

# 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: 04/30/24

File No. \_\_\_\_\_ Official Date Stamp:

H-24-31

Received

MAY 03 2024

Planning Department  
Hernando County, Florida

**APPLICANT NAME:** NVR, Inc.

Address: 336191409 Rech Blvd., Suite 202

City: Tampa

State: FL

Zip: 337619

Phone: 813-997-3788

Email: molson@nveinc.com

Property owner's name: (if not the applicant) Brooksville Commons, LLC

**REPRESENTATIVE/CONTACT NAME:** Don Lacey

Company Name: Coastal Engineering Associates, Inc.

Address: 906 Candlelight Blvd.

City: Brooksville

State: FL

Zip: 34601

Phone: (352) 796-9423

Email: dlacey@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): 656579, 1198643, 1056617, 352013
2. SECTION 16, TOWNSHIP 22, RANGE 19
3. Current zoning classification: PDP/GC with C-2 uses
4. Desired zoning classification: CPDP-Combined Planned Development (PDP/MF and PDP/GC)
5. Size of area covered by application: 27.4 acres
6. Highway and street boundaries: Yonz Road and Ponce De Leon Blvd.
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 Burke, Brooksville Commons, LLC, 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): NVR, Inc.  
and (representative, if applicable): Don Lacey/Coastal Engineering Associates, Inc.  
to submit an application for the described property.

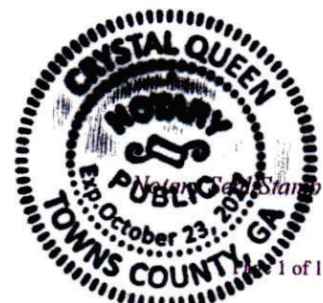
Signature of Property Owner

STATE OF Georgia  
COUNTY OF Talbot

The foregoing instrument was acknowledged before me this 30 day of April, 2024, by Robert Burke who is personally known to me or produced I.D. as identification.

