinances, and Chapter 125, Florida Statutes.

RECOMMENDATION

It is recommended that the Board approve the release of the Performance Bond for Caldera Phases 3 and 4 and accept the Maintenance Bond from Pulte Home Company, LLC in the amount of \$2,076,124.70 for Caldera Phases 3 and 4 for a period of 18 months as required by County Ordinance.

REVIEW PROCESS

Omar DePablo	Escalated	07/15/2025 5:18 PM
KayMarie Griffith	Escalated	07/23/2025 10:23 AM
Omar DePablo	Escalated	07/23/2025 2:52 PM
KayMarie Griffith	Approved	07/23/2025 4:00 PM
Michelle Miller	Approved	07/24/2025 8:02 AM
Pamela Hare	Approved	07/24/2025 11:21 AM
Jon Jouben	Approved	07/30/2025 9:39 AM
Heidi Prouse	Approved	07/30/2025 11:42 AM
Toni Brady	Approved	07/30/2025 3:29 PM
Jeffrey Rogers	Approved	07/30/2025 5:09 PM
Colleen Conko	Approved	07/30/2025 5:11 PM

PERFORMANCE BOND

Bond #30216233

BY THIS BOND, WE, Pulte Home Company, LLC as Principal, and
The Continental Insurance Company, as Surety, are bound to Hernando County, Florida, a
 political subdivision of the State of Florida, hereinafter "County," in the sum of
10,380,623.50 Dollars (\$ 10,380,623.50) for the payment of which
 we bind ourselves, our heirs, personal representatives, successors and assigns, jointly and
 severally, firmly by these presents:

WHEREAS, the above-named Principal has applied, or will apply to the County for approval of
 a plat of a certain area of land within Hernando County, Florida, to be known as
Caldera Phase 3 & 4 Project, and has agreed, or is required, as a
 condition to the approval of said plat by the County or pursuant to Land Development
 Regulations, to install all required, approved or dedicated improvements, which improvements
 consist of, but are not necessarily limited to, roads, drainage, sewer and water lines, and all other
 improvements installed in connection with the Project; and

WHEREAS, the approval of said plat by the County is further conditioned upon the furnishing of
 an adequate Surety Bond to the County pursuant to the County's Land Development
 Regulations.

NOW, THEREFORE, THE CONDITION OF THIS BOND is such that if the Principal:

- (a) Shall in all respects comply with the terms and conditions of the approval of said plat, specifically including, but not limited to, the completion of all required, approved, or dedicated roads, drainage, sewer and water improvements, and/or other improvements which were installed in connection with the Project pursuant to the approved plans and specifications heretofore filed with or approved by the County, and in accordance with the ordinances and regulations of the County; and
- (b) Shall complete all improvements within one (1) year after the final plat has received approval from the County through its Board of County Commissioners, unless a longer time for completion shall be allowed by said Board; and
- (c) Shall submit written requests for an inspection of all improvements to the County's Utilities and Public Works Departments, as applicable, at least sixty (60) days prior to the termination of the completion period; and
- (d) Shall submit an appropriate maintenance guarantee as required by the County's Land Development Regulations; and
- (e) County approval of subsections (a), (b), (c) and (d) shall be required before this Bond may be cancelled or released. Principal shall notify County thirty (30) days before cancellation and release.

then this obligation shall be void. Otherwise, it remains in full force and effect.

AND the said Surety, for value received, hereby stipulates and agrees that no change involving an extension of time, alterations or additions to the terms of the improvements to be made hereunder, or in the plans, specifications and schedules covering the same, shall in any way affect the obligation of said Surety on this bond and the Surety does hereby waive notice of any such changes.

THIS BOND shall be for the use and benefit of the County if it should elect to proceed with said work upon the failure of the Principal to complete the improvements in connection with the project within one (1) year after final plat approval by the Board of County Commissioners, or any subsequent date provided through an agreement between the Principal and the County for an extension of time.

IT IS FURTHER understood that should Hernando County, Florida be required to institute legal proceedings in order to collect any funds under this bond, Pulte Home Company, LLC (Principal), shall be responsible for attorney's fees and court costs incurred by the County.

IN WITNESS THEREOF, the Principal and the Surety have caused these presents to be duly executed this 3rd day of April, 2024.

Pulte Homes Company, LLC

PRINCIPAL

By:

Name: Gregory B. Rives

Title: Assistant Treasurer

The Continental Insurance Company
Surety

By:

Name: Stephen T. Kazmer

Title: Attorney-in-Fact

Witness

Print Name: Nick Sarris

Witness

Print Name: Diane M. Rubright

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That The Continental Insurance Company, a Pennsylvania insurance company, is a duly organized and existing insurance company having its principal office in the City of Chicago, and State of Illinois, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

James I Moore, Stephen T Kazmer, Dawn L Morgan, Melissa Schmidt, Amy Wickett, Kelly A Gardner, Jennifer J Mc Comb, Tariese M Pisciotto, Diane M Rubright, Martin Moss, Individually

of Downers Grove, IL, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the insurance company and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Board of Directors of the insurance company.

In Witness Whereof, The Continental Insurance Company has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 20th day of June, 2021.



The Continental Insurance Company

Paul T. Bruflat

Paul T. Bruflat Vice President

State of South Dakota, County of Minnehaha, ss:

On this 20th day of June, 2021, before me personally came Paul T. Bruflat to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of The Continental Insurance Company, a Pennsylvania insurance company, described in and which executed the above instrument; that he knows the seal of said insurance company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said insurance company and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance company.



My Commission Expires March 2, 2026

M. Bent

M. Bent Notary Public

CERTIFICATE

I, D. Johnson, Assistant Secretary of The Continental Insurance Company, a Pennsylvania insurance company, do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Law and Resolution of the Board of Directors of the insurance company printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said insurance company this 3rd day of April, 2024



The Continental Insurance Company

D. Johnson

D. Johnson Assistant Secretary

Form F6850-4/2012

Authorizing By-Laws and Resolutions

ADOPTED BY THE BOARD OF DIRECTORS OF THE CONTINENTAL INSURANCE COMPANY:

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the Board of Directors of the Company at a meeting held on May 10, 1995.

“RESOLVED: That any Group Vice President may authorize an officer to sign specific documents, agreements and instruments on behalf of the Company provided that the name of such authorized officer and a description of the documents, agreements or instruments that such officer may sign will be provided in writing by the Group Vice President to the Secretary of the Company prior to such execution becoming effective.

This Power of Attorney is signed by Paul T. Bruflat, Vice President, who has been authorized pursuant to the above resolution to execution power of attorneys on behalf of The Continental Insurance Company.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 25th day of April, 2012.

“Whereas, the bylaws of the Company or specific resolution of the Board of Directors has authorized various officers (the “Authorized Officers”) to execute various policies, bonds, undertakings and other obligatory instruments of like nature; and

Whereas, from time to time, the signature of the Authorized Officers, in addition to being provided in original, hard copy format, may be provided via facsimile or otherwise in an electronic format (collectively, “Electronic Signatures”), Now therefore be it resolved: that the Electronic Signature of any Authorized Officer shall be valid and binding on the Company.”

STATE OF ILLINOIS }
COUNTY OF DU PAGE}

On April 3, 2024, before me, Diane M. Rubright, a Notary Public in and for said County and State, duly commissioned and sworn, personally appeared, Stephen T. Kazmer, known to me to be Attorney-in-Fact of Continental Insurance Company, the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument on behalf of the said corporation, and he duly acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.

My Commission Expires March 23, 2027

Diane M. Rubright
Diane M. Rubright, Notary Public
Commission No. 817036



ACKNOWLEDGEMENT BY PRINCIPAL


STATE OF GEORGIA)

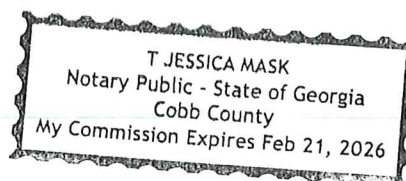
) ss.

COUNTY OF COBB)

This record was acknowledged before me on April 3, 2024,
appeared Gregory S. Rives, Pulte Home Company, LLC, who
provided to me on the basis of satisfactory evidence to be the person who
appeared before me and is personally known to me.

WITNESS my hand official seal.


Signature of Notary Public



(s
T. JESSICA MASK
Notary Public State of Georgia

My Commission Expires: February 21, 2026

MAINTENANCE BOND

BY THIS BOND WE, Pulte Home Company, LLC, as Principal, and Nationwide Mutual Insurance Company, as Surety, are bound to Hernando County, Florida, a political subdivision of the State of Florida, hereinafter "County", in the sum of (\$ 2,076,124.70) for the payment of which we bind ourselves, our heirs, personal representatives, successors and assigns, jointly and severally, firmly by these presents:

WHEREAS, the above-named Principal has applied, or will apply, to the County for approval of a plat of a certain area of land within Hernando County, Florida, to be known as Caldera Phase 3 & 4 (Project) and has agreed, or is required, as a condition to the approval of said plat by the County or pursuant to Land Development Regulations, to maintain all required, approved, or dedicated improvements, which improvements consist of, but are not necessarily limited to, roads, drainage, sewer and water lines, and all other improvements installed in connection with the Project; and,

WHEREAS, the approval of said plat by the County is further conditioned upon the furnishing of an adequate Surety Bond to the County pursuant to the County's Land Development Regulations.

NOW, THEREFORE, THE CONDITION OF THIS BOND is such that if the Principal:

- A. Shall maintain all improvements within the project for a period of eighteen (18) months from the date established by the county for the beginning of the maintenance period; and
- B. During such maintenance period, shall provide any maintenance repairs required by the county to ensure the integrity of the improvements, as designed and constructed, is maintained, including but not limited to:
 - (1) Repair and/or replacement of pavement, culverts, catch basins, etc;
 - (2) Control of erosion, replacement of sod, removal of soil washed into the street or drainage system;
 - (3) Maintenance and/or replacement of regulatory signs and markings;
 - (4) Maintenance of sewer lines, force mains, lift stations and wastewater treatment plants if approved and maintenance of water plants and distribution systems; and
- C. Shall reimburse the County or district for any and all repairs it might make to the systems during the maintenance period; and
- D. Shall submit written requests for an inspection of all improvements to the County's Utilities and Public Works Departments, as applicable, at least sixty (60) days prior to the termination of the completion period;

then this obligation shall be void. Otherwise, it remains in full force and effect.

AND the said Surety, for value received, hereby stipulates and agrees that no change involving an extension of time, alterations, or additions to the terms of the improvements to be made hereunder, or in the plans, specifications and schedules covering the same, shall in any way affect the obligation of said Surety on this bond and the Surety does hereby waive notice of any such changes.

THIS BOND shall be for the use and benefit of the County if it should elect to proceed with said work upon the failure of the Principal to maintain the improvements in connection with the Project for a period of eighteen (18) months from the date established by the county for the beginning of the maintenance period, or any subsequent date provided through an agreement between the Principal and the County for an extension of time.

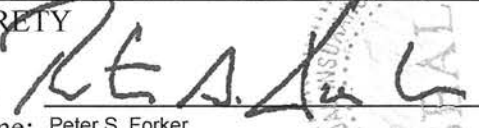
IT IS FURTHER understood that should Hernando County, Florida be required to institute legal proceedings in order to collect any funds under this bond, Pulte Home Company, LLC (Principal) shall be responsible for attorney's fees and court costs incurred by the County.

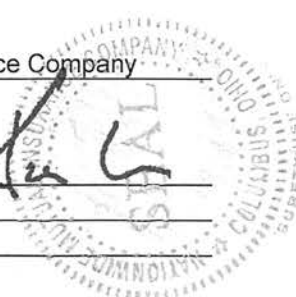
IN WITNESS THEREOF, the Principal and the Surety have caused these presents to be duly executed this 2nd day of June, 2025.


Witness J. Nicholas Sarris

Pulte Home Company, LLC
PRINCIPAL
By: 
Name: Gregory S. Rives
Title: Assistant Treasurer


Witness Nicholas S. Joslyn

Nationwide Mutual Insurance Company
SURETY
By: 
Name: Peter S. Forker
Title: Attorney-In-Fact



NOTARY ACKNOWLEDGEMENT


STATE OF GEORGIA)

) ss.

COUNTY OF BARTOW)

This record was acknowledged before me on June 2nd, 2025
Gregory S. Rives as Assistant Treasurer of Pulte Home Company, LLC, who
provided to me on the basis of satisfactory evidence to be the person who appeared
before me and is personally known to me.

WITNESS my hand official seal.



Signature of Notary Public

(s

Jennifer Gardea
Notary Public State of Georgia



My Commission Expires: April 3, 2029

Power of Attorney

KNOW ALL MEN BY THESE PRESENTS THAT:

Nationwide Mutual Insurance Company, an Ohio corporation

hereinafter referred to severally as the "Company" and collectively as "the Companies" does hereby make, constitute and appoint:

OSCAR F RINCON; PETER S FORKER; REBECCA M JOHLIE;

each in their individual capacity, its true and lawful attorney-in-fact, with full power and authority to sign, seal, and execute on its behalf any and all bonds and undertakings, and other obligatory instruments of similar nature, in penalties not exceeding the sum of

UNLIMITED

and to bind the Company thereby, as fully and to the same extent as if such instruments were signed by the duly authorized officers of the Company; and all acts of said Attorney pursuant to the authority given are hereby ratified and confirmed.

This power of attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the board of directors of the Company:

"RESOLVED, that the president, or any vice president be, and each hereby is, authorized and empowered to appoint attorneys-in-fact of the Company, and to authorize them to execute and deliver on behalf of the Company any and all bonds, forms, applications, memorandums, undertakings, recognizances, transfers, contracts of indemnity, policies, contracts guaranteeing the fidelity of persons holding positions of public or private trust, and other writings obligatory in nature that the business of the Company may require; and to modify or revoke, with or without cause, any such appointment or authority; provided, however, that the authority granted hereby shall in no way limit the authority of other duly authorized agents to sign and countersign any of said documents on behalf of the Company."

"RESOLVED FURTHER, that such attorneys-in-fact shall have full power and authority to execute and deliver any and all such documents and to bind the Company subject to the terms and limitations of the power of attorney issued to them, and to affix the seal of the Company thereto; provided, however, that said seal shall not be necessary for the validity of any such documents."

This power of attorney is signed and sealed under and by the following bylaws duly adopted by the board of directors of the Company.

Execution of Instruments. Any vice president, any assistant secretary or any assistant treasurer shall have the power and authority to sign or attest all approved documents, instruments, contracts, or other papers in connection with the operation of the business of the company in addition to the chairman of the board, the chief executive officer, president, treasurer or secretary; provided, however, the signature of any of them may be printed, engraved, or stamped on any approved document, contract, instrument, or other papers of the Company.

IN WITNESS WHEREOF, the Company has caused this instrument to be sealed and duly attested by the signature of its officer the 20th day of August, 2021.



Antonio C. Albanese, **Vice President** of Nationwide Mutual Insurance Company

ACKNOWLEDGMENT

STATE OF NEW YORK COUNTY OF NEW YORK: ss

On this 20th day of August, 2021, before me came the above-named officer for the Company aforesaid, to me personally known to be the officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, deposes and says, that he is the officer of the Company aforesaid, that the seal affixed hereto is the corporate seal of said Company, and the said corporate seal and his signature were duly affixed and subscribed to said instrument by the authority and direction of said Company.



Stephanie Rubino McArthur
Notary Public, State of New York
No. 02MC6270117
Qualified in New York County
Commission Expires October 19, 2024

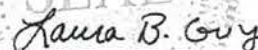


Notary Public
My Commission Expires
October 19, 2024

CERTIFICATE

I, Laura B. Guy, Assistant Secretary of the Company, do hereby certify that the foregoing is a full, true and correct copy of the original power of attorney issued by the Company; that the resolution included therein is a true and correct transcript from the minutes of the meetings of the boards of directors and the same has not been revoked or amended in any manner; that said Antonio C. Albanese was on the date of the execution of the foregoing power of attorney the duly elected officer of the Company, and the corporate seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority of said board of directors; and the foregoing power of attorney is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto subscribed my name as Assistant Secretary, and affixed the corporate seal of said Company this 2nd day of June, 2025.




Assistant Secretary

ACKNOWLEDGMENT BY SURETY

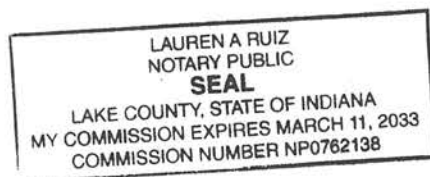
STATE OF INDIANA }
County of LAKE } ss.

On this 2nd day of June, 2025, before me personally
appeared Peter S. Forker, known to, me to be the Attorney-in-Fact of
Nationwide Mutual Insurance Company, the corporation
that executed the within instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and
year in this certificate first above written.



Notary Public in the State of INDIANA
County of LAKE





Board of County Commissioners

AGENDA ITEM

Meeting: 08/05/2025
Department: Planning
Prepared By: Michelle Miller
Initiator: Omar DePablo
DOC ID: 16249
Legal Request Number: LR2025-319
Bid/Contract Number:

TITLE

Resolution Designating Administrative Official as Administrative Official Authorized to Approve Plats and Replats Pursuant to Florida Statute §§ 177.071

BRIEF OVERVIEW

On June 20, 2025, the Governor signed into law Chapter 2025-164, Laws of Florida, which amends Fla. Stat. § 177.071 to require that plats and replats be administratively approved by a designated authority of the local government, and no further action or approval by the governing body is required if the plat or replat complies with the applicable statutory requirements. This law went into effect on July 1, 2025.

Florida Statute § 177.071, as now amended, requires that no later than July 1, 2025, each local government designate, by ordinance or resolution, an administrative authority and official responsible for reviewing, processing, and administratively approving plats and replats.

The Administrative Official is defined in Hernando County Code Appendix A, Article V, § 1, is the administrative authority for receiving, reviewing, and processing plat and replat submittals.

The release of the performance bond for a subdivision and the acceptance of an associated maintenance bond are ancillary requirements associated with the approval of a final plat. Therefore, staff is recommending that these items also be approved by the Administrative Official.

Revisions to the Hernando County Code of Ordinances codifying these changes will be presented to the Board of County Commissioners in the upcoming months.

FINANCIAL IMPACT

There is no financial impact associated with this request.

LEGAL NOTE

The Board has the authority to act on this request in accordance with Chapters 125 and 177, Florida Statutes and Chapter 26 of the Hernando County Code of Ordinances.

RECOMMENDATION

It is recommended that the Board designate the Administrative Official as the administrative official authorized to approve, approve with conditions, or deny plat and replat submittals and take any action necessary to facilitate said authority, including but not limited to, the approval of bond releases and receipts, in accordance with Fla. Stat. §16, §177.071 and §177.091 and Chapter 26 of the Hernando County Code of Ordinances.

REVIEW PROCESS

Michelle Miller

Approved

07/29/2025 1:03 PM

Omar DePablo	Escalated	07/29/2025	2:07 PM
KayMarie Griffith	Approved	07/29/2025	2:10 PM
Albert Bertram	Approved	07/29/2025	5:13 PM
Pamela Hare	Approved	07/30/2025	9:31 AM
Jon Jouben	Approved	07/30/2025	9:42 AM
Heidi Prouse	Approved	07/30/2025	11:51 AM
Toni Brady	Approved	07/30/2025	3:30 PM
Jeffrey Rogers	Approved	07/30/2025	5:00 PM
Colleen Conko	Approved	07/30/2025	5:08 PM

RESOLUTION NO.: 2025-__

A RESOLUTION DESIGNATING THE ADMINISTRATIVE OFFICIAL AS THE ADMINISTRATIVE OFFICIAL AUTHORIZED TO APPROVE PLATS AND REPLATS PURSUANT TO FLA. STAT. § 177.071, PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on June 20, 2025, the Governor signed into law Chapter 2025-164, L.O.F., which amends Fla. Stat. § 177.071 to require that plats and replats be administratively approved by a designated authority of the local government, and no further action or approval by the governing body is required if the plat or replat complies with the applicable statutory requirements; and,

WHEREAS, Chapter 2025-164, L.O.F., went into effect on July 1, 2025; and,

WHEREAS, Fla. Stat. § 177.071, as now amended, requires that no later than July 1, 2025, each local government designate, by ordinance or resolution, an administrative authority and official responsible for reviewing, processing, and administratively approving plats and replats; and,

WHEREAS, the Board of County Commissioners desires to comply with the requirements of Fla. Stat. § 177.071, as amended, and to facilitate the efficient review and approval of plats and replats; and,

WHEREAS, the Board of County Commissioners previously approved the designation of Hernando County's Administrative Official an administrative authority and official responsible for

1 reviewing, processing, and administratively approving plats and replats by means of a *ore tenus*
2 vote; and,

3 WHEREAS, the Board of County Commissioners now wishes to memorialialize its prior
4 voice vote by adopting the instant, written resolution;

5 NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
6 COMMISSIONERS OF HERNANDO COUNTY:

7 **Section 1. Incorporation of Recitals.** The foregoing recitals are true and correct and are
8 incorporated herein by reference.

9 **Section 2. Designation of Administrative Authority and Official.** Pursuant to Section
10 177.071, Florida Statutes, the Board of County Commissioners hereby designates the Administrative
11 Official, as that position is defined in Hernando County Code Appendix A, Article V, § 1, as the
12 administrative authority for receiving, reviewing, and processing plat and replat submittals. The
13 Board of County Commissioners further designates the Administrative Official as the administrative
14 official authorized to approve, approve with conditions, or deny plat and replat submittals in
15 accordance with Fla. Stat. § 177.071 and based on compliance with the requirements of Fla. Stat.
16 § 177.091 and Hernando County Code Chapter 26. The Administrative Official may also take any
17 administrative action that is necessary to facilitate his or her authority to approve, approve with
18 conditions, or deny plat and replat submittals as set forth *supra*.

Section 3. Designation of Duties. The Administrative Official is authorized to delegate review and processing duties to appropriate staff within the Planning Department or other relevant departments, consistent with the provisions of Fla. Stat. § 177.071.

Section 4. Severability. It is declared to be the intent of the Board of County Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this resolution is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining portions of this resolution.

Section 5. Conflicting Provisions Repealed. All resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed.

Section 6. Effective Date. This resolution shall take effect immediately.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
HERNANDO COUNTY in Regular Session this _____ day of _____ 2025.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

Attest: _____
DOUG CHORVAT, JR.
Clerk

By: _____
BRIAN HAWKINS
Chairman

Approved for Form and Legal Sufficiency



County Attorney's Office



Board of County Commissioners

Meeting: 08/05/2025
Department: Administration
Prepared By: Colleen Conko
Initiator: Jeffrey Rogers
DOC ID: 16165
Legal Request Number:
Bid/Contract Number:

AGENDA ITEM

TITLE

Notice of Conditional Use Permit Action Taken by Planning and Zoning Commission on July 14, 2025

BRIEF OVERVIEW

Attached is a memorandum from Development Services Planning Director Omar DePablo regarding a Conditional Use Permit action taken by the Planning and Zoning Commission (P&Z) on July 14, 2025. On that date, the P&Z voted to approve a conditional use permit for a temporary security residence for a period of one (1) year, as petitioned by Jakub Kusnierz (CU2503).

According to Appendix A, Zoning , Article V, Section 4(H) of the Hernando Code of Ordinances, the Board, by a majority of the vote, may decide to review any conditional use decision rendered by the P&Z. If at least a majority of the governing body do not vote to review the P&Z decision within thirty (30) days, the P&Z decision shall be deemed final and subject to review by the circuit court.

FINANCIAL IMPACT

NA

LEGAL NOTE

NA

RECOMMENDATION

For informational purposes only; no action is required by the Board.

REVIEW PROCESS

Omar DePablo	Escalated	07/18/2025 5:17 PM
KayMarie Griffith	Escalated	07/23/2025 10:24 AM
Omar DePablo	Escalated	07/23/2025 2:52 PM
KayMarie Griffith	Approved	07/23/2025 4:02 PM
Michelle Miller	Approved	07/24/2025 8:02 AM
Pamela Hare	Approved	07/24/2025 11:23 AM
Heidi Prouse	Approved	07/24/2025 12:32 PM
Toni Brady	Approved	07/28/2025 8:20 AM
Jeffrey Rogers	Approved	07/29/2025 12:38 PM
Colleen Conko	Approved	07/29/2025 1:18 PM

July 14, 2025

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

VIA: Jeffrey Rogers, County Administrator
County Administrator's Office

FROM: Cesar Omar DePablo, Development Services Director

SUBJECT: Conditional Use Actions by the Planning and Zoning Commission on July 14, 2025

For the Board's information, on July 14, 2025, the Planning and Zoning Commission (P&Z) held a duly advertised public hearing to consider an advertised request for a Conditional Use Permit(s). Attached to this memorandum is (are) the staff report(s) and action(s) of the P&Z on the Conditional Use Permit request(s) at that scheduled public hearing.

A notification letter was sent on Wednesday, July 16, 2025, to inform the petitioner(s) of the P&Z action(s). According to Appendix A, Zoning, Article V, Section 4(F) of the Hernando County Code of Ordinances, the Board of County Commissioners, by a majority vote, may decide to review any conditional use permit decision rendered by the P&Z. If at least a majority (three (3) members) of the governing body do not vote to review the P&Z decision within thirty (30) days, which would be Wednesday, August 13, 2025, (calculated from the date of the P&Z decision), the P&Z decision shall be deemed final and subject only to review by the circuit court.

The review of the decision by the BCC would occur on the regular BCC hearing date of Tuesday, September 9, 2025, (calculated from the date of the P&Z decision). "Public notice" for this hearing shall mean publication of notice of the time, place and purpose of such hearing one (1) time in a newspaper of general circulation in the county, such publication to be at least five (5) days prior to such hearing, and such notice shall be posted in a conspicuous place or places around such lots, parcels, or tracts of land as may be involved in the hearing. Affidavit proof of the required publication and posting of the notice shall be presented at the hearing.

The Board may affirm, modify or reverse the decision of the P&Z at the hearing.

Copies: Applicant's File

STAFF REPORT

HEARINGS:	Planning & Zoning Commission: July 14, 2025
APPLICANT:	Jakub Kusnierz
FILE NUMBER:	CU-25-03
REQUEST:	Conditional Use Permit for Temporary Security Residence
GENERAL LOCATION:	Northwest terminus of Snow Goose Avenue
PARCEL KEY NUMBER:	751485

APPLICANT'S REQUEST

The applicant is requesting approval to place a Temporary Security Residence on their property, specifically an RV, to stay in the RV while the home is being built.

SITE CHARACTERISTICS

Site Size:	34,042.00 Square Feet
Surrounding Zoning & Land Uses:	North: R1C (Residential) South: ROW / R1C (Residential) East: R1C (Residential) West: AG (Agricultural)
Current Zoning:	RIC (Residential)
Future Land Use Map Designation:	Residential

UTILITIES REVIEW

The Hernando County Utilities Department does not currently supply water or wastewater service to this parcel. Water and wastewater service are not available to this parcel. HCUD has no objection to allow a temporary RV (recreational vehicle) on the parcel while a home is being built. Subject to Health Department approval of an appropriate Onsite Sewage Treatment and Disposal System.

LAND USE REVIEW

Minimum Building Setbacks Required in the RIC (Residential) District:

- Front: 25'
- Side: 10'
- Rear: 20'

A conditional use permit is intended to be used as a special permit which temporarily allows uses not otherwise permitted by the ordinance. The Commission can grant a conditional use permit for a period up to two years if they determine that a hardship exists.

NOTICE OF APPLICANT RESPONSIBILITY

The conditional use permit process is a land use determination and does not constitute a permit for either construction, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

STAFF RECOMMENDATION:

It is recommended that the Planning and Zoning Commission determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a Conditional Use Permit for Second Residence for a Temporary Security Residence for a period of up to One (1) year with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The proposed RV shall meet the setbacks of the R1C (Residential) zoning district. Front: 25'
Side: 10'
Rear: 20'
3. The applicant shall coordinate with the Florida Department of Health for any septic system upgrades.
4. The Conditional Use Permit shall expire on July 14, 2026.

P&Z RECOMMENDATION

On July 14, 2025, the Planning and Zoning Commission voted 5-0 to approve the request for a Conditional Use Permit for a Temporary Security Residence for a period of One (1) year with the following unmodified performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The proposed RV shall meet the setbacks of the R1C (Residential) zoning district.
Front: 25'
Side: 10'
Rear: 20'
3. The applicant shall coordinate with the Florida Department of Health for any septic system upgrades.
4. The Conditional Use Permit shall expire on July 14, 2026.



Board of County Commissioners

Meeting: 08/05/2025
Department: Administration
Prepared By: Colleen Conko
Initiator: Jeffrey Rogers
DOC ID: 16166
Legal Request Number:
Bid/Contract Number:

AGENDA ITEM

TITLE

Notice of Special Exception Use Permit Action Taken by Planning and Zoning Commission on July 14, 2025

BRIEF OVERVIEW

Attached is a memorandum from Development Services Planning Director Omar DePablo regarding a Special Exception Use Permit action taken by the Planning and Zoning Commission (P&Z) on July 14, 2025. On that date, the P&Z voted to approve a special use permit for an assisted living facility, as petitioned by Aliviya Rose Manor, LLC (SE2505).

According to Appendix A, Zoning, Article V, Section 8(I) of the Hernando Code of Ordinances, the Board, by a majority of vote, may decide to review any special exception decision rendered by the P&Z. If at least a majority of the governing body do not vote to review the P&Z decision within thirty (30) days, the P&Z decision shall be deemed final and subject to only to review by the circuit court.

FINANCIAL IMPACT

NA

LEGAL NOTE

NA

RECOMMENDATION

For informational purposes only; no action is required.

REVIEW PROCESS

Omar DePablo	Escalated	07/18/2025 5:17 PM
KayMarie Griffith	Escalated	07/23/2025 10:27 AM
Omar DePablo	Escalated	07/23/2025 2:52 PM
KayMarie Griffith	Approved	07/23/2025 4:15 PM
Michelle Miller	Approved	07/24/2025 8:03 AM
Pamela Hare	Approved	07/24/2025 11:26 AM
Heidi Prouse	Approved	07/24/2025 12:31 PM
Toni Brady	Approved	07/28/2025 8:18 AM
Jeffrey Rogers	Approved	07/29/2025 12:38 PM
Colleen Conko	Approved	07/29/2025 1:18 PM

July 14, 2025

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

VIA: Jeffry Rogers, County Administrator
County Administrator's Office

FROM: Cesar Omar DePablo, Development Services Director
Planning and Zoning Department

**SUBJECT: Special Exception Actions by the Planning and Zoning Commission
on July 14, 2025**

For the Board's information, on July 14, 2025, the Planning and Zoning Commission (P&Z) held a duly advertised public hearing to consider an advertised request for a Special Exception(s). Attached to this memorandum are the staff reports and actions of the P&Z on the special exception requests at that scheduled public hearing.

A notification letter was sent on Wednesday, July 16, 2025, to inform the petitioners of the P&Z actions. According to Appendix A, Zoning, Article V, Section 8(1) of the Hernando County Code of Ordinances, the Board of County Commissioners (BOCC), by a majority vote, may decide to review any special exception decision rendered by the P&Z. If at least a majority (three (3) members) of the governing body do not vote to review the P&Z decision within thirty (30) days, which would be Wednesday, August 13, 2025, the P&Z decision shall be deemed final and subject only to review by the circuit court. The review of the decision by the BOCC shall be at a public hearing held within sixty (60) days of the P&Z decision. The board has the authority to continue, on its own motion, to a later date a final decision on any special exception matter pending before it for review.

The review of decision by the BCC would occur on the regular BCC hearing date of Tuesday, September 9, 2025, (calculated from the date of P&Z decision). "Public notice" for this hearing shall mean publication of notice of the time, place and purpose of such hearing one (1) time in a newspaper of general circulation in the county, such publication to be at least five (5) days prior to such hearing, and such notice shall be posted in a conspicuous place or places around such lots, parcels, or tracts of land as may be involved in the hearing. Affidavit proof of the required publication and posting of the notice shall be presented at the hearing.

The Board may affirm, modify, or reverse the decision of the P&Z at the hearing.

Copies: Applicant's File

STAFF REPORT

HEARINGS: Planning & Zoning Commission: July 14, 2025

APPLICANT: Aliviya Rose Manor LLC

FILE NUMBER: SE-25-05

PURPOSE: Special Exception Use Permit for an Assisted Living Facility

GENERAL

LOCATION: Bounded by Fayson Lane, Arrendonda Avenue and Chippendale Street approximately 670 feet South of Spring Hill Drive.

PARCEL KEY

NUMBER: 00417301

APPLICANT'S REQUEST:

The petitioner is requesting a Special Exception Use Permit to establish an Assisted Living Facility. The proposal includes the construction of a one-story, six thousand (6,000)-square-foot single-family residence designed to accommodate up to fourteen (14) residents in private or semi-private rooms. The facility will feature a common living room, dining area, ADA-compliant restrooms, caregiver accommodations, and a full-service kitchen. Outdoor amenities such as green space, walking paths, and sitting areas will be incorporated to support resident wellness. Parking requirements are based on a ratio of 0.3 spaces per bed, resulting in a total of four (4) required parking spaces, in addition to one (1) ADA-accessible parking space. The subject parcel was rezoned in 2021 under application H-21-62, changing its designation from PDP(REC) – Planned Development Project (Recreation) to PDP(SF) – Planned Development Project (Single Family). The rezoning allowed for the development of twelve (12) single-family homes on the seven and a half (7.5) -acre site. The parcel was originally designated as a park site in the Spring Hill Master Plan and includes an existing drainage retention area (DRA).

SITE CHARACTERISTICS:

Site Size: 7.5 acres

Surrounding Zoning;

Land Uses: **North:** PDP(SF)/Planned Development Project (Single Family): Developed
South: PDP(SF)/ Planned Development Project (Single Family): Developed
East: PDP(SF)/ Planned Development Project (Single Family): Developed
West: PDP(SF)/ Planned Development Project (Single Family): Developed

Current Zoning: PDP(SF)/ Planned Development Project (Single Family)

Future Land Use

Map Designation: Residential

Flood Zone: X (Existing Drainage Retention Area)

UTILITIES REVIEW:

Hernando County Utilities Department (HCUD) does not currently supply water or wastewater service to this parcel. Water service is available to this parcel. Wastewater service is not currently available. HCUD has no objection to the requested special exemption to allow a 14-bed assisted living home on the parcel, subject to connection to the central water system and Health Department approval of any proposed Onsite Sewage Treatment and Disposal System at time of site development, Parcel Key# 417301.

ENGINEERING REVIEW:

The subject site is bounded by Fayson LN, Arrendonda Ave and Chippendale St approximately 670 feet South of Spring Hill Dr. This project lies within the Pithlachascotee watershed. This property contains an area of flood Zone "A". The Base flood elevation (BFE) is 59.446 feet in the North American Vertical Datum of 1988 (NAVD 88) per Flood Insurance Rate Map (FIRM) Panel 12101C0075F effective 9/26/2014.

At the time of development, the parking and driveway designs will need to meet County standards. Additionally, handicap parking shall be required.

LAND USE REVIEW:

The subject parcel was rezoned under application H-21-62 in 2021, changing its designation from PDP(REC) – Planned Development Project (Recreation) to PDP(SF) – Planned Development Project (Single Family) to allow for the construction of 12 single-family homes. The parcel was originally identified as a park site in the Spring Hill Master Plan. A shared drainage retention area (DRA) currently exists on the property and will remain functional.

In accordance with County LDRs- Land Development Regulations, if a developer fails to obtain a building permit for the vertical construction of the principal or primary building within a period of not more than two (2) years from the approval date or the special exception use is not established during this period, then the special exception use permit shall be null and void.

MINIMUM BUILDING SETBACKS:

- Front (Chippendale St): 25'
- Side(west): 10'
- Side (Arrendibda Ave): 15'
- Rear (Fayson Ln): 20'

PARKING:

The minimum land development regulations (LDRs) would require 0.3 parking spaces per bed based on maximum occupancy. The LDRs indicate that an Assisted Living Facility may have up to fifty percent of the required parking spaces (including aisles) surfaced with grass, lawn or other materials as designated in the County parking lot standards; however, if parking demand is such that said grass, lawn or other material is caused to be damaged or destroyed to the extent that said grass or lawn ceases to grow, or the other material otherwise causes a nuisance to the neighborhood, then paving may be required by the Zoning Administrator

Comments: Parking requirements are calculated for an Assisted Living Facility at a rate of 0.3 spaces per bed with a maximum of 14 beds. This will require 4 parking spaces.

LIGHTING:

The petitioner has not indicated any provisions for lighting of the subject property. If approved, the petitioner must provide full cutoff fixtures to retain all light on-site and prevent any light spillage onto neighboring residential uses.

BUFFERS:

Per Board of County Commissioners action in rezoning file H-21-62, A 5' natural vegetated buffer enhanced to 80% opacity shall be constructed along the north boundary of the property adjacent to existing residential lots.

COMPREHENSIVE PLAN REVIEW:

The subject property is located within the Residential Future Land Use classification on the adopted Future Land Use map. The Hernando County 2040 Comprehensive Growth Strategy Plan provides the principles for guiding land development activities in the County and describes the related programs and strategies that provide the overall guidance for implementing the Plan. Residential Category of the adopted Comprehensive Plan states:

Objective 1.04B The Residential Category allows primarily single family, duplex, resort, multi-family housing and associated ancillary uses such as recreational and institutional. Office and certain commercial uses may be allowed subject to the locational criteria and performance standards of this Plan. Residential density shall not exceed 22 dwelling units per gross acre.

Strategy 1.04B(1) Commercial and institutional uses within the Residential Category are generally associated with medium and high-density residential development and may include neighborhood commercial, office professional, recreational, schools, and hospitals. Minor public facilities that do not unduly disturb the peaceful enjoyment of residential use may also be allowed.

Comments: An Assisted Living Facility is permitted in all zoning districts as a special exception use.

FINDINGS OF FACT:

1. A Special Exception Use Permit for an Assisted Living Facility is appropriate based on consistency with the Comprehensive Plan and compatibility with the surrounding areas and subject to appropriate performance conditions.
2. The proposed project shall require a commercial review.

NOTICE OF APPLICANT RESPONSIBILITY:

The special exception process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrence. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowners' associations or architectural review committees require submission of plans for review and

approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

STAFF RECOMMENDATIONS:

It is recommended that the Planning and Zoning Commission approve the petitioner's request for a Special Exception Use Permit for an Assisted Living Facility, with the following performance conditions:

1. The petitioner shall obtain all permits from Hernando County and other applicable regulatory agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The proposed project shall require a commercial review.
3. Minimum Building Setbacks:
 - Front (Chippendale St): 25'
 - Side(west): 10'
 - Side (Arrendibda Ave): 15'
 - Rear (Fayson Ln): 20'
4. The parking and driveway designs will need to meet County standards.
5. Handicap parking is required.
6. Parking requirements are calculated for an Assisted Living Facility at a rate of 0.3 spaces per bed with a maximum of 14 beds. This will require 4 parking spaces.
7. The petitioner shall be required to connect to the central water system and coordinate with the Health Department with approval of any proposed Onsite Sewage Treatment and Disposal System at time of site development.
8. The petitioner shall provide full cutoff fixtures, in order to retain all light on-site and prevent any light spillage onto neighboring residential uses.
9. Per BOCC action in rezoning file H-21-62, A 5' natural vegetated buffer enhanced to 80% opacity shall be constructed along the north boundary of the property adjacent to existing residential lots.
10. The site shall be developed in accordance with the site plan as provided by the applicant and attached to this application.
11. Any additional development on the site above and beyond the Assisted Living Facility shall require an amendment to the Special Exception.
12. If the petitioner fails to obtain a building permit for the vertical construction of the principal or primary building within a period of not more than two (2) years from the

approval date or the special exception use is not established during this period, then the special exception use permit shall be null and void.

P&Z RECOMMENDATION:

On July 14, 2025, the Planning and Zoning Commission voted 5-0 to approve the petitioner's request for a Special Exception Use Permit for an Assisted Living Facility, with the following modified performance conditions:

1. The petitioner shall obtain all permits from Hernando County and other applicable regulatory agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The proposed project shall require a commercial review.
3. Minimum Building Setbacks:
 - Front (Chippendale St): ~~25'~~ 50'
 - Side(west): 10'
 - Side (Arrendibda Ave): ~~45'~~ 50'
 - Rear (Fayson Ln): 20'
4. The parking and driveway designs will need to meet County standards.
5. Handicap parking is required.
6. Parking requirements are calculated for an Assisted Living Facility at a rate of 0.3 spaces per bed with a maximum of 14 beds. This will require 4 parking spaces.
7. The petitioner shall be required to connect to the central water system and coordinate with the Health Department with approval of any proposed Onsite Sewage Treatment and Disposal System at time of site development.
8. The petitioner shall provide full cutoff fixtures, in order to retain all light on-site and prevent any light spillage onto neighboring residential uses.
9. Per BOCC action in rezoning file H-21-62, A 5' natural vegetated buffer enhanced to 80% opacity shall be constructed along the north boundary of the property adjacent to existing residential lots.
10. The site shall be developed in accordance with the site plan as provided by the applicant and attached to this application.
11. Any additional development on the site above and beyond the Assisted Living Facility shall require an amendment to the Special Exception.
12. Based on need and demand of the County Engineer, the petitioner shall provide an easement in favor of Hernando County over the drainage retention area on the site.

13. If the petitioner fails to obtain a building permit for the vertical construction of the principal or primary building within a period of not more than two (2) years from the approval date or the special exception use is not established during this period, then the special exception use permit shall be null and void.



AGENDA ITEM

TITLE

Request Submitted by Jason E. Morphet and Ayleen N. Gallahue, Property Owners, for Appeal of Administrative Official's Determination on Status of Nonconforming Use for Period Exceeding One Year for Property Located at 5025 Emerson Road

BRIEF OVERVIEW

Mr. Jason E. Morphet and Ayleen N. Gallahue have appealed the Administrative Official's determination that the parcel has discontinued its non-conforming use for a period exceeding one year, which determination means that the appellants will be required to meet the minimum and current requirements of the County Code of Ordinances.

LOCATION

East side of Emerson Road, approximately 1,600' north of Powell Road

PARCEL KEY NUMBER

381722

CURRENT ZONING

AG (Agricultural)

SURROUNDING ZONING & LAND USE

North: AG; Mobile Homes, Single Family Homes

South: AG; Mobile Homes, Single Family Homes

East: ROW

West: AG; Mobile Homes, Single Family Homes

HERNANDO COUNTY CODE

Pursuant to the Hernando County Code, Appx. A, Art. II, Sec. 2.A.(2)(d)(3): "Where a nonconforming use has been deemed or presumed to have been discontinued under the provisions of this Section, the owner of the property or operator of the use may rebut the presumption of discontinuance by establishing, by clear and convincing objective evidence, that the use has continued or existed beyond the date of presumed discontinuance. In all cases, the party attempting to rebut the presumption of discontinuance shall have the burden of establishing the continuation or existence of the use beyond the date of presumed discontinuance, as well as the burden of establishing the existence or continued operation of the use at any particular time."

CONCLUSIONS

The Appellant must establish by clear and convincing objective evidence that the property did not discontinue its nonconforming use for a period exceeding one year.

FINANCIAL IMPACT

A matter of policy.

LEGAL NOTE

The Board is authorized to consider the appeal of the variance request pursuant to Hernando County Code of Ordinances, Appendix A, Article II, Section 2, and Chapters 125 and 163 of the Florida Statutes.

RECOMMENDATION

It is recommended that the Board consider the Appellants' appeal of the Administrative Official's determination that the property has discontinued its nonconforming use for a period exceeding one year. If the Board determines that clear and convincing objective evidence shows that the property did not discontinue its nonconforming use for a period exceeding one year, it is recommended that the Board approve and authorize the Chairman's signature on the attached approval resolution overturning the Administrative Official determination.

REVIEW PROCESS

Omar DePablo	Escalated	07/23/2025	2:48 PM
KayMarie Griffith	Approved	07/23/2025	3:01 PM
Michelle Miller	Approved	07/24/2025	8:00 AM
Albert Bertram	Approved	07/24/2025	9:48 AM
Pamela Hare	Approved	07/24/2025	2:07 PM
Melissa Tartaglia	Approved	07/25/2025	10:33 AM
Heidi Prouse	Approved	07/25/2025	11:56 AM
Toni Brady	Approved	07/28/2025	8:20 AM
Jeffrey Rogers	Approved	07/29/2025	12:40 PM
Colleen Conko	Approved	07/29/2025	1:39 PM

1506295



**HERNANDO COUNTY ZONING DIVISION
ADMINISTRATOR DECISION APPEAL
APPLICATION**

OFFICE USE ONLY
DATE REC'D

FILE NO. 1506205

This application must be completed and returned, with all documents and check specified on the instruction sheet, to this office before a board hearing will be scheduled. Please note that the petitioner or representative is required to be present at the hearing.

Applicant Name: Jason Morphet Date: April 28, 2025

Mailing Address: 15421 Bellamy Bros Blvd, Dade City, FL 33523

Phone No. (813)701-6122 Fax: _____

E-Mail: jason@nationsrcm.com

Representative Name (if applicable): Walter Sowa, III, Esq.

Mailing Address: 435 12th Street West, Suite 206, Bradenton, FL 34205

Phone No. 941-840-0820 Fax: _____

E-Mail: walter@sowalegal.com

Address of Property: 5025 Emerson Road, Brooksville, FL

Legal Description: N1/2 OF N1/2 OF SE1/4 OF NE1/4 ORB 390 PG 62


Key No.: 00381722 Zoning District: Hernando County

Homeowners Association Yes _____ No X If yes, name of HOA _____

Contact Name: _____

Contact Address: _____ City: _____ State _____ Zip _____

Signature of applicant or representative: 


346-1

RECEIVED
MAY 12 2025
BY: _____

OWNER AFFIDAVIT

I, Jason Morphet, HEREBY STATE AND AFFIRM THAT:

- I am the owner of the property and am making this application OR
- ✓ I am the owner of the property and am authorizing the entity below to submit an application on the described property. The entity shall complete the affidavit below.

I have read the instructions for filing this application. All answers to the questions in said application, all sketches and data attached to and made part of this application are honest and true to the best of my knowledge and belief and are a matter of public record.

[Signature]
Signature of property owner

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 29TH day of April, 2025
by Jason Morphet, who is (✓) personally known to me or who () has produced
 as identification

[Signature]
Signature of Notary Public



AGENT/REPRESENTATIVE AFFIDAVIT

I, Walter Sany, LTD, HEREBY STATE AND AFFIRM THAT:

- X I am the legal representative of the owner or lessee of the property described, which is the subject matter of the application. I have been authorized by the owner identified above to proceed with this application.

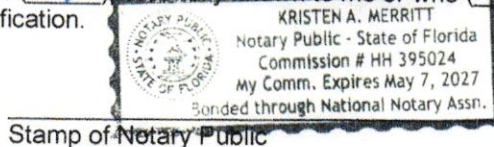
I have read the instructions for filing this application. All answers to the questions in said application, all sketches and data attached to and made part of this application are honest and true to the best of my knowledge and belief and are a matter of public record.

[Signature]
Signature of representative

STATE OF FLORIDA
COUNTY OF HERNANDO Minister

The foregoing instrument was acknowledged before me this 29TH day of April, 2025
by Walter Sany, who is (✓) personally known to me or who () has produced
 as identification.

[Signature]
Signature of Notary Public



As previously stated, Mr. Morphet and Ms. Gallahue have been damaged. Having three mobile homes versus nine mobile homes absolutely hinders the investment opportunity for funding and development of improvements and infrastructure of the mobile home park. It goes without saying that the costs for improvements and beautification spread over nine mobile homes instead of three mobile homes allows for the distribution of costs over more occupants, which ultimately calls in to question the financial viability of maintaining the park. What was designed as a

retirement investment strategy for a local couple, and a way to beautify the area, has turned out, thus far, to be a disaster. As such, Mr. Jason E. Morphet and Ms. Ayleen N. Gallahue appeal the determination by Mr. Omar DePablo of the loss of nonconforming status of 5025 Emerson Road, Brooksville, Florida.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Walter Sowa, III, Esq.", with a stylized flourish at the end.

Walter Sowa, III, Esq.

APPEAL OF ADMINISTRATIVE DETERMINATION STAFF REPORT

HEARINGS: Board of County Commissioners: August 5, 2025

APPLICANT: Jason E. Morphet, Ayleen N. Gallahue

**APPEAL CASE
NUMBER:** 1506295

REQUEST: Appeal of an Administrative Determination on the Status of a
Nonconforming Use

**GENERAL
LOCATION:** East side of Emerson Road, approximately 1,600' north of Powell
Road

**PARCEL KEY
NUMBERS:** 381722

CURRENT REQUEST

The current property owner has submitted a formal appeal challenging the determination issued by the County Administrative Official regarding the nonconforming status of the *Skyline Mobile Home Park* units on the subject parcel. The owner contends that all previously existing units remain legally nonconforming and therefore should be entitled to replacement permits pursuant to the provisions of the County's Land Development Regulations.

In support of this position, the owner asserts that the use of the site as a mobile home park has not been discontinued in a manner that would terminate its nonconforming status and that the site continues to operate in substantial conformance with its historical use. The appeal seeks to overturn the County's finding that the nonconforming status has lapsed and to reinstate eligibility for replacement of all removed units.

SITE HISTORY AND USE

The subject site is located on the east side of Emerson Road, approximately 1,600' north of Powell Road and encompasses the eastern 3.0 acres of the parent 10.0-acre parcel. Historical development of the mobile home park dates back to the early to mid-1970s, with electric service established as early as 1972 (per utility records from Withlacoochee River Electric Cooperative). At its peak, the park consisted of eight (8) mobile home units and one (1) manager's quarters.

The mobile home park has experienced various modifications over time, including the removal and replacement of older units—some as old as 1959. The property has also

been the subject of multiple code enforcement actions due to noncompliance with various regulatory standards.

As of 2019, a total of nine (9) units, including the manager's quarters, were present on-site. However, several of these units were determined to be uninhabitable or beyond their economic lifespan.

DEMOLITION ACTIVITY AND NONCONFORMING STATUS

In 2020, the prior property owner began removing several units via the County's established demolition permitting process. A total of six (6) units were removed under valid permits but were not replaced within the one-year period required under the County's Land Development Regulations (LDRs) to preserve legal nonconforming use status.

In accordance with County LDRs, any failure to replace a nonconforming structure within one (1) year of removal results in forfeiture of its nonconforming status. As such, the aforementioned six (6) units are no longer recognized as legally nonconforming.

Subsequently, one (1) additional unit was removed without obtaining a demolition permit and was likewise not replaced. This unauthorized action constitutes a further violation of the nonconforming use provisions and voids that unit's status as well.

Despite the loss of status for the majority of the units, County staff has reviewed the remaining site conditions and associated records and has determined that **three (3)** units may retain their legal nonconforming use status; the managers quarters, Lot 2 (current replacement permit #1487756) and Lot 3 (current replacement permit #1487657)

The following units are listed as expired and no longer available units:

Unit No.	Demo Permit No.	Date	Notes
1	1407645	12/31/20	Demoed
4	1357369	5/08/18	Permit voided, mobile was still demoed.
5	1400680	8/24/20	Demoed
6	1407647	12/31/20	Demoed
7	1402555	9/24/20	Demoed
10	1402556	9/24/20	Demoed

SITE CHARACTERISTICS

Site Size: Eastern 3.0 acres (Mobile Home Park)
Western 7.0 acres (Undeveloped)

Surrounding Zoning
& Land Uses: North: AG; Single Family Home

South: AG; Single Family Home
East: AG; Single Family Home, Mobile Home
West: AG; Single Family Home

Current Zoning: AG (Agricultural)

LAND USE REVIEW:

The AG (Agricultural) District is designed to promote and encourage the conservation and utilization of prime and productive agricultural land, as well as the preservation of the open character of certain land, which, by virtue of their topography, soil types, natural resources and/or relationship to other land use areas, should be carefully reviewed and evaluated prior to their possible development or else should continue to be developed at a relatively low-density to maintain their overall natural environment and unique character with the county.

The AG (Agricultural) District is designed to allow the continued development of low-density, single-family housing. The Hernando County Code of Ordinances, Appendix A, Article IV, Section 6 identifies the permitted uses within the AG zoning district as follows:

A. *Agricultural District:*

- (1) *Permitted Uses:* The following permitted uses shall apply in the agricultural district:
 - (a) Animal specialty establishment;
 - (b) Farming and farming service establishments;
 - (c) Fisheries;
 - (d) Forestry and forestry service establishments;
 - (e) Horticultural specialty farms;
 - (f) Hunting, trapping and game propagation;
 - (g) Landscaping service establishment;
 - (h) Single-family dwelling;
 - (i) **Mobile Home, provided that such mobile home meets all of the regulations, requirements and provisions of this ordinance for minimum living area within the zoning district;**
 - (j) Land Application of Domestic Septage, provided that such operation meets all of the special regulations, requirements and provisions of this ordinance for operation and siting and applicable Florida Statutes, Administrative Rules, and provisions of the Hernando County Code of Ordinances;
 - (k) Wildlife management activities;
 - (l) Resource-oriented recreational activities;
 - (m) Aquaculture.

- (7) *Dimension and area regulations:* Unless otherwise approved under the special provisions section of the Agricultural District, the dimension and area regulations for lots and structures are as follows:

(a) *Lot area:*

- i. *Lot area:* The minimum lot area for a parcel created after January 1, 1990, shall be ten **(10) acres (including rights-of-way and access tracts).**

Staff Comments: The parent 10.0-acre parcel would be restricted to a single dwelling unit under current Code provisions.

(b) *Single-family dwelling not accessory to the principal agricultural use of the premises:*

- i. *Building height:* The maximum building height shall not exceed forty-five (45) feet.
- ii. *Lot widths:* The minimum lot width of the building line shall be one hundred fifty (150) feet.
- iii. *Front yard:* The minimum front yard requirement in the agricultural districts shall be **seventy-five (75) feet.**
- iv. *Side yard:* The minimum side yard requirement shall be **thirty-five (35) feet.**
- v. *Rear yard:* The minimum rear yard requirement shall be **fifty (50) feet.**
- vi. *Lot frontage:* All lots shall front on a street for a minimum distance of one hundred (100) feet except on dead-end streets, where frontage shall be a minimum of fifty (50) feet.
- vii. *Lots on curves:* Lots on curves shall have a minimum street frontage of fifty (50) feet.
- viii. *Minimum living area:* The minimum living area of a dwelling shall be six hundred (600) square feet. For the purposes of this subsection, "minimum living area" shall mean the minimum floor area of a dwelling unit, exclusive of carports, breezeways, unenclosed porches or terraces.

Mobile Home Provisions: In accordance with the provisions of this subsection, the minimum living or floor area of a mobile home will be six hundred (600) square feet, exclusive of all attachments, and no mobile home shall be permitted to be attached or detached in a manner that would be inconsistent with the original manufacturer's design standards. No mobile home shall have a length or width dimension less than twelve (12) feet, not including popouts and attachments.

All mobile homes must be skirted within thirty (30) days from the issuance of the certificate of occupancy. The skirting shall constitute a visual screen of new material, or material in acceptable condition, consisting of aluminum, pressure-treated wood, masonry, or other acceptable material normally used for mobile home skirting and be placed around the entire perimeter of the mobile home and extending from the base of the mobile [home] to the ground.

Applicants applying for a building permit to place a used mobile home shall either provide proof of a current and valid inspection by the Department of Motor Vehicles or be inspected by the Hernando County Development Department prior to the issuance of a building permit to set the mobile home. The inspection will be in areas of fire safety, electrical, plumbing, mechanical and overall construction of the mobile home.

If the inspection of the mobile home determines that the unit is not repairable, no building permit shall be issued.

No applicant applying to place a mobile home shall perform any repair work or commence setup of the mobile home until a building permit has been secured.

Any deficiencies noted in the inspection report shall be corrected prior to the issuance of a certificate of occupancy.

Standards for used mobile home inspections will be adopted by resolution of the Hernando County Board of County Commissioners and will be consistent with state standards regulating used mobile homes.

Nonconforming Ordinance

The subject site existed as a nonconforming nine (9) unit mobile home park for several decades and only recently (last 2 to 3 years) has the property owner sought to upgrade the mobile homes that were considered inhabitable and/or required replacement.

Appendix A – Article II General Regulations, Section 2. - General Regulations for Structures and Uses. Code underlined and **bolded** for emphasis.

- (2) Any use which is lawfully existing on the effective date of this ordinance, or any amendment thereto, and which does not conform with all the provisions of this ordinance may be continued subject to the following regulations:
 - (a) The use shall not be expanded without the approval of the Planning and Zoning Commission. Approval to expand or to extend a use shall not be

granted if such expansion or extension will be detrimental to the overall character or appearance of the general area. Expanded uses shall be confined within the boundaries of that parcel of land upon which the use occupied on the date the use became nonconforming. **The determination by the Planning and Zoning Commission of whether the expansion of a nonconforming use is detrimental to the overall character or appearance of the general area includes, but is not limited to, the following factors:**

- (i) Whether the expansion of the nonconforming use is incompatible with the surrounding land uses.
- (ii) Whether the expansion of the nonconforming use changes the scope, volume, intensity, or extends the useful life of the nonconforming use.
- (iii) Whether the expansion of the nonconforming use requires a significant investment in additional infrastructure to allow the use to continue.
- (iv) Whether the expansion of the nonconforming use constitutes a change of use, including the requirement of additional types of use permits that are necessary to accommodate the proposed expansion.
- (v) Whether the expansion increases residential density.
- (vi) Whether the expansion is contrary to the public interest.
- (b) Shall not be changed to or expanded to include another nonconforming use.
- (c) May be changed to a conforming use.
- (d) **Whenever a nonconforming use has been discontinued for a period of one year, no nonconforming use may be reestablished on those premises.**
 - (1) **A use shall be considered discontinued once the activities and commerce, essential to the continuation of the use, have ceased.**
 - (2) Proof of the discontinuation of a nonconforming use for the required time period creates a rebuttable presumption of intent to discontinue. The presumption does not apply when a nonconforming use is discontinued involuntarily by compulsion of government action.
 - (3) **Where a nonconforming use has been deemed or presumed to have been discontinued under the provisions of this Section, the owner of the property or operator of the use may rebut the presumption of discontinuance by establishing, by clear and convincing objective evidence, that the use has continued or**

existed beyond the date of presumed discontinuance. In all cases, the party attempting to rebut the presumption of discontinuance shall have the burden of establishing the continuation or existence of the use beyond that date of presumed discontinuance, as well as the burden of establishing the existence or continued operation of the use at any particular time.

- (e) Shall be discontinued ten (10) years after reasonable notice from the Administrative Official to the owner of the parcel upon which the use exists that the use is nonconforming. The Governing Body may, upon application by the owner of the parcel upon which the nonconforming use exists and after a quasi-judicial hearing, modify the time for the amortization of the nonconforming use to allow the owner of the parcel upon which the nonconforming use exists to realize a return on his or her investment.
- (f) **Shall be discontinued where the factual circumstances relating to the use of the premises shows an intentional and voluntary act to discontinue the nonconforming use on the premises.**
- (g) **Notwithstanding the foregoing, the termination of a nonconforming use does not require a decision by the property owner to discontinue the use. A nonconforming use may be lost through negligence or inadvertence. A use may also be lost if a person engages in civil or criminal misconduct that the property owner knows or should know could lead to involuntary closure and indeed does lead to closure.**
- (h) **Changes in ownership, tenancy, or management of a nonconforming use, building, or structure are permitted.**

Administrative Official Conclusion:

A formal request to reinstate or replace previously existing mobile home units at the subject site is currently pending, contingent upon a final determination regarding the property's legal nonconforming use status and the overall legality of the mobile home park.

Following a comprehensive review of the parcel's historical land use, permit activity, demolition records, and development patterns, the Administrative Official has determined that the parcel has forfeited its legal nonconforming use status for six (6) mobile home units. This determination is based on the fact that the mobile homes that were removed failed to be replaced within the year of their demolition permits and that the density in general exceeds the per parcel code allocation. As stated in the County LDRs, "Whenever a nonconforming use has been discontinued for a period of one year, no nonconforming use may be reestablished on those premises."

Powers, Duties and Authority of the Administrative Official

- A. *Appointment.* The governing body shall appoint an administrative official, who shall be charged and provided with the authority to administer the zoning ordinance and to enforce the regulations and procedures contained herein governing land development and use, indicating the issuance of zoning permits and certificates of use. The administrative official, in the performance of his duties and functions, may enter upon any land and make examinations and surveys that do not occasion damage or injury to private property.
- B. *Powers and duties.* The administrative official shall have the following powers and duties:
- (1) To decide the literal interpretation of the zoning ordinance including definitions and land use classifications.
 - (2) To decide the interpretation of the exact location of zoning district boundaries according to the zoning ordinance.
 - (3) To decide the interpretation of the amount of off-street parking, loading and unloading space required according to the zoning ordinance.
 - (4) To decide the interpretation of the general environmental control criteria and performance standards according to the zoning ordinance.
 - (5) To decide any other interpretation or decision delegated by the land development regulations.
- C. *Administrative variances.* The administrative official shall have the authority to grant a minor dimensional variance of up to ten (10) percent of adopted standards when the terms of this ordinance are met. When the terms of the ordinance are not met, the administrative official shall deny the request, at which time the petitioner shall have all rights of appeal as set forth in this ordinance.

Appx. A, Art. V, Sec. 3.A(2)

- (2) *The governing body may authorize upon appeal a variance from the terms of the ordinance that will not be contrary to the public interest when due to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary and undue hardship. In order to authorize any variance from the terms of the ordinance, the governing body shall consider:*
- (a) **That special conditions and circumstances exist which are peculiar to the land,** structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;
 - (b) **That the special conditions and circumstances do not result from the actions of the applicant;**

- (c) *That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, buildings, or structures in the same zoning district;*
- (d) *That literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance and would work unnecessary and undue hardship on the applicant;*
- (e) **That the variance granted is the minimum variance that will make possible the reasonable use of the land,** building or structure;
- (f) *That the granting of the variance will be in harmony with the general intent and purpose of the land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.*

STAFF RECOMMENDATION:

It is recommended that the Board of County Commissioners consider the Administrative Official's determination and remove the nonconforming status on six (6) of the preexisting nine (9) mobile home units, leaving three (3) units which have preexisting Impact Fee preemptions (dated 2008) and one (1) fully paid Impact Fee. The approved three (3) units shall be limited to the historical eastern 3.0 acres. The property owner shall responsible for obtaining all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use or the property, and complete all applicable development review processes.



April 29, 2025

Hernando County Board of County Commissioners
20 N Main St # 460
Brooksville, FL 34601

Re: Appeal of Decision for 1487658 Emerson Road – Nonconforming Use Determination

To the Hernando County Board of County Commissioners,

Please allow this letter to serve as a confirmation of Mr. Jason Morphet's appeal regarding the removal of the nonconforming use of the property located at 5025 Emerson Road, Brooksville, Florida. In a nutshell, Mr. Jason E. Morphet and Ms. Ayleen N. Gallahue purchased a ten (10) acre parcel in Brooksville, Florida, with the easterly three (3) acres zoned as a legally nonconforming nine (9) unit mobile home park, and intended to renovate it and utilize it as a mobile home park, and made said purchase and improvements based upon the assurances and determinations of Hernando County officials and staff, only to be informed years later that the property lost its nonconforming status, based upon reasons that contradict determinations made previously by Hernando County officials and staff. At this point Mr. Morphet and Ms. Gallahue has suffered severe financial damages, based upon detrimentally relying on the various determinations of Hernando County's officials and staff, only to have officials and staff rescind previous determinations, of which Mr. Morphet and Ms. Gallahue relied upon.

More specifically, what has transpired is as follows:

1. On October 25, 2022, Mr. Jason E. Morphet and Ayleen N. Gallahue purchased the Skyline Mobile Home Park (also known as Skyline Trailer Court), located at 5025 Emerson Road, Brooksville, Florida, a ten 10 acre parcel zoned for eight plus one mobile homes on a configured on the easterly three acre section of said parcel.
2. Prior to this purchase, though, Jason Morphet confirmed, in writing, with Hernando County officials to receive a determination of the zoning of the property, as well as the permitting steps needed to replace units that had been removed.
3. During discussions with the previous owner, Mr. Morphet and Ms. Gallahue were told the same information that they had received from Hernando County officials in October of 2022 that was given to the previous owner in October of 2021. This confirmed the determination of the zoning of the property. *Please see Exhibit "A."*
4. Also at the same time, Hernando County staff provided Mr. Morphet and Ms. Gallahue with a determination letter from the Hernando County Development Department. *Please see Exhibit "B."*
5. Contained in the determination letter is that statement that "whenever a nonconforming **use** has been discontinued for a period of one year, no nonconforming use may be reestablished on the premises." ***Emphasis*** added.

6. At that time and currently, the nonconforming use had never been discontinued. It has always remained a mobile home park. In communications subsequent, Mr. Morphet has been emphatic that he and Ms. Gallahue were continuing the use as a mobile home park.

7. On March 15, 2023, Mr. Morphet received an internal email from Hernando County Zoning officials where Jennifer Soch emailed other Zoning offices, informing the property was zoned for eight mobile homes plus one owner's mobile home. *Please see Exhibit "C."*

8. Once the property was acquired and improvement started, the property owner was in constant contact with Hernando County officials and staff, taking the necessary steps requested by Hernando County staff in replacing and upgrading the various units. Various departments interacted with Hernando County Zoning and all were advised that this was a mobile home park zoned for eight plus one units and that the owner never waived in not maintaining this as a mobile home park with eight plus one units. *Please see composite Exhibit "D."*

9. In addition, at all times during the discussions, Hernando County officials and staff never waived in their determination that it was a legal nonconforming and that it did not lose said status.

At this point, Mr. Morphet and Ms. Gallahue have detrimentally relied on Hernando County officials and staff and not only in the acquisition of the property, of which without the determination of Hernando County officials and staff they would not have purchased the property, but also for the development costs expended at the tasks requested by Hernando County officials and staff for permitting, as well as purchasing the mobile homes needed prior to the recent determination by Mr. Omar DePablo. Mr. Morphet and Ms. Gallahue are not only burdened with the cost of the purchasing the mobile homes but also the cost of storage while going through this ordeal.

Mr. Morphet and Ms. Gallahue were told multiple times, in writing and verbally, that the park was a legal nonconforming mobile home park and did not lose its nonconforming status because the property has never been abandoned as a mobile home park for a consecutive 365 days. Mr. Morphet and Ms. Gallahue, at any time, have never demoed or removed any rentable permitted mobile homes from the property. The property still has the same permitted, rentable mobile homes since the purchase of the property in October 2022. It had always been an eight plus one mobile park, with status confirmed by Hernando County, and in addition, Mr. Morphet has done nothing to jeopardize, other than to follow the steps prescribed by Hernando County officials and staff. But for Hernando County providing official guidance and a determination that the non-conforming status had not been lost, Mr. Morphet and Ms. Gallahue would not be in this situation.

Regarding the Hernando County's Letter of Nonconforming Determination, Mr. Morphet and Ms. Gallahue object to the determination, as was even provided in the Letter, said determination was based upon a records request, of which no records were found, and did not affirmatively state, or provide any credible evidence, that the mobile home park usage was ever discontinued. An incorrect conclusion is provided, without providing any of the elements necessary to justify said determination.

As previously stated, Mr. Morphet and Ms. Gallahue have been damaged. Having three mobile homes versus nine mobile homes absolutely hinders the investment opportunity for funding and development of improvements and infrastructure of the mobile home park. It goes without saying that the costs for improvements and beautification spread over nine mobile homes instead of three mobile homes allows for the distribution of costs over more occupants, which ultimately calls in to question the financial viability of maintaining the park. What was designed as a

retirement investment strategy for a local couple, and a way to beautify the area, has turned out, thus far, to be a disaster. As such, Mr. Jason E. Morphet and Ms. Ayleen N. Gallahue appeal the determination by Mr. Omar DePablo of the loss of nonconforming status of 5025 Emerson Road, Brooksville, Florida.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Walter Sowa, III, Esq.", with a stylized flourish at the end.

Walter Sowa, III, Esq.



DEPARTMENT OF PLANNING AND ZONING

PLANNING DIVISION

20 NORTH MAIN STREET ♦ ROOM 262 ♦ BROOKSVILLE, FLORIDA 34601
P 352.754.4057 ♦ F 352.754.4420 ♦ W www.HernandoCounty.us

March 10, 2025

Jason Morphet
Nations Roofing & Construction
15421 Bellamy Brothers Blvd
Dade City, FL 33523

RE: 1487658 Emerson Road – Nonconforming Use Determination

Dear Applicant and/or Representative:

This letter is in response to a request for a determination of use on parcel (key #381722) located on Emerson Road, Hernando County. Thank you for your patience as staff reviewed the request. It is the understanding of staff that the subject site existed as a nonconforming seven (7) unit mobile home park for several decades and only recently (last 2 to 3 years) has sought to upgrade the mobile homes that were considered inhabitable and/or required replacement. As you are aware, the property is zoned Agricultural, which under current rules would only permit one (1) dwelling unit. A recent request by your team was made to reinstate or replace the units that have been demolished over the last several years, however, the release of the permits for those replacement units is pending due to final determination of the nonconforming status and the legality of the mobile home park as a whole. Based on the history of the parcel, permit records and recent activities, it has been determined that the parcel has forgone its nonconforming status. This determination is based on both the fact that the mobile homes that were removed failed to be replaced within the year of their demolition permits and the plans to expand the use beyond its original status (*see code references below*).

Additionally, it was indicated that an email from Jennifer Soch, a previous employee, granted the rights to replace the mobile homes regardless of the time that lapsed between the demolition of the mobile homes and the attempt to replace the units. In an effort to assist in reviewing and possibly granting Ms. Soch's decision, staff requested the email be provided; however, to date, no email has been provided, despite a "Public Records Request". Furthermore, it is the determination of the Administrative Official, that Ms. Soch's assessment of the use was incorrect. A nonconforming use cannot be extended beyond the Code of Ordinance timeframes/limits and regulations (*see code reference below*). Unfortunately, at this time, your project is considered nonconforming and would be required to meet the minimum and current requirements of the County Code of Ordinance.

It is suggested that a rezoning to AR-2 (Agricultural Residential 2) be requested in order to bring the subject site into zoning conformance. The AR-2 (Agricultural Residential 2) zoning district allows parcels as small as one (1) acre and would allow for the parcel to be split into a maximum of ten (10) legal parcels or lot size configuration within those perimeters.

If the zoning is approved, then a Class C subdivision would be required. Class C and Class B subdivisions splits are considered rural subdivisions with a minimum size of 2.5 acres; therefore, you would need to appeal this request to formally create a subdivision with 1.0 acre lots. The appeal is a formality and would be determined by the Board of County Commissioners, at which time the justification could be made that the parcel has had higher densities in the past and the current request is intended to bring the parcel into conformance. Please be advised that additional requirements from other departments may be necessary during the development process. Our staff would be more than happy to assist you.

Hernando County Code of Ordinance

Appendix A – Zoning

Article II General Regulations, Section 2. - General Regulations for Structures And Uses.

- (2) Any use which is lawfully existing on the effective date of this ordinance, or any amendment thereto, and which does not conform with all the provisions of this ordinance may be continued subject to the following regulations:
- (a) The use shall not be expanded without the approval of the Planning and Zoning Commission. Approval to expand or to extend a use shall not be granted if such expansion or extension will be detrimental to the overall character or appearance of the general area. Expanded uses shall be confined within the boundaries of that parcel of land upon which the use occupied on the date the use became nonconforming. The determination by the Planning and Zoning Commission of whether the expansion of a nonconforming use is detrimental to the overall character or appearance of the general area includes, but is not limited to, the following factors:
 - (i) Whether the expansion of the nonconforming use is incompatible with the surrounding land uses.
 - (ii) Whether the expansion of the nonconforming use changes the scope, volume, intensity, or extends the useful life of the nonconforming use.
 - (iii) Whether the expansion of the nonconforming use requires a significant investment in additional infrastructure to allow the use to continue.
 - (iv) Whether the expansion of the nonconforming use constitutes a change of use, including the requirement of additional types of use permits that are necessary to accommodate the proposed expansion.
 - (v) Whether the expansion increases residential density.
 - (vi) Whether the expansion is contrary to the public interest.
 - (b) Shall not be changed to or expanded to include another nonconforming use.
 - (c) May be changed to a conforming use.
 - (d) Whenever a nonconforming use has been discontinued for a period of one year, no nonconforming use may be reestablished on those premises.
 - (1) A use shall be considered discontinued once the activities and commerce, essential to the continuation of the use, have ceased.
 - (2) Proof of the discontinuation of a nonconforming use for the required time period creates a rebuttable presumption of intent to discontinue. The presumption does not apply when a nonconforming use is discontinued involuntarily by compulsion of government action.
 - (3) Where a nonconforming use has been deemed or presumed to have been discontinued under the provisions of this Section, the owner of the property or operator of the use may rebut the presumption of discontinuance by establishing, by clear and convincing objective evidence, that the use has continued or existed beyond the date of presumed discontinuance. In all cases, the party attempting to rebut the presumption of discontinuance shall have the burden of establishing the continuation or existence of the use beyond that date of presumed discontinuance, as well as the burden of establishing the existence or continued operation of the use at any particular time.

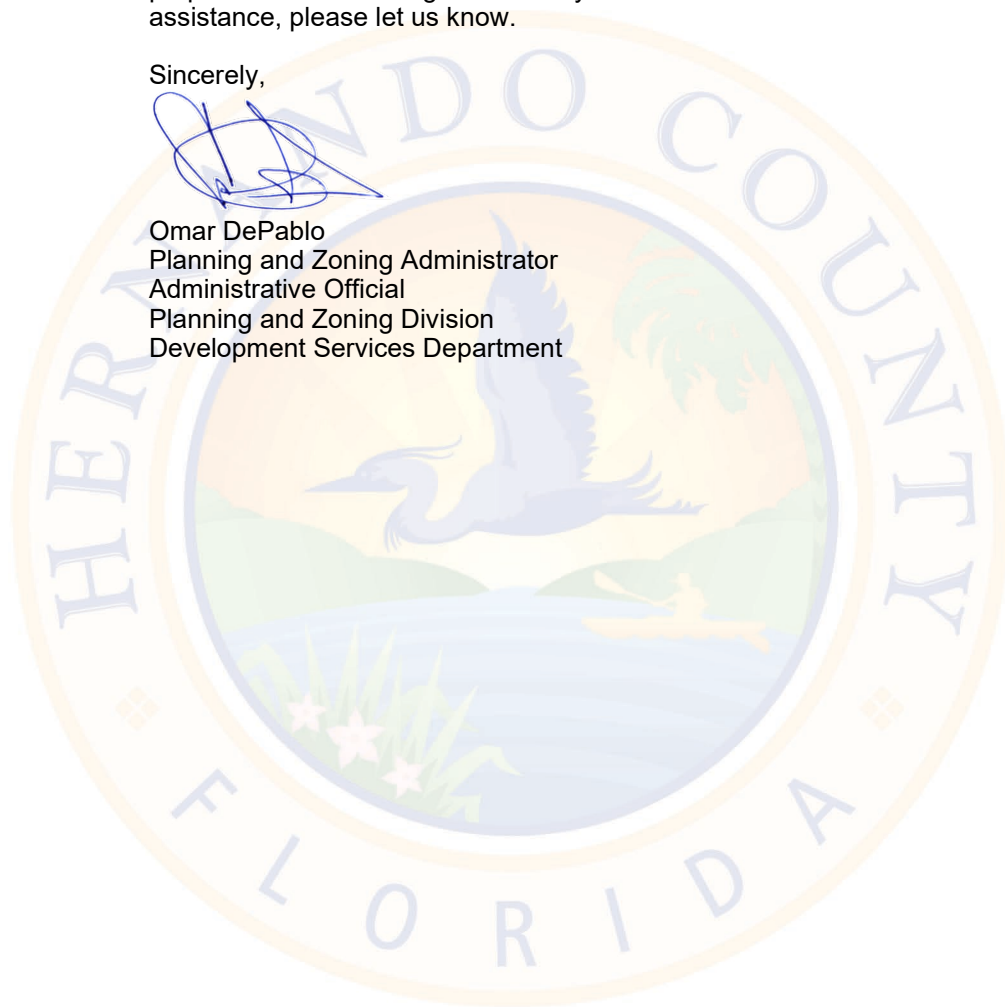
- (e) Shall be discontinued ten (10) years after reasonable notice from the Administrative Official to the owner of the parcel upon which the use exists that the use is nonconforming. The Governing Body may, upon application by the owner of the parcel upon which the nonconforming use exists and after a quasi-judicial hearing, modify the time for the amortization of the nonconforming use to allow the owner of the parcel upon which the nonconforming use exists to realize a return on his or her investment.
- (f) Shall be discontinued where the factual circumstances relating to the use of the premises shows an intentional and voluntary act to discontinue the nonconforming use on the premises.
- (g) Notwithstanding the foregoing, the termination of a nonconforming use does not require a decision by the property owner to discontinue the use. A nonconforming use may be lost through negligence or inadvertence. A use may also be lost if a person engages in civil or criminal misconduct that the property owner knows or should know could lead to involuntary closure and indeed does lead to closure.
- (h) Changes in ownership, tenancy, or management of a nonconforming use, building, or structure are permitted.

This letter summarizes the applicable regulations, laws, and provisions in effect at this time, and should not be construed to grant any rights inconsistent with any regulations in effect at this time and does not purport to state what regulations may be in effect at some future date. If we can be of any further assistance, please let us know.

Sincerely,



Omar DePablo
Planning and Zoning Administrator
Administrative Official
Planning and Zoning Division
Development Services Department



Board of County Commissioners

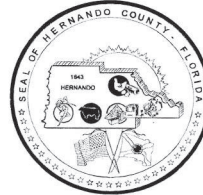
Exhibit 1

Hernando County

Development Department

MAILING ADDRESS:

**789 Providence Boulevard
Brooksville, FL 34601-2807**
(352)754-4050 Fax: (352)754-4416



Visit Us on the Internet: www.co.hernando.fl.us

November 25, 2008

Louise Kersten-Vance
5025 Emerson Road
Brooksville, FL 34601-5768

Re: N1/2 of N1/2 of SE 1/4 of NE1/4 located in Section 11, Township 23, South Range 19, East,
Less right-of-way for State Road 581. A.K.A. R11-423-19-0000-0050-0000, Key Number
00381722.

Dear Louise,

The above described parcel is currently zoned Agricultural (AG). The Easterly three (3) acres are currently being used as a mobile home park known as Skyline Trailer Court. The mobile home park on the 3 acres is considered legally nonconforming and cannot be expanded or changed without the approval of the Planning and Zoning Commission. Also, whenever a nonconforming use has been discontinued for a period of one year, no nonconforming use may be reestablished on the premises.

According to our records, the park consist of eight (8) independent mobile home lots and one lot for the owner of the park. In order to remain in compliance, a maximum of eight (8) mobile homes plus one (1) for the owner is allowed on the parcel all other mobile homes must be removed.

After thoroughly reviewing all information available, it has been determined that only two impact fee exemptions may be applied to the parcel of land. All mobile homes to be replaced must obtain permits prior to the home being placed on the lot. The new mobile homes must meet the current minimum size requirement per the ordinance along with all other applicable regulations. At the time of permitting an impact fee will be assessed to any mobile home not receiving the two available exemptions.

This letter does not exclude the need for approval from any other agency.

If you have any questions do not hesitate to contact our office at 352-754-4050.
Sincerely,

Rebecca Garrett
Hernando County Zoning Technician II

While researching Skyline Mobile Home Park, the following was used for information:

*Property Appraiser's office could only provide one home on a replacement letter during '86-'87. Any others that may have been on the property were considered "Tangible" and were not on the records. Louise from PA spoke to the Tangibles director and they had no record of Skyline at all. The bulk of the homes were picked up on the 1991 tax roll.

*Health Department has no records on the park prior to 1991.

*We reviewed all aerials available to establish time line of placement of homes. 1982 and 1984 aerials appeared to have only two homes visible. The 1988 aerial showed several more. (according to building dept records these were not permitted.

*Two building permits for mobile homes were found 1977 and 1988.

*Owner provided electric company statements and other documents that were reviewed as well.

OWNERS

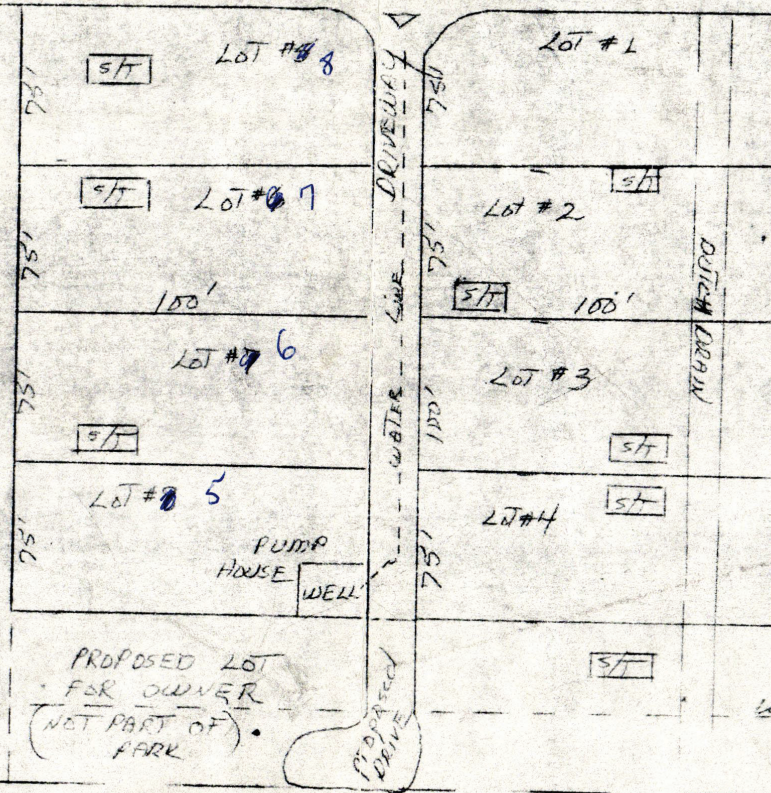
CLINTON VANCE
LOUISE KERSTEN
RT 8 Box 1529
BROOKSVILLE, FLORIDA

SKY LINE TRAILER COURT

8 INDEPENDENT MOBILE HOME SPACES

- 900/255 septic system
- WATER samples satisfactory

TRAILER PARK
ON FRONT 3 ACRES
OF 10 ACRES



SEVEN (7) ACRES IN REAR

Received
from Health
Dept
NOT SCALED
12/1/77

Exhibit 2

SKY VIEW TRAILER PARK
5025 EMERSON RD
BROOKSVILLE FL

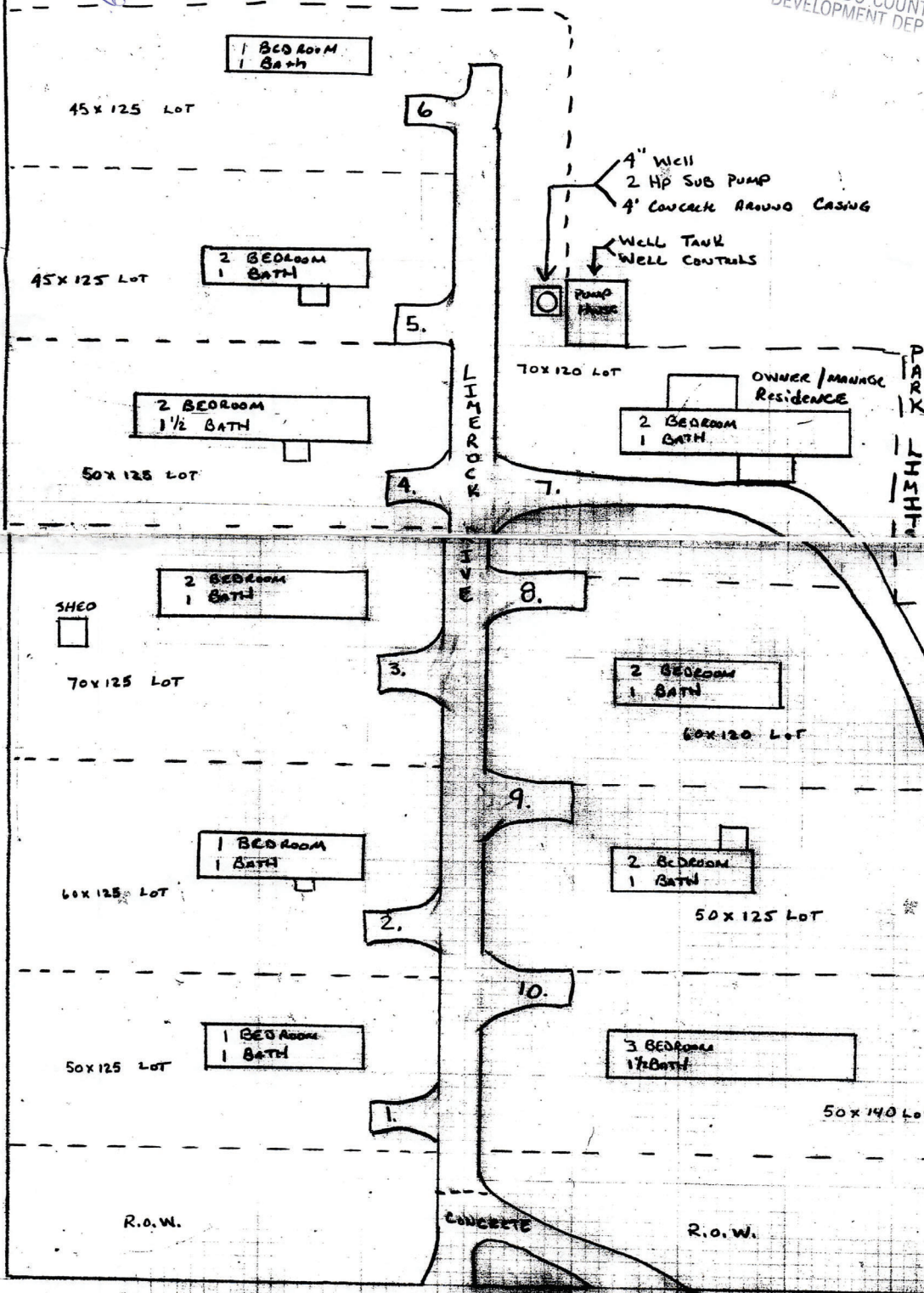
* Only home lots and one lot for owner is Confirmed legally non permit

1" = 30' (H.O.D.)

