



Hernando County

Planning & Zoning Commission

Regular Meeting

Minutes

November 14, 2022

MEETING CALLED TO ORDER

The public meeting was called to order at 9:00 AM on Monday, November 2022, in the John Law Ayers Room, Government Center, Brooksville, Florida. This meeting was advertised in the Hernando Sun newspaper and the agenda packet was available on-line at www.hernandocounty.us.

<u>Attendee Name</u>	<u>Title</u>
Mike Fulford	Chairman
W. Steve Hickey	Regular Member
Jonathan Mc Donald	Regular Member
Michael Kierzynski	Regular Member
James Lipsey	Ex Officio Non-voting Member (School Board Rep.)
Kyle Benda	Assistant County Attorney
Michelle Miller	Planning Administrator
Omar DePablo	Senior Planner
Todd Crosby	Assistant Public Works Director/County Engineer
Alan Congdon	Administrative Assistant III

Invocation

Pledge of Allegiance

Poll Commission for Ex Parte Communications

Jonathan McDonald indicated he had Ex Parte communication.

The other Commission members indicated they had no Ex Parte communications concerning the petitions being considered at this meeting.

County Attorney Statement

Assistant County Attorney Kyle Benda provided the standard admonition that the Planning and Zoning Commission decisions were to be based only on the evidence presented in the quasi-judicial proceedings.

Administering of the Oath

STAFF ANNOUNCEMENTS

Staff recommended postponing Item #7 to a date and time certain of December 12, 2022 meeting.

John Carroll and Mark Johnson are no longer members of the Planning and Zoning Commission due to accepting new offices.

APPROVAL/MODIFICATION OF AGENDA (Limited to Staff & Commission)

A motion was made to approve the agenda as written. The motion carried 5-0.

Motion

C. APPROVAL/MODIFICATION OF AGENDA (Limited to Staff & Commission)

RESULT:	ADOPTED
MOVER:	W. Steven Hickey
SECONDER:	Michael Kierzynski
AYES:	Fulford, Hickey, Kierzynski and McDonald

ADOPTION OF THE INFORMATION PACKETS INTO EVIDENCE

The agenda packet that was submitted to the P&Z included written information regarding all cases to be considered which needed to be accepted into evidence for the hearing.

The staff recommended the P&Z accept the agenda packet, including the staff reports, into evidence as if read aloud in their entirety.

Motion

D. ADOPTION OF THE INFORMATION PACKETS INTO EVIDENCE

RESULT:	ADOPTED
MOVER:	W. Steven Hickey
SECONDER:	Michael Kierzynski
AYES:	Fulford, Hickey, Kierzynski and McDonald

PUBLIC HEARINGS

STANDARD AGENDA (BOARD SITTING IN ITS QUASI-JUDICIAL CAPACITY)

H-22-71 - Sobel Fund VII, LLC:

Master Plan Revision on Property Zoned CPDP(Combined Planned Development Project) with General Commercial, Office Professional, and Multifamily uses to add Specific C-2 Uses and Deviations; Southwest corner of Lake in the Woods Drive and Commercial Way (US Hwy 19)

Mrs. Miller introduced the petition to the Planning and Zoning Commission. Mr. DePablo utilized the overhead projector to show the location of the subject parcel.

The item was not dually advertised, the petitioner did not pick up the signs. Staff is requesting the petition has been postpone to a date time certain of December 12, 2022 at 9:00a.m.

Motion

A motion was made to postpone H-22-71 to a date and time certain of December 12, 2022 at 9:00 a.m. with the applicant.

RESULT:	ADOPTED
MOVER:	W. Steven Hickey
SECONDER:	Michael Kierzynski
AYES:	Fulford, Hickey, Kierzynski and McDonald

SE-22-11 - Donald Whitehead, Jr.:

Special Exception Use Permit for a Place of Public Assembly, namely, a Venue for Special Events; South of Cortez Boulevard (SR 50) across from Dorsey Smith Road

Mrs. Miller introduced the petition. Mr. DePablo utilized the overhead projector to show the location of the subject parcel.

Donald Whitehead Jr., the applicant, under oath, discussed the request with the Planning and Zoning Commission.

No public comment was offered by the audience.

Commissioner Hickey stated that he wanted to have time limits on the events.

Motion

A motion was made to approve the Special Exception Use Permit subject to modified performance conditions.