Crystal Queen  
Signature of Notary Public

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

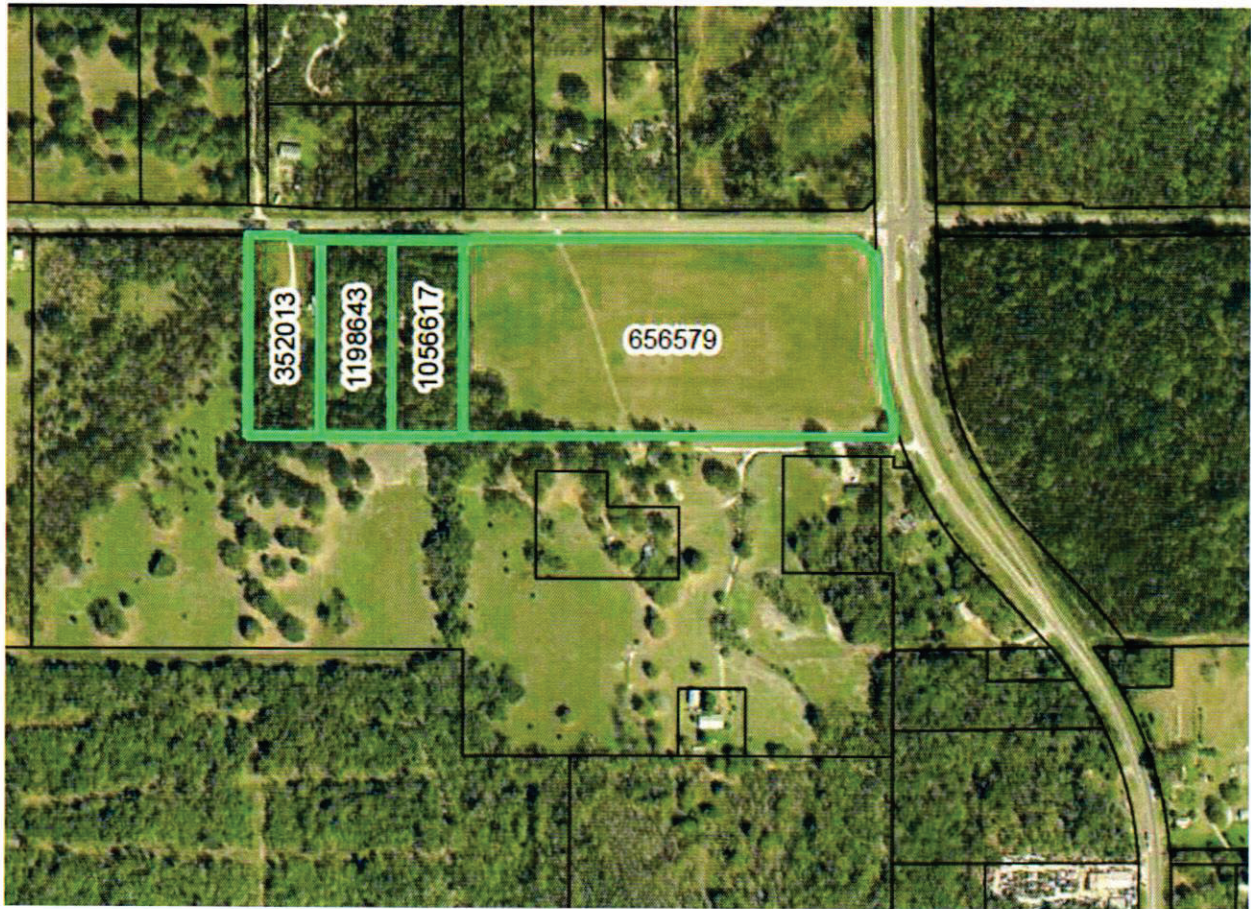




# BROOKSVILLE COMMONS REVISED REZONING NARRATIVE

## GENERAL

The subject property, consisting of approximately 27.4 acres, is located west of Ponce De Leon Blvd./US98 and south of Yontz RD., in Section 16, Township 22, Range 19 The property covered by this application is identified by the Hernando County Property Appraiser as Key Numbers 656579, 1198643, 1056617, 352013. Refer to Figure 1 for the project Aerial Location Map.



**Figure 1. Brooksville Commons Parcels (656579, 1198643, 1056617, 352013), Hernando County Property Appraiser**

Current zoning on the property is PDP (GC) with specific C2 uses. The surrounding zoning consists of AG to the North/East and a mix of Mining and Agriculture to the South/West. Refer to Figure 2 for the project area Current Zoning Map.

The Hernando County Comprehensive Plan Future Land Use Map indicates that the subject property is designated Residential with a Commercial node at the corner of U. S. 98 and Yontz Road. Refer to Figure 3 for the existing Future Land Use Map designations.

