

STAFF REPORT

HEARINGS: Planning & Zoning Commission: August 8, 2022
Board of County Commissioners: September 13, 2022

APPLICANT: Richard Rizzolo Agency

FILE NUMBER: H-22-34

REQUEST: Rezoning from PDP(OP)/Planned Development Project (Office Professional) to PDP(SF)/Planned Development Project (Single Family)

GENERAL LOCATION: South side of Maderia Street, approximately 142' west of Mariner Boulevard

PARCEL KEY NUMBERS: 282269

APPLICANT'S REQUEST:

On November 5, 2019 (H1936) the Board of County Commissioners approved a rezoning from PDP(SF)/Planned Development Project (Single Family) to PDP(OP)/Planned Development Project (Office Professional) for the previous owners of the subject site. Since then, the insurance agency has sold, and the new owner wishes to convert the site back to a single-family residence. No other changes are being requested.

SITE CHARACTERISTICS:

Site Size: 0.3 Acres

Surrounding Zoning & Land Uses:

North: PDP(SF); Single Family
South: PDP(GC); Commercial
West: PDP(SF); Single Family
East: PDP(SF), (OP); Single Family, Officer Professional

Current Zoning: PDP(OP)/Planned Development Project (Office Professional)

**Future Land Use
Map Designation:** Residential

Flood Zone: X

UTILITIES REVIEW:

The Hernando County Utilities Department currently provides residential service to this parcel and has no further comments on the application.

ENGINEERING REVIEW:

The County Engineer has reviewed the petitioner's request and has no comments.

LAND USE REVIEW:

The subject site was originally constructed as a single-family residence. The petitioner is not proposing any revisions to the residence other than the principal use.

COMPREHENSIVE PLAN REVIEW:

The subject site is located in the Residential Future Land Use category; the proposed rezoning to PDP(SF)/Planned Development Project (Single Family) is consistent with this classification.

FINDINGS OF FACT:

The rezoning from PDP(OP)/Planned Development Project (Office Professional) to PDP(SF)/Planned Development Project (Single Family) is appropriate based on consistency with the Comprehensive Plan and compatibility with the County's Land Development Regulations subject to compliance with all recommended performance conditions herein.

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 requested rezoning from PDP(OP)/Planned Development Project (Office Professional) to 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. 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.