

STAFF REPORT

HEARINGS: Planning & Zoning Commission: June 9, 2025
Board of County Commissioners: August 5, 2025

APPLICANT: Lance Lowery

FILE NUMBER: H-24-81

REQUEST: Rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage

GENERAL LOCATION: Approximately 175' north of Cortez Boulevard, bounded by Mondon Hill Road and Raley Road.

PARCEL KEY NUMBER(S): 1181090, 1181081, 1181125, 822872

APPLICANT'S REQUEST

The applicant's current request is to for a rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage to allow storage of materials to support the existing Lowery's True Value store, located immediately adjacent to the subject parcels. The petitioner has proposed a combination of indoor and outdoor storage solutions available solely to the employees of the store.

The materials intended to be stored are related to the merchandise sold at Lowery's True Value Hardware. Many items are purchased in bulk. The items intended to be stored outdoors include bagged goods (mulch), bulk items (mulch, sand, rock, etc.) and equipment (tractors).

SITE CHARACTERISTICS

Site Size: 5.14 acres

Surrounding Zoning;
Land Uses: North: R1-A, residential development
South: C-2, Lowery's True Value
East: R1-B, residential development
West: CPDP with specific R1MH and C-2 Uses; undeveloped

Current Zoning: R1-A (Residential) and C-2 (Highway Commercial)

Future Land Use
Map Designation: Commercial

ENVIRONMENTAL REVIEW

The petitioner shall be required with all appropriate Florida Fish and Wildlife Conservation Commission permitting requirements.

UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to these parcels. Water is available, sewer is potentially available. HCUD has no objection to the requested rezoning subject to a commercial connection to the central water and sewer system at time of building a habitual building or structure.

Comments: The requested rezoning will allow for the expansion of the existing Lowery's Tru-Value and to develop outdoor and warehouse storage for the store. The petitioner shall coordinate with the Hernando County Utilities Department at the time of site development for any upgrades to the existing utilities connections for this expansion.

ENGINEERING REVIEW

The subject site is located immediately north of the existing Lowery's True Value store, approximately 175' north of Cortez Boulevard, bounded by Mondon Hill Road and Raley Road. The petitioner is proposing access from the northern side of the existing True Value parking lot and along Lovebird lane (west) and Raley Road (east). The County Engineer provided the following preliminary comments on the petitioner's request:

- This project lies within two watersheds, Bystre Lake and Croom, primarily Bystre Lake. The project lies primarily within Basin A1220, which is immediately downstream of Basin A1200. The BFE in basin A1200 is 67.23 and is directly influenced by Basin A1220. Properties on Eahnstock Street in Basin A1200 have experienced flooding during historic rainfall events.
- Raley Road, Lovebird Lane, and Bertram Road will need to be improved to current Hernando County Facility Design Guideline standards to accommodate the use of the Truck traffic on those roads. Raley Road will need to be improved to Mary Avenue, Lovebird Lane will need to be improved from the Southern Property Line to Bertram Road and Bertram Road will need to be improved from East of Lovebird Lane to Mondon Hill Road.
- Demonstrate how trucks will be prevented from going south on Love Bird Lane.
- Traffic Access Analysis is required, to include the existing True Value Store. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer to install.
- Must obtain a Southwest Florida Water Management District Environmental Resource Permit. May require combining parcels with the True Value parcel.

Subsequent to discussions with petitioner, the Department of Public Works provided the additional clarifying comments:

- All the roadways referenced within the application and master plan currently exist as local roadways. Improvements to Major Local Roadway standards is not possible, due to the current right of way constraints.
- All referenced roadways currently have a paved 20-feet in width surface, which is acceptable to the County Engineer.
- At the time of site development permitting, the petitioner shall demonstrate traffic directional measures to prevent trucks from going south on Love Bird Lane
- The signage proposed should be sufficient; it is ultimately the responsibility of the design professional to design safe roadway infrastructure. The Department of Public Works reserves the right to provide additional comments at the time of construction drawings.

LAND USE REVIEW

Buffers

The petitioner has proposed the following buffers for the subject site:

- North (Adjacent to Residential): 10'
- South (Adjacent to existing Lowery's True Value): 5'
- East (Adjacent to Residential): 5'
- West (Adjacent to Residential): 5'

Comments: Hernando County LDR's require that screening of outdoor storage from adjoining and contiguous properties by a wall, fence or other approved enclosures. Screening shall meet an eighty (80) percent opacity standard. Such screening shall be located behind the building line and shall have a minimum height of five (5) feet and maximum of eight (8) feet. In this instance, the primary use is storage, and the entire site must be fenced.

The screening shall be required to meet the minimum landscaping and opacity standards of the Hernando County Land Development Regulations.

Setbacks

The petitioner has not identified setbacks for the placement of the storage buildings. If the master plan is approved, the petitioner shall be required to meet the following setback requirements for the perimeter of the site:

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

The petitioner has not requested a specific separation distance for the warehouses proposed for the site; if the master plan is approved, the buildings must be placed no closer than the Hernando County Fire Code allows.