RECEIVED
JUN 16 2010
HERNANDO COUNTY
DEVELOPMENT DEPT.

102' 11" OSW

PARK LIMITS



From: **Jennifer Soch** <JSoch@co.hernando.fl.us>

Date: Fri, Oct 22, 2021 at 7:33 AM

Subject: RE: 5025 Emerson Road, Brooksville, FL 34601

To: Anthony Kanaris <anthony@akanarisrealtor.com>, Julian Exclusa
<jexclusa@icloud.com>, kimberly.homeland@gmail.com
<kimberly.homeland@gmail.com>

Cc: Ronald Pianta <RPianta@hernandocounty.us>, Tobey Phillips
<tphillips@co.hernando.fl.us>, Jim Friedrichs <JFriedrichs@co.hernando.fl.us>, John
Allocco <JAllocco@co.hernando.fl.us>, Aaron Pool <APool@co.hernando.fl.us>

Good morning,

Please accept my apologies for the late response. Based on the additional research I did, the previous information I provided is correct. There may have been additional addresses at one point and there may have been more than the allowed mobile homes on the property as well; however, that does not alter the fact that the allowable number of homes on the property is 8 mobile homes and 1 owner mobile home. There are two impact fee credits only. It may be that the previous homes on the property were unpermitted, therefore, would not have paid the impact fees and would not be eligible for a credit. Of course, if the owner of the property can provide documented proof that impact fees have been paid, we will be more than happy to review it and apply any credits at that time.

Should you have any further questions, please do not hesitate to contact our office.

Jen Soch

Zoning Tech

789 Providence Blvd.

Brooksville, FL 34601

Ph: 352-754-4048 ext. 29114

****ATTENTION: Beginning January 19, 2021 our new hours of operation are Monday-Friday, 7:30am-2:00pm until further notice****

Board of County Commissioners

Hernando County

Development Department

MAILING ADDRESS:

**789 Providence Boulevard
Brooksville, FL 34601-2807**

(352)754-4050

Fax: (352)754-4416



Exhibit B

Visit Us on the Internet: www.co.hernando.fl.us

November 25, 2008

Louise Kersten-Vance
5025 Emerson Road
Brooksville, FL 34601-5768

Re: N1/2 of N1/2 of SE 1/4 of NE1/4 located in Section 11, Township 23, South Range 19, East, Less right-of-way for State Road 581. A.K.A. R11-423-19-0000-0050-0000, Key Number 00381722.

Dear Louise,

The above described parcel is currently zoned Agricultural (AG). The Easterly three (3) acres are currently being used as a mobile home park known as Skyline Trailer Court. The mobile home park on the 3 acres is considered legally nonconforming and cannot be expanded or changed without the approval of the Planning and Zoning Commission. Also, whenever a nonconforming use has been discontinued for a period of one year, no nonconforming use may be reestablished on the premises.

According to our records, the park consist of eight (8) independent mobile home lots and one lot for the owner of the park. In order to remain in compliance, a maximum of eight (8) mobile homes plus one (1) for the owner is allowed on the parcel all other mobile homes must be removed.

After thoroughly reviewing all information available, it has been determined that only two impact fee exemptions may be applied to the parcel of land. All mobile homes to be replaced must obtain permits prior to the home being placed on the lot. The new mobile homes must meet the current minimum size requirement per the ordinance along with all other applicable regulations. At the time of permitting an impact fee will be assessed to any mobile home not receiving the two available exemptions.

This letter does not exclude the need for approval from any other agency.

If you have any questions do not hesitate to contact our office at 352-754-4050.
Sincerely,

Rebecca Garrett
Hernando County Zoning Technician II

Jason Morphet

From: Jane A Brown <JABrown@co.hernando.fl.us>
Sent: Wednesday, March 15, 2023 1:19 PM
To: Jason Morphet
Subject: FW: parcel 00381722 - 5025 Emerson
Attachments: Emerson Mobile Home Park.pdf



Jane Brown | Building Investigator
Building Division | Contractor Licensing Department
789 Providence Blvd., Brooksville, FL 34601
Phone: (352) 754-4050 ext. 29027
Email: jabrown@hernandocounty.us
Website: Home Page (hernandobuildingdivision.com)
**Please note: Real time permit status is available by clicking the link above and entering your application number in the search bar
Office Hours: Monday-Friday, 7:30 AM – 4:00 PM
Lobby Closes at 3:30 PM daily

From: Jennifer Soch <JSoch@co.hernando.fl.us>
Sent: Tuesday, March 14, 2023 10:13 AM
To: Jane A Brown <JABrown@co.hernando.fl.us>; Aaron Pool <APool@co.hernando.fl.us>; Frank McCabe <frankcm@co.hernando.fl.us>
Cc: Dan Street <DStreet@co.hernando.fl.us>
Subject: RE: parcel 00381722 - 5025 Emerson

Good morning,

Just wanted you to be aware of the legal non-conforming layout for this 'Skyline Mobile Home Park'. There are only 8 lots for mobile homes and 1 allowed for the owner.

Thank you,



Jennifer Soch, CFM | Zoning Manager
Planning and Zoning Division | Development Services Department
789 Providence Blvd., Brooksville, FL 34601
Phone: (352) 754-4048 ext. 229126
Email: jsoch@hernandocounty.us
Website: <https://www.hernandocounty.us/departments/departments-n-z/zoning>
Office Hours: Monday-Friday, 7:30 AM – 4:00 PM

From: Jane A Brown <JABrown@co.hernando.fl.us>
Sent: Tuesday, March 14, 2023 9:56 AM
To: Aaron Pool <APool@co.hernando.fl.us>; Frank McCabe <frankcm@co.hernando.fl.us>; Jennifer Soch

From: "Kristie Eager" <kristie@nationsrcm.com>
To: "walter@sowalegal.com" <walter@sowalegal.com>
Cc: "Jason Morphet" <jason@nationsrcm.com>
Subject: FW: parcel 00381722 - 5025 Emerson
Date: Tue, 29 Apr 2025 08:36:10 -0400

Exhibit D

From: Jennifer S. Lombardi <JSLombardi@co.hernando.fl.us>
Sent: Friday, August 4, 2023 8:44 AM
To: Kristie Eager <kristie@nationsrcm.com>
Subject: RE: parcel 00381722 - 5025 Emerson

Good morning,

I don't see anything on the survey that will indicate any issues with continuing this process.

Thank you,



Jennifer S. Lombardi, CFM | Zoning Manager
Planning and Zoning Division | Development Services Department
789 Providence Blvd., Brooksville, FL 34601
Phone: (352) 754-4048 ext. 29126
Email: jslombardi@hernandocounty.us
Website: <https://www.hernandocounty.us/departments/departments-n-z/zoning>
Office Hours: Monday-Friday, 7:30 AM – 4:00 PM

From: Kristie Eager <kristie@nationsrcm.com>
Sent: Thursday, August 3, 2023 3:01 PM
To: Jennifer S. Lombardi <JSLombardi@co.hernando.fl.us>
Subject: RE: parcel 00381722 - 5025 Emerson

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jennifer,

We have the updated survey which delineates the 3 acres for the mobile home park. Please let us know if there are any issues as we'd like to prepare the preliminary layout for the 8 + 1 for planning and zoning approval in order to move forward and begin the park upgrade and installation process.

Thank you,

Kristie Eager
Nations Roofing & Construction
Roofing # CCC 1332995
Contractor # CRC1330325
P: (813)485-4440
M: (361)229-5568
kristie@nationsrcm.com

From: Jennifer Soch <JSoch@co.hernando.fl.us>
Sent: Tuesday, June 20, 2023 1:37 PM
To: Kristie Eager <kristie@nationsrcm.com>
Subject: RE: parcel 00381722 - 5025 Emerson

The surveyor could just delineate the 3-acre line with a hashed line or something similar. I would just include the divider line. No need for setbacks.

Thank you,



Jennifer Soch, CFM | Zoning Manager
 Planning and Zoning Division | Development Services Department
 789 Providence Blvd., Brooksville, FL 34601
Phone: (352) 754-4048 ext. 29126
Email: jsoch@hernandocounty.us
Website: <https://www.hernandocounty.us/departments/departments-n-z/zoning>
Office Hours: Monday-Friday, 7:30 AM – 4:00 PM

From: Kristie Eager <kristie@nationsrcm.com>
Sent: Tuesday, June 20, 2023 9:23 AM
To: Jennifer Soch <JSoch@co.hernando.fl.us>
Subject: RE: parcel 00381722 - 5025 Emerson

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jennifer,

We are in the process of getting the survey updated for 5025 Emerson to show the 3 acre mobile home park. The surveyor is asking what verbiage he should use when putting the lines on the survey to show the front 3 acre mobile home park an the back 6.9 acre ag use land. Should he also include the setbacks or just the divider lines? I did leave you a voicemail this morning as well. Thanks in advance for your help.

Thank you,

Kristie Eager
 Nations Roofing & Construction
 Roofing # CCC 1332995
 Contractor # CRC1330325
 P: (813)485-4440
 M: (361)229-5568
kristie@nationsrcm.com

From: Kristie Eager
Sent: Monday, April 17, 2023 12:48 PM
To: 'Jennifer Soch' <JSoch@co.hernando.fl.us>
Cc: Jason Morphet <jason@nationsrcm.com>
Subject: RE: parcel 00381722 - 5025 Emerson

Hi Jennifer,

Thanks for the quick response. Does 10:00 a.m. on 4/25 work OK for you?

Thank you,

Kristie Eager
 Nations Roofing & Construction
 Roofing # CCC 1332995
 Contractor # CRC1330325
 P: (813)485-4440
 M: (361)229-5568
kristie@nationsrcm.com

From: Jennifer Soch <JSoch@co.hernando.fl.us>
Sent: Monday, April 17, 2023 11:01 AM
To: Kristie Eager <kristie@nationsrcm.com>
Cc: Jason Morphet <jason@nationsrcm.com>
Subject: RE: parcel 00381722 - 5025 Emerson

I am available Tuesday, April 25, 2023. Pick a time, I will make myself available. 7:30-3:00

Thank you,



Jennifer Soch, CFM | Zoning Manager
 Planning and Zoning Division | Development Services Department
 789 Providence Blvd., Brooksville, FL 34601
Phone: (352) 754-4048 ext. 29126
Email: jsoch@hernandocounty.us
Website: <https://www.hernandocounty.us/departments/departments-n-z/zoning>
Office Hours: Monday-Friday, 7:30 AM – 4:00 PM

From: Kristie Eager <kristie@nationsrcm.com>
Sent: Monday, April 17, 2023 10:57 AM
To: Jennifer Soch <jsoch@co.hernando.fl.us>
Cc: Jason Morphet <jason@nationsrcm.com>
Subject: FW: parcel 00381722 - 5025 Emerson

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Jen,

I received your contact information from Kay Griffith who has been most helpful with providing information for the parcel listed above. The owner of the property, Jason Morphet (in copy), would like to set up a meeting to discuss the property and go over several questions we have regarding the non-conforming layout and placement of the mobile homes on the land. We are preparing 3 permits for submission and before we move forward, we'd like to set up a meeting with zoning to discuss. Could you please provide a good day and time? Typically, Mondays and Tuesday work best.

Thanks in advance and we look forward to hearing from you.

Thank you,

Kristie Eager
 Nations Roofing & Construction
 Roofing # CCC 1332995
 Contractor # CRC1330325
 P: (813)485-4440
 M: (361)229-5568
kristie@nationsrcm.com

From: KayMarie Griffith <KGriffith@co.hernando.fl.us>
Sent: Thursday, April 13, 2023 1:02 PM
To: Kristie Eager <kristie@nationsrcm.com>
Subject: RE: parcel 00381722 - 5025 Emerson

Hi Kristie,

To meet with a permit tech, no appointment is required as it's first come, first served basis. I will say the hours between 11 am – 1 pm are the busiest for Zoning.

If you are looking to speak to the zoning manager specifically, I recommend an email to Jen to set up an appointment with her. Her email address is jsoch@co.hernando.fl.us.

Have a great day!



Kay Griffith
Planning/Zoning Tech | Planning Division
 Hernando County Planning Division
 1653 Blaise Dr, Brooksville, FL 34601
Phone: (352) 754-4057
Email: kgriffith@hernandocounty.us
Website: <https://www.hernandocounty.us/departments/departments-n-z/planning>

From: Kristie Eager <kristie@nationsrcm.com>
Sent: Thursday, April 13, 2023 11:21 AM
To: KayMarie Griffith <KGriffith@co.hernando.fl.us>
Subject: RE: parcel 00381722 - 5025 Emerson

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi KayMarie,

Thanks for getting back to us so quickly. How do we go about setting up a time to meet with someone in Zoning to discuss the property? The owner has several questions and it might be best to be able to come in and meet with someone in person.

Thank you,

Kristie Eager
Nations Roofing & Construction
Roofing # CCC 1332995
Contractor # CRC1330325
P: (813)485-4440
M: (361)229-5568
kristie@nationsrcm.com

From: KayMarie Griffith <KGriffith@co.hernando.fl.us>
Sent: Thursday, April 6, 2023 3:06 PM
To: Kristie Eager <kristie@nationsrcm.com>
Subject: RE: parcel 00381722 - 5025 Emerson

Hi Kristie,

The attachment labeled Emerson Mobile Home Park is the correct layout. Each permit submittal would have to have an individual site plan/drawing of the individual lot to receive the home with complete lot dimensions, structure dimensions and setbacks to the front, sides and rear of the property. If the street is named, the street name would also need to be included or at least an indication of the front end of the property.

Regarding the office trailer, you have one of three options. There can be an office trailer, or there can be a owner house trailer, or there can be an office/house trailer combo, but per zoning manager Jen Soch (JSoch@hernandocounty.us), any of the three options would need to be placed on the owner lot. Unfortunately there is not an option to have a small office trailer separate from the dwelling on the same lot.

Please reach out if you have further questions regarding the zoning requirements.

Have a great day!



Kay Griffith
Planning/Zoning Tech | Planning Division
Hernando County Planning Division
1653 Blaise Dr, Brooksville, FL 34601
Phone: (352) 754-4057
Email: kgriffith@hernandocounty.us
Website: <https://www.hernandocounty.us/departments/departments-n-z/planning>

From: Kristie Eager <kristie@nationsrcm.com>
Sent: Thursday, April 6, 2023 9:44 AM
To: KayMarie Griffith <KGriffith@co.hernando.fl.us>
Subject: FW: parcel 00381722 - 5025 Emerson

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender

Good morning,

Thanks for speaking with me earlier this morning regarding Key #00381722. We have 2 different maps which show layouts for the property Mr. Morphet in October, 2022. The mobile home park is only allowed to have 8 lots for mobile homes and 1 lot for the owner, so we think the attachment labeled "Emerson Mobile Home Park" is the correct legal non-conforming layout. We are getting ready to submit permits to place 3 mobile homes on the property and want to ensure we have the official approved layout so that we can order the new survey for the property and the lots needed for the permit applications.

Finally, what would be required to add a small office trailer at the corner of the property where the storage unit currently stands?

Thank you,

Kristie Eager
Nations Roofing & Construction
Roofing # CCC 1332995
Contractor # CRC1330325
P: (813)485-4440
M: (361)229-5568
kristie@nationsrcm.com

From: Jason Morphet <jason@nationsrcm.com>
Sent: Thursday, April 6, 2023 9:24 AM
To: Kristie Eager <kristie@nationsrcm.com>
Subject: Fwd: parcel 00381722 - 5025 Emerson

Jason Morphet
Nations Roofing & Construction
Roofing # CCC1332995
Contractor # CRC1330325
P: (813) 485-4440
M: (813) 701-6122
Jason@NationsRCM.com

"Successful Projects Don't Just Happen, They are Managed."

Sent from my iPhone, please excuse typos

Begin forwarded message:

From: Jane A Brown <JABrown@co.hernando.fl.us>
Date: March 15, 2023 at 1:19:38 PM EDT
To: Jason Morphet <jason@nationsrcm.com>
Subject: FW: parcel 00381722 - 5025 Emerson

Jane Brown | Building Investigator
Building Division | Contractor Licensing Department
789 Providence Blvd., Brooksville, FL 34601
Phone: (352) 754-4050 ext. 29027
Email: jabrown@hernandocounty.us
Website: Home Page (hernandobuildingdivision.com)
**Please note: Real time permit status is available by clicking the link above and entering your application number in the search bar
Office Hours: Monday-Friday, 7:30 AM – 4:00 PM

Lobby Closes at 3:30 PM daily

From: Jennifer Soch <JSoch@co.hernando.fl.us>
Sent: Tuesday, March 14, 2023 10:13 AM
To: Jane A Brown <JABrown@co.hernando.fl.us>; Aaron Pool <APool@co.hernando.fl.us>; Frank McCabe <frankcm@co.hernando.fl.us>
Cc: Dan Street <DStreet@co.hernando.fl.us>
Subject: RE: parcel 00381722 - 5025 Emerson

Good morning,

Just wanted you to be aware of the legal non-conforming layout for this 'Skyline Mobile Home Park'. There are only 8 lots for mobile homes and 1 allowed for the owner.

Thank you,



Jennifer Soch, CFM | Zoning Manager
 Planning and Zoning Division | Development Services Department
 789 Providence Blvd., Brooksville, FL 34601
Phone: (352) 754-4048 ext. 229126
Email: jsoch@hernandocounty.us
Website: <https://www.hernandocounty.us/departments/departments-n-z/zoning>
 Office Hours: Monday-Friday, 7:30 AM – 4:00 PM

From: Jane A Brown <JABrown@co.hernando.fl.us>
Sent: Tuesday, March 14, 2023 9:56 AM
To: Aaron Pool <APool@co.hernando.fl.us>; Frank McCabe <frankcm@co.hernando.fl.us>; Jennifer Soch <JSoch@co.hernando.fl.us>
Cc: Dan Street <DStreet@co.hernando.fl.us>
Subject: RE: parcel 00381722 - 5025 Emerson

Property owner Jason called this morning. His intent is to keep the property as a trailer park and intends on replacing mobile homes on lots 7,8,10 and eventually replace lot 9. He will keep the property clean and he does get burn permits when necessary.

<image001.jpg>

Jane Brown | Building Investigator
 Building Division | Contractor Licensing Department
 789 Providence Blvd., Brooksville, FL 34601
Phone: (352) 754-4050 ext. 29027
Email: jabrown@hernandocounty.us
Website: Home Page (hernanodobuildingdivision.com)
 **Please note: Real time permit status is available by clicking the link above and entering your application number in the search bar
 Office Hours: Monday-Friday, 7:30 AM – 4:00 PM
 Lobby Closes at 3:30 PM daily

RESOLUTION NO. 2025 - _____

WHEREAS, Hernando County has adopted zoning regulations pursuant to Section 125.01(1) and Chapter 163, *Florida Statutes*, which authorize the County to regulate the use of land in the unincorporated areas of Hernando County, Florida, and take action on the request herein; and

WHEREAS, the Hernando County Board of County Commissioners (BOCC) conducted a duly advertised public hearing to consider the appeal of an administrative variance on the specified parcels in Hernando County, Florida, as more fully described below;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, AS FOLLOWS:

PROPERTY OWNER: Jason E. Morphet & Ayleen N. Gallahue

APPELLANT: Jason E. Morphet & Ayleen N. Gallahue (property Owners)

FILE NUMBER: 1506295

REFERENCE: Appeal of an Administrative Official Determination to remove non-conforming status on six (6) of the preexisting nine (9) mobile home units in connection with the subject parcel located on an AG (Agricultural) Parcel

GENERAL LOCATION: East side of Emerson Road, approximately 1,600', north of Powell Road

PARCEL KEY NUMBER: 381722

REQUEST: Appeal of an Administrative Official Determination to remove non-conforming status on six (6) of the preexisting nine (9) mobile home units in connection with the subject parcel located on an AG (Agricultural) parcel, as enumerated in the BOCC Action, which is incorporated herein by reference and made a part hereof. The representations contained in the appeal application are incorporated herein by reference and made a part hereof and are relied upon by the County to be true and correct. For purposes herein, it is presumed that all notice and advertising requirements have been satisfied.

FINDINGS OF FACT: ALL of the facts and conditions set forth in the County's staff memoranda and presented to the BOCC by the appellant and staff in connection with the public hearing in this matter are incorporated herein by reference and made a material part of this Resolution as integral to the BOCC's Action. The BOCC finds the record supporting APPROVAL of the appeal of the Administrative Official Determination to be credible and to constitute competent substantial objective evidence. In further support thereof, the BOCC makes the following specific findings of fact:

1. That the nonconforming use was not discontinued for a period exceeding one year.

**CONCLUSIONS
OF LAW:**

The BOCC is authorized to act on this matter pursuant to Chapters 125 and 163, *Florida Statutes*. Accordingly, after public hearing and testimony, being fully advised in the record, and based upon competent substantial objective evidence, the BOCC makes the following specific conclusions of law:

1. Because the nonconforming use was not discontinued for a period exceeding one year, the Administrative Official's determination should be quashed.

ACTION:

After due public notice and based upon the entire record in this matter, including the findings of fact and conclusions of law above, the BOCC hereby APPROVES the applicant's appeal of the Administrative Official's determination and quashes the said determination.

ADOPTED IN REGULAR SESSION THE ____ DAY OF _____ 2025.

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest: _____
Douglas A. Chorvat, Jr.
Clerk of Circuit Court & Comptroller

By: _____
Brian Hawkins
Chairman

(SEAL)

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: Melissa Tartaglia
County Attorney's Office



THE HERNANDO SUN; Published Weekly

Brooksville Hernando County FLORIDA

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA

COUNTY OF HERNANDO :

Before the undersigned authority, Julie B. Maglio, personally appeared, who on oath, says that she is Editor of the Hernando Sun, a weekly newspaper published at Brooksville in Hernando County, Florida, that the attached copy of the advertisement, being a

CLK25-091 NOTICE OF PUBLIC HEARING ON APPEAL OF ADMINISTRATIVE OFFICIAL'S DECISION

in the matter of

BOCC public hearing on Tuesday, August 5, 2025, at 9:00 a.m.

was published in said newspaper by print in the issue(s) of:
July 25, 2025

and/or by publication on the newspaper's publicly available website, if authorized, on July 25, 2025

Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

(Signature of Affiant)

Sworn to and subscribed before me

This 28th day of July, 2025.

(Signature of Notary Public)



LISA M. MACNEIL
Commission # HH 254975
Expires April 19, 2026

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known ☒ or

produced identification _____

Type of identification produced _____

CLK25-091

NOTICE OF PUBLIC HEARING
ON APPEAL OF
ADMINISTRATIVE
OFFICIAL'S DECISION

NOTICE IS HEREBY GIVEN

that the Board of County Commissioners of Hernando County Florida, will hold a public hearing on Tuesday, August 5, 2025, at 9:00 a.m. or soon thereafter, in the Hernando County Government Center, County Commission Chambers, 20 N. Main St., Rm 160, Brooksville, Florida, to consider the following:

Appeal Application #1506295, an appeal of the Administrative Official's Removal of Nonconforming Use Zoning, submitted by Jason Morphet and Ayleen Gallahue pertaining to Parcel Key #381722, with legal description of N 1/2 of N 1/2 of SE 1/4 of NE 1/4 ORB 390 PG 62.

Interested parties may appear at the meeting and be heard on these matters. You are further advised that if a person decides to appeal any quasi-judicial decision made by the Board, Agency or Commission with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceeding, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. In accordance with the Americans with Disabilities Act, persons with disabilities needing special accommodations to participate in this proceeding should contact Rebecca Hines, Procurement Department, 15470 Flight Path Dr, Brooksville, Florida 34604, Telephone 352-754-4020. If hearing impaired, please call 711 for assistance.

BOARD OF COUNTY
COMMISSIONERS
HERNANDO COUNTY, FLORIDA
/s/ (SEAL)

Douglas A. Chorvat, Jr.
Clerk of the Circuit Court &
Comptroller

By: Heidi Prouse
Deputy Clerk

Published: July 25, 2025



AGENDA ITEM

TITLE

Special Exception Use Permit for Place of Public Assembly, Namely a Community Center, Submitted by Unitarian Universalist Church in the Pines (SE2414)

BRIEF OVERVIEW

Request:

Special Exception use Permit for a Place of Public Assembly namely a Community Center

General Location:

West Side of Keye Drive, approximately 450' from Toucan Trail

P&Z Action:

On May 12, 2025, the Planning and Zoning Commission voted 5-0 to deny the petitioner's request for a Special Exception Use Permit due to the lack of compatibility with the surrounding community.

BOCC Action:

On June 10, 2025, there was Board consensus to hear this item in accordance with Appendix A, Article V, Section 8 of the Land Development Regulations and scheduled the public hearing for August 5, 2025.

FINANCIAL IMPACT

A matter of policy with no financial impact.

LEGAL NOTE

The Planning and Zoning Commission has jurisdiction over the subject application; the Commission has the ability to approve special exceptions with appropriate conditions and safeguards or deny special exceptions not in harmony with the Land Development Regulations. The Applicable Criteria for a special exception are contained in Appendix A, (Zoning Code) Article V, Section 8. The special exception must be consistent with the Comprehensive Plan.

RECOMMENDATION

It is recommended that the Board review the petitioner's request for a special exception use permit for a place of public assembly, namely a community center, with performance conditions and decide whether to uphold or overturn the planning and zoning denial.

REVIEW PROCESS

Omar DePablo	Escalated	06/30/2025	5:17 PM
KayMarie Griffith	Approved	07/07/2025	6:36 PM
Michelle Miller	Approved	07/08/2025	8:13 AM
Albert Bertram	Approved	07/08/2025	8:42 AM

Pamela Hare	Approved	07/09/2025 2:22 PM
Victoria Anderson	Approved	07/09/2025 2:27 PM
Heidi Prouse	Approved	07/10/2025 12:47 PM
Toni Brady	Approved	07/14/2025 9:37 AM
Jeffrey Rogers	Approved	07/15/2025 10:12 PM
Colleen Conko	Approved	07/16/2025 11:45 AM

**HERNANDO COUNTY CONDITIONAL USE PERMIT
OR SPECIAL EXCEPTION USE PERMIT PETITION**



Application request (check one):

☐ Conditional Use Permit

☒ Special Exception Use Permit

PRINT OR TYPE ALL INFORMATION

Date: 9/9/2024

File No. 04125 Official Date Stamp:



SE-24-12

APPLICANT NAME: Unitarian Universalist Church in the Pines

Address: P.O. Box 1062

City: Brooksville

State: FL

Zip: 34605-1062

Phone: _____ Email: _____

Property owner's name: (if not the applicant) Robert Keim

REPRESENTATIVE/CONTACT NAME: Unitarian Universalist Church in the Pines

Company Name: Outsideln Architecture, LLC

Address: 1345 Virginia Lee CIR

City: Brooksville

State: FL

Zip: 34602

Phone: 813 400 2399 Email: info@oi-arch.com

HOME OWNERS ASSOCIATION: ☐ Yes ☒ No (if applicable provide name) _____

Contact Name: _____

Address: _____ City: _____ State: _____ Zip: _____

PROPERTY INFORMATION:

1. PARCEL(S) **KEY** NUMBER(S): 185622

2. SECTION R16, TOWNSHIP 223, RANGE 17

3. Current zoning classification: R1A

4. Desired use: Place of Public Assembly

5. Size of area covered by application: 39,745.00 sq ft

6. Highway and street boundaries: Keye Drive

7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No

8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)

9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed: _____)

PROPERTY OWNER AFFIDIVAT

I, Robert Keim, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

☐ I am the owner of the property and am making this application **OR**

☒ I am the owner of the property and am authorizing (applicant): Outsideln Architecture, LLC

and (representative, if applicable): Darren Azdell

to submit an application for the described property.

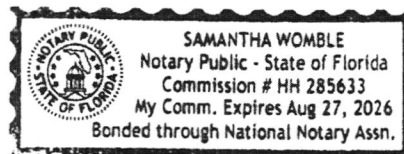
Robert B. Keim

Signature of Property Owner

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 18th day of September, 20 24, by Robert Keim who is personally known to me or produced FLDL as identification.

Samantha Womble
Signature of Notary Public



Effective Date: 11/8/16 Last Revision: 11/8/16

Notary Seal Stamp

UUCiP Neighborhood Community Center

11.18.2024

The Unitarian Universalist Church in the Pines requests approval for a Special Exception Use Permit to develop a Place of Public Assembly within the Residential Zoning District.

The site is currently vacant, and is currently being used for outdoor cook-outs. The proposed development will include constructing a 3,475 GSF one-story neighborhood community center, with the potential for a ± 700 GSF addition on the west side of the site in the future as generally depicted on the site plan.

The hours of operation are expected to be seven days a week for a small staff plus visitors. Meetings of congregational members using available parking only are expected two to three times a week including Sunday. Outdoor events such as cook-outs are possible and would be similar to what has been occurring on the undeveloped parcel over the past two years.

The parking area will be pervious, constructed of rock with a limestone base or crushed concrete with accessible parking and accessible path constructed of concrete. The proposal includes 24 parking spaces, meeting the required parking capacity for the proposed use and building size.

Signage is possible but, shall be applied for under permit. Special events or displays would follow county ordinance requirements as applicable however, no specific event has been envisioned for this property due to the size of the church, services offered and available parking area.

A refuse container location has been sited on the plan for future use if needed however, the church intends to use the smaller residential style blue roll-out containers due to the minimal refuse production expected.

STAFF REPORT

HEARINGS: Planning & Zoning Commission: May 12, 2025

APPLICANT: Unitarian Universalist Church in the Pines

FILE NUMBER: SE-24-14

PURPOSE: Special Exception Use Permit for a Place of Public Assembly, namely a community center

GENERAL LOCATION: West Side of Keye Drive, approximately 450' from Toucan Trail

PARCEL KEY NUMBER: 185622

APPLICANT'S REQUEST:

The petitioner is requesting a Special Exception Use Permit to establish a place of Public Assembly, namely a community center. The proposal involves the construction of a one-story, 3,475-square-foot neighborhood community center. The center will operate seven days a week with 1-3 staff members, from 9:00 AM to 5:00 PM. Congregational meetings will occur up to 1-3 times per week, including Sunday services, with attendance ranging from small groups of 4-8 people to larger groups of up to 80 people on Sundays. On Sundays and during special events like Christmas, operating hours may extend until 9:00 PM or 10:00 PM. Parking requirements are based on seating capacity, with a maximum of 80 seats, which necessitates 24 regular parking spaces plus one handicap-accessible space.

SITE CHARACTERISTICS:

Site Size:	0.90 acres
Surrounding Zoning; Land Uses:	North: R-1A (Residential): Developed South: R-1A (Residential): Developed East: R-1A (Residential): Right of Way/Single Family: Developed West: R-1A (Residential): Developed
Current Zoning:	R-1A (Residential)
Future Land Use Map Designation:	Residential
Flood Zone:	X

UTILITIES REVIEW:

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. Water and sewer are not available to this parcel. HCUD has no objection to the requested Special Exception use permit to construct a 3,475 square foot one story building for a place of public assembly, subject to Health Department approval of an appropriate onsite sewage treatment and disposal system for this parcel. Parcel Key # 185622

ENGINEERING REVIEW:

This project is located within the Oman Quarry watershed, with a Base Flood Elevation (BFE) of 28.5' NAVD 88. The lot itself sits at an elevation of approximately 34'. The driveway connections, parking spaces, and overall parking lot layout must adhere to the Hernando County Facility Design Guideline Standards.

LAND USE REVIEW:

The subject property is located in the Weeki Wachee Acres Subdivision and was designated R1A/ Residential Single Family and Mobile Homes. The surrounding properties have been developed as Single Family/ Mobile home.

In accordance with County LDRs, if a developer fails to obtain a building permit for the vertical construction of the principal or primary building within a period of not more than two (2) years from the approval date or the special exception use is not established during this period, then the special exception use permit shall be null and void.

SETBACKS

Minimum Building Setbacks:

North (Side):	10'
South (Side):	10'
East (front):	25'
West (Rear):	20'

PARKING

The minimum land development regulations (LDRs) would require 0.3 parking spaces per seat based on maximum occupancy. The LDRs indicate that places of public assembly may have up to fifty percent of the required parking spaces (including aisles) surfaced with grass, lawn or other materials as designated in the County parking lot standards; however, if parking demand is such that said grass, lawn or other material is caused to be damaged or destroyed to the extent that said grass or lawn ceases to grow, or the other material otherwise causes a nuisance to the neighborhood, then paving may be required by the Zoning Administrator

Comments: Parking requirements are calculated for a place of public assembly at a rate of 0.3 spaces per seat. With a maximum seating capacity of 80, this will require 24 parking spaces. The master plan indicates seventeen (17) paved

parking spaces including one (1) ADA space as well as seven (7) grass parking spaces.

LIGHTING

The petitioner has not indicated any provisions for lighting of the subject property. If approved, the petitioner must provide full cutoff fixtures to retain all light on-site and prevent any light spillage onto neighboring residential uses.

COMPREHENSIVE PLAN REVIEW:

The subject property is located within the Residential Future Land Use classification on the adopted Future Land Use map. The Hernando County 2040 Comprehensive Growth Strategy Plan provides the principles for guiding land development activities in the County and describes the related programs and strategies that provide the overall guidance for implementing the Plan.

Residential Category of the adopted Comprehensive Plan states:

Objective 1.04B The Residential Category allows primarily single family, duplex, resort and multi-family housing and associated ancillary uses such as recreational and institutional. Office and certain commercial uses may be allowed subject to the locational criteria and performance standards of this Plan. Residential density shall not exceed 22 dwelling units per gross acre.

Strategy 1.04B(1) Commercial and institutional uses within the Residential Category are generally associated with medium and high-density residential development and may include neighborhood commercial, office professional, recreational, schools, and hospitals. Minor public facilities that do not unduly disturb the peaceful enjoyment of residential use may also be allowed.

Comments: A place of public assembly namely a community center is permitted in all zoning districts as a special exception use.

FINDINGS OF FACT:

The request for a Special Exception Use Permit for a Place of Public Assembly, namely a Community Center, is appropriate based on the following conclusions:

1. The subject location is in a medium density residential neighborhood
2. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all performance conditions.
3. The proposed project shall require a commercial review.

NOTICE OF APPLICANT RESPONSIBILITY:

The special exception process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowners' associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

STAFF RECOMMENDATIONS:

It is recommended that the Planning and Zoning Commission approve the petitioner's request for a Special Exception Use Permit for a Place of Public Assembly namely a Community Center, with the following performance conditions:

1. The petitioner shall obtain all permits from Hernando County and other applicable regulatory agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The proposed project shall require a commercial review.
3. Minimum Building Setbacks:
North (Side): 10'
South (Side): 10'
East (front): 25'
West (Rear): 20'
4. The driveway connections, parking spaces, and overall parking lot layout shall adhere to the Hernando County Facility Design Guideline Standards.
5. The petitioner shall provide full cutoff fixtures, in order to retain all light on-site and prevent any light spillage onto neighboring residential uses.
6. Parking requirements are calculated for a place of public assembly at a rate of 0.3 spaces per seat. With a maximum seating capacity of 80, this will require 24 parking spaces.
7. The site shall be developed in accordance with the site plan as provided by the applicant and attached to this application.
8. If the petitioner fails to obtain a building permit for the vertical construction of the principal or primary building within a period of not more than two (2) years from the approval date or the special exception use is not established during this period, then the special exception use permit shall be null and void.

P&Z ACTION:

On May 12, 2025, the Planning and Zoning Commission voted 5-0 to deny the petitioner's request for a Special Exception Use Permit due to the lack of compatibility with the surrounding community.

SITE DATA

ADDRESS: 500 VILLAGE PL, LONGWOOD FL, 32779

PARKING PROPOSED :

24 SPACES

PARCEL ID: R16 223 17 3830 0170 0170

TOTAL SITE AREA: 0.92 ACRES +/-

17 PAVED SPACES
(1 ACCESSIBLE STALL)
+7 GRASS SPACES
(30% of Req.)

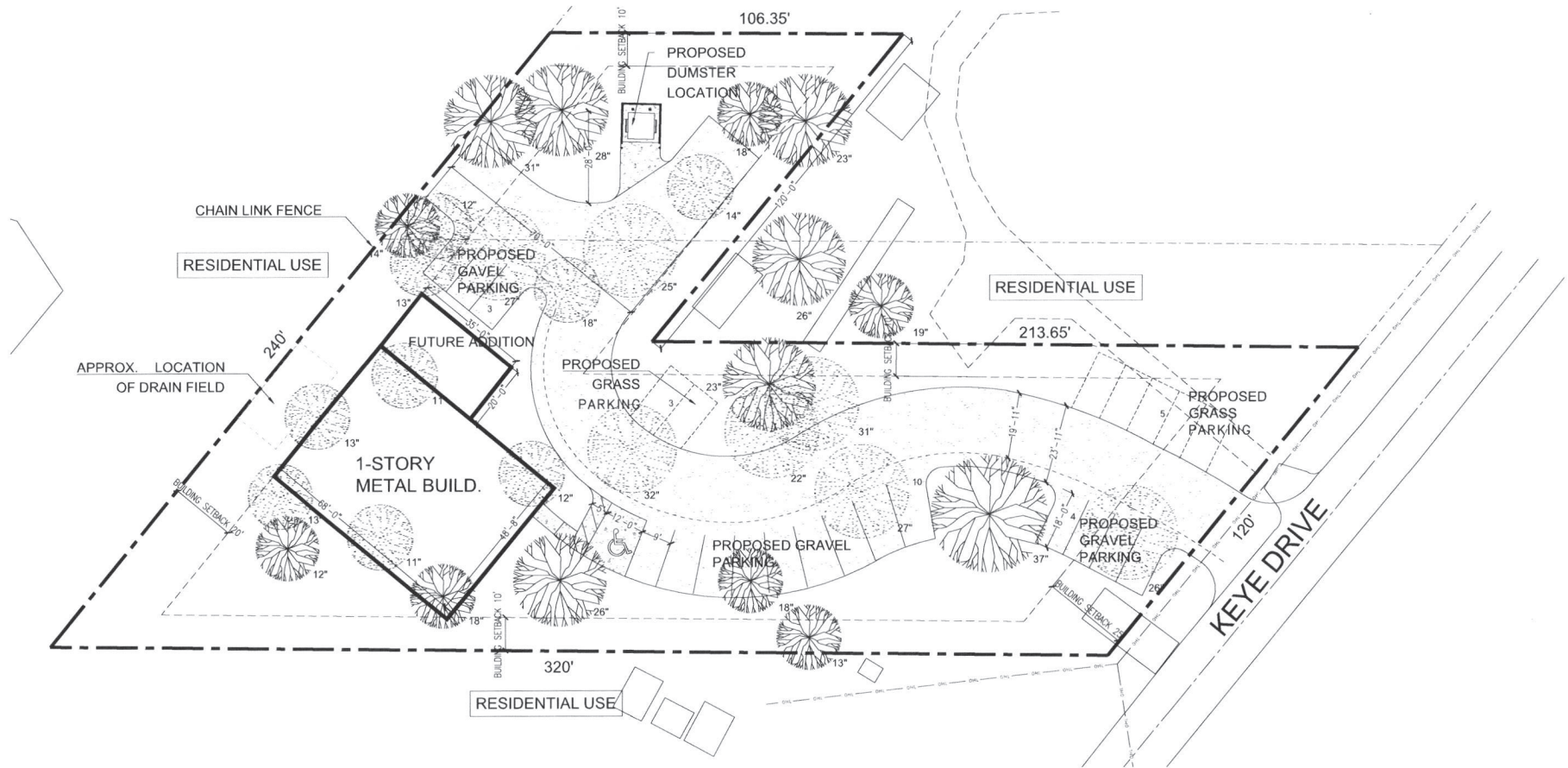
PARKING REQUIRED: 24 SPACES (0.3 / SEAT)
(PLACE OF PUBLIC ASSEMBLY)

PROPOSED BUILDING DATA:

ACCESSIBLE SPACES
REQUIRED 1 / 24

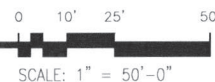
COMMUNITY CENTER 3,475 GSF +/-
FUTURE ADDITION 700 GSF

HEIGHT: 35'-0



UUCiP Community Center

PRELIMINARY SITE PLAN (NOT FOR CONSTRUCTION)



nioutsidein
architecture LLC
interior design
planning
lead consulting

SE-24-14

Photo date: 2023

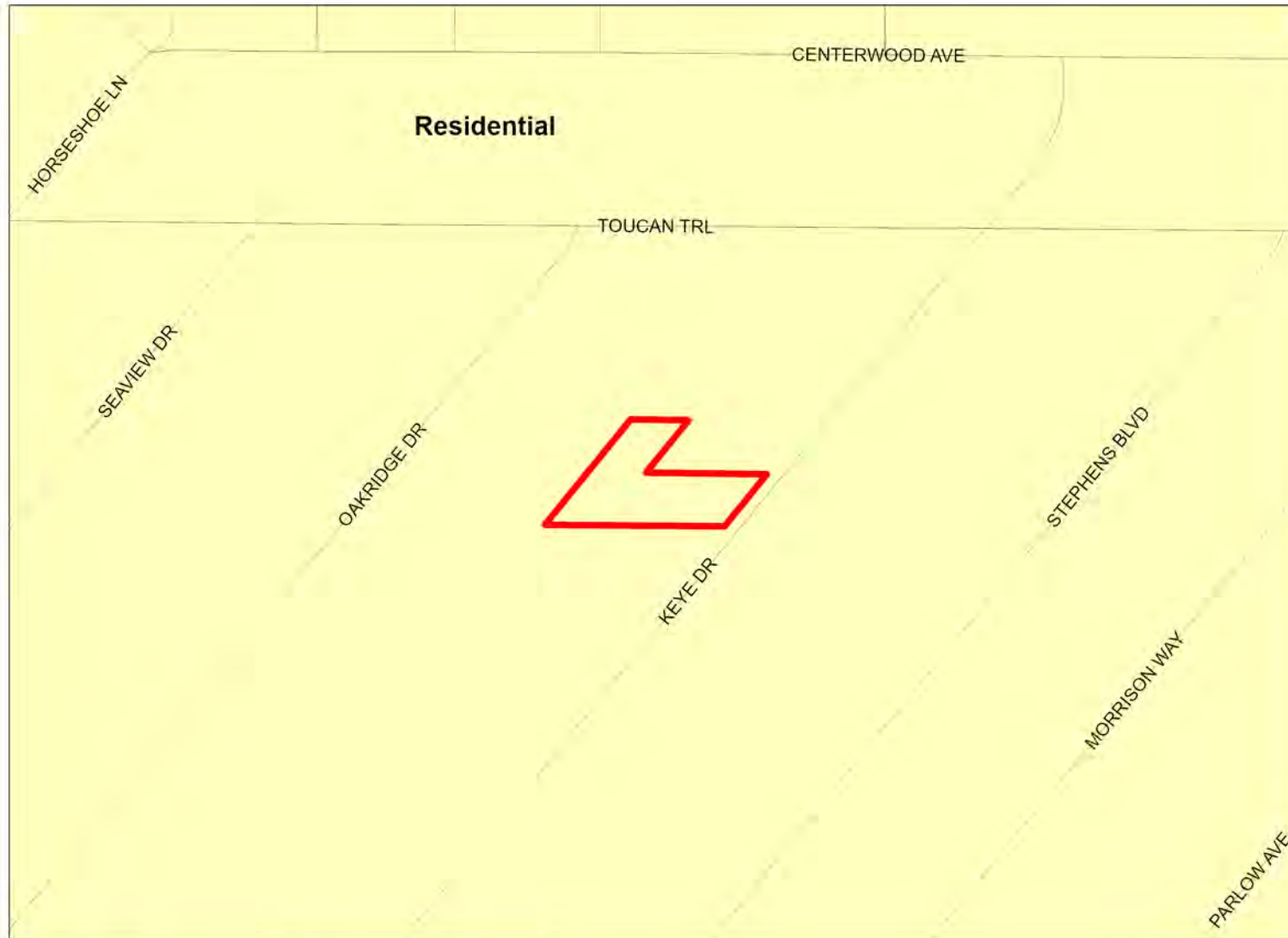
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



Hernando County Comprehensive Plan Map

Existing Future Land Use: SE-24-14

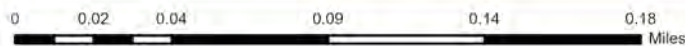
Version Date: 12/09/2022



Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

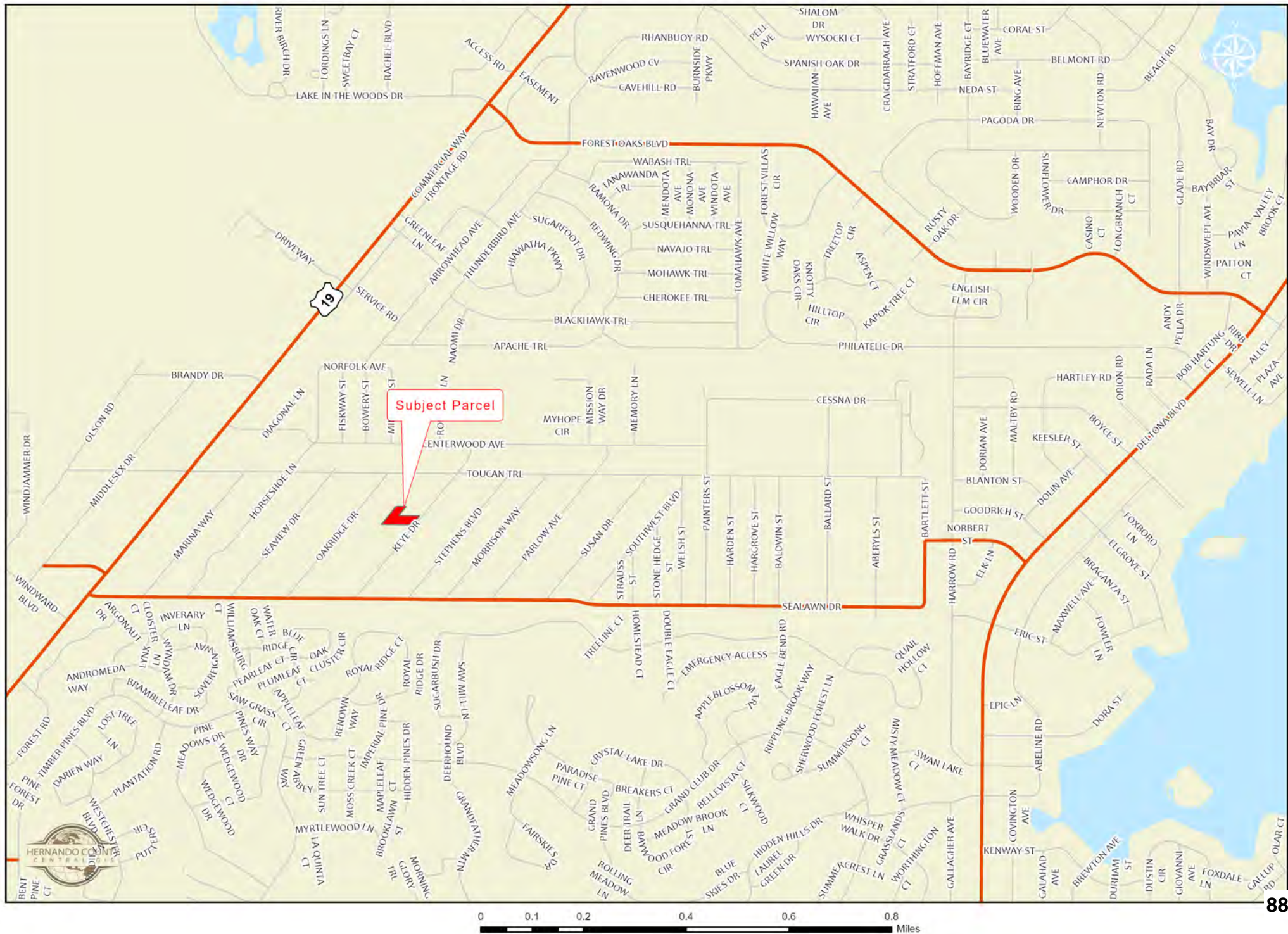


Date of mapping: 02/05/2025



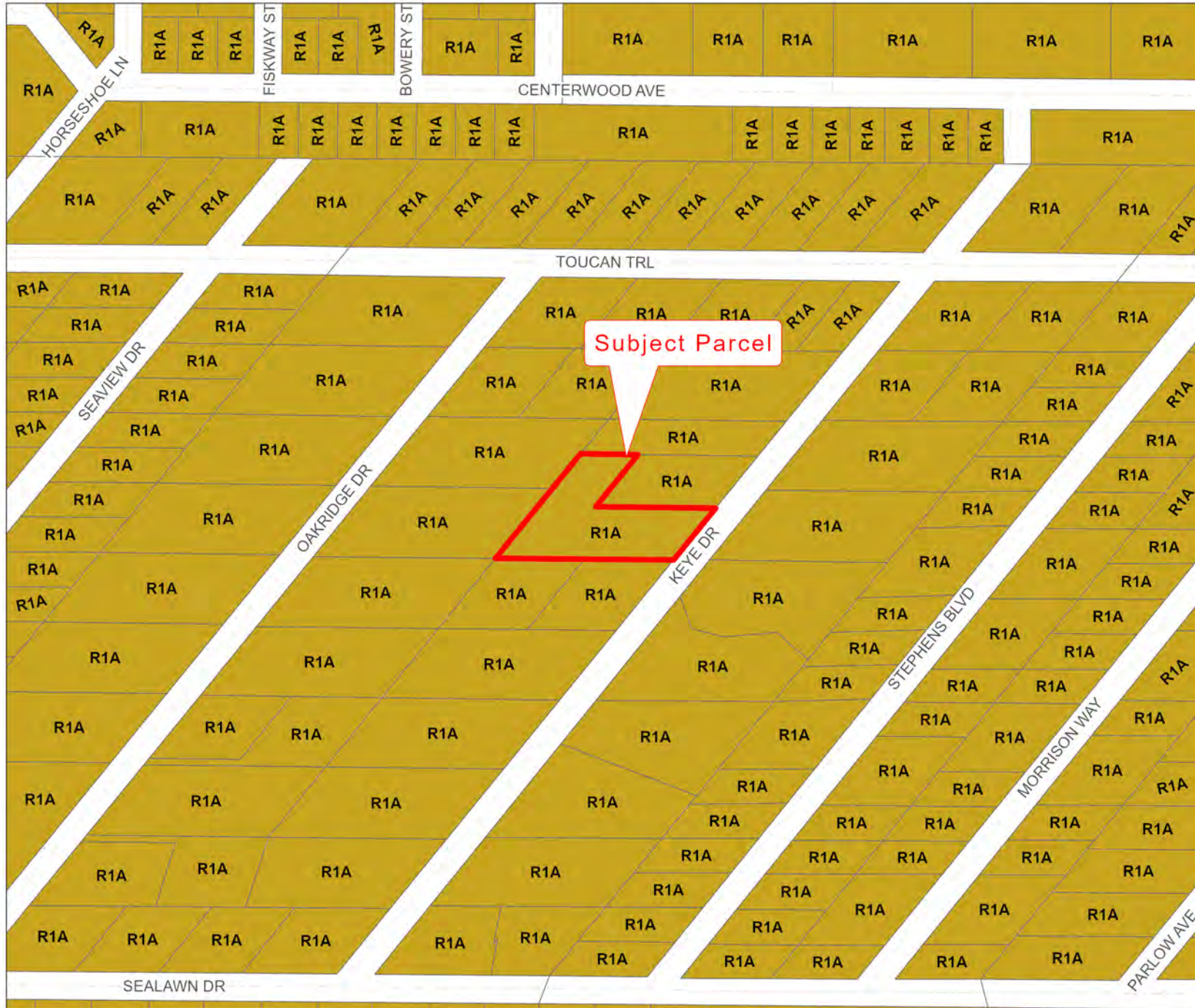
SE-24-14 AREA MAP

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



SE-24-14

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



Zoning:

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



From: [Planning Resource Object](#)
To: [Danielle Nigro](#)
Subject: FW: Keye Drive
Date: Monday, May 12, 2025 7:33:40 AM

-----Original Message-----

From: lisa marshall <lisamm87@yahoo.com>
Sent: Saturday, May 10, 2025 2:15 PM
To: Planning Resource Object <Planning@co.hernando.fl.us>
Subject: Keye Drive

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

We are a property owner at 3268 Keye Drive Spring Hill.

I am writing in regardless to the proposal to have a change of zoning. The property is parcel key number 185622. That property currently is vacant lot and we have never seen any gatherings of any kind which it said they had BBQ's and such. Building a community center in a residential zoned area would bring a lot of added traffic. Our property we use seasonal so there are months at a time where no one is there, I fear that the added traffic of people coming onto the street (which has a very low vehicle count per day) would expose our property to possible trespassing and such. Our street is a very quiet street and that would greatly change that if a center was opened. We would greatly appreciate if you would keep it residential.

Sincerely

Frederick & Lisa Marshall
207-431-4334
Sent from my iPhone

From: [Planning Resource Object](#)
To: [Danielle Nigro](#); [Michelle Miller](#)
Subject: FW: UU Church in the Pines community center SE-24-12
Date: Monday, May 12, 2025 7:33:20 AM

From: laurie ritchie <laurier@mail.com>
Sent: Sunday, May 11, 2025 8:57 AM
To: Planning Resource Object <Planning@co.hernando.fl.us>
Subject: UU Church in the Pines community center SE-24-12

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Sir/Madam,

5/10/25

Re: Unitarian Universalist Church in the Pines community center SE-24-12

I am writing this letter to express my concerns regarding the proposed community center in our neighborhood. While I understand the intent behind this project, I believe it is important to carefully consider its impact on our local residents.

Our community has long valued its quiet, safe, and stable residential atmosphere. The introduction of a facility such as the proposed center could lead to increased traffic, noise, and strain on local resources- issues that deserve thoughtful examination. While we fully support efforts to improve public service, it is crucial that such projects be developed in locations where they will serve the most benefit without negatively affecting established communities.

Additionally, the permit petition letter stated the site is “currently vacant, and is currently being used for outdoor cook-outs”. However, in my 2.5 years as a resident, I have never observed any such activity on this property, aside from routine lawn maintenance. This discrepancy raises concerns about transparency in the approval process. If misleading statements are being made now, it is reasonable to question what other misrepresentations may be involved in future plans for this community center.

I acknowledge the challenges posed homelessness in Hernando County, but I am deeply concerned about the possibility of a homeless shelter or comfort center being established on my street. Such a development may contribute to increased crime rates and declining property values- issues that would directly impact residents.

I appreciate your time and consideration on this matter. I look forward to discussing this matter further and hope our voices will be heard as decisions are made.

Sincerely,

Laurie (Ritchie) and Tim Weise 3267 Keye drive, Spring Hill



DEPARTMENT OF PLANNING AND ZONING

PLANNING DIVISION

1653 BLAISE DRIVE ♦ BROOKSVILLE, FLORIDA 34601

P 352.754.4057 ♦ F 352.754.4420 ♦ W www.HernandoCounty.us

May 16, 2025,

Sent via e-mail: info@oi-arch.com

Outsideln Architecture, LLC
1345 Virginia Lee Cir Brooksville, FL 34602

RE: Unitarian Universalist Church in the Pines; File Number SE-24-14

Dear Applicant and/or Representative:

This letter is to officially notify you that on May 12, 2025, the Hernando County Planning and Zoning Commission voted 5-0 at a duly advertised public hearing to deny your request for a Special Exception Use Permit for a Place of Public Assembly, namely a community center.

According to the Hernando County Code of Ordinances, the Board of County Commissioners, by a majority vote, **may** decide to review any special exception use permit decision rendered by the Planning and Zoning Commission (P&Z). If at least a majority (three (3) members) of the governing body does not vote to review the P&Z decision within thirty (30) days of the P&Z decision, the P&Z decision shall be deemed final and subject only to review by the circuit court.

If the Board of County Commissioners votes to review the Planning and Zoning Commission decision, the initial hearing must be at a public hearing held within sixty (60) days of the P&Z decision. Any further development action taken by you during this appeal period will be entirely at your own risk.

According to the Hernando County Code of Ordinances, the petitioner is responsible for removal of the sign(s) within 10 days after the final hearing date. Failure to timely remove any such sign(s) is prohibited.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Omar DePablo", is written over a large, faint, circular watermark that contains the word "FLORIDA".

Omar DePablo, Development Services Director
Hernando County Planning Department



THE HERNANDO SUN; Published Weekly

Brooksville Hernando County FLORIDA

PUBLISHER'S AFFIDAVIT OF PUBLICATION
STATE OF FLORIDA
COUNTY OF HERNANDO :

Before the undersigned authority, Julie B. Maglio, personally appeared, who on oath, says that she is Editor of the Hernando Sun, a weekly newspaper published at Brooksville in Hernando County, Florida, that the attached copy of the advertisement, being a
CLK25-088 NOTICE OF PUBLIC HEARING

in the matter of
BOCC Public Hearing on August 05, 2025

was published in said newspaper by print in the issue(s) of:
July 25, 2025

and/or by publication on the newspaper's publicly available website, if
authorized, on July 25, 2025

Affiant further says that the newspaper complies with all
legal requirements for publication in chapter 50, Florida
Statutes.

(Signature of Affiant)

Sworn to and subscribed before me
This 28th day of July, 2025.

(Signature of Notary Public)



LISA M. MACNEIL
Commission #HH 254975
Expires April 19, 2026

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known ☒ or

produced identification _____

Type of identification produced _____

CLK25-088

NOTICE OF PUBLIC HEARING
HERNANDO COUNTY,
FLORIDA
BOARD OF COUNTY COM-
MISSIONERS

The Board of County Commissioners of Hernando County, Florida, will hold a Public Hearing in the John Law Ayers County Commission Chambers, Hernando County Government Center, 20 North Main Street, Room 160, Brooksville, Florida, on August 05, 2025. **The meeting starts at 9:00 a.m., and the case will be heard thereafter in the order established when the Board agenda is published.**

APPLICANT: Unitarian Universalist Church in the Pines

FILE NUMBER: SE-24-14

REQUEST: Special Exception Use Permit for a Public Place of Assembly namely a community center

GENERAL LOCATION: West Side of Keye Drive, approximately 450' from Toucan Trail

PARCEL KEY NUMBER:
185622

Interested parties may appear at the meeting and be heard on this matter. You are further advised that if a person decides to appeal any quasi-judicial decision made by the Board, Agency, or Commission with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceeding, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Documentation may be reviewed by the public at the Hernando County Planning Department, 1653 Blaise Drive, Brooksville, Florida 34601, between the hours of 7:30 AM - 4:00 PM, Monday through Friday, legal holidays excepted or may be viewed one week prior to the meeting via the County's website at www.hernandocounty.us - follow the Board Agendas and Minutes link to the specified public hearing. If you should have any additional questions regarding this issue, please contact the Planning Department at planning@hernandocounty.us, 352-754-4057, or in writing at: Hernando County Planning Department, 1653 Blaise Drive, Brooksville, Florida 34601.

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact Jessica Wright, County Administration Building, 15470 Flight Path Drive Brooksville, FL 34604, telephone 352-754-4002, no later than three (3) days prior to the proceedings. If hearing impaired, please call 1-800-676-3777 for assistance.

/s/ Omar DePablo
Development Services Director
Hernando County Planning
Division

Published: July 25, 2025



AGENDA ITEM

TITLE

Rezoning Petition Submitted by Southern Valley Homes, LLC, on Behalf of John Sirvent, IV, and Melissa Sirvent for Property Located on Wiscon Road (H2471)

BRIEF OVERVIEW

Request:

AR-2 (Agricultural Residential 2) to AC (Agricultural Commercial)

General Location:

North side of Wiscon Road, approximately 670' east of California Street

P&Z Action: On April 14, 2025, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners postpone the petitioners' request for a rezoning from AR-2 (Agricultural Residential 2) to AC (Agricultural Commercial) and to permit the petitioner to address staff's recommendation of AR-2 (Agricultural Residential 2) to PDP(RUR) Planned Development Project (Rural) with all AC (Agriculture Commercial).

BOCC ACTION: On April 3, 2025, the Board of County Commissioners postponed the petitioner's request for a rezoning from AR-2 (Agricultural Residential 2) to AC (Agricultural Commercial) and to permit the petitioner to address staff's recommendation of AR-2 (Agricultural Residential 2) to PDP(RUR) Planned Development Project (Rural) with all AC (Agriculture Commercial).

P&Z Action: On June 9, 2025, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners convert the petitioner's request from a rezoning from AR-2 (Agricultural Residential 2) to AC (Agricultural Commercial) to a rezoning from AR-2 (Agricultural Residential 2) to PDP(RUR) Planned Development Project (Rural) with specific AC uses and modified performance conditions.

FINANCIAL IMPACT

A matter of policy. No financial impact.

LEGAL NOTE

The Board has the authority to make the requested rezoning decision pursuant to Chapters 125 and 163 Florida Statutes. The Applicable Criteria for a Zoning District Amendment is contained in Appendix A (Zoning Code), Article VI. The Applicable Criteria for a PDP are found in Appendix A (Zoning Code), Article VIII. The Zoning District Amendment must be consistent with the Comprehensive Plan.

RECOMMENDATION

It is recommended that the Board and approve and authorize the Chairman's signature on the attached resolution to deny the petitioner's request for a rezoning from AR-2 (Agricultural

Residential 2) to AC (Agricultural Commercial) and convert the petitioner's request to a rezoning from AR-2 (Agricultural-Residential 2) to Planned Development Project (Rural) with deviations and performance conditions.

REVIEW PROCESS

Omar DePablo	Escalated	07/23/2025	2:48 PM
KayMarie Griffith	Approved	07/23/2025	3:27 PM
Michelle Miller	Approved	07/24/2025	8:06 AM
Albert Bertram	Approved	07/24/2025	9:47 AM
Pamela Hare	Approved	07/28/2025	10:42 AM
Jon Jouben	Approved	07/30/2025	9:39 AM
Heidi Prouse	Approved	07/30/2025	10:25 AM
Toni Brady	Approved	07/30/2025	3:37 PM
Jeffrey Rogers	Approved	07/30/2025	4:59 PM
Colleen Conko	Approved	07/30/2025	5:02 PM

HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):

Rezoning ☒ Standard ☐ PDP
Master Plan ☐ New ☐ Revised
PSFOD ☐ Communication Tower ☐ Other
PRINT OR TYPE ALL INFORMATION

Date: 11/06/2024

File No. _____ Official Date Stamp:

H-24-71

Received

NOV 07 2024

Planning Department
Hernando County, Florida

APPLICANT NAME: Southern Valley Homes

Address: 7299 Winter Street

City: Brooksville

State: FL

Zip: 34613

Phone: 352-200-5199

Email: mike@southernvalleyhomes.com

Property owner's name: (if not the applicant) John Sirvent, IV and Melissa Sirvent

REPRESENTATIVE/CONTACT NAME: Frank DiCaro

Company Name: ProCivil 360, LLC

Address: 12 S. Main Street

City: Brooksville

State: FL

Zip: 34601

Phone: 352-593-4255

Email: permitting@procivil360.com

HOME OWNERS ASSOCIATION: ☐ Yes ☒ No (if applicable provide name) _____

Contact Name: _____

Address: _____

City: _____

State: _____

Zip: _____

PROPERTY INFORMATION:

1. PARCEL(S) **KEY** NUMBER(S): 345736
2. SECTION 25, TOWNSHIP 22S, RANGE 18E
3. Current zoning classification: AR2
4. Desired zoning classification: A-C
5. Size of area covered by application: 9.2 Acres
6. Highway and street boundaries: Wiscon Road
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No
8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed: _____)

PROPERTY OWNER AFFIDIVAT

I, John Sirvent IV, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (**check one**):

☐ I am the owner of the property and am making this application **OR**

☒ I am the owner of the property and am authorizing (applicant): Southern Valley Homes
and (representative, if applicable): ProCivil 360, LLC
to submit an application for the described property.

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 18 day of October, 2024, by John Sirvent who is personally known to me or produced _____ as identification.

Signature of Notary Public

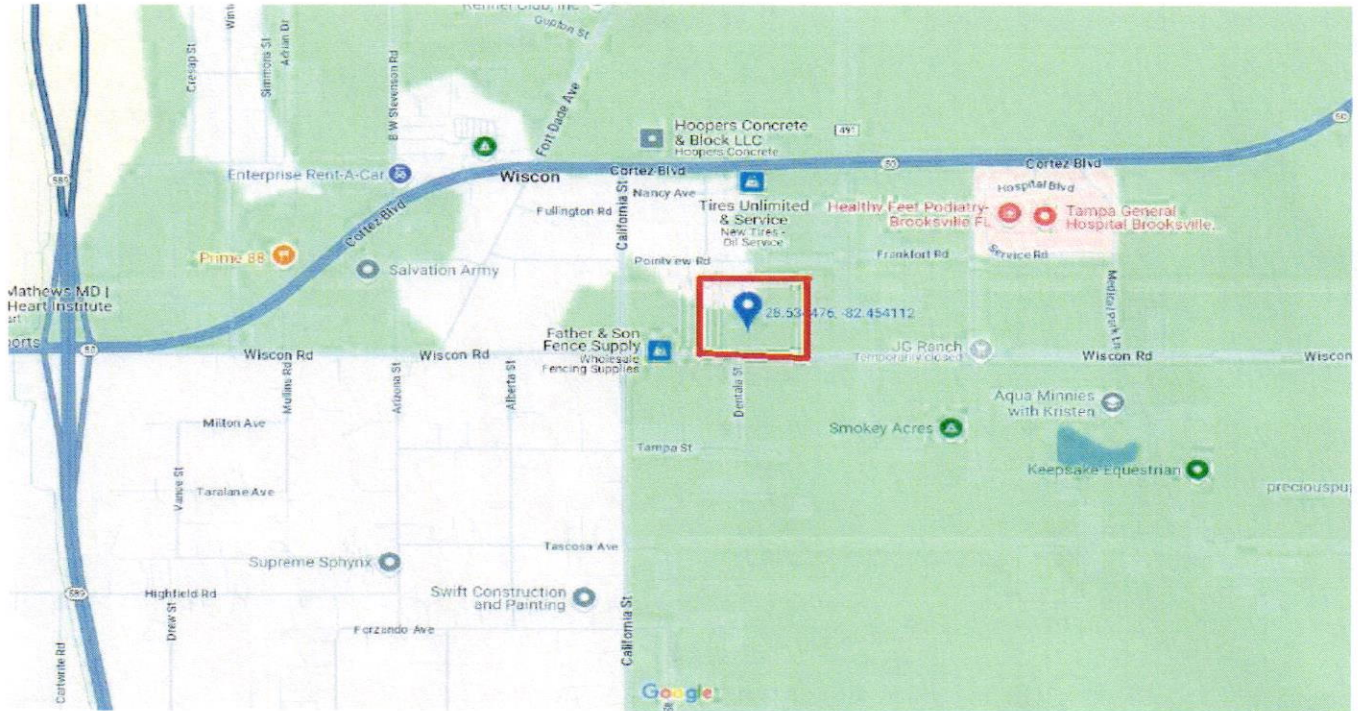
Effective Date: 11/8/16 Last Revision: 11/8/16



Notary Seal/Stamp

NARRATIVE
FOR
Wiscon Market
November 6, 2024
Rev 3/31/25

PROJECT LOCATION: The property, 9.20 acres is located on North side of Wiscon Road, and approximately 600' East of California Street.



PRESENT ZONING / LANDUSE: The property is currently zoned AR-2, and the owners want to rezone to PDP(A-C) Agricultural Commercial District.
The County's FLUM designates the area as **Rural**.

A-C Agricultural Commercial District: This district is intended to permit the development of properly located, limited and specialized commercial areas intended to serve the needs of neighboring rural and agricultural areas.

Permitted uses in an A/C (Agricultural/Commercial) District shall be as follows:

- (a) Building material establishments.
- (b) Convenience stores.
- (c) Custom slaughtering establishments.
- (d) Feed stores.
- (e) Garden supply and nurseries.
- (f) General dry goods stores.
- (g) Landscape services.
- (h) Produce markets.
- (i) Veterinarian clinics.
- (j) One single-family dwelling unit (minimum of six hundred (600) square feet)

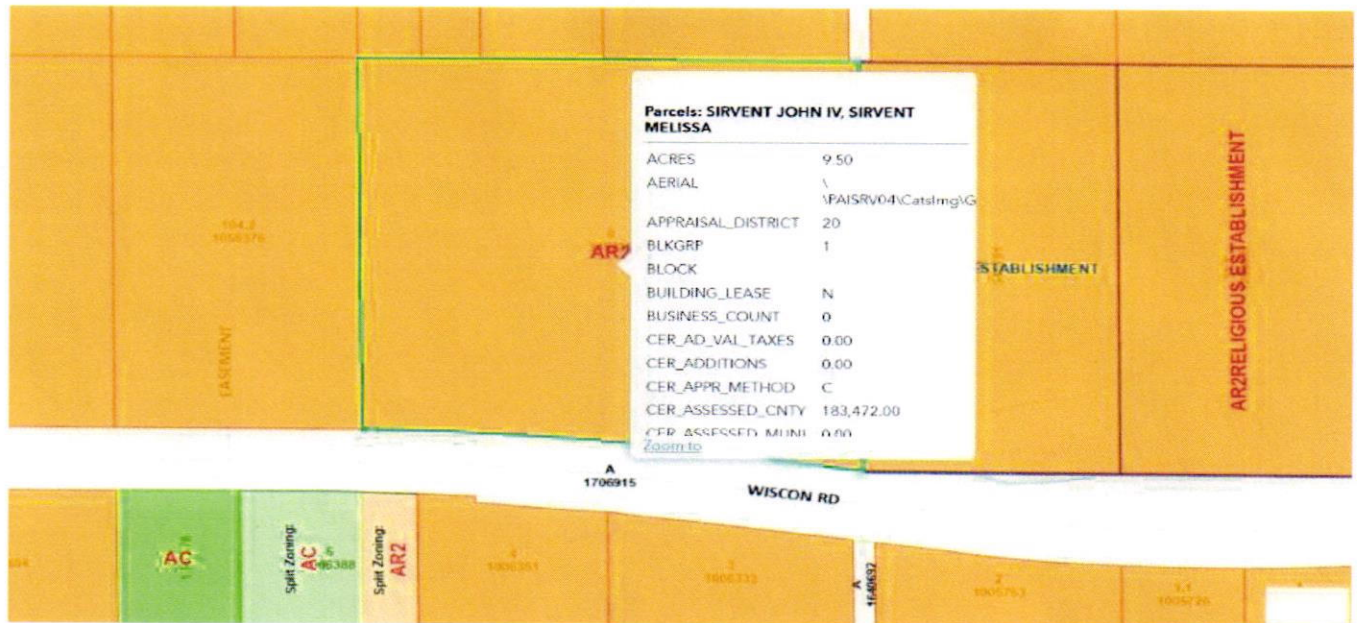
per commercial parcel in conjunction with the operation of a business on the premises; such single-

RECEIVED

APR 01 2025

**HERNANDO COUNTY DEVELOPMENT SERVICES
ZONING DIVISION**

NARRATIVE
FOR
Wiscon Market
November 6, 2024
Rev 3/31/25



INTENDED USE: Agricultural Commercial Complex built in phases. The site will consist of covered slabs(pavilions) and buildings for individuals to sell their Agricultural products or equipment. The A-C rules limit the size of a project to five (5) acres. We are asking for a **deviation** to allow the project to exceed five acres due to the environmental and storm water features of the site. As one can see the wetland and relic sink consume much of the property.

BUFFERING/BOUNDARY CONDITIONS: All 3 sides abutting AR2 will have the standard Hernando County buffering. A ten (10) foot buffer is designated on the master plan with a six-foot fence. The fence may be vinyl, or other type of fence to provide a permanent screen from adjacent properties. No buffer is required against Wiscon Road, but landscaping to meet the Community Appearance ordinance will be provided.

ACCESS: Access will be to Wiscon Road, which is a County maintained collector road. A Hernando County right-of-way use permit is required to permit connection. Wiscon is not an Arterial road, and has not been classified, to require a frontage road. Therefore, the front setback is 75-feet.

SETBACKS:

Against Wiscon Road: 75'

Rear: 35'

Sides: 35' (semi commercial usage abutting non-commercial property)

DEVIATIONS: We are requesting a deviation in the maximum size of the project. County rules allow a maximum of five acre projects for PDP (A-C). This site is 9.2 acres. Due to environmental and storm water issues with the site rendering some portions of the site to be un-buildable, we feel this deviation is reasonable.

NARRATIVE
FOR
Wiscon Market
November 6, 2024
Rev 3/31/25

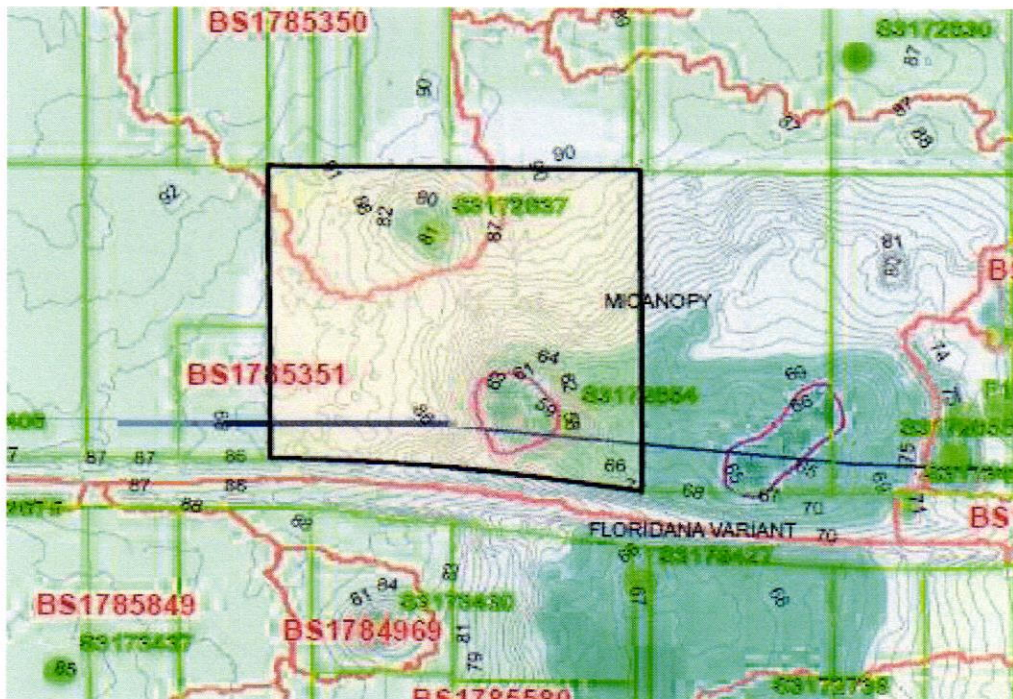
SOILS: According to information found on the NRCS database, the existing soils are Micanopy Loamy fine sands, and Candler fine sand in the norther region.



NARRATIVE
FOR
Wiscon Market
November 6, 2024
Rev 3/31/25

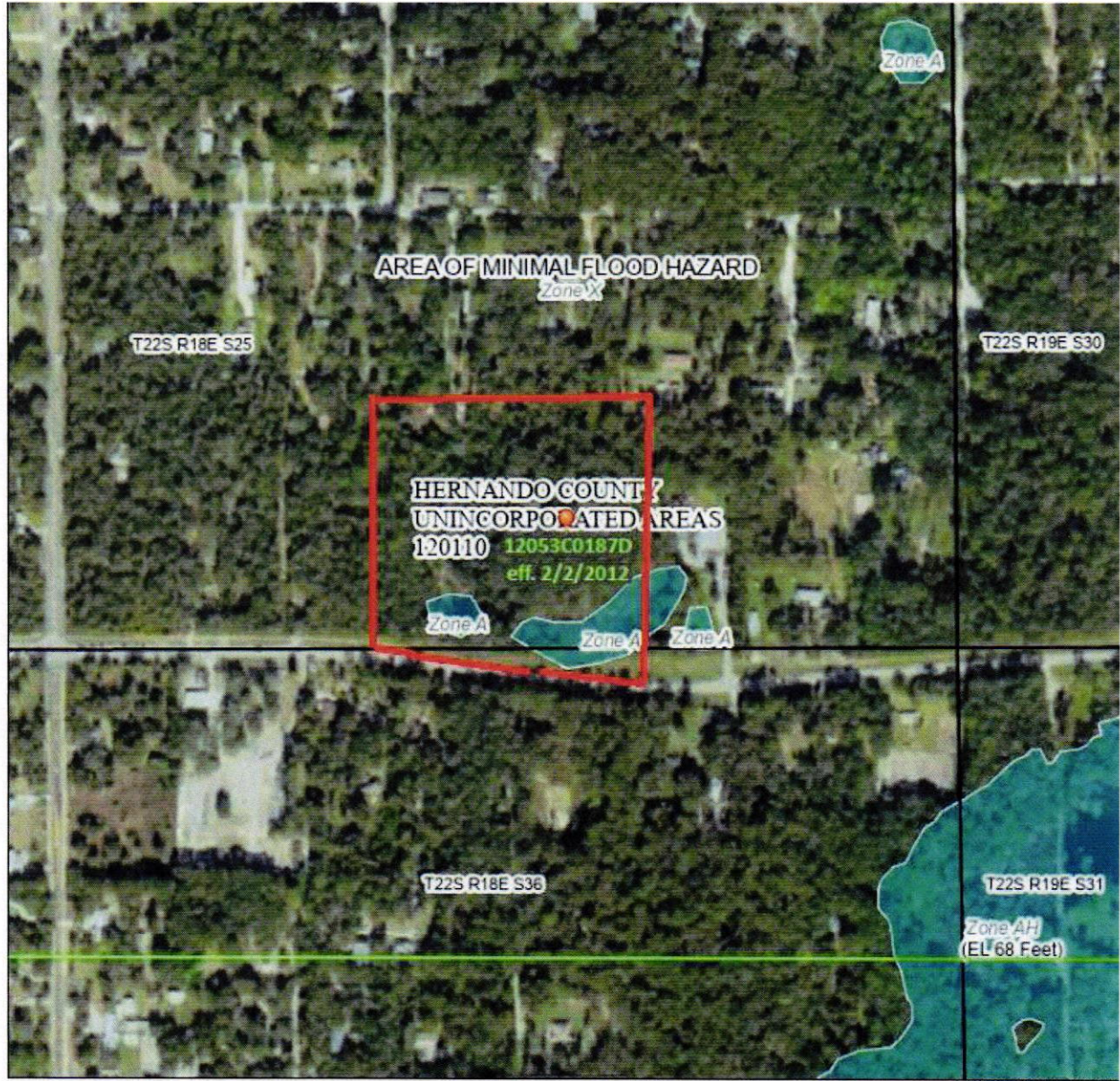
DRAINAGE DESIGN METHODOLOGY: The lot is 9.2 acres. There is a large flood plain area in the Southeast corner of the project. In addition there is a relic sink located in the NW quadrant. The sink appears to store a lot of runoff, but topography indicates it overflows to the wetland/flood plain in the SE quadrant. Most of the project will flow to that area after the upstream area captures and treats runoff from the following events:

- Water quality capture and treatment
- 25 Year peak rates of flow attenuation
- 100 Year retention of runoff volume



NARRATIVE
FOR
Wiscon Market
November 6, 2024
Rev 3/31/25

FLOOD ZONE: Per FEMA Flood Zone Map 12053C 0187D, the majority of the site is Zone X, with the one area Zone A. The base flood elevations are shown on the master plan.



ENVIRONMENTAL: Wetlands/surface waters and endangered wildlife will be further investigated if the project is approved. Possible SPA Investigation may be required.

NARRATIVE
FOR
Wiscon Market
November 6, 2024
Rev 3/31/25

POTABLE WATER: The project has Hernando County water on the South side of Wiscon Road, the existing water line is 12". The Owner will attempt to connect to HCUD.



SANITARY SEWER: The project will construct a septic tank (multiple) system. This system shall be permitted through the department of Environmental Health during the construction permitting phase.

FIRE PROTECTION: There are existing Fire Hydrants in the East and West located across from the property on Wiscon Road.

TRAFFIC: Based on the latest tables from the ITE manual, the proposed project will generate less than 50 peak hour trips. We do not believe further traffic analysis will be required per Hernando County Regulations.

STAFF REPORT

HEARINGS: Planning & Zoning Commission: February 10, 2025
Board of County Commissioners: April 3, 2025
Planning & Zoning Commission: June 9, 2025
Board of County Commissioners: August 5, 2025

APPLICANT: Southern Valley Homes

FILE NUMBER: H-24-71

REQUEST: AR-2(Agricultural Residential 2) to AC (Agricultural Commercial)

GENERAL LOCATION: North side of Wiscon Road, approximately 670' east of California Street

PARCEL KEY NUMBER(S): 345736

APPLICANT'S REQUEST

The petitioner's request is to rezone the subject 9.5-acre site from AR-2 (Agricultural Residential 2) to AC (Agricultural Commercial). The petitioner intends to construct an Agricultural Commercial Complex built in phases to allow individuals to sell agricultural products or equipment.

Subsequent to the Board of County Commissioners meeting on April 3, 2025, the petitioner submitted a revised narrative and master plan that reoriented the site as an open-air farmers market with pavilions and parking creating a unified project that will blend in with the existing agricultural uses surrounding the site.

Due to multitude of permitted uses within the AC (Agricultural Commercial) district and the subject site's location within an agricultural/agricultural-residential area, staff is recommending converting the petitioner's request to a Planned Development Project to appropriately condition the project. Staff recommendation to approve a Rezoning from AR-2 to PDP (RUR) with specific AC (Agricultural Commercial) Uses.

Deviations Requested:

Lot Size: Deviation from 5.0 acres to 9.50 acres

SITE CHARACTERISTICS

Site Size: 9.50 acres

Surrounding Zoning;

Land Uses: North: AR; Single Family, Undeveloped
South: AC, AR; Single family
East: AR; Thrift store; Single Family
West: AR; Undeveloped

Current Zoning: AR-2 (Agricultural Residential 2)

Future Land Use**Map Designation:** Rural**ENVIRONMENTAL REVIEW**

The primary soil type for the site is Micanopy Loamy Fine sand. The subject property does not contain any wetlands, Special Protection Areas (SPA), or Wellhead Protection Areas (WHPA) according to County data resources.

Equipment that contains fluids (gas or oil) with the potential to leak or spill (such as a generator) are not to be stored on the bare ground or outside. The petitioner will have to register with the County's Small Quantity Generator Program in the Utilities Department and handle fluids in accordance with State regulations.

UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel; however, water service is available to this parcel. Sewer service is not available to this parcel. HCUD has no objection to the request, subject to the development connecting to the central water system at time of vertical construction and Health Department approval of an appropriate Onsite Sewage Treatment and Disposal System for the development.

Comments: The petitioner shall be required to apply to the Florida Department of Health in Hernando County for an Onsite Sewage Treatment and Disposal System permit at the time of site development permitting.

ENGINEERING REVIEW

The subject site is located on the north side of Wiscon Road, approximately 670' east of California Street. The petitioner is proposing a single access to Wiscon Road. The County Engineer has reviewed the request and indicated the following:

- Wiscon Road is classified as a collector roadway. Collector roads require sidewalks. Sidewalks shall be required along the entire frontage of a collector Road.
- The buildings are to be connected via sidewalk to the future sidewalk constructed along Wiscon Road.
- Provide documentation that demonstrates the proposed trip generation per phase. Traffic Access Analysis may be required in future phases based on the specific use trip generation.
- The proposed project is in the peck sink watershed, which is an administrative watershed. There appears to be floodplain contained on the parcel and offsite flow which should be factored into design.

Comments: The petitioner shall be required to provide the trip generation rates at the time of site development to determine if a Traffic Access Analysis is required for the project.

LAND USE REVIEW

The petitioner is proposing to rezone the entire 9.2-acre parcel to Agricultural Commercial. Staff is recommending converting the rezoning to PDP(RUR) Planned Development Project (Rural). This will allow for Agriculture Commercial uses and performance conditions to protect the surrounding Agricultural Residential parcels. The PDP(RUR) Planned Development Project (Rural) zoning classification allows specific uses to be identified within the master plan.

Permitted Uses

Permitted uses in an AC (Agricultural Commercial) District are as follows:

- Building material establishments.
- Convenience stores.
- Custom slaughtering establishments.
- Feed stores.
- Garden supply and nurseries.
- General dry goods stores.
- Landscape services.
- Produce markets.
- Veterinarian clinics.

Comments: The petitioner is proposing an open-air farmers' market. Staff recommends the specific AC (Agricultural Commercial) uses for the site based on that use:

- Produce Market
- General Dry Goods Stores
- Garden Supply and Nurseries

These uses will all be incorporated into the open-air farmers' market as identified in the associated proposed master plan.

