

STAFF REPORT

HEARINGS: Planning & Zoning Commission: February 10, 2025
Board of County Commissioners: March 25, 2025

APPLICANT: Southern Valley Homes, LLC

FILE NUMBER: H-24-70

REQUEST: Rezoning from PDP(REC)/Planned Development Project (Recreation) to PDP(SF)/Planned Development Project (Single Family)

GENERAL LOCATION: Bounded by Waterfall Drive, Placid Street, Street Page Lane and Baton Avenue

PARCEL KEY NUMBERS: 412360

APPLICANT'S REQUEST:

The applicant is requesting a rezoning from PDP(REC)/Planned Development Project (Recreational) to PDP(SF)/Planned Development Project (Single Family) in order to construct ten (10) single family homes on the 7.2 acre subject site. The minimum lot sizes proposed are 21,500 square feet. The site was previously designated as a park site on the original Spring Hill Master Plan. The site has since been declared as surplus parcel, and the petitioner purchased the property from the County. No deviations are being requested.

The petitioner has indicated the use of individual advanced sewage systems for each lot in accordance with Section 28-99 of the Hernando County Code of Ordinances. The petitioner's proposed minimum lot size is 21,500 square feet. The proposed lot sizes comply with the minimum code criteria based upon the total acreage and average lot size based upon an additional restriction placed upon proposed Tract A. These proposed lots are similar in size to other residential lots in the area, which are served by standard septic tanks. With the overall property size of 7.2 acres, the gross density of the proposed project would be less than 1.66 units per acre.

SITE CHARACTERISTICS:

Site Size: 7.2 acres

**Surrounding Zoning;
Land Uses:** North: PDP(SF); Single Family
South: PDP(SF); Single Family
East: PDP(SF); Single Family
West: PDP(SF); Single Family

Current Zoning: PDP(REC); Planned Development Project (Recreation)
Future Land Use Map Designation: Residential

ENVIRONMENTAL REVIEW:

Soil Type: Candler Fine Sand

Comments: A wildlife survey shall be prepared by a qualified professional to identify any other listed species present prior to clearing or development activities. The petitioner is required to comply with all applicable FWC regulations.

Flood Zone: X, with AE in the center

UTILITIES REVIEW:

HCUD does not currently supply water or sewer service to this parcel. Water service is available to this parcel, however sewer service is not available to this parcel. HCUD has no objection to the request, subject to connection to the central water system at time of vertical construction, and Health Department approval of appropriate Onsite Sewage Treatment and Disposal Systems for the developed lots.

ENGINEERING REVIEW:

The subject site is Bounded by Waterfall Drive, Placid Street, Street Page Lane and Baton Avenue. The petitioner is proposing 10 lots with each lot have direct access to their corresponding road. The County Engineer has reviewed the petitioners request and indicated the following:

1. The proposed plan does not show any provision for stormwater treatment/attenuation. The proposed project would be required to provide stormwater treatment and attenuation within proposed DRA(s) on applicant's property or on property over which the applicant had drainage easement rights.
2. The petitioner does not appear to own the three (3) drainage easements shown on the plat recorded in Plat Book 8, page 4. The petitioner shall coordinate the use of or the vacation of the drainage easements with the County Engineer.
3. The petitioner shall provide sidewalks for all streets surrounding subdivision.

LAND USE REVIEW:

Lot Sizes and Layout

Minimum Building Setbacks

Front: 25'

Side: 10'

Rear: 20'

The Hernando County Code of Ordinances, Section 28-99 – Restrictions as to number of systems per lot provides the regulatory framework for new residential developments utilizing septic tanks for wastewater disposal:

Sec. 28-99. - Restrictions as to number of systems per lot.

