

Hernando County

Planning and Zoning Commission

Regular Meeting

~ Minutes ~

June 13, 2022

MEETING CALLED TO ORDER

Attendee Name	Title	Status
Mike Fulford	Chairman	Present
Jerry Campbell	Regular Member	Present
W. Steven Hickey	Regular Member	Present
Michael Kierzynski	Regular Member	Present
Jonathan McDonald	Regular Member	Present
John T Carroll	Alternate Member	Present
Mark Johnson	Alternate Member	Present
James Lipsey	School Board Representative	Present
Michelle Leigh Miller	Acting Planning Administrator	Present
Omar DePablo	Senior Planner	Present
Mary Elwin	Operations Support Supervisor	Present
Alan Congdon	Administrative Assistant III	Present

Invocation

Pledge of Allegiance

Poll Commission for Ex Parte Communications

The Commission members had no ex parte communications concerning the petitions being considered at this meeting. Introductions of Commission members and staff occurred at this time.

County Attorney Statement

Assistant County Attorney Kyle Benda provided the standard admonition that the P&Z decisions were to be based only on the evidence presented in the quasi-judicial proceedings.

Administering of the Oath

STAFF ANNOUNCEMENTS

There were no announcements by the staff.

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

Mrs. Miller notified the Commission that there were two items distributed this morning by the Clerk related to item H-22-18 in which one is a revised narrative description. She requested they be incorporated into the packets by the Commission.

Motion: A motion was made by Comm. Hickey to approve the agenda as written. The motion was seconded by Comm. Campbell and carried 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	W. Steven Hickey, Regular Member
SECONDER:	Jerry Campbell, Regular Member
AYES:	Fulford, Campbell, Hickey, Kierzynski, 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 Commission accept the Agenda packet, including the staff reports, and items provided this morning into evidence as if read aloud in their entirety.

Motion: A motion was made by Comm. Kierzynski to adopt the informational packet into evidence. The motion was seconded by Comm. Campbell and carried 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Kierzynski, Regular Member
SECONDER:	Jerry Campbell, Regular Member
AYES:	Fulford, Campbell, Hickey, Kierzynski, McDonald

PUBLIC HEARINGS

E. UNIFIED AGENDA

Approval of Minutes of April 11, 2022

Motion: A motion was made by Comm. Hickey to approve the minutes as written. The motion was seconded by Comm. Kierzynski and carried 5-0.

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

SE-22-02 - Dana Galiardo: Special Exception Use Permit for an Off-Road Vehicle Track Constructed for Recreational Use; West side of Citrus Way, approximately 1,500' north of Ponce De Leon Boulevard

Mr. DePablo, Senior Planner, introduced the petition while utilizing the overhead projector to show the location of the subject parcel. It is recommended that the Planning and Zoning Commission approve the petitioner's request for a Special Exception Use Permit for an Off-road Vehicle Track for Recreational Use 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. The off-road vehicle track hours and days of operation shall be limited to Tuesday through Friday from 9:00 AM to dusk.
3. A 25' vegetated buffer must be provided along the perimeter of the subject site. Native shrubs or trees should be used to supplement existing vegetation where feasible.
4. The existing driveway shall be improved to a "Commercial Driveway" standard from Citrus Way to 100-foot West.
5. The existing gate shall allow for stacking of the largest vehicle to regularly use property, on the property, no stacking, standing of vehicles are permitted in right-of-way or upon roadway.
6. A sidewalk shall be required along Citrus Way for the entire frontage along Citrus Way unless a waiver is granted by the County Engineer in accordance with Article III, Section 3.P of Appendix A.
7. Minimum Building Setbacks:
Front: 75'
Side: 20'
Rear: 35'
8. The petitioner shall designate on-site areas for parking. Parking areas may include alternative paving techniques as approved by the Zoning Administrator.
9. Any future development shall require an amendment to the Special Exception.

Dana Galiardo, under oath, representing the petition, reviewed the request with the Commission. She noted she was unaware that she needed the permit to operate the business on the property. She presented a video of the activity that takes place on the property. She requested the hours of operation be Tuesday - Saturday, 9:00-Dusk and two evenings (Wednesday and Friday) per week.

The following people acknowledged they were under oath and indicated opposition to the petition: David Gotch, Andrew McFarland, and Diane Liptak. Ms. Abigail St. Clair spoke in favor of the petition.

Mrs. Miller and Mr. DePablo reviewed the special exception use requirements of the Code of Ordinances with the Commission. Mr. Kierzynski commended the applicant on the facility. He stated that he would like to see the applicant work out a time schedule with neighbors who spoke concerning their adjacent meditation facility. Ms. Galiardo indicated that they have previously reached out to the neighbors to work with them on a

schedule, but the neighbors did not respond. She indicated that the track is for kids. She said that to her knowledge there are no neighbors that live full-time in the vicinity.

Mr. Carroll asked the average cost difference between an electric bike and a gas bike. Ms. Galiardo indicated there is not much of a difference in the cost, but it is the availability of the electric bike that is an issue. Mr. Carroll asked whether there were an affiliated organization for safety standards. Ms. Galiardo responded in the affirmative, but since they do not do racing, they have their own required standards for safety equipment to use the tracks.

Assistant County Attorney Benda indicated the purpose of the hearing is to determine whether the request is consistent with the code and its compatibility with the surrounding properties.

Mrs. Miller stated that with the performance conditions, it does not create an adverse impact to the public interest, and it is compatible with the area.

Mr. McFarland, under oath, responded to Mr. Fulford's request on the preferred hours/days. Mr. McFarland stated that he and his twin brother intend on contesting if it is approved but would prefer 11:30-4:30 on Saturdays.

Mr. Kierzynski indicated that he would favor the changing of the hours.

Motion: A motion was made by Comm. Campbell to approve the Special Exception per staff recommendations with the modification of condition #2 to read as follows:

2. The off-road vehicle track hours and days of operation shall be limited to Tuesday through Friday from 9:00 AM to dusk, Saturdays from 11:00 am to 5:00 pm, and on Sundays from 9:00 am to dusk with electric bikes only.

