

BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA

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PROCEEDINGS: Public Hearing Re: File No. H2482  
Rezoning Petition Submitted by Mark  
Keschl of Meridien Development, LLC  
on Behalf of Haber

DATE: August 5, 2025

PLACE: Hernando County Courthouse  
20 North Main Street  
Brooksville, Florida

TRANSCRIBED BY:

CARLA GAIL DONATO  
Court Reporter

BOARD MEMBERS:

BRIAN HAWKINS, Chairman  
JERRY CAMPBELL, Vice Chairman  
STEVE CHAMPION  
JOHN ALLOCCO  
RYAN AMSLER

**JOY HAYES COURT REPORTING**

**407 Courthouse Square**

**Inverness, Florida 34450**

**(352) 726-4451**

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STAFF:

JON JOUBEN, ESQUIRE  
County Attorney

JEFF ROGERS  
County Administrator

OMAR DEPABLO  
Development Services Planning Director

MICHELLE L. MILLER, AICP, Senior Planner

TODD CROSBY, P.E.  
Acting Public Works Director/County  
Engineer

P R O C E E D I N G S

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CHAIRMAN HAWKINS: Okay. We're moving on to public hearings.

Mr. Administrator, can you please read entry of the proof of publication into the record?

MR. ROGERS: Public hearing items in the Hernando Sun, items E 1 and E 2, published on July 25, 2025. Public hearing items E 3 through E 10 were published in the Hernando Sun, published on May 30, 2025.

CHAIRMAN HAWKINS: Mr. Jouben, can you please poll the commissioners for ex parte communications?

MR. JOUBEN: Yes, sir.

Commissioner Champion?

COMMISSIONER CHAMPION: Yes.

MR. JOUBEN: Commissioner Allocco?

COMMISSIONER ALLOCCO: Yes.

MR. JOUBEN: Commissioner Amsler?

COMMISSIONER AMSLER: Yes.

MR. JOUBEN: Commissioner --

COMMISSIONER CAMPBELL: Campbell?

MR. JOUBEN: -- Campbell?

1 COMMISSIONER CAMPBELL: Yes.

2 MR. JOUBEN: Sorry, Jerry. Blank there  
3 for a second.

4 And Mr. Chairman?

5 CHAIRMAN HAWKINS: Yes.

6 MR. JOUBEN: Then I'll give my standard  
7 admonition that when making today's decisions  
8 on the quasi-judicial items before you, you  
9 may only consider the evidence that's either  
10 admitted into evidence as part of the agenda  
11 packet or is presented in today's hearing and  
12 that's all you may consider. Thank you.

13 COMMISSIONER CAMPBELL: Understood.

14 CHAIRMAN HAWKINS: Anyone in the audience  
15 that plans to speak, thinks they will speak,  
16 or possibly may speak, if you feel the  
17 intuition to speak, please rise as the clerk  
18 administers the oath. If there's an  
19 opportunity or a chance, please rise now and  
20 be administered.

21 THE CLERK: Do you swear or affirm that  
22 the testimony you're about to give is the  
23 truth, the whole truth, and nothing but the  
24 truth?

25 THE WITNESSES: (Indicating

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affirmatively.)

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CHAIRMAN HAWKINS: We're on to item 8, and that is E 8, correct? Yes.

MS. MILLER: Michelle Miller, for the record. The item E 8 on your agenda is a rezoning petition submitted by Meridien Development, LLC. The request is a rezoning from PDP(SU)/Planned Development Project (Special Use) to Planned Development Project (General Commercial) with a specific C-2 use for a drive-in restaurant with deviations.

This property has been in front of the board a couple of times previously. This, I believe, is the third time it's been in front of the board. In this particular instance the petitioner is proposing a five-block commercial subdivision for various commercial uses, including retail, restaurants, financial institutions, medical and dental, and business professional offices.

At the Planning and Zoning Commission there was significant conversation related to access to the proposed development. The P and Z did recommend to completely eliminate

1 all access to Pinehurst Drive from the  
2 subject site and they agreed that the  
3 connection -- the frontage road connection to  
4 the northern parcel was absolutely critical  
5 to the project's success.

6 In discussion with the petitioner, they  
7 are in full agreement with both of those  
8 requests and they support the elimination of  
9 the access to Pinehurst and are in agreement  
10 that they will coordinate as necessary with  
11 the owner to the property of the north --  
12 owner of the property to the north, rather --  
13 in order to facilitate any frontage road  
14 connection that's necessary there.

15 And with that, I'd turn it over to the  
16 petitioner for details on the project and to  
17 answer any questions that you might have.

18 CHAIRMAN HAWKINS: Commissioner Allocco?

19 COMMISSIONER ALLOCCO: Before we move  
20 forward maybe you can explain to me Planning  
21 and Zoning. This has come before us and that  
22 was the requirement in the past for any  
23 further consideration, and yet they still  
24 don't have that access, so why are we here?

25 CHAIRMAN HAWKINS: Right.

1 MS. MILLER: So the property to the north  
2 is not owned by the petitioner.

3 COMMISSIONER ALLOCCO: Well, I get it.

4 MS. MILLER: And so in order to  
5 facilitate that coordination, they wanted to  
6 have the entitlements in place so that way  
7 they can understand what that connection  
8 might look like prior to any site development  
9 permitting that would come in for the site.  
10 They would then be required to coordinate and  
11 to figure out was that frontage road --

12 COMMISSIONER ALLOCCO: Is that really how  
13 it would work? Or would it just be that  
14 they, well, you already gave us the approval  
15 and we can't get it there, so then we'll just  
16 go with this plan instead?

17 MS. MILLER: No, sir, because it's  
18 actually specifically identified as --

19 COMMISSIONER ALLOCCO: Right.

20 MS. MILLER: -- condition number 11, and  
21 so we could not approve the site  
22 development --

23 COMMISSIONER ALLOCCO: Correct.

24 MS. MILLER: -- without that frontage  
25 road connection.

1           COMMISSIONER ALLOCCO: I just -- I have  
2           it -- I find it difficult. I'm just going to  
3           say this. I was on here. I think Steve was  
4           here for both of the previous iterations.  
5           And from the very first one that's always  
6           been the issue we've said. Nothing on  
7           Pinehurst, and I know it came through with  
8           one on Pinehurst that they're saying they  
9           don't need. And nothing until you have  
10          actual access to the north.

11           And again, we're back here, don't have  
12          access to the north yet, and -- and I just --  
13          we're going to hear the exact same people who  
14          were here the last two times are going to get  
15          up and they're going to speak, and we'll hear  
16          the new -- we'll hear the new explanation  
17          from the -- of the applicant. But it's been  
18          the same every time. And -- and so I'm  
19          just -- I'm just trying to figure out why  
20          we're even here right now.

21           CHAIRMAN HAWKINS: I -- thank you,  
22          Commissioner Allocco for kind of bringing up  
23          the same point. I was -- I was on the board  
24          the last time this came through. Exactly the  
25          same sentiment.

1           You know, the one thing that -- that --  
2           and I appreciate it -- the elimination of any  
3           access on Pinehurst. That was not -- that  
4           was not proposed last time. The traffic flow  
5           in that area has changed significantly since  
6           the last time that you've been here, as well  
7           as some updates in regards to medians and the  
8           closure of Pinehurst Drive across that -- at  
9           that access and kind of cutting off those  
10          things and making different turn lanes, which  
11          I doubt are probably in this presentation,  
12          but I'll wait to see if that's the case.

13           And then, you know, just the overall -- I  
14          think the density of this. I would like to  
15          see if that's reduced. It doesn't look --  
16          subjectively it doesn't look like it's been  
17          reduced from the last iteration of this.

18           So those are all things that are, I  
19          think, extremely large hurdles for you guys  
20          to get over. I think it's important for you  
21          to understand that going into it.

22           You know, this was -- this was designated  
23          as green space in Hernando County for a long  
24          period of time, and, you know, this just  
25          seems like a very intense use of that

1 particular parcel. So at that point I have  
2 no other further comments and I see no other  
3 lights on, so if you'd like to start, sir,  
4 you're more than welcome.

5 MR. CONROY: Yes, hi. Thank you. And I  
6 think we've done a lot of investigation on  
7 this site, so hopefully we can allay -- we're  
8 not going to be at the same dead end that  
9 prior developers were at that couldn't commit  
10 to closing off to Pinehurst and couldn't  
11 commit to connecting to the north road,  
12 because we've done that research and I can go  
13 through that.