RESULT:	ADOPTED
MOVER:	W. Steven Hickey
SECONDER:	Michael Kierzynski
AYES:	Fulford, Hickey, Kierzynski and McDonald

SE-22-12 - 3 Horse Distillery, LLC:

Special Exception Use Permit for a Distillery; East side of Gobbler Run, approximately 3,000' south of Oakfork Trail

Mrs. Miller introduced the petition. Mr. DePablo utilized the overhead projector to display the subject location.

Cara Ann Groves, representing the petitioner, under oath, discussed the application with Planning and Zoning Commission.

Patrick Tooley, representing the petitioner, under oath, discussed the application with the

Planning and Zoning Commission.

Mr. DePablo indicated that staff received an e-mail from a concerned citizen about operating a home business at the site.

Motion

A motion was made to approve the Special Exception Use Permit subject to unmodified performance conditions.

RESULT:	ADOPTED
MOVER:	Jonathan McDonald
SECONDER:	Michael Kierzynski
AYES:	Fulford, Hickey, Kierzynski and McDonald

SE-22-13 - Nathan Randall:

Revision to a Special Exception Use Permit for a Place of Public Assembly, namely a Venue for Special Events; Northern terminus of Karry Creek Lane

Mrs. Miller introduced the subject application. Mr. DePablo utilized the overhead projector to show the location of the subject parcel.

Leanna Randall, the applicant, under oath, discussed the petition with the Planning and Zoning Commission.

Nathan Randall, the applicant, under oath, also discussed the application with the Planning and Zoning Commission.

Jeff Randall, the applicant, under oath, also discussed the application with the Planning and Zoning Commission.

The following people spoke, under oath, against the petition: Karen Hamilton, Leslie Walters, and Robert Hamilton.

The following people spoke under oath, in favor of the petition: Jerry Childers, Terri Kinder, and Deloris Kinder.

Assistant County Attorney, Kyle Benda, discussed the requirements to be considered for the granting of Special Exception Use Permits and discussion ensued.

Jeff Randall, responded to the concerns raised by the citizens during public comment.

Leanna Randall, advised the Commission that they had reached out to the neighbors multiple times and the neighbors have refused to communicate with them.

Nathan Randall, advised he gets the required permits for the tents, and addressed the other concerns.

Motion

A motion was made to approve the Special Exception Use Permit subject to unmodified performance conditions.

RESULT:	ADOPTED
MOVER:	W. Steven Hickey
SECONDER:	Jonathan McDonald
AYES:	Fulford, Hickey, Kierzynski and McDonald

H-22-58 - Adam Webster:

Re-establish a Master Plan for a Property Zoned PDP(GHC)/ Planned Development Project (General Highway Commercial) and add a Specific C-2 Use for Mini-Warehouse; Northwest corner of the intersection of Pythia Place and Linden Drive, approximately 300' north of County Line Road

Mrs. Miller introduced the petition. Mr. DePablo utilized the overhead projector to show the location of the subject parcel.

Alan Garman, representing the petitioner, under oath, discussed the request with the Planning and Zoning Commission.

Wayne Karastury, representing the petitioner, under oath, also discussed the petition with the Planning and Zoning Commission.

The following people spoke under oath against the petition: Karen Ozjowski, Johanna Garcia, Mary-Jo Artura, and Michelle Nicolini.

Alan Garman, responded to the concerns raised by the citizens during public comment.

Wayne Karastury, responded to concerns raised by the Planning and Zoning Commission.

Motion

A motion was made to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request, subject to modified performance conditions.

RESULT:	ADOPTED
MOVER:	W. Steven Hickey
SECONDER:	Michael Kierzynski
AYES:	Fulford, Hickey, Kierzynski and McDonald

H-22-67 - Keith Marko:

Rezoning from R-1C (Residential) to PDP(RUR)/Planned Development Project (Rural) with a specific AG (Agricultural) Use for Two Miniature Cows; Northeast corner of Rapidan Road and Wharton Avenue

Mrs. Miller introduced the petition. Mr. DePablo utilized the overhead projector to show the location of the subject parcel.

Keith Marko, the petitioner, under oath, discussed the request with the Planning and Zoning Commission.

No public comment was offered by the audience.

Motion

A motion was made to recommend the Board of County Commissions adopt a resolution approving the petitioner's request for rezoning subject to performance conditions.