The motion was seconded by Mr. Kierzynski and carried 4-1 with Mr. Fulford voting nay.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Jerry Campbell, Regular Member
SECONDER:	Michael Kierzynski, Regular Member
AYES:	Campbell, Hickey, Kierzynski, McDonald
NAYS:	Fulford

CU-22-03 - Arielle Fox: Conditional Use Permit for a Second Residence; West side of Poppas Pass, approximately 350' south of its intersection with Robb Road

Mr. DePablo introduced the petition and utilized the overhead projector to show the location of the subject parcel. He stated that staff is recommending the Planning and

Zoning Commission approve the request for a Conditional Use Permit for a Second Residence for a period of up to two (2) years 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. The newly placed manufactured home shall meet the following minimum setbacks of the AG/(Agricultural district):
 - Front: 75'
 - Side: 35'
 - Rear: 50'
3. The petitioner shall be responsible for meeting all Florida Department of Health requirements for the new septic tank and well to be located on the site.
4. The Conditional Use Permit shall expire on June 13, 2024.

Mr. Will Fox, under oath, representing the petition, reviewed the request with the Commission.

There was no public comment.

Motion: A motion was made by Comm. Hickey determining a hardship exists and to approve the Conditional Use Permit for a period of two years with the performance conditions contained in the staff report. The motion was seconded by Comm. Campbell and carried 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	W. Steven Hickey, Regular Member
SECONDER:	Jerry Campbell, Regular Member
AYES:	Fulford, Campbell, Hickey, Kierzynski, McDonald

CU-22-04 - David S. Christman: Conditional Use Permit for a Temporary Security Residence; 7407 Gettysburg Drive, Weeki Wachee Gardens

Mr. DePablo introduced the petition and utilized the overhead projector to show the location of the subject parcel. He indicated that it is recommended that the Planning and Zoning Commission approve the request for a Conditional Use Permit for a Temporary Security Residence for one (1) year 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. The petitioner must retain potable water and sewer service through the Hernando County Utilities Department throughout the duration of the conditional use permit.
- 3. The Conditional Use Permit shall expire on June 13, 2023.

David S. Christman, under oath, representing the petition, reviewed the request with the Commission.

There was no public comment.

Mrs. Miller stated that the petitioner did receive a 6-month provisional permit on October 29, 2021, for a security residence. The request is for a conditional use permit for one year.

Motion: A motion was made by Comm. Kierzynski to approve the conditional use permit per staff recommendations. The motion was seconded by Comm. Campbell and carried 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Kierzynski, Regular Member
SECONDER:	Jerry Campbell, Regular Member
AYES:	Fulford, Campbell, Hickey, Kierzynski, McDonald

CU-22-05 - Windy Southall: Conditional Use Permit for a Portable Roadside Stand, namely a Produce Stand; South side of Wiscon Road, approximately 750' west of Lykes Dublin Road

Mr. DePablo introduced the petition and utilized the overhead projector to show the location of the subject parcel. He stated that it is recommended that the Planning and Zoning Commission approve a Conditional Use Permit for a portable roadside stand; namely, a produce stand, for a period of up to two (2) years 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. The temporary use must be removed if the primary business on the property ceases to operate and/or upon termination of the conditional use permit.
- 3. Parking shall not be permitted on the right-of-way.
- 4. Adequate restroom facilities in accordance with the requirements of the Health

Department shall be provided.

5. Hours of operation shall be limited to 11:00 AM to 5:00 PM, Monday through Saturday.
6. Minimum Building Setbacks:
 - Front: 75'
 - Side: 35'
 - Rear: 50'
7. Access to Wiscon Road shall require a Right-of-Way use permit.
8. The Conditional Use Permit shall expire on June 13, 2024.

Mr. DePablo indicated that this petition could not be heard as the signs were not posted by the applicant as required.

There was no public comment at this time.

Motion: A motion was made by Comm. Hickey to postpone the application until July 11, 2022. The motion was seconded by Mr. McDonald and carried 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	W. Steven Hickey, Regular Member
SECONDER:	Jonathan McDonald, Regular Member
AYES:	Fulford, Campbell, Hickey, Kierzynski, McDonald

CU-22-06 - Michael A. Poindexter: Conditional Use Permit for a Temporary Security Residence; Northeast corner of Cackleberry Drive and Northwest Avenue

DePablo introduced the petition and utilized the overhead projector to show the location of the subject parcel. It is recommended that the Planning and Zoning Commission deny the request for a Conditional Use Permit for a Temporary Security Residence due to the amount of time that has lapsed.

Michael A. Poindexter, under oath, representing the petition, reviewed the request with the Commission.

There was no public comment.

Mrs. Miller indicated she discussed this petition with the Building Division. She indicated that the building permit is still active, and the applicant is meeting the milestones.

Aaron Pool, Development Services Director, under oath, indicated he was concerned with the amount of improvement and progress that has been made. Mr. DePablo displayed photographs of the property's status after four years.

Comm. Campbell sympathized with the supply chain and inflation issues mentioned by the applicant. He stated he would be in favor of giving the applicant a two-year extension but would not be in favor of extending it past that time. Comm. Fulford sympathized also but was in favor of a 6-month extension. Comm. Kierzynski felt that 6 months would not be enough and suggested a 1-year permit. Comm. Campbell noted that there is no one present complaining about the residence. Comm. Hickey was concerned with not approving it and then it would be a future problem for the building department as the petitioner would have to remove what has been constructed.

Motion: A motion was made by Comm. Hickey to approve a two-year extension. The motion was seconded by Mr. Kierzynski and carried 4-1 with Mr. Fulford voting nay.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	W. Steven Hickey, Regular Member
SECONDER:	Michael Kierzynski, Regular Member
AYES:	Campbell, Hickey, Kierzynski, McDonald
NAY:	Fulford

SE-22-06 - Roman Rodriguez: Special Exception Use Permit for a Place of Public Assembly, namely, a Venue for Special Events; Northeast corner of Weeping Willow Street and Crowell Road

DePablo introduced the petition while utilizing the overhead projector to show the location of the subject parcel. He noted that it is recommended that the Planning and Zoning Commission approve the petitioner's request for a Special Exception Use Permit for a Place of Public Assembly; namely, a venue for Special Events 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. Minimum Building Setbacks:
Front: 75'
Side: 35'
Rear: 50'
3. The petitioner shall designate on-site areas for parking. Parking areas may include alternative paving techniques as approved by the Zoning Administrator.

- 4. Full cutoff fixtures shall be used so that all light is retained on-site and spillage onto neighboring residential uses is avoided.
- 5. The number of events shall be limited to twenty-four (24) per calendar year.
- 6. Hours of operation for events shall be limited to Friday through Sundays from 6:00PM to 10:00PM. No overnight stays shall be permitted.
- 7. Any future expansions or changes related to the special events shall require an amendment to the Special Exception Use Permit.
- 8. Adequate restroom facilities in accordance with the requirements of the Health Department shall be provided for all events.
- 9. The Driveways shall be required to meet County Standards.