14 So I have a very brief summary of our  
15 project. I think the planning staff did a  
16 good job in their staff report going through  
17 all the particulars and all the conditions.  
18 I just want to -- we can start off with  
19 respect to the zoning.

20 You can see it's commercial zoning up and  
21 down State Route 19. To the north,  
22 commercial zoning with Winn Dixie; to the  
23 west, with Walmart; and to the south, with  
24 another shopping center. Even on a portion  
25 of Pinehurst, a portion of that is also

1 commercial zoned property. And just the  
2 portion that's north of that commercial is  
3 residential property that we acquired.

4 Currently the site is vacant. We do feel  
5 this is a very good infill site to take  
6 advantage of the traffic and to take  
7 advantage of the fact that it's surrounded by  
8 commercial. It meets the definition of an  
9 infill site, which is one of the goals for  
10 the Comprehensive Plan. And so we feel it's  
11 appropriate to rezone this.

12 Right now the site is vacant other than  
13 for a homeless camp. There's a large  
14 homeless camp in the middle of the site.  
15 Just -- you can see it. Just the garbage and  
16 such that they're generating is not really  
17 appealing.

18 This was our initial site plan and this  
19 is a site plan that you correctly would say  
20 that it's the same plan that you've turned  
21 down in the past. It's a little bit  
22 different than the plan in the past in that  
23 this was the earlier plan. They had proposed  
24 six or seven out-lots, one of them being a  
25 Wawa, which is much more intense than what

1 we're proposing.

2 We're proposing five out-lots and not  
3 something the size of a Wawa that would  
4 generate traffic and trucks and things of  
5 that nature.

6 CHAIRMAN HAWKINS: Mr. DePablo, where is  
7 that particular rendition located in our  
8 agenda packet for the site plan?

9 MR. DEPABLO: The original?

10 CHAIRMAN HAWKINS: No, sir, the updated.

11 MR. CONROY: We have -- you want to see  
12 the most updated plan?

13 CHAIRMAN HAWKINS: Because I'm not seeing  
14 it in the agenda packet. It was not  
15 provided. It was not provided.

16 COMMISSIONER CHAMPION: There's one that  
17 was similar.

18 CHAIRMAN HAWKINS: The one that -- no,  
19 that's not it. That's the old --

20 MR. CONROY: I have it here. What I was  
21 going to try to do is talk through the old  
22 plan. So this is the newest plan that we  
23 generated. I wanted to explain a little bit  
24 about how we got to this plan.

25 MR. JOUBEN: I'm asking --

1           CHAIRMAN HAWKINS:  It's not.  I don't see  
2           it in the agenda packet.  It's not.

3           MR. JOUBEN:  So right now this still has  
4           to be admitted into evidence.  We don't have  
5           it.

6           CHAIRMAN HAWKINS:  Do you have enough  
7           copies to supply the board?

8           MR. CONROY:  Yes, we do.  Yes, we do.  
9           And I wanted to explain a little bit about  
10          how we got to this plan.  Specifically, when  
11          we left the P and Z meeting back in June, we  
12          were given a condition we have to connect to  
13          the north parcel -- or the north frontage  
14          road and we have to eliminate the Pinehurst  
15          connection.

16          We had located our connection to  
17          Pinehurst across the street from the  
18          commercial, so we thought that would be more  
19          acceptable.  And our biggest concern was on  
20          connecting -- connecting to the north  
21          frontage road was very difficult because the  
22          road stops approximately 100 feet.

23          This is a picture where -- this is our  
24          property line, the north property line.  This  
25          is where the road, the frontage road stops.

1 It's about 100 feet, maybe 120 feet. There's  
2 a gap.

3 And number one, we didn't know at the  
4 time if we had the legal right to connect to  
5 that north frontage road. And number two,  
6 the challenge --

7 CHAIRMAN HAWKINS: Sir, if I may, for  
8 orientation purposes, can you turn that  
9 completely 180?

10 MR. CONROY: I can but this is kind of  
11 north, going up. This is going up the same  
12 orientation as this. It's a zoom-in of this  
13 area right here.

14 CHAIRMAN HAWKINS: Okay.

15 MR. CONROY: This is the Suncoast here  
16 and this is the frontage road that comes down  
17 and into --

18 CHAIRMAN HAWKINS: I can see it.

19 MR. CONROY: -- the Suncoast parking lot.

20 CHAIRMAN HAWKINS: Thank you. I can see  
21 it. Thank You.

22 MR. CONROY: Yeah, it's a little --  
23 little -- so we have, number one, we had a  
24 gap that we had to figure out can we legally  
25 close that gap and can we construct it even

1 if we wanted to.

2 Number two, this floodplain area is  
3 compensatory storage for the floodplain. So  
4 then we had to look and evaluate whether we  
5 could, from a civil engineering standpoint  
6 get that to be modified, get that to be  
7 relocated, and put that in a ball.

8 Since June we've done a lot of research.  
9 Our legal counsel can speak to the fact that  
10 he's comfortable based on information your  
11 County Engineer was helpful in providing us.  
12 He's comfortable we can have the legal  
13 rights -- with the help of the County and the  
14 help of Suncoast -- we will have the legal  
15 right to connect to that road.

16 We had to determine that before I could  
17 take that next step on eliminating Pinehurst,  
18 because the site doesn't work without one or  
19 the other. Once we determined the legal --  
20 we had the legal right to connect, we then  
21 talked to the civil engineer and he felt very  
22 comfortable and he gave us confidence that we  
23 would be able to, from an engineering  
24 standpoint, solve the floodplain issue.

25 As long as we can solve the floodplain

1 issue, that makes the connection to the north  
2 road feasible. It's still a substantial  
3 cost, but it made it feasible. It's -- and  
4 we understand that we'd be bearing that cost  
5 to make this happen.

6 In addition -- sorry, just lost my train  
7 of thought. So that would allow us to  
8 eliminate the Pinehurst -- any connection at  
9 all to Pinehurst and simply rely on this  
10 north road connection.

11 Not -- once we've determined it was  
12 feasible, we also had to talk to some of our  
13 tenants because we didn't want to find out  
14 that without connection to Pinehurst, some of  
15 the tenants would bail on us. We had three  
16 tenants lined up; a coffee user, a  
17 quick-serve chicken, and a quick-serve  
18 hamburger place. One of them did decide to  
19 not move forward because of the loss of the  
20 Pinehurst access, but the other two agreed to  
21 move forward as long as we can connect to the  
22 north frontage road.

23 So based on that research from my  
24 engineer, from my legal team, and from the  
25 tenant response, we feel that we could still

1 go forward with this and this would still be  
2 economically viable for us to move forward  
3 and do this development.

4 We're looking for the prior use -- the  
5 prior -- this prior developer that proposed  
6 six or seven out-lots, they were looking at  
7 doing 65,000 square feet of retail. We're  
8 looking to do less than 22,000 square feet,  
9 so it's a much less intense use. I know  
10 that's been a concern of some of the people  
11 as well.

12 CHAIRMAN HAWKINS: Sir, what are the --  
13 with that intensity, with lot one and lot two  
14 and lot five, are those -- are those being  
15 held for potential development in the future?

16 MR. CONROY: Yes. Yes. We just don't  
17 have them spoken for.

18 CHAIRMAN HAWKINS: So you're talking  
19 about the 22,000 square feet as presented --

20 MR. CONROY: All five.

21 MR. KERTH: Total.

22 MR. CONROY: All five total.

23 CHAIRMAN HAWKINS: Please --

24 MR. KERTH: Got you. No problem, sir.  
25 Thank you.

1           CHAIRMAN HAWKINS: So 22,000 total with  
2 all lots, not just what's presented today?

3           MR. CONROY: Correct. Correct.

4           CHAIRMAN HAWKINS: Commissioner Allocco,  
5 do you have a question, sir?

6           COMMISSIONER ALLOCCO: I do. I'm just --  
7 I'm trying to follow the -- I'm trying to  
8 follow the time line. Because you did take  
9 this to Planning and Zoning with all the  
10 things that it was denied for last time and  
11 that's why I'm kind of confused.

12           And -- and, again, and I'm not personally  
13 comfortable approving something based off of  
14 what you might be able to get in the future  
15 and that's where I'm hung up on this. For me  
16 to be comfortable with this, you'd have to  
17 come back to me and say, we have approval of  
18 this connection. Not a potential connection,  
19 but you actually have an agreement in place  
20 to move forward.

