



# Hernando County

## Planning & Zoning Commission

### Regular Meeting

### Minutes

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June 12, 2023

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### CALL TO ORDER

The public meeting was called to order at 9:00 a.m. on Monday, June 12, 2023, in the John Law Ayers Room, Government Center, Brooksville, Florida. This meeting was advertised in the Hernando Sun newspaper and the Agenda Packet was available online at [www.hernandocounty.us](http://www.hernandocounty.us).

<u>Attendee Name</u>	<u>Title</u>
Mike Fulford	Alternate Member
Gregory Arflack	Alternate Member
Kathryn Birren	Regular Member
Nicholas Holmes	Regular Member
Donald Whiting	Regular Member
James Lipsey	Ex Officio Non-voting Member (School Board Rep.)
Kyle Benda	Assistant County Attorney
Michelle Miller	Planning Administrator
Omar DePablo	Senior Planner
Todd Crosby	Interim Public Works Director
Cayce Dagenhart	Planner III
Robin Reinhart	Agenda Coordinator

Note: Consensus for Alternate Member Fulford to serve as Chairman.

### Invocation

### Pledge of Allegiance

### Poll Commission for Ex Parte Communications

The Commission members indicated they had no ex parte communications concerning the petitions being considered at this meeting.

### County Attorney Statement

Assistant County Attorney Kyle Benda provided the standard admonition that the Planning and Zoning Commission decisions were to be based only on the evidence presented in the quasi-judicial proceedings.

### Administering of the Oath

### STAFF ANNOUNCEMENTS

There were no staff announcements.

## APPROVAL/MODIFICATION OF AGENDA

### Motion

To approve with changes.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Kathryn Birren
<b>SECONDER:</b>	Donald Whiting
<b>AYES:</b>	Birren, Fulford, Holmes, Arflack and Whiting

## ADOPTION OF INFORMATION PACKETS INTO EVIDENCE

### Motion

To adopt the packets into evidence.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Gregory Arflack
<b>SECONDER:</b>	Kathryn Birren
<b>AYES:</b>	Birren, Fulford, Holmes, Arflack and Whiting

## PUBLIC HEARINGS

## UNIFIED AGENDA

### Chairman's Statement

### Introduction of Unified Agenda

### Approval of Minutes for the Planning and Zoning Commission Meeting of March 13, 2023

This item was pulled and voted on separately.

### Conditional Use Permit Petition Submitted by Anthony Joseph Prall, Jr (CU 2305)

This item was pulled and voted on separately.

### Approval of Minutes for the Planning and Zoning Commission Meeting of April 10, 2023

### Motion

To approve the Unified Agenda with modifications.

(Note: Item Nos. 12285 [Approval of Minutes for the Planning and Zoning Commission Meeting of March 13, 2023], 12260 [Conditional Use Permit Petition Submitted by Anthony Joseph Prall, Jr (CU 2305)] and 12268 [CP 1451037 Hammock Ridge Estates Conditional Plat], were pulled for Board Discussion.)

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Kathryn Birren
<b>SECONDER:</b>	Donald Whiting
<b>AYES:</b>	Fulford, Arflack, Birren, Holmes and Whiting
<b>ABSENT:</b>	Hickey and McDonald

**CP 1451037 Hammock Ridge Estates Conditional Plat**

This item was pulled and voted on separately.

**RECESS/RECONVENE**

The Board recessed at 9:55 am and reconvened at 10:00 a.m.

**STANDARD AGENDA****Approval of Minutes for the Planning and Zoning Commission Meeting of March 13, 2023****Motion**

To approve with modifications.

(Note: The motion pertained to adjusting the Mover and Secunder for H2287 as approved by the Planning Department).

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Nicholas Holmes
<b>SECONDER:</b>	Donald Whiting
<b>AYES:</b>	Fulford, Arflack, Birren, Holmes and Whiting
<b>ABSENT:</b>	Hickey and McDonald

**Conditional Use Permit Petition Submitted by Anthony Joseph Prall, Jr (CU 2305)**

The board accepted public input on this matter.

**Motion**

To approve in accordance with staff conditions for a period of one (1) year expiring May 8, 2024.

**RESULT:**       **ADOPTED**  
**MOVER:**       Kathryn Birren  
**SECONDER:**   Nicholas Holmes  
**AYES:**        Birren, Fulford, Holmes and Arflack  
**NAYES:**       Whiting

#### **CP 1451037 Hammock Ridge Estates Conditional Plat**

There was no public input.

#### **Motion**

To approve the staff recommendation.

**RESULT:**       **ADOPTED**  
**MOVER:**       Gregory Arflack  
**SECONDER:**   Nicholas Holmes  
**AYES:**        Fulford, Arflack, Birren, Holmes and Whiting  
**ABSENT:**      Hickey and McDonald

#### **Rezoning Petition Submitted by Jarrod Saulnier & Cindy Masse (H2304)**

The Board accepted public input on this matter.

#### **Motion**

To approve the staff recommendation with modifications.

(Note: The motion pertained to covert the application to PDP as approved by the Planning Department).

**RESULT:**       **ADOPTED**  
**MOVER:**       Donald Whiting  
**SECONDER:**   Kathryn Birren  
**AYES:**        Arflack, Birren and Whiting  
**NAYES:**       Fulford and Holmes  
**ABSENT:**      Hickey and McDonald

#### **Rezoning Petition Submitted by Joseph Perry (H2312)**

There was no public input.

#### **Motion**

To approve the staff recommendation.

**RESULT:**       **ADOPTED**  
**MOVER:**       Donald Whiting  
**SECONDER:**   Gregory Arflack  
**AYES:**        Fulford, Arflack, Birren, Holmes and Whiting  
**ABSENT:**       Hickey and McDonald

**Master Plan Revision Petition Submitted by Elevation Development Corporation (H2309)**

The Board accepted public input on this matter.

**Motion**

To approve the staff recommendation with modifications.

(Note: The motion pertained to Modified Performance Condition No. 17 as approved by the Planning Department).

**RESULT:**       **ADOPTED**  
**MOVER:**       Nicholas Holmes  
**SECONDER:**   Gregory Arflack  
**AYES:**        Fulford, Arflack, Birren, Holmes and Whiting  
**ABSENT:**       Hickey and McDonald

**RECESS/RECONVENE**

The Board recessed at 11:10 a.m. and reconvened at 11:20 a.m.

**Master Plan Revision Petition by Ocean Bleu Group (H2311)**

There was no public input.

**Motion**

To approve the staff recommendation with modifications.

(Note: The motion pertained to Modified Performance Condition No. 6 as approved by the Planning Department).

**RESULT:**       **ADOPTED**  
**MOVER:**       Kathryn Birren  
**SECONDER:**   Donald Whiting  
**AYES:**        Fulford, Arflack, Birren, Holmes and Whiting  
**ABSENT:**       Hickey and McDonald

**Rezoning Petition Submitted by Oak Development Group, LLC (H2276)**

The Board accepted public input on this matter.

**Motion**

To approve the staff recommendation with modifications.

(Note: The motion pertained to Modified Performance Condition Nos. 11, 13, and 18 as approved by the Planning Department).

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Nicholas Holmes
<b>SECONDER:</b>	Gregory Arflack
<b>AYES:</b>	Fulford, Arflack, Birren, Holmes and Whiting
<b>ABSENT:</b>	Hickey and McDonald

**Rezoning Petition Submitted by Aaron and Nicole Gibson (H2314)**

There was no public input.

**Motion**

To postpone to July 10, 2023.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Kathryn Birren
<b>SECONDER:</b>	Gregory Arflack
<b>AYES:</b>	Fulford, Arflack, Birren, Holmes and Whiting
<b>ABSENT:</b>	Hickey and McDonald

**Summary of Revisions to Landscape Buffers**

There was Board consensus to present this item to the Board of County Commissioners.

**COMMISSIONERS AND STAFF ISSUES**

There were no staff issues to discuss.

**ADJOURNMENT**

The meeting was adjourned at 1:10 P.M.

**UPCOMING MEETINGS**

The next regular meeting of the Planning and Zoning Commission is scheduled for Monday, July 10, 2023, beginning at 9:00 AM, in the Commission Chambers



## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 06/12/2023  
Department: P&Z Agenda Item  
Prepared By: Robin Reinhart  
Initiator: Aaron Pool  
DOC ID: 12285  
Legal Request Number:  
Bid/Contract Number:

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#### TITLE

Approval of Minutes for the Planning and Zoning Commission Meeting of March 13, 2023

#### BRIEF OVERVIEW

The attached minutes for the Planning and Zoning Commission Meeting of March 13, 2023, are submitted for review and approval.

#### FINANCIAL IMPACT

N/A

#### LEGAL NOTE

N/A

#### RECOMMENDATION

It is recommended that the Planning and Zoning Commission review the Minutes of the Meeting of March 13, 2023, and consider them for approval.

#### REVIEW PROCESS

Cayce Dagenhart	Approved	05/22/2023	8:02 AM
Omar DePablo	Approved	05/23/2023	9:23 AM
Michelle Miller	Approved	05/23/2023	9:31 AM
Aaron Pool	Escalated	05/25/2023	4:18 PM
Michelle Miller	Escalated	05/26/2023	4:20 PM
Aaron Pool	Approved	05/30/2023	1:11 PM
Kyle Benda	Approved	05/31/2023	9:07 AM

**AYES:** Fulford, Arflack, Birren, Holmes and Whiting

**ABSENT:** Hickey and McDonald



# Hernando County

## Planning & Zoning Commission

### Regular Meeting

### Minutes

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March 13, 2023

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**THE MEETING AGENDA AND BACK-UP MATERIAL ARE AVAILABLE ONLINE AT [WWW.HERNANDOCOUNTY.US](http://WWW.HERNANDOCOUNTY.US). THE AGENDA AND ATTACHMENTS ARE FINALIZED ONE WEEK PRIOR TO THE HEARING.**

**IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS WITH DISABILITIES NEEDING A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT JESSICA WRIGHT, HERNANDO COUNTY ADMINISTRATION, 15470 FLIGHT PATH DRIVE, BROOKSVILLE, FL 34604, (352) 754-4002. IF HEARING IMPAIRED, PLEASE CALL 1-800-676-3777.**

**IF A PERSON DECIDES TO APPEAL ANY QUASI-JUDICIAL DECISION MADE BY THE BOARD, AGENCY, OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH HEARING OR MEETING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDING, AND THAT, FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.**

**PLEASE NOTE THAT THIS MEETING HAS A START TIME OF 9:00 AM AND ALL ITEMS MAY BE HEARD ANY TIME THERE AFTER.**

### **MEETING CALLED TO ORDER**

The public meeting was called to order at 9:00 AM on Monday, March 13, 2023, in the John Law Ayers Room, Government Center, Brooksville, Florida. This meeting was advertised in the Hernando Sun newspaper and the agenda packet was available on-line at [www.hernandocounty.us](http://www.hernandocounty.us).

<b><u>Attendee Name</u></b>	<b><u>Title</u></b>
W. Steve Hickey	Vice Chairman
Kathryn Birren	Regular Member
Nicholas Holmes	Regular Member
Gregory Arflack	Alternate Member
Mike Fulford	Alternate Member
James Lipsey	Ex Officio Non-voting Member (School Board Rep.)
Michelle Miller	Planning Administrator

Omar DePablo                      Senior Planner  
Scott Herring                      Public Works Director/County Engineer  
Robin Reinhart                      Agenda Coordinator

Invocation

Pledge of Allegiance

Poll Commission for Ex Parte Communications

Comm. Hickey lives in Glen Lakes, which is adjacent to H-22-64 item Number 8 on the agenda.

The Commission members indicated they had no ex parte communications concerning the petitions being considered at this meeting.