Roman Rodriguez, representing the petition, under oath, reviewed the request with the Commission. In respect to Condition #6, he desires the time be from 2:00 pm -10:00 pm on Friday through Sunday.

Mrs. Miller indicated that any vertical construction would require an amendment of the petition and should be a condition of approval.

There was no public comment.

Motion: A motion was made by Comm. Hickey to approve the Special Exception Use Permit per staff recommendations with the exception of the hours being approved from 2:00 pm to 10:00 pm and a new condition #10 that any future new construction would require the permit being amended by the Planning & Zoning Commission. The motion was seconded by Comm. Kierzynski and carried 5-0.

RESULT: ADOPTED [UNANIMOUS]
MOVER: W. Steven Hickey, Regular Member
SECONDER: Michael Kierzynski, Regular Member
AYES: Fulford, Campbell, Hickey, Kierzynski, McDonald

H-22-05 - AWN Spring Hill, LLC: Master Plan Revision on Property Zoned PDP(GHC)/Planned Development Project (General Highway Commercial); Northeast Corner of Cortez Boulevard and Brookridge Central Boulevard

Mrs. Miller introduced the petition and utilized the overhead projector to show the location of the subject parcel. The staff report indicated it is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners deny the petitioner’s request for a Master Plan Revision on Property Zoned PDP(GHC)/Planned Development Project (General Highway Commercial) due to the lack of required documentation for the County to properly evaluate the request.

Comm. Fulford expressed his understanding of Section 37-1 that homeowner associations could receive notification of pending applications; it doesn't allow them or homeowners to request a Public Information Workshop. Mr. Pool indicated this was an administrative denial and a transition into the department that lead to the denial. Comm. Fulford questioned his understanding that the Staff Report indicated denial, but now Staff is warm to a postponement.

Comm. Kierzynski questioned whether the staff report was an internal error. Mr. Pool stated that Planning & Zoning Division did not know information was being passed in other departments concerning this case. Mr. Pool stated that staff is okay with extending to a future meeting to comply with the statutes.

Don Lacey, AICP, Vice President of Coastal Engineering Associates, Incorporated, under oath, representing the petition, was present for the petition.

Comm. Campbell stated that he is in favor of a postponement. Mrs. Miller indicated it should be tabled until such time as the information is completed for the application.

Motion: A motion was made by Comm. Campbell to recommend an indefinite postponement of the petitioner's request to the Board of County Commissioners per Staff's revised recommendation. The motion was seconded by Comm. Hickey and carried 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jerry Campbell, Regular Member
SECONDER:	W. Steven Hickey, Regular Member
AYES:	Fulford, Campbell, Hickey, Kierzynski, McDonald

H-22-07 - New Strategy Holdings, LLC (On Behalf of HWY 98 N. Project, LLC): Rezoning from AG/(Agricultural) to PDP(SF)/Planned Development Project (Single Family) with Deviations; East side of McKethan Road at its intersection with Portage Path

Mrs. Miller introduced the petition and utilized the overhead projector to show the location of the subject parcel. The staff report indicated that it is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners deny the petitioner's request for a rezoning from AG/(Agricultural) to PDP(SF)/Planned Development Project (Single Family) with deviations due to the lack of required documentation for the County to properly evaluate the request. Mrs. Miller indicated that this application was similar to the previous application and staff would not object to a postponement to allow the applicant the required time to complete the process. Don Lacey, AICP, Vice President with Coastal Engineering Associates, Inc., under oath, representing the petition, was present to represent the petition. There was no public comment.

Motion: A motion was made by Comm. Hickey to indefinitely postpone the application. The motion was seconded by Comm. Kierzynski and carried 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	W. Steven Hickey, Regular Member
SECONDER:	Michael Kierzynski, Regular Member
AYES:	Fulford, Campbell, Hickey, Kierzynski, McDonald

H-22-08 - NVR Inc.: Master Plan Revision on Property Zoned PDP(SF)/Planned Development Project (Single Family) and PDP(GC)/Planned Development Project (General Commercial) with Deviations; Southeast Corner of Commercial Way and Centralia Road

Mrs. Miller introduced the petition and utilized the overhead projector to show the location of the subject parcel. She indicated that it is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners deny the petitioner's request for a Master Plan Revision on Property Zoned PDP(SF)/Planned Development Project (Single Family) and PDP(GC)/Planned Development Project (General Commercial) with Deviations due to the lack of required documentation for the County to properly evaluate the request.

Don Lacey, AICP, under oath, representing the petition, reviewed the request with the Commission. He requested postponement of the petition until the July 11, 2022, meeting of the Planning & Zoning Commission.

In response to public comment, Mr. William Phillips, under oath, asked questions regarding the type of the development.

Mrs. Miller indicated that August 8, 2022, would be a preferred date for the hearing given the timeframes for advertising and review.

Mr. Lacey stated that single-family and townhomes are proposed for the project.

Motion: A motion was made by Comm. Kierzynski to postpone the public hearing until August 8, 2022, and it was seconded by Comm. Hickey. The motion passed 5-0.

A brief recess 10:51-11:00 am occurred at this time.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Kierzynski, Regular Member
SECONDER:	W. Steven Hickey, Regular Member
AYES:	Fulford, Campbell, Hickey, Kierzynski, McDonald

H-22-29 - One Hernando LLC, c/o Cardinal Point Management, LLC: Establish a Master Plan on Property Zoned PDP(IND)/Planned Development Project (Industrial); East side of Kettering Road, approximately 1332' south of Cortez Boulevard

Mr. DePablo introduced the petition and utilized the overhead projector to show the location of the subject parcel. He indicated that it is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a Resolution approving the petitioner's request to Establish a Master Plan on property zoned PDP(IND)/Planned Development Project (Industrial) with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. A comprehensive wildlife survey shall be prepared by a qualified professional. Any listed floral species shall be included. The petitioner is required to comply with all applicable FWC regulations and permitting.
3. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for required landscaping.
4. The petitioner shall be required to contact the Compliance and Review Section of the Florida Department of Historical Resources to determine if survey work is required before lot development. Findings from this contact shall be provided at the time of site development permitting.
5. The developer shall perform a utility capacity analysis in accordance with HCUD specifications and connect to the central water and sewer systems at time of vertical construction.
6. The development shall enter into a Water and Sewer Agreement with the County to mitigate any impacts from the development and ensure that the necessary utility improvements are in place to serve the development.
7. This project may require a Traffic Access Analysis and a queueing analysis based on the number of peak hour trips generated by the project at the time of development. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer.
8. The petitioner shall be required to improve Kettering Road and Lockhart Road in accordance with the requirements of the Hernando County Facility Design Guidelines, the Traffic Access Analysis and the County Engineer upon development.
9. A 35' landscape buffer shall be installed along the Withlacoochee State Trail with a

minimum of 20' provided at 80% opacity to be reached within 3 years of planting, consistent with previous approvals. The entire buffer shall be completely installed within three years of construction drawing approval. The remainder of the site shall meet the requirements of the community appearance ordinance.

