

STAFF REPORT

HEARINGS: Planning & Zoning Commission: March 11, 2024
Board of County Commissioners: April 9, 2024

APPLICANT: Lucky Lane Holdings, LLC

FILE NUMBER: H-23-76

REQUEST: Master Plan revision on Property Zoned PDP(SF)/Planned Development Project (Single Family)

GENERAL LOCATION: East side of Lucky Lane approximately 560' east of the intersection with Barclay Avenue.

PARCEL KEY NUMBERS: 130708, 130717, 1342434, 347146, 1100793

APPLICANT'S REQUEST:

The petitioner is requesting a Master Plan revision on property zoned PDP(SF)/Planned Development Project (Single Family) in order to revise a previously approved performance condition.

The petitioner has indicated the project is currently actively initiating substantial performance in accordance with time frames required for Planned Developments Projects and is undergoing subdivision construction. The developer is requesting a performance condition modification to the previously approved Condition 9 as identified below in strike through/underline format. All other required performance conditions will remain in full force and effect.

Proposed Condition Revision:

9. The petitioner shall maintain a minimum perimeter buffer of 20' ~~enhanced to an 80% opacity by landscaping~~ with the exception of the northern boundary adjacent to the hospital, where the petitioner shall maintain a minimum perimeter buffer of 10' ~~enhanced to 80% opacity by landscaping~~. The required buffer shall be enhanced by a minimum 6' high tan colored vinyl fence supplemented by landscaping between the fence and the property boundary.

SITE CHARACTERISTICS:

Site Size: 31.99 acres

**Surrounding Zoning/
Land Uses:**

North: C1, C2, PDP/GC; Commercial Uses
South: AR-2; Vacant Agricultural/Residential
East: AR-2; Special Exception for a Hospital/Medical Facility
West: PDP(MF); AR-2 (Multifamily and Congregate Care Facility)

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

**Future Land Use:
Map Designation:** Residential

LAND USE REVIEW:

Buffers:

The petitioner shall maintain a minimum perimeter buffer of 20' ~~enhanced to an 80% opacity by landscaping~~ with the exception of the northern boundary adjacent to the hospital, where the petitioner shall maintain a minimum perimeter buffer of 10' ~~enhanced to 80% opacity by landscaping~~. The required buffer shall be enhanced by a minimum 6' high tan colored vinyl fence supplemented by landscaping between the fence and the property boundary.

Comments: The petitioners proposed revision to Condition 9 still meets the intent of the original buffer condition for opacity by installing a 100% opaque fence along the northern boundary which is against the heavier commercial uses. Additionally, the petitioner proposes landscaping between the fence and the property line which provides a break of the shear wall/fence. However, the previously approved 20' wide buffer along the south (against Agricultural/Residential) with an 80% opacity shall remain and shall be supplemented where necessary.

FINDINGS OF FACT:

A Master Plan revision on property zoned PDP(SF)/Planned Development Project (Single Family) is appropriate based on the following:

1. The requested revision to Condition 9 meets the intent with appropriate performance conditions.
2. The request is consistent with the County's adopted Comprehensive Plan and compatible with the surrounding land uses subject to compliance with all performance conditions.

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's 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 Master Plan revision on property zoned PDP(SF)/Planned Development Project (Single Family) with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. A minimum perimeter buffer of 20' enhanced to 80% opacity by landscaping shall be provided along the southern boundary against the AR (Agricultural/Residential) parcels. The northern boundary shall provide a 20' buffer with a minimum 6' high tan colored vinyl fence supplemented by landscaping between the fence and the property boundary. The northern boundary against the hospital shall be 10' with a minimum 6' high tan colored vinyl fence supplemented by landscaping between the fence and the property boundary.
3. Any disturbed buffers shall be supplemented where necessary to meet the minimum requirements of this master plan.
4. The buffer shall be installed in general conformance with the provided landscape detail.
5. All previous performance conditions (H2137) shall be in full force and effect.
6. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days upon rendition of the resolution and the BOCC performance conditions Failure to submit the revised plan will result in no further development permits being issued until submitted by the applicant.