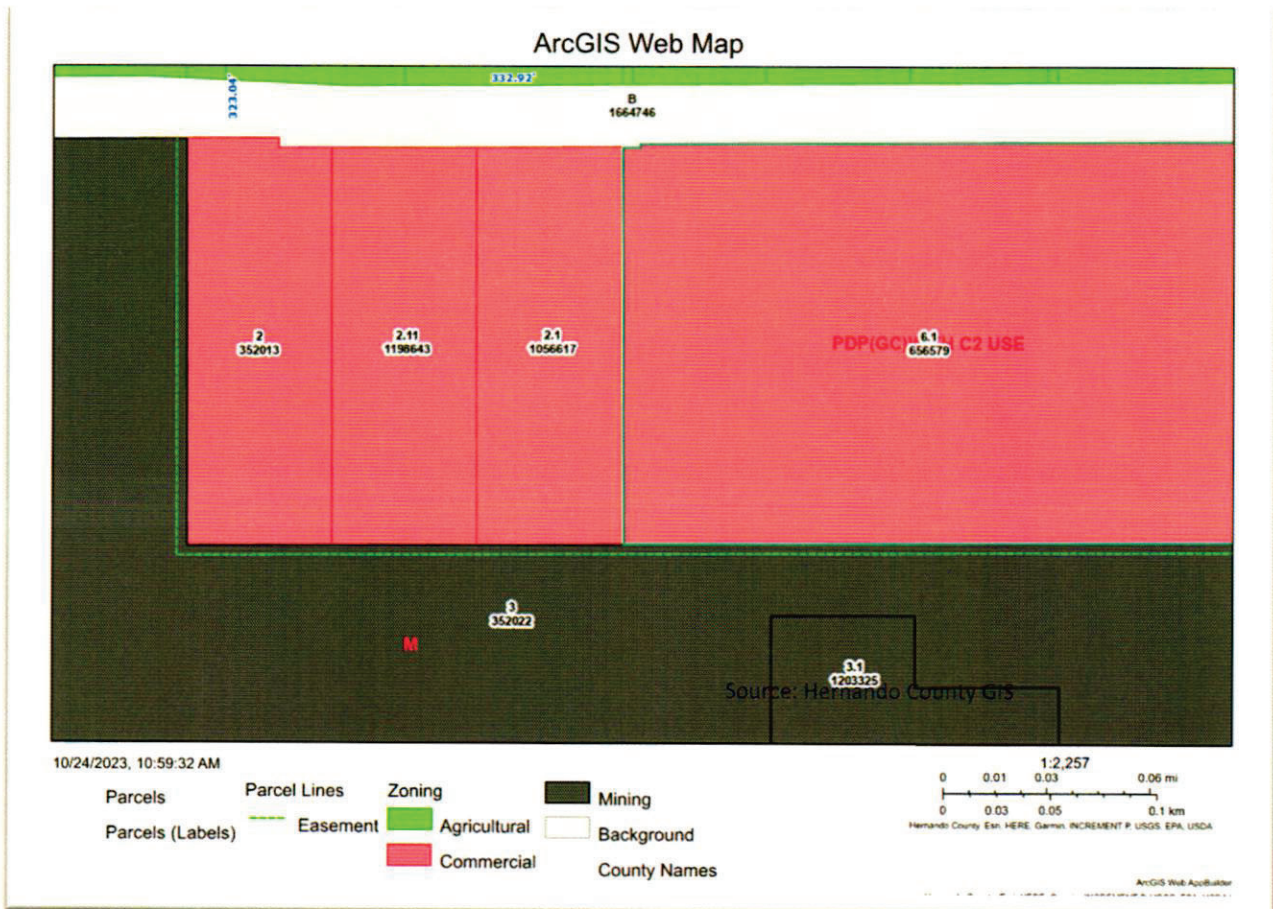


Figure 2. Brooksville Commons Parcels (656579, 1198643, 1056617, 352013), Current Zoning Map