10. The petitioner shall be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring parcels.

11. Minimum Building Setbacks:

- Front: 75'
- Side: 20'
- Rear: 35'

12. Minimum Perimeter Setbacks:

- From Kettering Road: 75'
- From the northern boundary: 35'
- From the southern boundary: 20'
- From the eastern boundary: 35'

13. The petitioner shall provide a revised plan in compliance with all of the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

Don Lacey, AICP, Vice-President of Coastal Engineering Associates, Incorporated, under oath, representing the petition, reviewed the request with the Commission.

The following people spoke regarding the petition:

Rodney Bowers, under oath, indicated he is an adjacent property owner at 6108 Cyril Drive. He is concerned about flooding issues in the area but noted that he is in full support.

Mr. Lacey indicated that they will be getting a permit from the Southwest Florida Water Management District.

Motion: A motion was made by Comm. Kierzynski to recommend approval to the Board of County Commissioners per staff recommendations. The motion was seconded by Comm. Hickey and carried 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Kierzynski, Regular Member
SECONDER:	W. Steven Hickey, Regular Member
AYES:	Fulford, Campbell, Hickey, Kierzynski, McDonald

H-22-17 - Joseph A. Giarratana and Donna M. Giarratana: Rezoning from R-1B/(Residential) and PDP(GC)/Planned Development Project (General Commercial) to C-1/(General Commercial); South of Cortez Boulevard between Spring Lake Highway and Ogburn Street

Mr. DePablo introduced the petition and utilized the overhead projector to show the location of the subject parcel. He noted that it is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners approve the petitioner's request for a Rezoning from R-1B/(Residential) and PDP(GC)/Planned Development Project (General Commercial) to C-1/(General Commercial) in accordance with the staff report.

David C. Sasser, P.A., under oath, representing the petition, reviewed the request with the Commission.

The following people spoke regarding the petition: George Mountain, under oath, lives at 6225 Ogburn Drive located to the south of the property and has lived there 22 years. He was concerned with privacy barriers and parking issues. Mr. Brian Roat, under oath, lives in Rolling Acres. He was concerned with parking issues and the lift station that was installed which smells. He stated that more parking is needed.

Mr. Sasser stated that the applicants will install the required opaque fencing at least 6 feet high.

Motion: A motion was made by Comm. Hickey to recommend approval to the Board of County Commissioners per staff recommendations. The motion was seconded by Comm. Kierzynski and carried 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	W. Steven Hickey, Regular Member
SECONDER:	Michael Kierzynski, Regular Member
AYES:	Fulford, Campbell, Hickey, Kierzynski, McDonald

H-22-18 - Joseph W. Klukowski: Rezoning from R-1A/(Residential) to C-4/(Heavy Highway Commercial); West side of Dent Street, approximately 500' south of Cortez Boulevard

Mr. DePablo introduced the petition and utilized the overhead projector to show the location of the subject parcel. 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 R-1A/(Residential) to C-4/(Heavy Highway Commercial) in accordance with the staff report.

David C. Sasser, P.A., under oath, representing the petition, reviewed the request with the Commission.

In response to a public comment request, Mr. Joseph Varilli, under oath, spoke against the petition due to traffic problems on Pointview Road.

Discussion ensued.

Motion: A motion was made by Comm. Kierzynski to recommend approval to the Board of County Commissioners per staff recommendations. The motion was seconded by Comm. Hickey and carried 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Kierzynski, Regular Member
SECONDER:	W. Steven Hickey, Regular Member
AYES:	Fulford, Campbell, Hickey, Kierzynski, McDonald

H-22-24 - Christian Eres: Rezoning from R-1C/(Residential) to AR-2/(Agricultural/Residential-2); East side of Shasta Street, approximately 310' south of Faculty Street

Mr. DePablo introduced the petition and utilized the overhead projector to show the location of the subject parcel. He stated that it is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving a rezoning from R1C/(Residential) to AR/(Agricultural/Residential) in accordance with the staff report.

Christian Eres, under oath, representing the petition, reviewed the request with the Commission.

Mrs. Miller made a clarification on the difference between AR and AR-2; that being, the permitted use of a mobile home.

There was no public comment.

Motion: A motion was made by Comm. Hickey to recommend approval from R-1C/Residential to AR/(Agricultural/Residential) to the Board of County Commissioners per staff recommendations. The motion was seconded by Comm. Kierzynski and carried 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	W. Steven Hickey, Regular Member
SECONDER:	Michael Kierzynski, Regular Member
AYES:	Fulford, Campbell, Hickey, Kierzynski, McDonald

H-22-25 - Richard Doskoez/Bruce Wilt: Rezoning from AG/(Agricultural) to C-2/(Highway Commercial); South side of Old Ayers Road, approximately 950' east of Broad Street

Mr. DePablo introduced the petition and utilized the overhead projector to show the location of the subject parcel. 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) to C-2/(Highway Commercial) in accordance with the staff report.

Mr. Bruce Wilt, under oath, representing the petition, reviewed the request with the Commission. He noted that they are requesting a postponement.

There was no public comment.

Mrs. Miller indicated that staff would need to work with the applicant to revise his application from a Euclidean zoning to a planned-development project and suggested it could be scheduled for August 8, 2022.

Motion: A motion was made by Comm. Hickey to postpone the application until August 8, 2022. The motion was seconded by Comm. Kierzynski and carried 5-0.