- a. In residential developments where a central water supply system is utilized, a maximum of one individual sewage disposal system per twenty-one thousand five hundred (21,500) square foot lot is allowed.
- b. In residential developments where individual wells are utilized, a maximum of one individual sewage disposal system per each one (1) acre lot is allowed.
- c. In planned development projects on a central water supply, the minimum lot size requirements per individual sewage disposal may be modified provided the overall density of the project does not exceed one (1) septic tank per twenty-one thousand five hundred (21,500) square feet and is subject to approval by the county planning and zoning commission.

Comments: The petitioner is requesting a minimum lot size of 21,500 square feet. The site is 7.2 acres; this meets the minimum septic tank density of 1 tank per 21,500 square feet of site area, Section 28-99(C) of the Code of Ordinances.

COMPREHENSIVE PLAN REVIEW:

Future Land Use Element

Strategy 1.04A(3): The ***Residential Category*** accommodates residential growth clustered in and around urbanized areas and those areas that maximize the efficient use of infrastructure contained in long-range facilities plans of the County.

Residential Category

Objective 1.04B: The Residential Category allows primarily single family, duplex, resort and multi-family housing and associated ancillary uses such as recreational and institutional. Office and certain commercial uses may be allowed

subject to the locational criteria and performance standards of this Plan. Residential density shall not exceed 22 dwelling units per gross acre.

Strategy 1.04B(2): Future residential development will be planned to locate where the Residential Category predominates on the Future Land Use Map as determined by the availability of facilities and services, the need to accommodate future growth, the strategies to discourage the proliferation of urban sprawl, and the impacts to natural resources, including groundwater.

Single-Family Housing

Strategy 1.04B(3): The Residential Category will include zoning for single-family housing, generally averaging a density of 1.5 dwelling units per gross acre to 5.3 dwelling units per gross acre comprised of varying lot sizes and dwelling unit types such as senior housing, villa housing, single family detached housing, and zero lot line housing.

Comments: The subject property is located within a residential land use category. The density proposed is 1.39 dwelling/acre, which is consistent with the density of the surrounding existing residential development.

Utilities Element

Wastewater Treatment Advancements

Strategy 6.03E(2): The County should consider methods to alleviate nutrient pollution from septic tanks including connection to central systems and the appropriate use of advanced on-site systems for single or multiple lots.

FINDINGS OF FACT:

A rezoning from PDP(REC)/Planned Development Project (Recreation) to PDP(SF) Planned Development Project (Single Family) is appropriate based on consistency with the Comprehensive Plan and compatibility with the surrounding areas.

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 Concurrence.

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 RECOMMENDATIONS:

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a Resolution approving the petitioner's request to rezone a property zoned PDP(REC)/Planned Development Project (Recreation) 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. A wildlife survey shall be prepared by a qualified professional to identify any other listed species present prior to clearing or development activities. The petitioner is required to comply with all applicable FWC regulations.
3. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping, as applicable.
4. The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ Program materials and encourage the use of the principles, techniques, and landscaping recommendations. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational materials are available through the Hernando County Utilities Department.
5. Invasive plant species shall be identified during the construction plan review and removed during the development process.
6. The developer shall complete a water capacity analysis (including necessary fire service/hydrant spacing) during the subdivision review process and connect to the central water system at the time of vertical construction.
7. The petitioner shall provide sidewalks for all streets surrounding subdivision.

8. Lots shall have a minimum lot size 21,500 square feet in accordance with Section 28-99(C) of the Code of Ordinances.
9. Minimum Building Setbacks:
 - Front: 25'
 - Side: 10'
 - Rear: 20'
10. 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.
11. The petitioner shall coordinate the use of or the vacation of the drainage easements with the County Engineer.
12. The petitioner shall provide a revised 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.

P&Z RECOMMENDATION:

On February 10, 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 Master Plan revision to include a rezoning from PDP Rec (Recreation) to PDP(SF)/Planned Development Project (Single Family) with Deviations, and 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. A wildlife survey shall be prepared by a qualified professional to identify any other listed species present prior to clearing or development activities. The petitioner is required to comply with all applicable FWC regulations.
3. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping, as applicable.
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