21           Because you don't get -- and so we're not  
22 approving this based off -- you're asking us  
23 to approve it with a condition that maybe you  
24 can do this in the future. And that's where  
25 I'm hung up.

1 MR. CONROY: Well, I will say the prior  
2 developer had two curb cuts on Pinehurst, one  
3 of them directly across from the residential.  
4 We've eliminated that, reduced it to one, and  
5 then we shifted that entrance southward to be  
6 across from the commercial so that it  
7 wouldn't disrupt the residential. So that is  
8 a substantial change in what the previous one  
9 proposed.

10 And as far as what we hope to do, this is  
11 not what we hope to do. We will connect to  
12 that north frontage road.

13 I can't -- I can't guarantee that I have  
14 a SWFWMD permit until I get approval here  
15 from the board, then do the engineering  
16 plans, then submit to SWFWMD. But I can tell  
17 you our engineer, Bohler Engineering, has  
18 been very confident that that is a solvable  
19 engineering issue and it's a permissible  
20 engineering issue.

21 And our attorney can speak to as far as  
22 the feasibility and the -- go ahead.

23 MR. BENDA: Thanks, Jim. Kyle Benda from  
24 Benda Law. Thank you, Commissioners, for  
25 hearing this.

1           As far as the ability to connect, which  
2           is I think what your concern is, is you're  
3           going to approve it and then there's never  
4           going to be a road that connects the frontage  
5           road there.

6           So I think on one -- one aspect is  
7           because this is a planned development project  
8           you are approving this exact plan. If this  
9           plan doesn't get built, there's no vested  
10          entitlement to build anything. Right? So  
11          you'll have a rezoning that says this is  
12          permitted, but then when you go for  
13          construction permits they're not going to get  
14          anywhere because you don't have the  
15          preconditions required like what Ms. Miller  
16          was saying.

17          But the property to the north is a  
18          commercially platted piece of property.  
19          Right? So the Winn Dixie, the SunTrust, all  
20          of those are part of a plat. And in that  
21          plat there was that little strip just to the  
22          north -- I can kind of -- like this little  
23          strip right here to the north that we've been  
24          talking about was in the plat reserved for a  
25          future right-of-way.

1           I think a few years later after the -- I  
2           don't think it was a few years, but when the  
3           SunTrust was building the bank itself, they  
4           basically needed to rearrange their drainage  
5           for that property, right, to meet the  
6           compensatory storage with the floodplain  
7           that's on those properties.

8           And I believe Coastal Engineering was the  
9           engineer of record who did that application,  
10          but as part of that there was a deed of  
11          dedication specifically from SunTrust to the  
12          County for right-of-way in that exact same  
13          area.

14          So I think Mr. Crosby can speak to it.  
15          I received documents -- our team received  
16          documents from Mr. Herring about that whole  
17          scenario on how that -- how that happened,  
18          and kind of confirmed that the County does  
19          have right-of-way there. Right? There was a  
20          dedication of right-of-way for this  
21          ingress/egress purpose. So that, you know,  
22          SunTrust, no one can contest that. You know,  
23          no one can contest building a road in that  
24          area.

25          The -- I think the little wrinkle is the

1           engineering, right? And that's kind of the  
2           timeline of Planning and Zoning and then  
3           working with the County Engineer, Department  
4           of Public Works, our own engineering team  
5           about the feasibility to then create this  
6           plan to provide the commission what we  
7           believe the commission wanted from all of the  
8           previous iterations of this project.

9           So that was able to be made happen.  
10          Right? The right-of-way is there. We may  
11          need maybe a small agreement or maybe  
12          Mr. Crosby can come on the record and just  
13          kind of confirm that the County would allow  
14          the use of that right-of-way, or at least  
15          acknowledge that it exists for us to make  
16          that connection.

17          But it's going to require a modification  
18          of the SWFWMD permit for SunTrust. Right?  
19          So there's going to have to be a private  
20          agreement between my client and SWFWMD -- or  
21          not SWFWMD, but SunTrust, basically for them  
22          to allow us to apply to SWFWMD in their name  
23          to modify that permit. And then we have to  
24          meet those requirements for SWFWMD.

25          That leads me to Section 125.022 (5) of

1 the Florida Statutes, which states that,  
2 quote, "For any development permit  
3 application filed with the county after July  
4 1, 2012..." -- rezoning is a development  
5 permit application -- "...a county may not  
6 require as a condition of processing or  
7 issuing a development permit or development  
8 order that an applicant obtain a permit or  
9 approval from any state or federal agency."

10 So you can't deny this saying, oh, you  
11 need to get -- because you can't -- you don't  
12 have a SWFWMD permit right now, we're going  
13 to deny it. But, you know, if you approve  
14 the rezoning and SWFWMD says we're never  
15 going to modify this permit, the project  
16 fails anyway. All that's lost here is the  
17 time and money to get to this point, but --  
18 so I'll leave it at that. If you have any  
19 questions I'll --

20 CHAIRMAN HAWKINS: We have some lights on  
21 here. Commissioner Champion?

22 COMMISSIONER CHAMPION: Thank you. I  
23 don't have a problem with this as long as we  
24 can confirm we can connect to the  
25 right-of-way. Because, I mean, you're not

1 going to go spending thousands and thousands  
2 of dollars trying to -- trying to mitigate  
3 this if you don't have an approval.

4 And if it's contingent upon that, then  
5 it's contingent upon that. I mean, it's  
6 not -- I'm more concerned about what the  
7 citizens have to say about it, especially  
8 since you -- if we're cutting off the access  
9 to Pinehurst.

10 So what problems would they have with it?  
11 I mean, I know no one really wants anything  
12 in their back yard, but it is commercial  
13 property. It is on 19. But we don't want  
14 people going down Pinehurst and cutting  
15 through neighborhoods either. So I'm  
16 interested to hear what they have to say.  
17 Thank you.

18 CHAIRMAN HAWKINS: Commissioner Amsler?

19 COMMISSIONER AMSLER: Was this in the  
20 original advertised packet? So can we  
21 legally even vote on this?

22 MR. JOUBEN: It would depend on what we  
23 advertised.

24 MS. MILLER: So if I may? The use --  
25 the use has not changed. The petitioner has

1           been working through the issues as identified  
2           by the Planning and Zoning Commission.  
3           Unfortunately, we were not made privy to  
4           that -- to the most recent master plan until  
5           the hearing today. However, it's --

6                    COMMISSIONER AMSLER: Did anyone -- did  
7           anyone see this before today?

8                    MS. MILLER: No, sir. But since the use  
9           has not changed, the board can accept it as  
10          evidence and consider it as part of your  
11          decision today. It just was not included in  
12          the packet previously, as we were not privy  
13          to it (indiscernible.)

14                   COMMISSIONER AMSLER: I think -- I think  
15          this is more a continuance situation. If he  
16          can go get the road taken care of, I think it  
17          would be -- he'd be in a much better position  
18          before this particular board. Getting into  
19          all the legal jargon, I don't really have an  
20          appetite for on this project. I think you go  
21          get the proper permissions to develop this or  
22          you don't develop it.

23                   COMMISSIONER CHAMPION: Well, he's saying  
24          he does have the right-of-way.

25                   MR. BENDA: If I may?

1           COMMISSIONER AMSLER: He's saying no one  
2           can contest it. Which, I mean, he's on the  
3           record as an attorney. I mean, I think it  
4           could be contested. But I could be wrong,  
5           known to be wrong. It's just my two cents.  
6           We'll see what everyone has to say on that.  
7           But back to you, Mr. Chair.

8           CHAIRMAN HAWKINS: All right. Thank you,  
9           Commissioner Amsler.

10           I guess the thing that caught me off  
11           guard, and just full transparency, is that  
12           the site plan that was in our agenda packet  
13           that we prepared for, right, coming into this  
14           hearing is much different than what was  
15           presented to us today. And this is the first  
16           time that -- you know, Planning and Zoning  
17           didn't even see this rendition. They voted  
18           basically to put those conditions into your  
19           plan. Right? Which I understand.

20           I appreciate you setting this or giving  
21           this to us because to Commissioner Champion's  
22           point, you know, the frontage road, this is  
23           obviously updated and is a little bit more,  
24           you know --

25           MR. BENDA: Is what you wanted, is it

1 not?

2 CHAIRMAN HAWKINS: Well, the thing  
3 that -- the thing that I would like to see  
4 personally -- and I don't know if it's --  
5 this is me being personal and just saying --  
6 is to remove -- and I'd like to hear from the  
7 public on this, too -- but just removing the  
8 possibility of lot one or lot two from the  
9 plan.