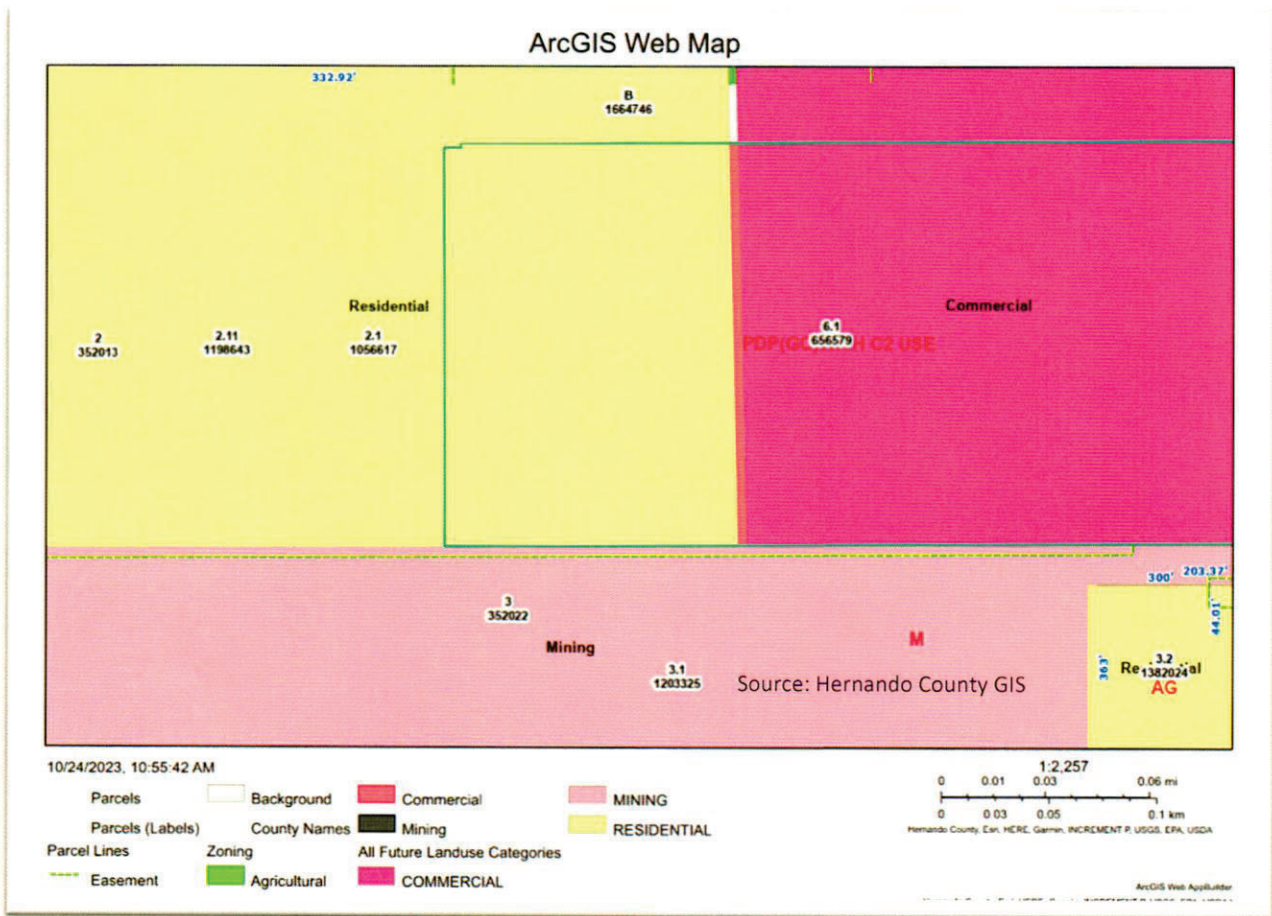


Figure 3. Brooksville Commons Parcels (656579, 1198643, 1056617, 352013), Future Land Use Map

## APPLICANT'S REQUEST

The applicant is requesting a rezoning to a Combined Planned Development Project (CPDP) – Multifamily (PDP/MF) to allow for development of up to 200 townhomes and general commercial (PDP/GC) for development within the existing commercial node designation by the Comprehensive Plan.

The residential portion of the project will introduce an affordable housing product that is needed in the residential market for this area. The applicant intends to construct a community consisting of 4- & 6-unit townhome clusters. The location is ideal, with frontage on both US 98 and Yontz Road and in close proximity to a signalized intersection and future commercial node as designated by the Comprehensive Plan. Given the dimensions of the site, internal circulation will most likely consist of a residential street "loop" providing easy and safe access to the project entrance. All internal streets will meet Hernando County standards. Recreation appropriate for the chosen residential market will be provided on site, taking advantage of natural features as much as possible.

