



## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: July 13, 2026  
Board of County Commissioners: September 1, 2026

**APPLICANT:** Edwin and Ileen Febus

**FILE NUMBER:** H-26-10

**REQUEST:** Rezoning from AG (Agricultural) and C1 to PDP(GC)/ Planned Development Project (General Commercial) with specific C-2 uses.

**GENERAL LOCATION:** South Side of Spring Hill Drive approximately 311 feet from US 41 (Broad Street).

**PARCEL KEY NUMBER(S):** 203032

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### APPLICANT'S REQUEST

The Petitioner is requesting to rezone from AG (Agricultural) and C-1 (General Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for a drive-in restaurant. The parcel is in the Airport PDD behind Circle K on US 41 (Broad Street) with frontage on Spring Hill Drive.

### SITE CHARACTERISTICS

**Site Size:** .45 Acres

**Surrounding Zoning;**

**Land Uses:** North: AG (Agricultural) and CPDP (Combined Planned Development Project)  
South: AG (Agricultural) and C-1  
East: CPDP Combined Planned Development Project  
West: C1

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

**Future Land Use**

**Map Designation:** Airport PDD

### ENVIRONMENTAL REVIEW

The petitioner shall be required to comply with all applicable Southwest Florida Water Management District, Florida Fish and Wildlife Conservation Commission, and Florida Department of Environmental Protection permitting requirements.

**UTILITIES REVIEW**

Hernando County Utilities Department (HCUD) does not currently supply water or wastewater service to this parcel. Water is available to this parcel. There is a 12” force main at the intersection of Spring Hill Dr & US 41. HCUD has no objection to the zoning change from AG (Agricultural) and C-1 (General Commercial) to PDP (General Commercial)) with specific C-2 uses to allow a drive-in restaurant, subject to connection to the central water system at time of site development.

**ENGINEERING REVIEW**

The subject site is on South side of Spring Hill Drive approximately 311 feet from US 41 (Broad Street). The County Engineer has reviewed the petitioner’s request and provided the following comments:

- The petitioner may be required to submit a Traffic Analysis. This shall be determined at the time of site development permitting.
- A cross-access easement shall be provided to the West. The petitioner shall revise the master plan to reflect this cross-access.
- The project is required to connect to the existing Circle K to the East at the time of site development.

**LAND USE REVIEW**

**Minimum Setbacks:**

- Spring Hill Drive 125’
- East 20’
- West 20’
- Rear: 20’

**Buffers:**

- Spring Hill Drive 10’
- East 5’
- West 5’
- Rear: 5’

A buffer shall be required between a Planned Development Project (PDP) land use which is multifamily or non-residential and a land use, external to the PDP, which is residential, agricultural-residential or agricultural.

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

**Lighting:**

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

**Comments:** The petitioner has not indicated any provisions for lighting of the subject property. If approved, the petitioner should be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage.

**Parking:**

County Land Development Regulations require a minimum of three and a half (3.5) parking spaces per One Thousand (1,000) square feet of gross-floor area. The petitioner is proposing three thousand two hundred fifty (3,250) square feet and will need to provide twelve (12) parking spaces.

**Landscape:**

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

**COMPREHENSIVE PLAN REVIEW**

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

**Future Land Use Element, Residential Category**

**Strategy 1.04A(6):** The Commercial Category provides commercial uses including products and services along major corridors and at roadway intersections to serve residents and visitors on both a localized and regionalized basis. The Commercial Category recognizes existing commercial use corridors along U.S. Highway 19 and State Route 50 and existing and planned commercial nodes at intersections of arterial and/or collector roads. The Commercial Category includes small unmapped existing commercial properties. The Commercial Category also recognizes the ability to designate infill parcels for commercial use lying in proximity to and between, but not necessarily contiguous to, other existing commercially designated properties. Publicly owned lands along the commercial use corridors that are made available for surplus may be considered to have a Commercial designation, if the agency proceeds through the Comprehensive Plan Amendment process to amend the future land use map, in accordance with Section 163.3184, F.S.

