

**APPLICANT:** AGAP Spring Hill Land LLC, Tim Oldemoppen

**FILE NUMBER:** H-23-56

**REQUEST:** Rezoning from AG (Agricultural) to PDP(REC)/ Planned Development Project (Recreation) with Deviations

**GENERAL**

**LOCATION:** West side of Commercial Way (US HWY 19) between its intersection with Lake in The Woods Drive and Brandy Drive

**PARCEL KEY NUMBERS:** 1580042, 1580033, 376088

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**BCC ACTION:**

On February 13, 2024, the Board of County Commissioners voted 5-0 adopt a Resolution approving the petitioner's request for rezoning from AG (Agriculture) to PDP(REC)/ Planned Development Project (Recreation) with 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 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 provide the minimum open space requirements of the County's LDR.
4. The petitioner shall provide a 25' perimeter buffer.
5. No accessory structures associated with RV's, attached or detached, shall be permitted.
6. One (1) permanent resident structure shall be permitted for use by the property's operations manager.
7. No occupancy shall exceed 180 days, ~~and no permanent units except Park Models shall be permitted.~~
8. Minimum RV/~~Park Model Building~~ **Perimeter** Setbacks and Lot:
  - Front: 20'
  - Side: 15'
  - Rear: 8'
  - Lot Width: 40'
  - Lot Size: 2,800 Sq. Ft.
9. The development shall be limited to 241 units.

10. The petitioner shall coordinate with EM for the potential inclusion of a site built, wind rated building to provide a safe shelter for residents in high wind events.
11. The petitioner shall be required to conduct utility capacity analysis and connect to the central water and sewer systems at time of vertical construction.
12. Environmental
  - a. The petitioner is required to comply with all applicable FWC regulations and permitting.
  - b. Any removal, encroachment or alteration of class 1 wetlands shall require permitting and mitigation by the appropriate state and federal agencies.
  - c. A vegetated buffer averaging 25' in width (with no portion of the buffer narrower than 15' wide) shall be maintained by development adjacent to Class I wetland. No development is allowed in the buffer except for walkways or boardwalks used for access or recreation. (Strategy 10.03B(8)). The wetland buffers should be planted with native vegetation to control erosion.
  - d. The wetlands and associated buffer areas shall include a conservation easement in favor of the developer and including a third-party right of enforcement in favor of the County pursuant to Section 704.06(8), Florida Statutes on the master plan and construction drawings.
13. A stormwater plan shall be designed and maintained upland of the wetland buffer to prevent direct stormwater runoff, provide treatment, and avoid adverse impacts to the wetlands.
14. A Traffic Access Analysis shall be required. The Traffic Analysis shall include a queuing analysis. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer to install.
15. The project's internal roadways design shall comply with Hernando County Standards, (IE: Collector, Major Local, Local & Frontage Road).
16. Prior to the issuance of an approved set of construction plans, the developer shall provide the Department of Public Works and The Planning Department with a contact list of any known contractors and professionals that will be working on the site as well as designating a primary contact should issues arise.
17. FDOT access and drainage permits may be required.
18. The petitioner shall provide a revised plan in compliance with all 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.