10 COMMISSIONER AMSLER: I was thinking  
11 similar.

12 CHAIRMAN HAWKINS: Yeah. So when you  
13 talk about that particular intersection --  
14 been here a long time, you know, since 2007.  
15 A lot of people in the neighborhood here.  
16 That is a -- and we're updating that  
17 transportation currently in that intersection  
18 because it's an extremely dangerous  
19 intersection. It has -- only has two turn  
20 lanes to the south, one to the north, and  
21 then one to the west.

22 The reason that Pinehurst was such a big  
23 sticking point for me initially was because  
24 of it acting kind of as its own frontage  
25 road, which is being kind of abused today, to

1 be honest.

2 You know, lots one and two are kind of  
3 that -- that area of kind of uncertainty of  
4 what's going to happen with that intersection  
5 as it continues to, you know, to grow in the  
6 future and those types of things.

7 And the other thing that I want to be  
8 clear on is that there was a lot -- when this  
9 first came out, this -- we had a commissioner  
10 actually kind of run a campaign based on this  
11 -- on the fountain being removed for this  
12 particular project, which couldn't be further  
13 from the truth. I think we need to have  
14 clarity on that.

15 COMMISSIONER AMSLER: He got elected, by  
16 the way.

17 CHAIRMAN HAWKINS: I know. I just -- I  
18 want to say that that was never -- that was  
19 never a part of this, nor would it ever be a  
20 part of it. I think that needs to be on the  
21 record.

22 COMMISSIONER CAMPBELL: It was  
23 effective, apparently.

24 CHAIRMAN HAWKINS: It was effective.

25 COMMISSIONER CHAMPION: A hundred

1 percent.

2 CHAIRMAN HAWKINS: So, you know, it -- to  
3 me -- and this is just a personal preference,  
4 you know, as that intersection continues  
5 to -- because there may be a need for two  
6 right lane turns, you know, two, you know,  
7 cross-section turns; two turns, you know, an  
8 expansion of that, you know, for broader  
9 discussion as we're -- as we're trying to  
10 work through this today.

11 Commissioner Allocco?

12 COMMISSIONER ALLOCCO: I want to go back  
13 to Mr. Benda's comment about what couldn't be  
14 required. For you to get any of those things  
15 that you said we couldn't have it dependent  
16 upon, you would still have to have some sort  
17 of memorandum of understanding with the  
18 actual property owner, which is Suncoast  
19 Credit Union, right, for you to even apply to  
20 modify their permit?

21 And that's basically what's happened in  
22 the past, is that -- my understanding is that  
23 whoever the previous developer was, they  
24 couldn't come to an agreement to modify that.  
25 And so you haven't provided -- if you had

1           that, we would be -- again, it's just -- it's  
2           just -- there's so much of this, well, we can  
3           get this, we can get that, we can get this,  
4           we can get that, and then the community gets  
5           in an uproar because they don't have any --  
6           any confidence as to what's actually  
7           happening.

8           And I'm a little frustrated that we just  
9           got this today.

10           MR. CONROY: I can say -- just to try to  
11           allay your -- increase your confidence, we  
12           have had discussions with Suncoast. I've  
13           actually had a meeting with them on site.  
14           They've actually given me this site plan,  
15           which was their original civil engineering  
16           plan to help us try to figure out the  
17           engineering aspect of it.

18           This is actually their civil engineering  
19           plan from Suncoast. So we've had discussion  
20           with them. I've had face-to-face meeting  
21           with two or three of them and they've  
22           indicated verbally that they'll work with us.  
23           They'd love to see something developed to the  
24           south of them so that that frontage road  
25           continues south.

1           CHAIRMAN HAWKINS: Okay. Mr. DePablo, is  
2 the future land use for this particular  
3 parcel residential or commercial? What does  
4 the Comp Plan say?

5           COMMISSIONER ALLOCCO: It says it's  
6 landscape buffer.

7           MR. DEPABLO: It's residential.

8           CHAIRMAN HAWKINS: Okay. So why are we  
9 not doing a Comp Plan amendment prior to any  
10 of this?

11          MR. DEPABLO: The Comprehensive Plan does  
12 allow infill without a Comp Plan amendment as  
13 long as it's on an arterial road and it has  
14 proper ingress and egress, so that's the  
15 position staff took. But in any other  
16 scenario, if there was no commercial  
17 designation to the north --

18          CHAIRMAN HAWKINS: But the arterial road  
19 has been taken off the table at this point?

20          MR. CONROY: 19.

21          MR. DEPABLO: 19.

22          CHAIRMAN HAWKINS: 19? Okay.

23          MR. DEPABLO: Yes, sir

24                 (Simultaneous speaking.)

25          CHAIRMAN HAWKINS: Not a connector road.

1 Understood.

2 MR. DEPABLO: And so it meets infill  
3 policies. We don't have many scenarios left  
4 like this from a Comp Plan standpoint in the  
5 county, but there are policies and strategies  
6 in place that do afford a land owner to move  
7 ahead without a full-blown Comp Plan  
8 amendment.

9 CHAIRMAN HAWKINS: Mr. Jouben?

10 MR. JOUBEN: I just want to circle back  
11 to a comment that Commissioner Amsler had  
12 made earlier that the board had discussed.

13 This is a rezoning to a PDP and we  
14 have -- no one's seen this site plan.

15 CHAIRMAN HAWKINS: Right.

16 MR. JOUBEN: Can you address whether or  
17 not -- or this is maybe for the applicant,  
18 Mr. Benda -- how we have adequate public  
19 notice of this application?

20 CHAIRMAN HAWKINS: Well, and to that  
21 point, I think the public is kind of in the  
22 same position as we are as what we've  
23 digested as the site plan, which is  
24 completely different from today.

25 MR. BENDA: So if I may? And I agree

1 with Mr. Jouben. It is what Commissioner  
2 Amsler is getting at is a due process issue,  
3 right? A public notice issue.

4 But if you look at the conditions in the  
5 staff report from the Planning and Zoning  
6 Commission, particularly condition 12, it  
7 takes out a bunch of language and says there  
8 shall be no access to Pinehurst.

9 So it was considered by Planning and  
10 Zoning. Obviously there's engineering that  
11 has to be done by third parties who can  
12 complete it. But if you look at the original  
13 application, this frontage road connection  
14 was always shown on the original plan. It  
15 was really just the access to Pinehurst on  
16 the south end. Right? But because Planning  
17 and Zoning said we're giving a recommendation  
18 of approval if there's no access to  
19 Pinehurst, right, well, you just block that  
20 off and it's the same plan.

21 And you can still see the connection to  
22 the north and now we've just kind of made it  
23 more apparent that that is the only thing  
24 that we are seeking.

25 And then to Commissioner Allocco's point,

1 if you look at condition 25 in the staff  
2 report, which is going to be in every  
3 rezoning that y'all ever approve or deny or  
4 consider, is the petitioner shall provide a  
5 revised plan in compliance with whatever it  
6 is y'all approve. Right?

7 So, so many instances -- I would say  
8 almost every PDP you're going to have a plan,  
9 and then you're going to issue a new  
10 condition that's going to change portions of  
11 that plan, and then the applicant has a  
12 certain amount of time to resubmit a new plan  
13 that reflects what y'all have approved.  
14 Right?

15 So I think we're in a similar situation  
16 here, right? Planning and Zoning said no  
17 access to Pinehurst. The applicant said,  
18 okay, to do that we need to connect to the  
19 frontage road to the north. And that issue  
20 is properly within all of the pleadings -- or  
21 not the pleadings -- but the application  
22 packet since this was submitted.

23 I think the very initial plan showed a  
24 potential connection to the frontage road to  
25 the north, so I don't think there's a problem

1 with notice. You know, no one was coming  
2 here not prepared to talk about Pinehurst or  
3 that frontage road.

4 CHAIRMAN HAWKINS: On your side. I  
5 understand that.

6 MR. BENDA: I think everyone was going to  
7 come up here and object to access to  
8 Pinehurst. And pulling traffic off of  
9 Pinehurst, the only way to do that is by  
10 connecting to that north frontage road.

11 MR. CONROY: And just for the record,  
12 that north frontage road is shown on this  
13 site plan because the original site plan  
14 submitted is a dotted line. Because at that  
15 time we didn't know we could connect to the  
16 north frontage road so we said should a  
17 connection to the north frontage road,  
18 because prior applicants were told if that  
19 connection is ever made available, you guys  
20 will have to extend your road. So we had  
21 that delineated on this site plan as well.