No individual retail establishments will be permitted outside the produce market. Any request to alter or increase the development intensity of the site will require a revision to the master plan.

Building Setbacks:

The minimum setbacks for the AC (Agricultural Commercial) district are as follows:

- Front: 75'
- Side: 35'
- Rear: 50'

Comments: If the master plan is approved, the petitioner shall be required to meet the minimum setbacks of the AC district.

Perimeter Setbacks:

The minimum perimeter setbacks for the PDP(RUR) Planned Development Project (Rural) zoning classification are as follows:

- Front 50'

- Side 10'
- Rear 35'

Comments: If the master plan is approved, the petitioner shall be required to meet the minimum perimeter setback for this PDP district.

Landscaping:

The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for required landscaping.

Buffers

The petitioner has indicated that they will be adding a 10' vegetive buffer around the perimeter of the parcel. Existing vegetation will be utilized as much as possible.

Comments: The Hernando County Land Development Regulations require that buffer be placed between a Planned Development Project land use which is multifamily or non-residential and a land use, external to the PDP, which is residential, agricultural-residential or agricultural.

The buffer shall consist of a minimum five-foot landscaped separation distance. The multifamily or nonresidential use located on such lot shall be permanently screened from the adjoining and contiguous properties by a wall, fence, and/or approved enclosures. Such screening shall have a minimum height of five (5) [feet] and a maximum height of eight (8) feet, or an evergreen hedge with a minimum height of five (5) feet at the time of planting.

If the master plan is approved, the petitioner shall be required to supplement the 10' vegetative buffer with a wall, fence and/or approved enclosure. This supplemental buffering may be determined at the time of site development and shall be placed on the interior of the landscaping.

Screening:

The petitioner has requested AC Agricultural Commercial, which includes building material establishments, general dry good stores, landscape services, garden supply and nurseries with indoor and outdoor storage.

Comments: The petitioner shall screen the parcel by an opaque fence, wall of opaque landscaping at a height that will effectively screen the storage from adjoining streets and properties. No outside storage is allowed within the minimum building setback from an adjoining street. The height of any items stored shall not exceed that of the perimeter screening.

Lighting

County Land development regulations (LDRs) require lighting that enhances the visual impact of the project on the community and to specifically address lighting intensity levels and glare accordingly. Commercial buildings and projects shall be designed to provide safe, convenient and efficient lighting for pedestrians and vehicles.

Comments: The petitioner has not indicated any provisions for lighting of the subject property.

If approved, the petitioner should be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring residential uses.

COMPREHENSIVE PLAN REVIEW

The subject property is currently designated Rural by the Comprehensive Plan and is located in an area characterized by rural residential development.

Rural Category

Objective 1.04C: The Rural Category allows agriculture, agricultural commercial, agri-industrial, recreation, agritourism and residential land uses of a rural character. Certain neighborhood commercial uses may be allowed subject to locational criteria and performance standards. Residential density is 0.1 dwelling units per gross acre (1 unit per ten gross acres) except where otherwise indicated by the strategies listed herein and incorporated into the land development regulations.

Specialty Commercial

Strategy 1.04G(11): Specialty Commercial areas are recognized but generally not depicted on the Future Land Use Map due to their small size and specialized function. The County will provide for land use regulations that recognize and encourage specialty commercial uses important to the traditional economic base, including Agricultural Commercial, Marine Commercial and Heavy Commercial uses.

Strategy 1.04G(12): Agricultural Commercial uses may be allowed in the Rural Category to serve rural and agricultural communities subject to the following criteria:

- have access to a roadway that is currently functionally classified as a collector or greater;
- be proximate to and serve agricultural activities;
- be no greater than five acres in area.

Planned Development Projects and Standards

Objective 1.10C: Planned Development Project (PDP) zoning introduces flexibility to the land development process. The PDP is developed as a zoning district that may include multiple land uses and provides for the mitigation of impacts through performance standards. The PDP process may be used in any Future Land Use Category.

Strategy 1.10C(1): A Planned Development Project (PDP) is designed as an integral unit with one or more land uses utilizing a Master Plan to illustrate and describe the site layout and characteristics including, but not limited to, uses and use restrictions, density and intensity, site and building layout and design, site coverage and designated open space, construction and phasing plans, and other detailed information about the project.

Strategy 1.10C(2): Delineation of the allowable density and/or intensity of development shall be contingent upon the ability to provide the adopted level of service of public services and facilities concurrent with project development as

outlined in the adopted land development regulations.

Comments: AC (Agricultural Commercial) is an allowed use in the Rural Land use designation. The proposed rezoning is consistent with the Rural Future Land Use category.

FINDINGS OF FACT

The request to rezone from AR-2 (Agricultural Residential 2) to AC (Agricultural Commercial) is inappropriate based on the following:

1. Staff is recommending converting the zoning from the requested AC (Agricultural Commercial) to PDP(RUR)Planned Development Project (Rural) to allow for performance conditions for lighting, landscape buffers, setbacks, and Protection Standards for the neighboring parcels.
2. PDP(RUR)/Planned Development Project (Rural) is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all performance conditions.

NOTICE OF APPLICANT RESPONSIBILITY

The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

SUMMARY OF STAFF AND BOARD ACTIONS:

Initial Staff Recommendation: It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution denying the petitioners' request for a rezoning from AR-2(Agricultural Residential 2) to AC(Agricultural Commercial) and approve a rezoning from AR-2(Agricultural Residential 2) to PDP(RUR) Planned Development Project (Rural) with all AC/(Agriculture Commercial) with performance conditions.

P&Z Action: On February 10, 2025, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners postpone the petitioners' request for a rezoning from AR-2(Agricultural Residential 2) to AC(Agricultural Commercial) and to permit the petitioner to address staff's recommendations AR-2(Agricultural Residential 2) to PDP(RUR) Planned Development Project (Rural) with all AC/(Agriculture Commercial).

BOCC ACTION: On April 3, 2025, the Board of County Commissioners postponed the petitioner's request for a rezoning from AR-2(Agricultural Residential 2) to AC(Agricultural Commercial) and to permit the petitioner to address staff's recommendations AR-2(Agricultural Residential 2) to PDP(RUR) Planned Development Project (Rural) with all AC/(Agriculture Commercial).

P&Z Action: On April 14, 2025, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners postpone the petitioners' request for a rezoning from AR-2(Agricultural Residential 2) to AC(Agricultural Commercial) and to permit the petitioner to address staff's recommendations AR-2(Agricultural Residential 2) to PDP(RUR) Planned Development Project (Rural) with all AC/(Agriculture Commercial).

REVISED STAFF RECOMMENDATION (FOR JUNE 9, 2025, PLANNING AND ZONING COMMISSION):

It is recommended that the Planning and Zoning Commission deny the petitioner's request for a rezoning from AR-2 (Agricultural Residential 2) to AC (Agricultural Commercial) and convert the petitioner's request to a rezoning from AR-2 (Agricultural-Residential 2) to Planned Development Project (Rural) with deviations and the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. Equipment that contains fluids (gas or oil) with the potential to leak or spill (such as a generator) shall not be stored on the bare ground or outside. The petitioner shall register with the County's Small Quantity Generator Program in the Utilities Department and handle fluids in accordance with State regulations.
3. The petitioner shall apply to the Florida Department of Health in Hernando County for an Onsite Sewage Treatment and Disposal System permit at the time of site development permitting.
4. The petitioner shall provide the trip generation rates at the time of site development to determine if a Traffic Access Analysis is required for the project.
5. Wiscon Road is classified as a collector roadway. Collector roads require sidewalks. Sidewalks shall be required along the entire frontage of a collector Road.
6. The buildings are to be connected via sidewalk to the future sidewalk constructed along Wiscon Road.
7. The proposed project is in the Peck Sink watershed, which is an administrative watershed. The petitioner shall factor floodplain and offsite flow into site design.
8. The petitioner shall be limited to the following Agricultural Commercial uses, incorporated into an open-air farmers' market design:
 - Produce Market
 - General Dry Goods Stores
 - Garden Supply and Nurseries

No individual retail establishments will be permitted outside the produce market. Any request to alter or increase the development intensity of the site will require a revision to the master plan.

9. The petitioner shall be permitted to develop the entirety of the 9.2-acre site in accordance with SWFWMD and County regulations.
10. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for required landscaping.
11. The petitioner shall maintain and/or enhance the buffer along the entire perimeter of the site to achieve a 10' width at 80% opacity. As the site is located adjacent to agricultural-residential uses, the petitioner shall be required to supplement the 10' vegetative buffer with a wall, fence and/or approved enclosure. This supplemental buffering may be determined at the time of site development and shall be placed on the interior of the landscaping.
12. Minimum Building Setbacks:
 - Front: 75'
 - Side: 35'
 - Rear: 50'
13. Minimum Perimeter Setbacks:
 - Front 50'
 - Side 10'
 - Rear 35'
14. The applicant shall be required to provide adequate parking in accordance with the Land Development Regulation at the time of site plan approval.
15. The petitioner shall provide a master plan in compliance with all performance conditions within 30 calendar days of receiving staff comments related to the county BOCC approval. Failure to submit the revised plan will result in no further development permits being issue

Planning and Zoning Commission

On June 9, 2025, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners recommend converting the petitioner's request from a rezoning from AR-2 (Agricultural Residential 2) to AC (Agricultural Commercial) to a rezoning from AR-2 (Agricultural Residential 2) to PDP(RUR) Planned Development Project (Rural) with specific AC uses and the following modified performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. Equipment that contains fluids (gas or oil) with the potential to leak or spill (such as a generator) shall not be stored on the bare ground or outside. The petitioner shall register with the County's Small Quantity Generator Program in the Utilities Department and handle fluids in accordance with State regulations.
3. The petitioner shall apply to the Florida Department of Health in Hernando County for an Onsite Sewage Treatment and Disposal System permit at the time of site development permitting.
4. The petitioner shall provide the trip generation rates at the time of site development to determine if a Traffic Access Analysis is required for the project.
5. Wiscon Road is classified as a collector roadway. Collector roads require sidewalks. Sidewalks shall be required along the entire frontage of a collector Road.
6. The buildings are to be connected via sidewalk to the future sidewalk constructed along Wiscon Road.
7. The proposed project is in the Peck Sink watershed, which is an administrative watershed. The petitioner shall factor floodplain and offsite flow into site design.
8. The petitioner shall be limited to the following Agricultural Commercial uses, incorporated into an open-air farmers' market design:
 - Produce Market
 - General Dry Goods Stores
 - Garden Supply and Nurseries

No individual retail establishments will be permitted outside the produce market. Any request to alter or increase the development intensity of the site will require a revision to the master plan.

9. The petitioner shall be permitted to develop the entirety of the 9.2-acre site in accordance with SWFWMD and County regulations.
10. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™

publications for design techniques, principles, materials, and plantings for required landscaping.

11. The petitioner shall maintain and/or enhance the buffer along the entire perimeter of the site to achieve a 10' width at 80% opacity. As the site is located adjacent to agricultural-residential uses, the petitioner shall be required to supplement the 10' vegetative buffer with a wall, fence and/or approved enclosure. This supplemental buffering may be determined at the time of site development and shall be placed on the interior of the landscaping.

12. Minimum Building Setbacks:

- Front: 75'
- Side: 35'
- Rear: 50'

13. Minimum Perimeter Setbacks:

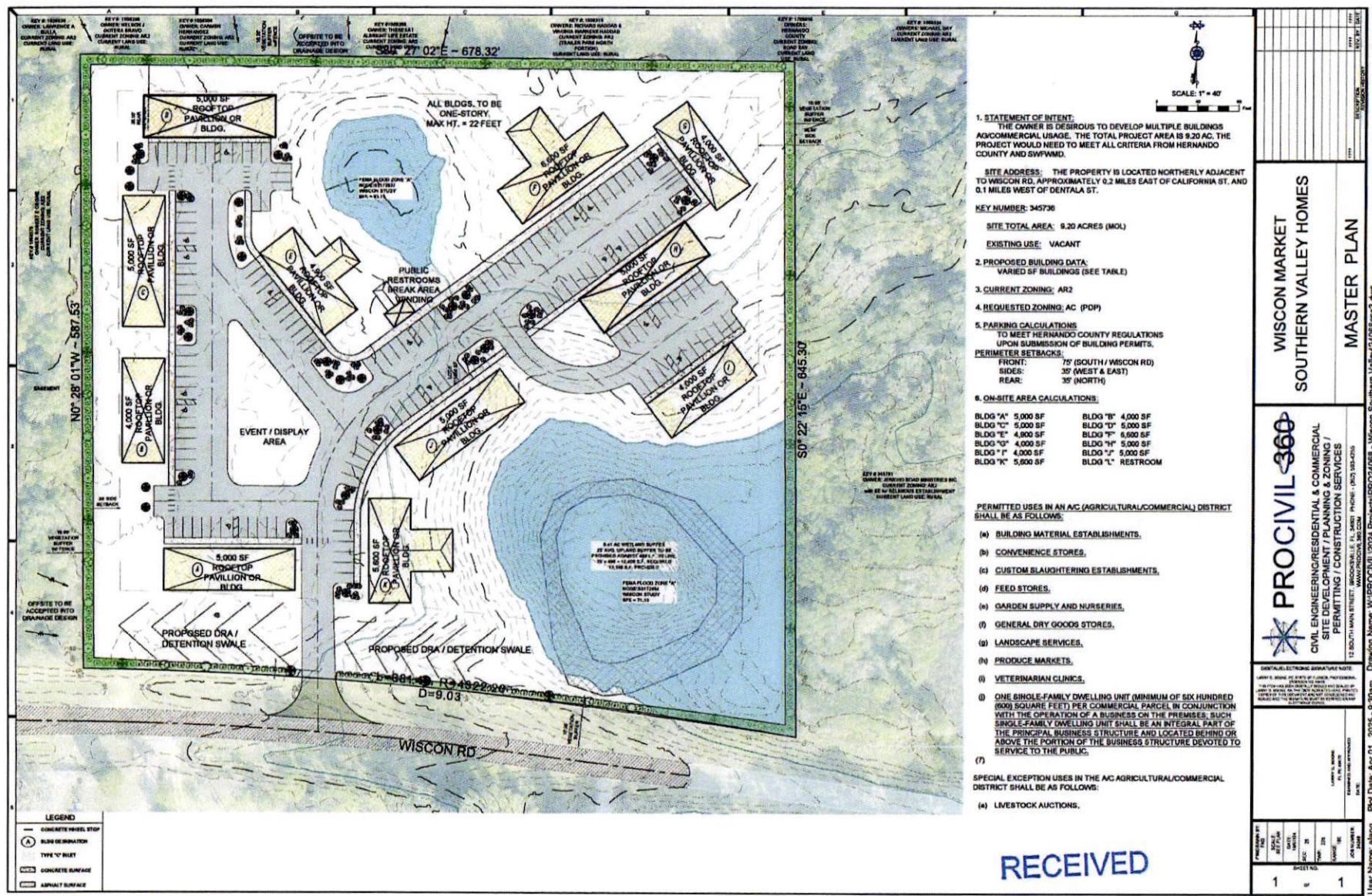
- Front 50'
- Side 10'
- Rear 35'

14. The applicant shall be required to provide adequate parking in accordance with the Land Development Regulation at the time of site plan approval.

15. The petitioner shall be required to develop the site utilizing an overall architectural theme with agricultural and rural aesthetics to provide compatibility with the surrounding uses.

45. 16. The petitioner shall provide a master plan in compliance with all performance conditions within 30 calendar days of receiving staff comments related to the county BOCC approval. Failure to submit the revised plan will result in no further development permits being issue

H-24-71



Rev. MP 4/1/25 MP

H-24-71

Photo date: 2023

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



Hernando County Comprehensive Plan Map

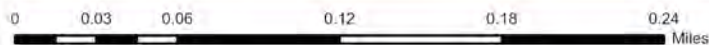
Existing Future Land Use: H-24-71
Version Date: 12/09/2022



Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

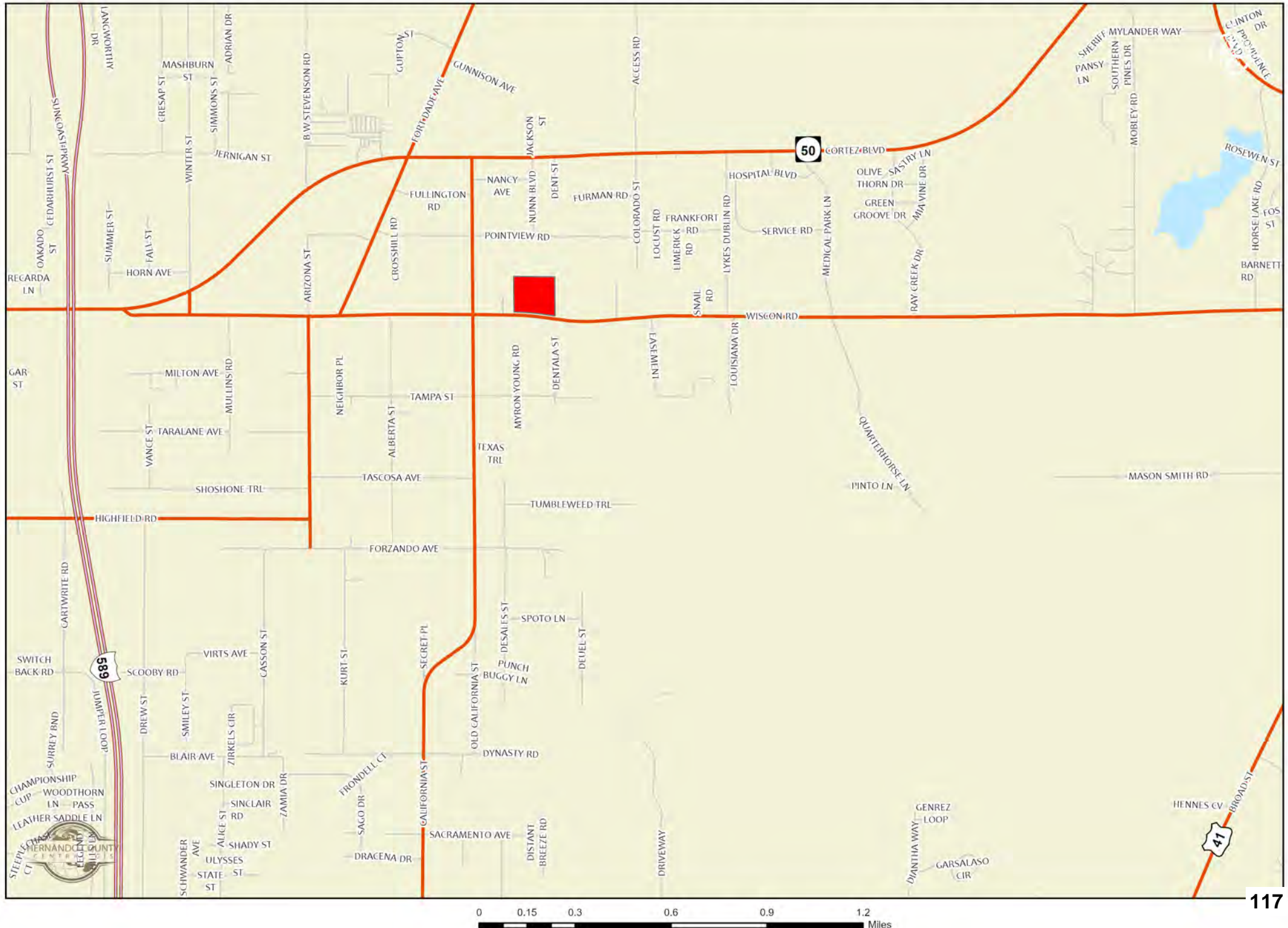


Date of mapping: 12/17/2024



H-24-71 AREA MAP

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



H-24-71

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



Zoning:

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



RESOLUTION NO. 2025 - _____

WHEREAS, Hernando County has adopted zoning regulations pursuant to Section 125.01(1) and Chapter 163, *Florida Statutes*, which authorize the County to regulate the use of land in the unincorporated areas of Hernando County, Florida, and take action on the request herein; and

WHEREAS, the Hernando County Board of County Commissioners (BOCC) conducted a duly advertised public hearing to consider the requested changes in zoning on the specified parcels in Hernando County, Florida, as more fully described below;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, AS FOLLOWS:

APPLICANT: Southern Valley Homes, LLC on behalf of John Sirvent, IV and Melissa Sirvent

FILE NUMBER: H-24-71

REQUEST: AR-2 (Agricultural Residential 2) to AC (Agricultural Commercial)

GENERAL LOCATION: North side of Wiscon Road, approximately 670' east of California Street

PARCEL KEY NUMBERS: 345736

REQUEST: AR-2(Agricultural Residential 2) to AC (Agricultural Commercial) as enumerated in the BOCC Action, which is incorporated herein by reference and made a part hereof. The representations contained in the rezoning application are incorporated herein by reference and made a part hereof and are relied upon by the County to be true and correct. For purposes herein, it is presumed that all notice and advertising requirements have been satisfied.

FINDINGS OF FACT: ALL of the facts and conditions set forth in the County's staff memoranda and presented to the BOCC in connection with the public hearing in this matter are incorporated herein by reference and made a material part of this Resolution as integral to the BOCC's Action. The BOCC finds that the testimony and record supporting APPROVAL of the request to be credible and to constitute competent substantial evidence. In further support thereof, the BOCC makes the following specific findings of fact:

1. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

CONCLUSIONS OF LAW: The BOCC is authorized to act on this matter pursuant to Chapters 125 and 163, *Florida Statutes*. Accordingly, after public hearing and testimony, being fully advised in the record, and based upon competent substantial evidence, the BOCC makes the following specific conclusions of law:

1. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

ACTION:

After notice and public hearing, based upon the record in this matter and ALL of the findings of fact and conclusions of law above, the BOCC hereby DENIES AR-2 (Agricultural Residential 2) to AC (Agricultural Commercial) and convert the petitioner's request to a rezoning from AR-2 (Agricultural-Residential 2) to Planned Development Project (Rural) with deviations and performance conditions as set forth in the BOCC Action, which is incorporated herein by reference and made a part hereof. Any requests, uses, variances or exceptions that were requested in connection with this rezoning application but not specifically approved herein are hereby deemed DENIED.

ADOPTED IN REGULAR SESSION THE ____ DAY OF _____, 2025.

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest: _____

Douglas A. Chorvat, Jr.
Clerk of Circuit Court & Comptroller

By: _____

Brian Hawkins
Chairman

(SEAL)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: Jon Jouben
County Attorney's Office



THE HERNANDO SUN; Published Weekly

Brooksville Hernando County FLORIDA

PUBLISHER'S AFFIDAVIT OF PUBLICATION
STATE OF FLORIDA
COUNTY OF HERNANDO :

Before the undersigned authority, Julie B. Maglio, personally appeared, who on oath, says that she is Editor of the Hernando Sun, a weekly newspaper published at Brooksville in Hernando County, Florida, that the attached copy of the advertisement, being a
NOTICE OF PUBLIC HEARING

in the matter of

APPLICANT: Southern Valley Homes, LLC

was published in said newspaper by print in the issue(s) of:
May 30, 2025

and/or by publication on the newspaper's publicly available website, if
authorized, on May 30, 2025

Affiant further says that the newspaper complies with all
legal requirements for publication in chapter 50, Florida
Statutes.

(Signature of Affiant)

Sworn to and subscribed before me
This 2nd day of June, 2025.

(Signature of Notary Public) LISA M. MACNEIL



Commission # HH 254975
Expires April 19, 2026

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known ☒ or

produced identification _____

Type of identification produced _____

NOTICE OF PUBLIC HEARING HERNANDO COUNTY, FLORIDA

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission of Hernando County, Florida, will hold a Public Hearing in the John Law Ayers County Commission Chambers, Hernando County Government Center, 20 North Main Street, Room 160, Brooksville, Florida on June 9, 2025. **The meeting starts at 9:00 AM and the cases will be heard thereafter in the order established when the agenda is published.**

BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners of Hernando County, Florida, will hold a Public Hearing in the John Law Ayers County Commission Chambers, Hernando County Government Center, 20 North Main Street, Room 160, Brooksville, Florida, on August 5, 2025. **The meeting starts at 9:00 AM and the cases will be heard thereafter in the order established when the Board agenda is published.**

APPLICANT: Southern Valley Homes, LLC
FILE NUMBER: H-24-71
REQUEST: AR-2(Agricultural Residential 2) to AC(Agricultural Commercial)
GENERAL LOCATION: North side of Wiscon Road, approximately 670' east of California Street
PARCEL KEY NUMBER: 345736

APPLICANT: Lance Lowery
FILE NUMBER: H-24-81
REQUEST: Rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage
GENERAL LOCATION: Approximately 175' north of Cortez Boulevard, bounded by Mondon Hill Road and Raley Road.
PARCEL KEY NUMBER: 1181090, 1181081, 1181125, 822872

APPLICANT: Meridien Development LLC Mark Keschl
FILE NUMBER: H-24-82
REQUEST: Rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for drive in restaurant with deviations
GENERAL LOCATION: Northeast corner of Commercial Way and Spring Hill Drive
PARCEL KEY NUMBER: 411931

APPLICANT: Arsany 66th Street, LLC
FILE NUMBER: H-25-01
REQUEST: Rezoning from AR-2 (Agricultural/Residential) to PDP(MF) Planned Development Project (Multifamily), PDP(GC) Planned Development Project (General Commercial), and PDP(SF)Planned Development Project (Single Family) with deviations
GENERAL LOCATION: North of County Line Road, South of Pot O Gold Lane, approximately 1000' west of the intersection of County Line Road and Suncoast Boulevard
PARCEL KEY NUMBER: 189940, 189959

Notice Continues on Page 2

APPLICANT: Alton B. Wingate
 FILE NUMBER: H-25-05
 REQUEST: Rezoning from AG (Agricultural) to PD-P(GC) Planned Development Project with a Special Exception for an Educational Facility
 GENERAL LOCATION: Northwest corner of Citrus Way and Ponce De Leon Boulevard
 PARCEL KEY NUMBER: 332367

APPLICANT: Sunny Pines of Hernando LLC
 FILE NUMBER: H-25-07
 REQUEST: Re-Establish Master Plan on Property Zoned Combined Planned Development Project with C2 and R1MH Uses and deviations
 GENERAL LOCATION: Northwest corner of SR 50 and Mondon Hill Road
 PARCEL KEY NUMBER: 370360

APPLICANT: Britton and Kayla Cox
 FILE NUMBER: H-25-11
 REQUEST: Rezoning from R-1C (Residential) to AR (Agricultural/Residential)
 GENERAL LOCATION: Double frontage on Yellow Frog Ave and Palmdale Road
 PARCEL KEY NUMBER: 610173

APPLICANT: Jorge Sabater
 FILE NUMBER: H-25-12
 REQUEST: Rezoning from C-4 (Heavy Highway Commercial) to C-2 (Highway Commercial)
 GENERAL LOCATION: North side of Chambord St, approximately 690 Feet from Sunshine Grove Rd.
 PARCEL KEY NUMBER: 998870

Interested parties may appear at the meeting and be heard on these matters. You are further advised that if a person decides to appeal any quasi-judicial decision made by the Board, Agency or Commission with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceeding, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Documentation may be reviewed by the public at the Hernando County Planning Department, 1653 Blaise Drive, Brooksville, Florida 34601, between the hours of 7:30 AM - 4:00 PM, Monday through Friday, legal holidays excepted or may be viewed one week prior to the meeting via the County's website at www.hernandocounty.us – follow the Board Agendas and Minutes link to the specified public hearing. If you should have any additional questions regarding this issue, please contact the Planning Department at planning@hernandocounty.us, 352-754-4057, or in writing at: Hernando County Planning Department, 1653 Blaise Drive, Brooksville, Florida 34601.

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact Jessica Wright, County Administration Building, 15470 Flight Path Drive Brooksville, FL 34604, telephone 352-754-4002, no later than three (3) days prior to the proceedings. If hearing impaired, please call 1-800-676-3777 for assistance.

/s/ Omar DePablo
 Development Services Director
 Hernando County Planning Division

Published: May 30, 2025



AGENDA ITEM

TITLE

Rezoning Petition Submitted by Lance Lowery on Behalf of Lowery's True Value, LLC, for Property Located on Lovebird Lane and Raley Road (H2481)

BRIEF OVERVIEW

Request:

Rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage.

General Location:

Approximately 175' north of Cortez Boulevard, bounded by Mondon Hill Road and Raley Road.

P&Z Action:

On June 9, 2025, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage with unmodified performance conditions.

FINANCIAL IMPACT

A matter of policy and no financial impact.

LEGAL NOTE

The Board has the authority to make the requested rezoning decision pursuant to Chapters 125 and 163 Florida Statutes. The Applicable Criteria for a Zoning District Amendment are contained in Appendix A (Zoning Code), Article VI. The Applicable Criteria for a PDP are found in Appendix A (Zoning Code), Article VIII. The Zoning District Amendment must be consistent with the Comprehensive Plan.

RECOMMENDATION

It is recommended that the Board adopt and authorize the Chairman's signature on the attached resolution approving the petitioner's request for a rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage with performance conditions.

REVIEW PROCESS

Omar DePablo	Escalated	07/23/2025 2:48 PM
KayMarie Griffith	Approved	07/23/2025 3:32 PM
Michelle Miller	Approved	07/24/2025 8:14 AM
Albert Bertram	Approved	07/24/2025 9:47 AM
Pamela Hare	Approved	07/24/2025 11:47 AM

Jon Jouben	Approved	07/30/2025 9:40 AM
Heidi Prouse	Approved	07/30/2025 10:41 AM
Toni Brady	Approved	07/30/2025 3:36 PM
Jeffrey Rogers	Approved	07/30/2025 5:02 PM
Colleen Conko	Approved	07/30/2025 5:03 PM

HERNANDO COUNTY ZONING AMENDMENT PETITION



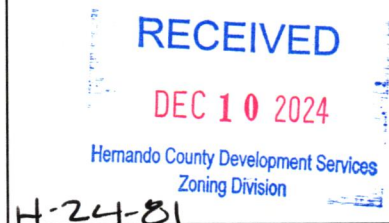
Application to Change a Zoning Classification

Application request (check one):

- Rezoning ☐ Standard ☒ PDP
Master Plan ☐ New ☐ Revised
PSFOD ☐ Communication Tower ☐ Other
PRINT OR TYPE ALL INFORMATION

Date: 11/18/24

File No. 04125 Official Date Stamp:



APPLICANT NAME: Lance Lowery

Address: P.O. Box 545

City: Bushnell

State: Florida

Zip: 33513

Phone: 352-303-1969

Email: llowery@ldlenterprises.com

Property owner's name: (if not the applicant) Lowery's True Value LLC

REPRESENTATIVE/CONTACT NAME:

Same as Applicant

Company Name: _____

Address: _____

City: _____

State: _____

Zip: _____

Phone: _____

Email: _____

HOME OWNERS ASSOCIATION: ☐ Yes ☒ No (if applicable provide name) _____

Contact Name: _____

Address: _____

City: _____

State: _____

Zip: _____

PROPERTY INFORMATION:

1. PARCEL(S) **KEY** NUMBER(S): 1181090, 1181081, 1181125, 822872
2. SECTION 34, TOWNSHIP 22, RANGE 20
3. Current zoning classification: C-2 + R-1
4. Desired zoning classification: PDP with GC + C-2 for Outdoor Storage
5. Size of area covered by application: 5.14 acres
6. Highway and street boundaries: East = Raley Road, West = Lovebird Lane
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No
8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed: 30 min)

PROPERTY OWNER AFFIDIVAT

I, Lance Lowery, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

☒ I am the owner of the property and am making this application OR

☐ I am the owner of the property and am authorizing (applicant): _____

and (representative, if applicable): _____

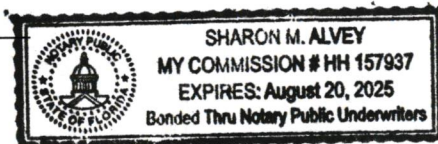
to submit an application for the described property.

[Signature]
Signature of Property Owner

STATE OF FLORIDA COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 15th day of NOVEMBER, 2024, by LANCE LOWERY who is personally known to me or produced as identification.

[Signature]
Signature of Notary Public



Notary Seal/Stamp

Effective Date: 11/8/16 Last Revision: 11/8/16

Lowery's True Value Hardware is an existing commercial business located on a 4.8-acre parcel at 26407 Cortez Boulevard. It is on the north side of Cortez, to the east of Spring Lake Highway and just west of Raley Road at Hill 'N Dale. There is a Dollar General to the east and a storage facility to the west.

The proposed rezoning is for 5.14 acres adjacent to and north of the existing Lowery's True Value Hardware. The property consists of 4 parcels. The south parcel is zoned C-2 and the other parcels are zoned R-2. It is intended that the 4 parcels will be combined/merged. The new development will not be combined/merged with the existing hardware store.

The proposed rezoning is to PDP with GC with C-2 for outdoor storage. This is based on a recommendation by County Planner Kay Marie Griffith at the pre-application meeting held on October 31, 2024.

The intended use is indoor storage warehouse plus outdoor storage. The materials intended to be stored are related to the merchandise sold at Lowery's True Value Hardware. Many items are purchased in bulk. The items intended to be stored outdoors include bagged goods (mulch), bulk items (mulch, sand, rock, etc.) and equipment (tractors).

The master plan provided shows phased construction for:

- 1.) Asphalt-paved drives
- 2.) Four warehouse buildings
- 3.) Outdoor storage areas
- 4.) Stormwater management facilities
- 5.) General landscaped buffers
- 6.) An offsite fire hydrant

At this time, there are no plans for restrooms within the warehouse building. Access to the indoor and outdoor storage areas will be limited to the employees of Lowery's True Value Hardware which also have access to restrooms at the store. Water and wastewater services will not be needed unless the owner elects to install an employee restroom in one of the storage buildings. Fire protection for the Phase 1 building can be met with an offsite hydrant to be installed on an existing water main. Future phases may require the construction of a new on-site fire line.

There will not be a need for additional parking spaces. Employees that sometimes work in the storage area will park their vehicles at the store and there will be no customer parking in the warehouse/storage area.

The access drives will be gated and the perimeter fencing will be 6'-tall chain link. Where visibility screening in addition to landscaping is required along the north side adjacent to existing residential use, the owner intends to provide vinyl slats in the fence fabric.

Delivery vehicles will be arriving, on average, twice per week. There will be three patterns for delivery trucks:

- 1.) Trucks will access the existing loading dock located on the west side of the existing building. These trucks will enter from Raley Road on the east side, proceed to the frontage road and proceed around the east and north sides of the existing building to the loading dock. These trucks will exit by proceeding along the south side of the existing building back to the frontage

road and, then, back to Raley Road and Cortez Boulevard. Items unloaded at the loading dock will be fork-lifted to the new storage buildings.

2.) Trucks delivering bagged goods on pallets (mulch) to the rear outdoor storage areas will enter from Raley Road on the east side, proceed to the frontage road and, then, around the east and north sides of the existing building to the new drive going north to the outdoor storage areas. The trucks will be unloaded on the east-west drive. This is not a regular area for customer access and the unloading will not interfere with customer traffic. After unloading, trucks going west on Cortez Boulevard will exit onto Raley Road. There will be no truck traffic north of the exit drive on Raley Road.

3.) Similar to #2 but trucks that will be going east on Cortez Boulevard will:

a.) (FOR PHASE 1) exit onto Raley Road, proceed southbound and make a left turn onto Cortez Boulevard

b.) (FOR PHASE 2) exit on Lovebird Lane and proceed north to Bertram Road. Bertram Road provides access to Mondon Hill Road where there is a signalized intersection at Cortez Boulevard. There will be no truck traffic going east on Bertram Road.

Additional comments provided by the Department of Public Works will be addressed during the permitting phase of this project. These include:

1.) Traffic impact analysis

2.) SWFWMD permit

3.) Possible upgrades to adjacent County roads

Additional details will be provided with site development plans.

Furman Civil Designs, Inc.

STAFF REPORT

HEARINGS: Planning & Zoning Commission: June 9, 2025
Board of County Commissioners: August 5, 2025

APPLICANT: Lance Lowery

FILE NUMBER: H-24-81

REQUEST: Rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage

GENERAL LOCATION: Approximately 175' north of Cortez Boulevard, bounded by Mondon Hill Road and Raley Road.

PARCEL KEY NUMBER(S): 1181090, 1181081, 1181125, 822872

APPLICANT'S REQUEST

The applicant's current request is to for a rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage to allow storage of materials to support the existing Lowery's True Value store, located immediately adjacent to the subject parcels. The petitioner has proposed a combination of indoor and outdoor storage solutions available solely to the employees of the store.

The materials intended to be stored are related to the merchandise sold at Lowery's True Value Hardware. Many items are purchased in bulk. The items intended to be stored outdoors include bagged goods (mulch), bulk items (mulch, sand, rock, etc.) and equipment (tractors).

SITE CHARACTERISTICS

Site Size: 5.14 acres

Surrounding Zoning;

Land Uses: North: R1-A, residential development
South: C-2, Lowery's True Value
East: R1-B, residential development
West: CPDP with specific R1MH and C-2 Uses; undeveloped

Current Zoning: R1-A (Residential) and C-2 (Highway Commercial)

Future Land Use

Map Designation: Commercial

ENVIRONMENTAL REVIEW

The petitioner shall be required with all appropriate Florida Fish and Wildlife Conservation Commission permitting requirements.

UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to these parcels. Water is available, sewer is potentially available. HCUD has no objection to the requested rezoning subject to a commercial connection to the central water and sewer system at time of building a habitual building or structure.

Comments: The requested rezoning will allow for the expansion of the existing Lowery's Tru-Value and to develop outdoor and warehouse storage for the store. The petitioner shall coordinate with the Hernando County Utilities Department at the time of site development for any upgrades to the existing utilities connections for this expansion.

ENGINEERING REVIEW

The subject site is located immediately north of the existing Lowery's True Value store, approximately 175' north of Cortez Boulevard, bounded by Mondon Hill Road and Raley Road. The petitioner is proposing access from the northern side of the existing True Value parking lot and along Lovebird lane (west) and Raley Road (east). The County Engineer provided the following preliminary comments on the petitioner's request:

- This project lies within two watersheds, Bystre Lake and Croom, primarily Bystre Lake. The project lies primarily within Basin A1220, which is immediately downstream of Basin A1200. The BFE in basin A1200 is 67.23 and is directly influenced by Basin A1220. Properties on Eahnestock Street in Basin A1200 have experienced flooding during historic rainfall events.
- Raley Road, Lovebird Lane, and Bertram Road will need to be improved to current Hernando County Facility Design Guideline standards to accommodate the use of the Truck traffic on those roads. Raley Road will need to be improved to Mary Avenue, Lovebird Lane will need to be improved from the Southern Property Line to Bertram Road and Bertram Road will need to be improved from East of Lovebird Lane to Mondon Hill Road.
- Demonstrate how trucks will be prevented from going south on Love Bird Lane.
- Traffic Access Analysis is required, to include the existing True Value Store. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer to install.
- Must obtain a Southwest Florida Water Management District Environmental Resource Permit. May require combining parcels with the True Value parcel.

Subsequent to discussions with petitioner, the Department of Public Works provided the additional clarifying comments:

- All the roadways referenced within the application and master plan currently exist as local roadways. Improvements to Major Local Roadway standards is not possible, due to the current right of way constraints.
- All referenced roadways currently have a paved 20-feet in width surface, which is acceptable to the County Engineer.
- At the time of site development permitting, the petitioner shall demonstrate traffic directional measures to prevent trucks from going south on Love Bird Lane
- The signage proposed should be sufficient; it is ultimately the responsibility of the design professional to design safe roadway infrastructure. The Department of Public Works reserves the right to provide additional comments at the time of construction drawings.

LAND USE REVIEW

Buffers

The petitioner has proposed the following buffers for the subject site:

- North (Adjacent to Residential): 10'
- South (Adjacent to existing Lowery's True Value): 5'
- East (Adjacent to Residential): 5'
- West (Adjacent to Residential): 5'

Comments: Hernando County LDR's require that screening of outdoor storage from adjoining and contiguous properties by a wall, fence or other approved enclosures. Screening shall meet an eighty (80) percent opacity standard. Such screening shall be located behind the building line and shall have a minimum height of five (5) feet and maximum of eight (8) feet. In this instance, the primary use is storage, and the entire site must be fenced.

The screening shall be required to meet the minimum landscaping and opacity standards of the Hernando County Land Development Regulations.

Setbacks

The petitioner has not identified setbacks for the placement of the storage buildings. If the master plan is approved, the petitioner shall be required to meet the following setback requirements for the perimeter of the site:

- Front: 35'
- Side: 20'
- Rear: 35'

The petitioner has not requested a specific separation distance for the warehouses proposed for the site; if the master plan is approved, the buildings must be placed no closer than the Hernando County Fire Code allows.

Lighting

County LDRs require lighting that enhances the visual impact of the project on the community and to specifically address lighting intensity levels and glare accordingly. Commercial buildings

and projects shall be designed to provide safe, convenient and efficient lighting for pedestrians and vehicles.

Comments: If this project is approved, the petitioner should be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring properties.

Landscape

The petitioner shall meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping.

Residential Protection Standards

The property will be subject to the following Residential Protection Standards, in accordance with Appendix A, Article VIII, Section 6

- There shall be no speakers or other sound equipment located within 100 feet of any single-family residential district property line.
- There shall be no buildings containing alcoholic beverage dispensation establishments, convenience stores, or automotive and truck repair establishments located within 100 feet of any single-family residential district property line.
- No commercial activities which include customer entrances, drive-up windows, ordering boxes, or loading/unloading areas shall be allowed to operate between the hours of 12 midnight and 7:00 a.m. within 100 feet of any single-family residential district property line.
- No building within 100 feet of any single-family residential district property line shall be more than 20 feet in height.
- All loading bays and loading docks must be a minimum of 100' from any single-family residential district property line. Additionally, all loading bays and loading docks must be screened from view from the public right-of-way or single-family residential district property line. Screening may include landscape plantings, berms, fences or walls.
- Air conditioning and/or other operational equipment must be oriented away from single family residentially zoned property or screened to minimize noise impacts and reduce visual incompatibility to the single family residentially zoned property. Screening may include landscape plantings, berms, fences or walls.

COMPREHENSIVE PLAN REVIEW

The subject site is within the Commercial Future Land Use classification with an existing, operational business on site. The proposed extension of the use to allow for warehouse and outdoor storage is consistent with the Comprehensive Plan.

Future Land Use Element

Future Land Use Map

Strategy 1.04A(6): The Commercial Category provides for commercial uses including products and services along major corridors and at roadway intersections to serve residents and visitors on both a localized and regionalized basis.

The Commercial Category recognizes existing commercial use corridors along U.S. Highway 19 and State Route 50 and existing and planned commercial nodes at intersections of arterial and/or collector roads. The Commercial Category includes small unmapped existing commercial properties. The Commercial Category also recognizes the ability to designate infill parcels for commercial use lying in proximity to and between, but not necessarily contiguous to, other existing commercially designated properties. Publicly owned lands along the commercial use corridors that are made available for surplus may be considered to have a Commercial designation, if the agency proceeds through the Comprehensive Plan Amendment process to amend the future land use map, in accordance with Section 163.3184, F.S.

Commercial Category

Objective 1.04G: The Commercial Category allows primarily retail, office, and commercial service uses with an overall average gross floor area ratio of 0.35 but also includes limited industrial, recreational and institutional uses. Residential and mixed uses may be allowed subject to locational criteria and performance standards.

Comments: The site is immediately adjacent to the existing Lowery's True Value store. The proposed use is consistent with the Commercial Category in the Comprehensive Plan and is an extension of the existing commercial uses in the area.

FINDINGS OF FACT

The request for a rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage is appropriate as the request is consistent with the Comprehensive Plan, compatible with surrounding uses, and provides adequate residential protection for existing surrounding residential developments.

NOTICE OF APPLICANT RESPONSIBILITY

The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

STAFF RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The petitioner shall be required with all appropriate Florida Fish and Wildlife Conservation Commission permitting requirements.
3. The petitioner shall coordinate with the Hernando County Utilities Department at the time of site development for any upgrades to the existing utilities connections for this expansion.
4. All the roadways referenced within the application and master plan currently exist as local roadways. Improvements to Major Local Roadway standards is not possible, due to the current right of way constraints.
5. All referenced roadways currently have a paved 20-feet in width surface, which is acceptable to the County Engineer.
6. At the time of site development permitting, the petitioner shall demonstrate traffic directional measures to prevent trucks from going south on Love Bird Lane
7. The signage proposed should be sufficient; it is ultimately the responsibility of the design professional to design safe roadway infrastructure. The Department of Public Works reserves the right to provide additional comments at the time of construction drawings.
8. The petitioner shall be required to provide the following minimum buffers for the site:
 - North (Adjacent to Residential): 10'
 - South (Adjacent to existing Lowery's True Value): 5'
 - East (Adjacent to Residential): 5'
 - West (Adjacent to Residential): 5'

In addition to the landscape buffers, the entire site must be fenced in accordance with the Hernando County land Development Regulations.

9. The petitioner shall be required to meet the following setback requirements for the perimeter of the site:
 - Front: 35'
 - Side: 20'
 - Rear: 35'
10. Building separation shall meet or exceed fire prevention requirements.

11. The petitioner should be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring properties.
12. The petitioner shall meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping.
13. The petitioner shall be required to meet the following residential protection standards for the subject site:
 - There shall be no speakers or other sound equipment located within 100 feet of any single-family residential district property line.
 - There shall be no buildings containing alcoholic beverage dispensation establishments, convenience stores, or automotive and truck repair establishments located within 100 feet of any single-family residential district property line.
 - No commercial activities which include customer entrances, drive-up windows, ordering boxes, or loading/unloading areas shall be allowed to operate between the hours of 12 midnight and 7:00 a.m. within 100 feet of any single-family residential district property line.
 - No building within 100 feet of any single-family residential district property line shall be more than 20 feet in height.
 - All loading bays and loading docks must be a minimum of 100' from any single-family residential district property line. Additionally, all loading bays and loading docks must be screened from view from the public right-of-way or single-family residential district property line. Screening may include landscape plantings, berms, fences or walls.
 - Air conditioning and/or other operational equipment must be oriented away from single family residentially zoned property or screened to minimize noise impacts and reduce visual incompatibility to the single family residentially zoned property. Screening may include landscape plantings, berms, fences or walls.
14. The petitioner shall provide a revised plan in compliance with all the performance conditions within thirty (30) calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

Planning and Zoning Commission:

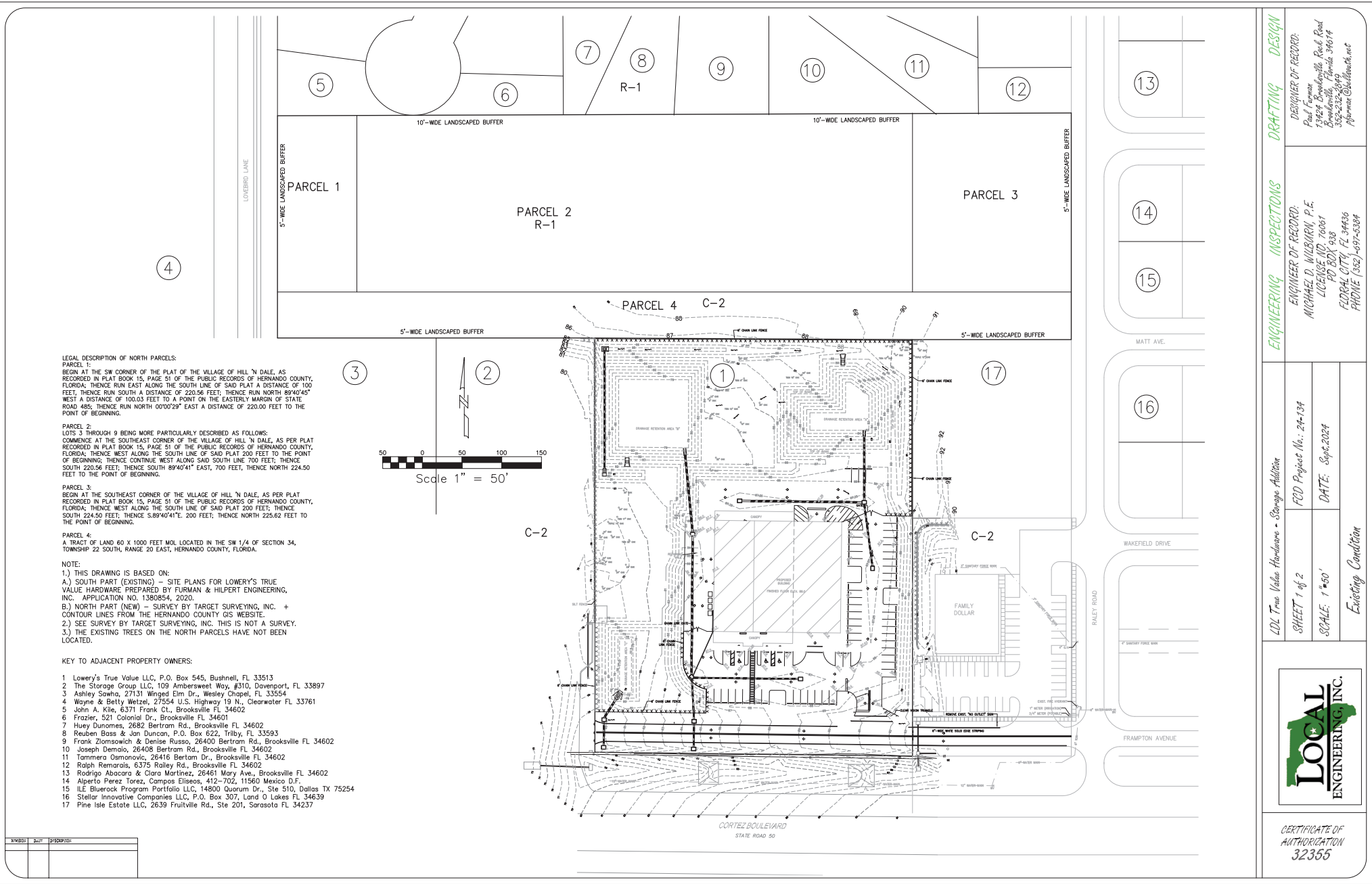
On June 9, 2025, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage with the following unmodified performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The petitioner shall be required with all appropriate Florida Fish and Wildlife Conservation Commission permitting requirements.
3. The petitioner shall coordinate with the Hernando County Utilities Department at the time of site development for any upgrades to the existing utilities connections for this expansion.
4. All the roadways referenced within the application and master plan currently exist as local roadways. Improvements to Major Local Roadway standards is not possible, due to the current right of way constraints.
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14. The petitioner shall provide a revised plan in compliance with all the performance conditions within thirty (30) calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.



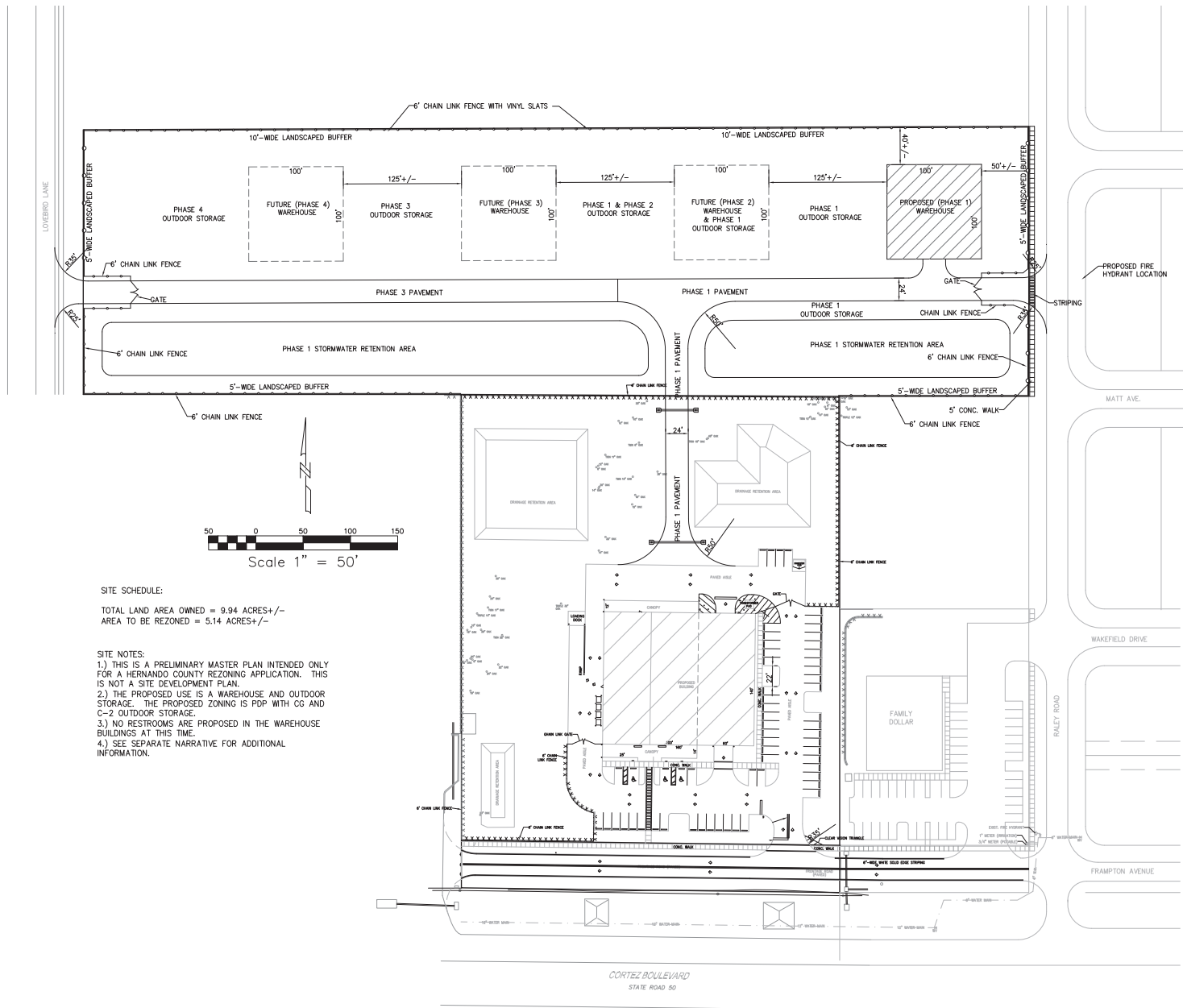
DESIGNER OF RECORD:
Paul Fagan
19415 Brownsville Road Road
Sarasota, Florida 34237
352-232-8919
pfagan@blueprints.net

ENGINEER OF RECORD:
MICHAEL D. WILBURN, P.E.
LICENSE NO. 76061
PO BOX 238
FLORAL CITY, FL 34436
PHONE (352)-697-5394

LDL True Value Hardware - Garage Addition
SHEET 1 of 2
DATE: Sept. 2024
SCALE: 1"=50'
Existing Condition




CERTIFICATE OF AUTHORIZATION
32355



SITE SCHEDULE:
TOTAL LAND AREA OWNED = 9.94 ACRES +/-
AREA TO BE REZONED = 5.14 ACRES +/-

SITE NOTES:
1.) THIS IS A PRELIMINARY MASTER PLAN INTENDED ONLY FOR A HERNANDO COUNTY REZONING APPLICATION. THIS IS NOT A SITE DEVELOPMENT PLAN.
2.) THE PROPOSED USE IS A WAREHOUSE AND OUTDOOR STORAGE. THE PROPOSED ZONING IS PDP WITH CG AND C-2 OUTDOOR STORAGE.
3.) NO RESTROOMS ARE PROPOSED IN THE WAREHOUSE BUILDINGS AT THIS TIME.
4.) SEE SEPARATE NARRATIVE FOR ADDITIONAL INFORMATION.

SYMBOL	DATE	DESCRIPTION
5-5-25	NOTES/LABELS	



CERTIFICATE OF AUTHORIZATION
32355

LDL True Value Hardware - Storage Addition

SHEET 1 of 1	FDD Project No.: 24-194
SCALE: 1"=50'	DATE: Sept. 2024

Preliminary Site Plan

ENGINEERING INSPECTIONS

ENGINEER OF RECORD:
MICHAEL D. WILBURN, P.E.
LICENSE NO. 76061
FDD BOX 938
FIDAL CITY, FL 34636
PHONE (352)-497-5304

DRAFTING DESIGN

DESIGNER OF RECORD:
Paul Tapan
1824 Broadville Road
Sarasota, Florida 34236
352-552-5490
ptapan@alltel.net

H-24-81

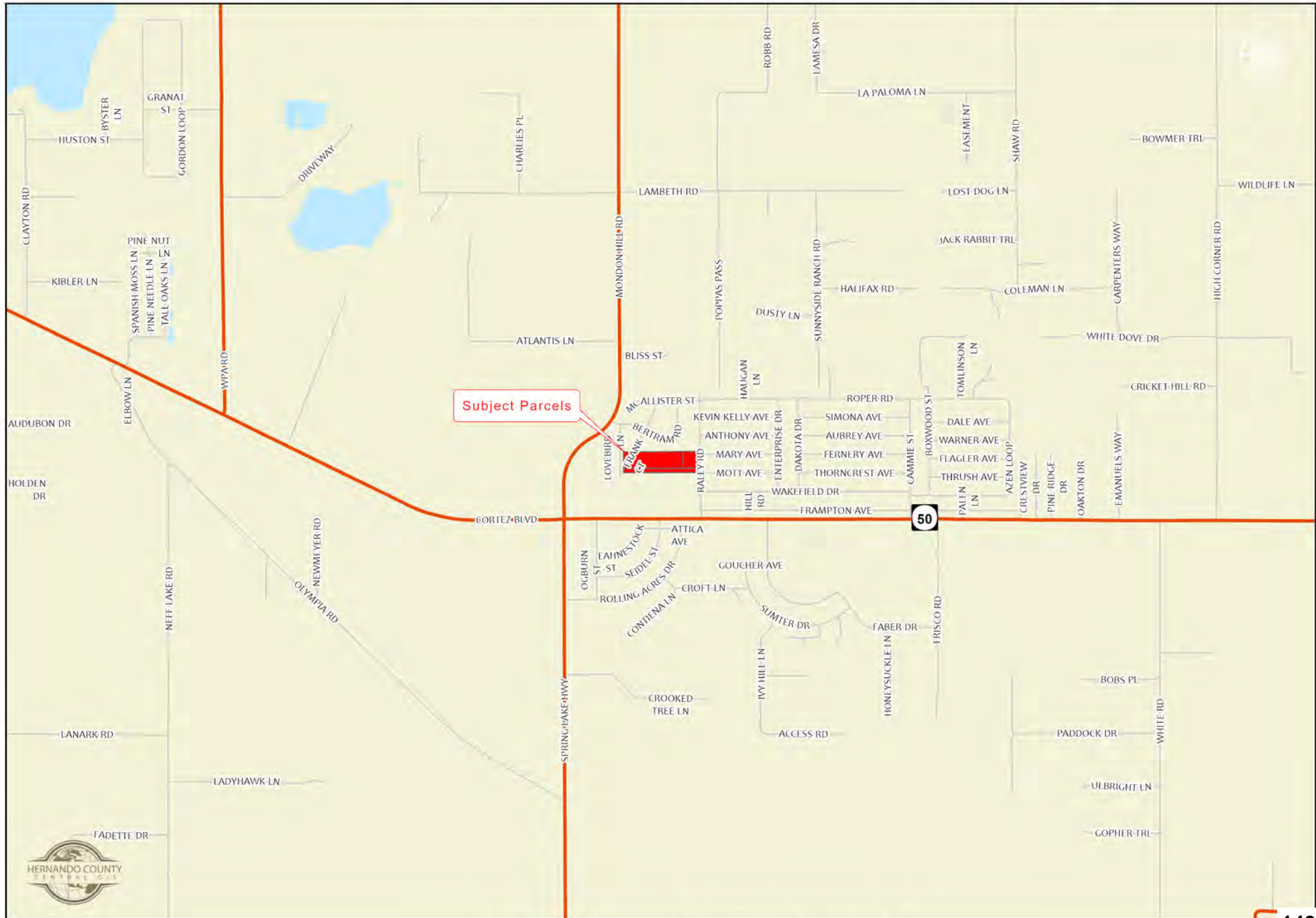
Photo date: 2023

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



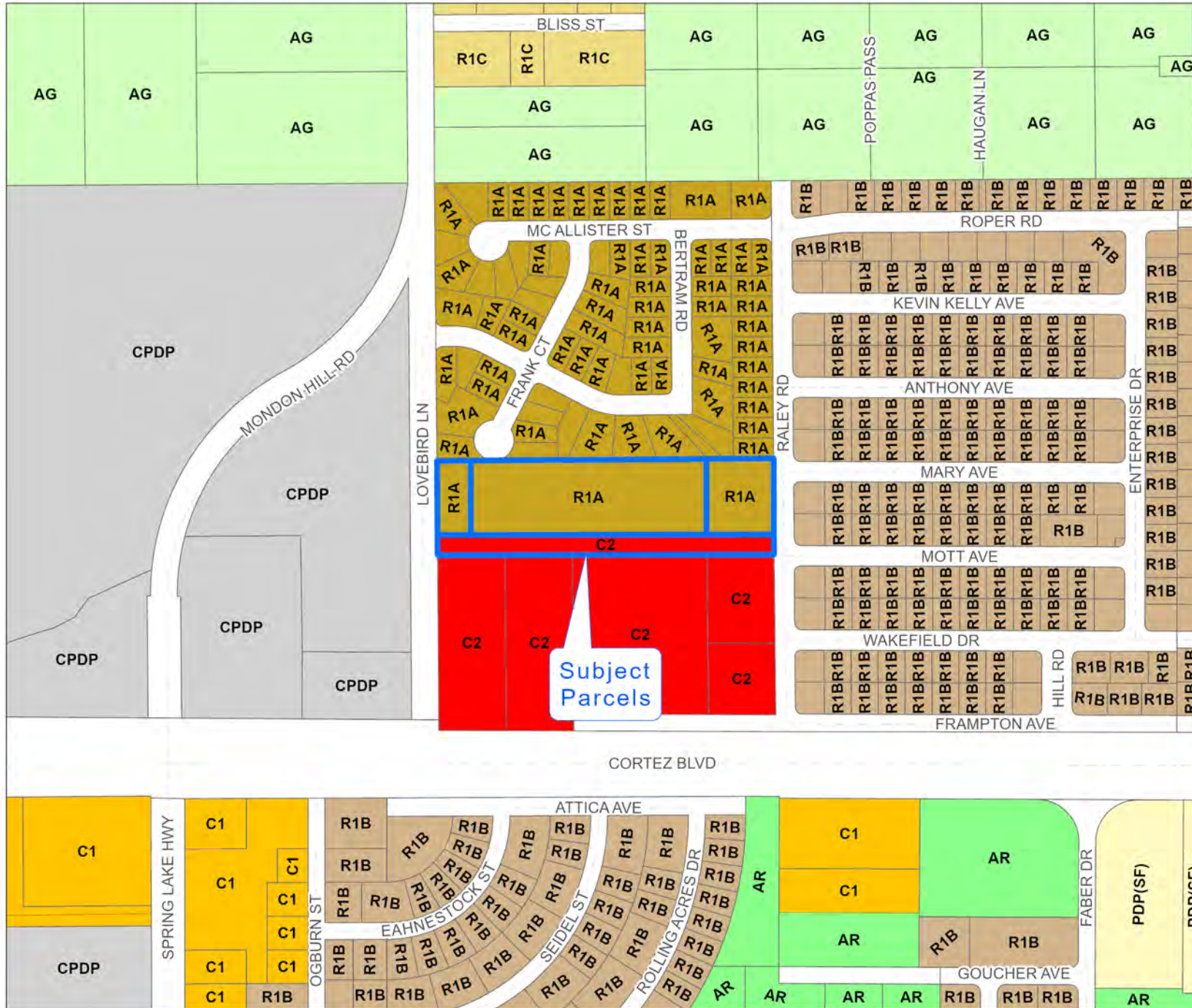
H-24-81 AREA MAP

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



H-24-81

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



Zoning:

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

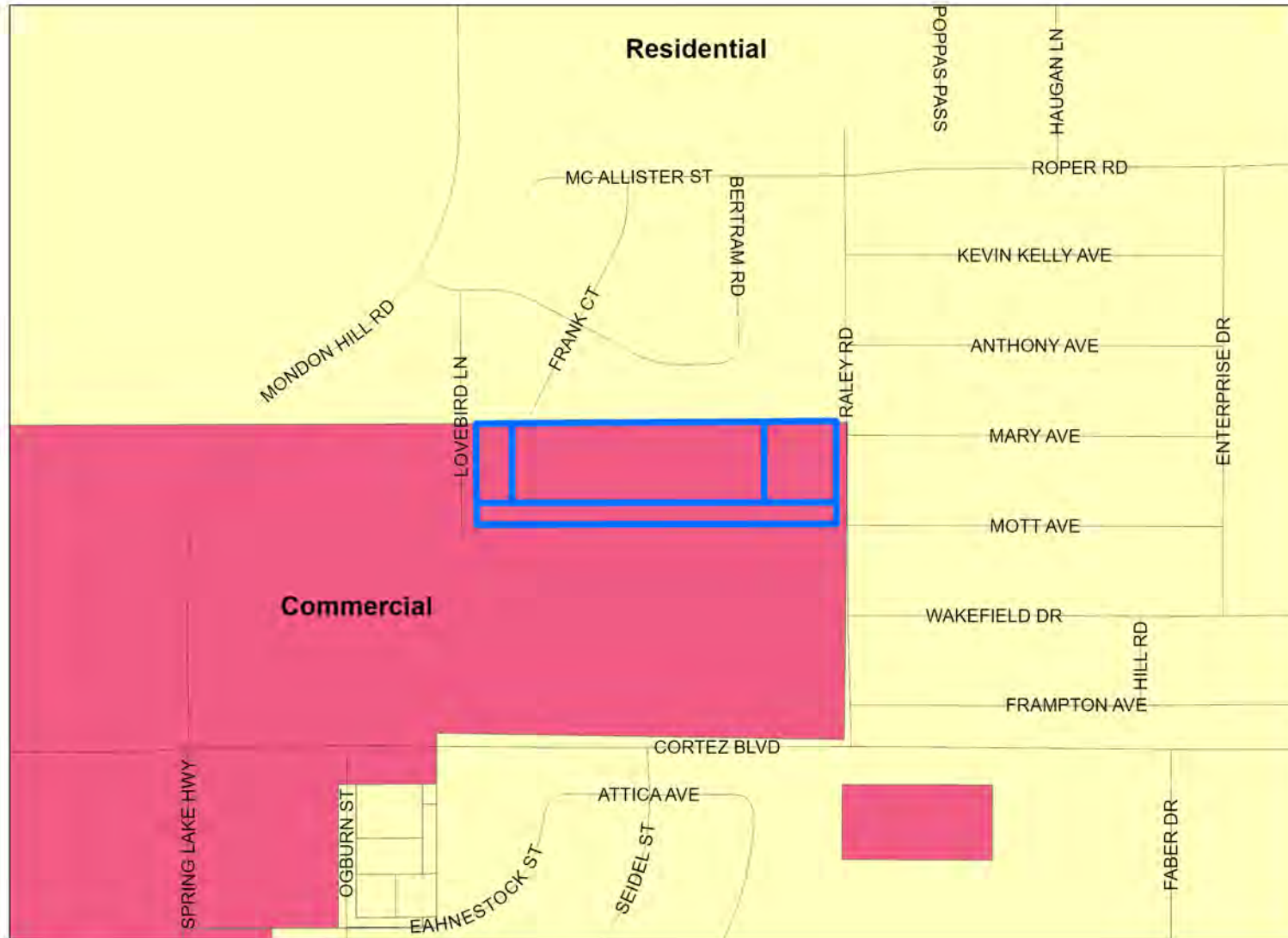
City Zoning Pending



Hernando County Comprehensive Plan Map

Existing Future Land Use: H-24-81

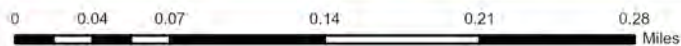
Version Date: 12/09/2022



Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.



Date of mapping: 02/03/2025



RESOLUTION NO. 2025 - _____

WHEREAS, Hernando County has adopted zoning regulations pursuant to Section 125.01(1) and Chapter 163, *Florida Statutes*, which authorize the County to regulate the use of land in the unincorporated areas of Hernando County, Florida, and take action on the request herein; and

WHEREAS, the Hernando County Board of County Commissioners (BOCC) conducted a duly advertised public hearing to consider the requested changes in zoning on the specified parcels in Hernando County, Florida, as more fully described below;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, AS FOLLOWS:

APPLICANT: Lance Lowery on behalf of Lowery's True Value, LLC

FILE NUMBER: H-24-81

REQUEST: Rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage

GENERAL LOCATION: Approximately 175' north of Cortez Boulevard, bounded by Mondon Hill Road and Raley Road

PARCEL KEY NUMBERS: 1181090, 1181081, 1181125, 822872

REQUEST: Rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage as enumerated in the BOCC Action, which is incorporated herein by reference and made a part hereof. The representations contained in the rezoning application are incorporated herein by reference and made a part hereof and are relied upon by the County to be true and correct. For purposes herein, it is presumed that all notice and advertising requirements have been satisfied.

FINDINGS OF FACT: ALL of the facts and conditions set forth in the County's staff memoranda and presented to the BOCC in connection with the public hearing in this matter are incorporated herein by reference and made a material part of this Resolution as integral to the BOCC's Action. The BOCC finds that the testimony and record supporting APPROVAL of the request to be credible and to constitute competent substantial evidence. In further support thereof, the BOCC makes the following specific findings of fact:

1. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

CONCLUSIONS OF LAW: The BOCC is authorized to act on this matter pursuant to Chapters 125 and 163, *Florida Statutes*. Accordingly, after public hearing and testimony, being fully

advised in the record, and based upon competent substantial evidence, the BOCC makes the following specific conclusions of law:

1. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

ACTION:

After notice and public hearing, based upon the record in this matter and ALL of the findings of fact and conclusions of law above, the BOCC hereby APPROVES Rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage as set forth in the BOCC Action, which is incorporated herein by reference and made a part hereof. Any requests, uses, variances or exceptions that were requested in connection with this rezoning application but not specifically approved herein are hereby deemed DENIED.

ADOPTED IN REGULAR SESSION THE ____ DAY OF _____, 2025.

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest: _____
Douglas A. Chorvat, Jr.
Clerk of Circuit Court & Comptroller

By: _____
Brian Hawkins
Chairman

(SEAL)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: Victoria Anderson
County Attorney's Office



THE HERNANDO SUN; Published Weekly

Brooksville Hernando County FLORIDA

PUBLISHER'S AFFIDAVIT OF PUBLICATION
STATE OF FLORIDA
COUNTY OF HERNANDO :

Before the undersigned authority, Julie B. Maglio, personally appeared, who on oath, says that she is Editor of the Hernando Sun, a weekly newspaper published at Brooksville in Hernando County, Florida, that the attached copy of the advertisement, being a
NOTICE OF PUBLIC HEARING

in the matter of

APPLICANT: Southern Valley Homes, LLC

was published in said newspaper by print in the issue(s) of:
May 30, 2025

and/or by publication on the newspaper's publicly available website, if
authorized, on May 30, 2025

Affiant further says that the newspaper complies with all
legal requirements for publication in chapter 50, Florida
Statutes.

(Signature of Affiant)

Sworn to and subscribed before me
This 2nd day of June, 2025.

(Signature of Notary Public) LISA M. MACNEIL



Commission # HH 254975
Expires April 19, 2026

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known ☒ or

produced identification _____

Type of identification produced _____

NOTICE OF PUBLIC HEARING HERNANDO COUNTY, FLORIDA

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission of Hernando County, Florida, will hold a Public Hearing in the John Law Ayers County Commission Chambers, Hernando County Government Center, 20 North Main Street, Room 160, Brooksville, Florida on June 9, 2025. **The meeting starts at 9:00 AM and the cases will be heard thereafter in the order established when the agenda is published.**

BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners of Hernando County, Florida, will hold a Public Hearing in the John Law Ayers County Commission Chambers, Hernando County Government Center, 20 North Main Street, Room 160, Brooksville, Florida, on August 5, 2025. **The meeting starts at 9:00 AM and the cases will be heard thereafter in the order established when the Board agenda is published.**

APPLICANT: Southern Valley Homes, LLC
FILE NUMBER: H-24-71
REQUEST: AR-2(Agricultural Residential 2) to AC(Agricultural Commercial)
GENERAL LOCATION: North side of Wiscon Road, approximately 670' east of California Street
PARCEL KEY NUMBER: 345736

APPLICANT: Lance Lowery
FILE NUMBER: H-24-81
REQUEST: Rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage
GENERAL LOCATION: Approximately 175' north of Cortez Boulevard, bounded by Mondon Hill Road and Raley Road.
PARCEL KEY NUMBER: 1181090, 1181081, 1181125, 822872

APPLICANT: Meridien Development LLC Mark Keschl
FILE NUMBER: H-24-82
REQUEST: Rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for drive in restaurant with deviations
GENERAL LOCATION: Northeast corner of Commercial Way and Spring Hill Drive
PARCEL KEY NUMBER: 411931

APPLICANT: Arsany 66th Street, LLC
FILE NUMBER: H-25-01
REQUEST: Rezoning from AR-2 (Agricultural/Residential) to PDP(MF) Planned Development Project (Multifamily), PDP(GC) Planned Development Project (General Commercial), and PDP(SF)Planned Development Project (Single Family) with deviations
GENERAL LOCATION: North of County Line Road, South of Pot O Gold Lane, approximately 1000' west of the intersection of County Line Road and Suncoast Boulevard
PARCEL KEY NUMBER: 189940, 189959

Notice Continues on Page 2

APPLICANT: Alton B. Wingate
 FILE NUMBER: H-25-05
 REQUEST: Rezoning from AG (Agricultural) to PD-P(GC) Planned Development Project with a Special Exception for an Educational Facility
 GENERAL LOCATION: Northwest corner of Citrus Way and Ponce De Leon Boulevard
 PARCEL KEY NUMBER: 332367

APPLICANT: Sunny Pines of Hernando LLC
 FILE NUMBER: H-25-07
 REQUEST: Re-Establish Master Plan on Property Zoned Combined Planned Development Project with C2 and R1MH Uses and deviations
 GENERAL LOCATION: Northwest corner of SR 50 and Mondon Hill Road
 PARCEL KEY NUMBER: 370360

APPLICANT: Britton and Kayla Cox
 FILE NUMBER: H-25-11
 REQUEST: Rezoning from R-1C (Residential) to AR (Agricultural/Residential)
 GENERAL LOCATION: Double frontage on Yellow Frog Ave and Palmdale Road
 PARCEL KEY NUMBER: 610173

APPLICANT: Jorge Sabater
 FILE NUMBER: H-25-12
 REQUEST: Rezoning from C-4 (Heavy Highway Commercial) to C-2 (Highway Commercial)
 GENERAL LOCATION: North side of Chambord St, approximately 690 Feet from Sunshine Grove Rd.
 PARCEL KEY NUMBER: 998870

Interested parties may appear at the meeting and be heard on these matters. You are further advised that if a person decides to appeal any quasi-judicial decision made by the Board, Agency or Commission with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceeding, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Documentation may be reviewed by the public at the Hernando County Planning Department, 1653 Blaise Drive, Brooksville, Florida 34601, between the hours of 7:30 AM - 4:00 PM, Monday through Friday, legal holidays excepted or may be viewed one week prior to the meeting via the County's website at www.hernandocounty.us – follow the Board Agendas and Minutes link to the specified public hearing. If you should have any additional questions regarding this issue, please contact the Planning Department at planning@hernandocounty.us, 352-754-4057, or in writing at: Hernando County Planning Department, 1653 Blaise Drive, Brooksville, Florida 34601.

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact Jessica Wright, County Administration Building, 15470 Flight Path Drive Brooksville, FL 34604, telephone 352-754-4002, no later than three (3) days prior to the proceedings. If hearing impaired, please call 1-800-676-3777 for assistance.

/s/ Omar DePablo
 Development Services Director
 Hernando County Planning Division

Published: May 30, 2025



Board of County Commissioners

AGENDA ITEM

Meeting: 08/05/2025
Department: Planning
Prepared By: Dlnigro Nigro
Initiator: Omar DePablo
DOC ID: 16105
Legal Request Number: LR-2025-315-1
Bid/Contract Number:

TITLE

Rezoning Petition Submitted by Alton B. Wingate for Property Located on Citrus Way (H2505)

BRIEF OVERVIEW

Request:

Rezoning from AG (Agricultural) to PDP(GC)/Planned Development Project (General Commercial) with a Special Exception for an Educational Facility

General Location:

Northwest corner of Citrus Way and Ponce De Leon Boulevard

P&Z Action:

On June 9, 2025, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners approve the petitioner's request for a rezoning from AG (Agricultural) to PDP(GC)/Planned Development Project (General Commercial) with a Special Exception for an Educational Facility.

FINANCIAL IMPACT

A matter of policy with no financial impact.

LEGAL NOTE

The Board has the authority to make the requested rezoning decision pursuant to Chapters 125 and 163 Florida Statutes. The Applicable Criteria for a Zoning District Amendment are contained in Appendix A (Zoning Code), Article VI. The Applicable Criteria for a PDP are found in Appendix A (Zoning Code), Article VIII. The Zoning District Amendment must be consistent with the Comprehensive Plan.

RECOMMENDATION

It is recommended that the Board adopt and approve the Chairman's signature on the attached resolution approving the petitioner's request for a rezoning from AG (Agricultural) to PDP(GC)/Planned Development Project (General Commercial) with a Special Exception for an Educational Facility with deviations and performance conditions.

REVIEW PROCESS

Omar DePablo	Escalated	06/30/2025 5:17 PM
KayMarie Griffith	Approved	07/07/2025 5:32 PM
Michelle Miller	Approved	07/08/2025 9:16 AM
Albert Bertram	Approved	07/08/2025 10:57 AM
Pamela Hare	Approved	07/09/2025 3:16 PM
Victoria Anderson	Approved	07/09/2025 3:17 PM
Heidi Prouse	Approved	07/10/2025 10:13 AM

Toni Brady	Approved	07/14/2025 9:41 AM
Jeffrey Rogers	Approved	07/15/2025 10:08 PM
Colleen Conko	Approved	07/16/2025 11:29 AM

HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):

Rezoning ☐ Standard ☒ PDP
Master Plan ☐ New ☐ Revised
PSFOD ☐ Communication Tower ☐ Other

PRINT OR TYPE ALL INFORMATION

Date: 12/30/24

RECEIVED
FEB 3 REC'D
Hernando County
Zoning Division

File No: 17-25-05 Official Date Stamp:

05/25

APPLICANT NAME: Alton B. Wingate

Address: 16398 Hodge Rd.

City: Brooksville

State: FL

Zip: 34614

Phone: 850 960 6719

Email: fishhouse59@gmail.com

Property owner's name: (if not the applicant)

REPRESENTATIVE/CONTACT NAME:

Company Name: Darrell W. Johnston

Address: 29 S. Brooksville Ave

City: Brooksville

State: FL

Zip: 34601

Phone: 352 796 5124

Email: dwy@djohnstonlaw.com

HOME OWNERS ASSOCIATION: ☐ Yes ☒ No (if applicable provide name)

Contact Name:

Address:

City:

State:

Zip:

PROPERTY INFORMATION:

1. PARCEL(S) KEY NUMBER(S): 332367

2. SECTION 18, TOWNSHIP 21, RANGE 19

3. Current zoning classification: N/A

4. Desired zoning classification: pdp (6C) w/ special authorization for school

5. Size of area covered by application: .4 acres

6. Highway and street boundaries: U.S. 98 and CR 491 (Citrus Way)

7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No

8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)

9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed: _____)

PROPERTY OWNER AFFIDAVIT

I, Alton B. Wingate, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

☐ I am the owner of the property and am making this application OR

☒ I am the owner of the property and am authorizing (applicant):
and (representative, if applicable): Darrell W. Johnston, Esq.
to submit an application for the described property.

x Alton B. Wingate

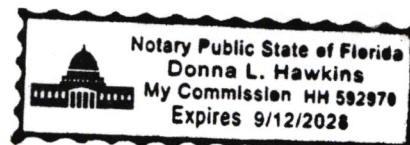
Signature of Property Owner

STATE OF FLORIDA

COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 31st day of December, 2024, by Alton B. Wingate who is personally known to me or produced FL DL as identification.

Donna L. Hawkins
Signature of Notary Public



Notary Seal/Stamp

Effective Date: 11/8/16 Last Revision: 11/8/16

REVISED NARRATIVE – ALTON B. WINGATE

Proposal

This application is to rezone one improved parcel located on the northwest corner of U.S. 98 and CR 491 (Citrus Way). The subject property is .4 acres and includes a structure which was used as the Cannery for many years. Petitioner is the owner of the property and desires to rezone the property for PDP-(GC) commercial uses, plus special authorization for a small private school on the property. The property has had a commercial use for years, but it was owned by Hernando County, and there was no commercial zoning in place. The property is designated on the future land use map as commercial.

Although the property is located on both U.S. 98 (Ponce de Leon Blvd.) and CR 491 (Citrus Way), access shall remain from CR 491. The future land use on the north, south and west is commercial. The property located east of the subject property is designated as Commercial and CPDP. Zoning to the north and west is AG. Zoning to the south is split zoned AG and PDP(GC) and to the east is split zoned AG and C-1. The maximum number of students would be thirty (30). Drop off and pick-ups would be on the semi-circle drive, off Citrus Way (CR 491) to the concrete entrance. Students and faculty would then walk to the building. There would be graduated drop off times between 7 a.m. and 10 a.m. There is no proposed change to the building other than cosmetic, such as, floor coverings, paint, flowers, and a privacy fence around the back yard. A copy of the survey/site plan is attached to the application and incorporated herein by reference.

Petitioner requests rezoning of his property for the purpose stated above.

Site and Environmental Characteristics

The entire site is unimproved.

There are no known endangered or protected species on site.

Site Plan

There is no specific use contemplated other than possibly a small private school within the footprint of the existing building. The existing roadway network is capable of accommodating this request, and there will not be upgrades to any signals or roadway network due to this request.

Water and sewer for this site is not available from a public provider.

Conclusion

This proposal will be consistent with historical use of the property, and everything around it contemplates commercial uses. The proposed use will not be adverse to the public. We request approval of this rezoning petition.

STAFF REPORT

HEARINGS: Planning & Zoning Commission: June 9, 2025
Board of County Commissioners: August 5, 2025

APPLICANT: Alton B. Wingate

FILE NUMBER: H-25-05

REQUEST: Rezoning from AG (Agricultural) to PDP(GC) Planned Development Project (General Commercial) with a Special Exception Use for an Educational Facility with Deviations

GENERAL LOCATION: Northwest corner of Citrus Way and Ponce De Leon Boulevard

PARCEL KEY NUMBER: 332367

APPLICANT'S REQUEST

The petitioner is requesting a rezoning of the subject property from AG (Agricultural) to PDP(GC) Planned Development Project (General Commercial) with a Special Exception Use for an educational facility. The facility would serve K-8 grades, with a maximum enrollment of 30 students.

There are no proposed changes to the external building footprint. The petitioner is proposing interior cosmetic changes such as floor coverings, paint, and the addition of a privacy fence in the rear of the property.

SITE CHARACTERISTICS

Site Size: 0.40 acres

Surrounding Zoning & Land Uses:

North: AG (Agriculture); Single Family
South: AG (Agriculture); Undeveloped
East: AG (Agriculture); Single Family
West: PDP(GC) Planned Development Project (General Commercial with C2 use)

Current Zoning: AG (Agriculture)

Future Land Use Map Designation: Commercial

ENVIRONMENTAL REVIEW

The petitioner shall be required to comply with all applicable Southwest Florida Water Management District, Florida Fish and Wildlife Conservation Commission, and Florida Department of Environmental Protection permitting requirements at the time of commercial remodel permit application.

UTILITIES REVIEW

Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. Water and sewer service are not available. HCUD has no objection to the zoning change from AG(Agriculture) to PDP(GC) Planned Development Project (General Commercial). HCUD also has no objection to the Special Exception for a small private school on parcel.

Comment: The parcel shall be subject to Health Department approval of any upgrades that may be required for the existing onsite sewage treatment and disposal system.

ENGINEERING REVIEW:

The subject property is located on the northwest corner of Citrus Way and Ponce De Leon Boulevard. The petitioner has indicated using the existing driveway to Citrus Way with no proposed changes. The County Engineering Department has reviewed the petitioner's request and provided the following comments:

- Provide the Trip Generation information to the Department of Public Works prior to the submission of the commercial remodel permit to determine the need for a Traffic Access Analysis.
- Citrus Way is a Collector Radway; therefore, as sidewalk is required.
- Improve driveway apron to commercial standards in accordance with the Hernando County Facility Design Guidelines.
- Driveway apron work in the right of way requires a Right of Way use permit.
- The petitioner must demonstrate access to the site park and parking. This shall be demonstrated in a revised master plan.
- US-98 (Ponce De Leon Boulevard) is with the jurisdiction of FDOT/Florida Dept. of Transportation. Access Management, Right-of-Way use, and Drainage permit(s) are required from FDOT/Florida Dept. of Transportation prior to the submission of the building remodel permit application to Hernando County.
- FDOT/Florida Dept. of Transportation may require a sidewalk along US-98 (Ponce De Leon). Confirmation with FDOT is required prior to the submission of the building remodel permit application to Hernando County.