County Attorney Statement

Assistant County Attorney Kyle Benda, provided the standard admonition that the Planning and Zoning Commission decisions were to be based only on the evidence presented in the quasi-judicial proceedings.

Administering of the Oath

## STAFF ANNOUNCEMENTS

Mrs. Miller advised that John Lipsey is out. Some of the Agenda Items were created #5 were uploaded to # 4. of the unified agenda. Item #F staff report was for Item #E.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mike Fulford
<b>SECONDER:</b>	Nicholas Holmes
<b>AYES:</b>	Hickey, Birren, Fulford, Holmes and Arflack

## APPROVAL/MODIFICATION OF AGENDA (Limited to Staff & Commission

A motion was made to approve the agenda as written. The motion carried 5-0.

## 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 accept the agenda packet, including the staff reports, into evidence as if read aloud in their entirety.

## PUBLIC HEARINGS

## UNIFIED AGENDA

A motion was made to approve the agenda as written. The motion carried 5-0.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mike Fulford
<b>SECONDER:</b>	Nicholas Holmes
<b>AYES:</b>	Hickey, Birren, Fulford, Holmes and Arflack
<b>EXCUSED:</b>	McDonald

**Approval of Minutes for the Planning and Zoning Commission Meeting of October 31, 2022**

**Approval of Minutes for the Planning and Zoning Commission Meeting of November 14 , 2022**

**Approval of Minutes for the Planning and Zoning Commission Meeting of December 12, 2022**

**CP1453546 - Cabot Citrus Village Phase I Conditional Plat**

**CP 1451423- Valleybrook Conditional Plat**

**CP 1436707- Whiting Estates Phase II Conditional Plat**

**CP 1447019 Caldera at Sterling Hill Conditional Plat**

**CP 1445908 Approval for Lake Hideaway Pod C Conditional Plat**

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

**SE-22-17 - Matthews Family Limited Partnership:**

**Revision to a Special Exception Use Permit for a Place of Public Assembly, Namely a Venue for Special Events and Retreats; East side of Culbreath Road, approximately 600' north of Bobwhite Drive**

Mrs. Miller introduced the petition. Mr DePablo utilized the overhead projector to show location of the subject parcel.

Comm. Hickey explained the public discussion procedure for speaking.

Joseph Matthews, the petitioner, under oath, discussed the Petition.

The following, under oath, spoke against the petition Mary Mleziva, Lee Roof, Larry Van Fossen, and Stan Mettinger.

Mr. Achillies Thomas, under oath, spoke in favor of the petition.

Joseph Matthews addressed concerns brought forth by public comment.

Commissioners Discussion.

**Motion**

A motion was made to recommend the Board of County Commissioners adopt the resolution approving the petitioner's request.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Kathryn Birren
<b>SECONDER:</b>	Mike Fulford
<b>AYES:</b>	Hickey, Birren, Fulford, Holmes and Arflack

**SE-22-16 - Greater Life Church:**

**Revision to a Special Exception Use Permit to include an Educational Facility; South side of Cortez Boulevard, approximately 550' west of Grove Road**

Mrs. Miller introduced the petition. Mr DePablo utilized the overhead projector to show location of the subject parcel.

Peter Prestigiancomo, the petitioner, under oath, discussed the petition.

Comm Birren had questions for the petitioner.

**Motion**

A motion was made to recommend the Board of County Commissioners adopt the resolution approving the petitioner's request.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mike Fulford
<b>SECONDER:</b>	Nicholas Holmes
<b>AYES:</b>	Hickey, Birren, Fulford, Holmes and Arflack

**H-22-84 - Greater Life Church:**

**Rezoning from R-1A(Residential) to C-1 (Commercial); South side of Cortez Boulevard, approximately 550' west of Grove Road**

Mrs. Miller introduced the petition. Mr DePablo utilized the overhead projector to show location of the subject parcel.

Peter Prestigiacomo , the petition, under oath, discussed the petition.

Comm Fulford had questions for staff. Discussion ensued.

**Motion**

A motion was made to recommend the Board of County Commissioners adopt the resolution approving the petitioner's request.

**RESULT:**       **ADOPTED**  
**MOVER:**       Nicholas Holmes  
**SECONDER:** Kathryn Birren  
**AYES:**         Hickey, Birren, Fulford, Holmes and Arflack

**H-22-88 - SBA Communications Corporation:  
Revision to a Public Service Facility Overlay District for a Communication Tower; West  
of Linden Road, approximately 940' south of Spring Hill Drive**

Mrs. Miller introduced the petition. Mr DePablo utilized the overhead projector to show location of the subject parcel.

Comm. Fulford had questions for staff, regarding Communication towers brought to the Board of County Commissioners and how was the past BOCC discussion for another Communication tower.

Jim Porter, representing the petitioner, under oath discussed the petition.

Michelle Ciscia, under oath, spoke against.

Comm. Holmes had questions for the petitioner. Comm. Birren had questions in reference to community risks due to a fall. Mr. DePablo addressed concerns of catastrophic concerns.

**Motion**

A motion was made to recommend the Board of County Commissioners adopt the resolution approving the petitioner's request.

**RESULT:**       **ADOPTED**  
**MOVER:**       Mike Fulford  
**SECONDER:** Nicholas Holmes  
**AYES:**         Hickey, Birren, Fulford, Holmes and Arflack

**H-22-85 - Achillies Thomas AXI VIO Land Holding, Inc:  
Master Plan Revision on Property Zoned PDP(HC)/Planned Development Project  
(Highway Commercial); North side of Ayers Road, approximately 975' east of US Hwy 41  
and the north side of Old Ayers Road, approximately 1,350' from Ayers Road**

Staff requested a 5 minute break. 10:05 to 10:12

Mrs. Miller introduced the petition. Mr DePablo utilized the overhead projector to show location of the subject parcel.

Jeff Andras, representing the petitioner, under oath, discussed the petition.

Bruce Wilt, under oath, spoke against the Petition.

Mr Andras addressed concerns of the public.

Mr. Achilles Thomas, the petitioner, under oath, discussed the petition and concerns of the citizens.

Comm. Hickey and Comm. Birren had concerns about the petition, being close to the PDP to the east of the project.

### **Motion**

A motion was made to recommend the Board of County Commissioners adopt the resolution approving the petitioner's request.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mike Fulford
<b>SECONDER:</b>	Nicholas Holmes
<b>AYES:</b>	Hickey, Birren, Fulford, Holmes and Arflack

### **H-22-87 - Legacy WMD, LLC:**

**Master Plan Revision on Property Zoned PDP(SF)/Planned Development Project (Single Family) with Deviations; South side of San Antonio Road, north of Zeth Road, approximately 600' west of Barclay Avenue**

Mrs. Miller introduced the petition. Mr DePablo utilized the overhead projector to show location of the subject parcel.

Frank Dicaro, under oath, representing the petitioner, discusses the petition. Also spoke in reference to Using the back road on to San Antonio for use by the owner for his boat and RV. No construction traffic should be allowed on this entrance.

County Engineer, Scott Herring, spoke in reference to the right of way gate for an RV or boat. Should anything else use that gate, for other uses the permit will be revoked.

Mrs. Miller is making these conditions #14 of the staff report. A gate that accommodates RV's and Boats shall be allowed along the northern entrance road (San Antonio Road). The gate will be permitted via the Right-of-way use permit process.

Comm. Holmes was the dissenting vote.

### **Motion**

A motion was made to recommend the Board of County Commissioners adopt the resolution approving the petitioner's request.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mike Fulford
<b>SECONDER:</b>	Nicholas Holmes
<b>AYES:</b>	Hickey, Birren, Fulford and Arflack
<b>NAYES:</b>	Holmes

**H-23-05 - Hernando County Board of County Commissioners:  
Establish a PSFOD/Public Service Facility Overlay District for a Government Building;  
South of Rhanbuoy Road, east of Burnside Parkway and north of Forest Oaks  
Boulevard, approximately 3,000' east of Commercial Way**

Mrs. Miller introduced the petition. Mr. DePablo utilized the overhead projector to show location of the subject parcel.

Project Coordinator, Eric Van De Boogaard, under oath, discussed the petition. Requested to remove the vegetative buffer.

No Public comment.

Comm. Fulford asked being that there was no public comment if the item has been advertised.

Comm. Hickey, Comm. Birren, and Comm. Fulford expressed concerns regarding the wall and landscaping buffer. In conjunction to the buffer and wall being maintained by the county.

**Motion**

A motion was made to recommend the Board of County Commissioners adopt the resolution approving the petitioner's request.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mike Fulford
<b>SECONDER:</b>	Kathryn Birren
<b>AYES:</b>	Hickey, Birren, Fulford, Holmes and Arflack

**H-22-64 - Glen Lakes Commons, LLC:  
Master Plan Revision on Property Zoned PDP(MF)/Planned Development Project  
(Multifamily), PDP(GC)/Planned Development Project (General Commercial) and  
PDP(GHC)/Planned Development Project (General Highway Commercial) with  
Deviations; West of Commercial Way and south of Glen Lakes Boulevard**

Mrs. Miller introduced the petition. Mr DePablo utilized the overhead projector to show location of the subject parcel.

Don Lacey A.I.C.P, under oath, representing the petition, discussed the petition.

Comm. Holmes, Comm. Hickey, and Comm. Birren discussed concerns for the hotel on the master plan.

The following spoke , under oath, against the petition: Richard Matula, Carol Kalina, Janice Neal, Dean Stiles, Doug Pollock, Dick Rowland, William Herinn, Kathy Haddas, Arlene Checkman, Jacqueline Harmon.

Don Lacey addressed concerns of Hotel, and Assisted Living Facility. He stated that a traffic study is in the works.

Comm. Fulford, advised of the commissions ability. Comm. Fulford, Comm. Holmes, Comm. Birren, and Comm. Hickey, Do not support the 4 stories buildings and expressed concerns about traffic.

Robert Gomes, petitioner, under oath, he is removing the 53', traffic study discussed entrances and exists. Advising he would be good with 45', to flip the hotel, extending the frontage to Grizzle Bear Ln.

Closing public comment.

Comm. Fulford, Comm. Holmes, Comm. Birren discussed concerns of the petition of the hotel height and rotating the position.

Kyle Benda advised of Code.

Mrs. Miller advised that the ALF and the Storage are at 45' has already been approved. Hotel to be placed perpendicular to the Glen Lakes wall, as long as its within the 100' Residential Protection Standards boundary which limits commercial building heights to 20'. In this configuration, windows facing Glen Lakes shall be accent hallway windows. If the hotel is positioned outside of the 100', the hotel shall be permitted at 45'.

#### **Motion**

A motion was made to recommend the Board of County Commissioners adopt the resolution approving the petitioner's request.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mike Fulford
<b>SECONDER:</b>	Kathryn Birren
<b>AYES:</b>	Birren, Fulford, Holmes and Arflack
<b>NAYES:</b>	Hickey

## **COMMISSIONERS AND STAFF ISSUES**

### **ADJOURNMENT**

The meeting was adjourned at 12:30 P.M.

## **UPCOMING MEETINGS**

**The next regular meeting of the Planning and Zoning Commission is scheduled for Monday, April 10, 2023, beginning at 9:00 AM, in the Commission Chambers**



## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 06/12/2023  
Department: P&Z Agenda Item  
Prepared By: Robin Reinhart  
Initiator: Aaron Pool  
DOC ID: 12307  
Legal Request Number:  
Bid/Contract Number:

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#### TITLE

Approval of Minutes for the Planning and Zoning Commission Meeting of April 10, 2023

#### BRIEF OVERVIEW

The attached minutes for the Planning and Zoning Commission Meeting of April 10, 2023, are submitted for review and approval.