RESULT:	ADOPTED
MOVER:	Jonathan McDonald
SECONDER:	Michael Kierzynski
AYES:	Fulford, Hickey, Kierzynski and McDonald

**H-22-23 - A & I Land Association, LLC:
Rezoning from AG (Agricultural) to C-4 (Heavy Highway Commercial); South side of Cortez Boulevard (SR 50), approximately 1,000' east of Frisco Road**

Mrs. Miller introduced the petition. Mr. DePablo utilized the overhead projector to show the location of the subject parcel.

Daryl Johnston Esq., representing the petitioner, under oath, discussed the request with the Planning and Zoning Commission.

No public comment was offered by the audience.

Discussion ensued.

Motion

A motion was made to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request with modified performance conditions.

RESULT:	ADOPTED
MOVER:	Michael Kierzynski
SECONDER:	W. Steven Hickey
AYES:	Fulford, Hickey, Kierzynski and McDonald

**H-22-28 - Downtown Development Partners, LLC:
Rezoning from PDP(SF)/Planned Development Project (Single Family) to PDP(GC)/Planned Development Project (General Commercial); Northeast side of Breakwater Boulevard, approximately 400' west of its intersection with Commercial Way**

Mrs. Miller introduced the petition. Mr. DePablo utilized the overhead projector to show the location of the subject parcel.

Alan Garman, representing the petitioner, under oath, discussed the request with the Planning and Zoning Commission.

The following people spoke against the petition: Rachel Weiner, Ann Odell, Christopher Wright, Leslie Collier-Brown, Richard Powers, Michael Morelli, Don Guillory, John French, William Johnson, Michael Nadeau, David Allan, Angelia Jefferion, Randy Bollert, Bryan Marquart, and Cosmo Donato.

Alan Garman, addressed the concerns raised by the citizens under public comment.

Todd Crosby, Assistant County Engineer, under oath discussed traffic at Breakwater Drive and the frontage road.

Discussion ensued regarding traffic in the area, A motion was made to have a traffic study.

Motion

A motion was made for a traffic study to be completed and to postpone the hearing with the petitioner incurring all re-advertising fees.

RESULT:	ADOPTED
MOVER:	W. Steven Hickey
SECONDER:	Michael Kierzynski
AYES:	Fulford, Hickey, Kierzynski and McDonald

H-22-48 - Lonestar Properties NC, Inc.:

Rezoning from PDP(CP)/Planned Development Project (Corporate Park) to PDP(IND)/Planned Development Project (Industrial); North side of Ayers Road, approximately 2,600' west of Broad Street

Mrs. Miller introduced the petition. Mr. DePablo utilized the overhead projector to show the location of the subject parcel.

Isabel Albert, AICP, representing the petitioner, under oath, discussed the application with the Planning and Zoning Commission.

Doloris Mills and Dorreen Bergh, both under oath, spoke against the petition.

Isabel Albert, addressed the concerns expressed during public comment.

Gary Schraut, representing the petitioner, under oath, responded to the concerns raised during public comment

Motion

A motion was made to recommend the Board of County Commissioners adopt a resolution approving the petitioner's requested rezoning subject to modified performance conditions.

RESULT:	ADOPTED
MOVER:	W. Steven Hickey
SECONDER:	Michael Kierzynski
AYES:	Fulford, Hickey, Kierzynski and McDonald

H-22-51 - DR Horton:

Establish a Master Plan on Property Zoned CPDP (Combined Planned Development Project) with Single Family and General Commercial Uses with deviations; East side of Commercial Way, across from Happy Days Drive

Mrs. Miller introduced the petition. Mr. DePablo utilized the overhead projector to show the location of the subject parcel.

Clark Hobby, representing the petitioner, under oath, discussed the request with the Planning and Zoning Commission.

Brian Surak, representing the petitioner, under oath, also discussed the request with the Planning and Zoning Commission.

The following people spoke under oath against the petition: Carolyn Kuzniewski, Al Martucci, and Michael Monarch.

Clark Hobby, discussed the concerns raised by the citizens during public comment.

Todd Crosby, Assistant County Engineer, addressed the denial of the frontage road waiver.

Discussion ensued.

Motion

A motion was made to recommend the Board of County Commissioners approve a resolution approving the petitioner's request to rezone, subject to modified performance conditions.

RESULT:	ADOPTED
MOVER:	Michael Kierzynski
SECONDER:	W. Steven Hickey
AYES:	Fulford, Hickey, Kierzynski and McDonald

COMMISSIONERS AND STAFF ISSUES**ADJOURNMENT**

The meeting was adjourned at 1:30 P.M.