LAND USE REVIEW

The petitioner proposes to convert the existing Cannery building to a private Educational Facility. The facility would serve K-8 grades with a maximum enrollment of 30 students. There are no proposed structural changes to the exterior of the building.

Historic Preservation

Staff has been in contact with the Florida Division of Historical Resources (FDHR) for the requirements regarding the proposed rezoning to the historic site. The finding is pending a response from FDHR.

Building Setbacks

Existing Commercial Building Setbacks:

- Front (Citrus Way): 52.4' (Deviation from 75')
- Side: 15.66' (Deviation from 20')
- Rear: 35'
- Side (US-98): 36.13' (Deviation from 125')

Comments: The existing building existed prior to current Land Development Regulations, therefore the exiting setbacks are being memorialized herein through deviations. The petitioner has indicated that there will be no changes to the building footprint through this rezoning.

Buffers:

The buffer shall consist of a minimum five-foot landscaped separation distance. The multifamily or nonresidential use located on such lot shall be permanently screened from the adjoining and contiguous properties by a wall, fence, and/or approved enclosures. Such screening shall have a minimum height of five (5) [feet] and a maximum height of eight (8) feet, or an evergreen hedge with a minimum height of five (5) feet at the time of planting.

Landscaping:

The petitioner shall meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for required landscaping.

Lighting:

The petitioner has not indicated any provisions for lighting of the subject property. If approved, the petitioner shall meet the minimum requirements of county LDRs and shall provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring parcels.

Parking:

County Land Development Regulations (LDRs) require a minimum of 1.0 parking space per staff and three (3) spaces for visitor parking.

Comment: The petitioner shall meet the minimum parking requirements of the County LDRs.

COMPREHENSIVE PLAN REVIEW

The subject property is located within the Commercial Land use classification on the adopted Future Land Use Map.

Future Land Use Map, Commercial Category

Objective 1.04G: The Commercial Category allows primarily retail, office, and commercial service uses with an overall average gross floor area ratio of 0.35 but also includes limited industrial, recreational, and institutional uses. Residential and mixed uses may be allowed subject to locational criteria and performance standards.

Strategy 1.04G(1): Commercial development as envisioned on the Future Land Use Map is intended primarily for locations at major intersections and along major corridors where service to local and regional markets are enhanced by transportation patterns. New commercial zoning is directed to these mapped areas. Commercial areas that are not mapped but are allowed under this Future Land Use Category include neighborhood commercial and specialty commercial uses as described in this Plan, commercial approved as part of mixed-use developments, commercial designated by planned development districts, the infill development of existing commercial areas, commercial areas extending from designated commercial nodes, and pre-existing commercially developed and designated areas. Frontage roads and cross-access between commercial uses is required where needed in accordance with the provisions of this Plan and adopted land development regulations.

Comments: The subject site is within an existing commercial future land use designation and directly fronts a major arterial roadway. The intended use is for an educational facility and is consistent with the Comprehensive Plan.

FINDINGS OF FACT

A rezoning from AG (Agricultural) to Planned Development Project (General Commercial) with a Special Exception for an educational facility with deviations is appropriate based on the following:

The request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all performance conditions.

NOTICE OF APPLICANT RESPONSIBILITY

The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

STAFF RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from AG(Agricultural) to PDP(GC)/Planned Development Project (General Commercial) with a Special Exception for an Educational Facility with deviations and the following performance conditions:

1. The petitioner shall obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The petitioner shall provide a 5' buffer around the property abutting adjacent parcels to meet the requirements of current County LDRs
3. Minimum Commercial Building Setbacks:

Front (Citrus Way):	52.4'	(Deviation from 75')
Side:	15.66'	(Deviation from 20')
Rear:	35'	(No Deviation)
Side (US 98):	36.13'	(Deviation from 125')
4. The petitioner has not indicated that there shall be external security lighting. Should there be lighting, all onsite lighting shall provide full cutoff fixtures and retain all light on site to prevent any light spillage onto neighboring properties. Security lighting shall be shielded from the neighboring residential use.
5. The petitioner shall meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for required landscaping.
6. A Traffic analysis is required at the time of development. Any improvements identified by the Traffic Access Analysis shall be the responsibility of the developer.
7. A sidewalk is required along Citrus Way, which is a Collector Roadway.
8. Any driveway apron must be improved to meet County Commercial Driveway Standards.
9. Driveway apron work in the right-of-way requires a Right -of-Way use permit.
10. The petitioner shall demonstrate access to the site and parking

11. The petitioner shall coordinate with the Florida Department of Transportation and obtain all appropriate permits, including access management right of way use, and drainage, for US Highway 98 (Ponce De Leon Boulevard)
12. The petitioner shall coordinate with the Florida Department of Transportation for any sidewalk construction requirements along US-98 (Ponce De Leon Boulevard)
13. FDOT may require a sidewalk along US-98(Ponce De Leon Boulevard)
14. The petitioner shall be required to comply with all applicable Southwest Florida Water Management District, Florida Fish and Wildlife Conservation Commission, and Florida Department of Environmental Protection permitting requirements.
15. The parcel shall be subject to the Health Department approval of any upgrades that may be required for the existing onsite sewage treatment and disposal system.
16. The petitioner shall apply for a commercial remodel permit to include all site development requirements, prior to utilizing the site as a school.

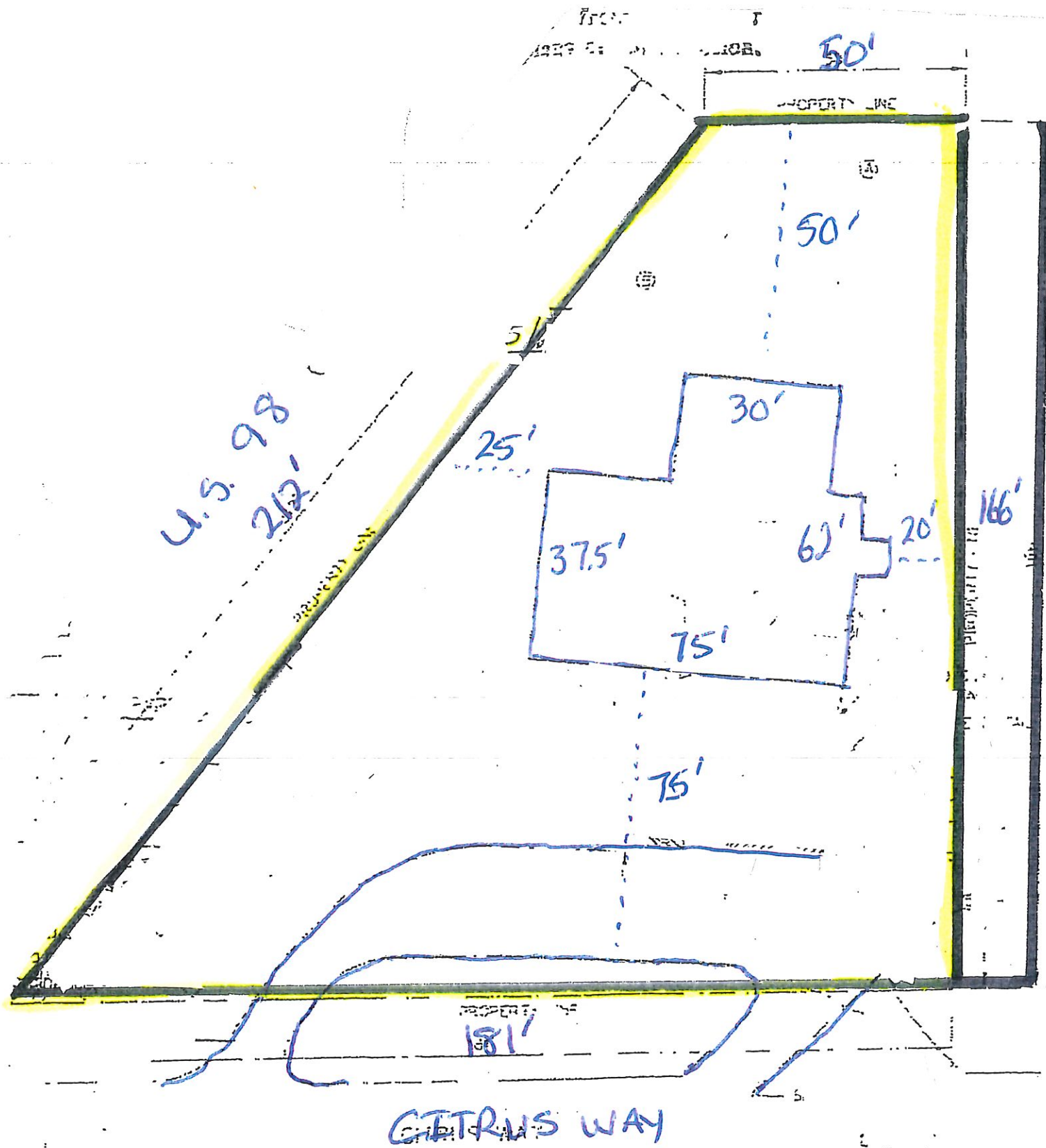
Planning and Zoning Commission:

On June 9, 2025, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners recommend the petitioners request for a rezoning from AG(Agricultural) to PDP(GC)/Planned Development Project (General Commercial) with a Special Exception for an Educational Facility.

1. The petitioner shall obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The petitioner shall provide a 5' buffer around the property abutting adjacent parcels to meet the requirements of current County LDRs
3. Minimum Commercial Building Setbacks:

Front (Citrus Way):	52.4' (Deviation from 75')
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Rear:	35' (No Deviation)
Side (US 98):	36.13' (Deviation from 125')
4. The petitioner has not indicated that there shall be external security lighting. Should there be lighting, all onsite lighting shall provide full cutoff fixtures and retain all light on site to prevent any light spillage onto neighboring properties. Security lighting shall be shielded from the neighboring residential use.
5. The petitioner shall meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for required landscaping.
6. A Traffic analysis is required at the time of development. Any improvements identified by the Traffic Access Analysis shall be the responsibility of the developer.
7. A sidewalk is required along Citrus Way, which is a Collector Roadway.
8. Any driveway apron must be improved to meet County Commercial Driveway Standards.
9. Driveway apron work in the right-of-way requires a Right -of-Way use permit.
10. The petitioner shall demonstrate access to the site and parking
11. The petitioner shall coordinate with the Florida Department of Transportation and obtain all appropriate permits, including access management right of way use, and drainage, for US Highway 98 (Ponce De Leon Boulevard)
12. The petitioner shall coordinate with the Florida Department of Transportation for any sidewalk construction requirements along US-98 (Ponce De Leon Boulevard)

13. FDOT may require a sidewalk along US-98(Ponce De Leon Boulevard)
14. The petitioner shall be required to comply with all applicable Southwest Florida Water Management District, Florida Fish and Wildlife Conservation Commission, and Florida Department of Environmental Protection permitting requirements.
15. The parcel shall be subject to the Health Department approval of any upgrades that may be required for the existing onsite sewage treatment and disposal system.
16. The petitioner shall apply for a commercial remodel permit to include all site development requirements, prior to utilizing the site as a school.



Wingate H-25-05
Parcel Key # 332367

H-25-05

Photo date: 2023

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



Hernando County Comprehensive Plan Map

Existing Future Land Use: H-25-05

Version Date: 12/09/2022



Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

0 0.02 0.04 0.08 0.12 0.16 Miles



Date of mapping: 03/12/2025



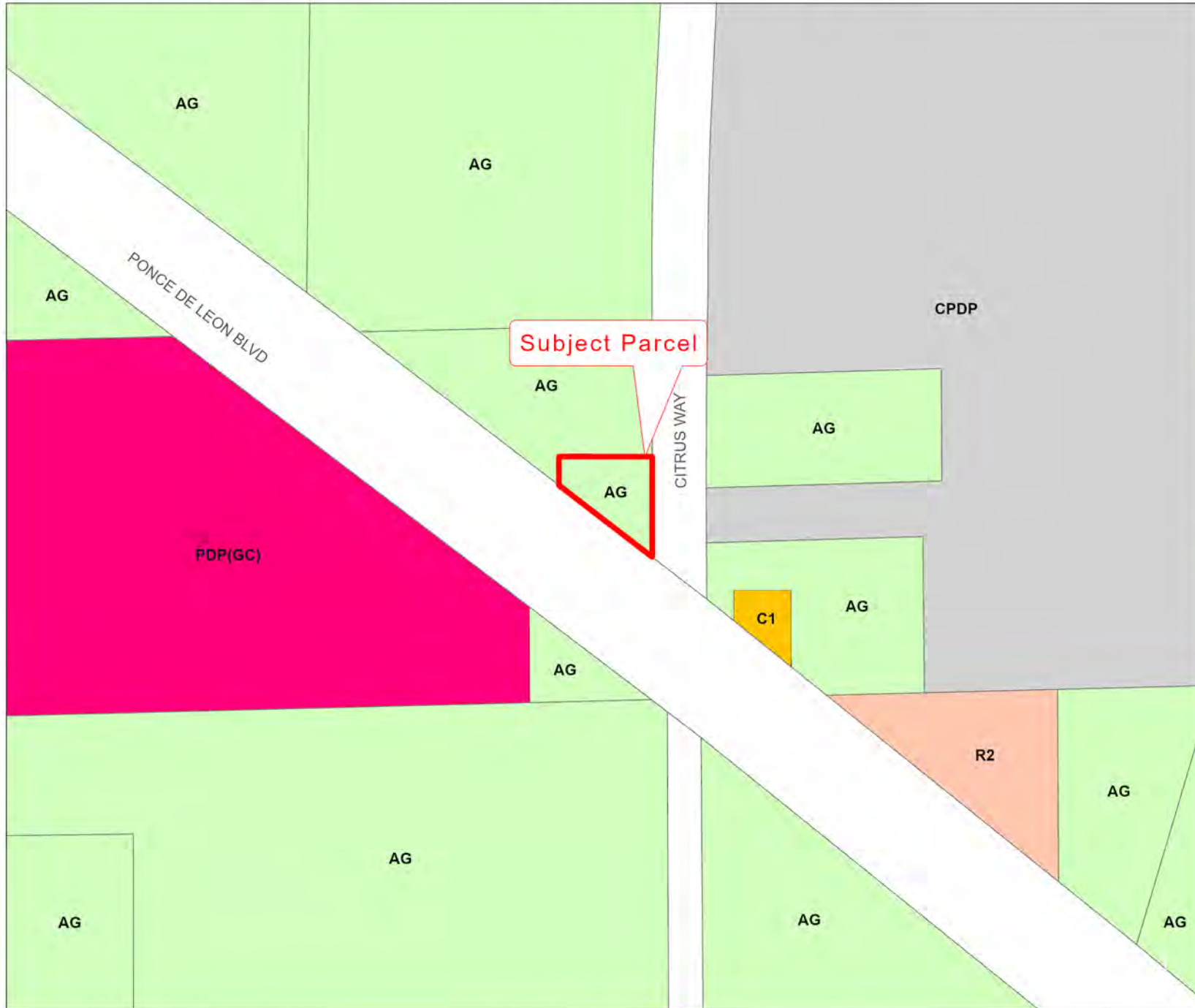
H-25-05 AREA MAP

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



H-25-05

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



Zoning:

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



RESOLUTION NO. 2025 - _____

WHEREAS, Hernando County has adopted zoning regulations pursuant to Section 125.01(1) and Chapter 163, *Florida Statutes*, which authorize the County to regulate the use of land in the unincorporated areas of Hernando County, Florida, and take action on the request herein; and

WHEREAS, the Hernando County Board of County Commissioners (BOCC) conducted a duly advertised public hearing to consider the requested changes in zoning on the specified parcels in Hernando County, Florida, as more fully described below;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, AS FOLLOWS:

APPLICANT: Alton B. Wingate

FILE NUMBER: H-25-05

REQUEST: Rezoning from AG (Agricultural) to PDP(GC) Planned Development Project (General Commercial) with a Special Exception Use for an Educational Facility with Deviations

GENERAL LOCATION: Northwest corner of Citrus Way and Ponce De Leon Boulevard

PARCEL KEY NUMBERS: 332367

REQUEST: Rezoning from AG (Agricultural) to PDP(GC) Planned Development Project (General Commercial) with a Special Exception Use for an Educational Facility with Deviations as enumerated in the BOCC Action, which is incorporated herein by reference and made a part hereof. The representations contained in the rezoning application are incorporated herein by reference and made a part hereof and are relied upon by the County to be true and correct. For purposes herein, it is presumed that all notice and advertising requirements have been satisfied.

FINDINGS OF FACT: ALL of the facts and conditions set forth in the County's staff memoranda and presented to the BOCC in connection with the public hearing in this matter are incorporated herein by reference and made a material part of this Resolution as integral to the BOCC's Action. The BOCC finds that the testimony and record supporting APPROVAL of the request to be credible and to constitute competent substantial evidence. In further support thereof, the BOCC makes the following specific findings of fact:

1. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

CONCLUSIONS OF LAW: The BOCC is authorized to act on this matter pursuant to Chapters 125 and 163, *Florida Statutes*. Accordingly, after public hearing and testimony, being fully

advised in the record, and based upon competent substantial evidence, the BOCC makes the following specific conclusions of law:

1. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

ACTION:

After notice and public hearing, based upon the record in this matter and ALL of the findings of fact and conclusions of law above, the BOCC hereby APPROVES Rezoning from AG (Agricultural) to PDP(GC) Planned Development Project (General Commercial) with a Special Exception Use for an Educational Facility with Deviations as set forth in the BOCC Action, which is incorporated herein by reference and made a part hereof. Any requests, uses, variances or exceptions that were requested in connection with this rezoning application but not specifically approved herein are hereby deemed DENIED.

ADOPTED IN REGULAR SESSION THE ____ DAY OF _____, 2025.

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest: _____
Douglas A. Chorvat, Jr.
Clerk of Circuit Court & Comptroller

By: _____
Brian Hawkins
Chairman

(SEAL)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: Victoria Anderson
County Attorney's Office



THE HERNANDO SUN; Published Weekly

Brooksville Hernando County FLORIDA

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA

COUNTY OF HERNANDO :

Before the undersigned authority, Julie B. Maglio, personally appeared, who on oath, says that she is Editor of the Hernando Sun, a weekly newspaper published at Brooksville in Hernando County, Florida, that the attached copy of the advertisement, being a
NOTICE OF PUBLIC HEARING

in the matter of

APPLICANT: Southern Valley Homes, LLC

was published in said newspaper by print in the issue(s) of:
May 30, 2025

and/or by publication on the newspaper's publicly available website, if
authorized, on May 30, 2025

Affiant further says that the newspaper complies with all
legal requirements for publication in chapter 50, Florida
Statutes.

(Signature of Affiant)

Sworn to and subscribed before me
This 2nd day of June, 2025.

(Signature of Notary Public) LISA M. MACNEIL



Commission # HH 254975
Expires April 19, 2026

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known ☒ or

produced identification _____

Type of identification produced _____

NOTICE OF PUBLIC HEARING
HERNANDO COUNTY, FLORIDA

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission of Hernando County, Florida, will hold a Public Hearing in the John Law Ayers County Commission Chambers, Hernando County Government Center, 20 North Main Street, Room 160, Brooksville, Florida on June 9, 2025. **The meeting starts at 9:00 AM and the cases will be heard thereafter in the order established when the agenda is published.**

BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners of Hernando County, Florida, will hold a Public Hearing in the John Law Ayers County Commission Chambers, Hernando County Government Center, 20 North Main Street, Room 160, Brooksville, Florida, on August 5, 2025. **The meeting starts at 9:00 AM and the cases will be heard thereafter in the order established when the Board agenda is published.**

APPLICANT: Southern Valley Homes, LLC
FILE NUMBER: H-24-71
REQUEST: AR-2(Agricultural Residential 2) to AC(Agricultural Commercial)
GENERAL LOCATION: North side of Wiscon Road, approximately 670' east of California Street
PARCEL KEY NUMBER: 345736

APPLICANT: Lance Lowery
FILE NUMBER: H-24-81
REQUEST: Rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage
GENERAL LOCATION: Approximately 175' north of Cortez Boulevard, bounded by Mondon Hill Road and Raley Road.
PARCEL KEY NUMBER: 1181090, 1181081, 1181125, 822872

APPLICANT: Meridien Development LLC Mark Keschl
FILE NUMBER: H-24-82
REQUEST: Rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for drive in restaurant with deviations
GENERAL LOCATION: Northeast corner of Commercial Way and Spring Hill Drive
PARCEL KEY NUMBER: 411931

APPLICANT: Arsany 66th Street, LLC
FILE NUMBER: H-25-01
REQUEST: Rezoning from AR-2 (Agricultural/Residential) to PDP(MF) Planned Development Project (Multifamily), PDP(GC) Planned Development Project (General Commercial), and PDP(SF)Planned Development Project (Single Family) with deviations
GENERAL LOCATION: North of County Line Road, South of Pot O Gold Lane, approximately 1000' west of the intersection of County Line Road and Suncoast Boulevard
PARCEL KEY NUMBER: 189940, 189959

Notice Continues on Page 2

APPLICANT: Alton B. Wingate
 FILE NUMBER: H-25-05
 REQUEST: Rezoning from AG (Agricultural) to PD-P(GC) Planned Development Project with a Special Exception for an Educational Facility
 GENERAL LOCATION: Northwest corner of Citrus Way and Ponce De Leon Boulevard
 PARCEL KEY NUMBER: 332367

APPLICANT: Sunny Pines of Hernando LLC
 FILE NUMBER: H-25-07
 REQUEST: Re-Establish Master Plan on Property Zoned Combined Planned Development Project with C2 and R1MH Uses and deviations
 GENERAL LOCATION: Northwest corner of SR 50 and Mondon Hill Road
 PARCEL KEY NUMBER: 370360

APPLICANT: Britton and Kayla Cox
 FILE NUMBER: H-25-11
 REQUEST: Rezoning from R-1C (Residential) to AR (Agricultural/Residential)
 GENERAL LOCATION: Double frontage on Yellow Frog Ave and Palmdale Road
 PARCEL KEY NUMBER: 610173

APPLICANT: Jorge Sabater
 FILE NUMBER: H-25-12
 REQUEST: Rezoning from C-4 (Heavy Highway Commercial) to C-2 (Highway Commercial)
 GENERAL LOCATION: North side of Chambord St, approximately 690 Feet from Sunshine Grove Rd.
 PARCEL KEY NUMBER: 998870

Interested parties may appear at the meeting and be heard on these matters. You are further advised that if a person decides to appeal any quasi-judicial decision made by the Board, Agency or Commission with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceeding, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Documentation may be reviewed by the public at the Hernando County Planning Department, 1653 Blaise Drive, Brooksville, Florida 34601, between the hours of 7:30 AM - 4:00 PM, Monday through Friday, legal holidays excepted or may be viewed one week prior to the meeting via the County's website at www.hernandocounty.us – follow the Board Agendas and Minutes link to the specified public hearing. If you should have any additional questions regarding this issue, please contact the Planning Department at planning@hernandocounty.us, 352-754-4057, or in writing at: Hernando County Planning Department, 1653 Blaise Drive, Brooksville, Florida 34601.

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/s/ Omar DePablo
 Development Services Director
 Hernando County Planning Division

Published: May 30, 2025



AGENDA ITEM

TITLE

Rezoning Petition Submitted by Britton Cox and Kayla Cox for Property Located on Yellow Frog Avenue (H2511)

BRIEF OVERVIEW

Request:

Rezoning from R-1C (Residential) to AR (Agricultural/Residential)

General Location:

Double frontage on Yellow Frog Avenue and Palmdale Road

P&Z Action:

On June 9, 2025, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from R-1C (Residential) to AR (Agricultural/Residential).

FINANCIAL IMPACT

A matter of policy and no financial impact.

LEGAL NOTE

The Board has the authority to make the requested rezoning decision pursuant to Chapters 125 and 163 Florida Statutes. The Applicable Criteria for a Zoning District Amendment are contained in Appendix A (Zoning Code), Article VI. The Zoning District Amendment must be consistent with the Comprehensive Plan.

RECOMMENDATION

It is recommended that the Board adopt and authorize the Chairman's signature on the attached resolution approving the petitioner's request for a rezoning from R-1C (Residential) to AR (Agricultural/Residential) in accordance with staff report.

REVIEW PROCESS

Omar DePablo	Escalated	07/21/2025	5:18 PM
KayMarie Griffith	Escalated	07/23/2025	10:42 AM
Omar DePablo	Escalated	07/23/2025	2:50 PM
KayMarie Griffith	Approved	07/23/2025	3:47 PM
Michelle Miller	Approved	07/24/2025	8:04 AM
Albert Bertram	Approved	07/24/2025	9:46 AM
Pamela Hare	Approved	07/24/2025	11:29 AM
Jon Jouben	Approved	07/30/2025	9:39 AM
Heidi Prouse	Approved	07/30/2025	10:08 AM
Toni Brady	Approved	07/30/2025	3:42 PM
Jeffrey Rogers	Approved	07/30/2025	5:04 PM

Colleen Conko

Approved

07/30/2025 5:11 PM

HERNANDO COUNTY ZONING AMENDMENT PETITION

File No. H-25-11 Official Date Stamp:



Application to Change a Zoning Classification

Application request (check one):

- Rezoning ☒ Standard ☐ PDP
Master Plan ☐ New ☐ Revised
PSFOD ☐ Communication Tower ☐ Other

PRINT OR TYPE ALL INFORMATION

Date: 2/28/25



APPLICANT NAME: Britton Cox and Kayla Cox

Address: 10154 Yellow Frog Ave

City: Brooksville State: FL Zip: 34614

Phone: 352-442-9503 Email: BTC44@YMAIL.COM

Property owner's name: (if not the applicant) _____

REPRESENTATIVE/CONTACT NAME: _____

Company Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

HOME OWNERS ASSOCIATION: ☐ Yes ☒ No (if applicable provide name) _____

Contact Name: _____

Address: _____ City: _____ State: _____ Zip: _____

PROPERTY INFORMATION:

1. PARCEL(S) KEY NUMBER(S): 610173

2. SECTION 01, TOWNSHIP 21, RANGE 17

3. Current zoning classification: R1C

4. Desired zoning classification: AR

5. Size of area covered by application: 2.4 ACRES

6. Highway and street boundaries: Yellow Frog Ave + Palmdale Rd

7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No

8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)

9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed: _____)

PROPERTY OWNER AFFIDIVAT

I, Britton Cox + Kayla Cox, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

☒ I am the owner of the property and am making this application OR

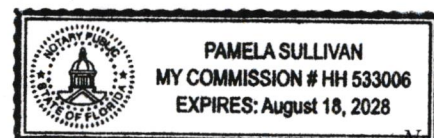
☐ I am the owner of the property and am authorizing (applicant): _____
and (representative, if applicable): _____
to submit an application for the described property.

Britton Cox + Kayla Cox
Signature of Property Owner

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 11th day of February, 20 25, by Britton Cox and Kayla Cox who is personally known to me or produced _____ as identification.

Pam Sullivan
Signature of Notary Public



Effective Date: 11/8/16 Last Revision: 11/8/16

REZONING APPLICATION AND EXPLANATION

10154 YELLOW FROG AVENUE

BRITTON AND KAYLA COX

We appreciate you taking the time to review and evaluate our application. Since my wife and I first started dating, we have yearned to own a plot of land. With the freedoms that our ancestors fought so hard and diligently for we now want to be self-sufficient by raising our own livestock on our own property. We have read and agree to the zoning and property rights and restrictions set forth within the zoning guidelines, and we are submitting our application in the hopes of being granted the ability to have a few animals on our land, as permitted by the agricultural residential zoning. Being able to produce our own food for personal consumption means a lot to myself and my family. With the high cost of groceries and the added ingredients in food, that was never meant for human consumption, it has opened our eyes to realize that God has blessed us with the opportunity to utilize this land for the good and growth of our family. To be healthy, to be self-sufficient, to be self-sustaining and to teach our children and others how to do the same for their future and families.

Our community is surrounded by areas of AG land, and tracts smaller and similar in size to our 2.4 acres have already been rezoned to AR (Key #'s 619263, 619236, 656230, 656258, etc.).

We hope this application and explanation for rezoning gives you a good idea of the reasons now and into the future as to why this means so much to us and pray we will be granted with the zoning rights to utilize our property in a self sustaining way that we see fit for us and our family.

Thank you and God Bless,

Britton and Kayla Cox

STAFF REPORT

HEARINGS: Planning & Zoning Commission: June 9, 2025
Board of County Commissioners: August 5, 2025

APPLICANT: Britton and Kayla Cox

FILE NUMBER: H-25-11

REQUEST: Rezoning from R-1C (Residential) to AR (Agricultural/Residential)

GENERAL LOCATION: Double frontage on Yellow Frog Ave and Palmdale Road

PARCEL KEY NUMBER: 610173

APPLICANT'S REQUEST

The petitioner is requesting to rezone their 2.4-acre parcel from R-1C (Residential) to AR (Agricultural/Residential). The petitioner has indicated a desire to utilize their properties for livestock and for other agricultural benefits. The subject site is in the Royal Highlands Subdivision area where several other properties have been rezoned to AR (Agricultural/Residential).

SITE CHARACTERISTICS

Site Size: 2.4 acres

Surrounding Zoning & Land Uses: North: R-1C; Single-family
South: R-1C; Single-family
East: R-1C; Single-family
West: R-1C; Single-family

Current Zoning: R-1C (Residential)

Future Land Use Map Designation: Rural

UTILITIES REVIEW

The Hernando County Utilities Department does not currently supply water or wastewater service to this parcel. Water and wastewater services are not available. HCUD has no objection to the requested zoning change from R-1C (Residential) to AR (Agricultural/Residential) to allow farm animals on property, subject to Health Department approval of any upgrades that may be required for the existing onsite sewage treatment and disposal system.

ENGINEERING REVIEW

This property is in Royal Highlands with double frontage on Yellow Frog Avenue and Palmdale Road. This project lies within the Chassahowitzka watershed, in basins K1000 and -090. The BFE is 9.7 in basin -1000, and 10.0 in basin -1090 in NAVD 88. The parcel elevation ranges from 19 to 10.

The County Engineer has reviewed the petitioner's request and has no traffic concerns.

LAND USE REVIEW

Minimum AR (Agricultural/Residential) Building Setbacks:

- Front: 50'
- Side: 10'
- Rear: 35'

The AR district is designed to allow the continued development of low-density, single-family housing. The Hernando County Code of Ordinances, Appendix A, Article IV, Section 13 identifies the permitted uses within the AR zoning district as follows:

A. The following regulations apply to agricultural/residential districts as indicated:

(1) Permitted uses:

(a) All agricultural/residential districts:

- i. Aquaculture
- ii. Grazing livestock at the rate of one mature animal and offspring less than one year of age, per acre.
- iii. Poultry and swine for home consumption maintained at least seventy-five (75) feet from adjacent property.
- iv. Horticultural specialty farms, including the cultivation of crops.
- v. Accessory structures related to the principal use of the land.
- vi. Pigeon aviaries with a maximum of 1,500 square feet of area devoted to housing pigeons per acre.
- vii. Sales on the premises of permitted agricultural products produced on the premises: provided that where such products are sold from roadside stands, such stand shall be set back a safe distance from any public street right-of-way and shall provide for automobile access and off-street parking space in such a manner so as to not create an undue traffic hazard on the street on which such roadside stand is located.

(b) Agricultural/residential:

- i. Single-family dwellings

COMPREHENSIVE PLAN REVIEW

The subject is located within the Rural Land Use designation on the County's adopted Comprehensive Plan. The petitioner's parcel is located near the Royal Highlands area which is

currently in transition with many parcels in close proximity requesting rezoning from R-1C (Residential) to AR (Agricultural/Residential) due to the rural nature of the area.

Future Land Use, Rural Category

Objective 1.04C: The Rural Category allows agriculture, agricultural commercial, agri-industrial, recreation, agritourism and residential land uses of a rural character. Certain neighborhood commercial uses may be allowed subject to locational criteria and performance standards. Residential density is 0.1 dwelling units per gross acre (1 unit per ten gross acres) except where otherwise indicated by the strategies listed herein and incorporated into the land development regulations.

Comments: The parcel is within the Rural land use classification and is surrounded by residential parcels 1.0 acre in size. The proposed rezoning is consistent with the strategies for rural density and the pattern of land development on the surrounding parcels.

FINDINGS OF FACT

A rezoning from R-1C (Residential) to AR (Agricultural/Residential) is appropriate based on consistency with the County's adopted Comprehensive Plan and the development patterns within the Royal Highlands community.

NOTICE OF APPLICANT RESPONSIBILITY

The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

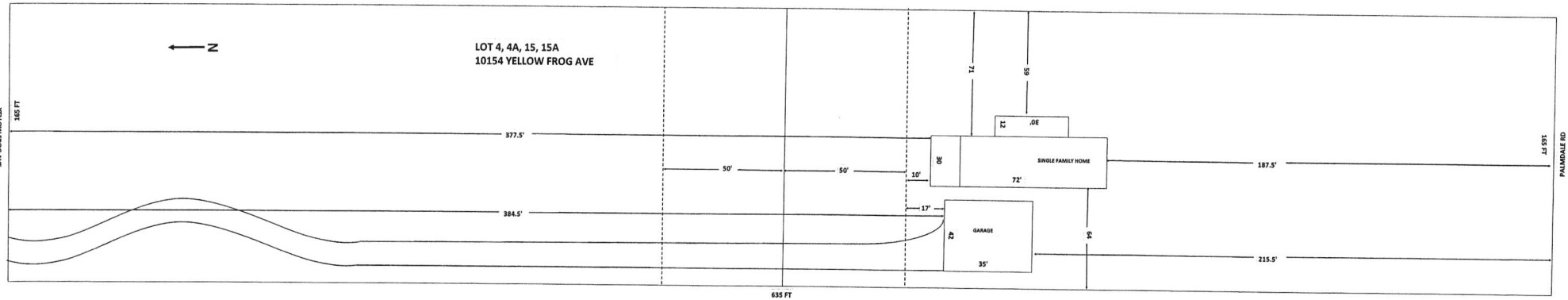
STAFF RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from R-1C (Residential) to AR (Agricultural/Residential) in accordance with the staff report.

Planning and Zoning Commission:

On June 9, 2025, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from R-1C (Residential) to AR (Agricultural/Residential).

SITE PLAN



H-25-11

Photo date: 2023

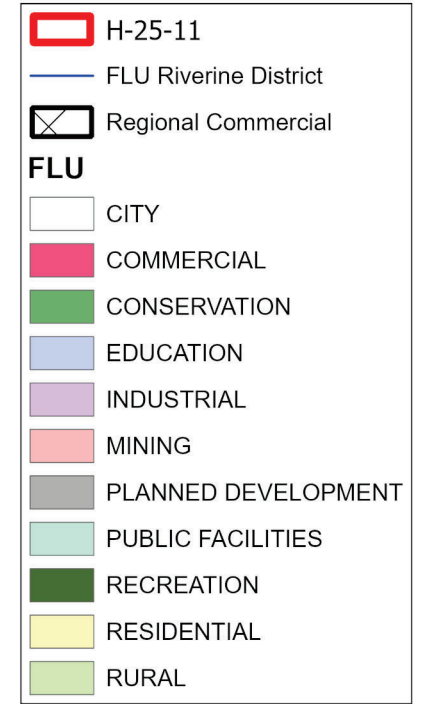
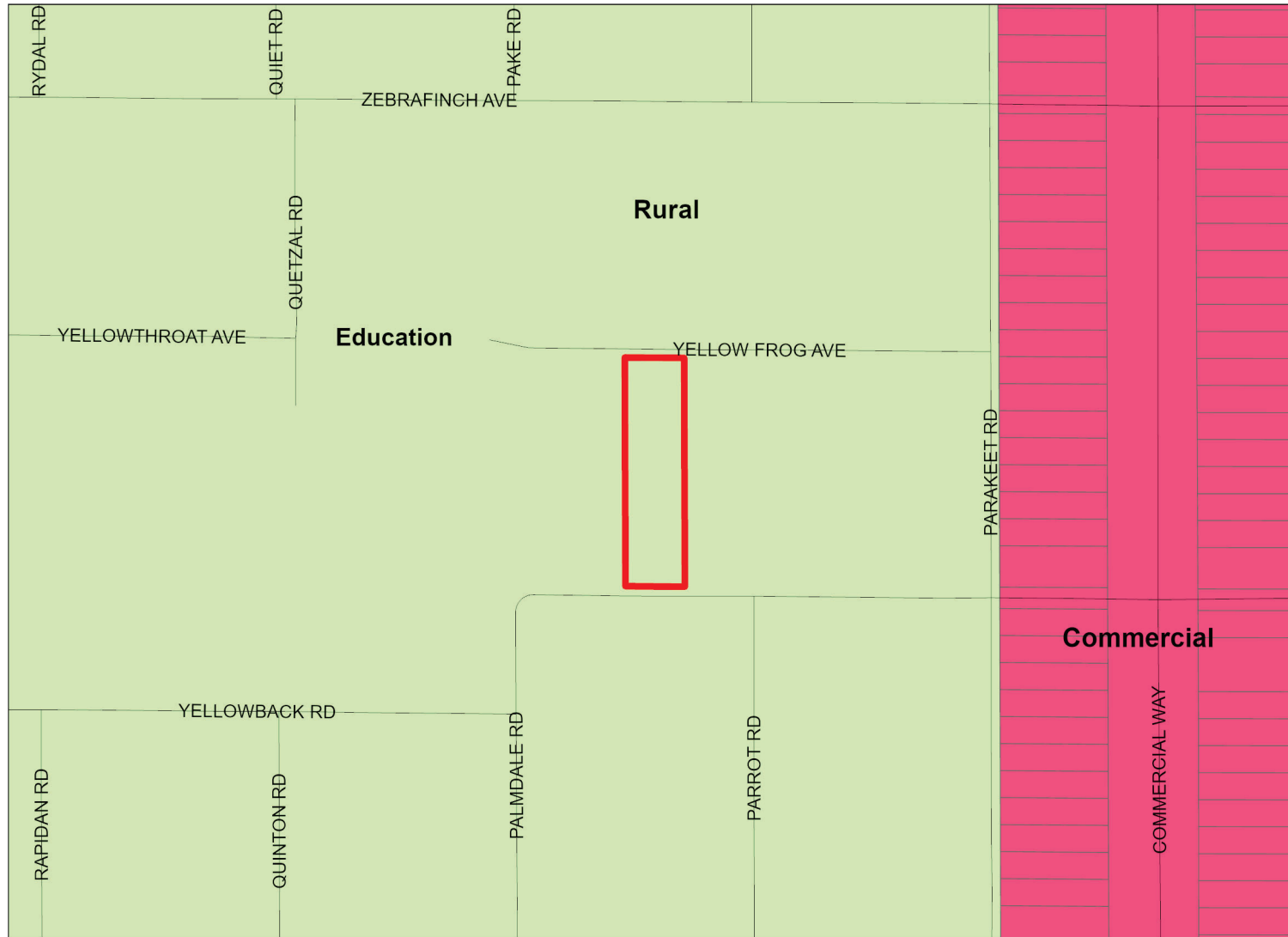
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



Hernando County Comprehensive Plan Map

Existing Future Land Use: H-25-11

Version Date: 12/09/2022



Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

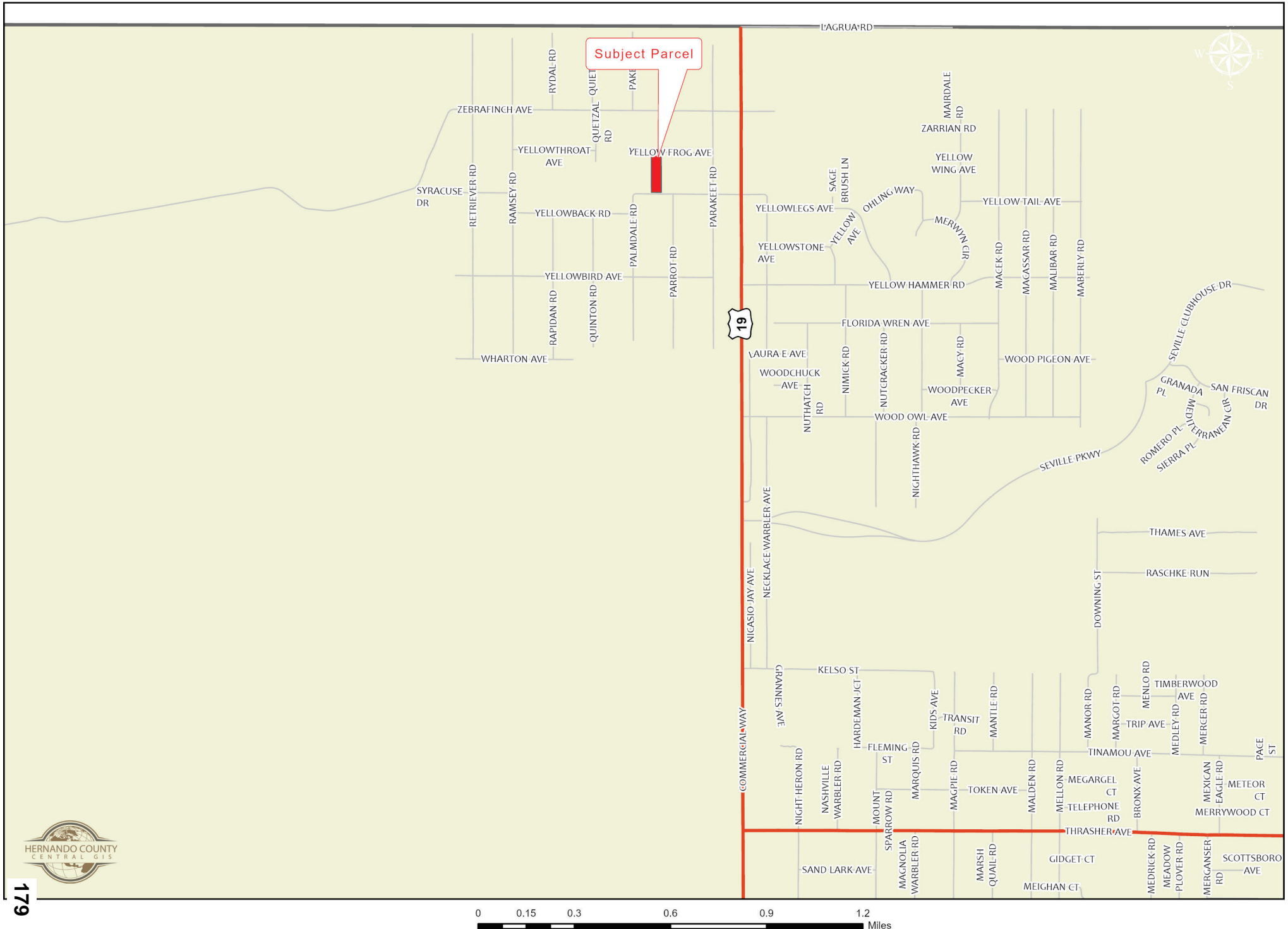


Date of mapping: 04/15/2025



H-25-11 AREA MAP

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



H-25-11

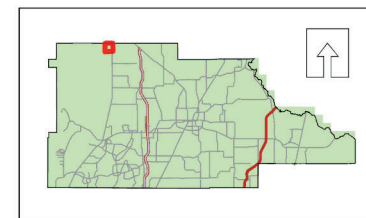
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Zoning:

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



Hernando County Florida
Development Services Department
Planning Division
1653 Blaise Drive
Brooksville, Florida 34601

Michael and Marianne Hicok
4125 Mount Olney Lane
Olney, Maryland 20832

In the matter of a rezoning application file number H-25-11 from R-1C
(Residential) to AR (Agricultural/Residential) by Britton and Kayla Cox

We are the owners of 10168 Yellow Frog Avenue, Week Wachee FL 34614

We are vehemently opposed to the zoning changes contemplated by this application. We believe that if allowed this change will adversely affect our property value. This area was zoned R-1C to prevent owners from having chickens and/or swine in this community.

It is not that we disapprove of any agricultural ventures, but a residential neighborhood of one acre lots is not the appropriate place for farm animals.

Please place these comments into the public record concerning this matter.

Sincerely,



Michael W. Hicok

Marianne Y. Hicok

RESOLUTION NO. 2025 - _____

WHEREAS, Hernando County has adopted zoning regulations pursuant to Section 125.01(1) and Chapter 163, *Florida Statutes*, which authorize the County to regulate the use of land in the unincorporated areas of Hernando County, Florida, and take action on the request herein; and

WHEREAS, the Hernando County Board of County Commissioners (BOCC) conducted a duly advertised public hearing to consider the requested changes in zoning on the specified parcels in Hernando County, Florida, as more fully described below;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, AS FOLLOWS:

APPLICANT: Britton Cox and Kayla Cox

FILE NUMBER: H-25-11

REQUEST: Rezoning from R-1C (Residential) to AR (Agricultural/Residential)

GENERAL LOCATION: Double frontage on Yellow Frog Avenue and Palmdale Road

PARCEL KEY NUMBERS: 610173

REQUEST: Rezoning from R-1C (Residential) to AR (Agricultural/Residential) as enumerated in the BOCC Action, which is incorporated herein by reference and made a part hereof. The representations contained in the rezoning application are incorporated herein by reference and made a part hereof and are relied upon by the County to be true and correct. For purposes herein, it is presumed that all notice and advertising requirements have been satisfied.

FINDINGS OF FACT:

ALL of the facts and conditions set forth in the County's staff memoranda and presented to the BOCC in connection with the public hearing in this matter are incorporated herein by reference and made a material part of this Resolution as integral to the BOCC's Action. The BOCC finds that the testimony and record supporting APPROVAL of the request to be credible and to constitute competent substantial evidence. In further support thereof, the BOCC makes the following specific findings of fact:

1. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

CONCLUSIONS OF LAW:

The BOCC is authorized to act on this matter pursuant to Chapters 125 and 163, *Florida Statutes*. Accordingly, after public hearing and testimony, being fully advised in the record, and based upon competent substantial evidence, the BOCC makes the following specific conclusions of law:

1. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

ACTION:

After notice and public hearing, based upon the record in this matter and ALL of the findings of fact and conclusions of law above, the BOCC hereby APPROVES Rezoning from R-1C (Residential) to AR (Agricultural/Residential) as set forth in the BOCC Action, which is incorporated herein by reference and made a part hereof. Any requests, uses, variances or exceptions that were requested in connection with this rezoning application but not specifically approved herein are hereby deemed DENIED.

ADOPTED IN REGULAR SESSION THE ____ DAY OF _____, 2025.

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest: _____
Douglas A. Chorvat, Jr.
Clerk of Circuit Court & Comptroller

By: _____
Brian Hawkins
Chairman

(SEAL)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: Victoria Anderson
County Attorney's Office



THE HERNANDO SUN; Published Weekly

Brooksville Hernando County FLORIDA

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA

COUNTY OF HERNANDO :

Before the undersigned authority, Julie B. Maglio, personally appeared, who on oath, says that she is Editor of the Hernando Sun, a weekly newspaper published at Brooksville in Hernando County, Florida, that the attached copy of the advertisement, being a
NOTICE OF PUBLIC HEARING

in the matter of

APPLICANT: Southern Valley Homes, LLC

was published in said newspaper by print in the issue(s) of:
May 30, 2025

and/or by publication on the newspaper's publicly available website, if
authorized, on May 30, 2025

Affiant further says that the newspaper complies with all
legal requirements for publication in chapter 50, Florida
Statutes.

(Signature of Affiant)

Sworn to and subscribed before me
This 2nd day of June, 2025.

(Signature of Notary Public) LISA M. MACNEIL



Commission # HH 254975
Expires April 19, 2026

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known ☒ or

produced identification _____

Type of identification produced _____

NOTICE OF PUBLIC HEARING
HERNANDO COUNTY, FLORIDA

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission of Hernando County, Florida, will hold a Public Hearing in the John Law Ayers County Commission Chambers, Hernando County Government Center, 20 North Main Street, Room 160, Brooksville, Florida on June 9, 2025. **The meeting starts at 9:00 AM and the cases will be heard thereafter in the order established when the agenda is published.**

BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners of Hernando County, Florida, will hold a Public Hearing in the John Law Ayers County Commission Chambers, Hernando County Government Center, 20 North Main Street, Room 160, Brooksville, Florida, on August 5, 2025. **The meeting starts at 9:00 AM and the cases will be heard thereafter in the order established when the Board agenda is published.**

APPLICANT: Southern Valley Homes, LLC
FILE NUMBER: H-24-71
REQUEST: AR-2(Agricultural Residential 2) to AC(Agricultural Commercial)
GENERAL LOCATION: North side of Wiscon Road, approximately 670' east of California Street
PARCEL KEY NUMBER: 345736

APPLICANT: Lance Lowery
FILE NUMBER: H-24-81
REQUEST: Rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage
GENERAL LOCATION: Approximately 175' north of Cortez Boulevard, bounded by Mondon Hill Road and Raley Road.
PARCEL KEY NUMBER: 1181090, 1181081, 1181125, 822872

APPLICANT: Meridien Development LLC Mark Keschl
FILE NUMBER: H-24-82
REQUEST: Rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for drive in restaurant with deviations
GENERAL LOCATION: Northeast corner of Commercial Way and Spring Hill Drive
PARCEL KEY NUMBER: 411931

APPLICANT: Arsany 66th Street, LLC
FILE NUMBER: H-25-01
REQUEST: Rezoning from AR-2 (Agricultural/Residential) to PDP(MF) Planned Development Project (Multifamily), PDP(GC) Planned Development Project (General Commercial), and PDP(SF)Planned Development Project (Single Family) with deviations
GENERAL LOCATION: North of County Line Road, South of Pot O Gold Lane, approximately 1000' west of the intersection of County Line Road and Suncoast Boulevard
PARCEL KEY NUMBER: 189940, 189959

Notice Continues on Page 2

APPLICANT: Alton B. Wingate
 FILE NUMBER: H-25-05
 REQUEST: Rezoning from AG (Agricultural) to PD-P(GC) Planned Development Project with a Special Exception for an Educational Facility
 GENERAL LOCATION: Northwest corner of Citrus Way and Ponce De Leon Boulevard
 PARCEL KEY NUMBER: 332367

APPLICANT: Sunny Pines of Hernando LLC
 FILE NUMBER: H-25-07
 REQUEST: Re-Establish Master Plan on Property Zoned Combined Planned Development Project with C2 and R1MH Uses and deviations
 GENERAL LOCATION: Northwest corner of SR 50 and Mondon Hill Road
 PARCEL KEY NUMBER: 370360

APPLICANT: Britton and Kayla Cox
 FILE NUMBER: H-25-11
 REQUEST: Rezoning from R-1C (Residential) to AR (Agricultural/Residential)
 GENERAL LOCATION: Double frontage on Yellow Frog Ave and Palmdale Road
 PARCEL KEY NUMBER: 610173

APPLICANT: Jorge Sabater
 FILE NUMBER: H-25-12
 REQUEST: Rezoning from C-4 (Heavy Highway Commercial) to C-2 (Highway Commercial)
 GENERAL LOCATION: North side of Chambord St, approximately 690 Feet from Sunshine Grove Rd.
 PARCEL KEY NUMBER: 998870

Interested parties may appear at the meeting and be heard on these matters. You are further advised that if a person decides to appeal any quasi-judicial decision made by the Board, Agency or Commission with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceeding, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

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In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact Jessica Wright, County Administration Building, 15470 Flight Path Drive Brooksville, FL 34604, telephone 352-754-4002, no later than three (3) days prior to the proceedings. If hearing impaired, please call 1-800-676-3777 for assistance.

/s/ Omar DePablo
 Development Services Director
 Hernando County Planning Division

Published: May 30, 2025



AGENDA ITEM

TITLE

Rezoning Petition Submitted by Jorge M. Sabater on Behalf of Infinite Trust, LLC, for Property Located on Chambord Street (H2512)

BRIEF OVERVIEW

Request:

Rezoning from C-4 (Heavy Highway Commercial) to C-2 (Highway Commercial)

General Location:

North side of Chambord Street, approximately 690 Feet from Sunshine Grove Road.

P&Z Action:

On June 9, 2025, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Rezoning from C-4 (Heavy Highway Commercial) to C-2 (Highway Commercial).

FINANCIAL IMPACT

A matter of policy and no financial impact.

LEGAL NOTE

The Board has the authority to make the requested rezoning decision pursuant to Chapters 125 and 163 Florida Statutes. The Applicable Criteria for a Zoning District Amendment are contained in Appendix A (Zoning Code), Article VI. The Zoning District Amendment must be consistent with the Comprehensive Plan.

RECOMMENDATION

It is recommended that the Board adopt and authorize the Chairman's signature on the attached resolution approving the petitioner's request for a Rezoning from C-4 (Heavy Highway Commercial) to C-2 (Highway Commercial).

REVIEW PROCESS

Omar DePablo	Escalated	07/23/2025	2:50 PM
KayMarie Griffith	Approved	07/23/2025	3:55 PM
Michelle Miller	Approved	07/24/2025	7:40 AM
Albert Bertram	Approved	07/24/2025	9:48 AM
Pamela Hare	Approved	07/25/2025	9:14 AM
Jon Jouben	Escalated	07/29/2025	5:17 PM
Pamela Hare	Approved	07/30/2025	9:35 AM
Jon Jouben	Approved	07/30/2025	9:42 AM
Heidi Prouse	Approved	07/30/2025	11:33 AM
Toni Brady	Approved	07/30/2025	3:34 PM
Jeffrey Rogers	Approved	07/30/2025	5:03 PM

Colleen Conko

Approved

07/30/2025 5:03 PM

HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):

- Rezoning ☐ Standard ☐ PDP
Master Plan ☐ New ☐ Revised
PSFOD ☐ Communication Tower ☐ Other
PRINT OR TYPE ALL INFORMATION

Date: 2-28-2025

File No. _____ Official Date Stamp:

RECEIVED

MAR 05 2025

Hernando County Development Services
Zoning Division

H-25-12

APPLICANT NAME: Jorge M Sabater

Address: 13379 Chambord St

City: Brooksville

State: FL

Zip: 34613

Phone: 352-777-0313

Email: jorgesabater5@yahoo.com

Property owner's name: (if not the applicant)

REPRESENTATIVE/CONTACT NAME: Jorge M Sabater

Company Name: Infinite Trust LLC

Address: 9088 Kindlewood Trail

City: Brooksville

State: FL

Zip: 34613

Phone: 352-777-0313

Email: jorgesabater5@yahoo.com

HOME OWNERS ASSOCIATION: ☐ Yes ☒ No (if applicable provide name)

Contact Name:

Address:

City:

State:

Zip:

PROPERTY INFORMATION:

1. PARCEL(S) **KEY** NUMBER(S): 998870
2. SECTION 28, TOWNSHIP 22, RANGE 18
3. Current zoning classification: C4
4. Desired zoning classification: C2
5. Size of area covered by application: 27,774.00 SQUARE FEET
6. Highway and street boundaries: Cortez Blvd / Sunshine Grove Rd / Jacqueline Rd
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No
8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed: _____)

PROPERTY OWNER AFFIDIVAT

I, Jorge M Sabater, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

☒ I am the owner of the property and am making this application **OR**

☐ I am the owner of the property and am authorizing (applicant): _____

and (representative, if applicable): _____

to submit an application for the described property.

[Signature]
Signature of Property Owner

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 4 day of March, 20 25, by _____ who is personally known to me or produced _____ as identification.

[Signature]
Signature of Notary Public

Effective Date: 11/8/16 Last Revision: 11/8/16



Notary Seal/Stamp

Proposal for zoning amendment.

The motive behind this request is to rezone my property located at 13379 Chambord St, Brooksville Florida 34613, Parcel# 998870 Section 28 , Township 22 , Range 18 from current zoning of C4 To C2 which is what the property has been used as for the past three plus years. When I purchased the property on 5/10/2024 it was being used as a used car dealer by a company called Xquisite Motors 2 LLC , pictures are attached as proof. The main reason behind our purchase was to recreate what the existing business occupying the property was doing and hang our dealers license on the wall, to run our wholesale car dealership from the location. When we applied for approval is when we found out of that the property was needing to be transferred from C4 to C2 and that is what we are trying to accomplish with this proposal.

The property size is 27,774 square feet which is more than enough for the use we will be giving it, our goal is to park and store no more than 5-10 cars at the location. The property DOR code shows that the property allowed for auto sales, repairs and storage. We are simply requesting to be allowed to do minimal auto sales from the location as this will just be an addition to our existing business also located in Hernando County at 13334 Jacqueline Rd Brooksville Florida 34613 which is right behind this property and has the same zoning of C2 as we are requesting here.

This proposal will not only be a great benefit for my family and I but it will also be an asset to our growing community. My business offers affordable transportation for the hardworking citizens in need at wholesale price. We strive for outstanding service and compliance between our county and its people, our goal is to make the property a better place that we will not only care for but also hold for many years to come.

There will be no impact on traffic within the infrastructure of our building since all the business we will be conducting will be at all times inside the gated property. We have consulted with our local business neighbors in the property about our proposal which took them by surprise because they all believed that our building had the proper zoning as it had been used in the past for the same purposes of our request.

I believe the approval for this change will be beneficial for our outstanding county, its community and my growing family. We have attached some documents to this request along with some pictures to show proof of the previous Auto Dealer that was established in the property conducting the same business as we are formally trying to apply for , with the outmost respect for our county, community and the members behind this possible authorization I would like to express my gratitude for taking the time to review this request.

Owner; Infinite Trust LLC

Jorge M Sabater

STAFF REPORT

HEARINGS: Planning & Zoning Commission: June 9, 2025
Board of County Commissioners: August 5, 2025

APPLICANT: Jorge M Sabater

FILE NUMBER: H-25-12

REQUEST: Rezoning from C-4 (Heavy Highway Commercial) to C2 (Highway Commercial)

GENERAL LOCATION: North side of Chambord St, approximately 690 Feet from Sunshine Grove Rd.

PARCEL KEY NUMBER(S): 998870

APPLICANT'S REQUEST

The petitioner is requesting to rezone the subject property from C-4 (Heavy Highway Commercial) to PDP(HC) – Planned Development Project (Highway Commercial), to permit the operation of a used car dealership. The proposed use will include vehicle sales, car detailing, and storage. The property features an existing 2,500-square-foot building, which will serve as an office and a service garage for vehicle cleaning and vacuuming. All vehicles will be stored within a secured, gated area, with no more than ten (10) vehicles on the lot at any given time. Additionally, the parcel is located within a Public Facility Overlay District, which includes a 300-foot communication tower approved under file number H-98-23.

SITE CHARACTERISTICS

Site Size: 0.6 acres

**Surrounding Zoning;
Land Uses:**

North:	C-2; Developed
South:	C-4; Developed
East:	PDP(GH); Developed
West:	C-4; Developed

Current Zoning: C-4 (Heavy Highway Commercial)

**Future Land Use
Map Designation:** Commercial

ENVIRONMENTAL REVIEW

The subject property is an existing disturbed site. No further environmental impact is anticipated through this rezoning action.

UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) reviewed the petitioner's application and provided the following comments:

- Hernando County Utilities Department currently supplies water service to this parcel. Wastewater service is currently not available. HCUD has no objection to the requested zoning change from C4 to PDP(HC), to store 5-10 cars on the parcel and allow for minimal auto sales, subject to Health Department approval of any upgrades that may be required for the existing onsite sewage treatment and disposal system. Parcel Key# 998870.

ENGINEERING REVIEW

The subject site is located on the North side of Chambord St, approximately 690 Feet from Sunshine Grove Rd. The County Engineer has reviewed the petitioner's request and provided the following comments:

- This project lies within the Wiscon watershed, in basin D0480. The BFE is 81.4 in NAVD 88. The parcel elevation ranges from 94 to 83.
- No Traffic issues have been identified for the subject site.

LAND USE REVIEW**Proposed Building Setbacks:**

- Front: 75'
- Side: 20'
- Rear: 35'

Comments: There is an existing building on the subject site. No changes to the building envelope are proposed through this rezoning action.

Lighting:

County LDRs require lighting that enhances the visual impact of the project on the community and specifically address lighting intensity levels and glare accordingly. Commercial buildings and projects shall be designed to provide safe, convenient and efficient lighting for pedestrians and vehicles.

Comments: The petitioner has not indicated any provisions for lighting of the subject property. If approved, the petitioner should be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage.

Parking:

County LDRs require two (2) parking spots per 1,000 square feet of gross floor area. The petitioner proposes a 2,500 square foot building, requiring 5 parking spaces.

Buffer:

A buffer shall be required between a Planned Development Project land use which is multifamily or non-residential and a land use, external to the PDP, which is residential, agricultural-residential or agricultural.

The buffer shall consist of a minimum five-foot landscaped separation distance. The multifamily or nonresidential use located on such lot shall be permanently screened from the adjoining and contiguous properties by a wall, fence, and/or approved enclosures. Such screening shall have a minimum height of five (5) [feet] and a maximum height of eight (8) feet, or an evergreen hedge with a minimum height of five (5) feet at the time of planting.

Comments: The petitioner has requested a deviation from the buffer requirements due to its location adjacent to existing commercial and industrial uses.

Landscaping:

The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for required landscaping.

COMPREHENSIVE PLAN REVIEW

Future Land Use Map, Commercial Category

The subject site is located within the Commercial Land use designation on the County's adopted Comprehensive Plan.

Strategy 1.04A(6): The Commercial Category provides for commercial uses including products and services along major corridors and at roadway intersections to serve residents and visitors on both a localized and regionalized basis. The Commercial Category recognizes existing commercial use corridors along U.S. Highway 19 and State Route 50 and existing and planned commercial nodes at intersections of arterial and/or collector roads. The Commercial Category includes small unmapped existing commercial properties. The Commercial Category also recognizes the ability to designate infill parcels for commercial use lying in proximity to and between, but not necessarily contiguous to, other existing commercially designated properties. Publicly owned lands along the commercial use corridors that are made available for surplus may be considered to have a Commercial designation, if the agency proceeds through the Comprehensive Plan Amendment process to amend the future land use map, in accordance with Section 163.3184, F.S.

Objective 1.04G: The Commercial Category allows primarily retail, office, and commercial service uses with an overall average gross floor area ratio of 0.35 but also includes limited industrial, recreational, and institutional uses. Residential and mixed uses may be allowed subject to locational criteria and performance standards.

Strategy 1.04G(1): Commercial development as envisioned on the Future Land Use Map is intended primarily for locations at major intersections and along major corridors where service to local and regional markets are enhanced by transportation patterns. New commercial zoning is directed to these mapped areas. Commercial areas that are not mapped but are allowed under this Future Land Use Category include neighborhood commercial and specialty commercial uses as described in this Plan, commercial

approved as part of mixed-use developments, commercial designated by planned development districts, the infill development of existing commercial areas, commercial areas extending from designated commercial nodes, and pre-existing commercially developed and designated areas. Frontage roads and cross-access between commercial uses is required where needed in accordance with the provisions of this Plan and adopted land development regulations.

Comments: The subject site has an existing building and is surrounded by commercial and industrial uses. The proposed use is consistent with the Comprehensive Plan and is consistent with the surrounding uses.

FINDINGS OF FACT

A rezoning from C-4 (Heavy Highway Commercial) to C-2 (Highway Commercial) is appropriate based on the following: The request is consistent with the Comprehensive Plan Strategies for the location of commercial development and the surrounding commercial uses.

NOTICE OF APPLICANT RESPONSIBILITY

The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

STAFF RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Rezoning from C-4 (Heavy Highway Commercial) to C-2 (Highway Commercial).

Planning and Zoning Commission:

On June 9, 2025, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Rezoning from C-4 (Heavy Highway Commercial) to C-2 (Highway Commercial).

Sunshine Grove

Jacqueline Rd

20
998889

262.56

100

19
946370

2500 sq ft

277.56



Chamboard St



100

15279

Chamboard St

1 2 3 4 5

C.P

100

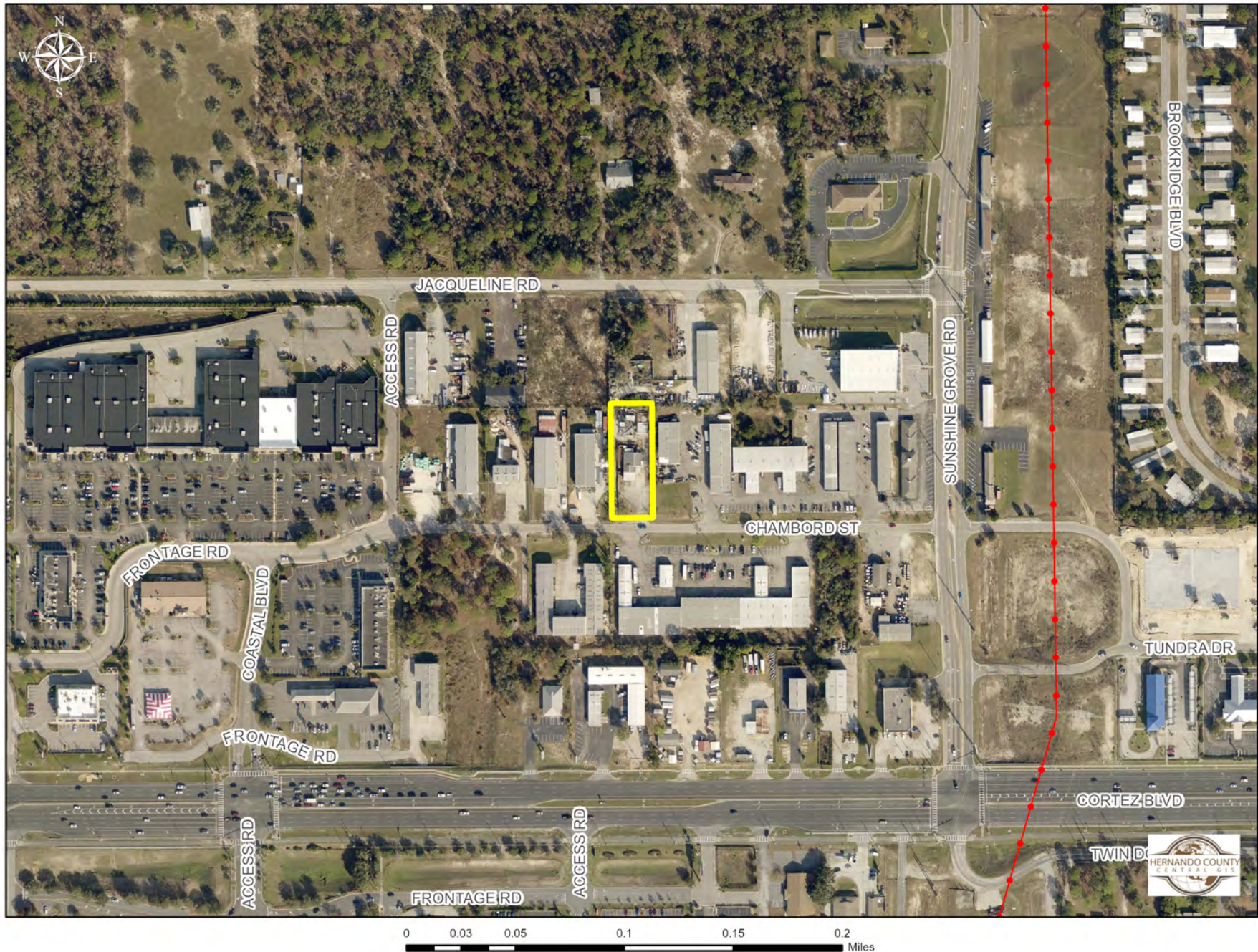
19
998861

Grant St

H-25-12

Photo date: 2023

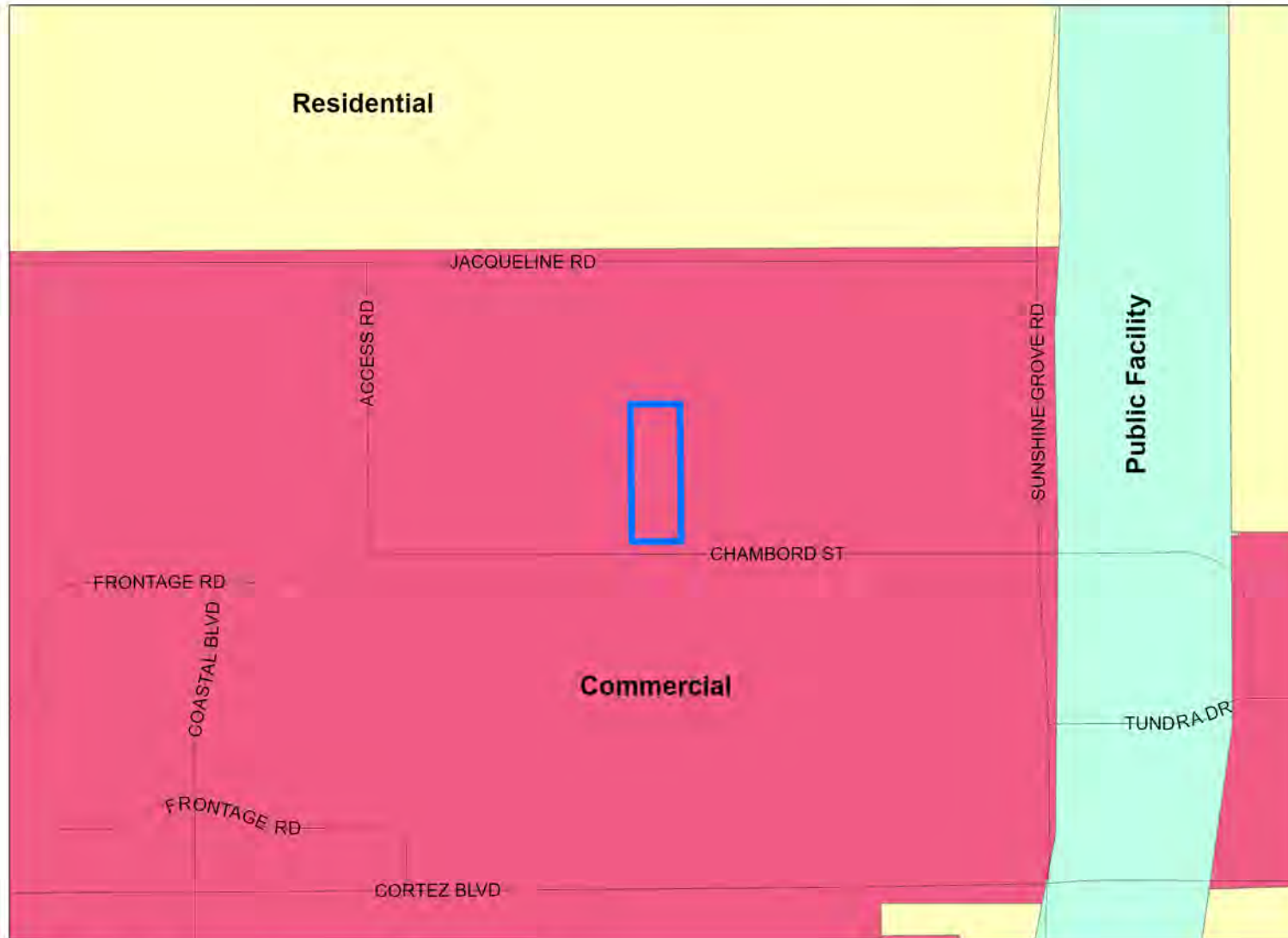
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



Hernando County Comprehensive Plan Map

Existing Future Land Use: H-25-12

Version Date: 12/09/2022



Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

0 0.03 0.05 0.1 0.15 0.2 Miles

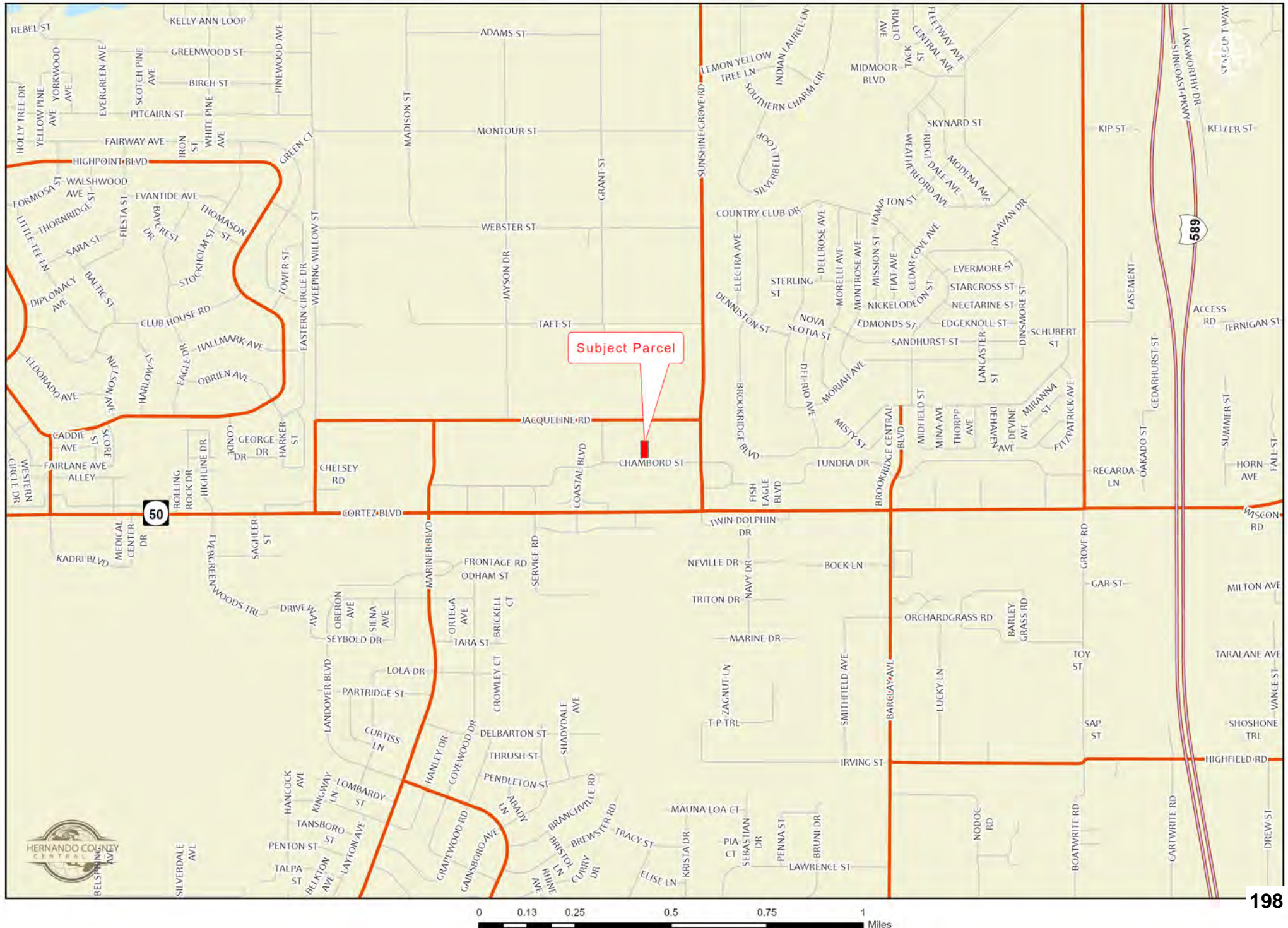


Date of mapping: 04/16/2025



H-25-12 AREA MAP

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



H-25-12

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



Zoning:

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



RESOLUTION NO. 2025 - _____

WHEREAS, Hernando County has adopted zoning regulations pursuant to Section 125.01(1) and Chapter 163, *Florida Statutes*, which authorize the County to regulate the use of land in the unincorporated areas of Hernando County, Florida, and take action on the request herein; and

WHEREAS, the Hernando County Board of County Commissioners (BOCC) conducted a duly advertised public hearing to consider the requested changes in zoning on the specified parcels in Hernando County, Florida, as more fully described below;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, AS FOLLOWS:

APPLICANT: Jorge M. Sabater on behalf of Infinite Trust LLC

FILE NUMBER: H-25-12

REQUEST: Rezoning from C-4 (Heavy Highway Commercial) to C2 (Highway Commercial)

GENERAL

LOCATION: North side of Chambord St., approximately 690 Feet from Sunshine Grove Rd.

PARCEL KEY

NUMBERS: 998870

REQUEST: Rezoning from C-4 (Heavy Highway Commercial) to C2 (Highway Commercial) as enumerated in the BOCC Action, which is incorporated herein by reference and made a part hereof. The representations contained in the rezoning application are incorporated herein by reference and made a part hereof and are relied upon by the County to be true and correct. For purposes herein, it is presumed that all notice and advertising requirements have been satisfied.

**FINDINGS
OF FACT:**

ALL of the facts and conditions set forth in the County's staff memoranda and presented to the BOCC in connection with the public hearing in this matter are incorporated herein by reference and made a material part of this Resolution as integral to the BOCC's Action. The BOCC finds that the testimony and record supporting APPROVAL of the request to be credible and to constitute competent substantial evidence. In further support thereof, the BOCC makes the following specific findings of fact:

1. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

**CONCLUSIONS
OF LAW:**

The BOCC is authorized to act on this matter pursuant to Chapters 125 and 163, *Florida Statutes*. Accordingly, after public hearing and testimony, being fully advised in the record, and based upon competent substantial evidence, the BOCC makes the following specific conclusions of law:

1. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

ACTION:

After notice and public hearing, based upon the record in this matter and ALL of the findings of fact and conclusions of law above, the BOCC hereby APPROVES Rezoning from C-4 (Heavy Highway Commercial) to C2 (Highway Commercial) as set forth in the BOCC Action, which is incorporated herein by reference and made a part hereof. Any requests, uses, variances or exceptions that were requested in connection with this rezoning application but not specifically approved herein are hereby deemed DENIED.

ADOPTED IN REGULAR SESSION THE ____ DAY OF _____, 2025.

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest: _____
Douglas A. Chorvat, Jr.
Clerk of Circuit Court & Comptroller

By: _____
Brian Hawkins
Chairman

(SEAL)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: Jon Jouben
County Attorney's Office



THE HERNANDO SUN; Published Weekly

Brooksville Hernando County FLORIDA

PUBLISHER'S AFFIDAVIT OF PUBLICATION
STATE OF FLORIDA
COUNTY OF HERNANDO :

Before the undersigned authority, Julie B. Maglio, personally appeared, who on oath, says that she is Editor of the Hernando Sun, a weekly newspaper published at Brooksville in Hernando County, Florida, that the attached copy of the advertisement, being a
NOTICE OF PUBLIC HEARING

in the matter of

APPLICANT: Southern Valley Homes, LLC

was published in said newspaper by print in the issue(s) of:
May 30, 2025

and/or by publication on the newspaper's publicly available website, if
authorized, on May 30, 2025

Affiant further says that the newspaper complies with all
legal requirements for publication in chapter 50, Florida
Statutes.

(Signature of Affiant)

Sworn to and subscribed before me
This 2nd day of June, 2025.

(Signature of Notary Public) LISA M. MACNEIL



Commission # HH 254975
Expires April 19, 2026

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known ☒ or

produced identification _____

Type of identification produced _____

NOTICE OF PUBLIC HEARING HERNANDO COUNTY, FLORIDA

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission of Hernando County, Florida, will hold a Public Hearing in the John Law Ayers County Commission Chambers, Hernando County Government Center, 20 North Main Street, Room 160, Brooksville, Florida on June 9, 2025. **The meeting starts at 9:00 AM and the cases will be heard thereafter in the order established when the agenda is published.**

BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners of Hernando County, Florida, will hold a Public Hearing in the John Law Ayers County Commission Chambers, Hernando County Government Center, 20 North Main Street, Room 160, Brooksville, Florida, on August 5, 2025. **The meeting starts at 9:00 AM and the cases will be heard thereafter in the order established when the Board agenda is published.**

APPLICANT: Southern Valley Homes, LLC
FILE NUMBER: H-24-71
REQUEST: AR-2(Agricultural Residential 2) to AC(Agricultural Commercial)
GENERAL LOCATION: North side of Wiscon Road, approximately 670' east of California Street
PARCEL KEY NUMBER: 345736

APPLICANT: Lance Lowery
FILE NUMBER: H-24-81
REQUEST: Rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage
GENERAL LOCATION: Approximately 175' north of Cortez Boulevard, bounded by Mondon Hill Road and Raley Road.
PARCEL KEY NUMBER: 1181090, 1181081, 1181125, 822872

APPLICANT: Meridien Development LLC Mark Keschl
FILE NUMBER: H-24-82
REQUEST: Rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for drive in restaurant with deviations
GENERAL LOCATION: Northeast corner of Commercial Way and Spring Hill Drive
PARCEL KEY NUMBER: 411931

APPLICANT: Arsany 66th Street, LLC
FILE NUMBER: H-25-01
REQUEST: Rezoning from AR-2 (Agricultural/Residential) to PDP(MF) Planned Development Project (Multifamily), PDP(GC) Planned Development Project (General Commercial), and PDP(SF)Planned Development Project (Single Family) with deviations
GENERAL LOCATION: North of County Line Road, South of Pot O Gold Lane, approximately 1000' west of the intersection of County Line Road and Suncoast Boulevard
PARCEL KEY NUMBER: 189940, 189959

Notice Continues on Page 2

APPLICANT: Alton B. Wingate
 FILE NUMBER: H-25-05
 REQUEST: Rezoning from AG (Agricultural) to PD-P(GC) Planned Development Project with a Special Exception for an Educational Facility
 GENERAL LOCATION: Northwest corner of Citrus Way and Ponce De Leon Boulevard
 PARCEL KEY NUMBER: 332367

APPLICANT: Sunny Pines of Hernando LLC
 FILE NUMBER: H-25-07
 REQUEST: Re-Establish Master Plan on Property Zoned Combined Planned Development Project with C2 and R1MH Uses and deviations
 GENERAL LOCATION: Northwest corner of SR 50 and Mondon Hill Road
 PARCEL KEY NUMBER: 370360

APPLICANT: Britton and Kayla Cox
 FILE NUMBER: H-25-11
 REQUEST: Rezoning from R-1C (Residential) to AR (Agricultural/Residential)
 GENERAL LOCATION: Double frontage on Yellow Frog Ave and Palmdale Road
 PARCEL KEY NUMBER: 610173

APPLICANT: Jorge Sabater
 FILE NUMBER: H-25-12
 REQUEST: Rezoning from C-4 (Heavy Highway Commercial) to C-2 (Highway Commercial)
 GENERAL LOCATION: North side of Chambord St, approximately 690 Feet from Sunshine Grove Rd.
 PARCEL KEY NUMBER: 998870

Interested parties may appear at the meeting and be heard on these matters. You are further advised that if a person decides to appeal any quasi-judicial decision made by the Board, Agency or Commission with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceeding, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Documentation may be reviewed by the public at the Hernando County Planning Department, 1653 Blaise Drive, Brooksville, Florida 34601, between the hours of 7:30 AM - 4:00 PM, Monday through Friday, legal holidays excepted or may be viewed one week prior to the meeting via the County's website at www.hernandocounty.us – follow the Board Agendas and Minutes link to the specified public hearing. If you should have any additional questions regarding this issue, please contact the Planning Department at planning@hernandocounty.us, 352-754-4057, or in writing at: Hernando County Planning Department, 1653 Blaise Drive, Brooksville, Florida 34601.

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact Jessica Wright, County Administration Building, 15470 Flight Path Drive Brooksville, FL 34604, telephone 352-754-4002, no later than three (3) days prior to the proceedings. If hearing impaired, please call 1-800-676-3777 for assistance.

/s/ Omar DePablo
 Development Services Director
 Hernando County Planning Division

Published: May 30, 2025



AGENDA ITEM

TITLE

Rezoning Petition Submitted by Mark Keschl of Meridien Development, LLC, on Behalf of Gary Haber, Evelyn Haber, Kenneth L. Haber, and Martha Haber for Property Located on Commercial Way (H2482)

BRIEF OVERVIEW

Request:

Rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for drive-in restaurant with deviations.

General Location:

Northeast corner of Commercial Way and Spring Hill Drive

P&Z Action:

On June 9, 2025, the Planning and Zoning Commission voted 3-2 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/Planned Development Project (General Commercial) with a specific C-2 use for a drive-in restaurant with deviations and modified performance conditions.

FINANCIAL IMPACT

A matter of policy and no financial impact.

LEGAL NOTE

The Board has the authority to make the requested rezoning decision pursuant to Chapters 125 and 163 Florida Statutes. The Applicable Criteria for a Zoning District Amendment are contained in Appendix A (Zoning Code), Article VI. The Applicable Criteria for a PDP are found in Appendix A (Zoning Code), Article VIII. The Zoning District Amendment must be consistent with the Comprehensive Plan.

RECOMMENDATION

It is recommended that the Board adopt and authorize the Chairman's signature on the attached resolution approving the petitioner's request for a rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/Planned Development Project (General Commercial) with a specific C-2 use for a drive-in restaurant with deviations and performance conditions.