#### FINANCIAL IMPACT

N/A

#### LEGAL NOTE

N/A

#### RECOMMENDATION

It is recommended that the Planning and Zoning Commission review the Minutes of the Meeting of April 10, 2023 and consider them for approval.

#### REVIEW PROCESS

Cayce Dagenhart	Approved	05/22/2023	8:01 AM
Omar DePablo	Approved	05/23/2023	9:22 AM
Michelle Miller	Approved	05/23/2023	9:30 AM
Aaron Pool	Escalated	05/25/2023	4:18 PM
Michelle Miller	Escalated	05/26/2023	4:20 PM
Aaron Pool	Approved	05/30/2023	1:04 PM
Kyle Benda	Approved	05/31/2023	9:05 AM

**RESULT:**     **ADOPTED**

**MOVER:**     Kathryn Birren

**SECONDER:** Donald Whiting

**AYES:**     Fulford, Arflack, Birren, Holmes and Whiting

**ABSENT:**    Hickey and McDonald



# Hernando County

## Planning & Zoning Commission

Regular Meeting

Minutes

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April 10, 2023

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PLEASE NOTE THAT THIS MEETING HAS A START TIME OF 9:00 AM AND ALL ITEMS MAY BE HEARD ANY TIME THERE AFTER.

### MEETING CALLED TO ORDER

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<b><u>Attendee Name</u></b>	<b><u>Title</u></b>
Jonathan McDonald	Chairman
W. Steve Hickey	Vice Chairman
Kathryn Birren	Regular Member
Donald Whiting	Regular Member
Nicholas Holmes	Regular Member
Gregory Arflack	Alternate Member
James Lipsey	Ex Officio Non-voting Member (School Board Rep.)

Michelle Miller	Planning Administrator
Omar DePablo	Senior Planner
Scott Herring	Public Works Director/County Engineer
Robin Reinhart	Agenda Coordinator

Invocation

Pledge of Allegiance

Poll Commission for Ex Parte Communications

The Commission members indicated they had no ex parte communications concerning the petitions being considered at this meeting.

County Attorney Statement

Assistant County Attorney Kyle Benda provided the standard admonition that the Planning and Zoning Commission decisions were to be based only on the evidence presented in the quasi-judicial proceedings.

Administering of the Oath

## STAFF ANNOUNCEMENTS

### APPROVAL/MODIFICATION OF AGENDA (Limited to Staff & Commission

A motion was made to approve the agenda as written. The motion carried 5-0.

#### Motion

C. APPROVAL/MODIFICATION OF AGENDA (Limited to Staff & Commission

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Kathryn Birren
<b>SECONDER:</b>	W. Steven Hickey
<b>AYES:</b>	Hickey, McDonald, Birren, Holmes and Whiting

### 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 accept the agenda packet, including the staff reports, into evidence as if read aloud in their entirety.

#### Motion

D. ADOPTION OF THE INFORMATION PACKETS INTO EVIDENCE

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	W. Steven Hickey
<b>SECONDER:</b>	Kathryn Birren
<b>AYES:</b>	Hickey, McDonald, Birren, Holmes and Whiting

## PUBLIC HEARINGS

### UNIFIED AGENDA

Mrs. Miller explained the Scriviners error.

#### Motion

### E. UNIFIED AGENDA

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	W. Steven Hickey
<b>SECONDER:</b>	Nicholas Holmes
<b>AYES:</b>	Hickey, McDonald, Birren, Holmes and Whiting

**H-21-54 - Lisa Wilson: On Behalf of Remington Ranch Property Management, LLC) Correction of Scrivener's Error. Rezoning from AG/(Agricultural) and C-2/(Highway Commercial) to PDP(NC)/Planned Development Project (Neighborhood Commercial) with a Specific C-1 Use for Business Training School**

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

### H-22-72 - Aaron Tam:

**Rezoning from R-1C (Residential) to PDP(GC)/Planned Development Project (General Commercial) with Deviations; East of Commercial Way (US Hwy 19), approximately 500' south of Yellow Hammer Road.**

Mrs. Miller introduced the petition. Mr DePablo utilized the overhead projector to show location of the subject parcel.

Aaron Tam, under oath, the petitioner, discussed the petition.

The following under oath, spoke against the petition Dave Thompson, Ron McQuigg, and Georgia McQuigg.

Aaron Tam spoke to address concerns from public comment.

Mrs. Miller and Mr. DePablo addressed public comments, on usage, advising that even though there are many uses under the C-1 Zoning, the size of the parcel and the requirements that go the specific use will prohibit them from being constructed.

Comm. Birren, Comm. Hickey, Comm. Whiting had questions regarding the frontage

road(Necklace Warbler Ave).

County Engineer, Scott Herring addressed frontage road and reverse frontage road. If the petitioner wanted to connect to Necklace Warbler they would have to upgrade the lime rock road.

Assistant County Attorney Kyle Benda, discussed with staff regarding the upgrade to Necklace Warbler if it was connected to the road at the rear of the parcel.

Comm. Birren was the dissenting vote.

### **Motion**

A motion was made to recommend the Board of County Commissioners adopt the resolution approving the petitioner's request.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	W. Steven Hickey
<b>SECONDER:</b>	Nicholas Holmes
<b>AYES:</b>	Hickey, McDonald, Holmes and Whiting
<b>NAYES:</b>	Birren

### **H-22-86 - Barbara Van Winkle, TTEE:**

**Rezoning from AG(Agricultural) to PDP(SF)/Planned Development Project (Single Family) with Deviations; East of the Suncoast Parkway, west of Cresap Street at the western terminus of Jernigan Street**

Mrs. Miller introduced the petition. Mr DePablo utilized the overhead projector to show location of the subject parcel.

Alan Garman, representing the petitioner, under oath, discussed the request with the Planning and Zoning Commission.

The following spoke, under oath. spoke against the petition, Barbara Gugilotti, Brent Stillman, Faith Friedhofer, Lea Lakosh, Susan Joy, Anna Smith, and Ryan Carlson.

Alan Garman addressed concerns about drainage, traffic analysis, and wildlife study.

County Engineer, Scott Herring, under oath, spoke in reference to traffic impact in the area.

Comm. Holmes had questions in to development in the area. Comm. Birren requested a buffer of vegetation between the development and the current residence.

School Board representative, James Lipsey spoke in reference to schools involved Pine Grove and Central High school. Mr. Lipsey also stated that Concurrency would assist the developments need.

Scott Herring, addressed the roads and what would happen if the road was damaged.

Mrs. Miller advised condition one the developer must obtain permits for drainage.

Comm. Hickey advised those whom spoke in reference to Staff recommendations.

Mrs. Miller addressed the Scrivners error number 7 should be changed from eastern to western and number 9 will need to be connected to water. As well as adding language in the recommendations to include a buffer.

### **Motion**

A motion was made to recommend the Board of County Commissioners adopt the resolution approving the petitioner's request.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Nicholas Holmes
<b>SECONDER:</b>	Donald Whiting
<b>AYES:</b>	Hickey, McDonald, Birren, Holmes and Whiting
<b>EXCUSED:</b>	Fulford

## **COMMISSIONERS AND STAFF ISSUES**

## **ADJOURNMENT**

## **UPCOMING MEETINGS**

**The next regular meeting of the Planning and Zoning Commission is scheduled for Monday, May 9, 2023, beginning at 9:00 AM, in the Commission Chambers**



## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 06/12/2023  
Department: P&Z Agenda Item  
Prepared By: Robin Reinher  
Initiator: Aaron Pool  
DOC ID: 12260  
Legal Request Number:  
Bid/Contract Number:

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#### TITLE

Conditional Use Permit Petition Submitted by Anthony Joseph Prall, Jr (CU 2305)

#### BRIEF OVERVIEW

##### Request:

Conditional Use Permit for a Second Residence

##### General Location:

West side of Daly Road, approximately 1,735' south of Lake Lindsey Road

#### FINANCIAL IMPACT

A matter of policy. There is no financial impact.

#### LEGAL NOTE

The Planning and Zoning Commission has approval jurisdiction over the subject application. The Applicable Criteria for conditional use approval are contained in Appendix A, (Zoning Code) Article V, Section 4. The Conditional Use Approval must be consistent with the Comprehensive Plan.

Article V, Section 4(A)(2) permits the following, with planning and zoning commission approval: Temporary second principal building on one lot of record in cases of extreme personal hardship. Article V, Section 4(G)(3) provides: "No conditional use permit shall be issued for a period to exceed two (2) years unless otherwise specified in this ordinance. However, conditional use permits may be renewed or extended upon reapplication."

#### RECOMMENDATION

It is recommended that the Planning and Zoning Commission determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a Conditional Use Permit for Second Residence for a period of up to two (2) year with performance condition.

#### REVIEW PROCESS

Cayce Dagenhart	Approved	05/22/2023	8:06 AM
Omar DePablo	Approved	05/23/2023	9:29 AM
Michelle Miller	Approved	05/23/2023	9:33 AM
Aaron Pool	Escalated	05/25/2023	4:18 PM
Michelle Miller	Escalated	05/26/2023	4:20 PM
Aaron Pool	Approved	05/30/2023	1:13 PM
Kyle Benda	Approved	05/31/2023	9:11 AM

<b>RESULT:     ADOPTED</b>
----------------------------

**MOVER:** Kathryn Birren  
**SECONDER:** Nicholas Holmes  
**AYES:** Birren, Fulford, Holmes and Arflack  
**NAYES:** Whiting

## STAFF REPORT

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<b>HEARINGS:</b>	Planning & Zoning Commission: May 8, 2023
<b>APPLICANT:</b>	Anthony Joseph Prall, Jr
<b>FILE NUMBER:</b>	CU-23-05
<b>REQUEST:</b>	Conditional Use Permit for Second Residence
<b>GENERAL LOCATION:</b>	West side of Daly Road, approximately 1,735' south of Lake Lindsey Road
<b>PARCEL KEY NUMBER:</b>	1519556

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### APPLICANT'S REQUEST

The applicant is requesting approval to place a second residence on their property, specifically an RV where caregiver could reside, due to medical hardship. The petitioner has provided a physician's letter indicating the need for assistance in his daily activities; the letter is part of the public record file.

A conditional use permit is intended to be used as a special permit which temporarily allows uses not otherwise permitted by the ordinance. The Commission can grant a conditional use permit for a period up to two years if they determine that a hardship exists. The temporary dwell unit being proposed as the second residence is strictly limited to medical hardship and must be removed after two years or when hardship ceases to exist.

### SITE CHARACTERISTICS

<b>Site Size:</b>	8.7 acres
<b>Surrounding Zoning &amp; Land Uses:</b>	North: AG; Single Family South: AG; Undeveloped East: AG; Undeveloped West: AG; Single
<b>Current Zoning:</b>	AG (Agricultural)
<b>Future Land Use Map Designation:</b>	Rural

### UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. Water and sewer service are not available to this parcel. HCUD has no objection to the requested Conditional Use to allow a second RV dwelling on site for an

individual to provide daily medical assistance needed by the applicant, subject to Health Department approval of any upgrades to the Onsite Sewage Treatment and Disposal System that may be necessary.

## ENGINEERING REVIEW

The site is located on the West side of Daly Road, approximately 1,735' south of Lake Lindsey Road. The petitioner proposes utilizing the existing drive for the new home. The Engineering Department has reviewed the request and indicated no engineering-related concerns.