The commercial portion of the site will consist of a commercial corner within the existing commercial node and extend to a depth of roughly 250 feet with frontage on US 98. Access will be from a commercial driveway on US 98 spaced a sufficient distance from the US 98/Yontz Road intersection to

allow for safe turning movements. The commercial development will also provide for access from Yontz Road from a service drive connection at the west end of the commercial node that will extend to the southern boundary of the commercial area to allow for a future connection if required. Pedestrian access to the commercial area will be provided for the convenience of residents in the townhome community. Access to the commercial area from Yontz Road will be from a right turn in only commercial driveway to the reverse service road. The location of this access and the design will be determined by the County Engineer.

The majority of the property is already cleared and in pasture, minimizing the need for tree removal. The property is conducive to development, with moderately drained soils and rolling topography. The site topography calls for most of the site drainage to be located along the project's western boundary, although preliminary engineering will determine the final locations for DRAs.

A 20-foot-wide buffer of existing vegetation will be left along the southern boundary, where some rural residential parcels exist, and will be enhanced to achieve an 80% opacity with a fence and/or native vegetation. A landscape buffer is proposed along US 98 and Yontz Road. Buffers are not proposed along the western boundary since drainage retention is anticipated in that location.

## PROPOSED COMMERCIAL USES

*PDP (General Commercial):* All permitted uses in the C-1 zoning district.

All permitted uses in the OP (Office Professional) District

The following permitted uses from the C-2 District:

- Drive in restaurants
- Tire/Automotive Accessory establishments
- Veterinarian clinics and hospitals
- Light Farm Equipment Supply (i.e.-Tractor Supply)

## SETBACKS AND BUFFERS

### PERIMETER BUILDING SETBACKS

East (US 98)	75' (deviation from 125')
North (Yontz Rd)	35' (includes landscape buffer) (deviation from 75')
South	35' (includes 20' vegetated buffer)
West	35'

### INTERNAL BUILDING SETBACKS

#### COMMERCIAL

Front (US 98)	75' (deviation from 125')
Front (Yontz)	35' (deviation from 75')
Rear	20' (deviation from 35')

Sides (distance between buildings) 15'  
Sides (internal lot lines) 5' (deviation from 20')  
Side (south) 20'

#### RESIDENTIAL

Front: 25'  
Side: 5' (0' for common walls)  
Rear: 15' (deviation from 20')

Lot Area: 2,000 SF (Deviation from 12,000 SF)  
Lot Width: 20' (Deviation from 75)  
Lot Coverage 65% (Deviation from 45%)

#### BUFFERS

South Perimeter 20' natural vegetated buffer with 80% opacity, enhanced if needed  
North Perimeter 15' landscape buffer  
West (adjacent to PDP/MF uses) 10'

#### MAX BUILDING HEIGHT

##### COMMERCIAL

45 feet

##### RESIDENTIAL

Three stories; 45 feet. This is not a deviation from the maximum building height allowed in the proposed PDP/MF zoning.

### DRAFT OF PROTECTIVE COVENANTS

Protective covenants to maintain the common recreation and drainage retention area will be provided with SWFWMD permitting.

### PRELIMINARY ENGINEERING REPORT

#### TOPOGRAPHY & DRAINAGE

The property topography ranges from a high of approximately 234' m.s.l. in the center of the property to a low of 204' m.s.l. along the western boundary. The stormwater retention system will be designed to meet all SWFWMD and Hernando County regulations.



## FLOODPLAIN

The project is located on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) community panel 12053C0156E, effective date of January 15, 2021. According to the FIRM panel, there is one small area designated Zone A along the project's south boundary, as shown on the proposed zoning master plan. The remaining areas are above the 100-year flood level.