REVIEW PROCESS

Omar DePablo	Escalated	07/23/2025 2:49 PM
KayMarie Griffith	Approved	07/23/2025 3:35 PM
Michelle Miller	Approved	07/24/2025 8:17 AM

Albert Bertram	Approved	07/24/2025 9:47 AM
Pamela Hare	Approved	07/24/2025 12:29 PM
Jon Jouben	Approved	07/30/2025 9:40 AM
Heidi Prouse	Approved	07/30/2025 10:48 AM
Toni Brady	Approved	07/30/2025 3:34 PM
Jeffrey Rogers	Approved	07/30/2025 5:01 PM
Colleen Conko	Approved	07/30/2025 5:04 PM

HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):

Rezoning ☐ Standard ☒ PDP

Master Plan ☐ New ☐ Revised

PSFOD ☐ Communication Tower ☐ Other

PRINT OR TYPE ALL INFORMATION

Date: 12/4/24

File No. _____ Official Date Stamp:

H-24-82

Received

DEC 04 2024
13

Planning Department
Hernando County, Florida

APPLICANT NAME: Meriden Development LLC Mark Keschl

Address: 7901 SE Osprey Street

City: Hobe Sound

State: FL

Zip: 33455

Phone: 561 405 1660

Email: mkeschl@msn.com

Property owner's name: (if not the applicant) Gary, Evelyn, Kenneth, Martha Haber

REPRESENTATIVE/CONTACT NAME: Kyle Benda

Company Name: Benda Law Firm

Address: 270 North Broad Street

City: Brooksville

State: FL

Zip: 34601

Phone: 352 232 5757

Email: kyle@bendalawfirm.com

HOME OWNERS ASSOCIATION: ☐ Yes ☒ No (if applicable provide name) _____

Contact Name: _____

Address: _____ City: _____ State: _____ Zip: _____

PROPERTY INFORMATION:

1. PARCEL(S) **KEY** NUMBER(S): R32 323 17 5010 00A0 0000

00411931

2. SECTION _____, TOWNSHIP _____, RANGE _____

3. Current zoning classification: PDP(SU) Landscape

4. Desired zoning classification: PDP(HC)

5. Size of area covered by application: 11.86 acres

6. Highway and street boundaries: Spring Hill Drive and Commercial Way (US 19)

7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No

8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)

9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed: _____)

PROPERTY OWNER AFFIDIVAT

I, Gary Haber, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

☐ I am the owner of the property and am making this application **OR**

☒ I am the owner of the property and am authorizing (applicant): Meriden Development LLC

and (representative, if applicable): Kyle Benda

to submit an application for the described property.

Gary Haber

Signature of Property Owner

STATE OF ~~FLORIDA~~ **TENNESSEE**
COUNTY OF ~~HERNANDO~~ **HAMILTON**

The foregoing instrument was acknowledged before me this 20TH day of OCTOBER, 2024, by GARY HABER who is personally known to me or produced _____ as identification.

[Signature]
Signature of Notary Public

Effective Date: 11/8/16 Last Revision: 11/8/16

PRINT FORM

CLEAR FORM



Letter of Authorization

To Whom It May Concern:

This letter authorizes Boehler Engineering, Mark Keschl, Manager of Meridien Development LLC, and Kyle Benda of Benda Law, subsidiaries, assigns, or agents to act on behalf of Kenneth L Haber, Martha Haber, Gary Haber and Evelyn Haber in regards to permits and applications for zoning and site plan approval through Hernando County, as well as but not limited to all regulatory agencies, departments and government agencies of FDEP, FDOT and SWFWMD necessary for the construction and development of a commercial development located at the NE corner of US19 and Spring Hill Drive.

Signature: _____

Gary Haber

State of Tennessee)

County of HAMILTON)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or

☐ online notarization, this 20th of October, 2024 by Gary Haber, as

_____ of _____ on behalf of the company. He is personally

known to me or has produced a valid driver's license as identification.



Notary Public Printed Name:

Tally R. Glover Jr.

My commission expires:

8/23/2027

Rezoning Application

To Whom It May Concern:

This letter acknowledges that on December 4, 2024 a rezoning application was submitted on a parcel of land of approximately 11 acres of land we own in Hernando County and we join with Gary Haber in signing that application

Signatures: _____

Evelyn Haber

State of Tennessee,

County of Hamilton)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or

_____ online notarization, this 7th of December, 2024 by Evelyn Haber, as

☒ She is personally

known to me or has produced a valid driver's license as identification.

Name: _____



Tally R. Glover Jr.

Notary Public Printed

[Signature]

My commission expires:

8/23/27

State of Tennessee,

County of Hamilton)

Signatures:

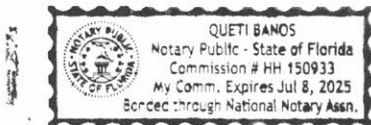


Kenneth L. Haber



Martha Haber

The foregoing instrument was acknowledged before me by means of X physical presence or _____ online notarization, this 18th of December, 2024 by Kenneth L. Haber and Martha Haber as individuals. They are personally known to me _____ or have produced a valid driver's license as identification X.



Notary Public Printed Name:

Queti Banos

My Commission Expires

JULY 8, 2025

MERIDIEN DEVELOPMENT, LLC PROPOSED REZONING:

The subject property is approximately 11 acres of unimproved land located at the northeast corner of Commercial Way (US 19) and Spring Hill Drive in Hernando County ("Subject Property"). The parcel is currently zoned Planned Development Project (Special Use) ("PDP(SU)") for use as a Landscape Buffer. The applicant is a joint venture of Meridien Development LLC and GPK Holdings LLC, as the Contract Purchaser of the 11-acre parcel. Rezoning of the Subject Property is sought to allow development of up to 5 commercial parcels for various C-1 and C-2 uses including retail, restaurants (including drive-thru), financial institutions (with drive-thru), and/or medical and dental offices. A separate parcel on the north end of the development abutting the majority of nearby residential development will also be created for the Open Space to create a buffer for compatibility with the residential use, including a Conservation Area, which will include an area for the detention pond.

The applicant desires to create a development which will be an asset to the neighborhood and its residents. In order to accomplish that we are proposing a low density development populated by popular, recognized tenants that reflect the needs of today's consumer. For example, the anticipated tenants on the site are a Chick-Fil-A and a national coffee retailer. To preserve the buffer currently provided by the native vegetation we are orientating the buildings along Commercial Way and will keep a significant portion of the site green.

The Subject Property:

The Subject Property is currently vacant. Zoning of the property directly to the north is C-1, which is an existing Suncoast Credit Union with drive-thru access and an O'Reilly Auto Parts Store. Zoning of the property to the west (across US 19) is C-2, including a Circle K Gas Station, an Advance Auto Parts, and a CVS. Zoning of the property to the south across Spring Hill Drive is a continuation of the Subject Property's PDP(SU) zoning. Zoning of the property to the east and southeast is Planned Development Project (General Highway Commercial) ("PDP(GHC)"), which includes professional office uses as well as a Mexican restaurant. Zoning of the property to the east and northeast across Pinehurst Drive is Planned Development Project (Single Family) ("PDP(SF)").

The applicant intends to prepare a plat of subdivision for the 11-acre parcel to develop up to 5 commercial parcels (number of parcels depends on the size required for each proposed tenant which has not yet been finalized) and one additional parcel for Open Space and detention pond(s). The attached proposed site plan is Exhibit A and delineates the conceptual plan for the various parcels.

Petitioner requests rezoning the Subject Property from PDP(SU) to Planned Development Project (General Commercial) ("PDP(GC)") to allow all C-1 uses and the following C-2 uses identified in Appendix A, Article IV, Section 3A.(2) of the Hernando County Code of Ordinances:

- (b) Drive-in restaurants;

(d) Tire and Automotive accessory establishments (limited to 4 bays as provided for in C-1 use);

(e) Automotive retail and specialty establishments;

(i) Veterinarian and animal clinics or hospital service establishment.

Additionally, the applicant seeks approval for the following C-3 Neighborhood Commercial District uses identified in Appendix A, Article IV, Section 3A.(3) of the Hernando County Code of Ordinances:

(c) Business, professional, and non-profit organization offices to allow for financial institutions with a drive thru and medical/dental office establishments.

Access is contemplated from Commercial Way (US 19) and Pinehurst Drive. We are proposing one FULL access and one right-in/right-out access drive on US 19. We are proposing one $\frac{3}{4}$ access drive on Pinehurst drive (Right-in/right-out and left-in only). The access on Pinehurst has been located towards the southern portion of our 11-acre development site, across from the existing commercial properties to minimize the impact to the residential properties along Pinehurst Drive.

The proposed development on the Subject Property is consistent with the Hernando County 2040 Comprehensive Plan because it is a commercial use that is located in a functional node that conveniently serves the supporting population without compromising the integrity of residential areas and it is infill along the preexisting strip of commercial development along US 19.

Strategy 1.04G(1) of the Comprehensive Plan contemplates commercial uses “primarily for locations at major intersections and along major corridors where service to local and regional markets are enhanced by transportation patterns.” New commercial development on the Subject Property is appropriate infill development because of the existing commercial uses surrounding the Subject Property.

Further, Strategy 1.04G(2) of the Comprehensive Plan seeks to develop commercial nodes while protecting residential areas by locating such development at intersections of roads having collector status or greater, are located near existing commercial development, and is generally less than 100 acres in size. The Subject Property meets all of these requirements and provides open space to protect the integrity of nearby residential areas. Further, the proposed commercial development for the Subject Property accommodates the extension of Hernando County’s frontage road network pursuant to Strategy 1.04G(4).

Lastly, Strategy 1.04G(8) of the Comprehensive Plan promotes commercial strip development along US 19 and infill of unmapped commercial areas when located on an arterial or collector road with frontage road or cross access, be located near other commercial uses, be no deeper than other preexisting commercial uses, manages traffic impacts, complies with environmental and site plan requirements, and is compatible with adjacent and surrounding land uses. The proposed

development for the Subject Property, with its additional open space to the north and its limited access onto Pinehurst Drive, meets these requirements in the Comprehensive Plan.

Because this application for the Subject Property meets the requirements of the Comprehensive Plan set forth above, including protecting the integrity of adjacent residential areas through the open areas and buffering, being compatible with the surrounding commercial uses along the US 19 commercial corridor, and directing traffic towards the south end of the Subject Property adjacent to preexisting commercial uses, this application should be approved.

Site and Environmental Characteristics:

The entire 11-acre property is located within Flood Zone X with a small portion of the site designated as AE. Drainage will be properly designed and permitted and will flow to approved drainage retention areas. There are no existing wetlands or water features within the subject property.

There are no endangered species or protected species within the subject property.

Site Plan and Setback Variation Requests:

The overall site plan will be comprised of approximately 11-acres. The site will be developed with up to 5 commercial parcels and one open space parcel. The total commercial space will not exceed 24,000 square feet. An open space conservation area of approximately 2 acres has been strategically located on the northern portion of the site plan to provide a substantial landscaped buffer area adjacent to the residential properties immediately abutting the subject property to further reduce the impact from the commercial development.

Our conceptual site plan will provide for a possible future frontage road connection to facilitate future connection to the existing frontage road north of our property (currently that connection is not possible due to the configuration of the property located immediately north of our property).

A building setback variation is requested along US 19 to reduce the required setback from 125 feet to 50 feet as delineated on Exhibit A, the Site Plan.

Deviation from the required Landscape buffers may be necessary in some isolated areas as delineated on Exhibit A, the Site plan.

This 11-acre development will be subdivided via a plat of subdivision to create separate parcels for each tenant. These parcels will establish separate tax parcels for the convenience of the tenants. The parcels and internal property lines created by the plat are for the convenience of the tenants and may require variances to setbacks and/or landscape buffers for interior property lines (refer to the attached Exhibit A - The Site Plan).

Parking shall comply with the zoning ordinance as delineated on Exhibit A - The Site Plan.

Water and Sewer Services

Stormwater and drainage will be provided in accordance with the requirements of Hernando County and the Southwest Florida Water Management District ("SWFWMD"). The detention pond shall be located within the proposed Open Space - Conservation Area located on the northern portion of the Subject Property.

Hernando County Utilities has existing water and sewer in place, and to the property. These utilities will be extended to each individual tenant parcel. There is an existing 12" water main along the west property line (along US 19) and an existing 8" water main along the east property line (along Pinehurst Drive). There is an existing 10" forced sanitary sewer main along the eastern property line.

Public Facilities

This application meets the concurrency requirements of Section 163.3180 of the Florida Statutes that the level of service for public facilities can be reasonably met.

Fire protection for the area that is the subject of this application would be provided by Hernando County Fire and Emergency Services and police protection would be provided by the Hernando County Sheriff's Office. The Hernando County Landfill is also currently operating at an acceptable level of service.

Although the requirement to provide and maintain a park arises only in the development of residential communities with more than fifty dwelling units, the applicant is prepared to dedicate the open space in this commercial development to Hernando County for use as a public park in accordance with the Recreation and Open Space Element of the Comprehensive Plan. If such open space is not accepted by Hernando County for such public use, it would remain open space as a natural buffer with the adjacent residential areas.

Traffic Impact

A traffic study is being updated for this proposed development but has not yet been completed. Traffic Improvements related to this development will be coordinated with the Florida Department of Transportation ("FDOT") and Hernando County in accordance with the final traffic study recommendations. The existing roadway network is capable of accommodating this proposed development. Per our preliminary discussions with FDOT, the offsite road improvements are expected to include the following:

- a. A northbound right turn deceleration lane at the right-in/right-out drive access on Route 19.
- b. A southbound left turn lane at the full access entry drive on Route 19.
- c. A right-in/right-out access drive from US 19 into the subject property.
- d. A full access entry drive from US 19 into the subject property.
- e. A $\frac{3}{4}$ entry drive from Pinehurst Drive into the subject property (right-in/right-out and a left-in access drive). There would be no left-out at this entry drive to minimize commercial traffic

into the residential area to the north and east. This drive will be located across from the existing commercial zoned property on Pinehurst Drive.

f. Provision has been made to provide a future connection (thru the open space parcel) to the existing frontage road to the north should this opportunity become available.

Signage:

Each parcel shall be entitled to one freestanding sign along US 19. The corner parcel at US 19 and Spring Hill Drive shall be entitled to 2 freestanding signs, one on US 19 and one fronting Spring Hill Drive. The drive-thru restaurant parcels shall also be entitled to their standard directional signs, order and menu signs, etc... The overall development shall be entitled to one (1) multi-tenant sign as indicated on Exhibit A – The Site Plan.

Conclusion:

The proposed commercial development is consistent with the Comprehensive Plan and compatible with the surrounding land uses.

The proposed development will not be adverse to the public. The site configuration, landscape buffers, and the design of access points to the proposed development mitigate any adverse impact to adjacent residential uses.

We request approval of this rezoning request to PDP(GC) to allow C-1 uses and the specific C-2 and C-3 uses identified above. We also request approval of the necessary variances required to allow the development as shown on Exhibit A—The Site Plan and as outlined above.

STAFF REPORT

HEARINGS: Planning & Zoning Commission: June 9, 2025
Board of County Commissioners: August 5, 2025

APPLICANT: Meridien Development LLC (Mark Keschl)

FILE NUMBER: H-24-82

REQUEST: Rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for drive in restaurant with deviations

GENERAL LOCATION: Northeast corner of Commercial Way and Spring Hill Drive

PARCEL KEY NUMBER(S): 411931

PUBLIC INQUIRY WORKSHOP: April 1, 2025

APPLICANT'S REQUEST

The petitioner is requesting a rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for drive in restaurant with deviations to develop the 11.0-acre subject site commercially. The subject site was part of the original Spring Hill master plan and was designated PDP(SU)/Planned Development Project (Special Use) for a landscape buffer. In 1995 the parcel was sold by the Deltona Corporation to a private entity and has remained undeveloped and in private ownership.

The petitioner's current request is for a five (5) lot commercial subdivision for various commercial uses, including:

- Retail,
- Restaurants (including drive-thru),
- Financial institutions (with drive-thru)
- Medical and dental offices.
- Business professional, and non-profit organization offices to allow for financial institution with a drive-thru and medical/dental office establishments.
- Business professional, and non-profit organization offices to allow for financial institution with a drive-thru and medical/dental office establishments.

A separate parcel to the North end of the development abutting most of the nearby residential development will also be created for open space to create a buffer for compatibility with the residential use, including a Conservation Area. The development will not exceed 25,000 total square feet.

Deviations Requested

The petitioner is requesting the following deviations as part of the rezoning request:

- Frontage Road Wavier: Due to its location and inability to connect north.
- Setback Deviation: US Highway 19: 50' (deviation from 125')
- Buffer Deviation: Reduction to 5' along specific areas adjacent to Pinehurst Drive (Deviation from 35' for Large Retail Development Standards)
- Signage Deviation: Platted parcels to have individual signs and two multi-tenant anchor signs at both proposed US Highway 19 entrances. Additionally, two signs are requested at the corner parcel (US Hwy 19 and Spring Hill Drive).

SITE CHARACTERISTICS

Site Size: 11.0 acres

Surrounding Zoning;

Land Uses: North: C-1, PDP(SF); Bank, Single-Family
South: R-1C/(Residential); Residential
East: PDP(SF), PDP(GHC); Single Family, Retail Plaza
West: US HWY 19, PDP(GHC), C-2; Commercial Uses

Current Zoning: PDP(SU)/Planned Development Project (Special Use)

Future Land Use

Map Designation: Residential

ENVIRONMENTAL REVIEW

Soils: Candler Fine, Tavares Fine Sand

Protection Features: There are no Special Protection Area (SPA) on the subject site according to County data resources.

Hydrologic Features: There are no Wellhead Protection Areas or wetlands on the subject site according to County data resources.

Comment: It should be noted that the site has a seasonal ephemeral wetland in the center of the property. The property also abuts an offsite wetland along the northeast corner of the property. Mitigation could be required based on size.

**Archaeological/
Historical:**

There are no archaeological or historical site according to County data resources.

Habitat: Vacant, cleared, undeveloped and identified as urban open pine, mixed hardwood-coniferous, and high density residential, 5 dwellings/acre according to FWC CLC mapping (Florida Cooperative

Land Cover Classification System that combines Florida Land Use Cover and Classification System with fish and wildlife data).).

Comment: Candler and Tavares Fine Sands provides habitat suitable for gopher tortoises and commensal species. A faunal (wildlife) survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.

Water Quality: This project is located within the Weeki Wachee Priority Focus Area identified by FDEP as contributing nutrients to the Weeki Wachee Riverine System.

Comment: The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials, and plantings for required buffers, as applicable.

Flood Zone: C with portions of the property within AE. Including a large portion along the center of the property.

UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) reviewed the petitioner's application and provided the following comments:

Hernando County Utilities (HCUD) does not currently supply water or sewer service to this parcel. Water and sewer services are available. Via a 16" force main that runs along US 19. HCUD has no objection to the zoning change from PDP (SU) to PDP (GC) With specific C-2 and C-3 uses. Subject to a utility capacity analysis and commercial connection to the central water and sewer system at time of vertical construction.

ENGINEERING REVIEW

The subject site is located at the Northeast corner of Commercial Way and Spring Hill Drive. The petitioner has proposed access from Commercial Way and Pinehurst Drive.

The County Engineer has reviewed the petitioner's request and provided the following comments:

- This project is located on the northeast corner of US 19 & Spring Hill Drive:
- A Traffic Analysis has been received by the applicant. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer to install.
- This project lies within the Oman Quarry watershed, lying within three basins. The BFE ranges from 15.3' to 18.1' NAVD 88. This property contains three areas of 1% annual chance floodplain. Construction within the floodplain requires specific permitting and mitigation.
- Drainage design must meet SWFWMD ERP/Southwest Florida Water Management District Environmental Resource Permitting drainage permitting and Hernando County Facility Design Guideline drainage requirements.

- A Frontage Road is required along the entire frontage of Commercial Way (US-19). The Frontage Road will be required to connect into the Frontage Road network North of this Site.
- Driveway access configurations shall be appropriate with existing driveways along Pine Hurst Drive.
- The Driveway connections, Parking Spaces and Parking Lot Layout will need to comply with Hernando County Facility Design Guideline Standards.
- Work with the County Engineer on the results of "Road Safety Audit: Spring Hill Dr. from US 19 to east of Kenlake Ave"
- FDOT Access Management permitting is required. A FDOT Drainage permit may be required.

LAND USE REVIEW

Large Retail Development Standards

The LDR's require certain retail development standards for all projects in excess of 25,000 square feet. The large retail standards will ensure a cohesive and harmonious development. The standards include, but are not limited to, architectural style, parking design, internal pedestrian circulation, and buffering. While the subject site is anticipated to be approximately 24,000 square feet, less than the minimum required to trigger the Large Retail Development Standards, the project will be located at the gateway to Spring Hill. To ensure architectural design standards and the preservation of the existing residential development surrounding the project, the large retail standards shall be required, in accordance with Article III of Appendix A (zoning).

Building Setbacks

Proposed Building Setbacks:

US Hwy 19:	50' (deviation from 125')
Spring Hill Drive:	35'
Pinehurst Drive:	35'
North:	20'
Against Residential:	35'

Buffers

A buffer shall be required between a Planned Development Project land use which is multifamily or non-residential and a land use, external to the PDP, which is residential, agricultural-residential or agricultural.

Large Retail Developments of over 25,000 square feet shall be required a buffer along the full length of all streets serving a large retail development. The buffer shall be a minimum of thirty-five (35) feet in width and comprised of retained natural vegetation or planted with native plant species.

Comments: The petitioner is proposing a 35-foot landscape buffer along portions of the property that front or abut residential homes, specifically along Pinehurst Drive and the northeast corner of the parcel. Additionally, a drainage retention pond will serve as a supplemental distance buffer in this area. On the southeast side of Pinehurst

Drive, a 5-foot landscape buffer is proposed, along with a fence that will have a minimum opacity of 80%.

The remaining portions of the subject site where the project is adjacent to commercial development and along US Highway 19 are proposed as 20' buffers. The proposed 20' buffers along US Highway 19 are considered inadequate for the scale and location of the project. Furthermore, the subject site was originally allocated as a landscape buffer/entrance feature into the Spring Hill area. Although now privately owned, both sides of the Spring Hill Drive fountain/entrance were set aside for landscape buffers and are the main entrance features into the Spring Hill area.

If approved, the petitioner shall provide a minimum of twenty-five (25) foot buffer along US Highway 19 planted with native plant species. Furthermore, the petitioner shall retain (where feasible), refurbish and/or rebuild the existing brick columns historically known/used for the main Spring Hill area entrance. Said columns shall be incorporated into the overall landscape design along US Highway 19.

Additionally, the proposed thirty (30) foot wide buffers along Pinehurst Drive and the northeast portion (which abuts residential) of the property, shall be screened at 80% opacity and enhanced where necessary.

Residential Protection Standards

The petitioner shall be required to comply with the following Residential Protection Standards:

- There shall be no speakers or other sound equipment located within 100' of any single-family residential district property line
- No commercial activities which include customer entrances, drive-up windows, ordering boxes, or loading/unloading areas shall be allowed to operate between the hours of 12 midnight and 7:00AM. within 100 feet of any single-family residential district property line.

Comments: The petitioner has indicated the potential for fast food restaurants and/or coffee service establishments which generally have extended hours of operation. If approved, entrances, drive-up windows, or loading/unloading areas must meet the minimum distance of 100 feet of any single-family residential district property and hours of operation to ensure residential protection during quiet hours.

Signage

County LDRs require that any commercially zoned parcel(s) with less than one hundred (100) linear feet of road frontage will be allowed one (1) sign not to exceed one hundred (100) square feet in sign area. Commercially zoned parcels with a road frontage in excess of one hundred (100) linear feet will be allowed one (1) square foot of sign area per linear foot of road frontage with a maximum of two hundred (200) square feet of sign area. For commercially zoned parcels on all other roads and for parcels within any zoning district other than commercial or residential – Maximum fifty (50) square feet of sign area.

Shopping centers, malls, strip plazas and other buildings housing more than one (1) business or activity may display no more than one (1) sign for each two hundred (200) feet of frontage, provided they are at least two hundred (200) feet apart along public streets and provided each sign does not exceed the maximum allowed according to subsection (1) herein.

Comments: The petitioner has requested that the platted parcels have individual signs. Two signs are requested for the corner parcel (US Hwy 19 and Spring Hill Drive) due to having two fronts. The drive thru restaurant parcels shall be entitled to their standard directional signs, order and menu signs. The petitioner must meet the minimum sign standards as required by the County LDRs.

If approved, all signs shall be designed as an integral part of the development and predominant sign material shall be similar to the material (e.g., brick, stone, etc.) of the commercial buildings developed on the subject property. Signs should also be limited to ground mounted monument type signs.

Landscape

The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping.

Lighting

County LDRs require lighting that enhances the visual impact of the project on the community and to specifically address lighting intensity levels and glare accordingly. Commercial buildings and projects shall be designed to provide safe, convenient and efficient lighting for pedestrians and vehicles.

Comments: The petitioner shall provide full cutoff fixtures for the proposed development. Additionally, all security lighting shall have appropriate shields to avoid spillage into neighboring residential homes.

COMPREHENSIVE PLAN REVIEW

The subject property is located within the Residential land use classification on the adopted Future Land Use Map. The subject site fronts US Highway 19, a Commercial Corridor) and the area is characterized by commercial uses to the north, south and west, and residential to the east.

Future Land Use Mapping Criteria

Mapping Criteria - Commercial Category: The Commercial Category includes commercial corridors along U.S. 19 and S.R. 50 and designated commercial nodes at intersections of arterial and/or collector roads intended primarily for commercial development with a wide variety of uses.

Map Interpretation Guidance: Areas considered to have a Commercial Category designation but not shown on the Future Land Use Map include neighborhood commercial and specialty commercial uses as described in this Plan, commercial approved as part of mixed use developments, commercial designated by planned development districts, the infill development

of existing commercial areas, commercial areas extending from designated commercial nodes, and pre-existing commercially developed and designated areas.

Comments: The subject site is located along the US Highway 19 commercial corridor. The site is in close proximity to existing commercial parcels and should be recognized as eligible infill development of an existing commercial area.

Future Land Use Element

Strategy 1.04A(6): The Commercial Category provides for commercial uses including products and services along major corridors and at roadway intersections to serve residents and visitors on both a localized and regionalized basis. The Commercial Category recognizes existing commercial use corridors along U.S. Highway 19 and State Route 50 and existing and planned commercial nodes at intersections of arterial and/or collector roads. The Commercial Category includes small unmapped existing commercial properties. The Commercial Category also recognizes the ability to designate infill parcels for commercial use lying in proximity to and between, but not necessarily contiguous to, other existing commercially designated properties

Comments: The subject site is located along the US Highway 19 commercial corridor. While the parcel is not classified as commercial, the property can be considered to have a commercial designation (infill) due to its proximity to existing commercial areas. Any approval should include appropriate conditions.

Commercial Category

Objective 1.04G: The Commercial Category allows primarily retail, office, and commercial service uses with an overall average gross floor area ratio of 0.35 but also includes limited industrial, recreational and institutional uses. Residential and mixed uses may be allowed subject to locational criteria and performance standards.

Strategy 1.04G(1): Commercial development as envisioned on the Future Land Use Map is intended primarily for locations at major intersections and along major corridors where service to local and regional markets are enhanced by transportation patterns. New commercial zoning is directed to these mapped areas. Commercial areas that are not mapped but are allowed under this Future Land Use Category include neighborhood commercial and specialty commercial uses as described in this Plan, commercial approved as part of mixed use developments, commercial designated by planned development districts, the infill development of existing commercial areas, commercial areas extending from designated commercial nodes, and pre-existing commercially developed and designated areas. Frontage roads and cross-access between commercial uses is required where needed in accordance with the provisions of this Plan and adopted land development regulations.

Comment: While the subject property is not designated as commercial on the Future Land Use Map, it serves as an infill commercial piece due to the proximity to existing commercial uses and development. The property is located along the US Highway 19 commercial corridor, is located between commercially zoned properties, and should be considered appropriate for an infill designation.

Protection Standards

Strategy 1.10B(3): Protect existing and future residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the surrounding residential area.

Comments: The subject site is near single-family homes and should be required to meet the Residential Protection Standards and provide a 35' landscape buffer along Pinehurst adjacent to residential uses; said buffer should be enhanced to 80% opacity to properly screen existing homes from proposed commercial uses.

Road Network – Frontage Roads

Objective 5.01B: Maintain and expand a system of frontage roads and cross-access easements parallel to County arterial and collector roads. The frontage road network is designed to enable the creation of shared drives, shared easements, and alternative routes. Frontage road configuration is intended to optimize corridor and roadway network function, maintain capacity on the functionally classified network, and provide aesthetic, safe and convenient access to multiple properties and business sites.

Strategy 5.01B(3): The County should require cross-access easements, shared drives, shared access and other techniques that optimize the function of the roadway network where frontage roads are not required.

Comments: The County Engineer has reviewed the proposed development and indicated that frontage road is required along the entire frontage of Commercial way. This frontage road shall be required to connect into the frontage road network North of this site.

FINDINGS OF FACT

A rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/Planned Development Project (General Commercial) with Specific C-2 and C-3 Uses with Deviations is appropriate based on the following conclusion:

The request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all performance conditions.

1. The subject parcel is currently zoned as PDP(SU) and currently serves as a landscape buffer between the existing residential development and US Highway 19.

2. The proposed PDP(GC) with specific C-2 and C-3 uses zone is compatible with surrounding zoning districts.
3. Residential Protection Standards, as necessary, will apply to the subject site at the time of site development.

NOTICE OF APPLICANT RESPONSIBILITY

The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

STAFF RECOMMENDATION:

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for drive in restaurant with deviations and the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. Proposed Building Setbacks:
 - US Hwy 19: 50' (deviation from 125')
 - Spring Hill Drive: 35'
 - Pinehurst Drive: 35'
 - North: 20'
 - Against Residential: 35'
3. The petitioner shall meet all large retail development standards pertaining to roof layout, architectural features and building materials.
4. The petitioner shall provide a floral and faunal (wildlife) survey, prepared by a qualified professional, and submitted to the County prior to any land clearing activities. Copies of any required permits shall be provided prior to site alteration or construction.
5. The petitioner is required to comply with all applicable FWC regulations and permitting.
6. If needed, a Gopher Tortoise Relocation permit shall be sought prior to any geotechnical activities taking place on the property.

7. The petitioner shall meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials, and plantings for required landscaping, as applicable.
8. The Developer shall provide a utility capacity analysis and commercial connection to the central water and sewer system at time of vertical construction.
9. A Traffic Analysis has been received by the applicant. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer to install.
10. Drainage design shall meet SWFWMD ERP/Southwest Florida Water Management District Environmental Resource Permitting drainage permitting and Hernando County Facility Design Guideline drainage requirements.
11. A Frontage Road is required along the entire frontage of Commercial Way (US-19). The Frontage Road will be required to connect into the Frontage Road network North of this Site.
12. The petitioner shall coordinate with the County Engineer to ensure that the proposed driveway access configurations align with the existing driveways along Pinehurst Drive. Any adjustments to the driveway locations as approved by the county engineer shall not result in a master plan revision.
13. The Driveway connections, Parking Spaces and Parking Lot Layout will need to comply with Hernando County Facility Design Guideline Standards.
14. The petitioner shall coordinate with the county engineer on implementing safety measures for the site in accordance with the "Road Safety Audit: Spring Hill Dr. from US 19 to east of Ken Lake Ave"
15. FDOT Access Management permitting is required. FDOT Drainage permit may be required.
16. There shall be no speakers or other sound equipment located within 100' of any single-family residential district property line
17. Customer entrances, drive-up windows, ordering boxes, or loading/unloading areas shall not be allowed to operate between the hours of 12 midnight and 7:00AM. within 100 feet of any single-family residential district property line.
18. The petitioner shall provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring properties. Additionally, all security lighting shall have appropriate shields to avoid spillage into neighboring residential homes.
19. Each platted parcel may have its own individual sign. The corner parcel at US 19 and Spring Hill Drive may have two (2) signs, One at each front.
20. County LDRs require that any commercially zoned parcel(s) with less than one hundred (100) linear feet of road frontage will be allowed one (1) sign not to exceed one hundred

(100) square feet in sign area. Commercially zoned parcels with a road frontage in excess of one hundred (100) linear feet will be allowed one (1) square foot of sign area per linear foot of road frontage with a maximum of two hundred (200) square feet of sign area. For commercially zoned parcels on all other roads and for parcels within any zoning district other than commercial or residential – Maximum fifty (50) square feet of sign area.

Individual business owners may apply for a variance to the sign code for their unique parcel through the standard variance process.

21. Shopping centers, malls, strip plazas and other buildings housing more than one (1) business or activity may display no more than one (1) sign for each two hundred (200) feet of frontage, provided they are at least two hundred (200) feet apart along public streets and provided each sign does not exceed the maximum allowed according to subsection (1) herein.
22. Drive-thru restaurants shall have signage consistent with the Hernando County Sign Code.
23. Buffer Requirements:
 - 35' landscape buffer where abutting residential homes, specifically along Pinehurst Drive and the Northeast corner of parcel.
 - 5' landscape buffer along Southeast perimeter of the site along Pinehurst Drive
 - 25' landscape buffer along US HWY 19

All buffers shall be required to include native plant species. A comprehensive planting plan shall be required at construction drawings. Landscaping along Pinehurst where abutting residential homes and at the Northeast Corner of the parcel shall achieve a minimum of 80% opacity, notwithstanding the fence as additional visual attenuation.

The remaining buffers may utilize a fence to achieve the 80% required opacity due to the width limitations of the buffer. The specific landscape layout shall be provided at the time of conditional plat for the commercial subdivision.

In addition to the landscape buffer, the petitioner shall develop a plan to retain, refurbish and/or rebuild the existing columns to be approved by the County Engineer.

24. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping.
25. The petitioner shall provide a revised plan in compliance with all the performance conditions within thirty (30) calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

PLANNING AND ZONING COMMISSION:

On June 9, 2025, the Planning and Zoning Commission voted 3-2 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for drive in restaurant with deviations and the following modified performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. Proposed Building Setbacks:
 - US Hwy 19: 50' (deviation from 125')
 - Spring Hill Drive: 35'
 - Pinehurst Drive: 35'
 - North: 20'
 - Against Residential: 35'
3. The petitioner shall meet all large retail development standards pertaining to roof layout, architectural features and building materials.
4. The petitioner shall provide a floral and faunal (wildlife) survey, prepared by a qualified professional, and submitted to the County prior to any land clearing activities. Copies of any required permits shall be provided prior to site alteration or construction.
5. The petitioner is required to comply with all applicable FWC regulations and permitting.
6. If needed, a Gopher Tortoise Relocation permit shall be sought prior to any geotechnical activities taking place on the property.
7. The petitioner shall meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials, and plantings for required landscaping, as applicable.
8. The Developer shall provide a utility capacity analysis and commercial connection to the central water and sewer system at time of vertical construction.
9. A Traffic Analysis has been received by the applicant. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer to install.
10. Drainage design shall meet SWFWMD ERP/Southwest Florida Water Management District Environmental Resource Permitting drainage permitting and Hernando County Facility Design Guideline drainage requirements.
11. A Frontage Road is required along the entire frontage of Commercial Way (US-19). The Frontage Road will be required to connect into the Frontage Road network North of this Site.

- ~~12. The petitioner shall coordinate with the County Engineer to ensure that the proposed driveway access configurations align with the existing driveways along Pinehurst Drive. Any adjustments to the driveway locations as approved by the county engineer shall not result in a master plan revision. There shall be no access to Pinehurst Drive from the development.~~
13. The Driveway connections, Parking Spaces and Parking Lot Layout will need to comply with Hernando County Facility Design Guideline Standards.
14. The petitioner shall coordinate with the county engineer on implementing safety measures for the site in accordance with the "Road Safety Audit: Spring Hill Dr. from US 19 to east of Ken Lake Ave"
15. FDOT Access Management permitting is required. FDOT Drainage permit may be required.
16. There shall be no speakers or other sound equipment located within ~~400'~~ 200' of any single-family residential district property line
17. Customer entrances, drive-up windows, ordering boxes, or loading/unloading areas shall not be allowed to operate between the hours of 12 midnight and 7:00AM. within 100 feet of any single-family residential district property line.
18. The petitioner shall provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring properties. Additionally, all security lighting shall have appropriate shields to avoid spillage into neighboring residential homes.
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The ~~Eastern remaining~~ buffers may utilize a fence to achieve the ~~80%~~ 100% required opacity due to the width limitations of the buffer. The specific landscape layout shall be provided at the time of conditional plat for the commercial subdivision.

In addition to the landscape buffer, the petitioner shall develop a plan to retain, refurbish and/or rebuild the existing columns to be approved by the County Engineer.

24. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping.
25. The petitioner shall provide a revised plan in compliance with all the performance conditions within thirty (30) calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

H-24-82

Photo date: 2023

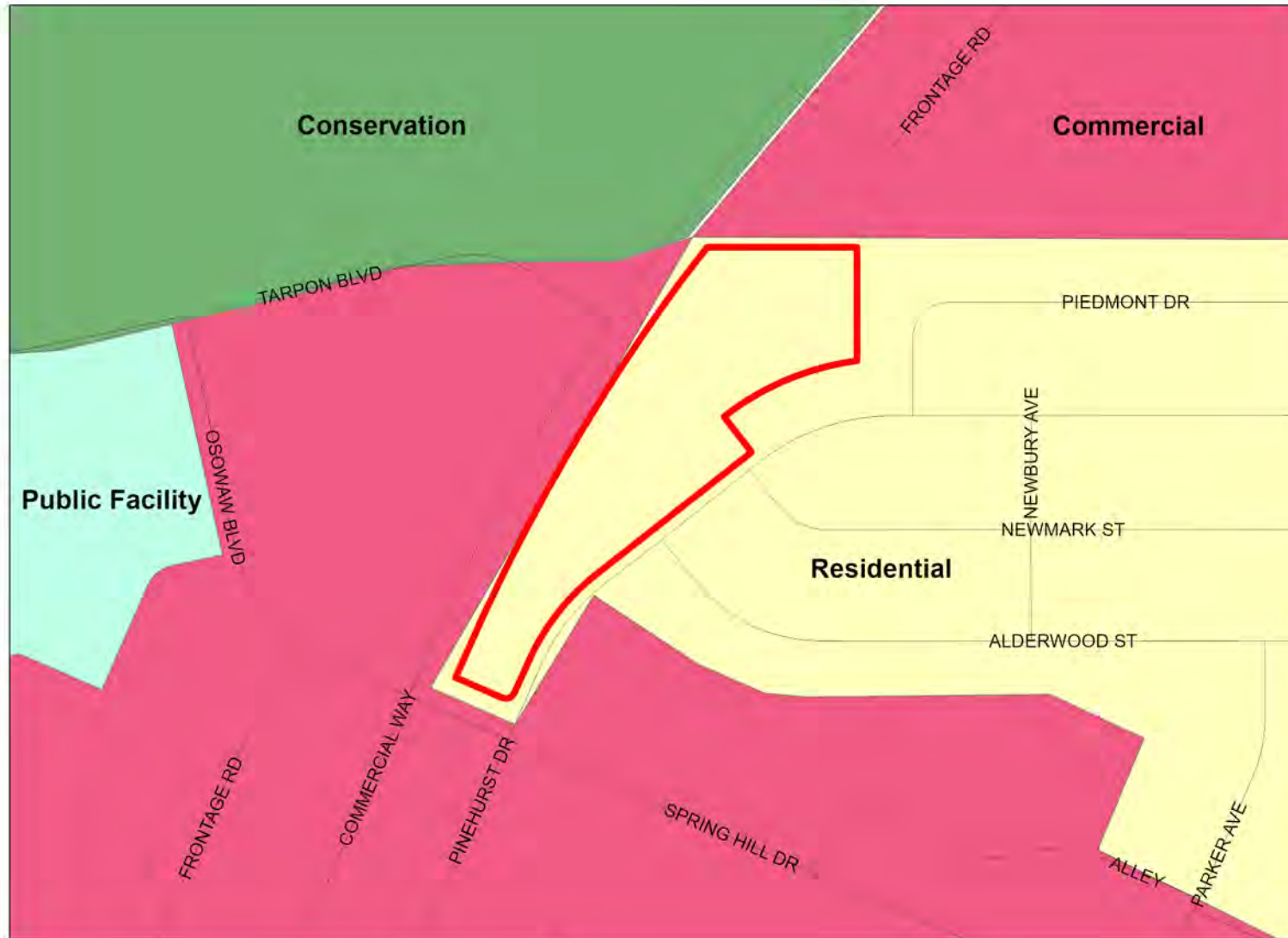
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



Hernando County Comprehensive Plan Map

Existing Future Land Use: H-24-82

Version Date: 12/09/2022



Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

0 0.04 0.07 0.14 0.21 0.28 Miles

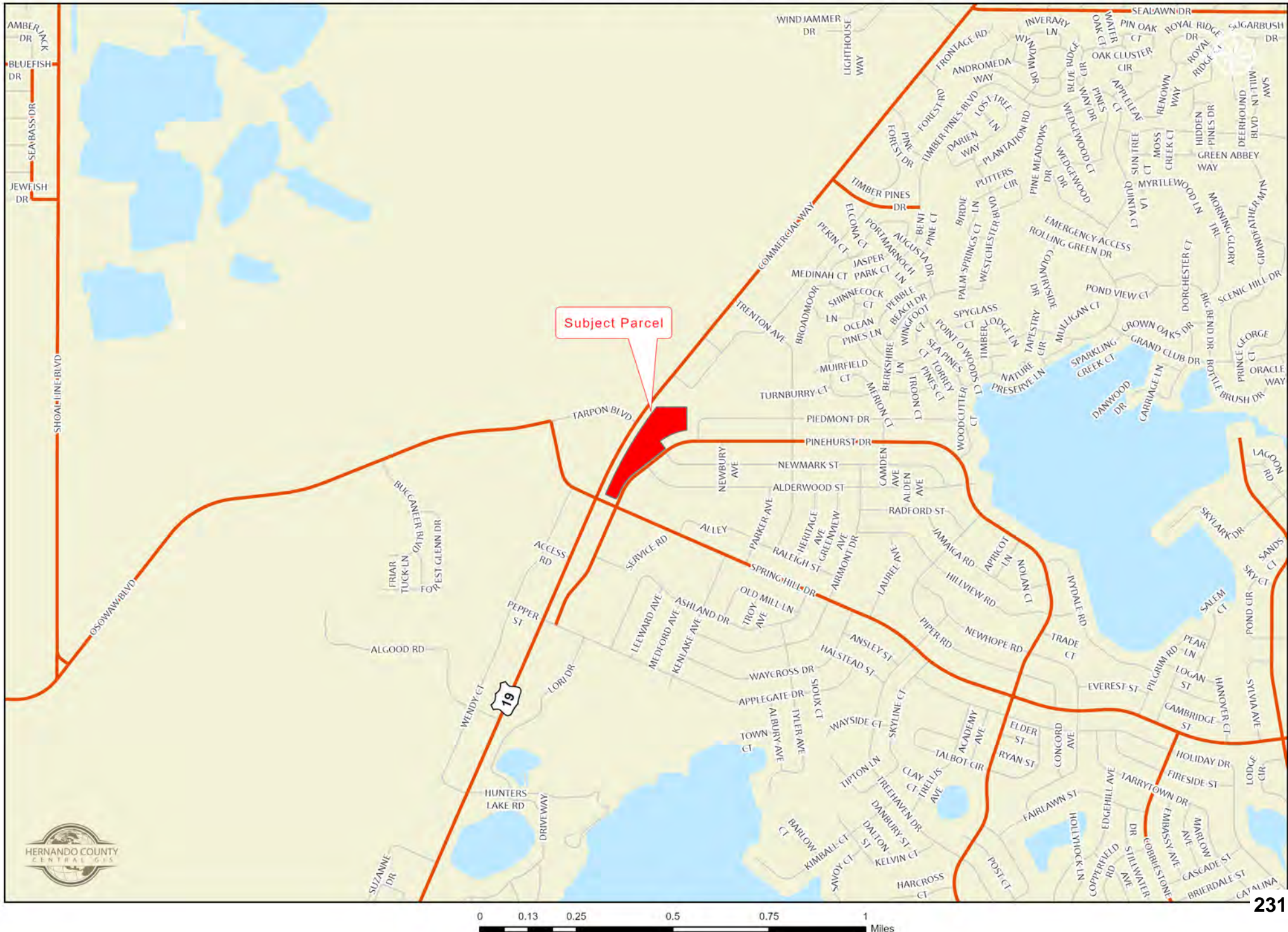


Date of mapping: 02/04/2025



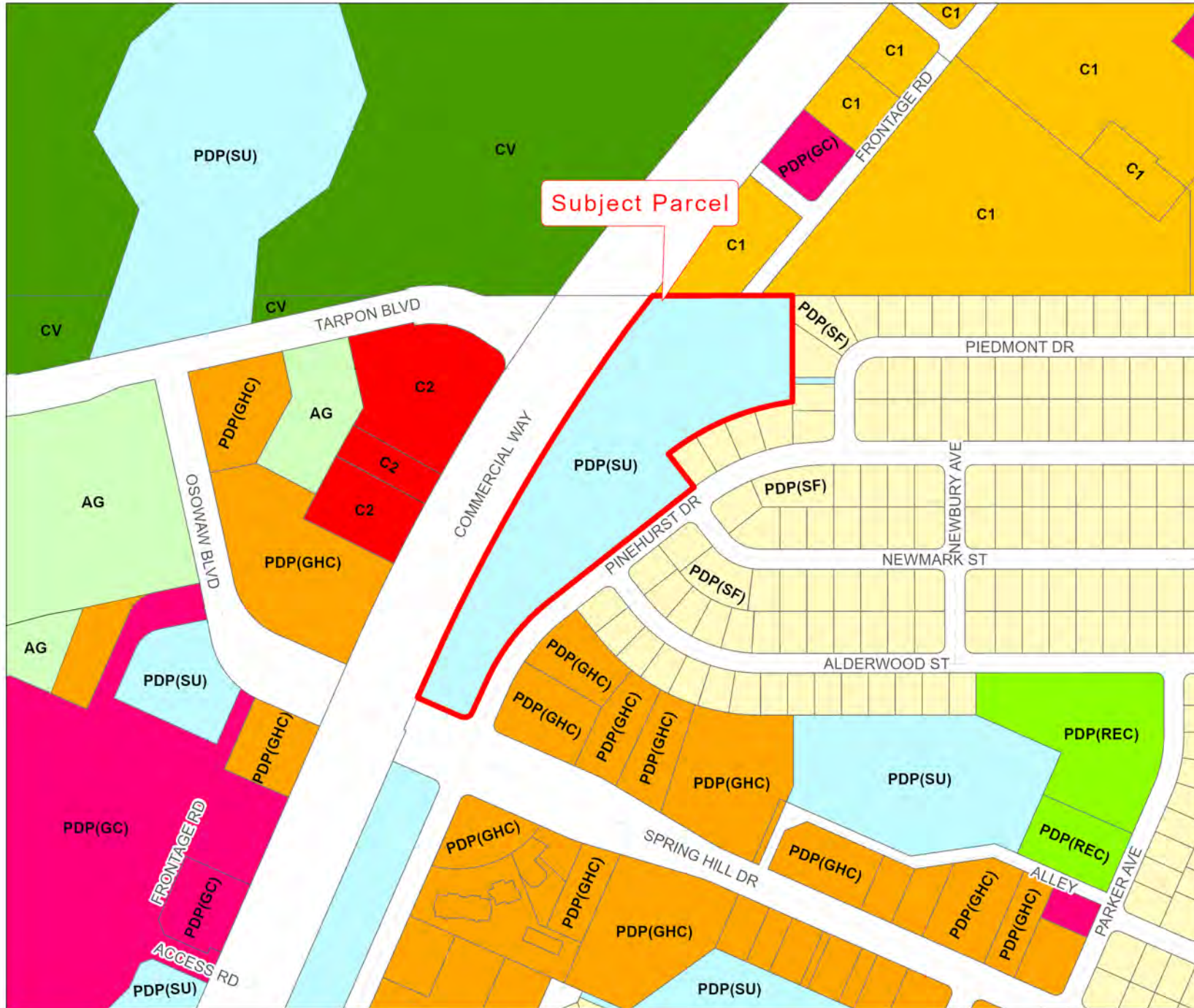
H-24-82 AREA MAP

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



H-24-82

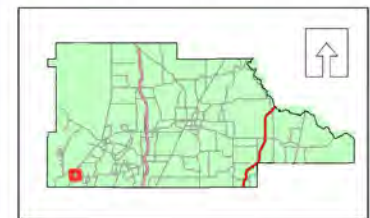
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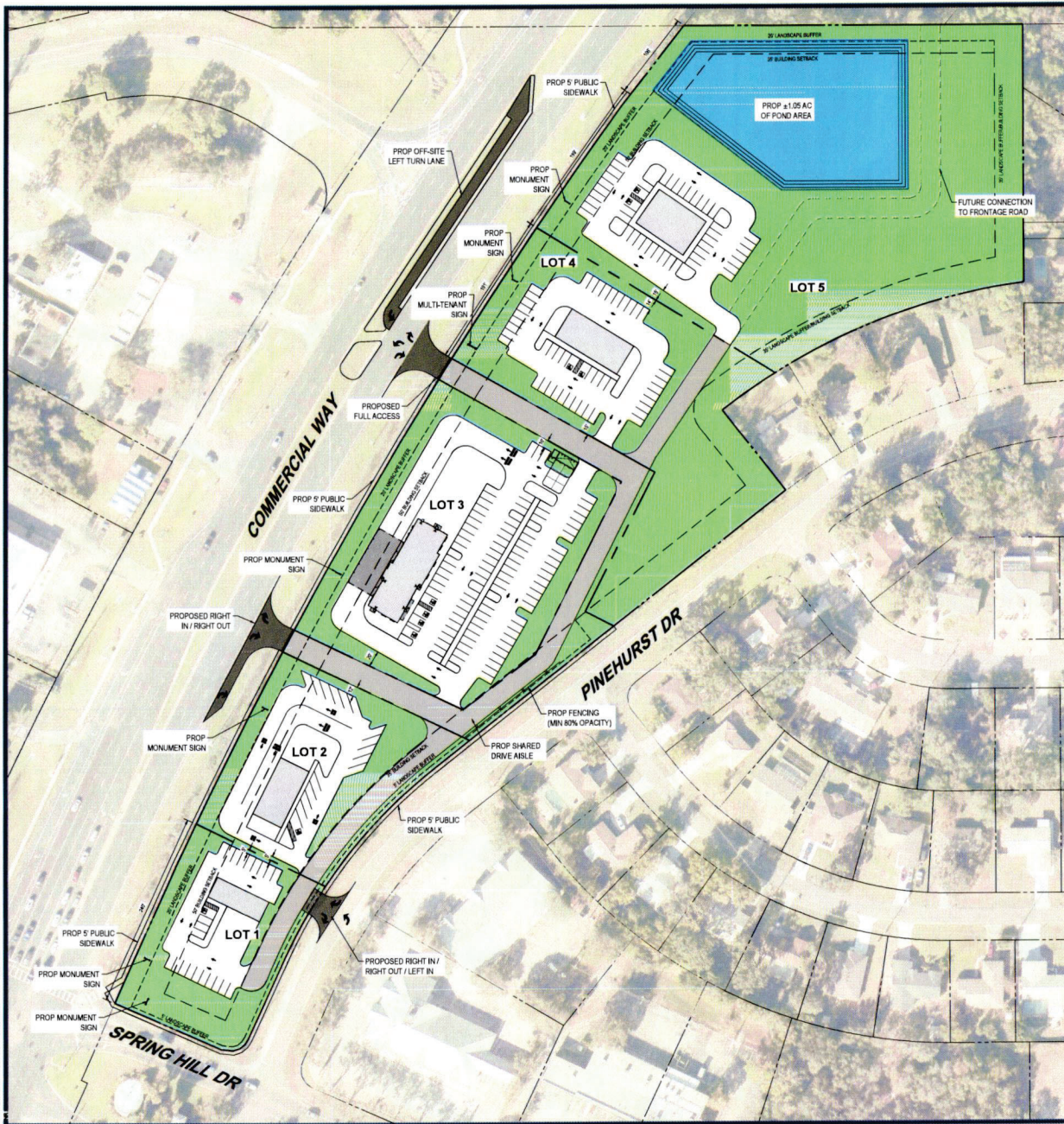


Zoning:

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(PSF)
CM2	PDP(REC)
CPDP	PDP(RR)
CV	PDP(RUR)
I1	PDP(SF)
I2	PDP(SU)
M	R1A
OP	R1B
PDP(AF)	R1C
PDP(CM)	R1MH
PDP(CP)	R2
PDP(GC)	R2.5
PDP(GHC)	R3
	RC
	RM

City Zoning Pending





LEGEND	
PUD	
PROPERTY LINE	---
LOT LINE	---
BUILDING SETBACK	---
LANDSCAPE BUFFER	---
PROP SIDEWALK	---

TABULATIONS					
LOT #	LAND USE	PARKING REQUIRED	PARKING PROVIDED	BUILDING SF	LAND AC
1	AUTO SERVICE	3.0 PER BAY	23 SPACES	1800	0.91
2	CLIPPED SHOP IN DT	0.5 PER SEAT	17 SPACES	1600	1.13
3	CHURCH/CLUB	0.5 PER SEAT	30 SPACES	1700	2.07
4	CAR WASH	0.5 PER SEAT	40 SPACES	1000	1.81
5	MEDICAL/DENTAL	4.0 PER 1000 SQA	47 SPACES	2700	4.24
6	STREETS	-	-	-	0.75
TOTAL	-	-	-	17,800	10.98

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LANDSCAPE ARCHITECTURE
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PERMITTING SERVICES
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PROJECT NO.: LA140508-00-0A
DRAWN BY: JMB
CHECKED BY: JMB
DATE: 12/04/2024
CAD LID.: PUDN-PLD-01

PROJECT:
PROP. SITE PLAN DOCUMENTS
FOR
MERIDIAN DEVELOPMENT, LLC
7701 SE OSPREY ST
HOBE SOUND, FL 33488

BOHLER
600 N. WESTSHORE BLVD., SUITE 550
TAMPA, FLORIDA 33609
Phone: (813) 813-4100
Fax: (813) 813-4101
TAMPA OFFICE: (813) 813-4100

SHEET TITLE:
PUD

SHEET NUMBER:
1

ORG. DATE - 12/04/2024

***DARYL MAX FORGEY AICP
LAND USE CONSULTANT & EXPERT WITNESS
236 SE 45th Street
Cape Coral FL 33904
max@forgeyplanning.com
239.560.5864***

Max Forgey is an experienced land use planner with more than three decades of professional experience and success in administration of local government comprehensive planning strategies, land development and regulatory controls, governmental relations, and public policy communications. Clients include governmental organizations and private property owners. He is the sole proprietor of FORGEY PLANNING LLC, a planning consultancy which provides expert witness services in land use cases and is allied with LAND SMART LLC, a Florida-based consortium of land use professionals which provides a broad range of professional assistance to public and private sector clients.

His professional knowledge encompasses creating and developing community and small-area plans, urban design and architectural standards, land development entitlements, project management, and expert witness testimony. Max has worked on more than 35 cases across 25 Florida counties and municipalities, frequently teaming with some of Florida's most respected land use and administrative lawyers, appearing before local planning agencies, city and county elected bodies, hearing examiners, administrative law judges, and circuit court proceedings.

Max also actively participates in and leads speaking engagements at professional development conferences and symposia through the Promised Lands section of the American Planning Association Florida chapter, with the American Institute of Certified Planners, the Florida Planning and Zoning Association, and other organizations. He is currently collaborating with other planning professionals to craft a continuing education program, provisionally called Urban Planning Institute, to familiarize elected and appointed officials and local government staff with planning law and practice.

Qualifications

- LAND SMART LLC, Managing Member of a Cape Coral, Florida-based consortium
- FORGEY PLANNING LLC. Owner of an urban planning and land-use consulting practice.
- Master of Public Affairs (MPA) in Urban and Regional Planning, Indiana University.
- Member American Institute of Certified Planners (AICP).
- Member Florida Planning and Zoning Association (FPZA).
- Qualified as an expert witness in Lee County Hearing Examiner proceedings.
- Former Planning and Community Development Director in Charlotte County.
- Former Planning Commissioner (LPA), City of Cape Coral, Florida.
- Contract planner for the Town of Kenneth City.

Accomplishments

- Lead author of Kenneth City Evaluation and Appraisal Report (EAR) which was transmitted to the Florida Department of Commerce on October 21, 2024.
- Established FORGEY PLANNING, an urban planning and land use consulting practice.
- Developed a template for auditing the effectiveness of existing local governments comprehensive plans and zoning code for internal consistency of plan policy framework.
- Authored “The Platted Lands Challenge” report for the six-county area of Southwest Florida offering policy guidance for platted, scattered-lot properties.
- Development of implementation strategies which employ automation to create linked mixed media tools for restructuring and updating local government planning and zoning regulations.

Certification

AICP (American Institute of Certified Planners) Certification #051,330 Florida Chapter, APA Member in good standing since 1993. A national professional certification maintained by the American Planning Association. AICPs must first meet educational standards and then pass an examination covering all aspects of professional planning practice, and are expected to maintain their membership through a self-directed program of study that is monitored by the national organization, which includes regular training in law and ethics.

Professional Experience

Forgey Planning

Cape Coral, FL

Owner. 2008-present. A solo planning practice concentrating comprehensive planning work for Lee and Sarasota Counties, the City of North Port, the Captiva Community Panel, and the Town of Kenneth City, among others. Developed a template for auditing the effectiveness of existing local governments comprehensive plans which has been applied in Sarasota County and the City of North Port. An expert witness since 2013, working on more than 30 cases in 25 Florida counties and municipalities, appearing before planning commissions, city councils, county commissions, hearing examiners, administrative law judges, and circuit court. Qualified as an expert witness in Lee County Hearing Examiner proceedings and recognized as a lobbyist in Collier County.

Zoning Technologies

Cape Coral, FL

President. 2011-2017. A start-up subsection ‘S’ corporation that specialized in restructuring and updating local government comprehensive plans and developing implementation strategies which employ automation to create linked tools (e.g. application forms, automated worksheets, case reports, and adopting resolutions). The Zoning Technologies expert system prototype products were marketed statewide and were demonstrated at the American Planning Association (APA) national conference in Atlanta in 2014.

Osceola County, Florida

Kissimmee, FL

Planning Coordinator. 2005-2008. Authored key elements of the Osceola County Comprehensive Plan and most of the County's 2008 Evaluation and Appraisal Report.

Clay County, Florida

Green Cove Springs, FL

Senior Planner. 2003-2005. Authored the county's Interlocal Service Delivery Agreement Report (ISDAR) mandated by the Florida legislature, identifying all service overlaps between and among all local governments within Clay County.

Lake County, Florida

Tavares, FL

Planning Director. 2001-2003. Staff liaison to the Environmental Lands Management Advisory Committee, a citizen organization created by the Board of County Commissioners to study the creation of an environmental land program. Recommended policies were ratified in November 2002, when Lake County voters approved a one-third mil assessment for the acquisition of environmental lands.

Southwest Florida Regional Planning Council

Fort Myers, FL

Planner. 1997-1998. Reviewed local government plan amendments throughout the six-county area and authored "The Platted Lands Challenge" report.

Charlotte County, Florida

Port Charlotte, FL

Community Development Director 1995-1997; Planning Director 1990-1995. Early in his tenure, Gulf Development Corporation (GDC), the County's largest land subdivider, declared bankruptcy, shifting responsibility for completion of roads, bridges, drainage works, and utilities, to the public sector and forcing a host of development decisions upon the local government and public agencies. He had three memorable achievements during these seven years:

- Managed the research, preparation, and adoption of the County's Evaluation and Appraisal Report (EAR) and Comprehensive Plan. Aggressively negotiated with the Florida Department of Community Affairs (DCA) to remove the Plan's not-in-compliance finding.
- Led the staff team that rewrote the Charlotte County Comprehensive Plan and was the point person in the successful four-year effort to negotiate a stipulated settlement agreement between the Board of County Commissioners and the Florida Department of Community Affairs to find Charlotte County's Comprehensive Plan in compliance with Florida's Growth Management Act.
- Advocated against the rezoning of 42 parks (illustrated as such on GDC sales maps and the County's Future Land Use Maps) to residential uses. The Company's agents eventually relented on their policy position and donated 41 parcels to the people of Charlotte County.

City of Cape Coral

Cape Coral, FL

Deputy Planning Director. 1985-1990. Authored and supervised preparation of key elements of the 1988 Comprehensive Plan (the City's first plan under the 1985 Growth Management Act) and the City's 1989 Land Development Code.

Education

Indiana University

Bloomington, IN

Master of Public Affairs (MPA) from the O'Neill School of Public and Environmental Affairs, 1982. Concentration in Urban and Regional Planning.

Bachelor of Arts (BA). 1976. Undergraduate degree in English Literature and History.

Important Cases, Continuing Education, Writing & Teaching

- Subcontracted with Bruce Hoch of New Jersey-based CPG Corplan on the *Economic Development Plan for the City of Cape Coral*. The final report was presented to City Council on January 22, 2025.
- Co-presented a panel "*Sometimes a Word is Worth a Thousand Pictures: Communication Skills for Planners*" with Tony Palermo, AICP, and Doug Kelly, AICP, at FPZA annual conference in Charlotte Harbor, June 5, 2024. His segment "The Rhetoric of Planning" focused on the words that form a persuasive narrative.
- Program chair for APA Florida/ FPZA "*The Perfect Storm Eight Months Out: A Symposium for Professional Planners, Design Professionals, Plan Commissioners & Regular People*" at Charlotte County Event & Conference Center Punta Gorda May 12, 2023.
- Presenting a panel "*Incorporation, Annexation, and Disincorporation*" with Jim Studiale, AICP, and Luke Lirot, Esq. at APA Florida state conference on Orlando September 7, 2022.
- Co-presented a panel "*Legislative and Quasi-judicial: What Every Planner Needs to Know*" with Attorney Andrew Dickman, AICP, at annual conference of Florida Planning and Zoning Association on Captiva Island June 3, 2022.
- Program Chair for "*The Swamp Peddlers*", an APA Florida/ Florida Planning & Zoning Association symposium conducted on August 6, 2021 in Punta Gorda. Keynote speaker Jason Vuic and other presenters explored the legacy of land sales scams in Southwest Florida on the twentieth anniversary of the General Development Corporation bankruptcy.
- Designed and co-presented "*Land Use 101*", a seminar for planning commissioners, elected officials, and new planners, hosted by the City of Cape Coral on June 16 and July 14, 2021 with

co-presenters Vince Cautero, AICP, the City's Community Development Director, and Attorney Ralf Brookes.

- Expert witness for client West Villagers for Responsible Government (WV4RG), a citizen organization which challenged the annexation of the 8730-acre non-contiguous West Villages subdivisions into the City of North Port. The City Commission rejected the Villagers' challenge by a unanimous vote, but following appeal presented by attorney Luke Lirot, the Twelfth District overturned the City's order denying petition for contraction in *West Villagers for Responsible Government v. City of North Port*.
- Moderated a panel for law credit at the September 9, 2020 Zoom-facilitated American Planning Association's Florida state conference. Co-presenters were attorneys Karen Consalo, Thomas Hawkins, and Andrew Dickman. "*The Rules are Very Different Here: How to Reform Florida's Land Use Decision-making Process*" surveyed the inconsistencies among local governments' handling of land use decision-making and proposed a new Environmental Land Management Study (ELMS) to improve those processes.
- Attended and participated in American Planning Association Florida chapter's 18th annual *Public Policy Workshop* at Florida State University, Tallahassee February 2020.
- Drafted update of Town of *Fort Myers Beach Sign Ordinance* to reflect SCOTUS *Reed v. Gilbert* opinion for Weiler Engineering Fall 2019-Winter 2020.
- Program chair for "*Planners in Peril: Law, Legislation, and Ethics for Design Professionals*," an APA Florida Promised Lands section symposium December 6, 2019 at Bonita Springs City Hall.
- Program chair for "*How High is the Water, Ma?: Rising Sea Level on the Florida Gulf Coast and what we can do about it*," sponsored by Friends of Boca Grande Community Center, March 22, 2019 at the Boca Grande Community Center Auditorium.
- Member, *Faith Presbyterian Affordable Housing Board*, a not-for-profit corporation which aspires to offer quality housing for low- and moderate-income persons in Cape Coral. Appointed 2018; appointment ended December 2020.
- Received 2018 American Planning Association Florida Chapter, Promised Lands section's first-ever *Wayne Daltry Award for Planning Programs* for developing professional education symposia.
- Prepared *policy audit of Town of Fort Myers Beach Comprehensive Plan* for Weiler Engineering, Summer 2018.
- Program chair for American Planning Association symposium "*Warped Tour '18: Land Use Law for Planners*" March 23, 2018 in Punta Gorda.

- Attended and participated in the hurricane-shortened APA Florida chapter annual conference in Daytona Beach September 4-6, 2017. Led panel with Greg Beliveau, AICP and Jane West Esq. entitled *"How to Build a Better Client."*
- Program chair for Captiva Community Panel/ Florida APA symposium *"Now in My Back Yard: Rising Sea Level on Florida's Gulf Coast and what can be done about it"* January 13, 2017 at South Seas Resort on Captiva Island.
- Co-authored article with Karen Consalo, Esq. *"Best Practices for Local Government Land Use Decision-making"* in Summer 2016 edition of *Florida Planning*.
- Speaker at American Planning Association Florida Chapter Annual Conference in Tampa, September 9, 2016. *"A Pre-tirement Guide for Perplexed Planners: Making the Transition to Solo Practitioner."*
- Attended and participated in CLE International's annual *Land Use Law symposium* in Tampa, August 18-19, 2016, and August 6-7, 2015.
- Speaker at University of Central Florida 2016 Public Administration Research Conference April 8, 2016. Topic: *"What's the Big Idea: New Software that Aids Land Use Decisions."*
- Attended and participated in *APA Florida chapter annual conference* in Hollywood, Florida September 10-13, 2015.
- Coordinator and presenter for daylong FAPA-sponsored symposium *"Everything You Ever Wanted to Know about Florida Land Use"* in Cape Coral May 16, 2014.

Jurisdictions - Expert Witness Work

Bonita Springs	Miramar
Bradenton	Monroe Co (2, incl ALJ)
Cape Coral (5)	North Port
Charlotte County (2)	Orange County
Collier County (4)	Ormond Beach
DeSoto County	Pasco County (2)
Fort Myers Beach (4)	Palm Beach County (ALJ)
Hardee County	Polk County (C court)
Hendry County (C Court)	Punta Gorda (2)
Hernando County	St. Johns County (4)
Highlands County	Sarasota County
Hillsborough County (4)	Sumter County

Hillsboro Beach
Lantana
Lee County (8)

Suwannee County
Venice

DARYL MAX FORGEY, AICP
LAND USE PLANNER & EXPERT WITNESS
max@forgeyplanning.com
239.560.5864

April 28, 2025

Hernando County Planning & Zoning Commission
20 North Main Street
Brooksville, FL 34601

SUBJECT: EXPERT REPORT IN SUPPORT OF REZONING PETITION #H-24-82 FOR
SPRING HILL PDP (GC) LOCATED AT US 19 AND SPRING HILL DRIVE IN
UNINCORPORATED HERNANDO COUNTY FLORIDA

1. PURPOSE OF REPORT

This report, prepared on behalf of Applicant MERIDIEN DEVELOPMENT LLC, 7901 SE Osprey Street, Hobe Sound FL 33455, outlines justifications for approval of Rezoning Application Number H-24-82, which proposes to rezone an eleven-acre (11.0 +/- acre) parcel located at the northeast corner of Commercial Way (US 19) and Spring Hill Drive in unincorporated Hernando County. This report will provide the Hernando County Planning & Zoning Commission (P & Z) and the Board of County Commissioners (BOCC) with competent substantial evidence by evaluating the proposed uses and their general consistency with the Hernando County Comprehensive Plan and Land Development Code (LDC) and will propose findings of fact to justify a recommendation of approval by the P & Z at their as-yet unscheduled hearing, and subsequent approval by the BOCC.

2. QUALIFICATIONS AND PROFESSIONAL EXPERIENCE OF EXPERT

The undersigned is a land use planner and expert witness with a Master of Public Affairs (MPA) degree with a concentration in Urban and Regional Planning from the O'Neill School of Public and Environmental Affairs at Indiana University Bloomington. Max Forgey been a member in good standing of the American Institute of Certified Planners (AICP) since 1993. His work in Florida spans more than three decades, serving as both a public sector planner and private

consultant with extensive experience in comprehensive planning, zoning, land development review, and expert witness testimony. A full resume detailing his professional qualifications and career experience is appended to this report.

3. SUBJECT PROPERTY AND APPLICANT’S REQUESTED ACTION

The subject property is currently designated **Residential** on the Future Land Use Map (FLUM), a component of the Hernando County Comprehensive Plan, and is zoned **PDP(SU)-Landscape Buffer**. The subject property comprises approximately 11 acres of unimproved, undeveloped land located at the northeast corner of Commercial Way (US 19) and Spring Hill Drive in unincorporated Hernando County, with substantial frontage on US 19 and Spring Hill Drive.

The petitioner is a joint venture between Meridien Development LLC and GPK Holdings LLC, which is also the Contract Purchaser of the 11-acre parcel. The Applicant proposes to rezone the property to allow development of a high-quality, infill commercial center consisting of five buildable commercial lots and one dedicated open space parcel. Uses contemplated include national fast-casual dining, a drive-through coffee shop, and small to mid-sized office and medical tenants. The development will be capped at 24,000 square feet of total building area and shall not exceed a single story.. A separate parcel of approximately 2.5 acres will also be created for the Open Space - Conservation Area which will include an area for a detention pond.

The Applicant seeks deviations to reduce the front yard setback on US 19 from 125 feet to 50 feet, consistent with existing commercial development in the area—and to reduce internal setbacks and buffer widths where necessary to accommodate the subdivision and contemporary retail building footprints.

The site lies predominately within FEMA-designated Flood Zone X, indicating that the property is a minimal flood risk, with a minor portion in Zone AE. Surrounding land uses include major regional retail to the west (Walmart), C-1 and C-2 zoning to the north and south, and residential subdivisions to the east across Pinehurst Drive. The Applicant has conducted Phase I Environmental Survey and a geotechnical survey which have identified no adverse conditions on the property.

4. QUASI JUDICIAL NATURE OF CASE

Application No. H-24-82 is **quasi-judicial** in nature. As a quasi-judicial matter, the application must satisfy a **strict scrutiny** test to ensure adherence to the city’s land use policies, emphasizing the importance of procedural fairness and evidence-based decision-making.

In Florida, changes in zoning, as in this situation, must be amended by quasi-judicial procedures. W. Thomas Hawkins, in his magisterial *Land Use Law in Florida* [Routledge, 2021] posits that “Florida courts call as-applied land use actions quasi-judicial, and subjects those decisions to strict scrutiny, a standard which...requires **competent and substantial evidence** and testimony showing that the decision meets applicable requirements of law. Additionally, parties affected by quasi-judicial decisions are entitled to procedural due process protections to which parties affected by legislative decisions are not entitled [pg. 35].

The undersigned and Client Meridien Development LLC intend to present a complete body of competent substantial data and analysis in support of this application for rezoning of the subject property, including a thorough review of the Hernando County Comprehensive Plan, Land Development Code, and other persuasive evidence.

5. CONSISTENCY WITH THE HERNANDO COUNTY COMPREHENSIVE PLAN

Future Land Use Map (FLUM). The FLUM is a component of the Future Land Use Element (FLUE) and is adopted by ordinance. *FLUE Goal 1.04* and its subordinate objectives and strategies identify the FLUM as the guiding mechanism for land use decision making in Hernando County:

“Land use designations are intended to protect community character, discourage urban sprawl, promote economic growth and promote compatibility between uses. The Future Land Use Map shall be the guiding mechanism that directs development through general category locations, descriptions, densities and intensities of future land use. [F.S. 163.3177(6)(a)]”

Although the FLUM shows this parcel as Residential, the following strategies support the notion that commercial use is consistent with the Comprehensive Plan:

Strategy 1.04A(1) states, in part: “... The categories on the Future Land Use Map illustrate the predominant future character of the area indicated and are not intended to be parcel-specific and may not match the zoning designations or boundaries in existence at the time of Plan adoption. Rather, they indicate the **anticipated future disposition** of the land’s character with which future zoning, rezoning, development and redevelopment will be generally consistent.”

Strategy 1.04A(2) states, in part: “Review of rezoning requests shall be consistent with the overall intent of the Future Land Use Map (FLUM) and Comprehensive Plan strategies in terms of potential use or character and in terms of potential densities and intensities...”

The proposed use is consistent with FLUE Goal 1.04, and with Strategy 1.04A(1) and Strategy 1.04A(2) because it is consistent with the FLUM which is the guiding mechanism for directing future development in unincorporated Hernando County in the rezoning process.

“Residential” FLUM definition. The subject property has a FLUM designation of “Residential” which is addressed in FLUE *Strategy 1.04A(3)*, *Objective 1.04B*, and *Strategy 1.04B(1)* which state as follows:

“Strategy 1.04A(3): “The Residential Category accommodates residential growth clustered in and around urbanized areas and those areas that maximize the efficient use of infrastructure contained in long range facilities plans of the County.”

*“Objective 1.04B: “The Residential Category allows primarily single family, duplex, resort and multi-family housing and associated **ancillary uses** such uses may be allowed subject to the locational criteria and performance standards of this Plan. Residential density shall not exceed 22 dwelling units per gross acre.”*

*“Strategy 1.04B(1): “**Commercial and institutional uses** within the Residential Category are generally associated with medium and high density residential development and **may include neighborhood commercial**, office professional, recreational, schools, and hospitals. Minor public facilities that do not unduly disturb the peaceful enjoyment of residential uses may also be allowed.”*

While the FLUM designates the subject property as Residential, the Residential FLUM category is not exclusively residential in implementation and specifies that some commercial activities are allowable. The Commercial Category language in *Strategy 1.04B(1)* “recognizes existing commercial use corridors along U.S. Highway 19 The Commercial FLUM designation is the predominate use along Commercial Way/ US 19, and the proposed use would be an extension of the existing neighborhood scale commercial uses along US 19. . . and existing and planned commercial nodes at intersections of arterial and/ or collector roads . . . [t]he Commercial Category also recognizes the ability to designate infill parcels for commercial use lying in proximity to and between, but not necessarily contiguous to, other existing commercial designated properties.”

“Commercial” FLUM definition. FLUE *Objective 1.04G* defines the “Commercial” FLUM designation that dominates the immediate vicinity of the subject property.

“The Commercial Category allows primarily retail, office, and commercial service uses with an overall average gross floor area ratio of 0.35 but also includes limited industrial, recreational and institutional uses. Residential and mixed uses may be allowed subject to locational criteria and performance standards.”

FLUE Strategy 1.04G(1) amplifies the intent of the objective:

“Commercial development as envisioned on the Future Land Use Map is intended primarily for locations at major intersections and along major corridors where service to local and regional markets are enhanced by transportation patterns. New commercial zoning is directed to these mapped areas. Commercial areas that are not mapped but are allowed under this Future Land Use Category include neighborhood commercial and specialty commercial uses as described in this Plan, commercial approved as part of mixed use developments, commercial designated by planned development districts, the infill development of existing commercial areas, commercial areas extending from designated commercial nodes, and pre-existing commercially developed and designated areas. Frontage roads and cross-access between commercial uses is required where needed in accordance with the provisions of this Plan and adopted land development regulations.”

FLUE Strategy 1.04G(6) provides decision-making guidance about future commercial development along the US 19 corridor, which is stated here in abridged form:

The Commercial Category provides for commercial uses including products and services along major corridors and at roadway intersections to serve residents and visitors on both a localized and regionalized basis. **The Commercial Category recognizes existing commercial use corridors along U.S. Highway 19 and State Route 50 and existing and planned commercial nodes at intersections of arterial and/or collector roads.** The Commercial Category includes small unmapped existing commercial properties. The Commercial Category also recognizes the ability to designate infill parcels for commercial use lying in proximity to and between, but not necessarily contiguous to, other existing commercially designated properties...”

The proposed use is consistent with *Objective 1.04G* because it will offer retail, office, and commercial service uses, and may offer other allowable uses subject to locational criteria and performance standards. The proposed use is consistent with *FLUE Strategy 1.04G(1)* because it is located at a “major intersections” and “along a major corridor where service to local and regional markets are enhanced by transportation patterns.”

Spring Hill Corridor. Future Land Use Element (FLUE) Objective 1.06B provides as follows: “The area along Spring Hill Drive extending from U.S. Highway 19 to Waterfall Drive is identified as the Spring Hill Drive Corridor.” This objective and its subordinate strategies explicitly recognize the Spring Hill Corridor as an opportunity for revitalization and infill.

Subordinate *Strategy 1.06B(2)* amplifies this objective with a catalogue of specific implementing actions as follows:

“Development proposals along the Spring Hill Drive Corridor should consider:

- a. building placement that is integral to the street front with parking behind it;
- b. mixed commercial and residential uses including mixed-use buildings;
- c. shared and reduced parking, and flexible parking placement to enhance multi-modal connections, drainage and public space layouts;
- d. pedestrian and bicycle access enhancements to improve connectivity from the neighborhood to Spring Hill Drive;
- e. sidewalks, bicycle lanes and pedestrian connectivity along the Corridor;
- f. public areas and amenities such as furniture and lighting, coordinated with open space and public transit;
- g. transition at street intersections from residential to nonresidential land use character;
- h. appropriate architectural standards including building scale,
- i. building mass step-down, architectural compatibility and themes.”

This strategy, which applies specifically to Spring Hill, supports commercial development that places buildings along the street edge, enhances pedestrian access, improves architectural quality, and transitions sensitively to adjacent residential land uses, as proposed in this application. The proposed uses are consistent the nine Strategy 1.06B(2) criteria.

Centers and Corridors. *GOAL 1.06* – “Centers and Corridors” articulates an overarching vision of the importance of designated corridors, such as Spring Hill, as an opportunity for good planning with these words: “Hernando County will consider identifying Centers and Corridors of economic activity and/or transitioning neighborhoods and uses where increased planning focus and public investment may be prioritized. This planning effort seeks to provide place-making amenities attractive to the workforce, address the negative characteristics associated with aging

neighborhoods, preserve community character in historic and unique neighborhoods and proactively manage land use along major transportation corridors. [F.S. 163.3177(6)(a)9.b]

Objective 1.06A gives specific identifiers of the designated corridors as follows:

“Centers and Corridors are characterized as having three or more of the following features: **moderate to high land value**, **concentration of workforce**, presence of mixed housing types, concentration of **employment opportunities**, presence of community focal points such as schools or parks, served by public transit, and presence of **goods and services** to meet daily needs.

While a good case could be made that the subject property meets all of the criteria, it certainly qualifies by meeting the four criteria in **boldface** above.

Subordinate *Strategy 1.06(A)2* prescribes the procedural criteria for approving land use changes in the Spring Hill Corridor: “Use of the Planned Development Project (PDP) and master plan process is recommended for designated Centers and Corridors.” The application is therefore consistent with FLUE Strategy 1.06(A)2.

6. SITE PLANNING AND ENVIRONMENTAL CONSIDERATIONS & PUBLIC FACILITY IMPACTS

Site planning. The master site plan attached to this application envisions an infill commercial development, with parcels arranged to maximize access, function, and compatibility. Primary ingress and egress are provided from US 19 via two driveways—one full access and one limited to right-in/ right-out movements. A third driveway is proposed on Pinehurst Drive and designed as a $\frac{3}{4}$ access point, allowing right-in/ right-out and left-in maneuvers while restricting outbound left turns to protect residential traffic flow. The applicant also proposes to offer a sidewalk along Pinehurst to assure safe, convenient pedestrian access and travel.

Internal traffic flow will be facilitated by a shared drive aisle that links all five commercial lots. This layout will support internal connectivity and access management and will also preserve long-term operational flexibility for parcel owners. Parcel lines are platted with cross-access easements to avoid future conflicts and improve coordinated site design.

Setbacks and landscape buffers are provided in accordance with Hernando County Code. The applicant requests modifications where warranted by site geometry or tenant-specific layout needs. The front setback reduction along US 19, for instance, brings buildings closer to the street edge and aligns with neighboring developments, improving visual continuity and pedestrian accessibility. The drive-through uses are placed away from residential edges.

Environmental. The environmental conditions of the site are generally favorable for development. The Applicant has conducted Phase I Environmental Survey and a geotechnical survey which have identified no adverse conditions on the property. Protected species, wetlands, and other environmental features will be further addressed in upcoming reports. The proposed site plan provides meaningful conservation through the reservation of a 2.5-acre open space tract along the northern property boundary.

This open space amenity will serve multiple purposes: it will house the stormwater retention system for the entire development, will provide a wide vegetative buffer between commercial buildings and adjacent single-family homes, and will protect visual and noise separation through thoughtful landscaping. By preserving this area and designing the drainage features in accordance with Southwest Florida Water Management District (SWFWMD) requirements, the project will satisfy environmental obligations while enhancing compatibility with neighboring uses.

Public facility impacts. The proposed development will not adversely impact public facilities and is supported by existing infrastructure. All necessary utilities—water, sewer, and stormwater—are available at the site frontage. A 12-inch water main along US 19, an 8-inch water main on Pinehurst Drive, and a 10-inch force main serve the property and will be extended internally to each parcel. Stormwater will be captured and treated in accordance with County and SWFWMD criteria via a centrally located retention facility. This system has been sized and designed as part of the PDP master plan and can accommodate the full build-out scenario of the project. Traffic generation from the development is within acceptable thresholds for an urban infill site served by two arterials. All driveways have been conceptually reviewed by FDOT and the County and include improvements such as turn lanes and tapering as required. There are no projected impacts on school capacity, parks, or emergency services. Solid waste and fire access will be provided through the shared internal drive system and existing County systems.

7. COMPATIBILITY WITH NEIGHBORING USES

Florida Statutes define “compatibility” as follows: “(9) ‘Compatibility’ means a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.” [Ch. 163.3164(9)]. The proposed land use pattern—i.e. conventional uses along two existing commercial corridors—would constitute a continuation of the conventional commercial and professional business patterns that already exist. There will be no drastic intensification of use which might happen if, say, multi-story commercial activities were imposed on the edge of single-story residential or commercial uses, or big box operations with

outdoor storage were introduced in close proximity to small-lot commercial or professional uses. Coexistence with neighboring uses over time is assured in this situation. This application assures compatibility via site planning techniques, including 2.5 acres of preserved open space buffering residential uses to the north and placement of traffic-generating activities away from residential boundaries. The proposed uses are entirely compatible with existing and anticipated uses, as compatibility is defined in Florida Statutes, and it is entirely reasonable to assume that they will continue to be in the future. The proposed use therefore meets the test established in Ch. 163.3164(9).

8. CONSISTENCY WITH LAND DEVELOPMENT CODE

The proposed **PDP(GC) zoning** satisfies both the general and specific criteria for commercial planned developments per Hernando County's Land Development Code.

- **Setbacks and Buffers** (Appendix A, Article VIII): The proposed 50-foot setback along US 19 is consistent with PDP(GC) standards where design alternatives are permitted through the PDP master planning process. Variances for menu boards and interior buffers are minimal and mitigated by distance, design, and retained vegetation.
- **Compatibility and Mitigation** (§163.3164(9), F.S.): See paragraph 7, above.
- **Design Standards** (Code Article III): The architecture and signage proposed meet Hernando County's Commercial Design Standards, which promote a consistent visual identity, scale, and materials palette in harmony with the streetscape.
- **Traffic & Access** (LDC and FDOT Coordination): All access points connect directly to arterial roads (US 19 and Spring Hill Drive), consistent with LDC requirements. The site exceeds the standard of two independent vehicular access points and minimizes conflict with adjacent residential streets.
- **Pedestrian and Multi-Modal Standards**: The internal circulation plan promotes connectivity and walkability across parcels, consistent with LDC expectations and Comp Plan directives for Centers and Corridors.

- **Intensity and Massing:** At 24,000 sq ft on 11 acres, the project's floor area ratio (FAR) is approximately 0.05—well below thresholds for intensity concerns. Height will be capped at one story, buffered, and stepped back from residential zones. Massing is broken up across multiple pads, which ensures visual rhythm and reduces scale impact.

This analysis demonstrates that the application is not only consistent with the Comprehensive Plan and Land Development Code, but also purposefully designed to withstand scrutiny related to compatibility, intensity, and infrastructure adequacy. These are the common areas of challenge in quasi-judicial proceedings, and the proposed plan includes ample mitigation and design response to meet—and exceed—those standards.

9. RECOMMENDED FINDINGS OF FACT JUSTIFYING APPROVAL OF APPLICATION

Based upon the competent substantial data and analysis presented in this expert report and in the testimony presented by and on behalf of Meridien Development LLC, the Hernando County Board should approve this proposed rezoning based upon the following findings of fact:

Finding 1: Consistency with the Comprehensive Plan. The application as proposed is consistent with Goal 1.04, Strategies 1.04(A)1 and 1.04(A)2. The subject property is designated "Residential" on the Future Land Use Map of the Hernando County Comprehensive Plan. The proposed PDP(GC) zoning is specifically consistent with FLUE Strategy 1.04A(3), Objective 1.04B, and Strategy 1.04B(1); Objective 1.04G and Strategy 1.04G(1); Objective 1.06B and Strategy 1.06B (2); Objective 1.06A and Strategy 1.06A(2).

Finding 2: Supports Infill Development Principles. The project constitutes an infill commercial development by utilizing existing infrastructure and providing accessible services within a designated commercial corridor. This approach promotes efficient land use and avoids sprawl.

Finding 3: Compliance with Hernando County Land Development Regulations. The application complies with Appendix A of the Hernando County Code (Zoning) and Article VIII (Planned Development Projects), including submission of a master plan, narrative, site circulation plan, and request for limited and justified variances.

Finding 4: Compatibility with Adjacent Development. The project is compatible with existing development along US 19 and Spring Hill Drive. The proposed uses (fast food, coffee shop, medical office, etc.) align with nearby commercial uses and are buffered appropriately from

adjacent residential zoning districts, satisfying the compatibility standard under Florida Statutes §163.3164(9).