## LAND USE REVIEW

Minimum Building Setbacks Required in the AG (Agricultural) District:

- Front (east): 75'
- Side (north and south): 35'
- Rear (west): 50'

## NOTICE OF APPLICANT RESPONSIBILITY

*The conditional use permit process is a land use determination and does not constitute a permit for either construction, 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 determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a Conditional Use Permit for Second Residence for a period of up to two (2) year with the following performance conditions:

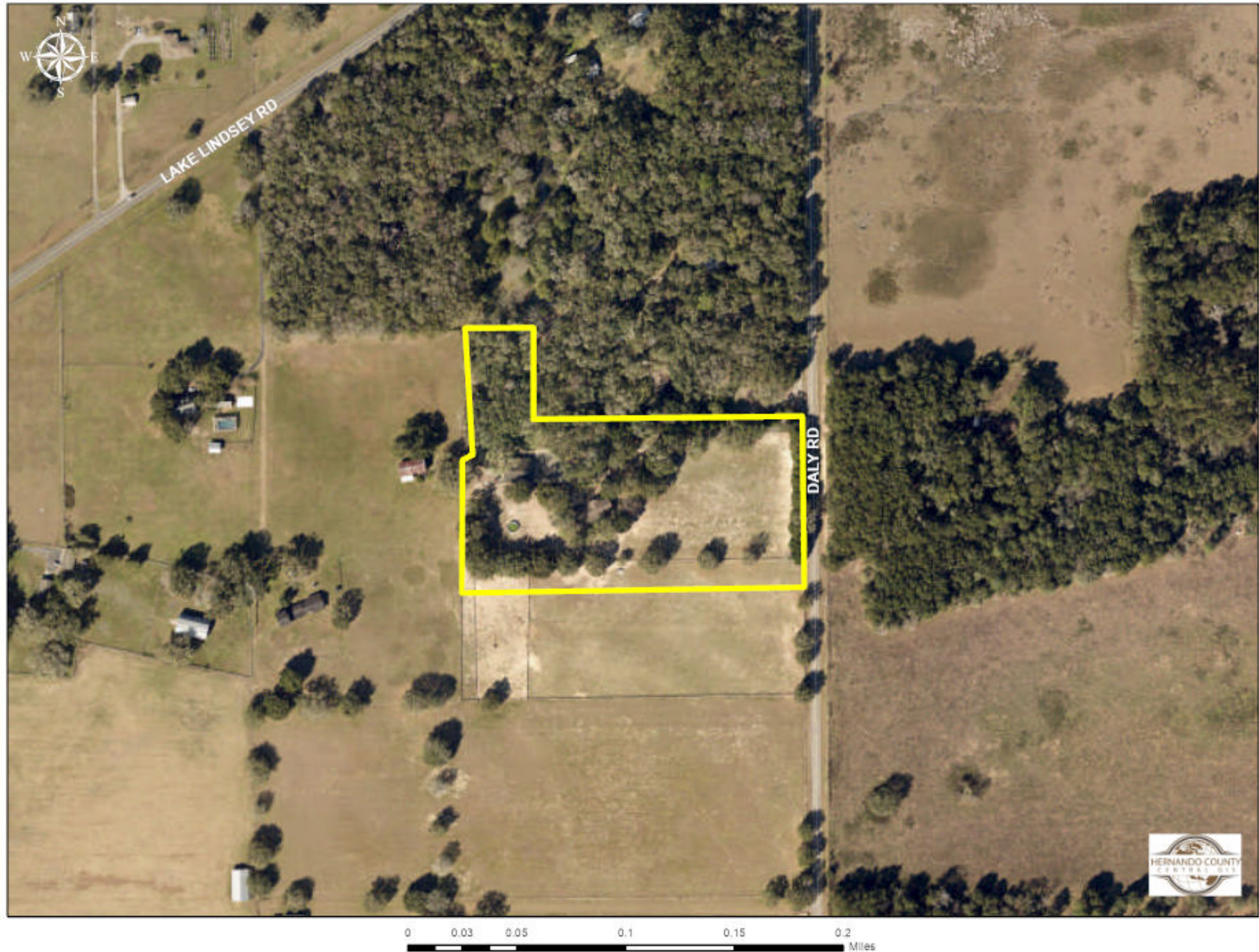
1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. No attachments or other structures shall be erected on the property or attached to the RV.
3. The RV must be placed in line with or behind the main living structure.
4. The RV shall not be rented out or used for any purpose other than to provide housing for a caregiver assisting the applicant with daily living activities.

5. The proposed RV shall meet the setbacks of the AG (Agricultural) zoning district.
  - Front (east): 75'
  - Side (north and south): 35'
  - Rear (west): 50'
6. Water shall be provided from the main house via hookup and septage shall be emptied and disposed of at a Health Department approved location.
5. The Conditional Use Permit shall expire on May 8, 2025.

# CU-23-05

Photo date: 2020

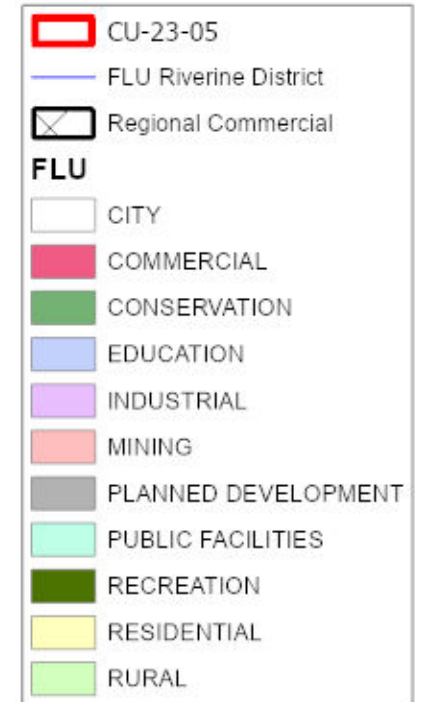
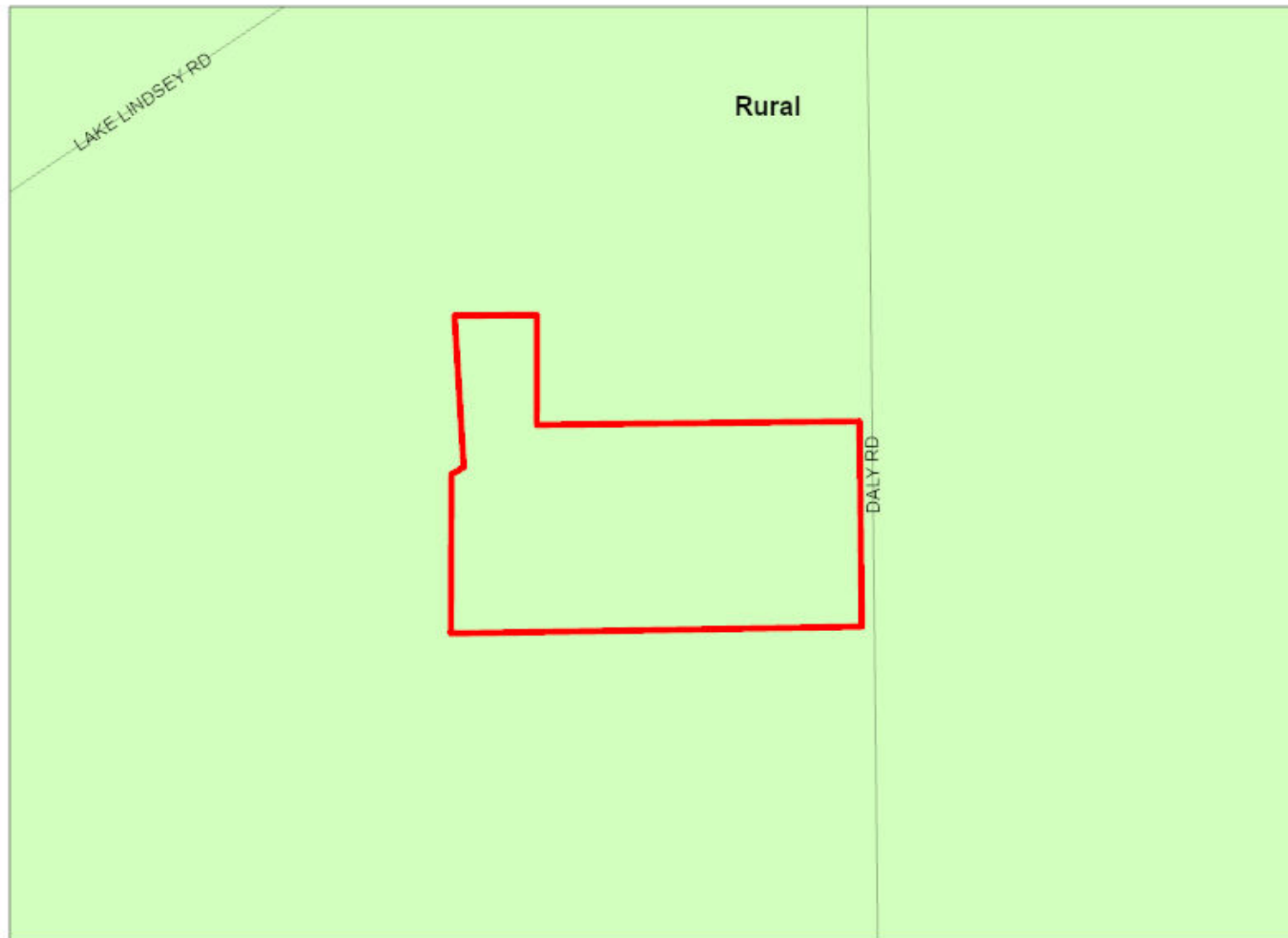
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# Hernando County Comprehensive Plan Map