22 MR. BENDA: And I think the prior  
23 applicants took the position that they could  
24 not connect to that frontage road where, you  
25 know, through some -- you know, I think

1 working with the Department of Public Works,  
2 that's the confirmation that y'all might  
3 want. You know, some kind of right-of-way  
4 use agreement, if y'all want to do that.

5 But, you know, the SWFWMD issue and then  
6 the issues with drainage to build the road  
7 across that point, I think is covered by  
8 Section 125.022(5).

9 But to kind of bring it full circle, the  
10 scope of today's proceeding is that the  
11 applicant has to show that this proposed plan  
12 is consistent with the Comprehensive Plan.  
13 Which based on the infill development  
14 principles and, you know, dealing with  
15 commercial 19 and the commercial infill,  
16 complying with all those requirements in the  
17 Comprehensive Plan, I would contend that the  
18 applicant has met their burden to show that  
19 it's consistent with the plan. Right?  
20 Nineteen is commercial up and down 19.

21 So now the -- kind of the tenor of the  
22 meeting turns to the County has to point to  
23 some competent, substantial evidence that  
24 there is incompatibility with the surrounding  
25 land uses or some kind of non-compliance with

1 the code requirements or the, you know, the  
2 Comprehensive Plan as a whole, so.

3 CHAIRMAN HAWKINS: Understood. Thank  
4 you.

5 Commissioner Amsler?

6 COMMISSIONER AMSLER: Thank you,  
7 Mr. Chairman. Just for a frame of  
8 reference -- and correct me if I'm wrong,  
9 Attorney Jouben -- we potentially have the  
10 right and legal basis to deny this if  
11 infrastructure is lacking or the change  
12 adversely affects adjacent uses. We have  
13 solid footing on that.

14 And this has also basically been a buffer  
15 for -- since the inception in 1967 of the  
16 community, correct? Omar may know part of  
17 that answer.

18 But either way, this is all based on a  
19 hypothetical. You've presented it like this  
20 is a done deal on this road, but if that road  
21 doesn't happen we've already rezoned it at  
22 that point and then you can reimagine the  
23 project to remarket it in a different way.

24 MR. JOUBEN: The question I would -- I  
25 would respond to that with a question to

1 staff.

2 If it's approved at this rezoning and the  
3 road is not available or constructed, what  
4 would be -- in the capacity as administrative  
5 official, what would be -- would they -- what  
6 density and intensity uses would be inherent  
7 in the parcel? None?

8 MR. DEPABLO: None. I mean, basically  
9 the project will sit with what would seem  
10 like entitlements but failure to meet them  
11 would make the project null and void, if that  
12 makes sense.

13 MR. JOUBEN: That answers part of the  
14 question. The standard for rezonings is  
15 always the same. You have to comply with the  
16 procedural requirements of the zoning code  
17 and you have to -- the applicant has to show  
18 by competent and substantial evidence that,  
19 you know, its burden. And then the burden  
20 shifts back to the County.

21 So whether it's -- I don't think it's  
22 residentially -- the fact that it's been  
23 treated as a buffer historically is not going  
24 to factor in. It's a question about whether  
25 or not it's compliant with the Comp Plan and

1 meets all the normal standards for rezoning.

2 Did I answer that or did I make everybody  
3 more confused?

4 (Simultaneous cross-talk.)

5 MR. BENDA: If I could add to that?

6 COMMISSIONER AMSLER: I think we should  
7 probably go to the public.

8 CHAIRMAN HAWKINS: Commissioner Allocco?

9 COMMISSIONER AMSLER: I think we should  
10 go to the public.

11 CHAIRMAN HAWKINS: Yeah. Commissioner  
12 Allocco?

13 COMMISSIONER ALLOCCO: Looking at your  
14 number 23, your buffer requirements, another  
15 one of the things that's a little -- that is  
16 a concern for the community -- I don't know  
17 if you're picking me up or not -- if you look  
18 at your design, it says 25-foot landscape  
19 buffer along US 19.

20 You know, this has been a community  
21 buffer for many years, you know, and it's  
22 kind of nice when you're going up US 19. You  
23 don't see all the nastiness in the woods that  
24 you just showed pictures of. You got this  
25 nice buffer that just -- it just -- you're in

1 a commercial zone, it doesn't look like  
2 Hudson. All right? You got this nice  
3 commercial US 19 and you see some green. You  
4 see something that's just kind of nice for a  
5 change.

6 This 25-foot landscape buffer, what does  
7 that -- what does that actually look like?  
8 Because, I mean, if you have a business  
9 that's hidden by the trees, who would want to  
10 have their business there? And if it's not a  
11 land -- if it's not -- and if you can see  
12 through it, is it really a buffer? All  
13 right. You follow what I'm saying?

14 So is this going to actually be a  
15 landscape buffer or are we talking about  
16 shrubs? What are we talking about in a  
17 landscape buffer between US 19 and the  
18 stores? Because without something  
19 substantial there the sound will travel  
20 through.

21 Because you're going to talk about  
22 parking lots. You're talking, you know, it's  
23 going to be mostly parking lot, right? So  
24 the sound from US 19 is now going to flood  
25 into this community.

1           And if something was to go here, we want  
2           it to kind of be kind of nice. I don't know  
3           if you've -- I'm sure you've been to other  
4           places in the country. You go up to -- you  
5           go up to some of the areas in South Carolina,  
6           for instance. It's almost hard to find the  
7           businesses that are there. You got to know  
8           they're there, right? That's not really good  
9           for business, but it's nice for the community  
10          because it provides, again, a buffer.

11           This was designed to be a buffer between  
12          US 19 and the residential community off of  
13          Pinehurst. So how do you plan on handling  
14          that with this landscape buffer to make it  
15          actually function as a buffer?

16           MR. CONROY: I think that there is a  
17          balance that you have to do as to along State  
18          Road 19, and you have to balance this  
19          building of the commercial properties and  
20          buildings with the landscaping. And you can  
21          do that by clustering certain groupings of  
22          landscaping to create a green environment,  
23          while still giving yourself some visibility  
24          windows. And we would meet all the landscape  
25          ordinances and everything else that are

1 required up and down there.

2 And I will also say that up and along  
3 what we felt the homes here are the most  
4 affected because these homes actually back  
5 right up to our commercial property, which is  
6 one of the reasons we specifically located  
7 that detention pond up in that area to give  
8 it open area and green area. And then also  
9 there's a 35-foot landscape buffer that goes  
10 all the way along their back yards that's  
11 literally almost a forest now, that we would  
12 try to not change that grade so that we could  
13 retain the vast majority -- maybe 20, 30  
14 feet -- of that natural vegetation so that  
15 from their back yards it won't look any  
16 different than it does today.

17 COMMISSIONER ALLOCCO: Thank you.

18 CHAIRMAN HAWKINS: Okay. I see no  
19 further lights on. At this point we'll go to  
20 the public.

21 MR. ANGELIADIS: I have a question.  
22 Already established before the P and Z, so I  
23 don't know if I'm bound to the three-minute  
24 (indiscernible) much longer than the three  
25 minutes. Because I represent the Rabbits,

1           who are neighbors on Alderwood there.

2           But George Angeliadis, for the record,  
3 Lucas, Macyszyn & Dyer Law Firm, 2190 Spring  
4 Hill Drive. You know, I think Mr. Amsler  
5 raised some good points regarding due process  
6 issues. I think that Mr. Hawkins raised some  
7 good issues with regard to density.

8           And, you know, I'll address the elephant  
9 in the room. And we're all glad -- I guess  
10 most of us are glad -- that Pinehurst is  
11 being taken out of the equation. I wish we  
12 would have known that before today because  
13 that's not what was presented at the P and Z  
14 and that's not what the traffic study that  
15 they submitted to the County was based on.

16           And the traffic study, which I will  
17 provide to you as evidence -- this is, I  
18 would submit to you, competent and  
19 substantial evidence. The traffic study that  
20 was based on the previous configuration of  
21 five parcels there, five lots being  
22 developed, resulted in 3,172 new trips, daily  
23 trips. I'm going to repeat that again:  
24 3,172 new daily trips.

25           And when you take that into

1 consideration in conjunction with the road  
2 safety audit report that the County conducted  
3 and completed and presented in April, 2025,  
4 there's already a queuing and shockwave  
5 effect, according to this report, on page  
6 five, identified by -- and this was conducted  
7 by Hernando County Public Works Engineering  
8 Division, task order number 26 of 18-R00006:  
9 Identified by field observation during  
10 various times of the day, that formation of  
11 que for the right turn and left turn  
12 movements overlap each other and create  
13 shockwave conditions in traffic stream on  
14 Spring Hill Drive in the westbound direction.