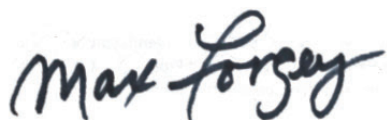
Finding 5: Adequate Infrastructure and Public Services. The project will be served by existing water and sewer infrastructure and complies with SWFWMD stormwater management requirements. Transportation impacts have been mitigated through the design of access points and turning lanes approved by FDOT. No impacts are anticipated to school, park, or emergency services.

Finding 6: Variance Requests Are Justified and Minor in Nature. Requested deviations to setbacks and buffer spacing are modest, typical of PDPs, and necessary to accommodate modern commercial building formats. These deviations do not compromise compatibility or performance standards.

Finding 7: Public Purpose and Community Benefit. The proposed development introduces needed commercial services, promotes walkable access, and improves visual and functional aspects of a long-vacant site. It supports the local economy, employment, and tax base while aligning with the stated intentions of the Comprehensive Plan.

Finding 8: Conforms to Legal Requirements of Quasi-Judicial Proceedings. This application meets the evidentiary burden of competent substantial evidence required for quasi-judicial proceedings under Florida law. Testimony and exhibits provided by the applicant, including this expert report, provide a factual basis for approval by the LPA and Board of County Commissioners.

Respectfully,

A handwritten signature in black ink that reads "Max Forgey". The signature is written in a cursive, flowing style.

Max Forgey, AICP
Certification #051,330

Attachments: Resume of Daryl Max Forgey, Expert Witness Documentation

cc: Mark Keschl
James Conroy
Kyle Benda, Esq.
Tom Slaughter
Jordan Hester

A presentation to:
Hernando County



MERIDIEN DEVELOPMENT LLC

DEVELOPMENT TEAM

- **Developer** **Meridien Development LLC – Mark Keschl**
 GPK Holdings LLC – Geoffrey Kerth
- **Representative** **Benda Law Firm**
- **Traffic Consultant** **Palm Traffic**
- **Civil Engineer,** **Bohler Engineering**
- **Land Use** **Forgey Planning Land use**
- **Wetland Delineation** **Naylor Environmental**

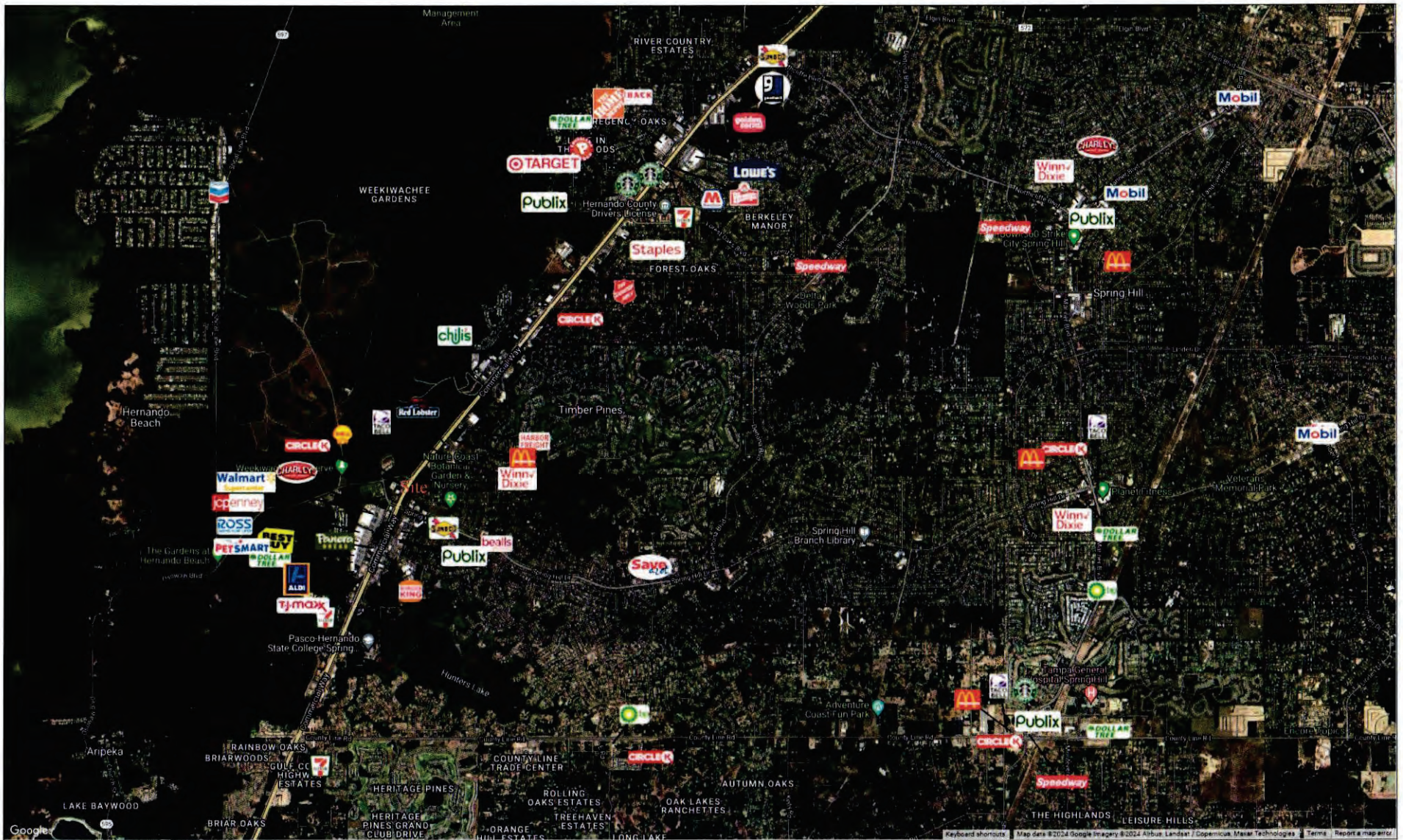
ZONING/TRADE AREA

Jim Conroy

AERIAL OVERVIEW

REZONING

HERNANDO COUNTY, JUNE 9, 2025



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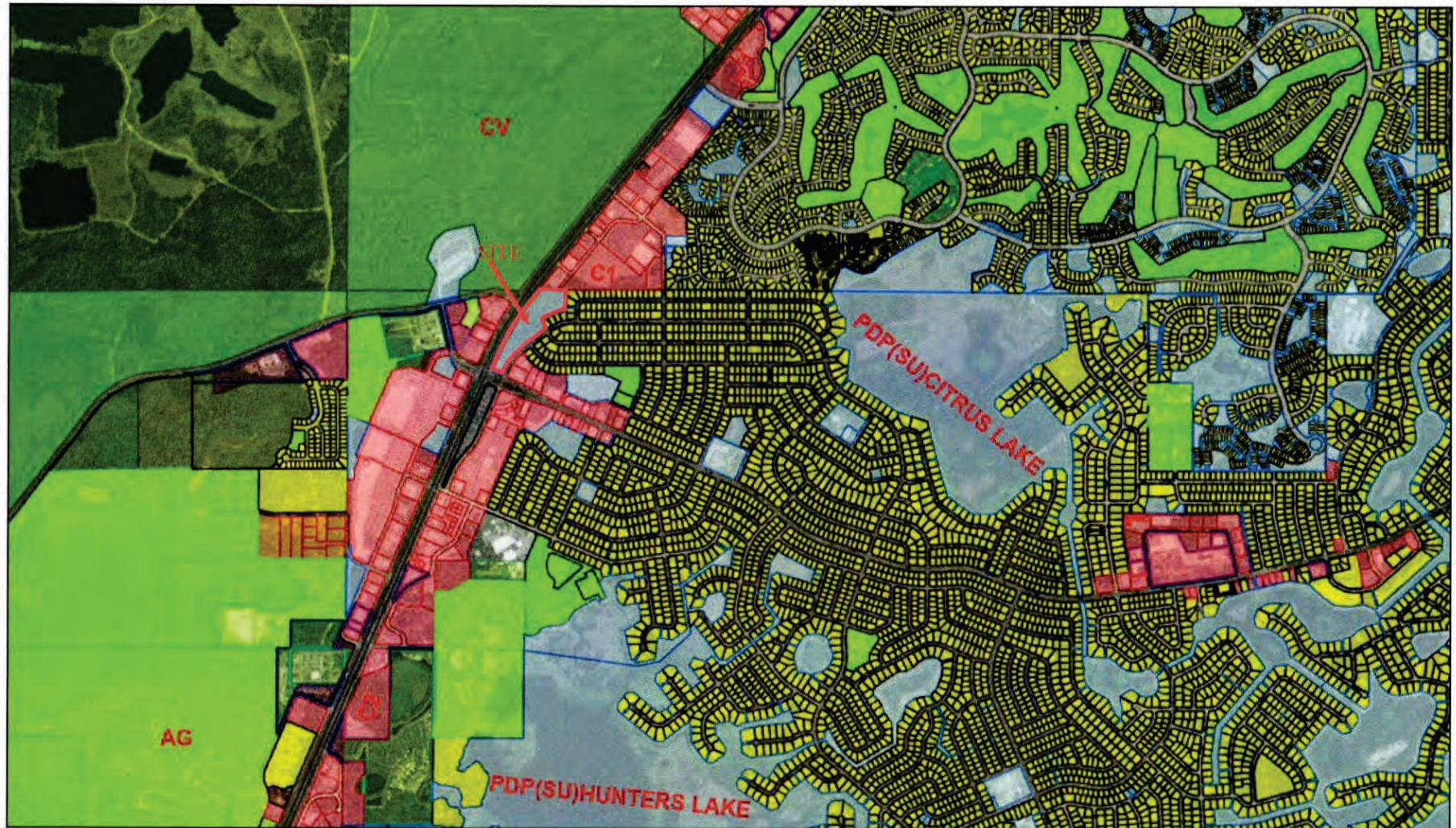
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CURRENT ZONING

REZONING

HERNANDO COUNTY, JUNE 9, 2025

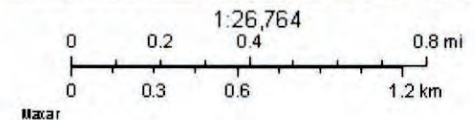
Hernando County Zoning/Flu Map



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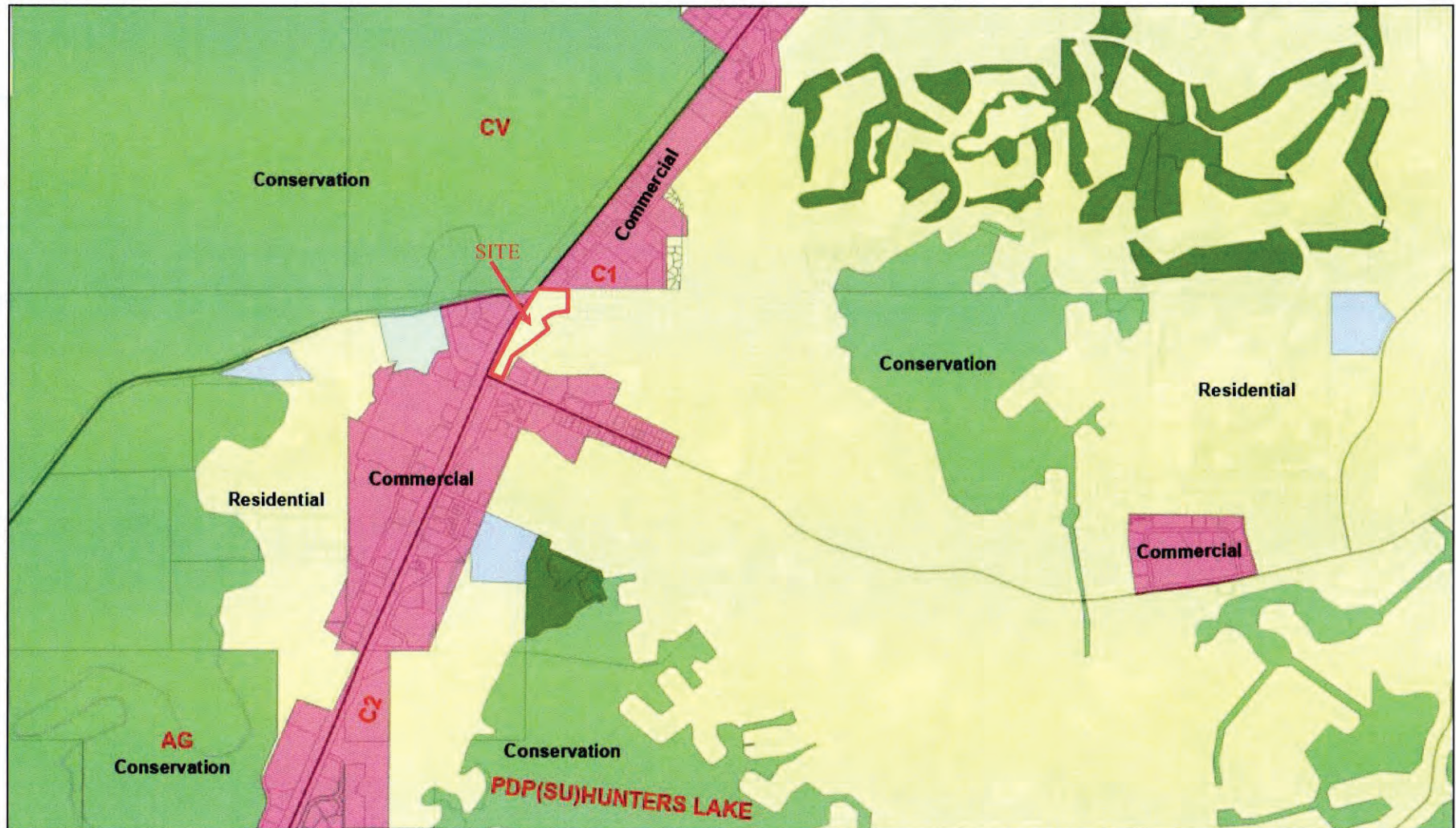
Hernando County Central GIS
Hernando County Central GIS

HERNANDO COUNTY COMPREHENSIVE PLAN MAP

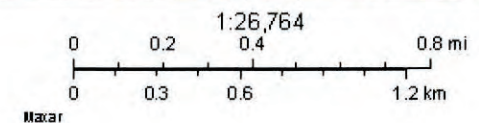
REZONING

HERNANDO COUNTY, JUNE 9, 2025

Hernando County Zoning/Flu Map



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Hernando County Central GIS
Hernando County Central GIS

HERNANDO COUNTY COMPREHENSIVE PLAN MAP

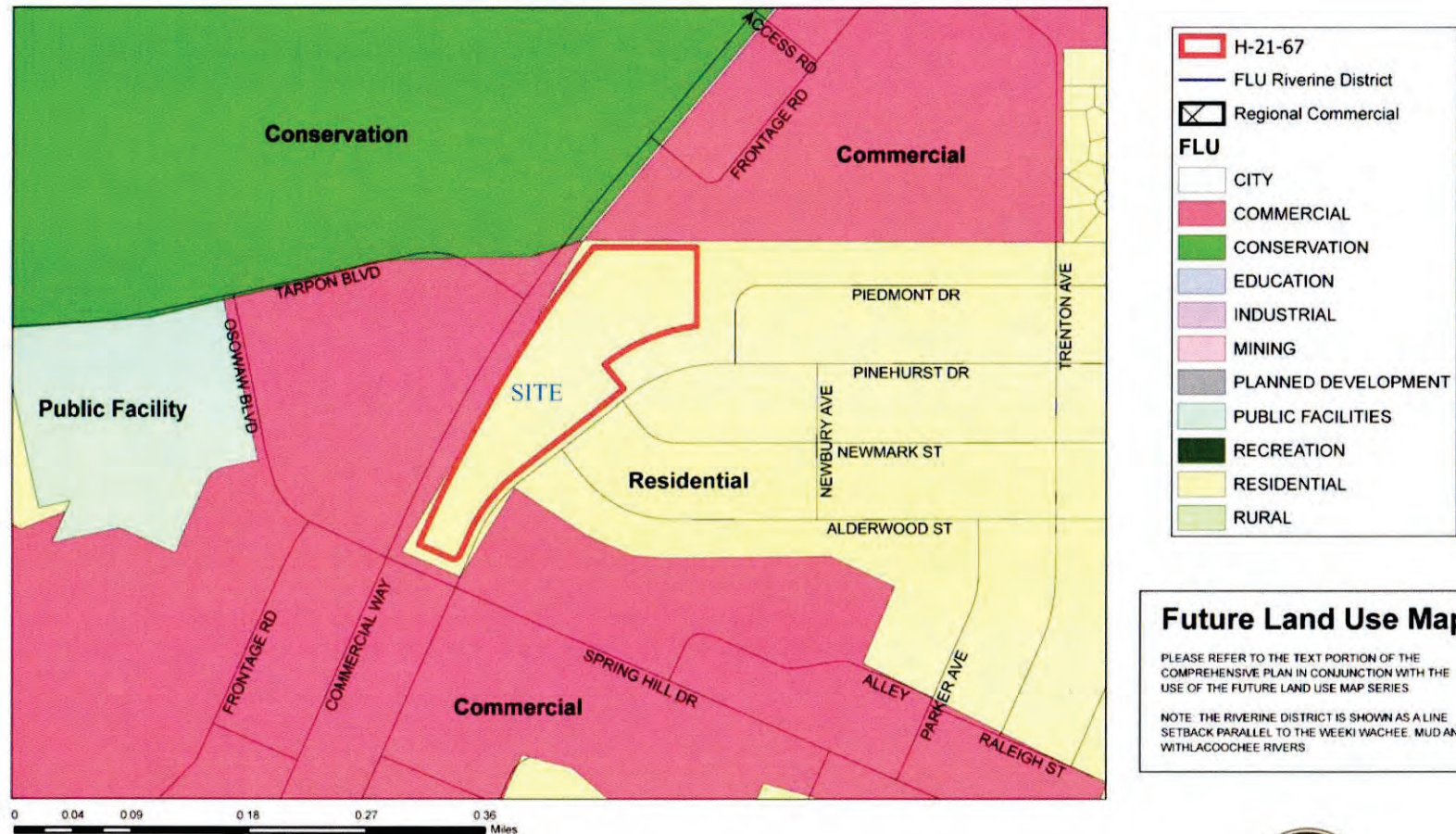
REZONING

HERNANDO COUNTY, JUNE 9, 2025

Hernando County Comprehensive Plan Map

Existing Future Land Use: H-21-67

Version Date: 06/08/2021



0 0.04 0.09 0.18 0.27 0.36 Miles



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Date of mapping: 10/19/2021



06/09/2025

HERNANDO COUNTY, JUNE 9, 2025

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

 City Zoning Pending

9

LAND USE

Jim Conroy

Kyle, Benda - Benda Law Firm

Max Forgey - Forgey Planning Land Use

PROPOSED DEVELOPMENT REQUEST

REZONING

HERNANDO COUNTY, JUNE 9, 2025

EXPERT REPORT IN SUPPORT OF REZONING PETITION #H-24-82 FOR SPRING HILL PDP (GC) LOCATED AT US 19 AND SPRING HILL DRIVE IN UNINCORPORATED HERNANDO COUNTY FLORIDA

1. PURPOSE OF REPORT

This report, outlines justifications for approval of Rezoning Application Number H-24-82, which proposes to rezone an eleven-acre (11.0 +/- acre) parcel located at the northeast corner of Commercial Way (US 19) and Spring Hill Drive in unincorporated Hernando County. This report will provide the Hernando County Planning & Zoning Commission (P & Z) and the Board of County Commissioners (BCC) with competent substantial evidence by evaluating the proposed uses and their general consistency with the Hernando County Comprehensive Plan and Land Development Code (LDC) and will propose findings of fact to justify a recommendation of approval by the P & Z at their as-yet unscheduled hearing, and subsequent approval by the BCC.

1. SUBJECT PROPERTY AND APPLICANT'S REQUESTED ACTION

The subject property is currently zoned **PDP(SU)-Landscape Buffer**. The subject property comprises approximately 11 acres of unimproved, undeveloped land located at the northeast corner of Commercial Way (US 19) and Spring Hill Drive in unincorporated Hernando County, with substantial frontage on US 19 and Spring Hill Drive.

The Applicant proposes to rezone the property to allow development of a high-quality, infill commercial center consisting of five buildable commercial lots and one dedicated open space parcel. Uses contemplated include national fast-casual dining, a drive-through coffee shop, and small to mid-sized office and medical tenants. The development will be capped at 24,000 square feet of total building area with and shall not exceed a single story.. A separate parcel of approximately 2.5 acres will also be created for the Open Space - Conservation Area which will include an area for a detention pond.

The Applicant seeks deviations to reduce the front yard setback on US 19 from 125 feet to 50 feet, consistent with existing commercial development in the area—and to reduce internal setbacks and buffer widths where necessary to accommodate the subdivision and contemporary retail building footprints.

The site lies predominately within FEMA-designated Flood Zone X, indicating that the property is a minimal flood risk, with a minor portion in Zone AE. Surrounding land uses include major regional retail to the west (Walmart), C-1 and C-2 zoning to the north and south, and residential subdivisions to the east across Pinehurst Drive.

PROPOSED DEVELOPMENT REQUEST

REZONING

HERNANDO COUNTY, JUNE 9, 2025

1. RECOMMENDED FINDINGS OF FACT JUSTIFYING APPROVAL OF APPLICATION

Based upon the competent substantial data and analysis presented in this expert report and in the testimony presented by and on behalf of Meridien Development LLC, the Hernando County Board should approve this proposed rezoning based upon the following findings of fact:

Finding 1: Consistency with the Comprehensive Plan. The application as proposed is consistent with Goal 1.04, Strategies 1.04(A)1 and 1.04(A)2. The subject property is designated "Residential" on the Future Land Use Map of the Hernando County Comprehensive Plan. The proposed PDP(GC) zoning is specifically consistent with FLUE Strategy 1.04A(3), Objective 1.04B, and Strategy 1.04B(1); Objective 1.04G and Strategy 1.04G(1); Objective 1.06B and Strategy 1.06B (2); Objective 1.06A and Strategy 1.06A(2).

Finding 2: Supports Infill Development Principles. The project constitutes an infill commercial development by utilizing existing infrastructure and providing accessible services within a designated commercial corridor. This approach promotes efficient land use and avoids sprawl.

Finding 3: Compliance with Hernando County Land Development Regulations. The application complies with Appendix A of the Hernando County Code (Zoning) and Article VIII (Planned Development Projects), including submission of a master plan, narrative, site circulation plan, and request for limited and justified variances.

Finding 4: Compatibility with Adjacent Development. The project is compatible with existing development along US 19 and Spring Hill Drive. The proposed uses (fast food, coffee shop, medical office, etc.) align with nearby commercial uses and are buffered appropriately from adjacent residential zoning districts, satisfying the compatibility standard under Florida Statutes §163.3164(9).

Finding 5: Adequate Infrastructure and Public Services. The project will be served by existing water and sewer infrastructure and complies with SWFWMD stormwater management requirements. Transportation impacts have been mitigated through the design of access points and turning lanes approved by FDOT. No impacts are anticipated to school, park, or emergency services.

Finding 6: Variance Requests Are Justified and Minor in Nature. Requested deviations to setbacks and buffer spacing are modest, typical of PDPs, and necessary to accommodate modern commercial building formats. These deviations do not compromise compatibility or performance standards.

Finding 7: Public Purpose and Community Benefit. The proposed development introduces needed commercial services, promotes walkable access, and improves visual and functional aspects of a long-vacant site. It supports the local economy, employment, and tax base while aligning with the stated intentions of the Comprehensive Plan.

Finding 8: Conforms to Legal Requirements of Quasi-Judicial Proceedings. This application meets the evidentiary burden of competent substantial evidence required for quasi-judicial proceedings under Florida law. Testimony and exhibits provided by the applicant, including this expert report, provide a factual basis for approval by the LPA and Board of County Commissioners.

SITE PLAN

Jim Conroy

IMMEDIATE TRADE AREA

REZONING

HERNANDO COUNTY, JUNE 9, 2025



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IMMEDIATE TRADE AREA TENANTS

REZONING

HERNANDO COUNTY, JUNE 9, 2025



06/09/2025

CLOSE UP

REZONING
HERNANDO COUNTY, JUNE 9, 2025



06/09/2025

16

SITE PLAN & DATA

REZONING

HERNANDO COUNTY, JUNE 9, 2025

Lot	Building Size	Lot Size SF
1	3,500 +/- SF	37,819
2	4,000 +/- SF	44,960
3	6,000 +/- SF	97,540
4	3,500 +/- SF	50,687
5	5,000 +/- SF	72,983
Total Building		22,000 +/-

Open Space 117,612 SF+/-



CALL BOX DISTANCE TO NEIGHBORS

REZONING

HERNANDO COUNTY, JUNE 9, 2025

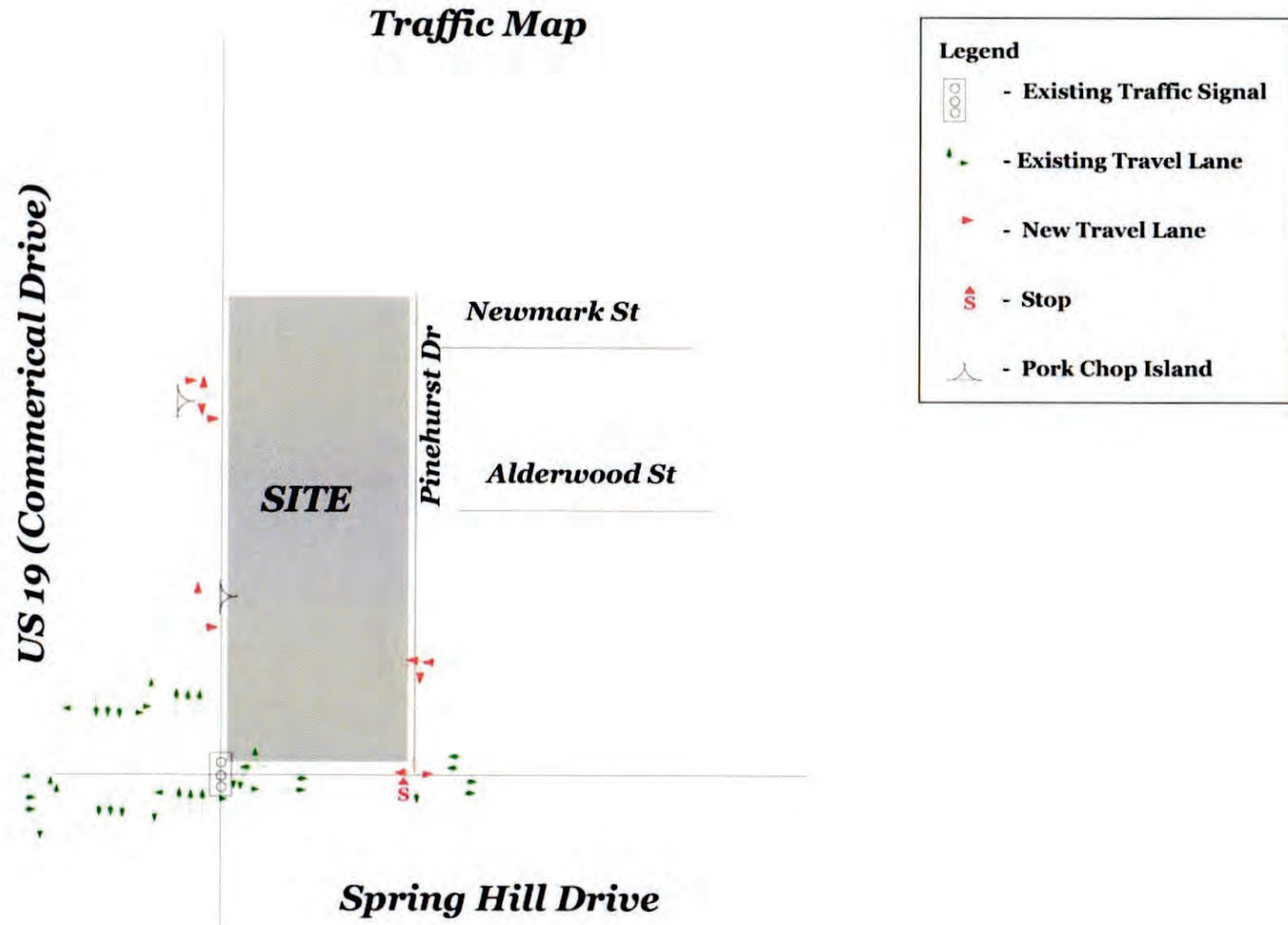


ROAD IMPROVEMENTS

ROAD IMPROVEMENTS

REZONING

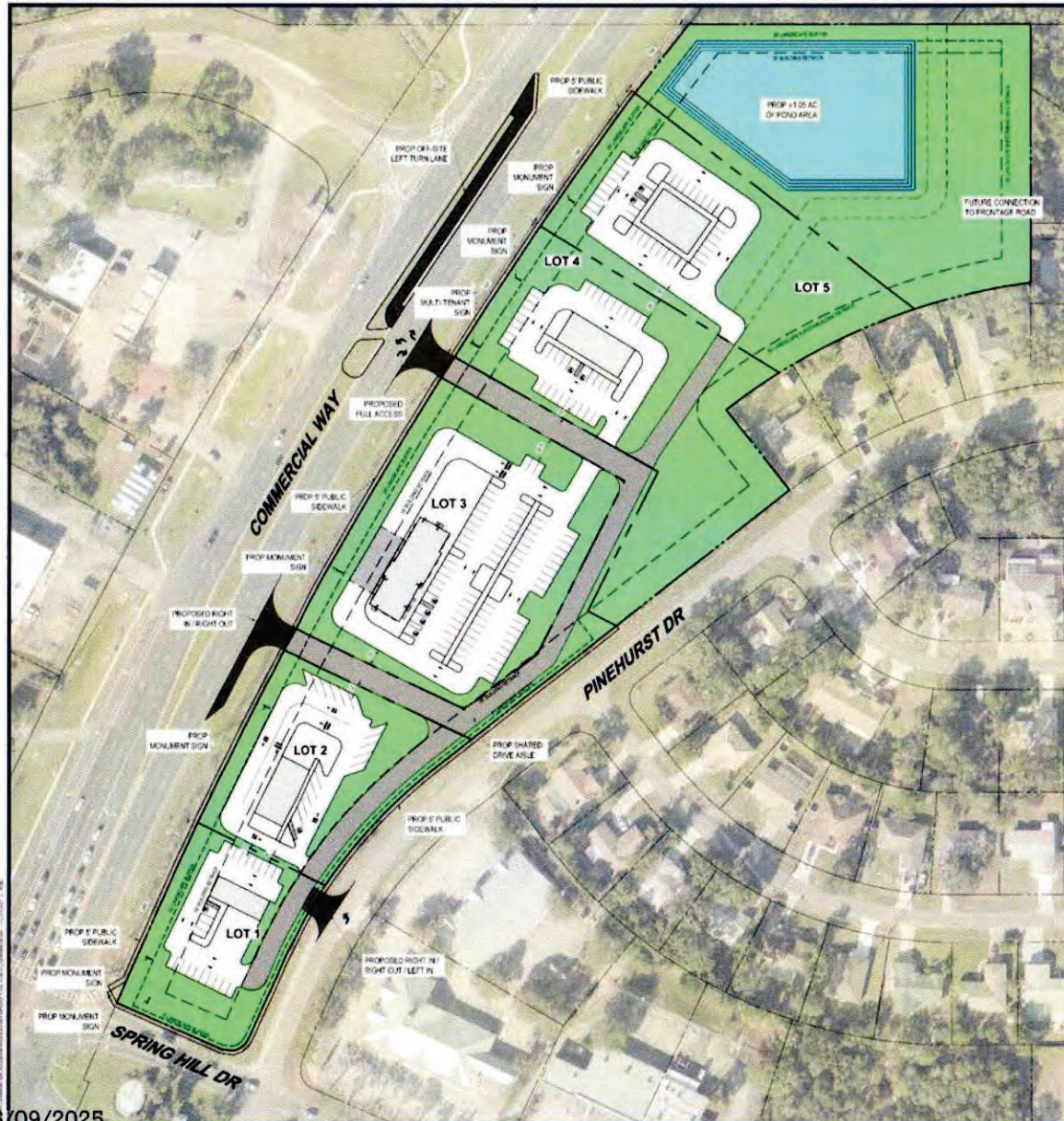
HERNANDO COUNTY, JUNE 9, 2025



ROAD IMPROVEMENTS

REZONING

HERNANDO COUNTY, JUNE 9, 2025



LEGEND

PROPERTY LINE	PUD
LOT LINE	---
BUILDING SETBACK	---
UNDERCUT BUFFER	---
PROPOSED SIDEWALK	---

TABULATIONS

LOT #	LAND USE	PARKING REQUIRED	PARKING PROVIDED	BUILDING SF	LAND AC
1	OFFICE/RETAIL	1,000 SP	1,000 SP	10,000	1.00
2	OFFICE/RETAIL	1,000 SP	1,000 SP	10,000	1.00
3	OFFICE/RETAIL	1,000 SP	1,000 SP	10,000	1.00
4	OFFICE/RETAIL	1,000 SP	1,000 SP	10,000	1.00
5	OFFICE/RETAIL	1,000 SP	1,000 SP	10,000	1.00
TOTAL		5,000 SP	5,000 SP	50,000	5.00

BOHLER
BOHLER & ASSOCIATES, INC. ENGINEERING
 SITE CIVIL AND CONSTRUCTION ENGINEERING
 PROGRAM MANAGEMENT
 LANDSCAPE ARCHITECTURE
 SUSTAINABLE DESIGN
 TRANSPORTATION SERVICES

REVISIONS

REV	DATE	COMMENT

811 BEFORE YOU DIG
CALL 811
OR VISIT 811FLORIDA.COM

PRELIMINARY

PROJECT NO. _____ LOCATION: _____
 DRAWN BY: _____ CHECKED BY: _____
 DATE: _____ SCALE: _____

PROJECT: **PROP. SITE PLAN DOCUMENTS**
 FOR
MERIDIAN DEVELOPMENT, LLC
 7901 SE OSPREY ST
 HOBBS BOUND, FL 33448

BOHLER
800 N. WESTSHORE BLVD, SUITE 950
 TAMPA, FLORIDA 33609
 Phone: (813) 812-4190
 Fax: (813) 812-4191

SHEET TITLE: _____

PUD

SHEET NUMBER: **1**

DATE: 12/24/2024

06/09/2025

Renderings

WENDY'S

REZONING

HERNANDO COUNTY, JUNE 9, 2025



Wendy's New Prototype - Global Next Generation

06/09/2025

64

WENDY'S

REZONING

HERNANDO COUNTY, JUNE 9, 2025



CHICK-FIL-A

REZONING
HERNANDO COUNTY, JUNE 9, 2025



PERSPECTIVE VIEW



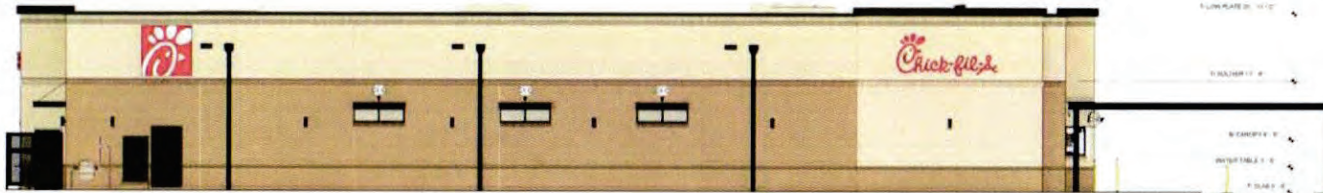
PERSPECTIVE VIEW



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PERSPECTIVE VIEW



EXTERIOR ELEVATION

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CONCLUSION

Discussion



From: [Planning Resource Object](#)
To: [Danielle Nigro](#)
Subject: FW: CASE #H-24-82
Date: Monday, June 2, 2025 3:59:16 PM

From: Mindy Fellman <mindyfellman@gmail.com>
Sent: Monday, June 2, 2025 12:13 PM
To: Omar DePablo <ODePablo@hernandocounty.us>; Jeffrey Rogers <JRogers@co.hernando.fl.us>; Tobey Phillips <tphillips@co.hernando.fl.us>; Scott Herring <SHerring@co.hernando.fl.us>; Planning Resource Object <Planning@co.hernando.fl.us>
Cc: PinehurstConcernedCitizens@gmail.com
Subject: CASE #H-24-82

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Omar DePablo
Jeff Rogers
Toby Phillips
Scott Herring

This email is in protest to the building you are planning on the land on 19 and Pinehurst. I live in this neighborhood and I am not in favor of 5 businesses taking over this space. Cars driving fast are already an issue on our neighborhood roads. The last thing we want is more traffic. The proposal is also for a fast food restaurant. That will bring noise and lights at night that we don't want as well. The trees in this area are a barrier to 19 and you want to take those down to build these buildings. The developer said they will put new trees up, but it will take years for those trees to grow.

You do not live in this area - We do! There are plenty of other vacant lots you can develop. We don't want this in our neighborhood!

Sincerely,

Mindy Fellman

5501 Alderwood St, Spring Hill, FL 34606

From: [John Allocco](#)
To: [Colleen V. Conko](#)
Subject: Fw: Comments on H-24-82 Pinehurst Hearing Aug. 5th
Date: Wednesday, July 23, 2025 3:58:19 PM

Please add to comments

John Allocco
District 3
Hernando County Board of Commissioners

From: DeeVon Quirolo <sierraclubadventurecoastcc@gmail.com>
Sent: Wednesday, July 23, 2025 3:55:45 PM
To: John Allocco <JAllocco@co.hernando.fl.us>
Subject: Comments on H-24-82 Pinehurst Hearing Aug. 5th

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

John--Please accept the following comments on the Pinehurst development H-24-82 scheduled for hearing at the August 5th BOCC meeting. I am unable to attend in person. I write to you today on behalf of the members and supporters of the Sierra Club Adventure Coast Group. Green space is essential for quality of life and clean air. We encourage you to value the long-standing zoning of this parcel. It was originally depicted in an advertising brochure from Deltona Corporation and included in the approved Deltona Master Plan as a green landscaping barrier fronting US Highway 19 as part of the main entrance into the Spring Hill area and the planned residential development behind it.

Now an out of town developer is asking you to overturn the required provision for a green buffer that was part of the original site plan. Homeowners purchased residences there based on that promised green buffer zone. How is it possible to revoke that condition now with an encroachment of such clearly incompatible use.

The property is located within the FL-DEP Weeki Wachee Priority Focus Area as contributing too many nutrients into the springs and within a floodplain that will require specific permitting and mitigation and perhaps an FDOT drainage permit. It should remain as part of the undeveloped watershed that absorbs stormwater runoff and carbon dioxide from vehicular traffic as originally designed.

This parcel was rejected for development in 1988, 2010 and 2022 and is now back again. This latest rezoning application seeks to subdivide this parcel into five commercial units including retail, restaurants and financial institutions including drive-thru's, medical and dental offices, and business/professional or nonprofit offices, also with drive throughs. The applicant is seeking setback deviations from 125' to 50' along Highway 19 and along Pinehurst Drive, from 35' to just 5' for large retail development. The planning department is requiring a Frontage Road along the entire property fronting US 19.

Residents want access to Pinehurst Drive to remain residential with no connectivity to this new development. There is strong opposition to commercial intrusion into this residential area. It certainly won't protect the residents from the new impacts of heavy traffic and delivery trucks along Pinehurst Boulevard. Noise from this new development combined with its location at a busy intersection without a green buffer will diminish quality of life.

At a minimum, this intensity and incompatibility with existing residences should be mitigated with a 50 foot landscape buffer along Pinehurst Drive. As was required in the 2010 application, a concrete wall inside the green buffer on Pinehurst Drive facing residences should be required, and new HVAC mechanical/operational equipment set back at least 100 feet and shielded with screening.

Given the intense unplanned development that has already occurred in Spring Hill, please consider quality of life issues for residents in weighing this new application. Clearly, there is concern that this land be converted into something that is not needed to replace its current function as green space that was a condition for the earlier approval to build the residential area behind it. If approved, it will negatively impact the lives of nearby residents with no demonstrable need for this type of development in lieu of a required green buffer that is required in all major developments. Thank you for the opportunity to submit these comments. In the end, will it make Spring Hill a better place to live?

DeeVon Quirolo
Sierra Club Adventure Coast
Chair

The Sierra Club is America's largest and most influential grassroots environmental organization, with more than 3.5 million members and supporters. In addition to protecting every person's right to get outdoors and access the healing power of nature, the Sierra Club works to promote clean energy, safeguard the health of our communities, protect wildlife, and preserve our remaining wild places through grassroots activism, public education, lobbying, and legal action. For more information, Visit www.sierraclub.org/florida/adventure-coast.

From: [Louella Heaton](#)
To: [Administration Resource Object](#)
Subject: H2482
Date: Friday, July 25, 2025 7:55:42 AM

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you for your service and keeping Hernando county beautiful.

I am very concerned with development file number H-24-82 we are unable to access onto Springhill Drive from Pinehurst on a daily basis. Absolutely no entrance or access can be made on Pinehurst. This is a safety issue for our children in our neighborhood!!! Our neighborhood votes no on rezoning H – 24–82.

Thank you for your time and please take this all into consideration. This is the third time we have had to fight for our neighborhood. You can revisit the last two attempts.

Pinehurst Concerned Citizens

Sincerely

Louella Heaton
louellaheaton@aol.com

From: [brabbitt79](#)
To: [Ryan Amsler](#); [Brian Hawkins](#); [John Allocco](#); [Steve Champion](#); [jcampbell@co.hernandocounty.us](#); [Administration Resource Object](#); [jrogers@co.hernandocounty.us](#)
Cc: [pinehurstconcernedcitizens@gmail.com](#)
Subject: H-24-82 Pinehurst Hearing Aug. 5th
Date: Wednesday, July 30, 2025 7:09:08 AM

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning.

We are writing to formally OPPOSE the proposed rezoning request for H-24-82 scheduled for your consideration on August 5th. As concerned residents of Hernando County, we believe this rezoning poses significant safety risks to our community that cannot be overlooked. No Pinehurst ingress/egress!

The proposed change could endanger residents by increasing traffic on Pinehurst.. These changes would directly impact the safety and well-being of families, children, and elderly residents in the area.

We already experience significant cut through traffic in our neighborhood.

We urge the Board of Country Commission to prioritize the safety and quality of life of Hernando County residents by DENYING this rezoning request. Maintaining the current zoning aligns with the community's long-term interests and ensures a safe environment for all. We respectfully request that you consider these concerns and listen to the residents of our neighborhood.

Thank you for your time and dedication to serving our community.

Respectfully,

Brenda and Dave Rabbit

Sent from my T-Mobile 5G Device

RESOLUTION NO. 2025 - _____

WHEREAS, Hernando County has adopted zoning regulations pursuant to Section 125.01(1) and Chapter 163, *Florida Statutes*, which authorize the County to regulate the use of land in the unincorporated areas of Hernando County, Florida, and take action on the request herein; and

WHEREAS, the Hernando County Board of County Commissioners (BOCC) conducted a duly advertised public hearing to consider the requested changes in zoning on the specified parcels in Hernando County, Florida, as more fully described below;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, AS FOLLOWS:

APPLICANT: Mark Keschl of Meridien Development, LLC on behalf of Gary Haber, Evelyn Haber, Kenneth L. Haber, and Martha Haber

FILE NUMBER: H-24-82

REQUEST: Rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for drive in restaurant with deviations

GENERAL LOCATION: Northeast corner of Commercial Way and Spring Hill Drive

PARCEL KEY NUMBERS: 411931

REQUEST: Rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for drive in restaurant with deviations as enumerated in the BOCC Action, which is incorporated herein by reference and made a part hereof. The representations contained in the rezoning application are incorporated herein by reference and made a part hereof and are relied upon by the County to be true and correct. For purposes herein, it is presumed that all notice and advertising requirements have been satisfied.

FINDINGS OF FACT: ALL of the facts and conditions set forth in the County's staff memoranda and presented to the BOCC in connection with the public hearing in this matter are incorporated herein by reference and made a material part of this Resolution as integral to the BOCC's Action. The BOCC finds that the testimony and record supporting APPROVAL of the request to be credible and to constitute competent substantial evidence. In further support thereof, the BOCC makes the following specific findings of fact:

1. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

**CONCLUSIONS
OF LAW:**

The BOCC is authorized to act on this matter pursuant to Chapters 125 and 163, *Florida Statutes*. Accordingly, after public hearing and testimony, being fully advised in the record, and based upon competent substantial evidence, the BOCC makes the following specific conclusions of law:

1. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

ACTION:

After notice and public hearing, based upon the record in this matter and ALL of the findings of fact and conclusions of law above, the BOCC hereby APPROVES Rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for drive in restaurant with deviations as set forth in the BOCC Action, which is incorporated herein by reference and made a part hereof. Any requests, uses, variances or exceptions that were requested in connection with this rezoning application but not specifically approved herein are hereby deemed DENIED.

ADOPTED IN REGULAR SESSION THE ____ DAY OF _____, 2025.

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest: _____
Douglas A. Chorvat, Jr.
Clerk of Circuit Court & Comptroller

By: _____
Brian Hawkins
Chairman

(SEAL)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: Victoria Anderson
County Attorney's Office



THE HERNANDO SUN; Published Weekly

Brooksville Hernando County FLORIDA

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA

COUNTY OF HERNANDO :

Before the undersigned authority, Julie B. Maglio, personally appeared, who on oath, says that she is Editor of the Hernando Sun, a weekly newspaper published at Brooksville in Hernando County, Florida, that the attached copy of the advertisement, being a NOTICE OF PUBLIC HEARING

in the matter of

APPLICANT: Southern Valley Homes, LLC

was published in said newspaper by print in the issue(s) of:
May 30, 2025

and/or by publication on the newspaper's publicly available website, if authorized, on May 30, 2025

Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

(Signature of Affiant)

Sworn to and subscribed before me
This 2nd day of June, 2025.

(Signature of Notary Public) LISA M. MACNEIL



Commission # HH 254975
Expires April 19, 2026

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known ☒ or

produced identification _____

Type of identification produced _____

NOTICE OF PUBLIC HEARING
HERNANDO COUNTY, FLORIDA

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission of Hernando County, Florida, will hold a Public Hearing in the John Law Ayers County Commission Chambers, Hernando County Government Center, 20 North Main Street, Room 160, Brooksville, Florida on June 9, 2025. **The meeting starts at 9:00 AM and the cases will be heard thereafter in the order established when the agenda is published.**

BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners of Hernando County, Florida, will hold a Public Hearing in the John Law Ayers County Commission Chambers, Hernando County Government Center, 20 North Main Street, Room 160, Brooksville, Florida, on August 5, 2025. **The meeting starts at 9:00 AM and the cases will be heard thereafter in the order established when the Board agenda is published.**

APPLICANT: Southern Valley Homes, LLC
FILE NUMBER: H-24-71
REQUEST: AR-2(Agricultural Residential 2) to AC(Agricultural Commercial)
GENERAL LOCATION: North side of Wiscon Road, approximately 670' east of California Street
PARCEL KEY NUMBER: 345736

APPLICANT: Lance Lowery
FILE NUMBER: H-24-81
REQUEST: Rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage
GENERAL LOCATION: Approximately 175' north of Cortez Boulevard, bounded by Mondon Hill Road and Raley Road.
PARCEL KEY NUMBER: 1181090, 1181081, 1181125, 822872

APPLICANT: Meridien Development LLC Mark Keschl
FILE NUMBER: H-24-82
REQUEST: Rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for drive in restaurant with deviations
GENERAL LOCATION: Northeast corner of Commercial Way and Spring Hill Drive
PARCEL KEY NUMBER: 411931

APPLICANT: Arsany 66th Street, LLC
FILE NUMBER: H-25-01
REQUEST: Rezoning from AR-2 (Agricultural/Residential) to PDP(MF) Planned Development Project (Multifamily), PDP(GC) Planned Development Project (General Commercial), and PDP(SF)Planned Development Project (Single Family) with deviations
GENERAL LOCATION: North of County Line Road, South of Pot O Gold Lane, approximately 1000' west of the intersection of County Line Road and Suncoast Boulevard
PARCEL KEY NUMBER: 189940, 189959

Notice Continues on Page 2

APPLICANT: Alton B. Wingate
 FILE NUMBER: H-25-05
 REQUEST: Rezoning from AG (Agricultural) to PD-P(GC) Planned Development Project with a Special Exception for an Educational Facility
 GENERAL LOCATION: Northwest corner of Citrus Way and Ponce De Leon Boulevard
 PARCEL KEY NUMBER: 332367

APPLICANT: Sunny Pines of Hernando LLC
 FILE NUMBER: H-25-07
 REQUEST: Re-Establish Master Plan on Property Zoned Combined Planned Development Project with C2 and R1MH Uses and deviations
 GENERAL LOCATION: Northwest corner of SR 50 and Mondon Hill Road
 PARCEL KEY NUMBER: 370360

APPLICANT: Britton and Kayla Cox
 FILE NUMBER: H-25-11
 REQUEST: Rezoning from R-1C (Residential) to AR (Agricultural/Residential)
 GENERAL LOCATION: Double frontage on Yellow Frog Ave and Palmdale Road
 PARCEL KEY NUMBER: 610173

APPLICANT: Jorge Sabater
 FILE NUMBER: H-25-12
 REQUEST: Rezoning from C-4 (Heavy Highway Commercial) to C-2 (Highway Commercial)
 GENERAL LOCATION: North side of Chambord St, approximately 690 Feet from Sunshine Grove Rd.
 PARCEL KEY NUMBER: 998870

Interested parties may appear at the meeting and be heard on these matters. You are further advised that if a person decides to appeal any quasi-judicial decision made by the Board, Agency or Commission with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceeding, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Documentation may be reviewed by the public at the Hernando County Planning Department, 1653 Blaise Drive, Brooksville, Florida 34601, between the hours of 7:30 AM - 4:00 PM, Monday through Friday, legal holidays excepted or may be viewed one week prior to the meeting via the County's website at www.hernandocounty.us – follow the Board Agendas and Minutes link to the specified public hearing. If you should have any additional questions regarding this issue, please contact the Planning Department at planning@hernandocounty.us, 352-754-4057, or in writing at: Hernando County Planning Department, 1653 Blaise Drive, Brooksville, Florida 34601.

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact Jessica Wright, County Administration Building, 15470 Flight Path Drive Brooksville, FL 34604, telephone 352-754-4002, no later than three (3) days prior to the proceedings. If hearing impaired, please call 1-800-676-3777 for assistance.

/s/ Omar DePablo
 Development Services Director
 Hernando County Planning Division

Published: May 30, 2025



AGENDA ITEM

TITLE

Rezoning Petition Submitted by Arsany 66th Street, LLC, for Property Located on County Line Road (H2501)

BRIEF OVERVIEW

Request:

Rezoning from AR-2 (Agricultural/Residential) to PDP(MF) Planned Development Project (Multifamily), PDP(GC) Planned Development Project (General Commercial), and PDP(SF)Planned Development Project (Single Family) with deviations.

General Location:

North of County Line Road, South of Pot O Gold Lane, approximately 1000' west of the intersection of County Line Road and Suncoast Boulevard

P&Z Action:

On June 9, 2025, meeting, the Planning and Zoning Commission voted 3-2 to approve the recommendation to rezone from AR-2 (Agricultural/Residential 2) to PDP(MF) Planned Development Project (Multifamily), PDP(GC) Planned Development Project (General Commercial), and PDP(SF) Planned Development Project (Single Family) with deviations.

FINANCIAL IMPACT

A matter of policy and no financial impact.

LEGAL NOTE

The Board has the authority to make the requested rezoning decision pursuant to Chapters 125 and 163 Florida Statutes. The Applicable Criteria for a Zoning District Amendment are contained in Appendix A (Zoning Code), Article VI. The Applicable Criteria for a PDP are found in Appendix A (Zoning Code), Article VIII. The Zoning District Amendment must be consistent with the Comprehensive Plan.

RECOMMENDATION

It is recommended that the Board adopt and authorize the Chairman's signature on the attached resolution approving the petitioner's request for a rezoning from AR-2 (Agricultural/Residential) to PDP(MF) Planned Development Project (Multifamily), PDP(GC) Planned Development Project (General Commercial), and PDP(SF)Planned Development Project (Single Family) with deviations, with performance conditions.

REVIEW PROCESS

Omar DePablo	Escalated	07/23/2025	2:49 PM
KayMarie Griffith	Approved	07/23/2025	3:39 PM
Michelle Miller	Approved	07/24/2025	8:36 AM
Albert Bertram	Approved	07/24/2025	9:48 AM

Pamela Hare	Approved	07/25/2025	9:08 AM
Jon Jouben	Approved	07/30/2025	9:40 AM
Heidi Prouse	Approved	07/30/2025	11:35 AM
Toni Brady	Approved	07/30/2025	3:33 PM
Jeffrey Rogers	Approved	07/30/2025	5:00 PM
Colleen Conko	Approved	07/30/2025	5:05 PM

HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):

- Rezoning ☐ Standard ☒ PDP
Master Plan ☐ New ☐ Revised
PSFOD ☐ Communication Tower ☐ Other
PRINT OR TYPE ALL INFORMATION

Date: 01/02/2025

File No. 04/25 Official Date Stamp:

H- 25-01
RECEIVED

JAN 02 2025

Hernando County Development Services
Zoning Division

APPLICANT NAME: Arsany 66th Street, LLC

Address: 2801 Leprechaun Lane

City: Palm Harbor

State: FL

Zip: 34683

Phone: 321-732-4086

Email: renee-booker19@yahoo.com

Haledimetry@gmail.com

Property owner's name: (if not the applicant)

REPRESENTATIVE/CONTACT NAME: Frank DiCaro

Company Name: ProCivil 360, LLC

Address: 12 S. Main Street

City: Brooksville

State: FL

Zip: 34601

Phone: 352-593-4255

Email: permitting@procivil360.com

HOME OWNERS ASSOCIATION: ☐ Yes ☒ No (if applicable provide name)

Contact Name:

Address:

City:

State:

Zip:

PROPERTY INFORMATION:

1. PARCEL(S) KEY NUMBER(S): 189940 & 189959
2. SECTION 35, TOWNSHIP 23S, RANGE 17E
3. Current zoning classification: AR2
4. Desired zoning classification: Combined PDP (Mixed Use)
5. Size of area covered by application: 18.89 Acres
6. Highway and street boundaries: County Line Road and Pot O' Gold Lane
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No
8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed:)

PROPERTY OWNER AFFIDAVIT

I, Hale Dimetry, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

☐ I am the owner of the property and am making this application OR

☒ I am the owner of the property and am authorizing (applicant): Hale Dimetry

and (representative, if applicable): ProCivil 360, LLC

to submit an application for the described property.

Signature of Property Owner

STATE OF FLORIDA

COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 30 day of December, 2024, by Hale Dimetry who is personally known to me or produced as identification.

Signature of Notary Public



Effective Date: 11/8/16 Last Revision: 11/8/16

PRINT FORM

CLEAR FORM

Notary Seal/Stamp

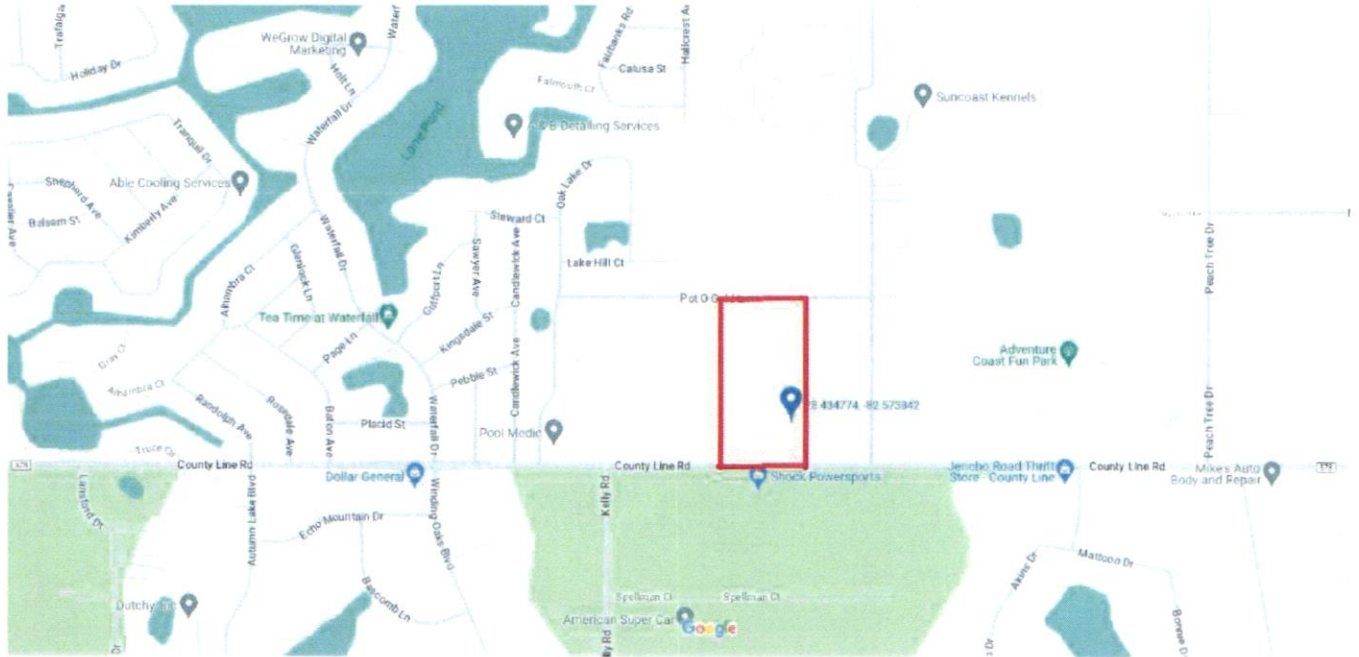
NARRATIVE
FOR
Dimetry Combined PDP
Rezoning
January 2025

RECEIVED

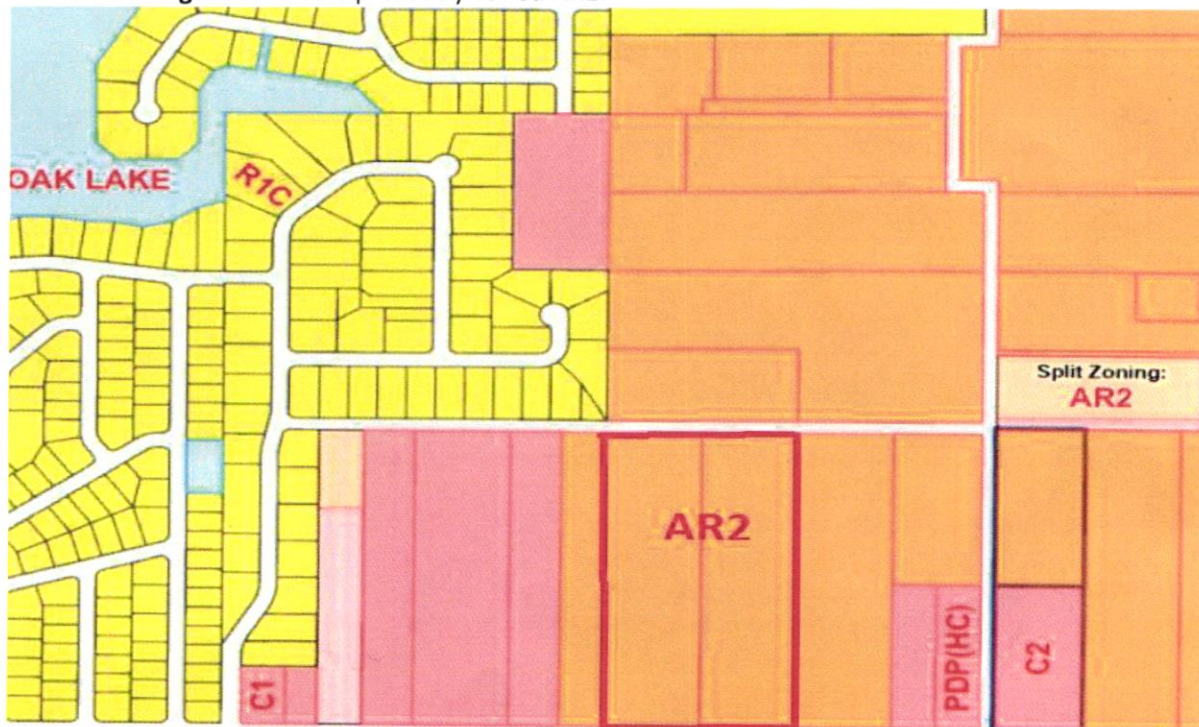
APR 01 2025

HERNANDO COUNTY DEVELOPMENT SERVICES
ZONING DIVISION

Project Location: The property in question is 18.89 acres. It is located on the North side of County Line Road, and the South side of Pot O' Gold Lane. It is west of Suncoast Blvd, and east of Oak Lake Drive. The area is known as El Pico. For the most part, El Pico is an old, unrecorded subdivision.

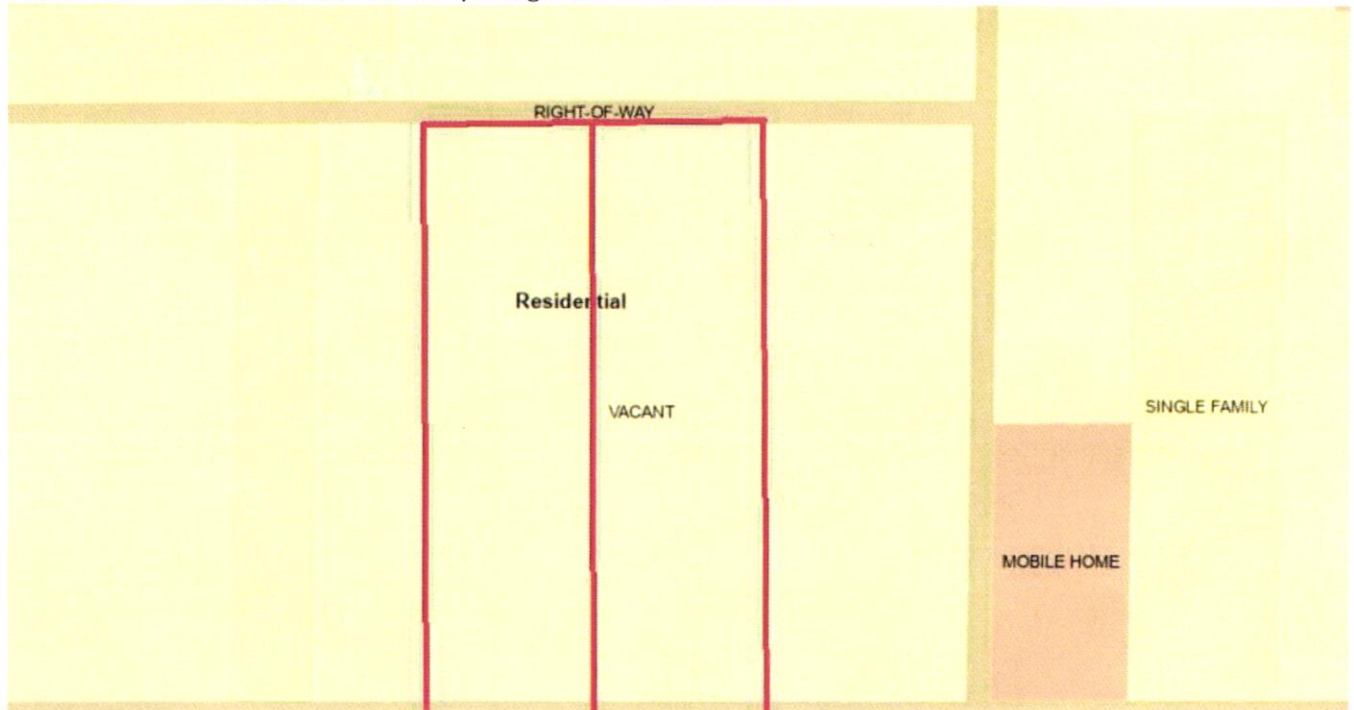


Present Zoning: The land is presently zoned AR2.



NARRATIVE
FOR
Dimetry Combined PDP
Rezoning
January 2025

Present Land use: The land is currently designated as Residential.



Desired Zoning: The applicant is desirous to rezone the property to PDP(MF), PDP(GC), PDP(SF). The mixed use would incorporate General Highway Commercial along County Line Road, 0.5 acre single family lots on the north (accessing Pot O' Gold Lane), and multifamily townhomes in between. There will be 15 Units of Apartments above the Commercial pieces.

The residential homes on the north side of the project are to blend the intensity against the land to the north.

Summary of Request: The applicant is desirous to rezone the property to PDP(MF), PDP(GC), PDP(SF).

Proposed External Setbacks: Front: 75'
Sides: 20'
Rear: 35'

Commercial Setbacks: Front: 75' (Deviation from 125') due to reverse frontage road**

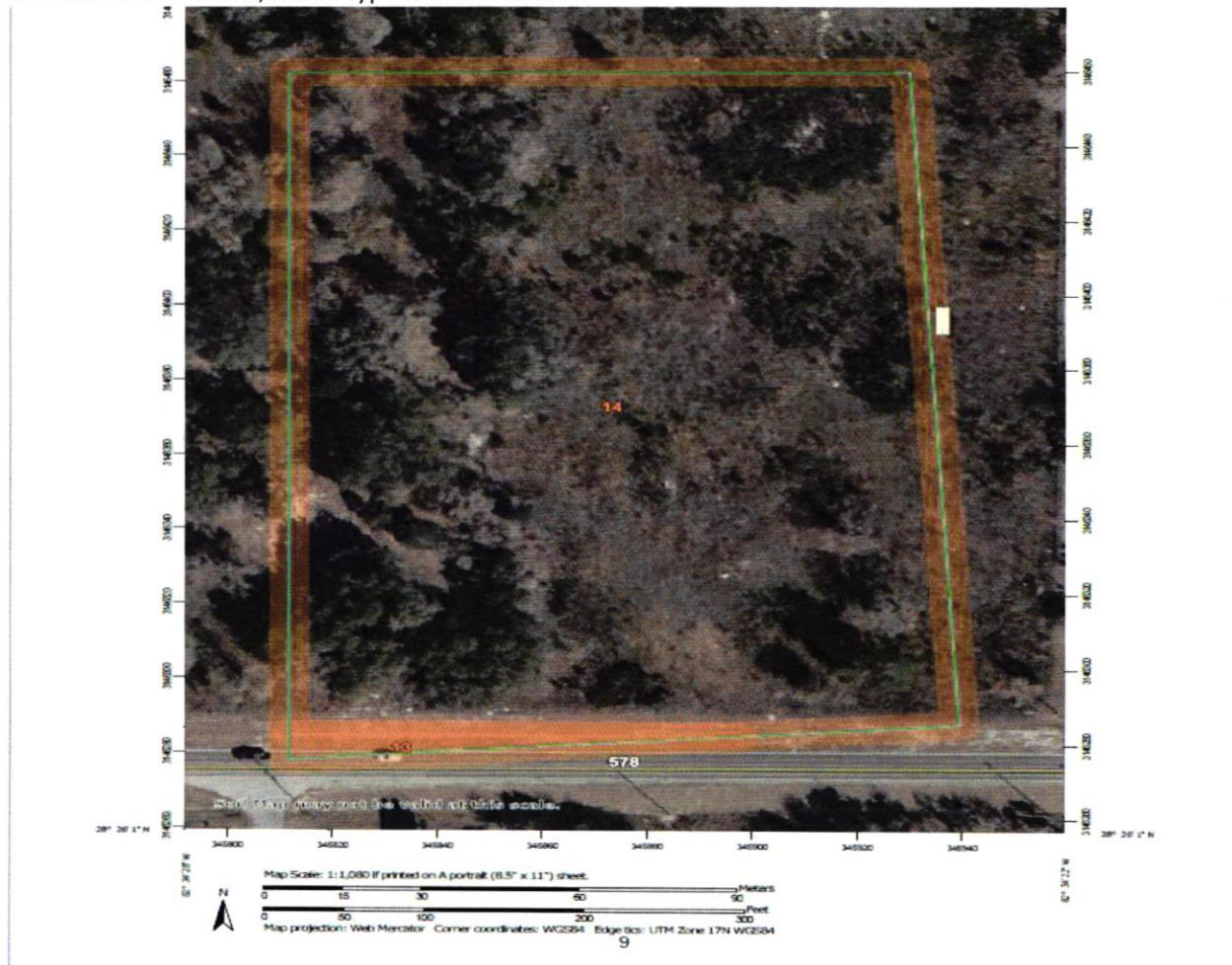
Setback Deviation: Front setback to be 75'; this is a deviation from the 125' setback due to the reverse frontage road.

**** :** The plan depicts a reverse frontage road from West to East through the project. The townhomes and commercial will both abut the proposed frontage road. A round-about is proposed for the intersection of the reverse frontage road and the main roadway through the project.

NARRATIVE
FOR
Dimetry Combined PDP
Rezoning
January 2025

Buffers: The buffers on the project would be a 20' Right-of-Way Enhanced Natural buffer along County Line Road. The east and west sides would have a six foot vinyl fence with enhanced vegetation within the 10' buffer. There will be internal buffering between the project's changes in use. Buffers will be maintained by the proposed HOA.

Soils: According to information found on the NRCS database, the existing soils are Candler fine sand. The soils are well drained soils, this is typical in this area.



Sanitary Sewer: County line Road has an existing 16" Force Main located on the North Side of its right of way. The infrastructure for the complete build-out would be designed with a master pumping station to connect to the existing HCUD 16" forcemain. A sewer analysis would be completed for connection to the HCUD system during the Construction Permitting.

NARRATIVE
FOR
Dimetry Combined PDP
Rezoning
January 2025

Potable Water: County Line Road also has an existing 8" water main along the northern side of the Right-Of-Way. The infrastructure for the complete build out would be designed with a connection to the existing 8" water line. A water Analysis would be completed for connection to the HCUD system during the Construction Permitting. It is planned that this connection would be routed to the north through the project and available to connect in the future to County water on Pot O' Gold Lane.



Environmental: The existing soils and vegetation support habitat for gopher tortoise. The Developer shall, prior to any construction, conduct a wildlife assessment. Available mapping and site inspection ensure there are no wetlands or surface waters on-site.

Floodplain: According to FEMA mapping as well as SWFWMD Basin research, there are no flood plains existing on or adjacent to the project area. The entire Project area is located in Flood zone "x".

NARRATIVE
FOR
Dimetry Combined PDP
Rezoning
January 2025

Drainage: The master plan includes ample provision for an on-site retention areas to meet the following requirements:

1. Water Quality
2. 25 Year – 24 hour event
3. 100 Year – 24 hour event.

Streets: County Line Road is an existing Roadway which will provide connection to the project. Pot O' Gold Lane on the north side of the project is an existing lime rock County owned roadway, which can be utilized as an emergency exit if needed. Due to the volumes of traffic expected, the Developer will consider improving Pot O' Gold Lane from his connection, east to Suncoast Blvd.

Access: The site is accessed from County Line Road and Pot O' Gold Lane.

Traffic: Based on the latest tables from the ITE manual, the proposed project may generate up to 310 Peak PM Trips. A traffic study will be completed and be further addressed at the time of concurrency. The Developer understands off-site traffic improvements which may be recommended by the traffic study, may be at his sole expense.

Dedicated Public Improvements: Under the discretion of Hernando County, an independent traffic study and the water/sewer analysis, future improvements may be necessary for this project. The full length of requirements to this point are unknown until all reports are completed.

It is assumed Hernando County will request an additional 60 feet of right-of-way along County Line Road. The Developer is aware of this due to researching other zoning requests in the area. The Developer will request traffic impact fee credits in lieu of payment from Hernando County for this land. The Developer may also request traffic impact fee credits for work performed on Pot O' Gold Lane, since land-owners to the north and west will also be utilizing this roadway if improved.

STAFF REPORT

HEARINGS: Planning & Zoning Commission: June 9, 2025
Board of County Commissioners: August 5, 2025

APPLICANT: Arsany 66th Street, LLC

FILE NUMBER: H-25-01

REQUEST: Rezoning from AR-2 (Agricultural/Residential 2) to PDP(MF) Planned Development Project (Multifamily), PDP(GC) Planned Development Project (General Commercial), and PDP(SF)Planned Development Project (Single Family) with deviations

GENERAL LOCATION: North of County Line Road, South of Pot O' Gold Lane, approximately 1000' west of the intersection of County Line Road and Suncoast Boulevard.

PARCEL KEY NUMBER(S): 189940, 189959

APPLICANT'S REQUEST

The petitioner is requesting a rezoning of the subject property from AR-2 (Agricultural/Residential 2) to PDP(MF) Planned Development Project (Multifamily), PDP(GC) Planned Development Project (General Commercial), and PDP(SF) Planned Development Project (Single Family) with deviations. The petitioner proposes developing single-family lots on the northern portion of the site, accessed via Pot O' Gold Lane, with multi-family townhomes in the central area and commercial uses on the southern end. The single-family homes on the north will provide a gradual transition in intensity to the adjacent land.

The total proposed development density and intensity is as follows:

Development Type	Number of Units	Square Footage
Single-Family Homes	4	
Townhomes	170	
Commercial		23,500 square feet
Apartments (Based on R-3 Development Standards)	15	

Deviations Requested:

- Setback Deviation (County Line Road): 75' (Deviation from 125')
- Maximum Lot Coverage (Single Family): 60% (Deviation from 35%)

SITE CHARACTERISTICS

Site Size:	18.89 acres
Surrounding Zoning; Land Uses:	North: AR-2(Agricultural/Residential); Single family Residence South: Pasco County East: AR-2 (Agricultural/Residential); Undeveloped West: AR-2 (Agricultural/ Residential); Undeveloped
Current Zoning:	AR-2 (Agricultural/ Residential 2)
Future Land Use Map Designation:	Residential

ENVIRONMENTAL REVIEW

The petitioner shall be required to comply with all applicable FWC (Florida Fish and Wildlife Conservation Commission) permitting requirements.

UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) reviewed the petitioner's application and provided the following comments:

- HCUD does not currently supply water or sewer service to the subject site.
- Water and sewer service are available via 8" water main and 16" force main that runs along County Line Road.
- The proposed project will be subject to a utility capacity analysis and connection to the central water and sewer system at time of vertical construction.
- HCUD has no objection to the requested zoning change from AR-2 (Agricultural/Residential) to PDP(MF) Planned Development Project (Multifamily), PDP(GC) Planned Development Project (General Commercial), and PDP(SF)Planned Development Project (Single Family) with deviations.

ENGINEERING REVIEW

The subject property is located north of County Line Road, south of Pot O' Gold Lane, approximately 1,000' west of the intersection of County Line Road and Suncoast Boulevard. The petitioner is proposing a bisecting access drive from north to south from Pot O' Gold to County Line Road. The County Engineer has reviewed the petitioner's request and provided the following comments:

- The project lies within the Spring Hill Lakes watershed, within three basins. The BFE ranges from 30.4' to 34.0 NAVD 88.
- The petitioner shall provide a Traffic Access Analysis as per the Hernando County Facility Design Guidelines.

- Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer.
- The petitioner shall be required to improve Pot O' Gold Lane in accordance with the current Hernando County Facility Design Guideline standards, extending from Suncoast Boulevard to the western boundary property line.
- The driveway connections, parking spaces and overall parking lot layout shall be designed and constructed to comply with current Hernando County Facility Design Guideline standards.
- A dedication of 60' of right-of-way along County Line Road shall be required.
- Traffic impact fee credits shall only be in accordance with the Traffic Impact Fee Ordinance.
- Traffic impact fee credits for work performed on Pot O' Gold Lane shall be in accordance with the Traffic Impact Fee Ordinance.
- The County Engineer's office has expressed concerns about the requested setback reduction along County Line Road, citing potential issues related to future road widening plans

Comments: Due to the County Engineer's concern about the setback reduction along County Line Road, Planning staff will not support this deviation request. Details on this request and the Planning staff recommendation are located within the Land Use Review section.

Note: Subsequent to the County Engineer's initial comments, the petitioner discussed the setback reduction along County Line Road with Department of Public Works staff. The County Engineer updated his comments to state that the setback distance of 75' is adequate with the required right of dedication of 60' and a provided 50' reverse frontage road. Planning staff recommendation has been revised to incorporate these updated comments.

LAND USE REVIEW

The petitioner is proposing a mixed-use development incorporating multi-family, general commercial, and residential single-family components. The plan would include general commercial along County Line Road, four (4) half acre single family lots on the northern portion of the site with access via Pot O' Gold Lane, and 120 multi-family townhomes situated between the commercial and single-family areas. The commercial component will consist of 23,500 square feet of space, including 2,500 square feet designated for restaurant use, with 15 residential apartments proposed above the commercial units.

GENERAL PROJECT REQUIREMENTS

Proposed Perimeter Setbacks:

The petitioner has proposed the following perimeter setbacks for the subject site:

Perimeter Setback	Setback Width
North/ Rear (Pot O' Gold Lane)	35'
South /Front (County Line Road)	75' (Deviation from 125')
West & East Sides	20'

Comments: The County Engineer has approved the setback deviation request submitted by the petitioner, if 60' along County Line Road is dedicated for right of way and the reverse frontage road is constructed to County standards.

Buffers:

The petitioner has proposed the following perimeter buffers for the subject site:

Buffer Location	Buffer Width
South (County Line Road)	20'
East & West	10'

Comments: The east and west buffers shall be supplemented with a 6' vinyl fence with on the inside buffer.

RESIDENTIAL REQUIREMENTS

The petitioner has proposed single-family residential units along the north end of the project, with townhome units in the center portion of the site. At the front of the site, above commercial uses, apartments are proposed.

Proposed Single Family Setbacks:

The petitioner has proposed the following setbacks and lot coverage for the single-family homes.

Unit Type/Setback	Single Family
Front Setback	25'
Side Setback	10'
Rear Setback	20'
Lot Coverage	60% (Deviation from 35%)

Townhomes Unit Parameters:

The petitioner has not provided minimum setback criteria for the townhomes. Should the master plan receive approval, the petitioner shall be obligated to meet the minimum R-3 setback requirements as follows:

Unit Type/Setback	Townhomes
Front Setback	25'
Side Setback	10'
Rear Setback	20'

The petitioner shall be limited to 120 townhome units with a density of 10.25 unit per acre.

Apartment Parameters:

The petitioner has not specified unit sizes for the apartments proposed above the commercial uses at the front of the site. If the master plan is approved and apartments are constructed, the

apartments shall be required to meet the unit size requirements in accordance with the R-3 Residential zoning district.

Access:

To establish minimum access requirements to single-family and multifamily subdivisions, the Board of County Commissioners adopted a policy requiring two (2) means of access for subdivisions. The policy serves to provide more than one-way in and one-way out for residents of a subdivision, alternate routes for emergency services, interconnection between subdivisions, a shortened drive time for residents to the entrance/exits, and access points for travel direction outside of the development. A minimum of two (2) access points must be provided to serve any new subdivision or development pod with more than 50 units. If approved, individual single family and multifamily pods that exceed 50 units must meet the two (2) means of access per pod.

Additionally, Hernando County Land Development Regulations require that new single-family and multifamily developments with more than 50 units provide at least one treed roadway/access way for motor vehicles extending through the length or width (whichever is greater) of the development with a vegetative buffer at least 10' in width.

Comments: The petitioner shall provide a treed entranceway into the development; this entranceway must be shown on the master plan and conditional plat.

Neighborhood Park:

All developments with 50 dwelling units or more shall provide and maintain a neighborhood park system for use by the residents of the subdivision in accordance with the requirements of the LDRs. The proposed project contains more than 50 dwelling units. Neighborhood parks may count towards the minimum open space requirements. The amount of land provided and maintained as a neighborhood park shall be 1.0 acre for the first 50 dwelling units plus 1/100th of an acre for each dwelling unit over 50 up to 250 dwelling units, for a maximum of 3.0 acres. If approved, the development must meet the minimum neighborhood park requirements as required by the County's LDRs. Individual single-family and multifamily pods that exceed 50 dwelling units must provide a neighborhood park.

Comments: If approved, the petitioner shall provide appropriate recreation amenities for the townhomes and apartments. These amenities shall be specified at the time of site development/construction drawings for the site. Additionally, the site shall be designed to provide multipurpose pathways to integrate the neighborhood parks within the development and provide for bicycle/pedestrian access throughout neighborhood. The multipurpose pathways shall be a minimum of eight (8) feet wide with an appropriate landscape buffer on both sides based upon the scale and intensity of adjoining uses. These pathways shall incorporate pedestrian scale lighting and, where possible, take advantage of drainage features and other open space opportunities, incorporating pedestrian scale landscaping and seating areas.

Natural Vegetation:

Projects two (2) to twenty (20) acres must designate an area of at least five (5) percent of the total project area as preserved natural vegetation and no construction activity can occur in this area.

Preserved natural vegetation areas must be a minimum of two thousand (2,000) square feet and no more than two (2) non-contiguous areas shall be allowed.

Comments: No multipurpose pathways shall be placed within the vegetated buffers along the perimeter of the development or within those areas reserved for the preservation of natural vegetation.

Fire Protection Plan:

Hernando County LDRs require that a fire protection plan be completed for residential developments with lot sizes less than 60' in width.

Comments: If approved, the petitioner shall submit a fire protection plan with the Conditional Plat in accordance with Hernando County LDRs.

Parking

Multi-Family County Land Development Regulations (LDRs) require a minimum of 1.5 spaces per unit for (1) one and (2) two bedrooms and (2) two spaces for (3) three or more bedrooms.

Comments: The applicant shall be required to provide adequate parking in accordance with the Land Development Regulations at the time of site plan approval.

COMMERCIAL REQUIREMENTS:

Proposed Commercial Building Setbacks:

The petitioner has proposed the following setbacks for the commercial buildings:

Commercial Setback Location	Setback Width
North/Rear	35'
South /Front (County Line Road)	75' (Deviation from 125')
West & East Sides	20'

Retail Development Standards:

The petitioner has indicated that the proposed project will consist of 23,500 square feet of commercial which will be integrated with the proposed multifamily. Although the project does not meet the Large Retail development square footage of 65,000, specific standards are being applied from the Large Retail Development Standards due to the mixed-use complexity and size of the project.

- Mechanical/operational equipment including HVAC located at ground level shall be set back at least one hundred (100) feet from any property line external to the development site and shall be visually shielded through enhanced screening or shall be located on the roof and shall be visually shielded with a parapet wall. All mechanical/operational equipment shall be sound attenuated as necessary to comply with the county's noise ordinance.

Comment: Any noise producing machinery or equipment (refrigeration units, air conditioning, chillers, etc.) for the commercial outparcels shall be placed on the

roof and screened by a parapet wall with a similar architectural style as the building.

- Where the proposed commercial development consists of multiple buildings (excluding out parcels), then loading areas and loading docks should be situated between said buildings in a manner which allows the buildings to act as screens. All loading areas/docks shall be set back at least one hundred (100) feet from any property line external to the development site and shall be screened at 100% opacity through the use of landscape plantings, berms, fences or walls. The County may require the use of absorptive noise barrier walls for commercial noise reduction.
- County LDRs require lighting that enhances the visual impact of the project on the community and specifically address lighting intensity levels and glare accordingly. Commercial buildings and projects shall be designed to provide safe, convenient and efficient lighting for pedestrians and vehicles.

Comments: The petitioner has not indicated any provisions for lighting of the subject property. If approved, the petitioner should be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage

- All on-site advertising signs, including out parcels, shall be designed as part of a complete signage system and shall be limited to ground mounted monument type signs. Ground mounted monument type signs are signs where the bottom edge of the sign is no greater than ten (10) feet above grade and which otherwise meets all sign requirements in this code.

Comments: The predominant sign material shall be similar to the material (e.g., brick, stone, etc.) of the commercial buildings developed on the subject property. All on-site advertising signs, including outparcels and the subdivision entrance signs, shall be designed as part of a complete signage system, and shall be limited to ground mounted monument type signs. Ground mounted monument type signs are signs where the bottom edge of the sign is no greater than ten (10) feet above grade and which otherwise meets all sign requirements in this code. Size sizes and location shall meet the minimum requirements of the County LDR's.

Parking

County Land Development Regulations (LDRs) require a minimum of 4.0 parking spaces per 1,000 square feet of commercial use, and 0.5 parking spaces per seat for restaurant and fast-food establishments. The petitioner is proposing 23,500 square feet of commercial, which requires 94 parking spaces. In addition, 2,500 square feet of restaurant space with 48 seats require 24 parking spaces, totaling 118 parking spaces including 5 spaces allocated to handicapped parking.

Comments: The applicant shall be required to provide adequate parking in accordance with the Land Development Regulations (LDRs) at the time of site plan approval. If the commercial use has changed the parking calculations shall be required to meet the LDRs.

Buffering

A buffer shall be required between a Planned Development Project land use which is multifamily or non-residential and a land use, external to the PDP, which is residential, agricultural-residential or agricultural.

The buffer shall consist of a minimum five-foot landscaped separation distance. The multifamily or nonresidential use located on such lot shall be permanently screened from the adjoining and contiguous properties by a wall, fence, and/or approved enclosures. Such screening shall have a minimum height of five (5) [feet] and a maximum height of eight (8) feet, or an evergreen hedge with a minimum height of five (5) feet at the time of planting.

Comments: The petitioner proposes a 20' right-of-way enhanced natural buffer along County Line Road. On both the east and west sides of the site, a six-foot vinyl fence is proposed, accompanied by a 10' enhanced vegetation buffer. The petitioner is requesting a deviation from the required 5' landscaped buffer to 0'. The buffers will be owned and maintained by the proposed HOA.

Landscaping

The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials, and plantings for required landscaping.