**Objective 1.04G:** The Commercial Category allows primarily retail, office, and commercial service uses with an overall average gross floor area ratio of 0.35 but also includes limited industrial, recreational, and institutional uses. Residential

and mixed uses may be allowed subject to locational criteria and performance standards.

**Strategy 1.04G(1):** Commercial development as envisioned on the Future Land Use Map is intended primarily for locations at major intersections and along major corridors where service to local and regional markets are enhanced by transportation patterns. New commercial zoning is directed to these mapped areas. Commercial areas that are not mapped but are allowed under this Future Land Use Category include neighborhood commercial and specialty commercial uses as described in this Plan, commercial approved as part of mixed-use developments, commercial designated by planned development districts, the infill development of existing commercial areas, commercial areas extending from designated commercial nodes, and pre-existing commercially developed and designated areas. Frontage roads and cross-access between commercial uses is required where needed in accordance with the provisions of this Plan and adopted land development regulations.

**Strategy 1.04G(1):** Commercial development as envisioned on the Future Land Use Map is intended primarily for locations at major intersections and along major corridors where service to local and regional markets are enhanced by transportation patterns. New commercial zoning is directed to these mapped areas. Commercial areas that are not mapped but are allowed under this Future Land Use Category include neighborhood commercial and specialty commercial uses as described in this Plan, commercial approved as part of mixed-use developments, commercial designated by planned development districts, the infill development of existing commercial areas, commercial areas extending from designated commercial nodes, and pre-existing commercially developed and designated areas. Frontage roads and cross-access between commercial uses is required where needed in accordance with the provisions of this Plan and adopted land development regulations.

**Comments:** The subject site is next to a Circle K and close to the Spring Hill Drive and Us 41 (Broad Street) intersection. The proposed use is consistent with the Comprehensive Plan and is consistent with the surrounding uses.

## FINDINGS OF FACT

The rezoning request Rezoning from AG (Agricultural) and C1 to PDP(GC) Planned Development Project (General Commercial) with specific C-2 uses is appropriate due to the following findings of fact:

1. The proposed Planned Development Project (General Commercial) with Specific C2 uses is compatible with surrounding zones.

**NOTICE OF APPLICANT RESPONSIBILITY**

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

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

**STAFF RECOMMENDATION**

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Rezoning from AG (Agricultural) and C1 to PDP GC with specific C-2 uses with the following performance conditions.

1. A comprehensive wildlife survey shall be provided by a qualified professional. The petitioner is required to comply with all applicable Florida Fish and Wildlife Conservation Commission (FWC) regulations and permitting.
2. The petitioner must meet the minimum requirements of Florida-Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping, as applicable.
3. The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ (FFL) Program information and include FFL language in the HOAs covenants and restrictions. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.
4. The petitioner may be required to submit a Traffic Analysis. This shall be determined at the time of site development permitting.
5. A cross-access easement shall be provided to the West. The petitioner shall revise the master plan to reflect this cross-access.
6. The project is required to connect to the existing Circle K to the East at the time of site development.
7. **Setbacks:**

Spring Hill Drive	125'
East	20'
West	20'
Rear:	20'

**Buffers:**

Spring Hill Drive 10'  
East 5'  
West 5'  
Rear: 5'

8. The maximum building height shall be forty-five (45) feet, except on parcels abutting residential properties, where the maximum building height shall be limited to twenty (20) feet.
9. The driveways, parking spaces, and overall site layout shall be required to meet all applicable County standards, as outlined in the facility design guidelines
10. The petitioner shall be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring properties.
11. The petitioner shall establish and maintain the natural vegetive buffer in accordance with Chapter 10, Article II, Sections 10-21 and 10-26 of the Hernando County Land Development Regulations.
12. The petitioner shall provide a Master Plan in compliance with all the performance conditions within thirty (30) calendar days of receipt of Board of County Commissioners action from Development Services Staff. Failure to submit the revised plan will result in no further development permits being issued.