A brief recess occurred at 11:40 am -11:48 am.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	W. Steven Hickey, Regular Member
SECONDER:	Michael Kierzynski, Regular Member
AYES:	Fulford, Campbell, Hickey, Kierzynski, McDonald

H-22-26 - Maxx Development Partners, LLC: Establish a Master Plan on Property Zoned PDP(GC)/Planned Development Project (General Commercial) and a Rezoning from PDP(GC)/Planned Development Project (General Commercial) to CPDP/ Combined Planned Development Project to include General Commercial with a specific C-2 use for Mini-Warehouses, Multifamily, an Adult Congregate Care Living Facility and Deviations; Northwest corner of Spring Hill Drive and the Suncoast Parkway and east side of Barclay Avenue, approximately 1,500' north of Spring Hill Drive

Mr. DePablo introduced the petition and utilized the overhead projector to show the location of the subject parcel. He stated that It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution Establishing a Master Plan on Property Zoned PDP(GC)/Planned Development Project (General Commercial) and a rezoning from PDP(GC)/Planned Development Project (General Commercial) to CPDP/ Combined Planned Development Project to include General Commercial and Multifamily uses with Deviations, and 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 faunal (wildlife) survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.

3. The petitioner shall 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.
4. The petitioner shall provide a minimum 20' landscape buffer along the eastern boundary against the Suncoast Parkway. The existing trees shall remain within the buffer area and supplemented as needed to achieve a minimum 80% opacity within three years of planting. Additionally, the petitioner shall provide a 20' (deviation from 35') commercial buffer along Spring Hill Drive and Barclay Avenue at 80% opacity within three years of planting. The remaining commercial area shall meet the minimum commercial standards.
5. A master plan revision shall be required for any future Assisted Living Facility (ALF) on Tract 3.
6. A Traffic Access Analysis, Signal Warrant Analysis and a queue Stacking Study shall be required. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer.
7. Commercial development shall be limited to 61,375 square feet for tract 3 (Parcel key #377577)
8. Maximum Building Height:
Townhomes: 35'2 Story
Multifamily: 60'4 Story
9. Minimum Building Setbacks:
Suncoast Parkway: 75'
Frontage Road: 20'
Garages: 20'
Building Separation (Under 45'): 15'
Building Separation (Over 45'): 15' plus one foot for every foot above 45'
10. Minimum Commercial Building Setbacks:
Spring Hill Drive: 75'
Barclay Avenue: 75'
Side: 20'
Rear: 35'
Access/Frontage Road: 20'

Minimum Commercial Internal Setbacks:
Internal Setback: 20'
11. The petitioner must apply for and receive a Finding of School Capacity from the School District prior to the approval of the conditional plat or the functional equivalent. The County will only issue a certificate of concurrency for schools upon the School District's written determination that adequate school capacity will be in

- place or under actual construction within three (3) years after the issuance of subdivision approval or site plan approval (or functional equivalent) for each level of school without mitigation, or with the execution of a legally binding proportionate share mitigation agreement between the applicant, the School District and the County.
12. The Multi-Family development shall provide a boulevard entrance.
 13. The development shall be limited to a total of 462 units.
 14. A maximum of 76 units per building shall be permitted
 15. Geotechnical subsurface testing and reporting in accordance with the County's Facility Design Guidelines shall be conducted for all Drainage Retention Areas (DRA) within the proposed project.
 16. The petitioner shall be required to provide a water and sewer capacity analysis and connect to the central water and sewer systems at time of vertical construction. The petitioner shall coordinate with HCUD for acquisition of a new force main easement and installation of the new force main.
 17. The project shall meet the minimum sign standards as required by the County LDRs. The predominant sign material shall be similar to the material (e.g., brick, stone, etc.) of the commercial buildings developed on the subject property. All on-site advertising signs, including outparcels and the subdivision entrance signs, shall be designed as part of a complete signage system, and shall be limited to ground mounted monument type signs. Ground mounted monument type signs are signs where the bottom edge of the sign is no greater than ten (10) feet above grade and which otherwise meets all sign requirements in the Hernando County Code of Ordinances.
 18. The development shall meet the minimum LDR design standards for large retail development in Article III, Appendix A (Zoning).
 19. The petitioner shall be required to provide interconnectivity and cross-connection between outparcels.
 20. The commercial Tree Preservation Density and 5% Natural Tree Preservation Areas shall be permitted for relocation into the Multifamily and Townhome portions of the project. The multifamily and townhomes shall be required to meet the minimum prospective requirements and the relocated 5% Natural Tree Preservation Areas shall be dedicated preservation tracts.
 21. All lighting shall be full cut off fixtures in order to prevent any light spillage into neighboring parcels.
 22. The petitioner shall provide a master plan in compliance with all of the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

Peter Pensa, AICP, under oath, representing the petition, reviewed the request with the Commission. They propose garage units at a 20 ft. setback to provide sound attenuation; the code specifies 12 units per building but noted that the code is antiquated. They are requesting 76 units per building. He discussed the proposed deviations for the project. They are planning two access points for the project per code. The idea is to take two expired projects and combine them into one planned development project to provide a variety of housing types.

Mr. Fulford requested the County Engineer address the entrances. Mr. Herring, County Engineer, under oath, indicated he likes to see more entrances/exits, but he concurs with the Staff Report for the boulevard entrance.

There was no public comment.

Mr. Kierczynski indicated he needed clarification on what was being asked for approval. Mrs. Miller reviewed the conditions to help clarify the requests being made in the application. Mr. Kierczynski asked to compare this petition in relation to others approved similar to a project on County Line Road. Mrs. Miller stated that 336 dwelling units are being proposed on 13 acres (approximately 24 units per acre for multi-family). Townhomes are being proposed at approximately 9 units per acre. Conditions also limit them to 61,375 of commercial development on Tract 3, she said. Discussion ensued.