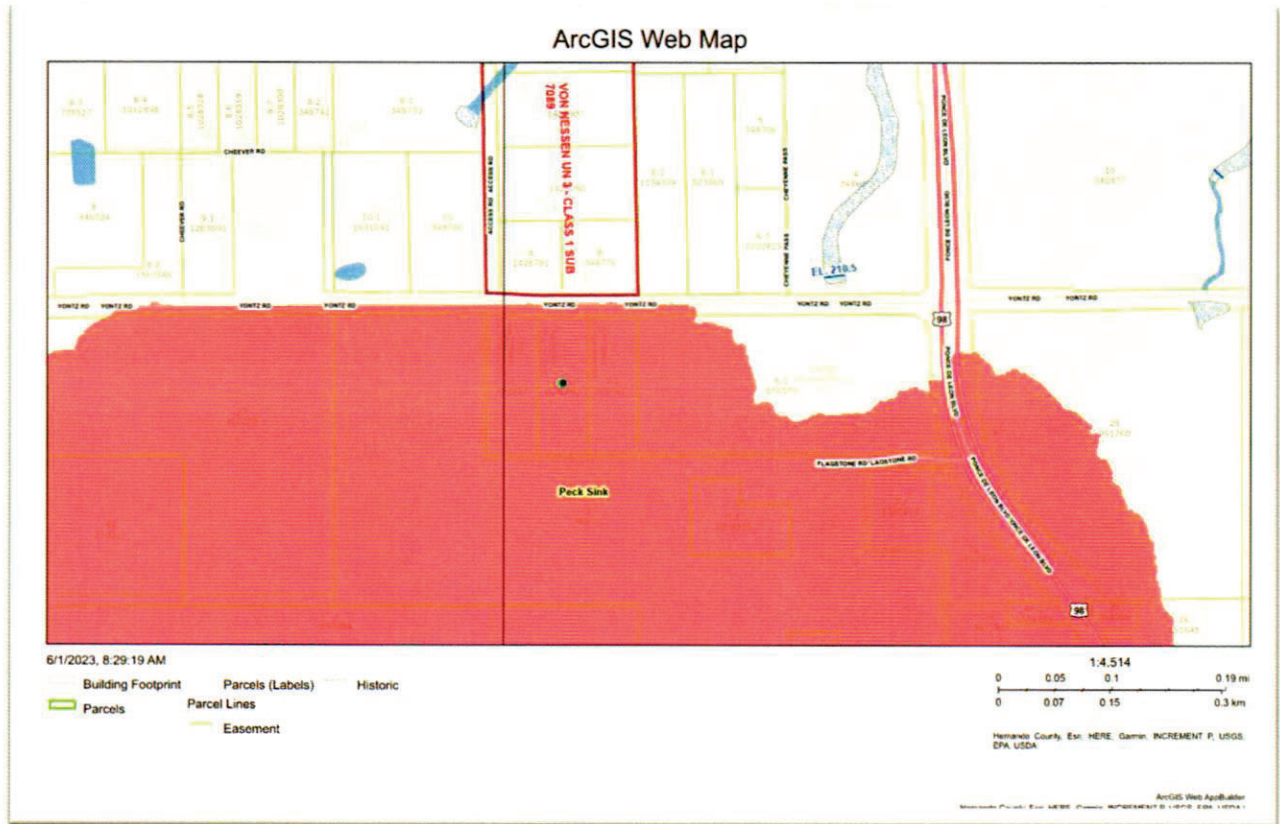


Figure 4. Brooksville Commons Parcels (656579, 1198643, 1056617, 352013), FEMA Floodplain Map

## SOILS

Soils on site consist primarily of Micanopy loamy fine sand and Nobleton fine sand, both moderately draining soils conducive for development.

## ENVIRONMENTAL

A preliminary site visit was conducted on November 15, 2023; the following are the results of the site visit.

- The property is undeveloped and vacant; no buildings or structures were noted during the site visit.
- The eastern two-thirds of the property has been cleared and grassed, with virtually no overstory.
- The western third of the property is heavily wooded, with some specimen trees. Laurel oaks dominate the overstory. Any small, isolated wetlands on site will be identified as part of the SWFWMD permitting.

- No listed wildlife species were detected during the preliminary site visit.
- A karst feature was noted in the floodplain area on the master plan.

## **DEVELOPMENT SCHEDULE**

Development is anticipated to begin in 2024.