15 And this is in reference to the Pinehurst  
16 area: Because of the queuing and vehicles  
17 trying to compete for entry into respective  
18 axillary lanes -- I'm sorry -- auxiliary  
19 lanes is associated with inadequate que  
20 lanes.

21 So what we're doing is we're adding 3,172  
22 new daily trips to that situation.

23 In the event you are going to consider  
24 this today, some issues I wanted to raise  
25 with regard to conditions. Condition number

1 16 indicates -- it was changed from 100 to  
2 200. I think number 17 should be consistent  
3 and change from 100 to 200 as well.

4 With regard to buffer requirement under  
5 23, indicates in paragraph 23, it says, 80  
6 percent opacity, but in the next paragraph 80  
7 is stricken and it says 100 required. So I  
8 was going to ask about that, if the 80 needs  
9 to be changed to 100 as well. I'm not sure  
10 what the fencing requirements or allowances  
11 are for this type of development, but we  
12 would request if this is going to be  
13 addressed and approved today that the  
14 highest, you know, fencing be allowed because  
15 it appears that the County is recommending  
16 fencing to achieve 100 percent opacity.

17 The other thing I wanted to address is it  
18 appears -- and, you know, I don't know this  
19 as evidence, but maybe some of the residents  
20 can speak to it -- it appears that there may  
21 be a path being developed for maybe purposes  
22 of construction. I don't know. We would ask  
23 that any construction not -- construction  
24 activity or construction ingress/egress not  
25 occur through Pinehurst.

1           So those are the things I wanted to bring  
2           to your attention. I think there is plenty  
3           of competent, substantial evidence to deny  
4           this if you choose; deny it just based on the  
5           traffic report and the County's report. But,  
6           again, we are happy that Pinehurst is taken  
7           off the table. Thank you.

8           CHAIRMAN HAWKINS: Thank you. I think  
9           we, as a board, need to make sure that we  
10          have the legal ability to continue this item,  
11          because I believe Commissioner Amsler brings  
12          up a good point.

13          Mr. Jouben, Mr. DePablo, do we have  
14          sufficient -- I mean, I know this is the  
15          board making this decision.

16          COMMISSIONER ALLOCCO: I think that we  
17          need to disclose -- that this needed to be  
18          viewed in the packet.

19          MR. JOUBEN: The only question is whether  
20          (indiscernible.)

21          CHAIRMAN HAWKINS: Understood. I  
22          just -- and I've got no problem hearing the  
23          public. I just want to make sure that we're  
24          under the right frame of reference and mind  
25          as we continue, because they have been

1 sitting here all day. I have no problem  
2 listening to them. But we need to make a  
3 decision whether or not we're going to make a  
4 decision on this today.

5 COMMISSIONER AMSLER: I mean, I think at  
6 the minimum probably -- I haven't  
7 obviously -- I haven't decided how I'm going  
8 to vote on this. But I think we likely need  
9 to protect the board and at least probably a  
10 continuance so it can be properly advertised  
11 out of an abundance of caution.

12 COMMISSIONER CAMPBELL: I agree.

13 MR. JOUBEN: The question is whether or  
14 not there's adequate public notice and that's  
15 the opinion -- a decision by the board.

16 I would question one point brought up  
17 by -- I want to say opposing counsel, but  
18 that's not really accurate -- Mr. Angeliadis.  
19 Well, I keep wanting to call Judge  
20 Angeliadis. Whether or not the traffic study  
21 is currently valid.

22 COMMISSIONER AMSLER: Right.

23 MR. JOUBEN: And that would be  
24 Mr. Crosby.

25 CHAIRMAN HAWKINS: Mr. Crosby, if you

1           could come forward and -- Mr. Crosby? With  
2           the update to --

3           MR. CROSBY: Todd Crosby, Acting Public  
4           Works Director, County Engineer. Currently  
5           the traffic study that was presented to us  
6           included the Pinehurst connection.  
7           Therefore, the distribution of traffic on the  
8           different -- there's going to be more onto  
9           the driveways that are accessing US 19 and  
10          the signal at -- down the road there.

11          The plat -- the plat actually shows that  
12          50 foot in front of Suncoast as future  
13          right-of-way, so that is in place. I don't  
14          know how the -- I would need to see the deed  
15          of dedication that they said they had and  
16          that they would also have to work with the  
17          private land owner, you know, with SWFWMD.

18          CHAIRMAN HAWKINS: Okay. Commissioner  
19          Allocco?

20          COMMISSIONER ALLOCCO: To -- to continue  
21          with the idea of the traffic study, that  
22          first entrance off of US 19 looks problematic  
23          to me, now, without Pinehurst there because  
24          it's so close to that signal. And I don't  
25          know what that distance is but, I mean,

1 people are going to be in a right-hand turn  
2 lane trying to go north, and then they're  
3 going to be right away in a turn lane trying  
4 to get into this development. And so I would  
5 be concerned about what that looks like on a  
6 traffic study.

7 You know, the next one up is far enough  
8 out of the way that, you know, you can make  
9 your motion to the, you know, middle lanes of  
10 US 19 if you're continuing to go -- you know,  
11 if you're trying to go north. But,  
12 otherwise, it seems to me like there would be  
13 a significant number of accidents potentially  
14 in that spot right there because they're just  
15 coming off of a traffic signal.

16 MR. CROSBY: And FDOT will dictate those  
17 connections. We usually follow their  
18 recommendations when it's on their system.

19 COMMISSIONER ALLOCCO: Right. But  
20 they're going to be -- I would think that  
21 they're going to be dependent upon a traffic  
22 study --

23 MR. CROSBY: Right.

24 COMMISSIONER ALLOCCO: -- to make those  
25 decisions.

1 MR. CROSBY: But they have spacing  
2 standards and things like that that they have  
3 to go by.

4 COMMISSIONER ALLOCCO: I would think it  
5 would seem -- it seems to me it would be  
6 different. The outcome is going to be  
7 different if that entrance from Pinehurst  
8 that was basically directly across from that  
9 is no longer there.

10 MR. YATES: This is Michael Yates with  
11 Palm Traffic and we prepared the traffic  
12 study.

13 We have met with FDOT on the access  
14 connection point. We had some higher volumes  
15 and they were okay with that location. They  
16 actually dictated that location and the  
17 location to the north. So they've seen it  
18 and DOT has conceptually approved those  
19 locations.

20 COMMISSIONER AMSLER: May I follow up?  
21 That was with or without the Pinehurst  
22 access?

23 MR. YATES: It was with the Pinehurst  
24 access but it actually had more volume than  
25 without the Pinehurst access.

1           CHAIRMAN HAWKINS:  So unfortunately we  
2           are getting to a point now where we're  
3           dealing with something that wasn't properly  
4           advertised or noticed as well as taking into  
5           consideration a traffic study that is  
6           currently null and void.

7           I think we have to move to a continuance  
8           at this point.  That's my opinion.

9           COMMISSIONER CHAMPION:  I was going to  
10          say the same thing.

11          MR. JOUBEN:  I would just say I think the  
12          problem at this point is the -- the traffic  
13          study that supports the application, based on  
14          Mr. Crosby's testimony, is not going to be  
15          competent, substantial evidence that could  
16          support the rezoning.

17          CHAIRMAN HAWKINS:  Correct.

18          MR. JOUBEN:  So it's a question if you  
19          went -- if they really had to go forward  
20          today, I don't see how you could --

21          CHAIRMAN HAWKINS:  Legally do it.

22          MR. JOUBEN:  I think there would be a  
23          lack of competent, substantial evidence.

24          CHAIRMAN HAWKINS:  Commissioner  
25          Champion?

1           COMMISSIONER CHAMPION: I just think  
2 we're -- we're wasting the time of the  
3 citizens and the petitioner by -- I don't see  
4 how we can vote on this, I mean, based on  
5 your point.

6           CHAIRMAN HAWKINS: Yep.

7           COMMISSIONER AMSLER: I think our hands  
8 are probably tied today just because of some  
9 of those things.

10          I would make a motion to continue until a  
11 later date so that we can make sure we're all  
12 proper on it.