Existing Future Land Use: CU-23-05

Version Date: 07/14/2022



## Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

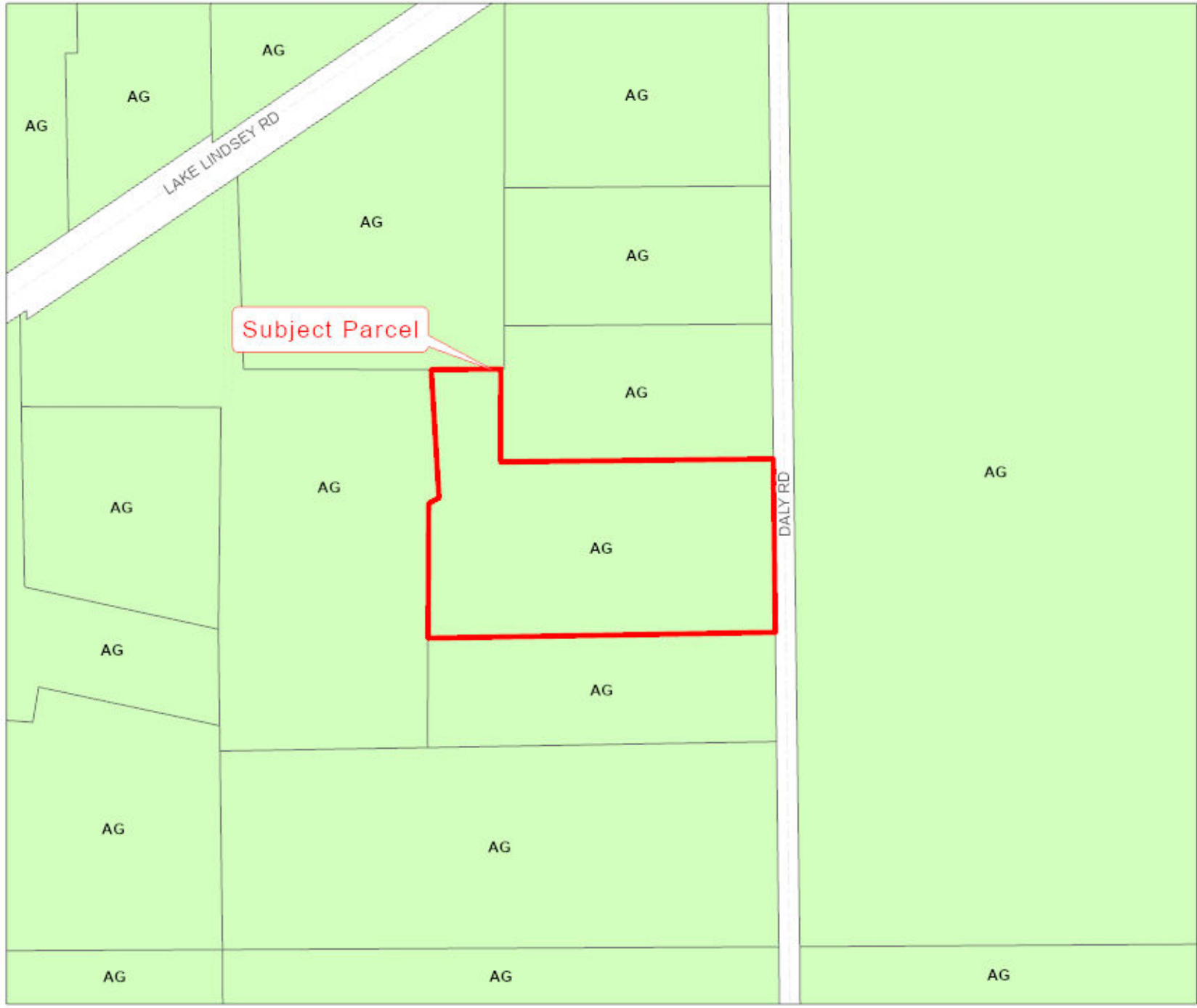


Date of mapping: 04/12/2023



# CU-23-05

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



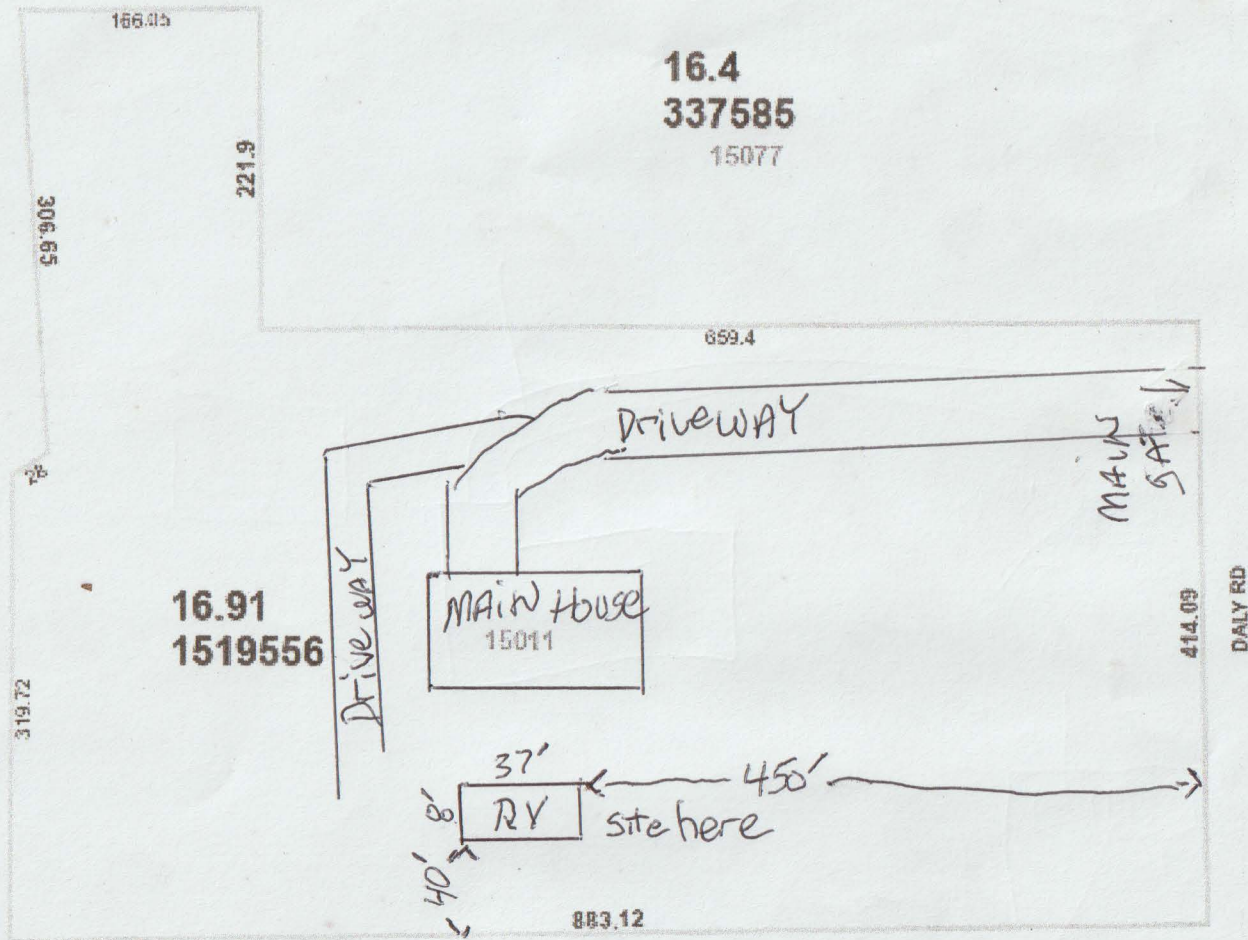
**Zoning:**

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



39



**HERNANDO COUNTY CONDITIONAL USE PERMIT  
OR SPECIAL EXCEPTION USE PERMIT PETITION**



Application request (check one):

- ☐ Conditional Use Permit  
☒ Special Exception Use Permit

PRINT OR TYPE ALL INFORMATION

File No. CU-23-05 Official Date Stamp:  
  
**Received**  
  
**MAR 21 2023**  
  
Planning Department  
Hernando County, Florida

Date: 03/22/2023

**APPLICANT NAME:** Anthony Joseph Prall, Jr.  
Address: 15011 Daly Rd  
City: Brocksville State: Florida Zip: 34601  
Phone: 352 942 9017 Email: AnthonyPrall63@gmail.com  
Property owner's name: (if not the applicant) N/A

**REPRESENTATIVE/CONTACT NAME:**  
Company Name: N/A  
Address: N/A  
City: N/A State: N/A Zip: N/A  
Phone: N/A Email: N/A

**HOME OWNERS ASSOCIATION:** ☐ Yes ☒ No (if applicable provide name)  
Contact Name: N/A  
Address: N/A City: N/A State: N/A Zip: N/A

**PROPERTY INFORMATION:**  
1. PARCEL(S) KEY NUMBER(S): R21-421-20-0000-0160-0091  
2. SECTION 21, TOWNSHIP 21, RANGE 20  
3. Current zoning classification: Agricultural  
4. Desired use: Get permission special use permit for RV on my property  
5. Size of area covered by application: 9.75 acres  
6. Highway and street boundaries: Daly Road  
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No  
8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)  
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed: \_\_\_\_\_)

**PROPERTY OWNER AFFIDAVIT**

I, Anthony Joseph Prall, Jr., have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

☒ I am the owner of the property and am making this application OR

☐ I am the owner of the property and am authorizing (applicant): \_\_\_\_\_  
and (representative, if applicable): \_\_\_\_\_  
to submit an application for the described property.

Anthony J Prall  
Signature of Property Owner

STATE OF FLORIDA  
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of March, 2023, by  
Anthony Prall who is personally known to me or produced Florida as identification.

Kristin Benko  
Signature of Notary Public

Effective Date: 11/8/16 Last Revision: 11/8/16



KRISTIN BENKO  
Notary Public  
State of Florida  
Comm# HH289663  
Expires 7/19/2026

Notary Seal/Stamp

Anthony Joseph Prall, Jr.  
15011 Daly Road  
Brooksville, Florida 34601

Received

MAR 21 2023

Planning Department  
Hernando County, Florida

To whom it may concern:

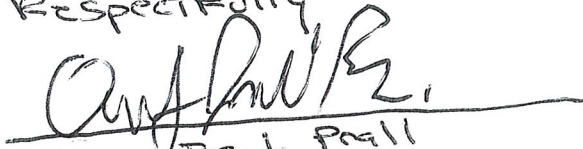
I am seeking permission to have my brother-in-law live in his RV on my property to help me with work on my land.

I am 69 years old and I have poor health, which is verified by my physician's letter. I can no longer keep up with the work necessary to keep my property up with help.

My brother-in-law is not charging me to help, but in doing so he cannot afford pay to live in his RV elsewhere. I live on Social Security and cannot afford to pay him.

Please consider granting me a special use permit for him to live on my land in his RV to help me take care of my land; my proof of income is attached to packet, \$9,200.00.

Respectfully submitted,



Anthony Joseph Prall  
352-942-9017



Received

MAR 21 2023

Planning Department  
Hernando County, Florida

Robert L. Hartzell, MD  
Anil Bhatia, MD  
Syed Ali, MD  
Maria Tommolino, NP-C  
11479 Cortez Blvd.  
Brooksville, FL 34613  
Phone (352) 597-3511  
Fax (352) 592-1155

Date: March 16, 2023

RE: Anthony Prall

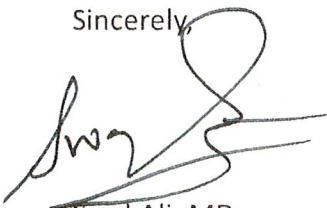
DOB: 12/14/53

To Whom it May Concern:

My patient, Anthony Prall, has been seen by me. This patient has several health conditions, that deem him to be disabled. This patient has to use the assistance of a walker for mobility. This patient also needs the assistance of a care giver at his disposal continually.

Should you have any questions or concerns, please feel free to contact my office.

Sincerely,



Syed Ali, MD



## AGENDA ITEM

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### TITLE

CP 1451037 Hammock Ridge Estates Conditional Plat

### BRIEF OVERVIEW

Conditional Plat approval for Hammock Ridge Estates

### FINANCIAL IMPACT

No financial impact

### LEGAL NOTE

The Planning and Zoning Commission has the authority to review this item in accordance with Chapter 26 (Subdivision Regulations), Article II (Procedures for County review and approval), Section 26-21 (procedure for conditional approval of a conditional plat) of the Hernando County Code of Ordinances.

### RECOMMENDATION

It is recommended that the Planning and Zoning Commission approve the conditional plat of the Hammock Ridge Estates Subdivision with performance conditions.

### REVIEW PROCESS

Alaina Kidd	Approved	05/10/2023	2:41 PM
Omar DePablo	Escalated	05/12/2023	4:18 PM
Michelle Miller	Escalated	05/15/2023	4:19 PM
Aaron Pool	Escalated	05/16/2023	4:20 PM
Michelle Miller	Approved	05/17/2023	11:54 AM
Michelle Miller	Approved	05/17/2023	11:54 AM
Aaron Pool	Escalated	05/19/2023	4:19 PM
Michelle Miller	Delegated	05/22/2023	8:44 AM
Aaron Pool	Approved	05/22/2023	9:48 AM
Kyle Benda	Approved	05/22/2023	2:48 PM

**AYES:** Fulford, Arflack, Birren, Holmes and Whiting

**ABSENT:** Hickey and McDonald

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: May 9, 2023

**APPLICANT:** Impact – MCG Ventures, LLC

**FILE NUMBER:** 1451037

**PURPOSE:** Conditional Plat Approval for Hammock Ridge Estates  
**GENERAL**  
**LOCATION:** North of County Line Road, approximately 1,700' east of Trillium Boulevard

**PARCEL KEY**  
**NUMBER:** 379263

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The conditional plat for the Hammock Ridge Estates is for One hundred fifty-six (156) multifamily residential lots on approximately 19.5 +/- acres of undeveloped land, located north of County Line Road, approximately 1,700' east of Trillium Boulevard.