Motion: A motion was made by Comm. Mr. Campbell to recommend approval to the Board of County Commissioners per staff recommendations. The motion was seconded by Comm. Hickey and carried 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jerry Campbell, Regular Member
SECONDER:	W. Steven Hickey, Regular Member
AYES:	Fulford, Campbell, Hickey, Kierczynski, McDonald

H-22-27 - Hillpointe, LLC (on behalf of John Grubbs): Establish a Master Plan on Property Zoned PDP(MF)/Planned Development Project (Multifamily) and Property Zoned PDP(SU)/Planned Development Project (Special Use) with Deviations; Western terminus of Astaire Lane

Mr. DePablo introduced the petition and utilized the overhead projector to show the location of the subject parcel. He stated that it is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request to Establish a Master Plan on Property Zoned PDP(MF)/Planned Development Project (Multifamily) and Property Zoned PDP(SU)/Planned Development Project (Special Use) with Deviations and 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 faunal (wildlife) survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.
 3. The petitioner shall 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.
 4. The multifamily development shall provide a 6' high opaque fence or wall along the western property line. Buffer must include 8' trees (at planting) along the western boundary where the proposed garage units are not providing visual buffering. All other areas must meet the minimum County LDR's.
 5. The developer must provide geotechnical subsurface testing in accordance with the Hernando County Facility Design Guidelines, including any proposed drainage retention areas (DRA) within the project required to test for karst features or voids.
 6. Geotechnical subsurface testing and reporting in accordance with the County's Facility Design Guidelines shall be conducted for all Drainage Retention Areas (DRAs) within the proposed project.
 7. A Traffic Access Analysis Que Stacking study will be required. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer.
 8. Minimum Building Setbacks:

Astaire Lane:	35'
Front:	25'
Side:	10'
Rear:	20'
Garages:	5'
Building Separation:	15'
Maximum Building Height:	3 Stories
 9. The petitioner must apply for and receive a Finding of School Capacity from the School District prior to the approval of the conditional plat or the functional equivalent. The County will only issue a certificate of concurrency for schools upon the School District's written determination that adequate school capacity will be in place or under actual construction within three (3) years after the issuance of subdivision approval or site plan approval (or functional equivalent) for each level of school without mitigation, or with the execution of a legally binding proportionate share mitigation agreement between the applicant, the School District and the County.
 10. The Multi-Family development shall provide a boulevard entrance.

11. The petitioner shall be required to provide a water and sewer capacity analysis and connect to the central water and sewer systems at time of vertical construction.
12. The proposed roadway extension will be required to meet County standards.
13. The petitioner shall provide a master plan in compliance with all of the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

Cameron Langermann, under oath, representing the petition, reviewed the request with the Commission.

In response to requests for public comment, Mr. Kevin Boje, under oath, stated that he represents the adjacent property owner, Salisan Retirement Center, and noted concerns with traffic on Barclay Avenue. Mrs. Miller indicated that staff did an analysis on this project and Condition #10 addresses the recommendation of access. She indicated that due to their unique situation, they only have one mechanism for access. Ms. Langermann noted that a traffic analysis is required which will address the access.

Motion: A motion was made by Comm. Hickey to recommend approval to the Board of County Commissioners per staff recommendations. The motion was seconded by Comm. Campbell and carried 5-0.

County Engineer Herring was asked to update the Commission on whether upgrades will be made to Barclay Avenue. Mr. Herring responded in the affirmative.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	W. Steven Hickey, Regular Member
SECONDER:	Michael Kierzynski, Regular Member
AYES:	Fulford, Campbell, Hickey, Kierzynski, McDonald

H-22-13 - Todd Mooney: Revision to a Master Plan with a rezoning from PDP(OP)/Planned Development Project (Office Professional) and PDP(SF)/Planned Development Project (Single Family) to PDP(MF)/Planned Development Project (Multifamily) and PDP(OP)/Planned Development Project (Office Professional) with specific C-1 uses and Deviations; South side of Cortez Boulevard, approximately 700' east of Nightwalker Road

Mr. DePablo introduced the petition and utilized the overhead projector to show the location of the subject parcel. He indicated that it is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request to Revision to a Master Plan with a rezoning from PDP(OP)/Planned Development Project (Office Professional) and PDP(SF)/Planned Development Project (Single Family) to PDP(MF)/Planned Development Project (Multifamily) and PDP(OP)/Planned Development Project (Office Professional) with specific C-1 uses and Deviations, 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. The petitioner shall 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 petitioner must apply for and receive a Finding of School Capacity from the School District prior to the approval of the conditional plat or the functional equivalent. The County will only issue a certificate of concurrency for schools upon the School District's written determination that adequate school capacity will be in place or under actual construction within three (3) years after the issuance of subdivision approval or site plan approval (or functional equivalent) for each level of school without mitigation, or with the execution of a legally binding proportionate share mitigation agreement between the applicant, the School District and the County.
4. The petitioner shall be required to provide a water and sewer capacity analysis and connect to the central water and sewer systems at time of vertical construction.
5. The project shall meet the minimum sign standards as required by the County LDRs. The predominant sign material shall be similar to the material (e.g., brick, stone, etc.) of the commercial buildings developed on the subject property. All on-site advertising signs, including outparcels and the subdivision entrance signs, shall be designed as part of a complete signage system, and shall be limited to ground mounted monument type signs. Ground mounted monument type signs are signs where the bottom edge of the sign is no greater than ten (10) feet above grade and which otherwise meets all sign requirements in the Hernando County Code of Ordinances.
6. All lighting shall be full cut off fixtures in order to prevent any light spillage into neighboring parcels.
7. A setback of 500 feet measured from the outer boundary of the Special Protection Area (SPA) shall be provided. The proposed list of C-1 uses are permitted within the 500 ft. designated SPA setback.

8. A subsurface geologic assessment, floral/faunal aquatic species survey and report prepared by a qualified professional shall be used in the design and layout of the project and shall be submitted to the County at the development of each phase to ascertain that efforts have been made to avoid impacts to subsurface karst sensitive features. The evaluation shall also include a stormwater design plan to prevent runoff, provide treatment, and avoid adverse stormwater impacts to the Class 1 wetland.
9. A 50-foot wetland buffer shall be required measured from the jurisdictional wetland line. The buffer shall be planted with native vegetation to control erosion.
10. A conservation easement shall be required and must include the wetland, wetland buffer, and karst sensitive undeveloped uplands for key #346717. Easement shall be shown on the master plan and construction drawings. The conservation easement shall be provided in favor of the developer and including a third-party right of enforcement in favor of the County pursuant to Section 704.06(8), Florida Statutes.
11. Any removal, encroachment or alteration of these wetlands shall require permitting and mitigation by the appropriate state and federal agencies.
12. A Traffic Access Analysis shall be required. Traffic Access Analysis shall include a queuing analysis. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer.
13. A Frontage Road for the entire frontage along Cortez Boulevard shall be required.
14. A FDOT Access management and drainage permit shall be required.
15. Minimum Building Setbacks

Parcel A:

North:	125'
East:	20'
South:	35'
West:	20'
Maximum Height:	60'

Parcel B:

North:	Minimum 15' Building Separation
East:	20'
South:	35'
West:	20'
Maximum Height	60'

16. The petitioner shall be required to provide two (2) means of access in accordance with County policy.
17. Minimum Buffers:
- | | |
|----------|--|
| SR 50: | Minimum County required buffers |
| East: | 10' landscape buffer |
| South: | Existing wetland |
| West: | 20' landscape with a 6' high fence or wall |
| Wetland: | 30' |

A minimum 20' landscape buffer with a 6' high fence or wall shall be provided along the western boundary where the proposed project directly abuts single family homes. Buffer shall include trees 8' in height at planting to ensure visual screening is available upon project completion.