## **ADEQUATE ACCESS**

Both US 98 and Yontz Road have excellent levels of service. A traffic study will be submitted to the County and FDOT for review and approval prior to development.

As depicted on the master plan, a single point of access is proposed from Yontz Road to the residential area. This access will be designed as a boulevard entrance to a looped internal road system. This access point will be sufficiently west of the US 98 intersection to not impede any future turn lanes at that intersection.

Access to the commercial area will be from a commercial driveway on US 98 and the commercial development will be interconnected by a service road with access to Yontz Road. The location and related design of the commercial parcel access driveways will be reviewed and approved by the County Engineer and FDOT. Pedestrian access to the commercial area will be provided for the convenience of residents in the townhome community.

## **WATER AND SEWER**

The property is within the City of Brookville Utilities service area, potable water and sewer interconnects are available along adjacent roadways. An agreement for service will be completed with the City of Brookville in conjunction with the conditional plat application to the County.

## **FIRE PROTECTION**

Adequate fire protection will be provided by the City of Brookville based on a Utility Fire Service analysis that will be prepared and approved with the conditional plat application to the County.

## **REQUESTED DEVIATIONS**

Setback deviations are based upon the need to maintain design flexibility, and to maintain a layout that conforms to the unique characteristics of the site. Article VIII (Planned Development/Appendix A) clearly states that "A planned-development project will allow the applicant of a project the flexibility, with governing body approval, to alter the standard requirements of the county."

### **PERIMETER BUILDING SETBACKS**

Yontz Road 35' (deviation from 75')

Since this will be to the rear of townhomes, no direct access to Yontz Road will be allowed and a perimeter landscape buffer will be provided, this setback should be sufficient. Similar setback reductions have been requested and allowed where housing "backs up" to major roadways.



US 98                75' (deviation from 125')

A reduced setback for the commercial area along US 98 is proposed in order to provide a reverse service road with driveway access to Yontz Road.

#### RESIDENTIAL BUILDING SETBACKS

Rear:                15' (deviation from 20')

The requested 15' rear setback is similar to most residential projects in the area and allows for the more important front setback of 25'.

Side:                5' and 0' for attached (deviation from 10')

This requested reduction in setbacks will allow more flexibility in the location and size of townhome clusters. Building spacings will meet fire code requirements.

#### COMMERCIAL BUILDING SETBACKS

Front (US 98)                                75' (deviation from 125')

Front (Yontz)                                35' (deviation from 75')

Sides (internal lot lines)                                5' (deviation from 20')

Rear                                20' (deviation from 35')

The commercial setback deviation requests are due to the need to provide a service road along the rear of the commercial site parallel to US 98 and the need to provide for internal design flexibility to allow for the development of a viable commercial node which provides services to both the neighborhood and drive by traffic.

#### COMMERCIAL FRONTAGE ROAD

Commercial development on the site will consist of a node at the corner of US 98 and Yontz Road. The designated commercial area will include a short service drive to the rear of the commercial buildings to interconnect the commercial uses. This service drive will also be stubbed to the south in the event a future connection is required. However, the majority of this area is reserved for retention and additional access is unlikely. Since the entire frontage is not being developed commercially, and there is not logical extension envisioned for the service drive a waiver of the frontage road requirement is requested and justified.

#### LOT SIZE AND WIDTH

Lot Area:                2,000 SF (Deviation from 12,000 SF)

Lot Width:                20' (Deviation from 75)

Lot Coverage                65% (Deviation from 45%)

Article VIII of Appendix A provides that the Planned Development District is intended for design flexibility and that the governing body may allow deviations from the standard zoning requirements. The applicant is proposing a townhome project and the dimensional standards proposed are consistent with the lot size

and setbacks for this product type. County regulations do not provide for development and dimensional standards for townhomes, yet this product type is classified as multifamily by the County. The design requirements and dimensional standards in the Code are designed for typical multifamily development and are not applicable to townhomes. Therefore, certain deviations are necessary to provide for the desired product type.