The conditional plat has been reviewed by various County agencies and found to be consistent with County standards. A certificate of concurrency has been issued for this conditional plat.

### STAFF RECOMMENDATION:

It is recommended that the Planning and Zoning Commission approve the conditional plat of the Whiting Estates subdivision with the following performance conditions:

1. The conditional plat shall expire in two (2) years if no further approvals in the subdivision process are obtained.
2. The developer must conform to all Hernando County Facility Design Guidelines.
3. The petitioner shall provide a comprehensive listed species survey prepared by a qualified professional to identify any listed species present prior to clearing or development activities. The petitioner is required to comply with all applicable FWC regulations.
4. 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.



OWNER/PERMITTEE: IMPACT-MCQ VENTURES, LLC  
ATTN: DILIP KANJI, MGR  
CONTACT: NASH KANJI  
1408 N. WESTSHORE BLVD., SUITE 704  
TAMPA, FL 33607  
EMAIL: nknanj@impacthotels.com

ENGINEER: COASTAL ENGINEERING ASSOC., INC.  
ATTN: BRIAN N. MALMBERG, PE  
966 CANDLELIGHT BLVD.  
BROOKSVILLE, FLA. 34601  
PH: (352) 796-9423  
EMAIL:  
bmalMBERG@coastal-engineering.com

PARCEL KEY: 379263

EXISTING ZONING: NORTH - PUBLIC ROW (KORBUS ROW)  
SOUTH - PUBLIC ROW (COUNTY LINE ROAD)  
WEST - PDR(MF) MULTIFAMILY  
EAST - AG

FEMA FLOOD ZONE: BASED UPON REVIEW OF THE FEDERAL  
EMERGENCY MANAGEMENT AGENCY FLOOD  
INSURANCE RATE (FIRM), MAP NUMBER  
12053C03366 EFFECTIVE DATE 02/02/12; THE  
PROPOSED SITE IS WITHIN ZONE X AND IS IS  
NOT LOCATED WITHIN A SPECIAL FLOOD  
HAZARD AREA.

FOR ADDITIONAL FLOOD INFORMATION SEE PITHLACHASCOTEE RIVER/  
BEAR CREEK WATERSHED STUDY.PITHLACHASCOTEE RIVER/ BEAR  
CREEK

PROPERTY AREA : ± 19.57 ACRES  
LIFT STATION TRACT : ± .06 ACRES  
R/W TAKING : ± 0.45 ACRES

TOTAL PROJECT AREA = 19.06 ACRES

NATURAL VEGETATION AREA REQUIRED (5%) : .95 ACRES  
BUFFERS PROVIDED: 1.11 ACRES

**UNIT MIX**

2 BEDROOM - 32  
3 BEDROOM - 78  
4 BEDROOM - 42  
TOTAL - 152 UNITS

MINIMUM PERIMETER SETBACKS(INCLUSIVE OF NATURAL  
BUFFERS):

COUNTY LINE ROAD:	75'
KORBUS ROAD:	35'
SIDE:	20'

THE BUFFER TRACTS INDICATED ON THIS PLAN WILL CONSIST OF  
NATURAL VEGETATION WHERE POSSIBLE, ENHANCED TO 80%  
OPACITY WHERE NEEDED. WHERE SITE GRADING REQUIRES THE  
REMOVAL OF NATURAL VEGETATION, A VEGETATIVE BUFFER WILL  
LANDSCAPED WITHIN THE BUFFER TRACT CONSISTING OF  
VEGETATION AND OPACITY CONSISTENT WITH COUNTY STANDARD.  
BUFFER TRACTS WILL BE OWNED AND MAINTAINED BY THE HOA.

**INTERNAL LOT BUILDING SETBACKS:**

FRONT:	25'
SIDE:	0'
SIDE (BUILDING SEPARATION):	15'
REAR:	15'
MIN. DEPTH:	100'

MINIMUM LANDSCAPE BUFFERS:

EAST/WEST:	15'
NORTH/SOUTH:	10'

SETBACKS ARE SET BY MASTER PLAN REVISION H-21-20

**FIRE PROTECTION:** FIRE HYDRANTS WILL BE PLACED THROUGHOUT THE COMMUNITY AT A MINIMUM OF 350' CURB LINE DISTANCE. INTERVALS WHICH IS CONSISTENT WITH COUNTY STANDARDS. THE POTABLE WATER SYSTEM WILL BE DESIGNED TO PROVIDE A MINIMUM OF 1,000 GPM FOR USE IN FIREFIGHTING AS REQUIRED BY NFPA GUIDELINES AS REQUIRED BY HERNANDO COUNTY.

GENERAL NOTES

1. THIS IS A PLANNING DOCUMENT AND IS NOT TO BE CONSIDERED A FINAL DESIGN OR CONSTRUCTION PLAN; ALSO, NOT INTENDED FOR RECORDATION IN PUBLIC RECORDS. DRAINAGE AND UTILITY EASEMENTS WILL BE INCLUDED IN THE FINAL CONSTRUCTION PLANS AND SHALL MEET THE REQUIREMENTS OF HERNANDO COUNTY AND ANY AGENCIES HAVING JURISDICTION RELATED TO THIS PROJECT.
2. DRAINAGE RETENTION AREA(S) ARE CONCEPTUALLY LOCATED. THE ACTUAL SIZE AND LOCATION WILL BE DETERMINED WITH FINAL ENGINEERING DESIGN.

CURVE TABLE	
CURVE NO.	RADIUS
C1	40.00
C2	40.00

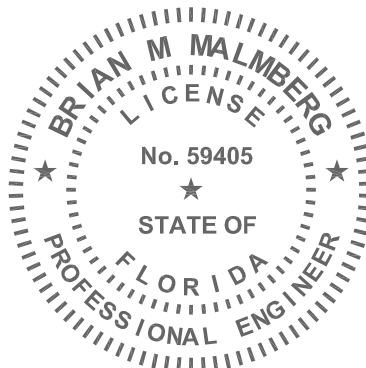
 RECREATION
  VEGETATIVE BUFFER

 DRAINAGE RETENTION AREA
  WALKING/JOGGING PATH

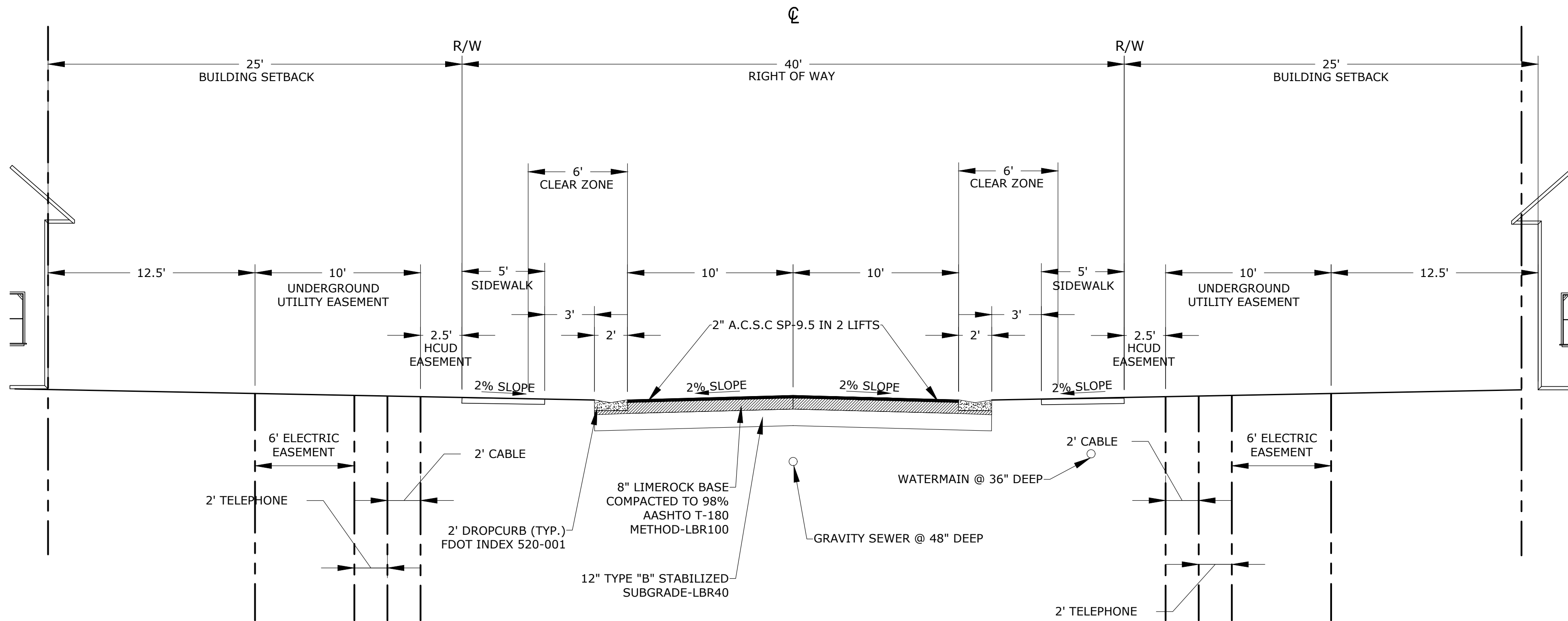
 ROADS

LAND USE TABLE			
LAND USE	ACRES	DWELLING UNITS	DENSITY
MULTI-FAMILY	8.91	152	
RECREATIONAL	2.09	(2.02 AC. REQUIRED)	
OPEN SPACE	0.82		
BUFFERS	1.11	(5% OR 0.95 ACRES PRESERVED VEGETATION REQUIRED)	
DRAINAGE & ROADS	6.13		
TOTAL AREA	19.06	152	7.97

\*MAXIMUM OF 8 UNITS ATTACHED

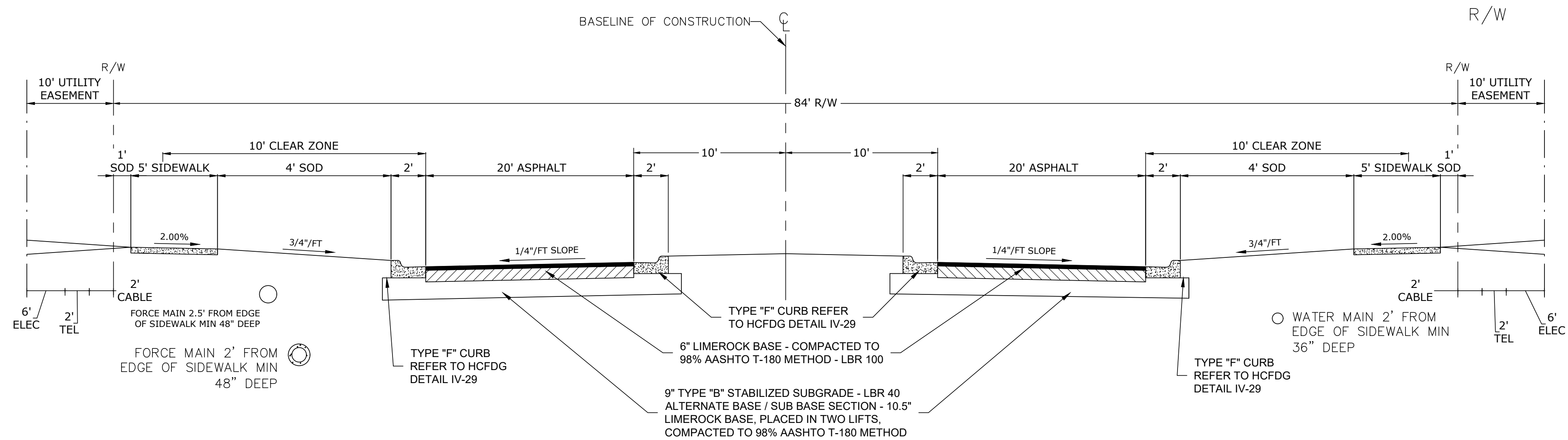


MODIFIED LOCAL ROAD - CLOSED DRAINAGE  
DESIGN SPEED = 30 MPH\*



TYPICAL SECTION  
N.T.S

MODIFIED COLLECTOR / DIVIDED 2 LANE ROAD -  
CLOSED DRAINAGE  
DESIGN SPEED = 40 MPH\*



GENERAL NOTES:  
DESIGN SPEED, RIGHT-OF-WAY, AND ROADSIDE DIMENSIONS  
ARE MINIMUMS. SITE CONDITION MAY REQUIRE INCREASES.