Residential Protection Standards

This property is within 100' of a residential zoning district which requires the implementation of the residential protection standards. Those standards are as follows:

- There shall be no speakers or other sound equipment located within 100' of any single-family residential district property line.
- There shall be no buildings containing alcoholic beverage dispensation establishments, convenience stores, or automotive and truck repair establishments located within 100' of any single-family residential district property line.
- No commercial activities which include customer entrances, drive-up windows, ordering boxes, or loading/unloading areas shall be allowed to operate between the hours of 12 midnight and 7:00 a.m. within 100' of any single-family residential district property line.
- No building within 100' of any single-family residential district property line shall be more than 20' in height.
- All loading bays and loading docks must be a minimum of 100' from any single-family residential district property line. Additionally, all loading bays and loading docks must be screened from view from the public right-of-way or single-family residential district property line. Screening may include landscape plantings, berms, fences, or walls.
- Air conditioning and/or other operational equipment must be oriented away from single family residentially zoned property or screened to minimize noise impacts and reduce visual incompatibility to the single family residentially zoned property. Screening may include landscape plantings, berms, fences, or walls.

Comments: The residential protection standards are included in the performance conditions.

COMPREHENSIVE PLAN REVIEW**Future Land Use Map**

The subject property is located within the Residential land use classification on the adopted Future Land Use Map. Neighborhood Commercial is a consistent land use in the Residential Category.

Residential

Objective 1.04B: The Residential Category allows primarily single family, duplex, resort and multi-family housing and associated ancillary uses such as recreational and institutional. Office and certain commercial uses may be allowed subject to the locational criteria and performance standards of this Plan. Residential density shall not exceed 22 dwelling units per gross acre.

Strategy 1.04B(1): Commercial and institutional uses within the Residential Category are generally associated with medium and high density residential development and may include neighborhood commercial, office professional, recreational, schools, and hospitals. Minor public facilities that do not unduly disturb the peaceful enjoyment of residential uses may also be allowed.

Strategy 1.04B(2): Future residential development will be planned to locate where the Residential Category predominates on the Future Land Use Map as determined by the availability of facilities and services, the need to accommodate future growth, the strategies to discourage the proliferation of urban sprawl, and the impacts to natural resources, including groundwater.

Strategy 1.04B(4): The Residential Category includes zoning for multi-family housing generally averaging 7.5 dwelling units per gross acre up to 22 dwelling units per gross acre in order to provide for a diversity of housing choices. Multifamily housing should be located within, or in close proximity to urban areas shown on the Adjusted Urbanized Area Map, or near shopping and employment centers or within Planned Development Projects.

Objective 1.08B: County Line Road is recognized as a principal arterial roadway where transportation level of service and efficiency may be compromised by the intensification of land uses. Planning for this corridor is intended to manage development for transportation efficiency and to protect residential neighborhoods.

Comments: The proposed rezoning is consistent with the Comprehensive Plan as the Residential Land Use classification allows for residential and commercial uses to be developed through a mixed-use community. The commercial uses are located immediately adjacent to County Line Road transitioning in multi-family units with large single-family lots adjacent to agricultural residential uses. The uses proposed are consistent with the objectives and strategies for County Line Road.

NOTICE OF APPLICANT RESPONSIBILITY

The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

STAFF RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from AR-2 (Agricultural/Residential) to PDP(MF) Planned Development Project (Multifamily), PDP(GC) Planned Development Project (General Commercial), and PDP(SF)Planned Development Project (Single Family) with deviations, with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The petitioner shall be required to comply with all applicable Florida Fish and Wildlife Conservation Commission permitting requirements.
3. The developer shall provide a water and sewer capacity analysis at the time of Conditional Plat in accordance with the requirements of the Hernando County Utilities Department.
4. The petitioner shall meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials, and plantings for required landscaping, as applicable.
5. A comprehensive floral and faunal (wildlife) survey shall be performed and provided with the construction plans. Invasive species shall be included in this survey. Invasive plant species shall be removed during the development process.
6. A connection to the central water and sewer system shall be made at the time of vertical construction.
7. The petitioner shall provide a Traffic Study in accordance with the requirements of the County Engineer at the time of permitting. Any improvements identified and required by the Traffic Access Analysis, which could include off-site public improvements, will be the responsibility of the developer.
8. The developer shall be responsible for the improvement of Pot O' Gold Lane to comply

with the current Hernando County Facility Design Guideline standards, extending from Suncoast Boulevard to the western property line.

9. All driveway connections, parking stalls, and overall parking layout shall be designed and constructed to comply with the current Hernando County Facility Design Guideline standards.
10. A dedication of 60' of right of way along County Line Road shall be required.

11. Planning

- A. Allowable uses: Single Family, Multi-Family, General Commercial
- B. Maximum number of multi-family units: 120
- C. Maximum number of apartment units: 15
- D. Maximum number of single-family units: 4
- E. Maximum square footage of commercial use: 26,000 square feet
- F. Single Family Lot Coverage: 60% (Deviation from 35%)
- G. Single Family Setbacks:
 - Front: 25'
 - Side: 10'
 - Rear: 20'
- H. Townhomes Setbacks:
 - Front :25'
 - Side: 10'
 - Rear: 20'
- I. Perimeter Setbacks:
 - North/Rear (Pot O' Gold Lane): 35'
 - South/Front (County Line Road): 75' (Deviation from 125')
 - West & East Sides: 20'

12. Buffers and Permanent Screening

- A. Buffer Location & Width
 - South/Front (County Line Road): 20'
 - West & East Sides: 10'
 - North: 10'
 - Buffers along the eastern and western perimeters shall be supplemented with a 6' opaque fence, interior to the landscaping.
- B. Internal Commercial Landscape Buffers
 - Internal: 0' (deviation from 5')

13. The petitioner shall meet the minimum requirements for neighborhood parks for multi-family development.
14. The petitioner shall provide a treed entrance into the development; this entranceway must be shown on the master plan and conditional plat.
15. The petitioner shall be required to provide a minimum of 5% of the total project as preserved natural vegetation. No multipurpose pathways shall be placed within the vegetated buffers along the perimeter of the development or within those areas reserved for the preservation of natural vegetation.

16. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.
17. The applicant shall be required to provide adequate parking in accordance with the Land Development Regulation at the time of site plan approval.
18. Residential Protection Standards shall be adhered to (*Appendix A, Article 7, Section 6*):
 - There shall be no speakers or other sound equipment located within 100' of any single-family residential district property line.
 - There shall be no buildings containing alcoholic beverage dispensation establishments, convenience stores, or automotive and truck repair establishments located within 100' of any single-family residential district property line.
 - No commercial activities which include customer entrances, drive-up windows, ordering boxes, or loading/unloading areas shall be allowed to operate between the hours of 12 midnight and 7:00 a.m. within 100 feet of any single-family residential district property line.
 - No building within 100' of any single-family residential district property line shall be more than 20' in height.
 - All loading bays and loading docks must be a minimum of 100' from any single-family residential district property line. Additionally, all loading bays and loading docks must be screened from view from the public right-of-way or single-family residential district property line. Screening may include landscape plantings, berms, fences, or walls.
 - Air conditioning and/or other operational equipment must be oriented away from single family residentially zoned property or screened to minimize noise impacts and reduce visual incompatibility to the single family residentially zoned property. Screening may include landscape plantings, berms, fences, or walls.
19. The development shall meet the minimum LDR design standards for Large Retail Development in Article III, Appendix A (Zoning)
20. The petitioner shall dedicate 60' along County Line Road for right-of-way for the future expansion of the roadway.
21. The petitioner shall construct the reverse frontage road within the development in accordance with the Hernando County Facility Design Guidelines.
22. The petitioner shall provide a master plan in compliance with all performance conditions within 30 calendar days of receiving staff comments related to the county BOCC approval. Failure to submit the revised plan will result in no further development permits being issued.

Planning and Zoning Commission:

On June 9, 2025, meeting the Planning and Zoning Commission voted 3-2 to approve the recommendation to rezone from AR-2 (Agricultural/Residential 2) to PDP(MF) Planned Development Project (Multifamily), PDP(GC) Planned Development Project (General Commercial), and PDP(SF) Planned Development Project (Single Family) with deviations.

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The petitioner shall be required to comply with all applicable Florida Fish and Wildlife Conservation Commission permitting requirements.
3. The developer shall provide a water and sewer capacity analysis at the time of Conditional Plat in accordance with the requirements of the Hernando County Utilities Department.
4. The petitioner shall meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials, and plantings for required landscaping, as applicable.
5. A comprehensive floral and faunal (wildlife) survey shall be performed and provided with the construction plans. Invasive species shall be included in this survey. Invasive plant species shall be removed during the development process.
6. A connection to the central water and sewer system shall be made at the time of vertical construction.
7. The petitioner shall provide a Traffic Study in accordance with the requirements of the County Engineer at the time of permitting. Any improvements identified and required by the Traffic Access Analysis, which could include off-site public improvements, will be the responsibility of the developer.
8. The developer shall be responsible for the improvement of Pot O' Gold Lane to comply with the current Hernando County Facility Design Guideline standards, extending from Suncoast Boulevard to the western property line.
9. All driveway connections, parking stalls, and overall parking layout shall be designed and constructed to comply with the current Hernando County Facility Design Guideline standards.
10. A dedication of 60' of right of way along County Line Road shall be required.

11. Planning

- J. Allowable uses: Single Family, Multi-Family, General Commercial
- K. Maximum number of multi-family units: 120
- L. Maximum number of apartment units: 15
- M. Maximum number of single-family units: 4

- N. Maximum square footage of commercial use: 26,000 square feet
- O. Single Family Lot Coverage: 60% (Deviation from 35%)
- P. Single Family Setbacks:
 - Front: 25'
 - Side: 10'
 - Rear: 20'
- Q. Townhomes Setbacks:
 - Front :25'
 - Side: 10'
 - Rear: 20'
- R. Perimeter Setbacks:
 - North/Rear (Pot O' Gold Lane): 35'
 - South/Front (County Line Road): 75' (Deviation from 125')
 - West & East Sides: 20'

12. Buffers and Permanent Screening

- C. Buffer Location & Width
 - South/Front (County Line Road): 20'
 - West & East Sides: 10'
 - North: 10'
 - Buffers along the eastern and western perimeters shall be supplemented with a 6' opaque fence, interior to the landscaping.
- D. Internal Commercial Landscape Buffers
 - Internal: 0' (deviation from 5')

- 13. The petitioner shall meet the minimum requirements for neighborhood parks for multi-family development.
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H-25-01

Photo date: 2023

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



Hernando County Comprehensive Plan Map

Existing Future Land Use: H-25-01

Version Date: 12/09/2022



Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

0 0.04 0.08 0.16 0.24 0.32 Miles

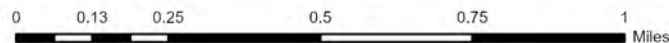
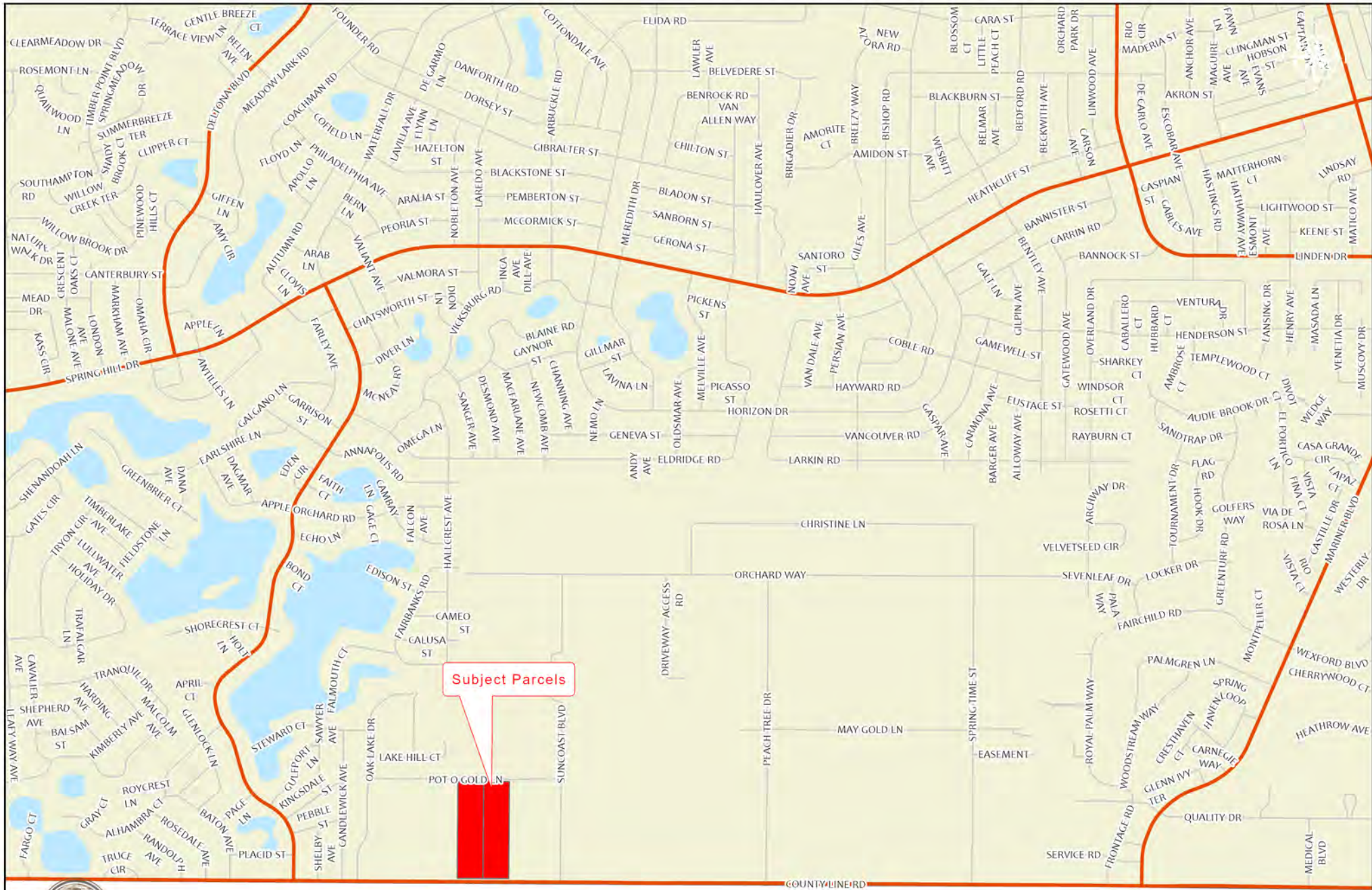


Date of mapping: 02/05/2025



H-25-01 AREA MAP

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H-25-01

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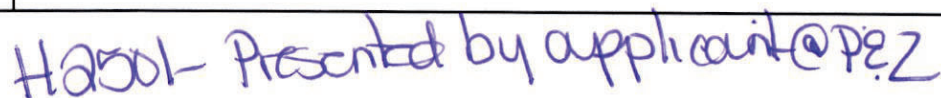


Zoning:

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending





Submitted @ PEZ H0501
Public Comment

1 of 1
File #
H-25-01

Steven & Raysa Anderson

8390 Lake Hill Ct.
Spring Hill, FL 34608
andesol@yahoo.com

June 9, 2025

Hernando County Development Services Department
1653 Blaise Dr.
Brooksville, FL 34601

To whom it may concern,

When we decided to move to FL in 2022, we made an important list of "must have" features that our future home should have. We did not want to compromise on the inclusion of any of the "must have" items because we believed this would be our final home purchase. Having the property overlook a natural setting was one such "must have" on our list. Raysa took on the huge task of finding some properties that checked off all the "must haves", and we were lucky enough to find our current home at 8390 Lake Hill Ct.

Changing the zoning on the land behind our home from AR-2 to PDP(GC) and PDP(SF) would completely eliminate what is one of the finest features of our home: the beautiful back yard that's bounded only by nature. Once we saw it, we knew we had found our home.

To eliminate that feature of our home is to eliminate the feature that drew us there in the first place. It was so difficult to find, and it would be a shame for it to be gone so shortly after our purchase. Virtually every day of the week, we enjoy the beautiful views

of nature from our backyard. Among the trees and bushes just beyond our yard, we have seen gopher tortoises, rabbits, coyotes, and wild turkeys and numerous other species who also call this small, wooded area home. For the peace and safety of us all, please reconsider this proposed zoning change.

Sincerely yours,

Steven and Raysa Anderson

8390 Lake Hill CT
Spring Hill, FL 34608

Lynne E summers
199 Oak Lake Drive
Spring Hill FL 34608

Hernando County Planning Department
1653 Blaise Drive
Brooksville FL 34601



June 9, 2025

To the Zoning Department,

I attended the June 9th zoning hearing regarding File Number H-25-01 and took the opportunity to speak about the alarming traffic conditions on County Line Road and the serious environmental impact this development will bring. I fully understand that development is inevitable—but what I strongly object to is the lack of thoughtful, proactive planning from the county when it comes to these large-scale projects.

It's no secret that Hernando County has been trying for years to transfer jurisdiction of County Line Road to the state, but those efforts have been unsuccessful, leaving the road in what's still referred to as "yellow." What's more concerning is learning that essential infrastructure—such as fire departments—has not even been allocated for these expansive developments.

Where is the common sense? In many counties across the country, developers are required to share the burden of infrastructure. They must install turn lanes, additional road capacity that aligns with future highway plans, and even contribute to—or build—fire stations when developments exceed a certain size. That's just responsible planning, especially in a disaster-prone state like Florida.

Unfortunately, at the hearing, I was not permitted to offer rebuttal after my three minutes. So I'll offer it here. A representative for the zoning request stated that residents of this new community could make left turns onto County Line Road either from the new development's entrance or via Suncoast Blvd. That suggestion is not only naive—it's dangerous. It makes no difference what road you use to take a left onto County Line; it's a daily hazard.

Currently, residents in Rainbow Hills Estates cut through neighboring subdivisions just to reach Waterfall Road and access a traffic light. But even that is no solution—Waterfall is a narrow two-lane road with an inadequate turn lane. Drivers impatiently swerve onto the shoulder to pass left-turning vehicles, often without slowing down. This is already a recipe for disaster, and we haven't even added the volume from the proposed development.

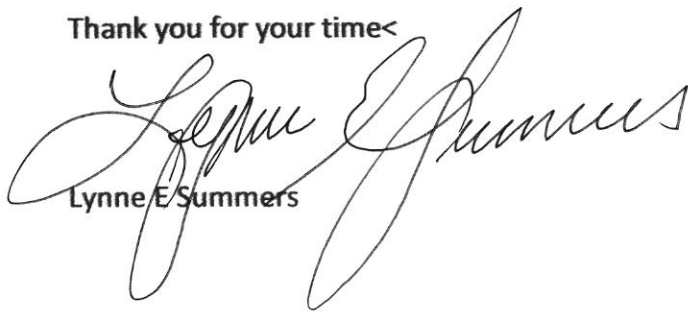
It was also mentioned that a portion of the undeveloped dirt road, "Pot of Gold," will be paved to the east. Even if the developer attempts to block access through the remaining undeveloped

section, people will find a way through. We already see drivers going off-road to bypass traffic—they won't hesitate to go around a blockade.

Without Hernando County taking a lead role in planning critical infrastructure, we are paving the way to chaos. Traffic collisions, delayed emergency responses, and preventable tragedies will follow. It doesn't have to be this way. With real planning and true partnerships—where developers contribute to the infrastructure they benefit from—growth can happen in a responsible, community-first manner.

Let's not wait for a catastrophe to act. Let's plan like our safety depends on it—because it does.

Thank you for your time<

A large, stylized handwritten signature in black ink, appearing to read 'Lynne E. Summers'. The signature is fluid and cursive, with the first name 'Lynne' being more prominent and the last name 'Summers' following in a similar style. The signature is positioned to the right of the printed name.

Lynne E. Summers

RESOLUTION NO. 2025 - _____

WHEREAS, Hernando County has adopted zoning regulations pursuant to Section 125.01(1) and Chapter 163, *Florida Statutes*, which authorize the County to regulate the use of land in the unincorporated areas of Hernando County, Florida, and take action on the request herein; and

WHEREAS, the Hernando County Board of County Commissioners (BOCC) conducted a duly advertised public hearing to consider the requested changes in zoning on the specified parcels in Hernando County, Florida, as more fully described below;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, AS FOLLOWS:

APPLICANT: Arsany 66th Street, LLC

FILE NUMBER: H-25-01

REQUEST: Rezoning from AR-2 (Agricultural/Residential 2) to PDP(MF) Planned Development Project (Multifamily), PDP(GC) Planned Development Project (General Commercial), and PDP(SF) Planned Development Project (Single Family) with deviations

GENERAL

LOCATION: North of County Line Road, South of Pot O' Gold Lane, approximately 1000' west of the intersection of County Line Road and Suncoast Boulevard

PARCEL KEY

NUMBERS: 189940, 189959

REQUEST: Rezoning from AR-2 (Agricultural/Residential 2) to PDP(MF) Planned Development Project (Multifamily), PDP(GC) Planned Development Project (General Commercial), and PDP(SF)Planned Development Project (Single Family) with deviations as enumerated in the BOCC Action, which is incorporated herein by reference and made a part hereof. The representations contained in the rezoning application are incorporated herein by reference and made a part hereof and are relied upon by the County to be true and correct. For purposes herein, it is presumed that all notice and advertising requirements have been satisfied.

FINDINGS

OF FACT: ALL of the facts and conditions set forth in the County's staff memoranda and presented to the BOCC in connection with the public hearing in this matter are incorporated herein by reference and made a material part of this Resolution as integral to the BOCC's Action. The BOCC finds that the testimony and record supporting APPROVAL of the request to be credible and to constitute competent substantial evidence. In further support thereof, the BOCC makes the following specific findings of fact:

1. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

**CONCLUSIONS
OF LAW:**

The BOCC is authorized to act on this matter pursuant to Chapters 125 and 163, *Florida Statutes*. Accordingly, after public hearing and testimony, being fully advised in the record, and based upon competent substantial evidence, the BOCC makes the following specific conclusions of law:

1. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

ACTION:

After notice and public hearing, based upon the record in this matter and ALL of the findings of fact and conclusions of law above, the BOCC hereby APPROVES Rezoning from AR-2 (Agricultural/Residential 2) to PDP(MF) Planned Development Project (Multifamily), PDP(GC) Planned Development Project (General Commercial), and PDP(SF)Planned Development Project (Single Family) with deviations as set forth in the BOCC Action, which is incorporated herein by reference and made a part hereof. Any requests, uses, variances or exceptions that were requested in connection with this rezoning application but not specifically approved herein are hereby deemed DENIED.

ADOPTED IN REGULAR SESSION THE ____ DAY OF _____, 2025.

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest: _____
Douglas A. Chorvat, Jr.
Clerk of Circuit Court & Comptroller

By: _____
Brian Hawkins
Chairman

(SEAL)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: Jon Jouben
County Attorney's Office



THE HERNANDO SUN; Published Weekly

Brooksville Hernando County FLORIDA

PUBLISHER'S AFFIDAVIT OF PUBLICATION
STATE OF FLORIDA
COUNTY OF HERNANDO :

Before the undersigned authority, Julie B. Maglio, personally appeared, who on oath, says that she is Editor of the Hernando Sun, a weekly newspaper published at Brooksville in Hernando County, Florida, that the attached copy of the advertisement, being a
NOTICE OF PUBLIC HEARING

in the matter of

APPLICANT: Southern Valley Homes, LLC

was published in said newspaper by print in the issue(s) of:
May 30, 2025

and/or by publication on the newspaper's publicly available website, if
authorized, on May 30, 2025

Affiant further says that the newspaper complies with all
legal requirements for publication in chapter 50, Florida
Statutes.

(Signature of Affiant)

Sworn to and subscribed before me
This 2nd day of June, 2025.

(Signature of Notary Public) LISA M. MACNEIL



Commission # HH 254975
Expires April 19, 2026

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known ☒ or

produced identification _____

Type of identification produced _____

**NOTICE OF PUBLIC HEARING
HERNANDO COUNTY, FLORIDA**

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission of Hernando County, Florida, will hold a Public Hearing in the John Law Ayers County Commission Chambers, Hernando County Government Center, 20 North Main Street, Room 160, Brooksville, Florida on June 9, 2025. **The meeting starts at 9:00 AM and the cases will be heard thereafter in the order established when the agenda is published.**

BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners of Hernando County, Florida, will hold a Public Hearing in the John Law Ayers County Commission Chambers, Hernando County Government Center, 20 North Main Street, Room 160, Brooksville, Florida, on August 5, 2025. **The meeting starts at 9:00 AM and the cases will be heard thereafter in the order established when the Board agenda is published.**

APPLICANT: Southern Valley Homes, LLC
FILE NUMBER: H-24-71
REQUEST: AR-2(Agricultural Residential 2) to AC(Agricultural Commercial)
GENERAL LOCATION: North side of Wiscon Road, approximately 670' east of California Street
PARCEL KEY NUMBER: 345736

APPLICANT: Lance Lowery
FILE NUMBER: H-24-81
REQUEST: Rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage
GENERAL LOCATION: Approximately 175' north of Cortez Boulevard, bounded by Mondon Hill Road and Raley Road.
PARCEL KEY NUMBER: 1181090, 1181081, 1181125, 822872

APPLICANT: Meridien Development LLC Mark Keschl
FILE NUMBER: H-24-82
REQUEST: Rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for drive in restaurant with deviations
GENERAL LOCATION: Northeast corner of Commercial Way and Spring Hill Drive
PARCEL KEY NUMBER: 411931

APPLICANT: Arsany 66th Street, LLC
FILE NUMBER: H-25-01
REQUEST: Rezoning from AR-2 (Agricultural/Residential) to PDP(MF) Planned Development Project (Multifamily), PDP(GC) Planned Development Project (General Commercial), and PDP(SF)Planned Development Project (Single Family) with deviations
GENERAL LOCATION: North of County Line Road, South of Pot O Gold Lane, approximately 1000' west of the intersection of County Line Road and Suncoast Boulevard
PARCEL KEY NUMBER: 189940, 189959

Notice Continues on Page 2

APPLICANT: Alton B. Wingate
 FILE NUMBER: H-25-05
 REQUEST: Rezoning from AG (Agricultural) to PD-P(GC) Planned Development Project with a Special Exception for an Educational Facility
 GENERAL LOCATION: Northwest corner of Citrus Way and Ponce De Leon Boulevard
 PARCEL KEY NUMBER: 332367

APPLICANT: Sunny Pines of Hernando LLC
 FILE NUMBER: H-25-07
 REQUEST: Re-Establish Master Plan on Property Zoned Combined Planned Development Project with C2 and R1MH Uses and deviations
 GENERAL LOCATION: Northwest corner of SR 50 and Mondon Hill Road
 PARCEL KEY NUMBER: 370360

APPLICANT: Britton and Kayla Cox
 FILE NUMBER: H-25-11
 REQUEST: Rezoning from R-1C (Residential) to AR (Agricultural/Residential)
 GENERAL LOCATION: Double frontage on Yellow Frog Ave and Palmdale Road
 PARCEL KEY NUMBER: 610173

APPLICANT: Jorge Sabater
 FILE NUMBER: H-25-12
 REQUEST: Rezoning from C-4 (Heavy Highway Commercial) to C-2 (Highway Commercial)
 GENERAL LOCATION: North side of Chambord St, approximately 690 Feet from Sunshine Grove Rd.
 PARCEL KEY NUMBER: 998870

Interested parties may appear at the meeting and be heard on these matters. You are further advised that if a person decides to appeal any quasi-judicial decision made by the Board, Agency or Commission with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceeding, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Documentation may be reviewed by the public at the Hernando County Planning Department, 1653 Blaise Drive, Brooksville, Florida 34601, between the hours of 7:30 AM - 4:00 PM, Monday through Friday, legal holidays excepted or may be viewed one week prior to the meeting via the County's website at www.hernandocounty.us – follow the Board Agendas and Minutes link to the specified public hearing. If you should have any additional questions regarding this issue, please contact the Planning Department at planning@hernandocounty.us, 352-754-4057, or in writing at: Hernando County Planning Department, 1653 Blaise Drive, Brooksville, Florida 34601.

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact Jessica Wright, County Administration Building, 15470 Flight Path Drive Brooksville, FL 34604, telephone 352-754-4002, no later than three (3) days prior to the proceedings. If hearing impaired, please call 1-800-676-3777 for assistance.

/s/ Omar DePablo
 Development Services Director
 Hernando County Planning Division

Published: May 30, 2025



THE HERNANDO SUN; Published Weekly

Brooksville Hernando County FLORIDA

PUBLISHER'S AFFIDAVIT OF PUBLICATION
STATE OF FLORIDA
COUNTY OF HERNANDO :

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(Signature of Affiant)

Sworn to and subscribed before me
This 2nd day of June, 2025.

(Signature of Notary Public) LISA M. MACNEIL



Commission # HH 254975
Expires April 19, 2026

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known ☒ or

produced identification _____

Type of identification produced _____

NOTICE OF PUBLIC HEARING HERNANDO COUNTY, FLORIDA

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 PARCEL KEY NUMBER: 998870

Interested parties may appear at the meeting and be heard on these matters. You are further advised that if a person decides to appeal any quasi-judicial decision made by the Board, Agency or Commission with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceeding, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Documentation may be reviewed by the public at the Hernando County Planning Department, 1653 Blaise Drive, Brooksville, Florida 34601, between the hours of 7:30 AM - 4:00 PM, Monday through Friday, legal holidays excepted or may be viewed one week prior to the meeting via the County's website at www.hernandocounty.us – follow the Board Agendas and Minutes link to the specified public hearing. If you should have any additional questions regarding this issue, please contact the Planning Department at planning@hernandocounty.us, 352-754-4057, or in writing at: Hernando County Planning Department, 1653 Blaise Drive, Brooksville, Florida 34601.

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact Jessica Wright, County Administration Building, 15470 Flight Path Drive Brooksville, FL 34604, telephone 352-754-4002, no later than three (3) days prior to the proceedings. If hearing impaired, please call 1-800-676-3777 for assistance.

/s/ Omar DePablo
 Development Services Director
 Hernando County Planning Division

Published: May 30, 2025



Board of County Commissioners

AGENDA ITEM

Meeting: 08/05/2025
Department: Planning
Prepared By: Dlnigro Nigro
Initiator: Omar DePablo
DOC ID: 16106
Legal Request Number: LR-2025-315-1
Bid/Contract Number:

TITLE

Rezoning Petition Submitted by Shawn O'Malley on Behalf of Sunny Pines of Hernando, LLC, for Property Located on Cortez Boulevard (H2507)

BRIEF OVERVIEW

Request:

Re-Establish Master Plan on Property Zoned Combined Planned Development Project with C2 and R1MH Uses and deviations.

General Location:

Northwest corner of SR 50 and Mondon Hill Road

P&Z Action:

On June 9, 2025, the Planning and Zoning Commission voted 4-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request to re-establish a Master Plan on Property Zoned Combined Planned Development Project with C2 (General Commercial) and R1MH (Mobile Home) uses and previously approved deviations with modified performance conditions.

FINANCIAL IMPACT

A matter of policy and no financial impact.

LEGAL NOTE

The Board has the authority to make the requested Rezoning / Master Plan revision decision pursuant to Chapters 125 and 163 Florida Statutes. The Applicable Criteria for a PDP are found in Appendix A (Zoning Code), Article VIII. The Zoning District Amendment / Master Plan revision must be consistent with the Comprehensive Plan.

RECOMMENDATION

It is recommended that the Board adopt and approve the Chairman's signature on the attached resolution approving the petitioner's request to re-establish a Master Plan on property zoned Combined Planned Development Project with C2 (General Commercial) and R1MH (Mobile Home) uses and previously approved deviations with performance conditions.

REVIEW PROCESS

Omar DePablo	Escalated	07/23/2025 2:49 PM
KayMarie Griffith	Approved	07/23/2025 3:44 PM
Michelle Miller	Approved	07/24/2025 12:29 PM
Albert Bertram	Approved	07/24/2025 2:24 PM
Pamela Hare	Approved	07/25/2025 9:46 AM
Jon Jouben	Approved	07/30/2025 9:40 AM
Heidi Prouse	Approved	07/30/2025 11:37 AM

Toni Brady	Approved	07/30/2025	3:32 PM
Jeffrey Rogers	Approved	07/30/2025	5:03 PM
Colleen Conko	Approved	07/30/2025	5:06 PM

HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):

Rezoning ☐ Standard ☒ PDP

Master Plan ☐ New ☐ Revised

PSFOD ☐ Communication Tower ☐ Other

PRINT OR TYPE ALL INFORMATION

Date: 02/03/2025

File No. 06/25 Official Date Stamp:

H-25-07

Received

FEB 06 2025

Planning Department
Hernando County, Florida

APPLICANT NAME: Sunny Pines of Hernando, LLC

Address: 1800 Benjamin Franklin DR APT A-102

City: Sarasota

State: FL

Zip: 34236

Phone: (815) 953-9100 Email: shawn@omalleybuilders.com

Property owner's name: (if not the applicant)

REPRESENTATIVE/CONTACT NAME:

Company Name: Coastal Engineering Associates, Inc.

Address: 966 Candlelight Blvd

City: Brooksville

State: FL

Zip: 34601

Phone: (352) 796-9423 Email: permits@coastal-engineering.com

HOME OWNERS ASSOCIATION: ☐ Yes ☒ No (if applicable provide name)

Contact Name:

Address: City: State: Zip:

PROPERTY INFORMATION:

1. PARCEL(S) KEY NUMBER(S): 00370360

2. SECTION 33, TOWNSHIP 22, RANGE 20

3. Current zoning classification: CPDP with Specific C2 and R1MH Uses

4. Desired zoning classification: CPDP with Specific C2 and R1MH Uses

5. Size of area covered by application: 110.47

6. Highway and street boundaries: North Side of Cortez BLVD and West side of Mondon Hill RD.

7. Has a public hearing been held on this property within the past twelve months? ☒ Yes ☐ No

8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)

9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed:)

PROPERTY OWNER AFFIDAVIT

I, Shawn O'Malley, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

☐ I am the owner of the property and am making this application OR

☒ I am the owner of the property and am authorizing (applicant):
and (representative, if applicable): Coastal Engineering Associates, Inc.
to submit an application for the described property.

Signature of Property Owner

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 6th day of February, 20 25, by Shawn O'Malley who is personally known to me or produced Driver's Lic# as identification.

Signature of Notary Public



Effective Date: 11/8/16 Last Revision: 11/8/16

Notary Seal/Stamp

PROJECT NARRATIVE

SUNNY PINES

PARCEL KEY 370360

General

The subject site, consisting of approximately 110.4 acres, lies within section/township/range: 33/22/20 and is located on the north side of Cortez BLVD and the west side of Mondon Hill RD. The property is identified by the Hernando County Property Appraiser (HCPS) as parcel key 370360. Refer to Figure 1 for location and aerial view. While the small “triangular” area between the subject site boundary and Mondon Hill Road is still designated as part of parcel key 370360, it is being retained by the present owner and is not part of this master plan renewal.



Figure 1. Sunny Pines Mobile Home/RV Park Parcel (Key no. 370360) Aerial & Location Map Request

The request is to re-approve the existing expired master plan with modifications.

Project Description

The project was previously approved by the Board of County Commissioners (Resolution 2012-8) on January 10, 2012, as a Combined Planned Development (CPDP) to include General Commercial with a specific use for mini-warehouse, Recreational, Resort Residential, and Single Family with a specific R-1-MH use for Park Models; and a reduction in setbacks (H 11-29). The current request to re-approve the expired master plan is for the residential area only and does not include the previously approved and expired commercial areas.

The residential area of the proposed master plan includes the following previously approved uses:

RV Spaces: 300
Park Models: 50
Primitive Camping: 149 sites
Resort Residential: 49 Units

The proposed modifications to the previously approved master plan are as follows:

- Access to Mondon Hill Road will be emergency only
- The primary site access will be from SR 50
- The recreation area is moving to a more central location within the site
- The community will be gated and age restricted
- All internal lighting fixtures will comply with Dark Star Standards
- The minimum lease period for non-RV spaces will be a minimum of 6 months, and will be controlled by the Covenants and Restrictions.
- Allow an increase in the present number of Park Models allowed (50) in accordance with the following conversion matrix up to a maximum number of 275 Park Models:
 - Two (2) Resort Residential Lots = 3 Park Models
 - Two (2) RV Spaces = 1 Park Model

The project is located in the Residential Future Land Use Designation and the approved master plan is consistent with this designation.

Where development is proposed, the site consists primarily of well-drained Candler sand soils. The applicant will be able to situate the development area between two natural features (floodplain-west; wetland-east), providing both a visual buffer and space for passive recreation. The onsite wetlands will be protected and a 25' wide upland buffer provided, consistent with SWFWMD regulations. To the north, the applicant proposes a large (50') natural buffer, providing visual opacity from the adjacent rural residential. Landscape buffers will be provided where development is located along SR 50 and Mondon

Hill Road. Stormwater retention will be located in the natural lower areas in the southeastern corner of the property and the large floodplain area in the western half of the property.

Project History

The approved Resolution 2012-8 for H11-29, the minutes, associated performance conditions and approved master plan are provided in Attachment 1 to this narrative.

A major master plan modification for the residential area (not including the previously approved commercial areas and uses) was requested to allow a 300 unit Mobile Home Park with Recreational Vehicles as an interim use was applied for in 2024 (H 24-14).

The master plan modification was reviewed by the Board of County Commissioners on December 3, 2024. The requested modification of the master plan for the residential area was not approved.

Article VI, Section 5 of Appendix A (Zoning) states that an application for the same zoning district as an amendment that has been rejected will not be heard for a 12 month period. This section goes on to state that the provision shall not apply to an application that is materially different. This application is materially different in that the application will be consistent with the residential area of the approved vested and expired master plan with some requested modifications.

Zoning and Land Use

The property is presently zoned as a Combined Planned Development District for an RV Park with R1-MH for park models; Resort Residential, and General Commercial with Specific C-2 uses. See Figure 2 for the current zoning on the site.

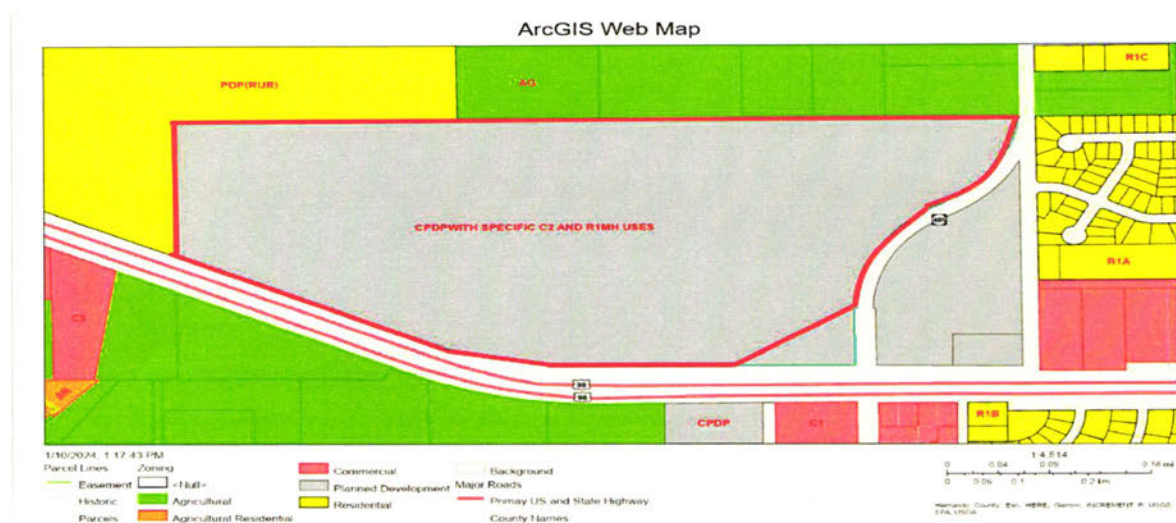


Figure 2. Sunny Pines Mobile Home/RV Park Parcel (Key no. 370360) Current Zoning Map

The bulk of the property is designated Residential, while the southeastern corner is part of a Commercial Node covering the SR 50/Mondon Hill intersection. See Figure 3 for the current land use designation on the site.

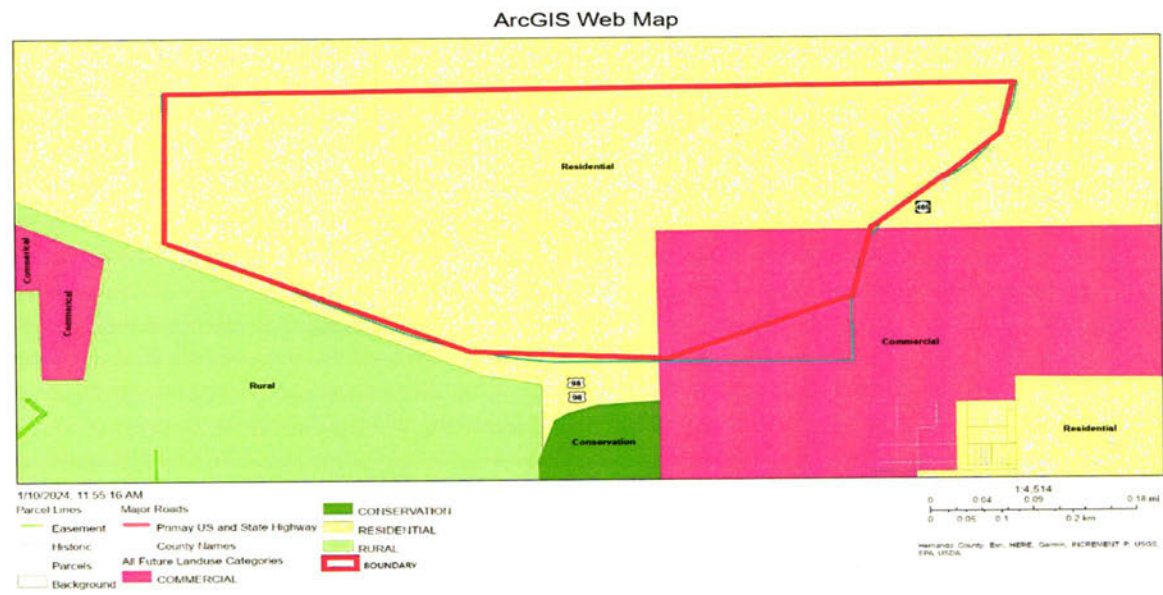


Figure 3. Sunny Pines Mobile Home/RV Park Parcel (Key no. 370360), Future Land Use Map

The following table identifies adjacent zoning classification and their designation in the comprehensive plan's future land use map.

	Zoning	Land Use/FLUM	Property Use
North	PDP/Rural and Agriculture	Residential	Rural Residential
South	Agriculture, Combined Planned Development and Commercial	Rural, Residential and Commercial	Vacant, gas station, commercial retail
East	R1A and commercial	Residential and Commercial	Vacant and Residential
West	PDP/Rural	Residential	Vacant

Setbacks and Buffers

The setbacks, lot sizes and buffers for the residential uses/area were approved as indicated below. No changes to the previously approved standards are requested. All deviations indicated were previously approved.

RV Spaces

- Front: 15' (deviation from 20')
- Side: 5' (deviation from 8')
- Rear: 10' (deviation from 15')
- Lot Size: 2800 sq. ft. (no minimum lot size for primitive camping)

Park Models

- Front: 15' (deviation from 25')
- Side: 5' (deviation from 15')
- Rear: 10' (deviation from 15')
- Lot Size: 2800 sq. ft. (deviation from 5000 sq. ft.)
- Model Size: 500 sq. ft. max

Resort Residential

Single Family

- Front: 25'
- Side: 10'
- Rear: 20
- Corner Lots: 25
- Lot Size: 6000 sq. ft.

Townhome

- Front: 25
- Side: 7.5' end units, internal units 0 (deviation from 10')
- Rear: 20'
- Lot Size: 3000 sq. ft.

Duplex

- Front: 25
- Side: 10
- Rear: 20
- Lot Size: 8500 sq. ft.

Perimeter Setbacks and Buffers

<u>Buffers</u>	<u>Setbacks</u>
• SR 50: 25'	125' (a setback of 75' was previously granted)
• West: 25'	50'
• North: 50'	50'
• Mondon Hill: 25'	75'

Consistency with the Comprehensive Plan

The site is consistent with the following Goals, Objectives and Strategies of the Hernando County 2040 Comprehensive Plan.

Future Land Use Element

Residential Category Mapping Criteria: The Residential Category is designed to accommodate a variety of residential and support uses at varying densities and types located in areas primarily clustered in and around the Adjusted Urbanized Area and those areas that maximize the efficient use of existing and planned infrastructure.

Strategy 1.04A(3): The Residential Category accommodates residential growth clustered in and around urbanized areas and those areas that maximize the efficient use of infrastructure contained in long range facilities plans of the County.

Residential Category

Objective 1.04B: The Residential Category allows primarily single family, duplex, resort and multi-family housing and associated ancillary uses such as recreational and institutional. Office and certain commercial uses may be allowed subject to the locational criteria and performance standards of this Plan. Residential density shall not exceed 22 dwelling units per gross acre.

Strategy 1.04B(10): Recreational vehicle parks are appropriate in the Residential, Commercial and Rural Future Land Use Categories and should be directed to areas containing tourist attractions or natural resources. Recreational vehicle parks shall have access to arterial or collector roads.

Analysis: The site is located in the Residential Category on the Future Land Use Map which is designed to accommodate a variety of residential and support uses. The project will

connect to public water and sewer, will be served with adequate public facilities and is located along an arterial and collector roadway.

Economic Development Element

Strategy 3.03A(1): The Tourism Department should identify, create, support and enhance activities, consistent with community assets and character, that increase visitation and economic impact for Hernando County.

Analysis: The proposed use of the site for recreational vehicles, park models and resort residential will provide opportunities for visitors which promotes economic development, the collection of bed taxes, and the recreational pursuits of those visiting the County.

Site Conditions

Topography

As shown in Figure 4, site topography ranges from approximately 90 ft along the northeastern boundary to approximately 70 ft along the southeastern and western boundaries of the property.

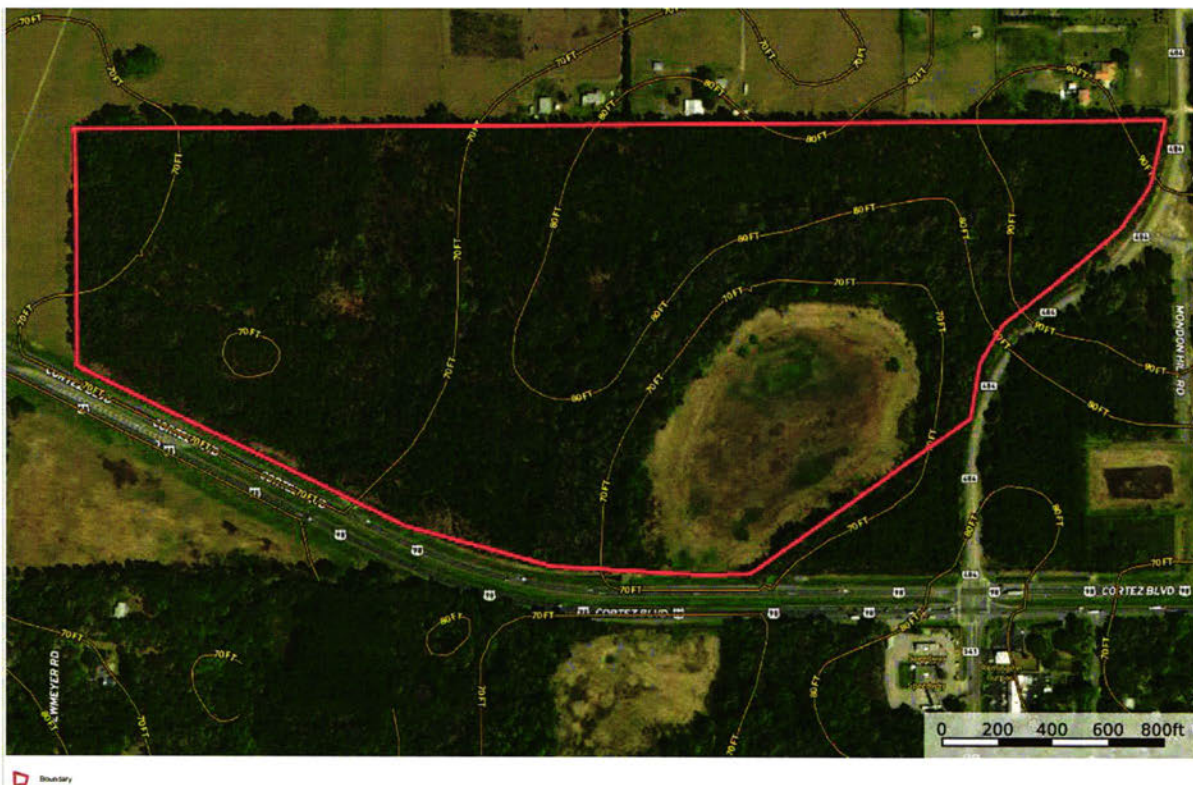


Figure 4. Sunny Pines Mobile Home/RV Park Parcel (Key no. 370360), Topography Map

Floodplain

The property is located on the Federal Emergency Management Agency (FEMA), Flood Insurance Rate Map (FIRM) community panel 12053C0218D effective date of February 2, 2012. As depicted in figure 5, the map shows that the wetland feature (SE corner) and western 1/3 of the property is located in an AE 100-year flood zone. These floodplain areas will generally be incorporated into the stormwater retention area and open space. Sufficient opportunity is available to provide floodplain mitigation if the development area infringes on the floodplain.



Figure 5. SUNNY PINES MOBILE HOME/ RV PARK Parcel (Key no. 370360) Floodplain Map

Soils

Four (4) soils were identified on the subject site. Sparr fine sand, Candler fine sand, Kanapaha-Kanapaha wet fine sand, and Arredondo fine sand. Candler and Arredondo fine sands are well-drained soils, conducive for development. As shown in Figure 6, below, the great majority of development on site will be in the area of Candler and Arredondo fine sands. Sparr fine sand is also well draining, however, much of that area is within the 100 year floodplain and therefore planned for drainage, primitive RV sites, passive recreation and open space.



SOIL CODE	SOIL DESCRIPTION
47	Sparr fine sand, 0 to 5 percent slopes
14	Candler fine sand, 0 to 5 percent slopes
28	Kanapaha-Kanapaha, wet, fine sand, 0 to 5 percent slopes
6	Arredondo fine sand, 0 to 5 percent slopes

Figure 6. SUNNY PINES MOBILE HOME/ RV PARK Parcel (Key no. 370360) Soil Map

Site Environmental

Based on a preliminary site visit the following is noted:

- The subject site is primarily forested.
- The project site consists of two (2) habitat categories: Mixed Hardwoods and Cropland/Pasture.
- A total of two (2) listed species were observed on or within the vicinity of the subject property and included the little blue heron and the gopher tortoise.
- There were no other federal or state listed species observed.
- There is a large surface water feature, located in the southeastern portion of the property.
- No wetland impacts are proposed for this property.
- Large trees (> 18" DBH) were observed near the surface water feature.

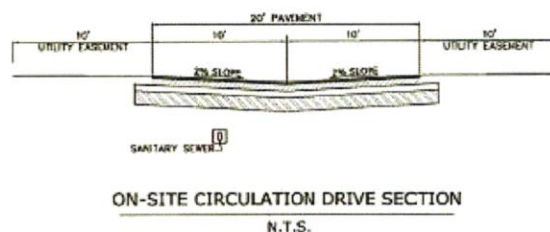
All required site surveys, reports and associated permits will be provided at the time of site development.

Infrastructure

Adequate Access/Transportation

The site will have primary access to SR 50, an arterial roadway operating at an acceptable level of service. Secondary access will be by emergency only to Mondon Hill Road, a collector roadway. The entrances will be designed and permitted in accordance with the requirements of the County Engineer and FDOT. A traffic study and access analysis will be provided as required by the County Engineer.

On-site circulation drives will consist of 20' of pavement width, with a cross section generally as shown below.



Utilities

The subject site is within the service boundaries of the Hernando County Utilities Department, which is in the process of increasing the capacity and coverage of both their sewer and potable water infrastructure in eastern part of Hernando County. HCUD has both sewer and potable water in the vicinity of the project and plans to construct a sewer force main along SR 50 south of the subject property. If required, the applicant will enter into a utilities service agreement with HCUD to ensure the timing of connection to those facilities. The applicant intends to construct a private pump station on the subject property.

Drainage

With large low areas in the southeast and western sections of the subject property, the applicant intends to use those areas for much of the stormwater management. The rapid permeability of the sand soils will make drainage more efficient. Where feasible, naturally low areas may also be utilized for passive recreation and primitive RV sites. The stormwater management system will be permitted with the South Florida Water Management District.

Recreation

The project includes plans for an active recreation area with clubhouse, pool and space for other facilities, such as pickleball courts. The large floodplain area to the west also provides ample opportunity for passive recreation such as pedestrian trails and picnic areas. The area adjacent to the wetland (outside the 25' upland buffer) also provides an opportunity to include passive recreation.

Schools

Since the project will be a retirement only community, there will be no impact to the public school system.

Deviations

All deviations were previously granted with the approved master plan as indicated in the narrative. No additional deviations are requested.

RESOLUTION NUMBER 2012- 8

WHEREAS, Hernando County has adopted zoning regulations pursuant to Chapter 163 and Section 125.01(1), *Fla. Stat.*, which authorize the County to regulate the use of land in the unincorporated areas of Hernando County, Florida, and take action on the request herein; and,

WHEREAS, the Hernando County Board of County Commissioners (BOCC) conducted a duly advertised public hearing on January 10, 2012 to consider the requested changes in zoning on the specified parcel(s) in Hernando County, Florida, as more fully described below.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA AS FOLLOWS:

APPLICANT: Wayne Wetzel

FILE NUMBER: H-11-29

PURPOSE: Rezoning from AG (Agricultural) and C-2/(Highway Commercial) to C/PDP /(Combined Planned Development Project) to include (General Commercial) with specific C-2 use for mini-warehouse, (Highway Commercial), (Recreational), (Resort Residential), and (Single Family) with a specific R-1-MH use for Park Models; and a reduction in setbacks

GENERAL LOCATION: North side of SR 50, east and west of Mondon Hill Road

REQUEST: Rezoning from AR/(Agricultural/Residential) to PDP(MF)/Planned Development Project(Multifamily) and PDP(SF)/Planned Development Project (Single Family) ; and subject to performance condition(s) as enumerated in the BOCC Meeting Results Memorandum (which is incorporated herein by reference and made a part hereof). The representations contained in the Applicant's rezoning application are incorporated herein by reference and made a part hereof and are relied upon by the County to be true and correct. For purposes herein, it is presumed that all requisite notice and advertising requirements have been satisfied.

FINDINGS OF FACT: ALL of the facts and conditions set forth in the County's staff memoranda and presented to the BOCC in connection with the public hearing in this matter are incorporated herein by reference and made a material part of this Resolution as integral to the BOCC's action. The BOCC finds that the testimony and record supporting approval of the request to be credible and to constitute competent substantial evidence. In further support thereof, the BOCC makes the following specific findings of fact:

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Attachment: Approved Resolution No. 2012-8 (RES-2012-8 : Rezoning - H1129 - Wayne Wetzel)

1. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all performance conditions set forth in the BOCC Meeting Results Memorandum.

**CONCLUSIONS
OF LAW:**

The BOCC is authorized to act on this matter pursuant to Chapters 125 and 163, *Fla. Stat.* Accordingly, after public hearing and testimony, being fully advised in the record, and based upon competent substantial evidence, the BOCC makes the following specific conclusions of law:

1. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all performance conditions set forth in the BOCC Meeting Results Memorandum.

ACTION:

After notice and public hearing, based upon the record in this matter and **ALL** of the findings of fact and conclusions of law above, the BOCC hereby APPROVES a Rezoning from AG (Agricultural) and C-2/(Highway Commercial) to C/PDP /(Combined Planned Development Project) to include (General Commercial) with specific C-2 use for mini-warehouse, (Highway Commercial), (Recreational), (Resort Residential), and (Single Family) with a specific R-1-MH use for Park Models; and a reduction in setbacks; subject to all conditions set forth in the BOCC Meeting Results Memorandum which is incorporated herein by reference and made a part hereof. Any requests, uses, variances or exceptions that were requested in connection with this application but not specifically approved herein are hereby deemed DENIED.

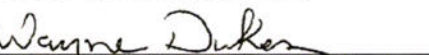
ADOPTED IN REGULAR SESSION THE 10th DAY OF JANUARY, 2012

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest:


KAREN NICOLAI, CLERK

By:


WAYNE DUKES, CHAIRMAN

(SEAL)





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Attachment: Approved Resolution No. 2012-8 (RES-2012-8 : Rezoning - H1129 - Wayne Wetzel)

Motion

To approve the staff recommendation (Resolution No. 2012-7).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John C. Druzbeck, Vice Chairman
SECONDER:	Jeff Stabins, Second Vice Chairman
AYES:	Dukes, Druzbeck, Stabins, Adkins, Russell Jr.

STANDARD AGENDA**Rezoning Petition Submitted by Wayne Wetzel**

This petition was removed from the Unified Agenda and placed on the Standard Agenda.

The staff recommended approval of the rezoning from Agricultural and Highway Commercial (C-2) to Combined/Planned Development Project (General Commercial) with specific C-2 use for mini-warehouse, (Highway Commercial), (Recreational), (Resort Residential), and (Single-Family) with a specific R-1-MH use for Park Models; and a reduction in setbacks, with the unmodified performance conditions recommended by the Planning and Zoning (P&Z) Commission.

The P&Z Commission voted 5-0 to recommend approval with unmodified performance conditions.

Mr. Don Lacey, Executive Vice President of Coastal Engineering Associates, Inc., representing the applicant, under oath, utilized the staff zoning map, aerial photographs and the Master Plan as he reviewed the proposed project. He agreed with the staff's proposed performance conditions.

Mr. Gary Schraut, representing the applicant, under oath, commented on the benefits to the County's economy from recreational vehicle (RV) travelers.

Comm. Russell temporarily left and returned to the meeting during Mr. Schraut's comments.

Comm. Stabins inquired if Mr. Schraut was providing expert testimony.

Mr. Schraut replied affirmatively.

The following citizen spoke, under oath, concerning the petition: Mr. Mark Maloney, who submitted photographs of the subject property, as well as maps entitled Highway Network Map 2025 and Functionally Classified Roadway Map 2025, both of which were adopted by the Board on December 10, 2003, in conjunction with a Comprehensive Plan Amendment (CPAM-03-02).

At the request of Comm. Stabins, Land Services Director Ronald Pianta, under oath, and Senior Planner Paul Wieczorek, under oath, addressed Mr. Maloney's concerns

regarding the designation of the subject property in the Comprehensive Plan and the wetlands that existed on the subject property.

Comm. Adkins temporarily left and returned to the meeting during Mr. Pianta's comments.

Mr. Lacey further addressed the concerns expressed by Mr. Maloney relative to consistency of the proposed uses with the Comprehensive Plan, as well as issues involving water runoff and the existing wetlands on the subject property. He emphasized that the petitioner was required to comply with the strict guidelines of the Southwest Florida Water Management District (SWFWMD) to contain water on the subject property.

Mr. Lacey replied to queries from Comms. Adkins and Russell concerning water and sewer service and the permit review to be conducted by SWFWMD.

Motion

For petitioner (Resolution No. 2012-8).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David D. Russell Jr., Commissioner
SECONDER:	John C. Druzbeck, Vice Chairman
AYES:	Dukes, Druzbeck, Stabins, Adkins, Russell Jr.

Mr. Bill Barnes, under oath, contended that the petitioner was not truthful regarding flooding that occurred on the subject property.

Mr. Pianta suggested that Mr. Lacey meet with Mr. Barnes to address his concerns.



Board of County Commissioners

AGENDA ITEM

Meeting: 01/10/12 09:00 AM
Department: Planning
Prepared By: Cyndie Bogert
Initiator: Ronald Pianta
DOC ID: 6109
Legal Request Number: LR# 2011-780
Bid/Contract Number:

2

TITLE

Rezoning Petition Submitted by Wayne Wetzel (H1129)

BRIEF OVERVIEW

Request:

Rezoning from AG (Agricultural) and C-2/(Highway Commercial) to C/PDP (GC), (HC), (RC), (RR) and (SF)/Combined Planned Development Project (General Commercial) with specific C-2 use for mini-warehouse, (Highway Commercial), (Recreational), (Resort Residential), and (Single Family) with a specific R-1-MH use for Park Models; and a reduction in setbacks

General Location:

North side of SR 50, east and west of Mondon Hill Road

P&Z Action:

Voted 5-0 to recommend approval with unmodified performance conditions.

Hearing Detail:

The following members were present at the December 12, 2011, Planning and Zoning Commission meeting: Chairman Denis Riley, Vice Chairman Ronald Caldi, Lisa Hammond, Robert Widmar, and Alternate Member Thomas Deutschle. Regular Member

Thomas Comunale was absent.

FINANCIAL IMPACT

A matter of policy.

REVIEW PROCESS

Ronald Pianta	Completed	12/21/2011 3:49 PM
Cyndi Gambrel	Completed	12/27/2011 4:23 PM
No Financial Impact		
George Zoettlein	Completed	12/22/2011 8:21 AM
Sue Bishop	Completed	12/21/2011 4:17 PM

Updated: 12/29/2011 12:29 PM by Alice Gura

Page 1

Packet Pg. 398

Resolution (ID # 6109)

Meeting of January 10, 2012

Richard Appicello	Completed	12/30/2011 2:02 PM
Jenine Wimer	Completed	12/30/2011 4:11 PM
County Administrator	Completed	12/22/2011 12:47 PM
Board of County Commissioners	Pending	
Final Review	Completed	01/04/2012 11:24 AM

Updated: 12/29/2011 12:29 PM by Alice Gura

Page 2

Packet Pg. 399

P&Z ACTION:

The Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request to rezone from AG (Agricultural) and C-2/(Highway Commercial) to C/PDP/(Combined Planned Development Project) to include (General Commercial) with specific C-2 use for mini-warehouse, (Recreational), (Resort Residential), and (Single Family) with a specific R-1-MH use for Park Models; and a reduction in setbacks, with the following unmodified performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The petitioner shall provide a wildlife survey, prepared by a qualified professional, prior to any development occurring on the property. Further, copies of any required permits shall be provided prior to the issuance of development permits by Hernando County.
3. The petitioner shall comply with the minimum open space standards of the Community Appearance Ordinance.
4. The 100-year floodplain must be delineated and shown on all site plans and all roadways, driveways, and finished floor elevations must meet the Facility Design Guidelines and adopted building codes. Park models and RV lots shall be located outside of the 100 year floodplain.
5. The petitioner shall provide a 25' buffer along the perimeter of the wetland/lake.
6. The development shall comply with all required fire codes as determined by Hernando County Fire, including the provision of hydrants and adequate fire flows based upon the requirements of State and Local fire codes and regulations.
7. Maximum Units Permitted for the Overall Project:

RV Spaces:	300
Park Models:	50
Primitive Camping:	149
Resort Residential:	49

continued on next page

Attachment: P&Z Recommendation for H1129 (6109 : Rezoning - H1129 - Wayne Wetzel)

8. Minimum Perimeter Building Setbacks for Principle Parcel:

SR 50:	75'
Mondon Hill Road:	75'
Old Mondon Hill Road:	
Outparcel 9:	35'
Outparcel 5 & 6	15'
Frontage Road:	35'
Northern Property Line:	50'
Eastern Property Line:	25'
9. Florida Yards & Neighborhoods (FYN) principles shall be used for landscaping within the development.

Recreation Commercial

10. No accessory structures associated with RV's including park models, attached or detached shall be permitted.
11. One (1) permanent resident structure shall be permitted for use by the property's operations manager.
12. No occupancy shall exceed 180 days, and no permanent units except Park Models shall be permitted.
13. Park models shall be located in general conformance with the master plan.
14. Park Models shall be limited to 50 units.
15. Minimum RV Setbacks:

Front:	15'	(deviation from 20')
Side:	5'	(deviation from 8')
Rear:	10'	(deviation from 15')
Lot Size:	2,800 Sq. Ft	(no minimum for primitive camp sites)
16. Minimum Park Model Setbacks:

Front:	15'	(deviation from 25')
Side:	5'	(deviation from 15')
Rear:	10'	(deviation from 15')
Lot Size:	2,800 Sq Ft	(deviation from 5,000 sq ft)
Model Size:	500 Sq. Ft Max.	

Attachment: P&Z Recommendation for H1129 (6109 : Rezoning - H1129 - Wayne Wetzel)

17. The petitioner shall provide a twenty-five (25) feet, where applicable to be left in its natural state. The RV, primitive camping and resort residential shall provide the following buffers:

Along SR 50:	25'
Along West Boundary:	25'
Along North Boundary:	50'
Along Mondon Hill Road:	25'
18. There shall be only one parking space per RV/Camping site with no parking allowed on internal roadways.
19. No utilities shall be permitted in the primitive camping area.
20. Primitive Camping shall be defined as: Camping without the modern convenience of full-hookup facilities of potable water, sewer electricity and other similar utilities. Camping refers exclusively to the use of tents or similar portable campers. Intended for short term stay.

Engineering Conditions

21. A frontage road shall be provided as depicted on the master plan and in accordance with County standards. The applicant shall maximize conformance with the ordinance by providing for interconnectivity along the principle parcel with the understanding that any future redevelopment of the site may require full compliance with the rules.
22. The petitioner shall provide a transportation analysis for review and approval by the County Engineer and the Florida Department of Transportation prior to the issuance of any permits for the project. In addition, the developer shall be responsible for all transportation and access improvements necessary, as determined by the approved transportation analysis.
23. Prior to development/platting, the petitioner shall provide an access management plan for approval by the County Engineer and FDOT.
24. A cross parking and cross access agreement shall be provided for the commercial areas at the time of development, or final plat review whichever comes first.
25. Pedestrian connectivity is required from the Resort Residential portion south to the contiguous Commercial areas.
26. A 15' building setback is allowed along Old Mondon Hill Road for parcels 5 and 6.

Attachment: P&Z Recommendation for H1129 (6109 : Rezoning - H1129 - Wayne Wetzel)

27. All access points to SR 50 shall be coordinated with, and approved by, the Florida Department of Transportation.
28. The reconfiguration of the existing drainage retention area shall be approved by the County Engineering Department.
29. Any development beyond what the existing infrastructure can accommodate will require the development to enter into an enforceable development agreement to participate and contribute their proportionate share to fund needed infrastructure improvements. This will occur prior to the issuance of a concurrency determination.

Large Retail Project Conditions

30. The project shall be limited to 160,000 square feet of Commercial including all outparcels.
31. The landscape plan shall be designed to provide clear sight windows and sight triangles at all points of external access and to the internal roadways.
32. A minimum 35' landscape buffer shall be provided along SR 50 and Mondon Hill Road. A minimum 15' landscape buffer shall be provided along Old Mondon Hill Road.
33. The developer shall meet the minimum parking requirements as required by the County's LDRs.
34. Pedestrian and bicycle access shall be provided throughout the project, and shall be designed to provide connectivity to, and between, all residential pods/uses and commercial uses.
35. All on-site advertising signs, including outparcels, shall be designed as part of a complete signage system, and shall be limited to ground mounted monument type signs. Ground mounted monument type signs are signs where the bottom edge of the sign is no greater than ten (10) feet above grade and which otherwise meets all sign requirements in this code.
36. All internal walkways shall comply with Florida Accessibility Code design standards. Additionally, all internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, scored concrete or stamped asphalt to the extent not inconsistent with said standards.

Attachment: P&Z Recommendation for H1129 (6109 : Rezoning - H1129 - Wayne Wetzel)

37. All commercial structures shall maintain a cohesive aesthetic architectural theme through the development.
38. Lots 1-8 shall be limited to General Commercial (C-1). Lot 9 shall be General Commercial with one C-2 use for mini-warehouse.

Resort Residential

39. The maximum building height for Resort Residential shall be 35' and/or 2 ½ stories.
40. Minimum Single Family Detached Setback:
- | | |
|--------------|----------------------|
| Front: | 25' |
| Side: | 10' |
| Rear: | 20' |
| Corner Lots: | 25' |
| Lot Size: | 6,000 Sq. Ft. (min.) |
41. Minimum Townhomes Attached Setback:
- | | |
|-----------|---------------------------|
| Front: | 25' |
| Side: | 7.5' (deviation from 10') |
| Rear: | 20' |
| Lot Size: | 3,000 Sq. Ft. (min.) |
42. Minimum Duplex Setback:
- | | |
|-----------|----------------------|
| Front: | 25' |
| Side: | 10' |
| Rear: | 20' |
| Lot Size: | 8,500 Sq. Ft. (min.) |
43. The petitioner shall provide a revised plan in compliance with all of the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

☒ Staff concurs ☐ Staff does not concur

Attachment: P&Z Recommendation for H1129 (6109 : Rezoning - H1129 - Wayne Wetzel)

STAFF REPORT

HEARINGS: Planning & Zoning Commission: June 9, 2025
Board of County Commissioners: August 5, 2025

APPLICANT: Sunny Pines of Hernando, LLC

FILE NUMBER: H-25-07

REQUEST: Re-Establish Master Plan on Property Zoned Combined Planned Development Project with C2 and R1MH Uses and deviations

GENERAL LOCATION: Northwest corner of SR 50 and Mondon Hill Road

PARCEL KEY NUMBER(S): 370360

BACKGROUND

On January 1, 2012, the Board of County Commissioners voted to approve a rezoning from AG (Agricultural) and C-2/(Highway Commercial) to C/PDP/(Combined Planned Development Project) to include (General Commercial) with specific C-2 use for mini-warehouse, (Highway Commercial), (Recreational), (Resort Residential), and (Single Family) with a specific R-1-MH use for Park Models; and a reduction in setbacks. The petitioner at the time indicated developing a mixed-use RV, primitive camping and resort residential development with approximately 160,000 square feet of commercial. The applicant proposed approximately 70.0 acres of RV (300 units), primitive camping (149 sites) and park models spaces (50 lots) for a maximum of 548 spaces.

Since its approval, no development has occurred on the subject site. According to County Land Development Regulations (LDRs), the duration of master plan is two (2) years. The failure of the applicant to initiate substantial performance within two (2) years from date of approval by the governing body deems the master plan null and void.

APPLICANT'S REQUEST

On December 3, 2024, the Board of County Commissioners voted to deny the petitioner's request to revise the master plan (File H2414) with the intention of developing a mobile home park with an interim use of RV Park as the mobile home sites were being leased. The petitioner elected to submit a request to re-establish the previously approved master plan for the residential portion of the development only with the approved deviations and development intensity.

The applicant has requested the following revisions the previously approved master plan as follows:

- Access to Mondon Hill Road will be emergency only
- The primary site access will be from SR 50
- The recreation area is moving to a more central location within the site
- The community will be gated, and age restricted

- All internal lighting fixtures will comply with Dark Star Standards
- The minimum lease period for non-RV spaces will be a minimum of 6 months, and
- will be controlled by the Covenants and Restrictions.
- Allow an increase in the present number of Park Models allowed (50) up to a maximum number of 275 Park Models.

If the commercial portion of the initially approved master plan chooses to develop, a master plan revision will be required to re-vest those entitlements.

SITE CHARACTERISTICS

Site Size: 110.4 acres

**Surrounding Zoning;
Land Uses:**

North: AG; Single Family and undeveloped
South: AG, PDP(GC), & R-1B; Single Family Homes,
Convenience store and undeveloped
East: C-2 & R1-A; Single Family Homes & Undeveloped
West: PDP(RUR); Undeveloped

Current Zoning: C/PDP/(Combined Planned Development Project) to include (General Commercial) with specific C-2 use for mini-warehouse, (Highway Commercial), (Recreational), (Resort Residential), and (Single Family) with a specific R-1-MH

**Future Land Use
Map Designation:** Residential and Commercial

ENVIRONMENTAL REVIEW

The site primarily consists of Candler sand soils. The applicant has indicated that the development will be situated between two natural features (floodplain to the west and wetland to the east). A preliminary environmental assessment was completed by the applicant and noted that the site is primarily forested, consisting of Mixed Hardwoods and Cropland/Pasture. A total of two (2) listed species were observed on or within the vicinity of the subject property and included the little blue heron and the gopher tortoise. There were no other federal or state listed species observed. There is a large surface water feature, located in the southeastern portion of the property. No wetland impacts are proposed for this property. Large trees (> 18" DBH) were observed near the surface water feature.

The development shall be required to comply with all SWFWMD permitting requirements and provide wetland buffering in accordance with SWFWMD regulations for all wetlands.

UTILITIES REVIEW

The Hernando County Utilities Department does not currently supply water or wastewater service to this parcel. Water service is available to this parcel. Wastewater service is not currently available, however the previous owner entered into a water and sewer service agreement with

HCUD to extend wastewater service to the property, however the developer's representative has expressed interest in revising this agreement.

HCUD has no objection to reapprove the existing master plan with modifications, subject to the existing agreement or an approved amended agreement for the connection to the central water and wastewater systems at time of site development.

Comments: The petitioner shall be required to coordinate with the Hernando County Utilities Department prior to submitting the conditional plat for the proposed development to amend the Utility Service Agreement.

SCHOOL DISTRICT REVIEW

The applicant must apply for and receive a Finding of School Capacity from the School District prior to the approval of the conditional plat or the functional equivalent. The County will only issue a certificate of concurrency for schools upon the School District's written determination that adequate school capacity will be in place or under actual construction within three (3) years after the issuance of subdivision approval or site plan approval (or functional equivalent) for each level of school without mitigation, or with the execution of a legally binding proportionate share mitigation agreement between the applicant, the School District, and the County.

Comments: The petitioner has indicated that the community shall be age restricted. Covenants and restrictions for this development shall be submitted to the Hernando County School District at the time of conditional plat to exempt the project from school concurrency requirements.

ENGINEERING REVIEW

The subject site is located at the Northwest corner of SR 50 and Mondon Hill Road. The applicant has proposed for the site to have primary access to SR 50, an arterial roadway operating at an acceptable level of service. Secondary access will be by emergency only to Mondon Hill Road, a collector roadway. The entrances will be designed and permitted in accordance with the requirements of the County Engineer and FDOT. A traffic study and access analysis will be provided as required by the County Engineer.

The County Engineer has reviewed the petitioner's request and has the following comments:

- This project lies within the Bystre Lake watershed, in basins A1240, -790, and -880. The BFE is 74.4 in NAVD 88. The parcel elevation ranges from 95 to 60. Most of the site lies within the floodplain.
- A modification is requested to the access on Mondon Hill Road to be emergency only; the developer should consider that this access provides access to an existing Traffic Signal.
- The Driveway on Cortez Blvd./SR 50 has severe Sight Distance issues. This access should line up with the existing directional median. This access requires FDOT/Florida Dept. of Transportation access management permit.
- Dept. of Public Works Engineering has concerns of only 1 access point being provided with the number of units.
- Traffic Access Analysis will be required. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer to install.
- Project may be required to obtain FDOT/Florida Dept. of Transportation Drainage Permit.

Comments: Prior to the submission of the Conditional Plat, the applicant shall coordinate with the Florida Department of Transportation and the Hernando County Department of Public Works to align the driveway on Cortez Boulevard to the existing directional median. Any movement of this driveway in accordance with the approval of either FDOT or the County Engineer shall not require a revision to this master plan.

LAND USE REVIEW

The proposed master plan revision includes the residential portions of the Sunny Pines Development; if any commercial portion of the development wishes to develop, a separate master plan revision must be submitted to reinstate those entitlements.

Access:

To establish minimum access requirements to single-family and multifamily subdivisions, the Board of County Commissioners adopted a policy requiring two (2) means of access for subdivisions. The policy serves to provide more than one-way in and one-way out for residents of a subdivision, alternate routes for emergency services, interconnection between subdivisions, a shortened drive time for residents to the entrance/exits, and access points for travel direction outside of the development. A minimum of two (2) access points must be provided to serve any new subdivision or development pod with more than 50 units. If approved, individual single family and multifamily pods that exceed 50 units must meet the two (2) means of access per pod.

Additionally, Hernando County Land Development Regulations require that new single-family and multifamily developments with more than 50 units provide at least one treed roadway/access way for motor vehicles extending through the length or width (whichever is greater) of the development with a vegetative buffer at least 10' in width.

Comments: The petitioner has proposed a full access point via S.R. 50, with a secondary emergency only access from Mondon Hill Road. If the master plan is approved, the entry point from S.R. 50 shall be developed as a boulevard roadway meeting treed roadway/access way requirements of the Hernando County Land Development Regulations.

Unit Count and Mix

The applicant has proposed the following unit count and mix for the proposed development:

Unit Type	Total
Park Model Units*	50
RV Spaces	300
Primitive Camping	149
Resort Residential	49
Total	548

* The petitioner is proposing a reduction in density that can be achieved by utilizing the following conversion matrix:

- Two (2) Resort Residential Lots = 3 Park Models
- Two (2) RV Spaces = 1 Park Model

Under no circumstances shall the total unit count exceed 548 units as initially approved. The final unit count mix must be provided at the time of Conditional Plat or Site Development Permit if developed as a rental community for the proposed development.

Lot Setbacks, Buffers and Lot Sizes

The petitioner has proposed the following setbacks, buffers and lot sizes for the various residential uses within the development.

Unit Type	Front Setback	Side Setback	Rear Setback	Lot Size
RV Spaces	15' (Dev. from 20')	5' (Dev. from 8')	10' (Dev. from 15')	2,800 S.F.
Park Models	15' (Dev. from 25')	5' (Dev. from 15')	10' (Dev. from 15')	2,800 S.F. (Dev. from 5,000 S.F.) Model Size: 500 S.F.
Resort Residential Single-Family	25'	10' Corner Lot 2 nd Front: 25'	20'	6,000 S.F.
Resort Residential Townhome	25'	7.5' end units 0' internal units (Dev. from 10')	20'	3,000 S.F.
Resort Residential Duplex	25'	10'	20'	8,500 S.F.

** There is no minimum lot size for primitive camping locations within the site.

Comments: Based on Board of County Commissioners direction, the 5' side setbacks for the RV and Park Model lots are not supported by staff. If the Master Plan is approved, the minimum side setback for these units shall be 7.5'.

Perimeter Setbacks and Buffers

The petitioner has proposed the following buffer and setback widths along the perimeter of the project:

Perimeter Location	Buffer Width	Setback Width
S.R. 50	25'	125'
West	25'	50'
North:	50'	50'
Mondon Hill	25'	75'

Comments: Staff has no objections to the buffer and/or setback widths proposed by the applicant.

Wetland Buffers and Setbacks

The development shall be required to comply with all SWFWMD permitting requirements and provide wetland buffering in accordance with SWFWMD regulations for all wetlands.

Neighborhood Park:

All developments with 50 dwelling units or more shall provide and maintain a neighborhood park system for use by the residents of the subdivision in accordance with the requirements of the LDRs. The proposed phase contains more than 50 dwelling units. Neighborhood parks may count towards the minimum open space requirements. The amount of land provided and maintained as a neighborhood park shall be 1.0 acre for the first 50 dwelling units plus 1/100th of an acre for each dwelling unit over 50 up to 250 dwelling units, for a maximum of 3.0 acres. If approved, the development must meet the minimum neighborhood park requirements as required by the County's LDRs. Individual single-family and multifamily pods that exceed 50 dwelling units must provide a neighborhood park.

Comments: The project includes plans for an active recreation area with clubhouse, pool and space for other facilities, such as pickleball courts. The large floodplain area to the west also provides ample opportunity for passive recreation such as pedestrian trails and picnic areas. The area adjacent to the wetland (outside the 25' upland buffer) also provides an opportunity to include passive recreation. Specific Park locations and amenities shall be displayed at the time of conditional plat for the development.

Natural Vegetation:

Projects greater than twenty (20) acres shall designate an area of at least seven percent (7%) of the total project area as preserved natural vegetation and no construction activity can occur in this area. Preserved natural vegetation areas must be a minimum of twenty thousand (20,000) square feet.

Comments: The petitioner shall be required to set aside the minimum 7% natural vegetation in accordance with the Land Development Regulations. This set-aside shall be identified in the Conditional Plat for the proposed development.

Fire Protection Plan:

Hernando County LDRs require that a fire protection plan be completed for residential developments with lot sizes less than 60' in width.

Comments: If approved, the petitioner shall submit a fire protection plan with the Conditional Plat in accordance with Hernando County LDRs.

COMPREHENSIVE PLAN REVIEW

The subject site is located within the Residential and Commercial Future Land Use designations. Additionally, as the property has previous entitlements on the site due to a previously approved master plan, those property rights are retained regardless of conformance with the Comprehensive Plan designation.

Future Land Use Element**Future Land Use Map**

Strategy 1.04A(3): The Residential Category accommodates residential growth clustered in and around urbanized areas and those areas that maximize the efficient use of infrastructure contained in long range facilities plans of the County.

Strategy 1.04A(6): The Commercial Category provides for commercial uses including products and services along major corridors and at roadway intersections to serve residents and visitors on both a localized and regionalized basis. The Commercial Category recognizes existing commercial use corridors along U.S. Highway 19 and State Route 50 and existing and planned commercial nodes at intersections of arterial and/or collector roads. The Commercial Category includes small unmapped existing commercial properties. The Commercial Category also recognizes the ability to designate infill parcels for commercial use lying in proximity to and between, but not necessarily contiguous to, other existing commercially designated properties. Publicly owned lands along the commercial use corridors that are made available for surplus may be considered to have a Commercial designation, if the agency proceeds through the Comprehensive Plan Amendment process to amend the future land use map, in accordance with Section 163.3184, F.S.

Comments: The request to re-establish the previously approved master plan is consistent with the residential and commercial land use classifications, as residential uses are allowable within the commercial future land use classification.

Residential Category

Objective 1.04B: The Residential Category allows primarily single family, duplex, resort and multi-family housing and associated ancillary uses such as recreational and institutional. Office and certain commercial uses may be allowed subject to the locational criteria and performance standards of this Plan. Residential density shall not exceed 22 dwelling units per gross acre.

Strategy 1.04B(1): Commercial and institutional uses within the Residential Category are generally associated with medium and high-density residential development and may include neighborhood commercial, office professional, recreational, schools, and hospitals. Minor public facilities that do not unduly disturb the peaceful enjoyment of residential uses may also be allowed.

Strategy 1.04B(2): Future residential development will be planned to locate where the Residential Category predominates on the Future Land Use Map as determined by the availability of facilities and services, the need to accommodate future growth, the strategies to discourage the proliferation of urban sprawl, and the impacts to natural resources, including groundwater.

Comments: The proposed residential uses are consistent with the Residential Future Land Use classification; the proposed density is within the maximum density allowable under this classification.

Mobile Homes and Recreational Vehicles

Strategy 1.04B(8): Mobile homes are recognized as an affordable housing choice in the Residential Category, providing for compatibility with surrounding land uses and served at the site by appropriate infrastructure and services in accordance with Residential Category standards. Direct access to an arterial or major collector roadway is required to facilitate emergency evacuation.

Comments: The petitioner has proposed a mix of resort residential, recreational vehicle, and park model uses within the proposed development. These uses are vested through the previously approved master plan; no increase in the total unit count is requested through this master plan revision. If the master plan is approved, the petitioner shall be required to coordinate with the Hernando County Department of Emergency Management to provide emergency evacuation and sheltering options to residents within the development.

Commercial Category

Objective 1.04G: The Commercial Category allows primarily retail, office, and commercial service uses with an overall average gross floor area ratio of 0.35 but also includes limited industrial, recreational and institutional uses. Residential and mixed uses may be allowed subject to locational criteria and performance standards.

Comments: The proposed uses are consistent with the Commercial land use classification. While the commercial portion of the development is not being re-established through this request, the development is proposed to be mixed use when fully constructed. Mixed use developments are allowable within the Commercial land use classification.

Property Rights

GOAL 12.02: **Property Rights: Hernando County will recognize property rights interests in local decision-making.**

Strategy 12.02A(2): Existing legal zonings and related entitlements/property rights that do not conform with the Future Land Use Map Category shall be allowed to continue under this Plan and their entitlements shall not be diminished.

Comments: The proposed Master Plan Revision has existing entitlements through the master plan established in 2012. The request to re-establish the master plan does not increase the total number of units to be developed; it provides flexibility in the number of park models to be placed on site up to 275 if the total number of units does not exceed the 499 previously approved.

Public School Facilities Element**Land Use**

Objective 8.01C: Ensure that Comprehensive Plan amendments and other land use decisions are simultaneously evaluated with school capacity.

Strategy 8.01C(1): The County shall consider Hernando County School District comments on the availability of adequate school capacity when considering the decision to approve comprehensive plan amendments, master plans, zoning changes, subdivisions, and other land use decisions.

Strategy 8.01C(2): Hernando County shall encourage development to locate in areas with adequate school capacity or to where school sites adequate to serve potential growth have been acquired by the School District, provided such location of the development is consistent with the land use policies of the Hernando County Comprehensive Plan.

Comments: The petitioner is planning on developing the proposed community with age-restrictions. At the time of conditional plat, the petitioner shall be required to coordinate with the Hernando County School District on exempting the development from school concurrency requirements through the submission of development covenants and restrictions.

FINDINGS OF FACT

The request to re-establish a Master Plan on Property Zoned Combined Planned Development Project with C2 and R1MH Uses and deviations is appropriate based on the following conclusions:

1. The proposed use is consistent with the County's adopted Comprehensive Plan and compatible with the surrounding area.
2. The subject site has existing entitlements from the previous master plan approval on the subject site.
3. The setback deviation to 5' is not supported due to the Board of County Commissioners direction; A minimum side setback of 7.5' is recommended.
4. The total number of units shall not exceed 499, with a maximum of 275 Park Models.