18. C-1/(General Commercial) uses shall be limited to the following:
- comparison goods stores
 - convenience good stores with no vehicle fueling stations,
 - personal service establishments,
 - domestic and business repair establishments
 - restaurants with or without alcohol dispensation
 - antique stores,
 - alcohol beverage dispensation package and restaurants only,
 - retail food stores
 - and dry-cleaning establishments
 - veterinary clinics and/or "doggie daycare" with air-conditioned-sound attenuated runs
 - day care and pre-school
19. Commercial shall be limited to 20,000 square feet and the first floors of Parcel A.
20. A Cross Access Agreement shall be provided between all parcels/uses.

21. Where stormwater runoff is directed to retention/detention areas adjacent to the direct connections to the aquifer, the developer shall use enhanced treatment methods to reduce nitrogen loading.
22. The petitioner shall provide a master plan in compliance with all of the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

Patricia Ortiz, AICP, under oath, representing the petition, reviewed the request with the Commission. She provided an explanation of the design and the proposed deviations. She addressed the staff report conditions indicating changes to Conditions 7, 8, and 9 to be re-worded such that when the analysis is done by a qualified/certified person, the setbacks and uses could then be required.

The following people spoke regarding the petition:

Chris Fletcher, under oath, lives on Melacano Avenue. He really liked the first proposal that they had 2005. He was not in favor of the 2-3 stories next to the single-family residential area.

Diana Fletcher, under oath, asked about the price tag of the project because if it is not completed due to the economy, this would be a concern to her. She had concerns about traffic, environment/animals, schools, and sinkhole activity. She questioned where the water would be coming from.

Sharon Acroella, under oath, lives on July Avenue and had concerns with traffic.

Michelle Sawyer, under oath, indicated a project of this size and magnitude really needs its own entrance and road from Cortez Boulevard. She felt a second entrance should be required on Cortez Boulevard. She cited concerns with wildlife - - tortoises and bald eagles. They would like after-hours mitigation for the commercial activity.

Mr. Alan Garman, Engineer, under oath, stated that this is a sinkhole area as he has worked on the property in the past in his engineering practice.

Mrs. Miller announced that Dawn Velsor, Lead Environmental Planner, was present in the audience. Mrs. Velsor, under oath, stated that there is a cavern system on the property and was concerned with the weight of the buildings. Once the area is delineated, the wetland area should be included in the Class I area as the development could impact the area.

Mr. DePablo indicated that the site is known as Nursery Sink and has been dived by individuals. It changes the condition of the entire wetland since it is connected.

Comm. Fulford wanted confirmation that the information provided in the staff report is derived from credible sources. Mrs. Velsor confirmed that the sources were credible

and they were concerned with the weight bearing on the site and was concerned with water quality impacts.

Ms. Ortiz indicated the public had concerns about traffic, but these will be addressed in a traffic study. They will build the frontage road per the staff's recommendations. Ms. Ortiz indicated her client disagrees with the staff's expert. She noted that her client, the applicant, indicates that he is not aware of a cavern feature on the property so it would be preferred that the conditions should be worded such that the analysis would first be done.

Mrs. Velsor indicated that any testing would have to be done.

Ms. Ortiz stated imposing the conditions as worded is redundant. As written, the conditions require extensive reporting and recording of the SPA system. Her intent is time saving - - first to find out what is available or existing on the site, she said.

Mr. Benda stated that Condition #8 specifies the requirement of setbacks. He suggested to include additional language specifying the types of tests.

Mrs. Velsor indicated that a Florida registered geotechnical engineer, a Florida qualified wetlands scientist, and a Florida Biologist would be needed to do the testing/surveys. Mrs. Miller requested a brief recess.

A brief recess occurred from 1:02 pm to 1:09 pm.

Mrs. Miller proposed language for a revised condition number 8.

Comm. Fulford stated that approval would be a general path forward for the developer to follow.

Mrs. Miller indicated #19 should be changed from 20,000 to 38,618.

Mr. Kierzynski was concerned with the multiple stories. Mr. Carroll indicated concerns with the roads in the area. July Avenue is a well-traveled road. Is the Brentlawn access needed, he asked. Mr. Herring stated that the frontage road is needed and required.

Comm. McDonald was concerned with the multi-story buildings at 45-60 feet with a 6-foot fence. Mr. Campbell concurred with the compatibility question.

Motion: A motion was made by Comm. Hickey to recommend denial, and it was seconded by Comm. Kierzynski. The motion carried 5-0 to recommend denial to the Board.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	W. Steven Hickey, Regular Member
SECONDER:	Michael Kierzynski, Regular Member
AYES:	Fulford, Campbell, Hickey, Kierzynski, McDonald

A brief recess occurred from 1:19 pm to 1:20 pm.

H-22-11 - Rain Dancer, LLC and Evergreen Partners, LLC: Rezoning from PDP(GC)/Planned Development Project (General Commercial) with Specific C-2 uses for mini-warehouses and outdoor storage to PDP(GC)/Planned Development Project (General Commercial) and PDP(MF)/Planned Development Project (Multifamily) with deviations; North side of County Line Road, approximately 340' east of Seven Hills Drive

Mr. DePablo introduced the petition and utilized the overhead projector to show the location of the subject parcel. He noted that 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 PDP(GC)/Planned Development Project (General Commercial) with Specific C-2 uses for mini-warehouses and outdoor storage to PDP(GC)/Planned Development Project (General Commercial) and PDP(MF)/Planned Development Project (Multifamily) with deviations and the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The petitioner shall provide a wildlife survey to include a gopher tortoise survey, prepared by a qualified professional prior to any development occurring on the property. Furthermore, copies of any required permits shall be provided prior to the issuance of development permits by Hernando County.
3. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for required landscaping.
4. The developer shall perform a utility capacity analysis in accordance with HCUD specifications and connect to the central water and sewer systems at time of vertical construction.
5. A Traffic Access Analysis is required. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer.
6. The petitioner shall be required to dedicate 35' of right-of-way along County Line Road. This right-of-way donation dedication shall be completed within 60 days of master plan approval
7. Sidewalks are required along length of property at County Line Road and Quality Drive.
8. All driveways to the subject development shall meet County Commercial Driveway Standards.