\* VARIANCE IN HORIZONTAL DESIGN SPEED ALLOWED WITH JUSTIFICATION AND APPROPRIATE SIGNAGE

ALL DIMENSIONS & LABELS ARE TYPICAL

TYPICAL SECTION

N.T.S

## TYPICAL SECTIONS

HAMMOCK ESTATES

**Coastal**  
engineering associates, inc.

Planning  
Surveying  
Environmental  
Transportation  
Construction Management

986 Candlelight Boulevard - Brooksville - Florida 34601  
(352) 799-9423 - Fax (352) 799-8359  
EB-0000142

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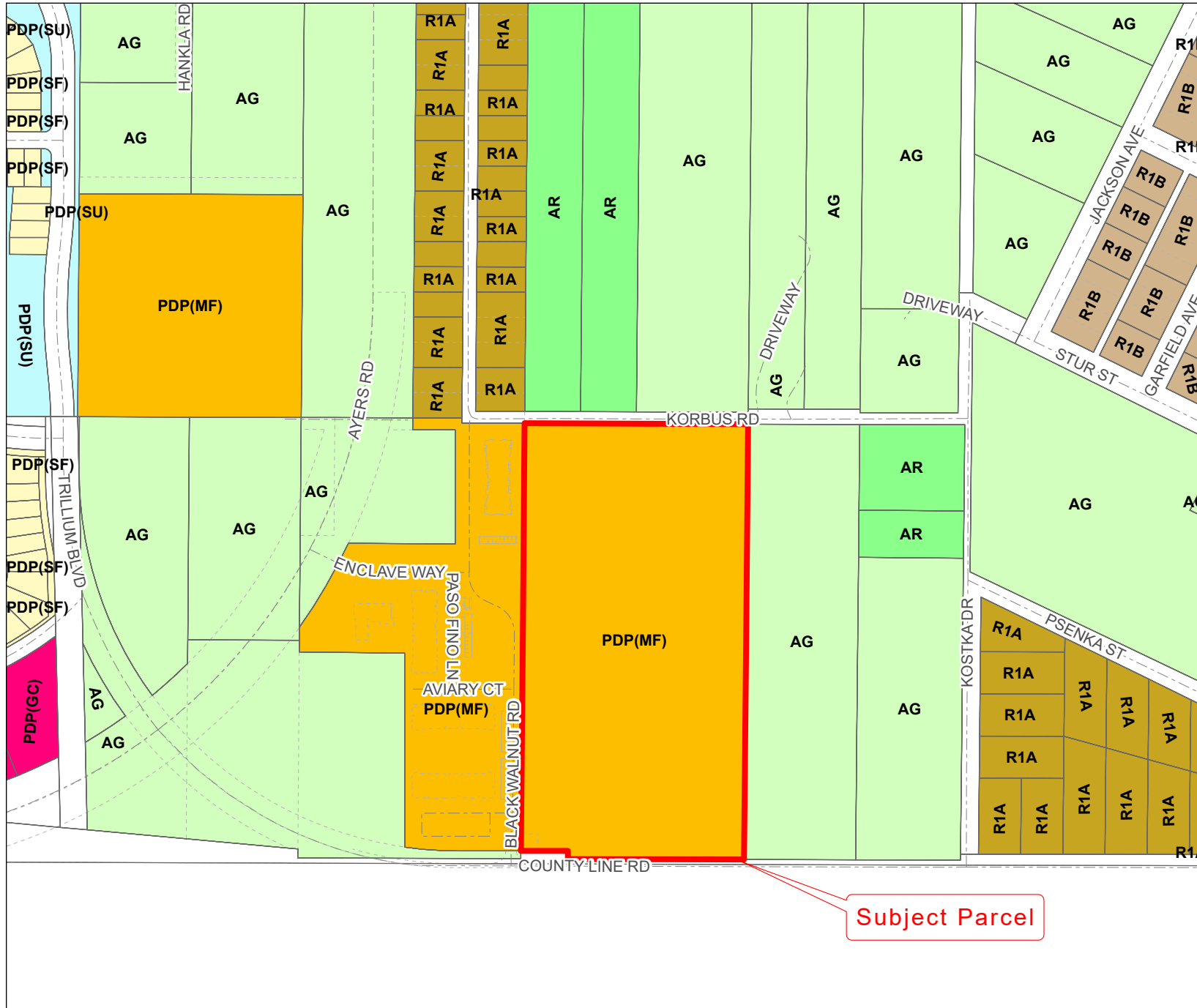
SHEET

# 1

JOB No.: 21035

# CP 1451037

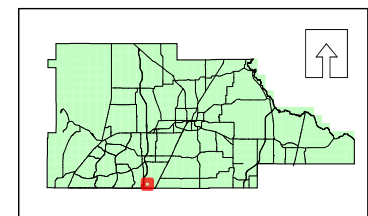
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**Zoning:**

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



# CP 1451037

Photo date: 2020

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: June 14, 2021  
Board of County Commissioners: July 13, 2021

**APPLICANT:** Impact – MCG Ventures, LLC

**FILE NUMBER:** H-21-20

**REQUEST:** Master Plan Revision on property zoned PDP(MF)/Planned Development Project (Multifamily) with deviations

**GENERAL**

**LOCATION:** North of County Line Road, approximately 1,700' east of Trillium Boulevard

**PARCEL KEY**

**NUMBER:** 379263

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### APPLICANT'S REQUEST:

On August 14, 2018, the Board of County Commissioners approved a rezoning from AG/(Agricultural) to PDP(MF)/Planned Development Project (Multifamily) in order to develop the 19.5-acre subject site with a 156 multifamily units and associated amenities. Since approval, no construction has commenced.

The petitioner's current request is for a Master Plan Revision to develop the subject site with up to 200 single family townhomes. The proposed townhomes will be a maximum of the three (3) stories and parking will be within enclosed garages or on a designated driveways. The petitioner is requesting zero side setbacks where the townhomes are attached and a reduction of rear building setbacks from 20 feet to 15 feet.

### SITE CHARACTERISTICS:

**Site Size:** 19.5 acres

**Surrounding Zoning/  
Land Uses:**

North:	R-1A, AR and AG; Single Family
South:	Pasco County
East:	AG; Single Family
West:	PDP/MF (H-19-59); Single-Family, vacant

**Current Zoning:** PDP(MF)/Planned Development Project (Multifamily)

**Future Land Use  
Map Designation:** Residential

**Flood Zone:** C

**ENVIRONMENTAL REVIEW:**

**Soil Type:** Masaryk Very Fine Sand

**Hydrologic  
Features:** The subject property contains no wetlands or Special Protection Areas (SPA), according to County data resources.

**Protection  
Features:** The property is not located within a Wellhead Protection Area (WHPA) according to County data resources.

**Habitat:** Masaryk Very Fine Sand has the potential for habitats that maybe suitable for gopher tortoises.

**Comments:** The site should be inspected prior to construction, and a Florida Fish and Wildlife Conservation Commission permit may be required prior to site alterations.

Geotechnical subsurface testing and reporting in accordance with the County's Facility Design Guidelines is required for all Drainage Retention Areas (DRAs) within the proposed project.

**SCHOOL BOARD REVIEW:**

No comments were received from the School Board.

The applicant 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.

**UTILITIES REVIEW:**

The Hernando County Utilities Department (HCUD) has indicated that they currently do not supply water or sewer service to the subject site. There is an existing 12-inch water main to the west that runs north along Trillium Boulevard, and a 16-inch water main in the construction that will run along the Ayers Road extension to the west of the parcel. HCUD has no objections to the request, subject to a water and sewer capacity analysis and connection to the central water and sewer system at the time of vertical construction.

**ENGINEERING & TRANSPORTATION REVIEW:**

The subject site is located north of County Line Road, approximately 1,700' east of Trillium Boulevard. The petitioner is proposing a main access to County Line Road and emergency access to Korbus Road, an unimproved limerock road.

The County Engineer reviewed the request and indicated the following:

1. A Traffic Access Analysis will be per the Hernando County Facility Design Guidelines.
2. The internal roadway will have to meet the Hernando County Major Local Road standards.
3. The petitioner must coordinate the potential for additional right-of-way for County Line Road with the County Engineer prior to development.
4. The petitioner must coordinate with the County Engineer to identify future right-of-way reservation needs for Korbus Road prior to development.
5. This site contains two areas of floodplain. Development within floodplain requires specific permitting.
6. Geotechnical subsurface testing and reporting in accordance with Hernando County Facility Design Guidelines shall be conducted for all Drainage Retention Areas (DRAs) within the proposed project.
7. Access to Korbus Road shall be for emergency purposes only, until such time as Korbus Road is improved and the need for a second access is reviewed by the County Engineer.

**LAND USE REVIEW:**

**Building Setbacks**

Perimeter Building Setbacks:

County Line Road:	75' (previously approved for a deviation from 125')
Korbus Road:	35'
Side:	20'

Internal Lot Building Setbacks

Front: 25'

Side: 0' (where attached)

Side: 15' (building separation)

Rear: 15' (deviation from 20')

Maximum Number of Units Attached: 8

**Buffers**

The petitioner has indicated that natural vegetation will be maintained where possible. Additionally, a 15' buffer will be provided along the east and west perimeter and a 10' buffer along the north and south. All buffers will be at 80% opacity. If approved, the petitioner shall provide the proposed buffers which shall retain natural vegetation where feasible.

**Access**

To establish minimum access requirements to single family subdivisions, the Board of County Commissioners adopted a policy requiring two (2) means of access. The policy serves to provide more than one-way in and one-way out for residents of a subdivision, alternate routes for emergency services, interconnection between subdivisions, a shortened drive time for residents to the entrance/exits, and access points for travel direction outside of the development. A minimum of two (2) access points must be provided to serve any new subdivision or development pod with more than 50 units.

**Comment:** The petitioner is proposing a boulevard entrance from County Line Road. A second access for emergency use will be provided once Korbus Road is improved.

**Neighborhood Park:**

All developments with 50 dwelling units or more shall provide and maintain a neighborhood park system for use by the residents of the subdivision in accordance with the requirements of the LDRs. The proposed phase contains more than 50 dwelling units. Neighborhood parks may count towards the minimum open space requirements. The amount of land provided and maintained as a neighborhood park shall be 1.0 acre for the first 50 dwelling units plus 1/100th of an acre for each dwelling unit over 50 up to 250 dwelling units, for a maximum of 3.0 acres.

**Comment:** The petitioner is proposing up to 200 fee simple units which would require a minimum of 2.5 acres for the proposed development. If approved, the petitioner must meet the minimum 2.5 acres neighborhood park requirement.

**Vegetation and Open Space**

Projects two (2) to twenty (20) acres must designate an area of at least five (5) percent of the total project area as preserved natural vegetation and no construction activity can occur in this area. Preserved natural vegetation areas must be a minimum of two thousand (2,000) square feet and no more than two (2) areas shall be allowed. If approved, the petitioner must provide a minimum of five (5%) percent natural vegetation. This could be included as part of the required open space.