NOTICE OF APPLICANT RESPONSIBILITY

The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

STAFF RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend the BOCC adopt a resolution approving the petitioner's request to Re-Establish a Master Plan on Property Zoned Combined Planned Development Project with C2 (General Commercial) and R1MH (Mobile Home) Uses and previously approved deviations with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping.
3. The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ (FFL) Program information and include FFL language in the HOAs covenants and restrictions. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.
4. The petitioner must apply for and receive a Finding of School Capacity from the School District prior to the approval of the conditional plat or the functional equivalent. The County will only issue a certificate of concurrency for schools upon the School District's written determination that adequate school capacity will be in place or under actual construction within three (3) years after the issuance of subdivision approval or site plan approval (or functional equivalent) for each level of school without mitigation, or with the execution of a legally binding proportionate share mitigation agreement between the applicant, the School District, and the County.
5. Covenants and restrictions for this development that indicate that the community is age restricted shall be submitted to the Hernando County School District at the time of conditional plat or Site Development Permit if developed as a rental community to exempt the project from school concurrency requirements.
6. The development shall be required to comply with all SWFWMD permitting requirements and provide wetland buffering in accordance with SWFWMD regulations for all wetlands.
7. The petitioner shall coordinate with the Hernando County Utilities Department prior to submitting the conditional plat or Site Development Permit if developed as a rental community for the proposed development to reinstate or amend the Utility Service Agreement for the site.
8. A Traffic Access Analysis will be required. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer to install.

9. Prior to Conditional Plat or Site Development Permit if developed as a rental community, the petitioner shall coordinate with the County Engineer to determine if a secondary full access point is feasible for the project. Any additional access point approved by the County Engineer will be allowed without requiring an amendment to the master plan.
10. The Driveway on Cortez Blvd./SR 50 has severe Sight Distance issues. This access should line up with the existing directional median. This access requires FDOT/Florida Dept. of Transportation access management permit. Prior to the submission of the Conditional Plat or Site Development Permit if developed as a rental community, the applicant shall coordinate with the Florida Department of Transportation and the Hernando County Department of Public Works to align the driveway on Cortez Boulevard to the existing directional median. Any movement of this driveway in accordance with the approval of either FDOT or the County Engineer shall not require a revision to this master plan.
11. The petitioner shall coordinate with the Florida Department of Transportation to determine if an FDOT drainage permit is required. This permit shall be submitted at the time of construction drawings for the development.
12. The project shall be limited to the following unit count:
 - Park Models: 50
 - RV Spaces: 300
 - Primitive Camping: 149
 - Resort Residential: 49

The petitioner is proposing a reduction in density that can be achieved by utilizing the following conversion matrix:

- Two (2) Resort Residential Lots = 3 Park Models
- Two (2) RV Spaces = 1 Park Model

Under no circumstances shall the total unit count exceed 548 units as initially approved. The final unit count mix must be provided at the time of Conditional Plat or Site Development Permit if developed as a rental community for the proposed development.

13. Minimum Lot Setbacks, Buffers, and Lot Sizes:

RV Spaces:

Front Setback: 15' (Deviation Previously approved 15')
Side Setback: 5' (Deviation Previously approved 5')
Rear Setback: 10' (Deviation Previously approved 10')
Lot Size: 2,800 square feet

Park Models:

Front Setback: 15' (Deviation Previously approved 15')

Side Setback: 5' (Deviation Previously approved 5')
Rear Setback: 10' (Deviation Previously approved 10')
Lot Size: 2,800 square feet (Deviation Previously approved 2,800 square feet)
Model Size: 500 square feet

Resort Residential Single-Family

Front: 25'
Side: 10'/25' (Corner Lot 2nd front)
Rear: 20'
Lot Size: 6,000 square feet

Resort Residential Townhome

Front Setback: 25'
Side Setback: 7.5' (end units)/ 0' Internal Units (Previously Approved 7.5')
Rear Setback: 20'
Lot Size: 3000 square feet

Resort Residential Duplex

Front Setback: 25'
Side Setback: 10'
Rear Setback: 20'
Lot Size: 8,500 square feet

14. Minimum Buffer Requirements:

North: 50' Natural Vegetative buffer at 80% opacity where mobile homes and active recreation are adjacent to the rural neighboring residences. 50' Natural Buffer for the remainder of the areas not adjacent to development.
South: 25' Landscape buffer along SR 50 where development is proposed, 25' natural buffer in floodplain and wetland area
West: 25' Natural Vegetative Buffer
East: 25' Landscape buffer along Mondon Hill Road

Minimum Perimeter Setbacks:

S.R. 50: 125' (Previously Approved at 75')
West: 50'
North: 50'
Mondon Hill: 75'

15. The petitioner shall provide the minimum neighborhood park acreage in accordance with the Hernando County Land Development Regulations. The proposed master plan includes plans for an active recreation area with clubhouse, pool and space for other facilities, such as pickleball courts. The large floodplain area to the west also provides ample opportunity for passive recreation such as pedestrian trails and picnic areas. The area adjacent to the wetland (outside the 25' upland buffer) also provides an opportunity to include passive recreation. Specific Park locations and amenities shall be displayed at the time of

conditional plat or Site Development Permit if developed as a rental community for the development.

16. The petitioner shall be required to meet the natural vegetation area requirements in accordance with the Community Appearance Ordinance.
17. The petitioner shall submit a fire protection plan with the Conditional Plat or Site Development Permit if developed as a rental community in accordance with Hernando County LDRs.
18. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of receipt from county staff of the BOCC approval action report. Failure to submit the revised plan will result in no further development permits being issued.

P&Z RECOMMENDATION

On June 9, 2025, the Planning and Zoning Commission voted 4-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request to Re-Establish a Master Plan on Property Zoned Combined Planned Development Project with C2 (General Commercial) and R1MH (Mobile Home) Uses and previously approved deviations with the following modified performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping.
3. The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ (FFL) Program information and include FFL language in the HOAs covenants and restrictions. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.
4. The petitioner must apply for and receive a Finding of School Capacity from the School District prior to the approval of the conditional plat or the functional equivalent. The County will only issue a certificate of concurrency for schools upon the School District's written determination that adequate school capacity will be in place or under actual construction within three (3) years after the issuance of subdivision approval or site plan approval (or functional equivalent) for each level of school without mitigation, or with the execution of a legally binding proportionate share mitigation agreement between the applicant, the School District, and the County.
5. Covenants and restrictions for this development that indicate that the community is age restricted shall be submitted to the Hernando County School District at the time of conditional plat or Site Development Permit if developed as a rental community to exempt the project from school concurrency requirements.
6. The development shall be required to comply with all SWFWMD permitting requirements and provide wetland buffering in accordance with SWFWMD regulations for all wetlands.
7. The petitioner shall coordinate with the Hernando County Utilities Department prior to submitting the conditional plat or Site Development Permit if developed as a rental community for the proposed development to reinstate or amend the Utility Service Agreement for the site.
8. A Traffic Access Analysis will be required. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer to install.

9. Prior to Conditional Plat or Site Development Permit if developed as a rental community, the petitioner shall coordinate with the County Engineer to determine if a secondary full access point is feasible for the project. Any additional access point approved by the County Engineer will be allowed without requiring an amendment to the master plan.
10. The Driveway on Cortez Blvd./SR 50 has severe Sight Distance issues. This access should line up with the existing directional median. This access requires FDOT/Florida Dept. of Transportation access management permit. Prior to the submission of the Conditional Plat or Site Development Permit if developed as a rental community, the applicant shall coordinate with the Florida Department of Transportation and the Hernando County Department of Public Works to align the driveway on Cortez Boulevard to the existing directional median. Any movement of this driveway in accordance with the approval of either FDOT or the County Engineer shall not require a revision to this master plan.
11. The petitioner shall coordinate with the Florida Department of Transportation to determine if an FDOT drainage permit is required. This permit shall be submitted at the time of construction drawings for the development.
12. The project shall be limited to the following unit count:
 - Park Models Tiny Homes: 50
 - RV Spaces: 300
 - Primitive Camping: 149
 - Resort Residential: 49

~~The petitioner is proposing a reduction in density that can be achieved by utilizing the following conversion matrix:~~

- ~~• Two (2) Resort Residential Lots = 3 Park Models~~
- ~~• Two (2) RV Spaces = 1 Park Model~~

~~Under no circumstances shall the total unit count exceed 548 units as initially approved. The final unit count mix must be provided at the time of Conditional Plat or Site Development Permit if developed as a rental community for the proposed development.~~

13. Minimum Lot Setbacks, Buffers, and Lot Sizes:

RV Spaces:

Front Setback: 15' (Deviation Previously approved 15')
Side Setback: 5' (Deviation Previously approved 5')
Rear Setback: 10' (Deviation Previously approved 10')
Lot Size: 2,800 square feet

Park Models Tiny Homes:

Front Setback: 15' (Deviation Previously approved 15')

Side Setback: 5' (Deviation Previously approved 5')
Rear Setback: 10' (Deviation Previously approved 10')
Lot Size: 2,800 square feet (Deviation Previously approved 2,800 square feet)
Model Size: 500 square feet

Resort Residential Single-Family

Front: 25'
Side: 10'/25' (Corner Lot 2nd front)
Rear: 20'
Lot Size: 6,000 square feet

Resort Residential Townhome

Front Setback: 25'
Side Setback: 7.5' (end units)/ 0' Internal Units (Previously Approved 7.5')
Rear Setback: 20'
Lot Size: 3000 square feet

Resort Residential Duplex

Front Setback: 25'
Side Setback: 10'
Rear Setback: 20'
Lot Size: 8,500 square feet

14. Minimum Buffer Requirements:

North: 50' Natural Vegetative buffer at 80% opacity where mobile homes and active recreation are adjacent to the rural neighboring residences. 50' Natural Buffer for the remainder of the areas not adjacent to development.
South: 25' Landscape buffer along SR 50 where development is proposed, 25' natural buffer in floodplain and wetland area
West: 25' Natural Vegetative Buffer
East: 25' Landscape buffer along Mondon Hill Road

Minimum Perimeter Setbacks:

S.R. 50: 125' (Previously Approved at 75')
West: 50'
North: 50'
Mondon Hill: 75'

15. The petitioner shall provide the minimum neighborhood park acreage in accordance with the Hernando County Land Development Regulations. The proposed master plan includes plans for an active recreation area with clubhouse, pool and space for other facilities, such as pickleball courts. The large floodplain area to the west also provides ample opportunity for passive recreation such as pedestrian trails and picnic areas. The area adjacent to the wetland (outside the 25' upland buffer) also provides an opportunity to include passive recreation. Specific Park locations and amenities shall be displayed at the time of

conditional plat or Site Development Permit if developed as a rental community for the development.

16. The petitioner shall be required to meet the natural vegetation area requirements in accordance with the Community Appearance Ordinance.
17. The petitioner shall submit a fire protection plan with the Conditional Plat or Site Development Permit if developed as a rental community in accordance with Hernando County LDRs.
18. Project lighting shall meet all dark sky minimum requirements.
19. The petitioner shall be required to submit a master drainage plan at the time of development, identifying any potential significant drainage issues.
20. The community shall be gated and designed in accordance with the Hernando County Facility Design Guidelines.
21. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of receipt from county staff of the BOCC approval action report. Failure to submit the revised plan will result in no further development permits being issued.

H-25-07

Photo date: 2023

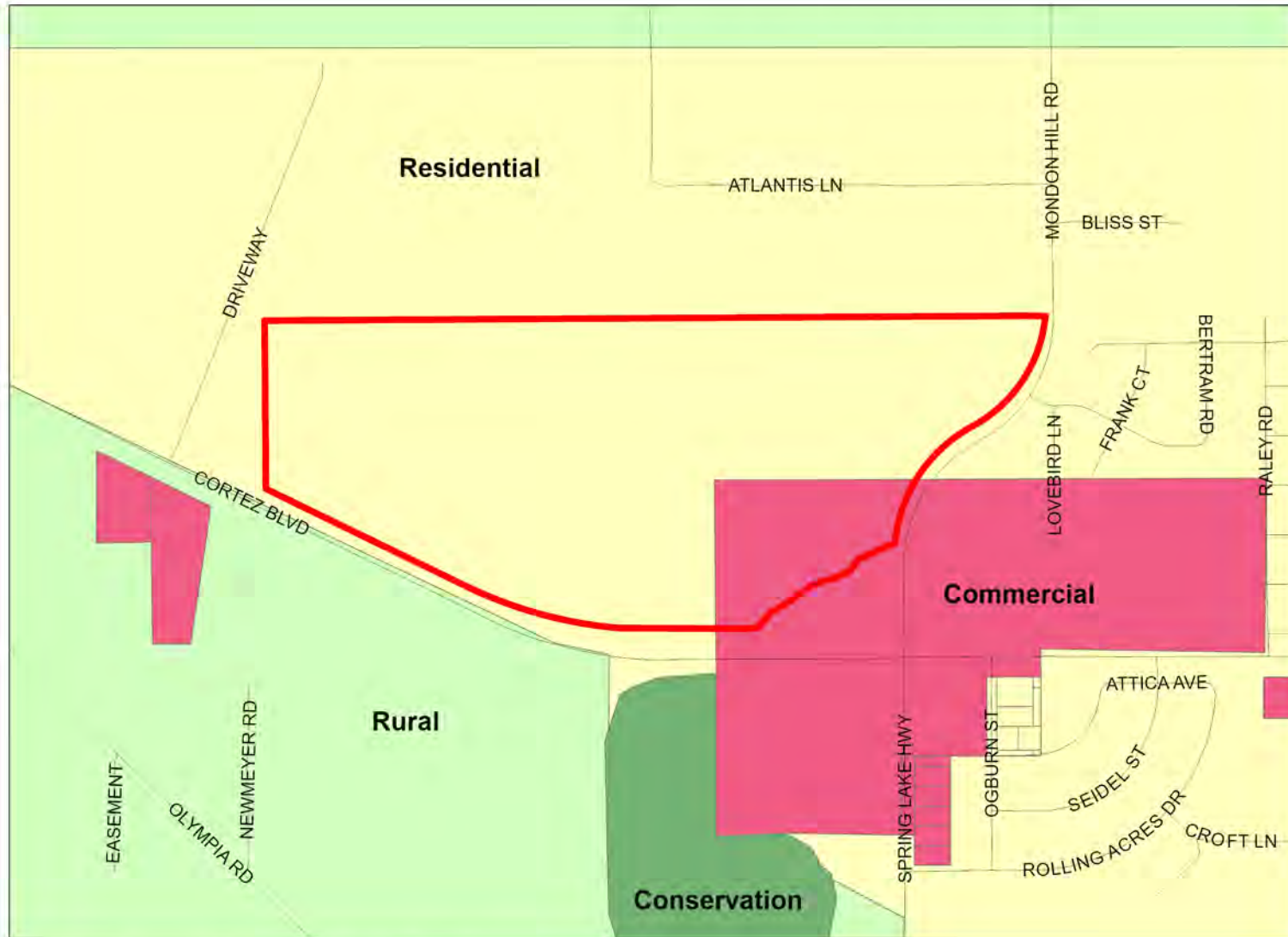
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



Hernando County Comprehensive Plan Map

Existing Future Land Use: H-25-07

Version Date: 12/09/2022



H-25-07

FLU Riverine District

Regional Commercial

FLU

CITY

COMMERCIAL

CONSERVATION

EDUCATION

INDUSTRIAL

MINING

PLANNED DEVELOPMENT

PUBLIC FACILITIES

RECREATION

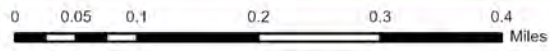
RESIDENTIAL

RURAL

Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

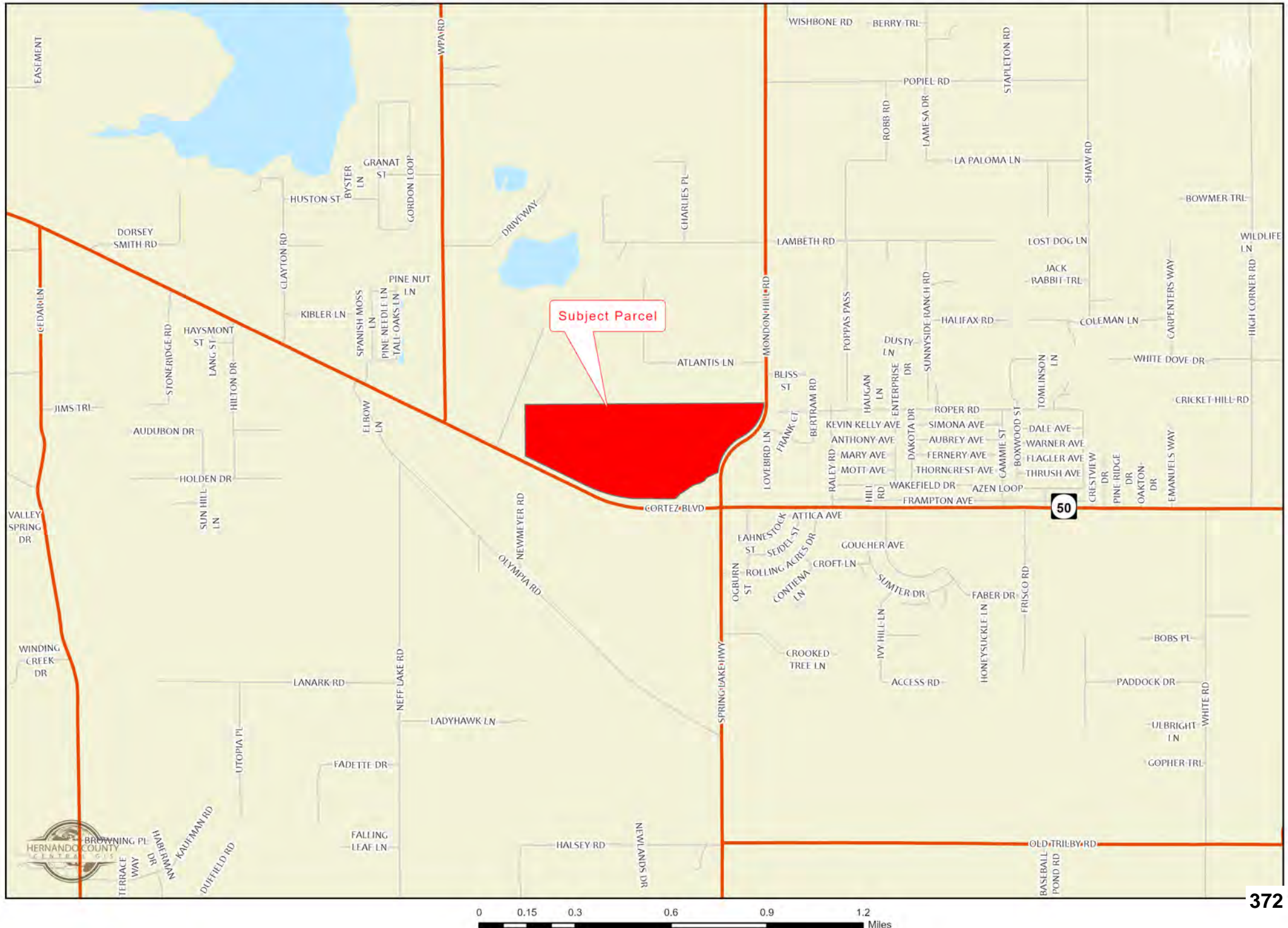


Date of mapping: 04/08/2025



H-25-07 AREA MAP

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



H-25-07

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

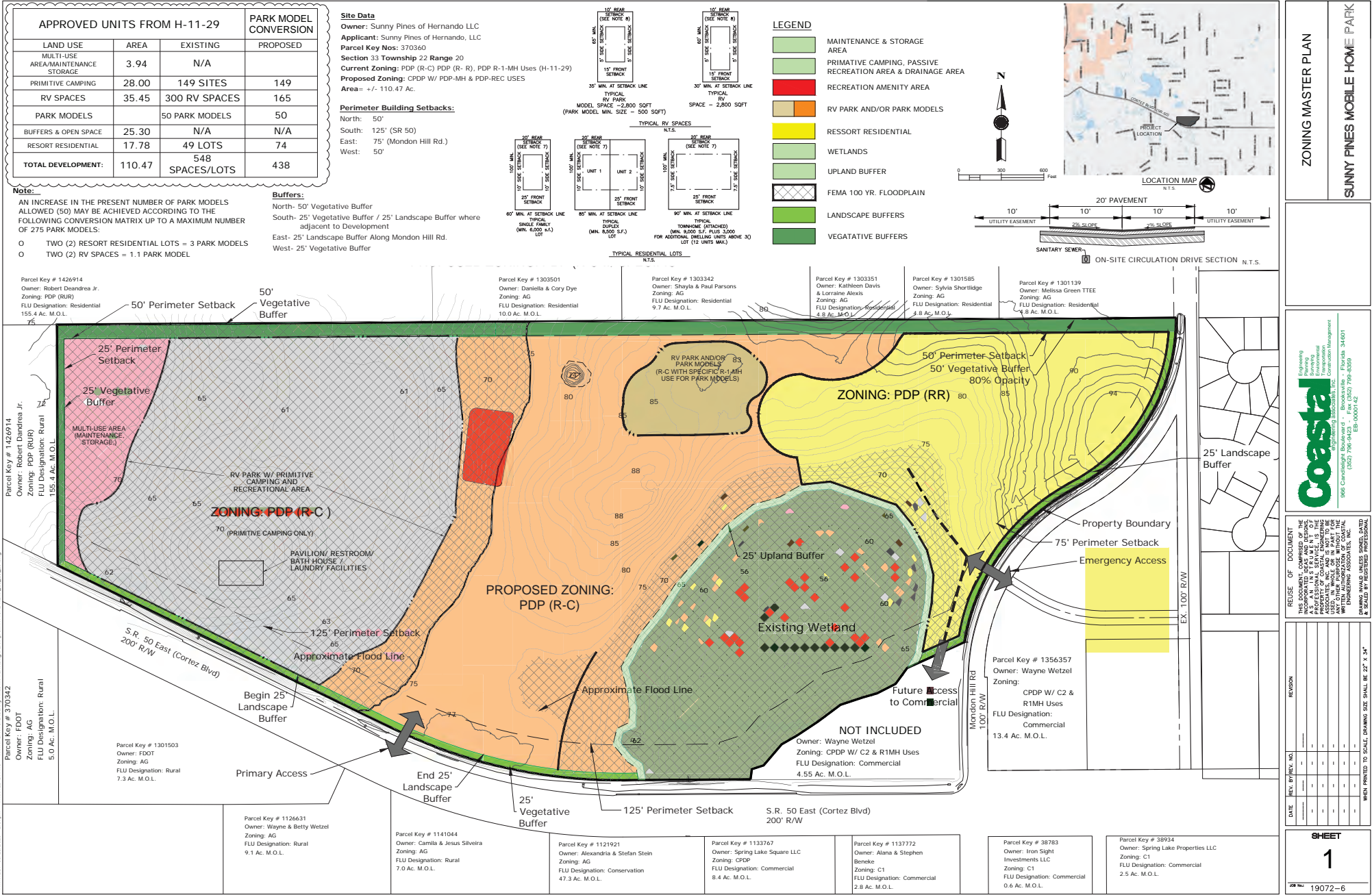


Zoning:

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending





May 1, 2025

Michelle Miller, Planner III
Hernando County Development Services Department
1653 Blaise Dr.
Brooksville, FL 34601



RE: Response to Request for Additional Information

Project Name: Sunny Pines of Hernando - Rezoning
Application No.: H-25-07

Michelle,

This letter is in response to County comments relating to the project referenced above.

Please note that County comments have been restated below and an explanation of our response has been provided in italics.

H2507 Department Comments, June P&Z Meeting

Department of Public Works Comments

- This project lies within the Bystre Lake watershed, in basins A1240, -790, and -880. The BFE is 74.4 in NAVD 88. The parcel elevation ranges from 95 to 60. The majority of the site lies within the floodplain.

Response: Most of the site proposed for development is not in the floodplain.

- Modification requested to the access on Mondon Hill Road to be emergency only, developer should consider that this access provides access to an existing Traffic Signal.

Response: The developer agrees to full access to Mondon Hill; emergency only was requested by the community/citizens.

- The Driveway on Cortez Blvd./SR 50 has severe Sight Distance issues. This access should line up with the existing directional median. This access requires FDOT/Florida Dept. of Transportation access management permit.

Response: Agreed

- Dept. of Public Works Engineering has concerns of only 1 access point being provided with the number of units.

Response: The developer agrees to two full access points.

- Traffic Access Analysis will be required. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer to install.

Response: Agreed

- Project may be required to obtain FDOT/Florida Dept. of Transportation Drainage Permit.

Response: Agreed/acknowledged.

Hernando County Utilities Department

HCUD does not currently supply water or wastewater service to this parcel. Water service is available to this parcel. Wastewater service is not currently available, however the previous owner entered into a water and sewer service agreement with HCUD to extend wastewater service to the property, however the developer's representative has expressed interest in revising this agreement.

HCUD has no objection to reapprove the existing master plan with modifications, subject to the existing agreement or an approved amended agreement for the connection to the central water and wastewater systems at time of site development. Parcel Key# 370360.

Response: The developer will update and modify the existing water/sewer agreement with HCUD.

We trust that the information provided will adequately address County comments and allow approval of the associated permit. Please contact me at your convenience if there are any additional questions concerning this project.

Sincerely,

Concetta Cook

Permit Coordinator

Coastal Engineering Associates, Inc.

PETITIONER'S DRAFT REVISIONS FOR BOCC REVIEW:

Subsequent to the Planning and Zoning Commission meeting on June 9, 2025, the petitioner is suggesting some revisions for the BOCC consideration. The proposed revised conditions are as follows:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping.
3. The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ (FFL) Program information and include FFL language in the HOAs covenants and restrictions. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.
4. The petitioner must apply for and receive a Finding of School Capacity from the School District prior to the approval of the conditional plat or the functional equivalent. The County will only issue a certificate of concurrency for schools upon the School District's written determination that adequate school capacity will be in place or under actual construction within three (3) years after the issuance of subdivision approval or site plan approval (or functional equivalent) for each level of school without mitigation, or with the execution of a legally binding proportionate share mitigation agreement between the applicant, the School District, and the County.
5. Covenants and restrictions for this development that indicate that the community is age restricted shall be submitted to the Hernando County School District at the time of conditional plat or Site Development Permit if developed as a rental community to exempt the project from school concurrency requirements.
6. The development shall be required to comply with all SWFWMD permitting requirements and provide wetland buffering in accordance with SWFWMD regulations for all wetlands.
7. The petitioner shall coordinate with the Hernando County Utilities Department prior to submitting the conditional plat or Site Development Permit if developed as a rental community for the proposed development to reinstate or amend the Utility Service Agreement for the site.
8. A Traffic Access Analysis will be required. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer to install.

9. Prior to Conditional Plat or Site Development Permit ~~if developed as a rental community~~, the petitioner shall coordinate with the County Engineer to determine if a secondary full access point is feasible for the project. Any additional access point approved by the County Engineer will be allowed without requiring an amendment to the master plan.
10. The Driveway on Cortez Blvd./SR 50 has severe Sight Distance issues. This access should line up with the existing directional median. This access requires FDOT/Florida Dept. of Transportation access management permit. Prior to the submission of the Conditional Plat or Site Development Permit ~~if developed as a rental community~~, the applicant shall coordinate with the Florida Department of Transportation and the Hernando County Department of Public Works to align the driveway on Cortez Boulevard to the existing directional median. Any movement of this driveway in accordance with the approval of either FDOT or the County Engineer shall not require a revision to this master plan.
11. The petitioner shall coordinate with the Florida Department of Transportation to determine if an FDOT drainage permit is required. This permit shall be submitted at the time of construction drawings for the development.
12. The project shall be limited to the following unit count:
- | | | |
|-----------------------|-----|------------|
| • Park Models: | 50 | <u>188</u> |
| • RV Spaces: | 300 | <u>211</u> |
| • Primitive Camping: | | 149 |
| • Resort Residential: | 49 | <u>0</u> |

~~The petitioner is proposing a reduction in density that can be achieved by utilizing the following conversion matrix:~~

- ~~• Two (2) Resort Residential Lots = 3 Park Models~~
- ~~• Two (2) RV Spaces = 1 Park Model~~

Under no circumstances shall the total unit count exceed 548 units as initially approved. ~~The final unit count mix must be provided at the time of Conditional Plat or Site Development Permit if developed as a rental community for the proposed development.~~

13. Minimum Lot Setbacks, Buffers, and Lot Sizes:

RV Spaces:

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Lot Size: 2,800 square feet

Park Models:

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Side Setback: 5' (Deviation Previously approved 5')
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Lot Size: 2,800 square feet (Deviation Previously approved 2,800 square feet)
Model Size: 500 square feet

Resort Residential Single-Family

Front Setback: 25'
Side Setback: 10'/25' (Corner Lot 2nd front)
Rear: 20'
Lot Size: 6000 square feet

Resort Residential Townhome

Front Setback: 25'
Side Setback: 7.5' (end units)/ 0' Internal Units (Previously Approved 7.5')
Rear Setback: 20'
Lot Size: 3000 square feet

Resort Residential Duplex

Front Setback: 25'
Side Setback: 10'
Rear Setback: 20'
Lot Size: 8,500 square feet

14. Minimum Buffer Requirements:

North: 50' Natural Vegetative buffer at 80% opacity where mobile homes and active recreation are adjacent to the rural neighboring residences. 50' Natural Buffer for the remainder of the areas not adjacent to development.
South: 25' Landscape buffer along SR 50 where development is proposed, 25' natural buffer in floodplain and wetland area
West: 25' Natural Vegetative Buffer
East: 25' Landscape buffer along Mondon Hill Road

Minimum Perimeter Setbacks:

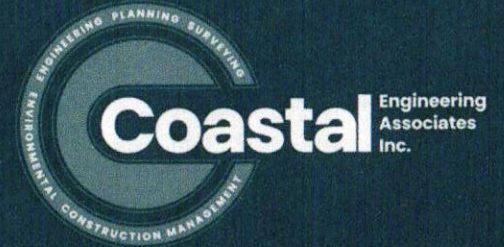
S.R. 50: 125' (Previously Approved at 75')
West: 50'
North: 50'
Mondon Hill: 75'

15. The petitioner shall provide the minimum neighborhood park acreage in accordance with the Hernando County Land Development Regulations. The proposed master plan includes plans for an active recreation area with clubhouse, pool and space for other facilities, such as pickleball courts. The large floodplain area to the west also provides ample opportunity for passive recreation such as pedestrian trails and picnic areas. The area adjacent to the wetland (outside the 25' upland buffer) also provides an opportunity to include passive recreation. Specific Park locations and amenities shall be displayed at the time of

conditional plat or Site Development Permit if developed as a rental community for the development.

16. The petitioner shall be required to meet the natural vegetation area requirements in accordance with the Community Appearance Ordinance.
17. The petitioner shall submit a fire protection plan with the Conditional Plat or Site Development Permit if developed as a rental community in accordance with Hernando County LDRs.
18. Project lighting shall meet all dark sky minimum requirements.
- ~~19. The petitioner shall be required to submit a master drainage plan at the time of development, identifying any potential significant drainage issues.~~
20. The community shall be gated and designed in accordance with the Hernando County Facility Design Guidelines.
21. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of receipt from county staff of the BOCC approval action report. Failure to submit the revised plan will result in no further development permits being issued.

June 9, 2025



Hernando County Planning & Zoning Commission

Hernando County Case No.: H-25-07

Project Name: Sunny Pines Mobile Home/RV Park

Developer/Owner: Sunny Pines of Hernando, LLC

H2507- Presentation
Completed by petitioner
6/9 P&Z

Application Overview

Request: Reapprove Existing Master Plan (H-11-29) with proposed plan modifications from C/PDP (Combined Planned Development Project) to C/PDP

Site Area: 110.4 Acres M.O.L.

Existing FLU: Mainly Residential with Commercial Node @ ~~Southeast~~ ^{NW} Corner of SR 50/Mondon Hill

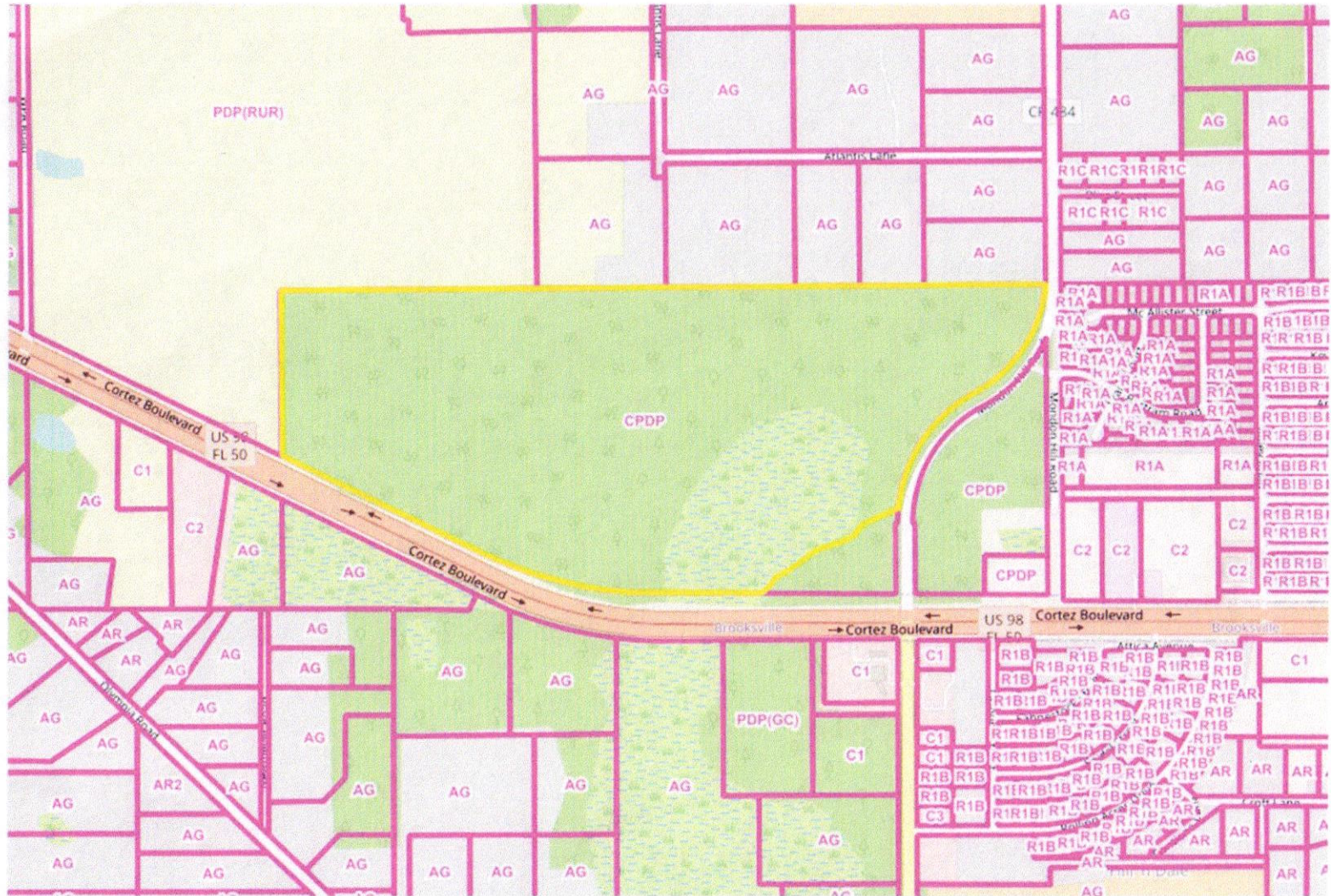
Uses Proposed: Maintain 548 Total Units with Conversion Matrix

Staff Conditions: Includes Resolution 2012-8 Conditions of Approval

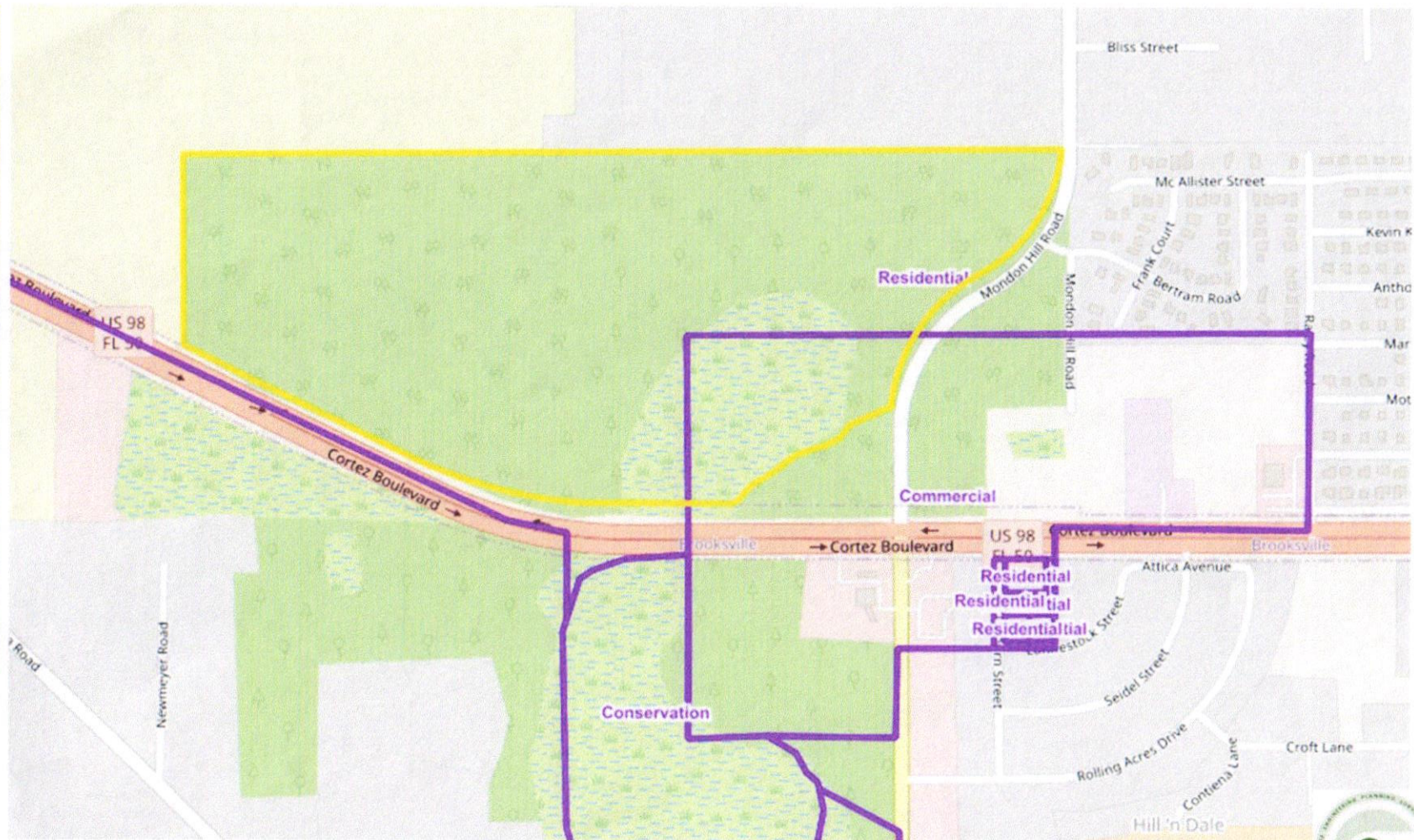
Staff Recommends Approval with Conditions



ZONING MAP



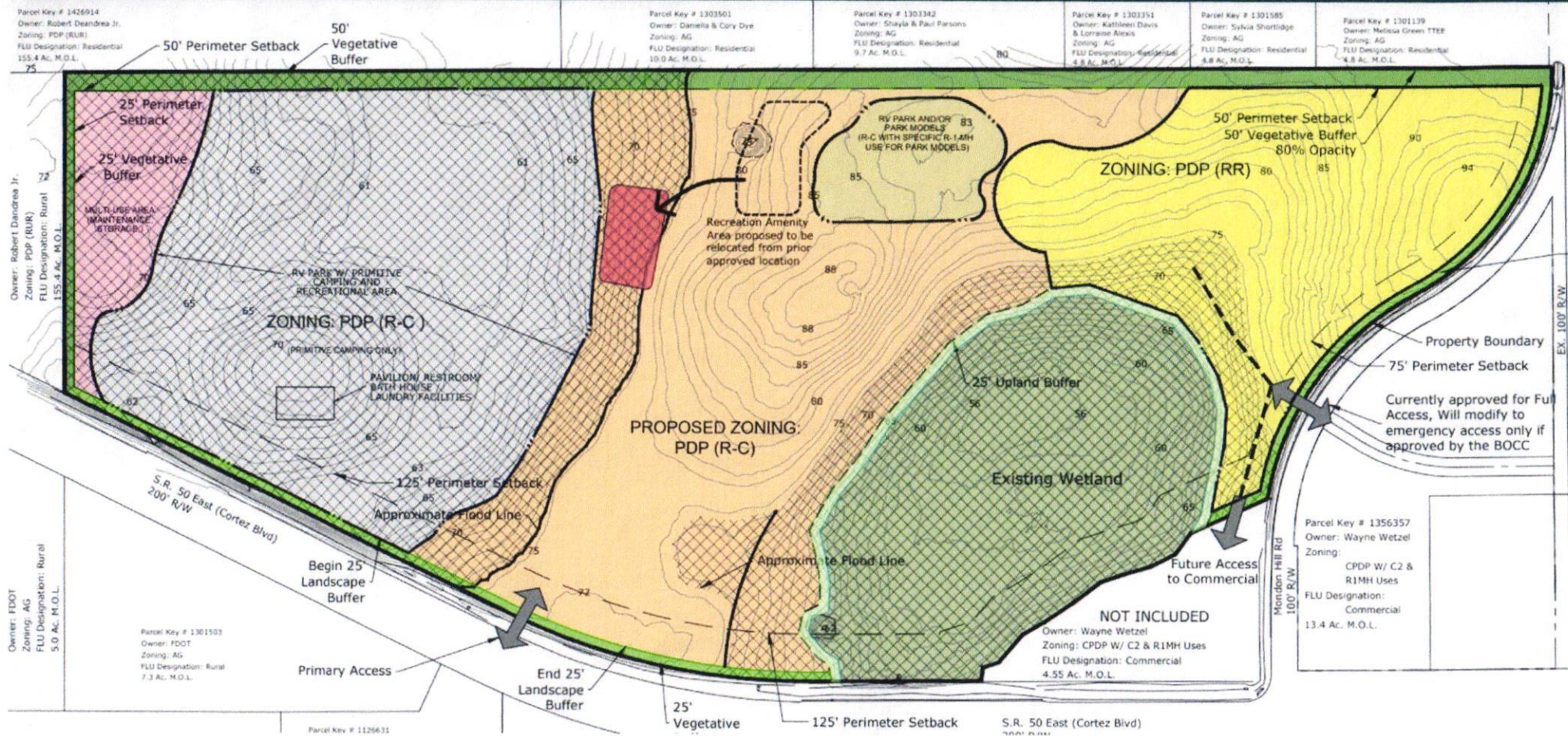
FUTURE LAND USE



- Approved in 2012
- C/PDP & C-2
Mini-Warehouse,
Recreational, Resort
Residential & SF with
R-1-MH for Park Models
- Reduction in Setbacks
- NTE 160K SF Comm
- 548 Maximum Units
- RV Spaces – 300
- Park Models – 50
- Primitive Camping 149
- Resort Residential – 49

- [illegible]

Revised Master Plan



Zoning Modifications

- Primary Site Access - SR 50 & Emergency Access Only @ Mondon Hill
- Community Gated & Recreation Area More Centralized
- Park Models & Resort Residential Single Family - Age Restricted
- Internal Lighting Consistent with Dark Sky Standards
- Minimum Lease Period - 6 Months for Non-RV spaces, enforced by CCR's
- Increase 50 Park Models to NTE 275 Park Models or 548 Total Units:
 - Two (2) Resort Residential Lots = 3 Park Models
 - ~~Two (2)~~ RV Spaces = 1 Park Model

IB
and
by BCC.

1.0

Proposed Zoning - Conversion Matrix

APPROVED UNITS FROM H-11-29

PARK MODEL CONVERSION

LAND USE	AREA	APPROVED SITES EXISTING ZONING	PARK MODEL SITE CONVERSION	PROPOSED SITES WITH PARK MODEL CONVERSION
MULTI-USE AREA/MAINTENANCE STORAGE	3.94	N/A	N/A	N/A
PRIMITIVE CAMPING (PG)	28.00	149	N/A	149
RV SPACES (RV)	35.45	300	165	165
PARK MODELS (PM)		50	50	50
BUFFERS & OPEN SPACE	25.30	N/A	N/A	N/A
RESORT RESIDENTIAL	17.78	49	74	74
TOTAL DEVELOPMENT:	110.47	548	289	438

Conclusion

- Reapprove still valid Existing Master Plan (H-11-29) with Same Deviations
- Maintain Prior Approved 548 Total Units with Minor Changes
- Consistent with Previously Approved Plan, LDR's & Comprehensive Plan
- In Agreement with Staff Conditions and Staff Recommends Approval



Questions?





GALLANT OAKS FARM

**26160 Lambeth Road
Brooksville, FL 34601
USA**

June 6, 2025

Hernando County Planning Department
1653 Blaise Drive
Brooksville, FL 34601

Re: Rezoning Petition Submitted by Sunny Pines of Hernando LLC (H2507)

Dear P & Z Committee,

I am again reaching out to share my very strong opposition and substantiation to the proposed development located on the NW Corner of Hwy 50 and Mondon Hill Road.

I believe the below facts and substantiation alone, is plenty to DENY this *second* petition.

In order to reapply, there is to be Material, SUBSTANTIAL changes to the prior proposed Master Plan. It is clear, this HAS NOT OCCURRED.

Please let me refresh your memories or share with you what happened last year. **The BOCC denied this application, citing the following CONCLUSION OF LAW:**

The BOCC is authorized to act on this matter pursuant to Chapters 125 and 163, Florida Statutes. Accordingly, after public hearing and testimony, being fully advised in the record, and based upon competent substantial evidence, the BOCC makes the following specific conclusions of law:

1. The proposed request is inconsistent with the County's adopted Comprehensive Plan and is incompatible with the surrounding land uses.

After notice and public hearing, based upon the record in this matter and ALL of the findings of fact and conclusions of law above, the BOCC hereby DENIES Revision to a Master Plan on Property Zoned C/PDP /(Combined Planned Development Project) which includes (Recreational), (Resort Residential), and (Single Family) with a specific R-1-MH use for Park Models; and with deviations as set forth in the BOCC Action, which is incorporated herein by reference and made a part hereof. Any requests, uses, variances or exceptions that were requested in connection with this rezoning application but not specifically approved herein are hereby deemed DENIED.

NOTHING IN THIS SECOND PETITION CHANGES THE INCONSISTENCIES, NOR INCOMPATIBILITY WHATSOEVER!!!

The P & Z owns' agenda states:

LEGAL NOTE

The Planning and Zoning Commission has jurisdiction to make a recommendation on the subject application. The Applicable Criteria for Planned Development Projects are contained in Appendix A, (Zoning Code) Article VIII. **The Planned Development Project master plan must be consistent with the Comprehensive Plan.**

IT HAS ALREADY BEEN PROVEN AND VOTED ON THAT IT IS INCONSISTENT WITH THE COMPREHENSIVE PLAN!!! There is nothing in this 'revised' proposed Master Plan that changes ANY OF THIS!!

The below is what they have 'revised' in the current, proposed Master Plan, which if anything is more detrimental with the increase in Park Models. The rest is meaningless and NOT OF ANY MATERIAL, SUBSTANTIAL value that changes the INCONSISTENCIES, NOR INCOMPATIBILITY of this proposed development. It is nothing more than what they verbally stated previously to try to pacify us residents:

- Access to Mondon Hill Road will be emergency only
- The primary site access will be from SR 50
- The recreation area is moving to a more central location within the site
- The community will be gated and age restricted
- All internal lighting fixtures will comply with Dark Star Standards
- The minimum lease period for non-RV spaces will be a minimum of 6 months, and will be controlled by the Covenants and Restrictions.
- Allow an increase in the present number of Park Models allowed (50) in accordance with the following conversion matrix up to a maximum number of 275 Park Models:
 - Two (2) Resort Residential Lots = 3 Park Models
 - Two (2) RV Spaces = 1 Park Model

Let's break these revisions down:

- 1) Access to Mondon Hill Road will be emergency only and The Primary Site access will be from SR 50:
 - a. This is already being challenged by the County Engineer:
 - i. The County Engineer has reviewed the petitioner's request and has the following comments:
 - This project lies within the Bystre Lake watershed, in basins A1240, -790, and -880. The BFE is 74.4 in NAVD 88. The parcel elevation ranges from 95 to 60. Most of the site lies within the floodplain. *No kidding!*
 - A modification is requested to the access on Mondon Hill Road to be emergency only; the developer should consider that this access provides access to an existing Traffic Signal.
 - **ARE YOU NUTS??!! There is NO SAFE PLACE ON MONDON HILL to access this property and EVERYONE KNOWS IT!**
 - The Driveway on Cortez Blvd./SR 50 has severe Sight Distance issues. This access should line up with the existing directional median. This access requires FDOT/Florida Dept. of Transportation access management permit.
 - **You think this access has an issue, try finding a spot NOT IN A BLIND CURVE ON MONDON HILL ROAD!!**

- Dept. of Public Works Engineering has concerns of only 1 access point being provided with the number of units.
 - **That's because THERE ARE TOO MANY UNITS PROPOSED!**
- b. Additionally, the Land Review reflects:
 - i. The BOCC adopted a policy requiring two (2) means of access for subdivisions. The policy serves to provide more than one-way in and one-way out for residents of a subdivision, alternate routes for emergency services, interconnection between subdivisions, a shortened drive time for residents to the entrance/exits, and access points for travel direction outside of the development. A minimum of two (2) access points must be provided to serve any new subdivision or development pod with more than 50 units. If approved, individual single family and multifamily pods that exceed 50 units must meet the two (2) means of access per pod.
 - **THERE IS NO SAFE PLACE ON MONDON HILL FOR AN EGRESS/INGRESS TO THIS PROPERTY!! This screams Law Suit!!**
- 2) The recreation area is moving to a more central location within the site:
 - a. Good Luck with the flooding of this area!! Of no substantial change.
- 3) The community will be gated and age restricted:
 - a. Structurally, engineering this to be gated will be challenging, as to do so, will need to use even more dry land AND keep traffic from backing up on Hwy 50, especially when checking in RVs.
 - b. Age Restricted/55+ Community
 - i. **This is a fallacy!** Just because claiming as a community 55+, they only have to require a certain percentage of the population is 55+, the rest can be anyone of any age. And, WHO IS GOING TO MONIOR THIS REQUIREMENT?? All you have to do is review Brookridge and Clover Leaf to see this is all BS. There are just as many drug dealers/addicts and sex offenders in these developments as there are anywhere!
- 4) All internal lighting fixtures will comply with Dark Star Standards:
 - a. Big deal....with all the noise, pollution, crime and UNSAFE environment that would come from this proposed development, the lighting is just a blip in this ridiculous proposal.
- 5) The minimum lease period for non-RV spaces will be a minimum of 6 months, and will be controlled by the Covenants and Restrictions.
 - a. There are NO Covenants and Restrictions, as they only added this term because I called them out repeatedly for having absolutely NO GOVERNANCE OR CONTROLS in place to manage this development. **WHO IS GOING TO ENFORCE ANY OF THIS???**
- 6) Allow an increase in the present number of Park Models allowed (50) in accordance with the following conversion matrix up to a maximum number of 275 Park Models:
 - a. Two (2) Resort Residential Lots = 3 Park Models
 - b. Two (2) RV Spaces = 1 Park Model
 - i. **Have you looked at the setbacks and deviations for this proposal? Do you realize how packed in like sardines these RVs and Park Models are going to be? The moment these people take 3 steps out of their RV or home, they will be standing on someone else's lot!!!!**

There are additional statements made throughout the revised Master Plan that are just not true:

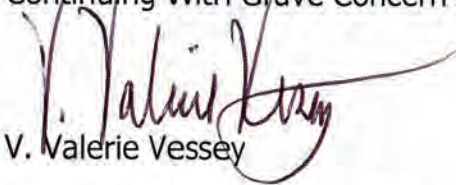
- 1) "The subject site is primarily forested." – NOT ANYMORE! They have already removed so many trees that this had a DIRECT impact to the flooding that occurred during the hurricane last year. **Just imagine what will happen when the 'creative engineering' occurs!**
- 2) "Since the project will be a retirement only community, there will be no impact the public school system." – How do you figure? There WILL BE SCHOOL AGED CHILDREN in this community guaranteed! This is also a fallacy!
- 3) "With **large** low areas in the southeast and western sections, the applicant intends to use those areas for much of the stormwater management." – **There is NOT an HONEST Engineer out there that will testify that disruption to this land will not cause further catastrophic flooding to the surrounding properties, BECAUSE IT CANNOT PHYSICALLY BE DONE WITHOUT IMPACTING THOSE SURROUNDING PROPERTIES WITH THE VOLUME OF UNITS PROPOSED!!!**

I have also included what was submitted to the BOCC in November of last year. **There is not one single revision in this revised Master Plan that changes ANY IMPACT from last year's DENIAL, NOR SPEAKS TO MATERIALLY SUBSTANTIALLY DIFFERENT!**

I am urging the P & Z Committee to look beyond the statutes and laws that they continue to reference and understand that mistakes are made in every facet of life and the rezoning granted of this property in 2012 was a huge approval decision mistake.

While we all understand that property owners have the right to develop their property, IT IS THE MANNER IN WHICH THEY DO SO that matters. THIS PROPOSED DEVELOPMENT IS INCOMPATIBLE WITH THE SURROUDING AREA and WILL RUIN THIS AREA IN EVERY ASPECT OF LIVING!

Continuing With Grave Concern and Opposition,



V. Valerie Vessey

cc: Hernando County Residents

Enclosures: Proposed Property Photos
Neighboring Property Photos

PRIOR RESPONSE TO THE BOCC, resulting in A DENIAL:

November 24, 2024

Mr. Steve Champion
Hernando County Board of County Commissioners
15470 Flight Path Drive
Brooksville, FL 34604

Re: Rezoning of File H-24-14, Parcel Key 370369

Dear Mr. Champion,

I am reaching out to share my very strong opposition to the proposed development located on the NW Corner of Hwy 50 and Mondon Hill Road.

Please see the below factual substantiation as to why this development must not be approved. I thank you in advance for reading this thoroughly and with deep thought leadership.

OVERALL ISSUES

- 1) Regardless of the current zoning or prior expired Master Plan (MP) from 2012, the current revised/proposed MP by Sunny Pines is incompatible with the surrounding land uses, with the exception of the reserved portion, 4.5 acres, (*not part of the current proposed MP*) of the property deemed commercial **specifically on the corner** of Mondon Hill Road and HWY 50.
- 2) This proposed property cannot physically sustain the number of sites (300) being proposed. It is not physically possible due to the wetlands, lowlands, Special Protection Areas and the continuous flooding of this property. There can't be 30-40 acres that are even viable for development. **ANY disruption to this property by way of filling, grading, redistributing, etc., will cause FURTHER CATESTROPHIC FLOODING to the neighboring properties.**
- 3) The county infrastructure, including the proposed traffic volume on Mondon Hill/Spring Lake Hwy, Law Enforcement, Firefighters/First Responders and School System cannot bear this proposed additional volume.

LAND USE SPECIFICATION ISSUES

- 1) SAFETY and CAPACITY for the surrounding RESIDENTIAL area is critical.
- 2) There is NO GOVERNANCE, NOR CONTROL PROTOCOL WITHIN ANY OF THE PROPOSED MASTER PLAN! NONE!
- 3) FLIP FLOPPING, back and forth, 55+ Community, not a 55+ Community, now again a 55+ Community. What is it?? Doesn't stand for anything because a percentage can live there that are not 55+. This changes *nothing* when it comes to the severe negative impacts to the surrounding area. Other 55+ communities in Hernando County are filled with drug addicts and crime, although no one wants to admit it, AND, filled with MANY who are not 55+.

SAFETY ISSUES

- 1) A development of this proportion and type is guaranteed to bring more crime and sex offenders. That's a fact. *As the BOCC is the governing body that is to **ensure the health, safety and welfare of the citizens of Hernando County**, there should be no question this development is not suitable for the area.* There is not enough Law Enforcement to service this proposed development.
- 2) There is a school less than a mile away.
- 3) This entire surrounding area is residential with dozens of school aged children.
- 4) There is not enough Firefighter support for this proposed development.
- 5) There is not one written protocol in the current proposed MP that will govern safety of any kind.

INGRESS/EGRESS ISSUES

- 1) **Entrance off of Mondon Hill:** While a full Traffic Access Analysis would be required, anyone with half a brain could determine there is not a single SAFE place on Mondon Hill to grant ingress/egress to this property. **The ENTIRE length of the east side of the property is in multiple BLIND curves.** Trying to have just cars entering and exiting would be deadly, let alone RVs. Can you spell lawsuit?
- 2) Traffic Analysis, will in fact, find horrific records of the current intersection of Mondon Hill Rd and HWY 50. It is DEADLY! **NO ONE yields for left turns and drivers of all kinds go through there at 70+ miles an hour.** It is NOT feasible or safe to add additional traffic to the intersection coming from the north or south.
- 3) By law ingress/egress to HWY 50 is required in order to facilitate an evacuation of any kind for this type of development.

ENVIRONMENTAL ISSUES

- 1) **This proposed property MUST be reviewed by the now named Floodplain Administrator, established as part of the Hernando Government Flood Town Hall Meeting, File #14947, and all duties performed in accordance with Chapter 13 FLOOD DAMAGE PREVENTION AND PROTECTION, where applicable for this proposed development. The application for this proposed development must be halted and the flood map revised. This alone dictates a No Vote.**
- 2) Removal of the Trees
- 3) FLOODING - This proposed property and the surrounding land to the north and south are STILL under FEETS OF WATER, almost two (2) months after the storm, all the way to Hwy 50 and beyond.
- 4) The neighborhood (Atlantis Lane) adjacent to the north of the proposed property is still impassible for some residents due to FEETS OF WATER still present.
- 5) Those of us that live here, know it does not take a named storm to flood the proposed property. *One of our residents requested for us to go walk the property with the petitioner/applicant/engineers the night of our Public Workshop so we could prove the extensive flooding, including the areas they intend to place lots. Needless to say, we were shut down on the request.....*
- 6) There are MORE wetlands, lowlands and Special Protection Areas (SPA), than viable, usable land on this proposed property. Again, **ANY disruption to this property by way of filling,**

grading, redistributing, a/k/a "creative engineering," etc., will cause FURTHER CATESTROPHIC FLOODING to the neighboring properties.

- 7) Look closely at their current proposed Site Map. They have the area that is now out of the proposed MP (primitive camping sites) noted on their legend as "Passive Rec and Potential Drainage Area." How can you use a swamp that floods EVERYTIME there is heavy rain, as a drainage area? Let the impact sink in. The neighborhood to the north and west would be devastated with just the thought of dumping water to that portion of the property.
 - a) If there had been primitive campers on the eastern part of this proposed property recently, they would have all died by drowning. This flooding occurred within an hour or so. They would have died!
 - b) With the manner in which the property floods, even those in potential RVs/Trailers would be challenged to get off the property in a flooding event.
- 8) Wildlife impact is already being felt, with dozens of coyotes, goopher turtles, eagles, deer, etc. now fleeing to our neighborhoods with just the removal of the trees.
- 9) Where there are areas (wet or not) providing habitat for protected species, it cannot be utilized, and we know they are there.
- 10) Light and Noise pollution CANNOT be tolerated.

RV ISSUES

- 1) Aside from the property not being able to accommodate 300 sites, there is the Occupancy issue.
 - a) WHO is going to monitor how long they can stay? How is the County/Owner going to control this? Will the RV'ers that stay longer than a week have to have a permit that expires? HOW IS THIS GOING TO BE CONTROLLED AND GOVERNED?
 - b) Number of people who can stay in the RV. What's the max on that? What if people are LIVING in their RV and there are 10-12 people staying? There ARE NO CONTROLS FOR THIS. WHO IS GOING TO CONTROL THIS?
- 2) Interim period of using Trailer future leased lots for RV rentals has now been revised to **FIVE (5)** years from the initial three (3) years as stated in the MP. The applicant obviously has concerns over being able to lease all of the Trailer lots, since they increased the RV interim period. **WHAT HAPPENS AFTER 5 YEARS** and all of the lots are not leased for Trailers?? Does the development close down? Then, we're left with desolate, trashy destruction? Do they just get to keep renting for RVs? **THERE IS NO PLAN AFTER YEAR 5, PERIOD.**
- 3) RVs are not to be just parked and owners must be actively occupying. Not intended to be a storage facility. WHO is going to control this??
- 4) RVs are not to be used as Rentals, meaning, owner brings RV rents for X period and rents out to someone to stay in their RV. Not happening. WHO is going to control this?

Where is the clearly outlined WRITTEN RV Governance for this development and who is going to ensure it is followed? NOT in the current proposed MP!

TRAILER ISSUES

- 1) There is NO governance, nor control of what trailers would be permitted. IT IS ALL TALK!! It has clearly been stated 'trailer owners can bring their own.'
 - a) Year Built – How old can the Trailers be? Does it get to stay there forever?
 - b) Manufacturer
 - c) Single, Double or Triple - what will be allowed?

- 2) What is Maximum Occupancy? WHO is going to control and govern this?
- 3) NO rentals of leased lot TRAILERS. Must be occupied by owner. WHO's going to control and govern this?
- 4) No Airbnb, etc. WHO's going to control and govern this?
- 5) These are ALL requirements and more that **will need to be controlled and governed**. WHO IS GOING TO DO THIS?

Where is the clearly outlined WRITTEN Trailer Governance for this development and who is going to ensure it is followed? NOT in the current proposed MP!

This property should have never been rezoned to its' current state. This was a huge Approval mistake made in years past and should be rezoned properly and to only what the land and surrounding area can withstand.

While there is so much more that could be substantiated to vote No for this proposed development, I think pictures are priceless and do not lie. Please see attached photos and fully realize what the residents are already facing as things stand today....without even touching the topography of the proposed property.

- Can you imagine if it was *your* family member that can't even access their own driveway and road to leave their property, or even more tragic, home and animals are engulfed in flood water?
- Can you imagine if *your* child was approached inappropriately by someone living in a trailer park, not even 50 feet from *your* property line?
- Can you imagine the additional deaths that would occur at the intersection of Mondon Hill and Hwy 50?
- Can you imagine investing in *your* property that is devalued by thousands, if not hundreds of thousands because of an inappropriate development?
- **Can you imagine a development being approved that would ruin *your* way of life as *you* know it?**

This and much more tragedy will occur should this proposed development be approved. Please do the right thing and vote No to this proposed development!

With Grave Concern and Opposition,

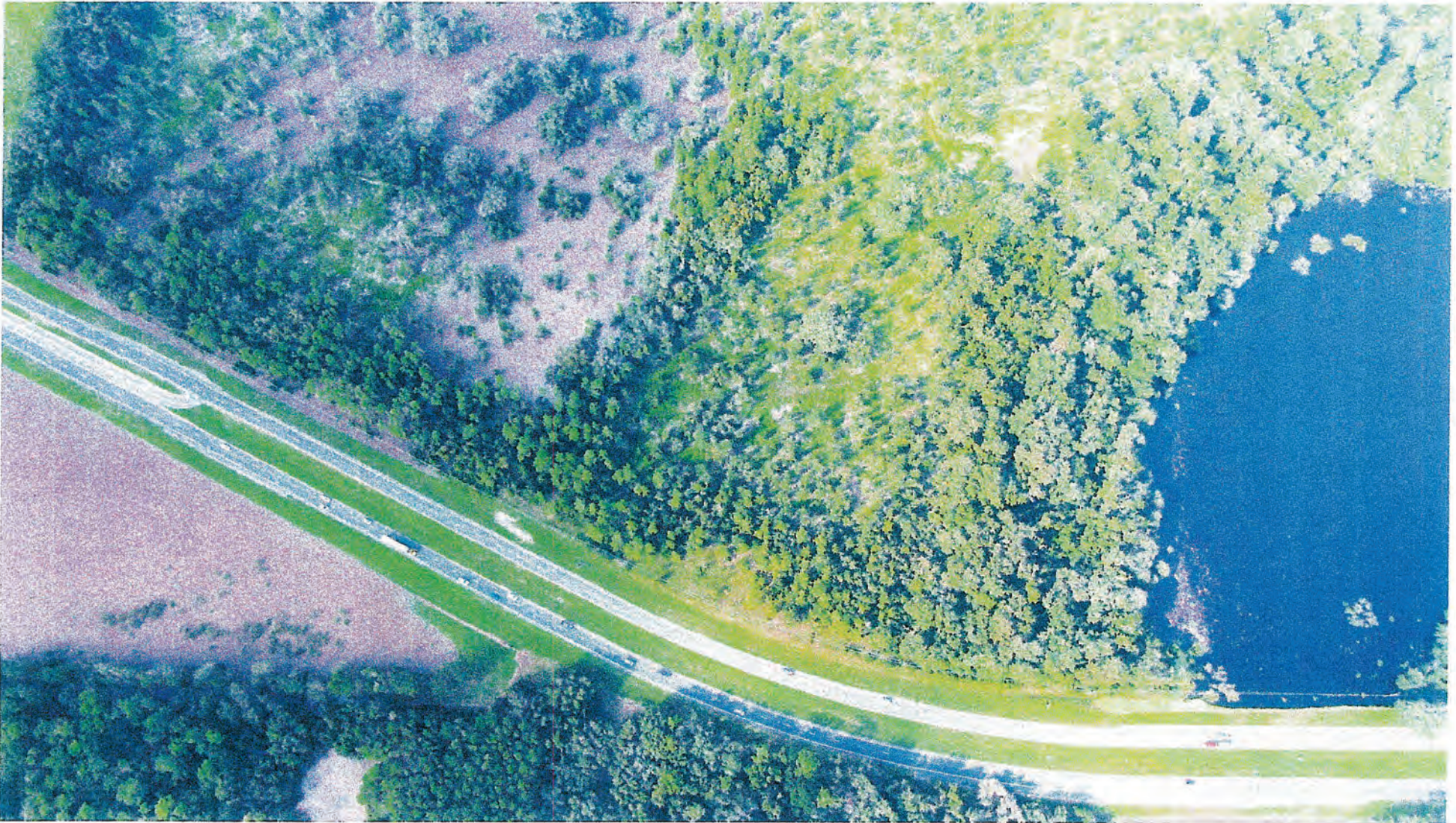
V. Valerie Vessey

cc: Hernando County Residents
Additional Hernando County Board of County Commissioners:
Brian Hawkins (Chair)
Jerry Campbell (Vice Chair)
John Allocco (2nd Vice Chair)
Ryan Amsler

Enclosures: Proposed Property Photos
Neighboring Property Photos

















Wayne Wetzel
27554 U S Hwy 19 North
Clearwater, FL 33761

May 30, 2025

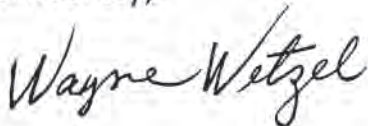
Hernando County Florida
Development Services Department
1653 Blaise Drive
Brooksville, FL 34601

Re: Notice of Public Hearing, Hernando County Florida –
File #H-24-81
Applicant: Lance Lowery

I own property adjoining this development on the corner of Mondon Hill and SR 50 and also on the East side of Mondon Hill & SR 50. I also own 9A on the South side of SR 50 across from this property.

I am 100% in favor of this project and think it is needed to meet the needs of RV users and the need for more affordable housing units. This would also help local business and County Tax Revenues and our overall economy.

Sincerely,

A handwritten signature in black ink that reads "Wayne Wetzel". The signature is written in a cursive, flowing style.

Wayne Wetzel

Wayne Wetzel
27554 U S Hwy 19 North
Clearwater, FL 33761

May 30, 2025

Hernando County Florida
Development Services Department
1653 Blaise Drive
Brooksville, FL 34601

Re: Notice of Public Hearing, Hernando County Florida –
File #H-25-07
Applicant: Sunny Pines of Hernando LLC

I own property adjoining this development on the corner of Mondon Hill and SR 50 and also on the East side of Mondon Hill & SR 50. I also own 9A on the South side of SR 50 across from this property.

I am 100% in favor of this project and think it is needed to meet the needs of RV users and the need for more affordable housing units. This would also help local business and County Tax Revenues and our overall economy.

Sincerely,

A handwritten signature in black ink that reads "Wayne Wetzel". The signature is written in a cursive, flowing style.

Wayne Wetzel











H8007 Submitted @ P&Z







110007 Submitted @ P&Z



H0001 Submitted @ P&Z



H0007 Submitted @ 9:22



HO007 Submitted@Piz



Has07 Subm4d@pēz

Had 07 Subm: Hdd@PZ

421







Hasb7 Submitted 6/13/23

H2507
Submitted @PEZ





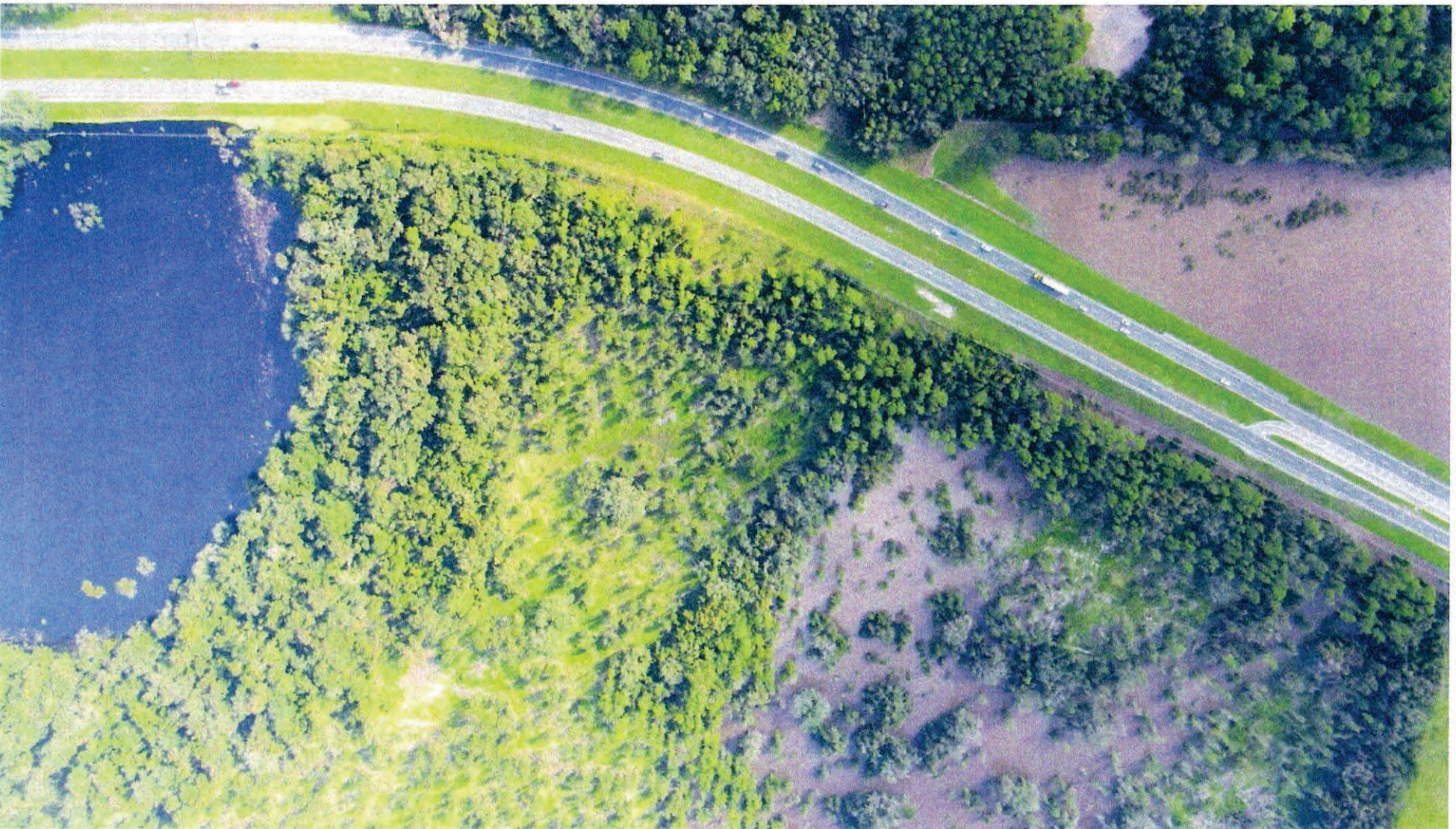
H0507 Subomi Red @ P&Z

H0507 Submitted
@ P&Z





H0007 Submitted
@P&Z



H0007 Submitted
@ P&Z



Project Description

The project was previously approved by the Board of County Commissioners (Resolution 2012-8) on January 10, 2012, as a Combined Planned Development (CPDP) to include General Commercial with a specific use for mini-warehouse, Recreational, Resort Residential, and Single Family with a specific R-1-MH use for Park Models; and a reduction in setbacks (H 11-29). The current request to re-approve the expired master plan is for the residential area only and does not include the previously approved and expired commercial areas.

The residential area of the proposed master plan includes the following previously approved uses:

RV Spaces: 300 ~~0~~
Park Models: 50 + 225 = 275
Primitive Camping: 149 sites
Resort Residential: 49 Units ~~0~~ single family, Townhome & Villas

The proposed modifications to the previously approved master plan are as follows:

- Access to Mondon Hill Road will be emergency only
- The primary site access will be from SR 50
- The recreation area is moving to a more central location within the site
- The community will be gated and age restricted
- All internal lighting fixtures will comply with Dark Star Standards
- The minimum lease period for non-RV spaces will be a minimum of 6 months, and will be controlled by the Covenants and Restrictions.
- Allow an increase in the present number of Park Models allowed (50) in accordance with the following conversion matrix up to a maximum number of 275 Park Models:
 - Two (2) Resort Residential Lots = 3 Park Models
 - Two (2) RV Spaces = 1 Park Model

The project is located in the Residential Future Land Use Designation and the approved master plan is consistent with this designation.

Where development is proposed, the site consists primarily of well-drained Candler sand soils. The applicant will be able to situate the development area between two natural features (floodplain-west; wetland-east), providing both a visual buffer and space for passive recreation. The onsite wetlands will be protected and a 25' wide upland buffer provided, consistent with SWFWMD regulations. To the north, the applicant proposes a large (50') natural buffer, providing visual opacity from the adjacent rural residential. Landscape buffers will be provided where development is located along SR 50 and Mondon



10507 Submitted @Pez





RESOLUTION NO. 2025 - _____

WHEREAS, Hernando County has adopted zoning regulations pursuant to Section 125.01(1) and Chapter 163, *Florida Statutes*, which authorize the County to regulate the use of land in the unincorporated areas of Hernando County, Florida, and take action on the request herein; and

WHEREAS, the Hernando County Board of County Commissioners (BOCC) conducted a duly advertised public hearing to consider the requested changes in zoning on the specified parcels in Hernando County, Florida, as more fully described below;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, AS FOLLOWS:

APPLICANT: Shawn O'Malley on behalf of Sunny Pines of Hernando LLC

FILE NUMBER: H-25-07

REQUEST: Re-Establish Master Plan on Property Zoned Combined Planned Development Project with C2 and R1MH Uses and deviations

GENERAL LOCATION: Northwest corner of SR 50 and Mondon Hill Road

PARCEL KEY NUMBERS: 370360

REQUEST: Re-Establish Master Plan on Property Zoned Combined Planned Development Project with C2 and R1MH Uses and deviations as enumerated in the BOCC Action, which is incorporated herein by reference and made a part hereof. The representations contained in the rezoning application are incorporated herein by reference and made a part hereof and are relied upon by the County to be true and correct. For purposes herein, it is presumed that all notice and advertising requirements have been satisfied.

FINDINGS OF FACT: ALL of the facts and conditions set forth in the County's staff memoranda and presented to the BOCC in connection with the public hearing in this matter are incorporated herein by reference and made a material part of this Resolution as integral to the BOCC's Action. The BOCC finds that the testimony and record supporting APPROVAL of the request to be credible and to constitute competent substantial evidence. In further support thereof, the BOCC makes the following specific findings of fact:

1. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

CONCLUSIONS OF LAW: The BOCC is authorized to act on this matter pursuant to Chapters 125 and 163, *Florida Statutes*. Accordingly, after public hearing and testimony, being fully

advised in the record, and based upon competent substantial evidence, the BOCC makes the following specific conclusions of law:

1. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

ACTION:

After notice and public hearing, based upon the record in this matter and ALL of the findings of fact and conclusions of law above, the BOCC hereby APPROVES Re-Establish Master Plan on Property Zoned Combined Planned Development Project with C2 and R1MH Uses and deviations as set forth in the BOCC Action, which is incorporated herein by reference and made a part hereof. Any requests, uses, variances or exceptions that were requested in connection with this rezoning application but not specifically approved herein are hereby deemed DENIED.

ADOPTED IN REGULAR SESSION THE ____ DAY OF _____, 2025.

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest: _____
Douglas A. Chorvat, Jr.
Clerk of Circuit Court & Comptroller

By: _____
Brian Hawkins
Chairman

(SEAL)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: Victoria Anderson
County Attorney's Office



THE HERNANDO SUN; Published Weekly

Brooksville Hernando County FLORIDA

PUBLISHER'S AFFIDAVIT OF PUBLICATION
STATE OF FLORIDA
COUNTY OF HERNANDO :

Before the undersigned authority, Julie B. Maglio, personally appeared, who on oath, says that she is Editor of the Hernando Sun, a weekly newspaper published at Brooksville in Hernando County, Florida, that the attached copy of the advertisement, being a
NOTICE OF PUBLIC HEARING

in the matter of

APPLICANT: Southern Valley Homes, LLC

was published in said newspaper by print in the issue(s) of:
May 30, 2025

and/or by publication on the newspaper's publicly available website, if
authorized, on May 30, 2025

Affiant further says that the newspaper complies with all
legal requirements for publication in chapter 50, Florida
Statutes.

(Signature of Affiant)

Sworn to and subscribed before me
This 2nd day of June, 2025.

(Signature of Notary Public) LISA M. MACNEIL



Commission # HH 254975
Expires April 19, 2026

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known ☒ or

produced identification _____

Type of identification produced _____

NOTICE OF PUBLIC HEARING HERNANDO COUNTY, FLORIDA

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission of Hernando County, Florida, will hold a Public Hearing in the John Law Ayers County Commission Chambers, Hernando County Government Center, 20 North Main Street, Room 160, Brooksville, Florida on June 9, 2025. **The meeting starts at 9:00 AM and the cases will be heard thereafter in the order established when the agenda is published.**

BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners of Hernando County, Florida, will hold a Public Hearing in the John Law Ayers County Commission Chambers, Hernando County Government Center, 20 North Main Street, Room 160, Brooksville, Florida, on August 5, 2025. **The meeting starts at 9:00 AM and the cases will be heard thereafter in the order established when the Board agenda is published.**

APPLICANT: Southern Valley Homes, LLC
FILE NUMBER: H-24-71
REQUEST: AR-2(Agricultural Residential 2) to AC(Agricultural Commercial)
GENERAL LOCATION: North side of Wiscon Road, approximately 670' east of California Street
PARCEL KEY NUMBER: 345736

APPLICANT: Lance Lowery
FILE NUMBER: H-24-81
REQUEST: Rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage
GENERAL LOCATION: Approximately 175' north of Cortez Boulevard, bounded by Mondon Hill Road and Raley Road.
PARCEL KEY NUMBER: 1181090, 1181081, 1181125, 822872

APPLICANT: Meridien Development LLC Mark Keschl
FILE NUMBER: H-24-82
REQUEST: Rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for drive in restaurant with deviations
GENERAL LOCATION: Northeast corner of Commercial Way and Spring Hill Drive
PARCEL KEY NUMBER: 411931

APPLICANT: Arsany 66th Street, LLC
FILE NUMBER: H-25-01
REQUEST: Rezoning from AR-2 (Agricultural/Residential) to PDP(MF) Planned Development Project (Multifamily), PDP(GC) Planned Development Project (General Commercial), and PDP(SF)Planned Development Project (Single Family) with deviations
GENERAL LOCATION: North of County Line Road, South of Pot O Gold Lane, approximately 1000' west of the intersection of County Line Road and Suncoast Boulevard
PARCEL KEY NUMBER: 189940, 189959

Notice Continues on Page 2

APPLICANT: Alton B. Wingate
 FILE NUMBER: H-25-05
 REQUEST: Rezoning from AG (Agricultural) to PD-P(GC) Planned Development Project with a Special Exception for an Educational Facility
 GENERAL LOCATION: Northwest corner of Citrus Way and Ponce De Leon Boulevard
 PARCEL KEY NUMBER: 332367

APPLICANT: Sunny Pines of Hernando LLC
 FILE NUMBER: H-25-07
 REQUEST: Re-Establish Master Plan on Property Zoned Combined Planned Development Project with C2 and R1MH Uses and deviations
 GENERAL LOCATION: Northwest corner of SR 50 and Mondon Hill Road
 PARCEL KEY NUMBER: 370360

APPLICANT: Britton and Kayla Cox
 FILE NUMBER: H-25-11
 REQUEST: Rezoning from R-1C (Residential) to AR (Agricultural/Residential)
 GENERAL LOCATION: Double frontage on Yellow Frog Ave and Palmdale Road
 PARCEL KEY NUMBER: 610173

APPLICANT: Jorge Sabater
 FILE NUMBER: H-25-12
 REQUEST: Rezoning from C-4 (Heavy Highway Commercial) to C-2 (Highway Commercial)
 GENERAL LOCATION: North side of Chambord St, approximately 690 Feet from Sunshine Grove Rd.
 PARCEL KEY NUMBER: 998870

Interested parties may appear at the meeting and be heard on these matters. You are further advised that if a person decides to appeal any quasi-judicial decision made by the Board, Agency or Commission with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceeding, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Documentation may be reviewed by the public at the Hernando County Planning Department, 1653 Blaise Drive, Brooksville, Florida 34601, between the hours of 7:30 AM - 4:00 PM, Monday through Friday, legal holidays excepted or may be viewed one week prior to the meeting via the County's website at www.hernandocounty.us – follow the Board Agendas and Minutes link to the specified public hearing. If you should have any additional questions regarding this issue, please contact the Planning Department at planning@hernandocounty.us, 352-754-4057, or in writing at: Hernando County Planning Department, 1653 Blaise Drive, Brooksville, Florida 34601.

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact Jessica Wright, County Administration Building, 15470 Flight Path Drive Brooksville, FL 34604, telephone 352-754-4002, no later than three (3) days prior to the proceedings. If hearing impaired, please call 1-800-676-3777 for assistance.

/s/ Omar DePablo
 Development Services Director
 Hernando County Planning Division

Published: May 30, 2025



Board of County Commissioners

AGENDA ITEM

Meeting: 08/05/2025
Department: Planning
Prepared By: Danielle Nigro
Initiator: Omar DePablo
DOC ID: 16251
Legal Request Number:
Bid/Contract Number:

TITLE

Software Demonstration by Swiftbuild.ai a/k/a SwiftGov

BRIEF OVERVIEW

This demonstration by SwiftGov will showcase the County's new software initiative, with a particular focus on GIS systems featuring AI integration. The proposed system will be designed to assist both County staff and residents with comprehensive parcel research across the County. In addition, the presentation will provide an overview of AI's integration with Development Services and Code of Ordinance rewrite.

FINANCIAL IMPACT

N/A

LEGAL NOTE

N/A

RECOMMENDATION

No action is necessary by the Board, for informational purposes only.

REVIEW PROCESS

Omar DePablo	Approved	07/30/2025	1:32 PM
Albert Bertram	Approved	07/30/2025	2:40 PM
Pamela Hare	Approved	07/30/2025	2:52 PM
Heidi Prouse	Approved	07/30/2025	3:21 PM
Toni Brady	Approved	07/30/2025	3:27 PM
Jeffrey Rogers	Approved	07/30/2025	5:08 PM
Colleen Conko	Approved	07/30/2025	5:09 PM



Board of County Commissioners

Meeting: 08/05/2025
Department: Administration
Prepared By: Colleen Conko
Initiator: Toni Brady
DOC ID: 16253
Legal Request Number:
Bid/Contract Number:

AGENDA ITEM

TITLE

Discussion Regarding Request From City of Brooksville for Joint Meeting Regarding Operation of Brooksville Fire Department

BRIEF OVERVIEW

It has been requested by the City of Brooksville to have a joint meeting on Monday August 11, 2025 at 3:00 pm. with the Board of County Commissioners regarding the operation of the Brooksville Fire Department.

FINANCIAL IMPACT

NA

LEGAL NOTE

The Board is authorized to act on this matter pursuant to Chapter 125, Florida Statutes.

RECOMMENDATION

It is recommended that the Board have discussion regarding a joint meeting with the City of Brooksville regarding the operation of the Brooksville Fire Department.

REVIEW PROCESS

Pamela Hare	Approved	07/30/2025 12:44 PM
Heidi Prouse	Approved	07/30/2025 12:56 PM
Toni Brady	Approved	07/30/2025 3:26 PM
Jeffrey Rogers	Approved	07/30/2025 5:12 PM
Colleen Conko	Approved	07/30/2025 5:13 PM