9. Quality Drive is a frontage road and shall be limited to one access point. The specific location of this access point shall be determined at site development.
10. County Line Road is an Arterial roadway and shall be limited to one access point. The petitioner shall be required to coordinate with Pasco County and the County Engineer at the time of site plan approval to identify appropriate driveway access along County Line Road.
11. Commercial outparcels shall be interconnected by cross access easements, to be recorded at the time of site plan approval.
12. Geotechnical subsurface testing and reporting in accordance with Hernando County Facility Design Guidelines shall be conducted for all drainage retention ponds within the project area.
13. This site contains areas of shallow flooding less than 1 foot deep. Development must comply with SWFWMD ERP (Southwest Florida Water Management District Environmental Resource Permitting) and Hernando County Facility Design Guideline storm drainage regulations.
14. This development shall be limited to the following development intensities:
 - a. 144 multifamily residential units and associated clubhouse amenity
 - b. 15,000 square feet of General Commercial uses.
15. The petitioner shall be required to meet the minimum parking requirements of the Land Development Regulations.
16. All lighting should be full cut off fixtures in order to prevent any light spillage into neighboring parcels.
17. The petitioner shall install a 10' wide buffer around the entire site at 80% opacity to be achieved within 3 years of construction plan approval.
18. Minimum Perimeter Setbacks
 - Front: 75' (Deviation from 125')
 - Side: 20' (Deviation from 35')
 - Rear: 20'
19. All internal setbacks between buildings and specific uses shall be required to meet the requirements of the land development regulations.
20. The petitioner shall meet the minimum requirements of the Residential Protection Standards.
21. The petitioner shall be required to provide two (2) means of access in accordance with County policy.
22. The petitioner shall provide a revised plan in compliance with all of the performance conditions within 30 calendar days of BCC approval. Failure to submit

the revised plan will result in no further development permits being issued.

J.D. Alsabbagh, P.E., Sycamore Engineering, under oath, representing the petition, reviewed the request with the Commission. He stated he was in agreement with the performance conditions.

Mr. John Deacon, under oath, had questions concerning the traffic in the area including County Line Road.

Mr. Alsabbagh indicated they will perform a traffic study per the performance conditions.

Mrs. Miller indicated that Conditions 8 and 9 address the access points.

Motion: A motion was made by Comm. Hickey to recommend approval to the Board of County Commissioners per staff recommendations. The motion was seconded by Comm. Kierzynski and carried 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	W. Steven Hickey, Regular Member
SECONDER:	Michael Kierzynski, Regular Member
AYES:	Fulford, Campbell, Hickey, Kierzynski, McDonald

H-21-82 - Jordan Anderson: Establish a Master Plan on property Zoned PDP(GC)/Planned Development Project (General Commercial) with Deviations; Northeast corner of Trenton Avenue and Forest Road

Mr. DePablo introduced the petition and utilized the overhead project to show the location of the subject parcel. It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request to establish a Master Plan on property zoned PDP(GC)/Planned Development Project (General Commercial) with specific C-2 uses for mini-warehouse and outdoor storage with deviations, 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. The petitioner shall provide a wildlife survey, prepared by a qualified professional prior to any development occurring on the property. Furthermore, copies of any required permits shall be provided prior to the issuance of development permits by Hernando County.

3. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for all required landscaping.
4. Minimum Building Setbacks:

Forest Road:	35'
Trenton Avenue:	35'
Rear:	20' (deviation from 35')
Side:	20'
Maximum Building Height:	2 Stories (20' in Height)
5. The petitioner shall provide a Traffic Study in accordance with the requirements of the County Engineer at the time of permitting. Any required improvements shall be the responsibility of the developer.
6. The petitioner shall be required to provide a water and sewer capacity analysis and connect to the central water and sewer systems at time of vertical construction.
7. The petitioner shall provide a 15' utility easement along the northwestern and northeastern property lines in a location determined by the Utilities Department. No trees, structures, or other obstructions shall be placed within this area.
8. All outdoor storage shall be screened from view by buildings as indicated on the master plan.
9. The petitioner shall provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring properties.
10. The driveway connection to Trenton Avenue shall be limited to a right-in/right-out only, with appropriate geometrics to keep traffic from attempting left turn in.
11. The development shall meet the minimum commercial buffering standards for Forest Road and Trenton Avenue.
12. The petitioner shall provide a master plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

Alan Garman, Engineer, under oath, representing the petition, reviewed the request with the Commission.

Mr. Garman reviewed the staff recommendations as the site plan has been massaged a few times, he said. The minimum setback listed in the staff report condition #4 said 20 feet, not the 35 feet in the recommendation - He indicated the same thing on the Trenton Avenue setback. Mr. Garman indicated that the height of the towers will be over 20 feet (at 24 feet).

Mrs. Miller did not have issues with the towers exceeding 20 feet, but the buildings should not exceed 20. There is only an office, so a simple connection would only occur to water and sewer service. Mrs. Miller indicated that the requirement for connection is specified by the Utilities Department. Mr. Garman indicated he would discuss it with Utilities prior to the Board hearing. He noted an issue with performance condition #11, but they will discuss it with staff prior to the Board meeting.

There was no public comment.

Mrs. Miller indicated condition #4 is recommended to be revised for the maximum building height to 20 feet and the towers to 45 feet.

Motion: A motion was made by Comm. Kierzynski to recommend approval to the Board of County Commissioners per staff's revised recommendations. The motion was seconded by Comm. Campbell and carried 5-0.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Michael Kierzynski, Regular Member
SECONDER: Jerry Campbell, Regular Member
AYES: Fulford, Campbell, Hickey, Kierzynski, McDonald

COMMISSIONERS AND STAFF ISSUES

Mrs. Miller, Acting Planning Administrator, stated that staff is contemplating additional findings of fact in the staff report to set the stage before getting into the meat and potatoes of the agenda item. Comm. Kierzynski thought it was a great idea. Mr. DePablo explained that they want to expound on the details. Comm. Campbell agrees with Comm. Kierzynski. Comm. Fulford indicated he welcomes the approach as he focuses on the deviations.

Mr. Johnson noted that he may not be present at the next meeting.

ADJOURNMENT

There was no further business to discuss; therefore, the meeting adjourned at 1:50 pm.