Lighting

County LDRs require lighting that enhances the visual impact of the project on the community and to 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: If this project is approved, the petitioner should be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring properties.

Landscape

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.

Residential Protection Standards

The property will be subject to the following Residential Protection Standards, in accordance with Appendix A, Article VIII, Section 6

- There shall be no speakers or other sound equipment located within 100 feet of any single-family residential district property line.
- There shall be no buildings containing alcoholic beverage dispensation establishments, convenience stores, or automotive and truck repair establishments located within 100 feet of any single-family residential district property line.
- No commercial activities which include customer entrances, drive-up windows, ordering boxes, or loading/unloading areas shall be allowed to operate between the hours of 12 midnight and 7:00 a.m. within 100 feet of any single-family residential district property line.
- No building within 100 feet of any single-family residential district property line shall be more than 20 feet in height.
- All loading bays and loading docks must be a minimum of 100' from any single-family residential district property line. Additionally, all loading bays and loading docks must be screened from view from the public right-of-way or single-family residential district property line. Screening may include landscape plantings, berms, fences or walls.
- Air conditioning and/or other operational equipment must be oriented away from single family residentially zoned property or screened to minimize noise impacts and reduce visual incompatibility to the single family residentially zoned property. Screening may include landscape plantings, berms, fences or walls.

COMPREHENSIVE PLAN REVIEW

The subject site is within the Commercial Future Land Use classification with an existing, operational business on site. The proposed extension of the use to allow for warehouse and outdoor storage is consistent with the Comprehensive Plan.

Future Land Use Element

Future Land Use Map

Strategy 1.04A(6): The Commercial Category provides for 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.

Commercial Category

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.

Comments: The site is immediately adjacent to the existing Lowery's True Value store. The proposed use is consistent with the Commercial Category in the Comprehensive Plan and is an extension of the existing commercial uses in the area.

FINDINGS OF FACT

The request for a rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage is appropriate as the request is consistent with the Comprehensive Plan, compatible with surrounding uses, and provides adequate residential protection for existing surrounding residential developments.

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 R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage 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 be required with all appropriate Florida Fish and Wildlife Conservation Commission permitting requirements.
3. The petitioner shall coordinate with the Hernando County Utilities Department at the time of site development for any upgrades to the existing utilities connections for this expansion.
4. All the roadways referenced within the application and master plan currently exist as local roadways. Improvements to Major Local Roadway standards is not possible, due to the current right of way constraints.
5. All referenced roadways currently have a paved 20-feet in width surface, which is acceptable to the County Engineer.
6. At the time of site development permitting, the petitioner shall demonstrate traffic directional measures to prevent trucks from going south on Love Bird Lane
7. The signage proposed should be sufficient; it is ultimately the responsibility of the design professional to design safe roadway infrastructure. The Department of Public Works reserves the right to provide additional comments at the time of construction drawings.
8. The petitioner shall be required to provide the following minimum buffers for the site:
 - North (Adjacent to Residential): 10'
 - South (Adjacent to existing Lowery's True Value): 5'
 - East (Adjacent to Residential): 5'
 - West (Adjacent to Residential): 5'

In addition to the landscape buffers, the entire site must be fenced in accordance with the Hernando County Land Development Regulations.

9. The petitioner shall be required to meet the following setback requirements for the perimeter of the site:
 - Front: 35'
 - Side: 20'
 - Rear: 35'
10. Building separation shall meet or exceed fire prevention requirements.

11. The petitioner should be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring properties.
12. 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.
13. The petitioner shall be required to meet the following residential protection standards for the subject site:
 - There shall be no speakers or other sound equipment located within 100 feet of any single-family residential district property line.
 - There shall be no buildings containing alcoholic beverage dispensation establishments, convenience stores, or automotive and truck repair establishments located within 100 feet of any single-family residential district property line.
 - No commercial activities which include customer entrances, drive-up windows, ordering boxes, or loading/unloading areas shall be allowed to operate between the hours of 12 midnight and 7:00 a.m. within 100 feet of any single-family residential district property line.
 - No building within 100 feet of any single-family residential district property line shall be more than 20 feet in height.
 - All loading bays and loading docks must be a minimum of 100' from any single-family residential district property line. Additionally, all loading bays and loading docks must be screened from view from the public right-of-way or single-family residential district property line. Screening may include landscape plantings, berms, fences or walls.
 - Air conditioning and/or other operational equipment must be oriented away from single family residentially zoned property or screened to minimize noise impacts and reduce visual incompatibility to the single family residentially zoned property. Screening may include landscape plantings, berms, fences or walls.
14. The petitioner shall provide a revised plan in compliance with all the performance conditions within thirty (30) calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

Planning and Zoning Commission:

On June 9, 2025, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage with the following unmodified 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 be required with all appropriate Florida Fish and Wildlife Conservation Commission permitting requirements.
3. The petitioner shall coordinate with the Hernando County Utilities Department at the time of site development for any upgrades to the existing utilities connections for this expansion.
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