13          COMMISSIONER CHAMPION: Second.

14          COMMISSIONER AMSLER: And then, I mean, I  
15 don't know if we have to go through the  
16 motions of having everyone comment or if, you  
17 know, but --

18          COMMISSIONER ALLOCCO: Can the public  
19 comment?

20          MR. JOUBEN: It's up to the board.

21          COMMISSIONER ALLOCCO: We've opened  
22 public comment.

23          COMMISSIONER CHAMPION: We've opened it,  
24 but it's not going to make a difference.  
25 It's going to be continued to a future

1 hearing.

2 CHAIRMAN HAWKINS: So on the floor right  
3 now we have a motion and a second for  
4 continuance.

5 COMMISSIONER AMSLER: Continuance.

6 CHAIRMAN HAWKINS: Okay.

7 COMMISSIONER AMSLER: Right now.

8 CHAIRMAN HAWKINS: With that in mind,  
9 public, you're more than welcome to speak.  
10 You guys have been here. I've got no problem  
11 with it. Unfortunately, we're not going to  
12 be able to use anything you say at the next  
13 hearing because you're going to have to say  
14 it again. So --

15 MR. JOUBEN: Mr. Chairman?

16 CHAIRMAN HAWKINS: Yes?

17 MR. JOUBEN: I would say the applicant  
18 will hear what they have to say.

19 CHAIRMAN HAWKINS: Yeah, I think that's  
20 good, that the applicant hears what they have  
21 to say. But just keep that in mind, okay?  
22 Thank you.

23 MR. HALL: Hi. My name is Bruce Hall and  
24 I'm a resident on Pinehurst Drive. And I'll  
25 come back and I'll say this stuff again.

1           Originally that area was planned as a  
2           buffer as has already been mentioned several  
3           times. People bought properties in there  
4           because they knew that they'd be insulated  
5           from 19. It's also in a protected bird  
6           sanctuary. It's posted all around that area  
7           that that is a bird sanctuary.

8           In addition, it's also in the Weeki  
9           Wachee Springs priority focus area which is  
10          not just the watershed, but the area inside  
11          the watershed that contributes the most to  
12          the aquifer that feeds Weeki Wachee Springs.  
13          So that's of concern also.

14          Now, the applicant showed pictures of  
15          trash in the woods. And the only thing I  
16          could say to that is that can be cleaned up.  
17          And also if you walk around any strip mall up  
18          and down 19, around the perimeter where the  
19          grass -- where it meets the grass, there is  
20          loads of trash, all kinds of trash lining the  
21          perimeter.

22          So showing that garbage in the woods, you  
23          know, they're not going to be going in there  
24          and cleaning the place up, you know? I mean,  
25          there's going to be an equivalent volume of

1 trash after five, six years in the  
2 surrounding woods.

3 The only other thing that I would  
4 recommend is, you know, there's a lot of  
5 vacant businesses up and down 19 in already  
6 commercial properties. Why not repurpose one  
7 of those areas instead of developing one of  
8 the few green areas in that space? Thank  
9 you.

10 CHAIRMAN HAWKINS: Thank you, sir.

11 MS. LEHR: He might be asleep, he might  
12 not. We're not sure yet. I have not been  
13 sworn. Do I need to swear?

14 CHAIRMAN HAWKINS: Yes, ma'am.

15 MS. LEHR: I don't mind swearing. Which  
16 hand, right hand or left?

17 THE CLERK: Your right hand, please, if  
18 you can.

19 CHAIRMAN HAWKINS: Somebody hold that  
20 baby for her.

21 THE CLERK: Perfect. Do you swear or  
22 affirm that the testimony you're about to  
23 give is the truth, the whole truth, and  
24 nothing but the truth?

25 MS. LEHR: You got it.

1 THE CLERK: Thank you.

2 MS. LEHR: All right. So since we're  
3 already continuing this I won't bore you with  
4 everything I was going to bore you with  
5 today, but I will mention that --

6 MR. JOUBEN: Your name for the record,  
7 please.

8 MS. LEHR: Oh, I'm sorry. My name is  
9 Kalyn Lehr. I live on Newmark. I'm part of  
10 the Pinehurst area. Like I said, I'm not  
11 going to bore you with what I was going to  
12 say. I'll save it for next time.

13 But I will say this. I don't appreciate  
14 having to sit here all day with my little guy  
15 and trying to keep him entertained and  
16 missing work to be turned away. And I'm not  
17 saying it's you guys. But why didn't the  
18 developer submit this sooner knowing that  
19 this was going to be happening? Knowing that  
20 they were told this, you know, X number of  
21 months ago at the P and Z meeting that this  
22 wasn't going to fly, and then they go and  
23 change the plan for today.

24 Now I'm going to have to take another day  
25 off of work, potentially bring him with me

1           again, and go through this whole painful  
2           process all over again. I just want it on  
3           record that me, as an employed citizen, I  
4           don't appreciate that. I don't like wasting  
5           my time. I could be working. I don't want  
6           to burn my PTO doing this. I'd rather be at  
7           the beach.

8                     And like I said, I understand it's not  
9           you guys. I get it. Because you guys said  
10          the same thing that I was thinking, why  
11          wasn't this given to us sooner, knowing that  
12          this was a requirement for the project to be  
13          approved? That's all.

14                    CHAIRMAN HAWKINS: Thank you, ma'am.

15                    MS. LEHR: Thank you. Sorry, give me  
16          like 30 seconds to collect my stuff here.

17                    CHAIRMAN HAWKINS: No problem.

18                    MS. DODSON: Hi, my name is Kelly Dodson.  
19          I am a resident of Hernando County. One of  
20          the things I wanted you to think about is  
21          they mentioned a chicken place, a Chick-fil-A  
22          being built there. If you could think about  
23          Cortez and all the traffic that it produces  
24          with a chicken place. They are now on  
25          Commercial -- you know, in that area I think

1           that's a safety risk. But most  
2           importantly -- and I'm not going to go into  
3           detail because this is not going to count  
4           until I come back the next one -- but the  
5           very first hearing we had there was an issue  
6           where Mr. Herring had given the right-of-way  
7           in the deal with Suncoast. I don't know if  
8           you remember that.

9           So I went to Suncoast, leaving that day  
10          or it was the next day. I went to Suncoast.  
11          I spoke with corporate and they assured me  
12          100 percent they are not giving that  
13          right-of-way away. I have accounts there and  
14          spoke with them, and they assured me they're  
15          not going to do that. So I'm going to tell  
16          you that. Not telling you who I talked with,  
17          but it's not happening. Thank you.

18          CHAIRMAN HAWKINS: Thank you.

19          MS. CUPO: Good afternoon. My name is  
20          Taylor Cupo. I have to be sworn in.

21          CHAIRMAN HAWKINS: Okay. If there's  
22          anybody else that is here that needs to be  
23          sworn, please stand up now.

24          THE CLERK: Do you swear or affirm that  
25          the testimony you're about to give is the

1 truth, the whole truth, and nothing but the  
2 truth?

3 MS. CUPO: I do.

4 THE CLERK: Thank you.

5 MS. CUPO: So my name is Taylor Cupo. I  
6 live off of Newmark Street right by the  
7 wooded parcel. I've lived over here for a  
8 little over two years, and over those two  
9 years the traffic has just been getting worse  
10 and worse.

11 I drive a big truck. Getting out of the  
12 community has gotten worse and worse every  
13 single day. The Spring Hill Drive median is  
14 really small, so I can't fit in there. So a  
15 majority of the time I have to go on  
16 Pinehurst. And it just -- it's not worth  
17 trying to go through there because of the  
18 traffic.

19 And the -- like Commissioner Allocco  
20 said, the wooded parcel is really nice to  
21 see. I grew up in New Jersey so being able  
22 to see those woods, that's why we moved over  
23 here. Just having that space, having that,  
24 you know, nice buffer, seeing the birds, the  
25 raccoons, whatever else is out there.

1           The homeless people over there, they do  
2           not bother us. I walk by myself with my dogs  
3           and I'm never worried about them. They don't  
4           bother us. A community where big -- those  
5           proposed businesses being built would bother  
6           the community. We don't want them there and  
7           it would not benefit the community at all  
8           because it would, if anything, want us to  
9           leave. Because everything that is proposed  
10          to be in that spot is within 20 minutes of  
11          driving north, south, whatever.

12                 So we just want you guys to hear us and  
13                 we appreciate your time. Thank you.

14                         CHAIRMAN HAWKINS: Thank you, ma'am.

15                         MS. EDWARDS: Hi. My name is Nancy  
16                         Edwards. I'm a resident of Hernando County  
17                         and I'm here today representing Hernando  
18                         Audubon. Our primary mission is the  
19                         preservation and protection of natural  
20                         habitats within the county.

21                         The original land use designation for  
22                         land parcels subject to rezoning require  
23                         green space functioning as a natural barrier  
24                         for the residential area to the west of  
25                         Pinehurst from the noise and traffic

1 congestion along US 19. It was originally  
2 depicted in an advertisement brochure from  
3 Deltona Corporation, included in the approved  
4 Deltona Master Plan as a green landscaping  
5 barrier fronting US Highway 19 as part of the  
6 main entrance into Spring Hill area.

7 We urge you to maintain this green space  
8 as part of the historical entrance to Spring  
9 Hill. The Audubon Society believes this  
10 parcel should be retained as green space and  
11 continue to serve the residential area to the  
12 east as a natural buffer and wildlife  
13 habitat.

14 The proposed development would not only  
15 eliminate functionality of the natural  
16 barrier as originally intended, but in fact  
17 add to the noise, traffic congestion, this  
18 green space was intended to buffer. We  
19 encourage you to maintain this land parcel as  
20 green space as initially designated by  
21 previous Hernando County decision makers.  
22 Thank you.

23 CHAIRMAN HAWKINS: Thank you.

24 MS. HEATON: Hi. My name is Louella  
25 Heaton. I live at 5452 Alderwood Street,

1           which is about three houses from Pinehurst,  
2           my husband and I.

3           And I did my research. Here's 60 signed  
4           petitions just on Alderwood Street. We do  
5           not want this.

6           Another thing, too, that's new -- because  
7           I know I'm not going to bore you. You guys  
8           already know about the traffic and yada,  
9           yada, yada. But with those two hurricanes we  
10          had last summer, that woods did its job. I  
11          mean, it really helped the wind, you know.

12          And, you know, if for some reason this  
13          insanity is approved at some point, on  
14          Pinehurst we really are going to need like a  
15          big brick wall to protect us from the noise,  
16          the pollution, and help with some of that,  
17          you know, wind stuff. And that's all I got  
18          to say. Thank you all for your service.

19          CHAIRMAN HAWKINS: Thank you, ma'am.

20          MS. RABBITT: Good afternoon. My name is  
21          Brenda Rabbitt, R-a-b-b-i-t-t. I reside at  
22          5488 Newmark Street, which I'll show you on  
23          the map. It's right here. (Indicating.)

24          If you look at that, the buffer is wider  
25          up along here. However, by my house there's

1 minimal buffer. We are going to experience  
2 extreme interruption in our lifestyle. So I  
3 appreciate everything y'all do, and I'll see  
4 you next time.

5 CHAIRMAN HAWKINS: Thank you, ma'am.

6 MR. RABBITT: Good afternoon. My name's  
7 Dave Rabbitt, 5488 Newmark Street. As Brenda  
8 showed you, we live in the house that's going  
9 to be right by Chick-fil-A. I want to thank  
10 you for your service to Hernando County, but  
11 I'm going to save my ammunition for later.

12 Omar, can you please put the County --  
13 your rendition of the County seal that was up  
14 there earlier today?

15 MR. DEPABLO: I think  
16 it's (indiscernible.)

17 MR. RABBITT: Your County seal, Hernando  
18 County seal.

19 MR. DEPABLO: I would have to ask IT to  
20 put it up. They have it.

21 MR. ROGERS: We can do it after the --  
22 we can do it after the hearing.

23 MR. RABBITT: There we go. Thank you.  
24 Appreciate that. I ask you, what do you see?  
25 I see green space. I see waterways. And I

1 see wildlife. I don't see strip malls. I  
2 don't see access roads. And I don't see fast  
3 food restaurants. Thank you for your time.

4 CHAIRMAN HAWKINS: Thank you,  
5 Mr. Rabbitt.

6 MR. ANGELIADIS: The only thing I was  
7 going to add, if you're contemplating a  
8 continuance is that rather than -- before you  
9 set a date certain, you find out how long the  
10 applicant's going to need to get a new  
11 traffic study and then require them to submit  
12 the application with new traffic study within  
13 a certain number of days before this new  
14 date.

15 CHAIRMAN HAWKINS: Thank you, sir. Thank  
16 you, sir.

17 You know what's interesting? I wish you  
18 guys were all here for our last meeting when  
19 we were talking about the intersections over  
20 there. I think you guys are going to be very  
21 happy with those improvements, you know,  
22 because they're going to directly affect you,  
23 and then also a lot of that traffic that's on  
24 Pinehurst currently today.

25 So Commissioner Champion?

1           COMMISSIONER CHAMPION: I appreciate the  
2 citizens coming up. And I did a little  
3 research on the property. And, you know, I  
4 guess for next time you can't come up here  
5 and talk about the Audubon and it's birds and  
6 all that stuff. It's been in private hands  
7 for 30-plus years. It's been taxed as a  
8 usable parcel for 30-plus years.

9           Something will go on it one day. Just  
10 telling you that. They have property rights.  
11 Something's going to go on it. It's not  
12 going to stay green space. The only way to  
13 guarantee that is to buy it. If you buy it,  
14 you can do what you want with it.

15           But they're being taxed on \$223,000 for  
16 the land and it's been like that for 30-plus  
17 years, paying taxes on it. You can't take  
18 away their rights for the property to say I  
19 want green space, sorry. That's not going to  
20 happen.

21           But a viable, you know, argument is no  
22 access on Pinehurst, buffer space, things  
23 like that. That's all viable things. So I  
24 would just suggest that when you come up and  
25 just say I like to see the birds, it goes in

1 one ear and out the other. Not even going to  
2 consider it, because it's not a viable  
3 reason. It's not your land. You know, it's  
4 going to be commercial.

5 I mean, common sense will say that piece  
6 will be commercial unless someone buys it and  
7 decides I'm going to leave it alone. So, I  
8 mean, next time just come up and talk about  
9 the facts. And A lot of you did, you know?  
10 A lot of you did a great job, and your  
11 attorney, Judge Angeliadis, does a good job  
12 every time he comes up so those are good  
13 arguments to have. But just -- just a word  
14 for the future. Thank you.

15 CHAIRMAN HAWKINS: Commissioner  
16 Campbell?

17 COMMISSIONER CAMPBELL: Thank you, Mr.  
18 Chairman. One thing I'd like to point out is  
19 several residents mentioned Chick-fil-A  
20 specifically. I wanted to mention that the  
21 current owner of Chick-fil-A on State Road  
22 50, it's my understanding has nothing to do  
23 with this Chick-fil-A. So he's a great  
24 community partner, so don't hold that against  
25 him. He has nothing to do with this. This

1 is corporate. And so, please, I'd appreciate  
2 the applicant keeping it neutral and just  
3 saying a chicken restaurant. But, you know,  
4 just keep that in mind.

5 CHAIRMAN HAWKINS: We still have a motion  
6 and a second for continuance. Is there  
7 anything else we need to add to that motion,  
8 Michelle?

9 MS. MILLER: Only my recommendation would  
10 be to postpone to a future hearing date with  
11 all re-advertising costs being paid by the  
12 applicant. That way that burden would be on  
13 them.

14 CHAIRMAN HAWKINS: Including updated site  
15 plans as well as transportation or traffic  
16 study.

17 MS. MILLER: I can insert that.

18 CHAIRMAN HAWKINS: I just -- I need a  
19 motion stating that.

20 COMMISSIONER AMSLER: So moved.

21 CHAIRMAN HAWKINS: Got a motion from  
22 Commissioner Amsler, second from Commissioner  
23 Champion.

24 Any further discussion? All in favor,  
25 Aye?

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(Commissioners indicating Aye.)

CHAIRMAN HAWKINS: Any opposed?

MR. CONROY: Could I just have a two --  
minute -- just two minutes for rebuttal?  
I'll talk really fast?

CHAIRMAN HAWKINS: Sorry, sir. The  
case -- at this point we're closed. We'll  
hear you at the continuance.

MR. CONROY: Okay. Thank you.

CHAIRMAN HAWKINS: Thank you.

(Proceedings concluded.)

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STATE OF FLORIDA )  
COUNTY OF HERNANDO )

I, CARLA GAIL DONATO, Court Reporter, certify that I was authorized to and did transcribe from videotaped recording the foregoing proceedings and that the transcript is a true record of said proceedings prepared to the best of my ability from the videotaped recording.

Dated this 8th day of December, 2025.

/s/ Carla Gail Donato  
CARLA GAIL DONATO

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