**Landscape**

The County's LDRs encourage Florida friendly design. It is recommended that best management practices and compliance with the Florida Yards & Neighborhoods (FYN) program be adhered to. The petitioner should coordinate with the Florida Friendly Landscaping Program Coordinator as part of the development of the project.

**COMPREHENSIVE PLAN REVIEW:**

The area is characterized by large and medium sized agriculturally zoned parcels. The subject property is located within the Residential land use classification on the adopted Future Land Use Map.

**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**

**Multi-Family Housing**

**Strategy 1.04B(4):**   The Residential Category includes zoning for multi-family housing generally averaging 7.5 dwelling units per gross acre up to 22 dwelling units per gross acre in order to provide for a diversity of housing choices. Multifamily housing should be located within, or in close proximity to urban areas shown on the Adjusted Urbanized Area Map, or near shopping and employment centers or within Planned Development Projects.

**Comment:**       The multifamily development is proposed at a maximum of 200 units on approximately 19.5 acres. The overall proposed density of 10.25 du/acre is considered a medium density step-down.

**Strategy 1.04B(5):**   High density zonings are intended for locations in the more intensely developed sections of the County. New residential

development of high density housing shall utilize the Planned Development Project (PDP) process. Regulatory criteria shall include standards that evaluate and address suitability of the location including:

- a. proximity to existing or designated commercial areas, corridors, or employment centers;
- b. direct or limited local access to arterial or collector roadways;
- c. availability of appropriate infrastructure and services capacity at the site including police, fire, emergency medical services, potable water utility supply, sewer utility supply, and primary and secondary school facilities;
- d. protection of high quality environmentally sensitive resources or historic and archaeological resources;
- e. the character and density of existing and approved residential development in the surrounding area.

**Comment:** The proposed project was previously approved for 156 multifamily units and the increase in units to 200 meets the criteria for multifamily development at this location.

**Strategy 1.04B(7):** All multi-family developments shall be located such that the integrity of nearby established single family neighborhoods is preserved:

- a. multi-family development may serve as a density transition located on the periphery of single-family neighborhoods and connecting to higher intensity uses;
- b. multi-family developments at a density incompatible with surrounding land uses should not access arterial or collector roadway systems through established single-family neighborhoods.

**Comment:** The proposed townhome product and the proposed buffers, provide an adequate transition for single family and agriculture parcels to the north and east.

## **FINDINGS OF FACT:**

A Master Plan Revision on property zoned PDP(MF)/Planned Development Project (Multifamily) with deviations is appropriate based on the following conclusions:

1. The request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all performance conditions.

2. The petitioner has proposed deviations from the County LDRs for side and rear building setback. The proposed setback reductions are not adverse to public interest.

**NOTICE OF APPLICANT RESPONSIBILITY:**

*The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.*

*The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner's associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.*

**STAFF RECOMMENDATIONS:**

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Master Plan Revision on property zoned PDP(MF)/Planned Development Project (Multifamily) 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. Minimum Perimeter Building Setbacks:  
County Line Road: 75'  
Korbus Road: 35'  
Side: 20'  
  
Internal Lot Building Setbacks  
Front: 25'  
Side: 0' (where attached)  
Side: 15' (building separation)

Rear: 15' (deviation from 20')

Maximum Number of Units Attached: 8  
Maximum Number of Units: 200

4. The property shall 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.
5. Florida Yards & Neighborhoods (FYN) principles shall be used for landscaping within the development.
6. A 15' buffer along the east and west perimeter and a 10' buffer along the north and south shall be provided and shall be at 80% opacity. Buffers shall retain natural vegetation where feasible.
7. The petitioner shall provide a Traffic Study in accordance with the requirements of the County Engineer at the time of permitting.
8. 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.
9. Access to Korbus Road shall be for emergency purposes only until such time Korbus Road is improved and the need for a second access is reviewed by the County Engineer.
10. The petitioner shall provide a boulevard entrance along County Line Road.
11. The petitioner must coordinate the potential for additional right-of-way for County Line Road and Korbus Road with the County Engineer prior to development.
12. The petitioner shall prepare a water and sewer capacity analysis at the time of conditional plat or site plan approval and connect to the central water and sewer system at the time of vertical construction.

13. The petitioner shall provide the minimum neighborhood park acreage of 2.5 acres exclusive of the drainage retention area in accordance with the Hernando County Land Development Regulations.
14. 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.

**P&Z RECOMMENDATIONS:**

On June 14, 2021, the Planning and Zoning Commission voted 4-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Master Plan Revision on property zoned PDP(MF)/Planned Development Project (Multifamily) with deviations, 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 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. Minimum Perimeter Building Setbacks:  
County Line Road: 75'  
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Maximum Number of Units Attached: 8  
Maximum Number of Units: 200
4. The property shall 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.
5. Florida Yards & Neighborhoods (FYN) principles shall be used for landscaping within the development.

6. A 15' buffer along the east and west perimeter and a 10' buffer along the north and south shall be provided and shall be at 80% opacity. Buffers shall retain natural vegetation where feasible.
7. The petitioner shall provide a Traffic Study in accordance with the requirements of the County Engineer at the time of permitting.
8. 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.
9. Access to Korbus Road shall be for emergency purposes only until such time Korbus Road is improved and the need for a second access is reviewed by the County Engineer.
10. The petitioner shall provide a boulevard entrance along County Line Road.
11. The petitioner must coordinate the potential for additional right-of-way for County Line Road and Korbus Road with the County Engineer prior to development.
12. The petitioner shall prepare a water and sewer capacity analysis at the time of conditional plat or site plan approval and connect to the central water and sewer system at the time of vertical construction.
13. The petitioner shall provide the minimum neighborhood park acreage of 2.5 acres exclusive of the drainage retention area in accordance with the Hernando County Land Development Regulations.
14. 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.

**BCC ACTION:**

On July 13, 2021, the Board of County Commissioners voted 5-0 to adopt Resolution 2021-106 approving the petitioner's request for a Master Plan Revision on property zoned PDP(MF)/Planned Development Project (Multifamily) with deviations, 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 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. Minimum Perimeter Building Setbacks:  
County Line Road: 75'  
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Side: 15' (building separation)  
Rear: 15' (deviation from 20')  
  
Maximum Number of Units Attached: 8  
Maximum Number of Units: 200
4. The property shall 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.
5. Florida Yards & Neighborhoods (FYN) principles shall be used for landscaping within the development.

6. A 15' buffer along the east and west perimeter and a 10' buffer along the north and south shall be provided and shall be at 80% opacity. Buffers shall retain natural vegetation where feasible.
7. The petitioner shall provide a Traffic Study in accordance with the requirements of the County Engineer at the time of permitting.
8. 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.
9. Access to Korbus Road shall be for emergency purposes only until such time Korbus Road is improved and the need for a second access is reviewed by the County Engineer.
10. The petitioner shall provide a boulevard entrance along County Line Road.
11. The petitioner must coordinate the potential for additional right-of-way for County Line Road and Korbus Road with the County Engineer prior to development.
12. The petitioner shall prepare a water and sewer capacity analysis at the time of conditional plat or site plan approval and connect to the central water and sewer system at the time of vertical construction.
13. The petitioner shall provide the minimum neighborhood park acreage of 2.5 acres exclusive of the drainage retention area in accordance with the Hernando County Land Development Regulations.
14. 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.



## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 06/12/2023  
Department: P&Z Agenda Item  
Prepared By: Robin Reinhart  
Initiator: Aaron Pool  
DOC ID: 12261  
Legal Request Number:  
Bid/Contract Number:

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#### TITLE

Rezoning Petition Submitted by Jarrod Saulnier & Cindy Masse (H2304)

#### BRIEF OVERVIEW

##### Request:

Rezoning from R-1C (Residential) to AR (Agricultural Residential)

##### General Location:

Southwest corner of Michigan Avenue and Gladstone Street

#### FINANCIAL IMPACT

A matter of policy. There is no financial impact.

#### LEGAL NOTE

The Planning and Zoning Commission has jurisdiction to make a recommendation on the subject application. The Applicable Criteria for a Zoning District Amendment are contained in Appendix A, (Zoning Code) Article VI. The Zoning District Amendment must be consistent with the Comprehensive Plan.

#### 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 rezoning from R-1C (Residential) to AR (Agricultural/Residential).

#### REVIEW PROCESS

Cayce Dagenhart	Approved	05/22/2023	8:10 AM
Omar DePablo	Approved	05/23/2023	9:30 AM
Michelle Miller	Approved	05/23/2023	9:32 AM
Aaron Pool	Escalated	05/25/2023	4:18 PM
Michelle Miller	Escalated	05/26/2023	4:20 PM
Aaron Pool	Approved	05/30/2023	1:13 PM
Kyle Benda	Approved	05/31/2023	9:09 AM

<b>AYES:</b>	Arflack, Birren and Whiting
<b>NAYES:</b>	Fulford and Holmes
<b>ABSENT:</b>	Hickey and McDonald

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: May 8, 2023  
Board of County Commissioners: June 13, 2023

**APPLICANT:** Jarrod Saulnier and Cindy Masse

**FILE NUMBER:** H-23-04

**REQUEST:** Rezoning from R-1C (Residential) to AR (Agricultural/Residential)

**GENERAL LOCATION:** Southwest corner of Michigan Avenue and Gladstone Street

**PARCEL KEY NUMBER:** 82644

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### APPLICANT'S REQUEST

The petitioner is requesting a rezoning of this property from R-1C (Residential) to AR (Agricultural/Residential) for farming, including raising chickens, for personal consumption. The property has an existing home and accessory structures. No changes are proposed to the property at this time.

### SITE CHARACTERISTICS

**Site Size:** 3.61 acres

**Surrounding Zoning;  
Land Uses:** North:R-1C; Residential  
South:R-1C; Residential  
East:R-1C; Residential  
West:R-1C; Residential

**Current Zoning:** R-1C (Residential)

**Future Land Use  
Map Designation:** Residential

### UTILITIES REVIEW

Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. Water and sewer service are not available to this parcel. HCUD has no objection to the requested zoning change.

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## ENGINEERING REVIEW

The subject property is on the southwest corner of Michigan Avenue and Gladstone Street and has an existing home and driveway on the property. The County Engineer has reviewed the petitioner's request and indicated no engineering related concerns.

## LAND USE REVIEW

Minimum AR (Agricultural/Residential) Building Setbacks:

- Front: 50'
- Side: 10'
- Rear: 35'

The AR district is designed to allow the continued development of low-density, single-family housing. The Hernando County Code of Ordinances, Appendix A, Article IV, Section 13 identifies the permitted uses within the AR zoning district as follows:

A. The following regulations apply to agricultural/residential districts as indicated:

(1) Permitted uses:

(a) All agricultural/residential districts:

- i. Aquaculture
- ii. Grazing livestock at the rate of one mature animal and offspring less than one year of age, per acre.
- iii. Poultry and swine for home consumption maintained at least seventy-five (75) feet from adjacent property.
- iv. Horticultural specialty farms, including the cultivation of crops.
- v. Accessory structures related to the principal use of the land.
- vi. Pigeon aviaries with a maximum of 1,500 square feet of area devoted to housing pigeons per acre.
- vii. Sales on the premises of permitted agricultural products produced on the premises: provided that where such products are sold from roadside stands, such stand shall be set back a safe distance from any public street right-of-way and shall provide for automobile access and off-street parking space in such a manner so as to not create an undue traffic hazard on the street on which such roadside stand is located.

(b) Agricultural/Residential:

- i. Single-family dwellings

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## COMPREHENSIVE PLAN REVIEW

### Residential Mapping Criteria

The Residential Category is designed to accommodate a variety of residential and support uses at varying densities and types located in areas primarily clustered in and around the Adjusted Urbanized Area and those areas that maximize the efficient use of existing and planned infrastructure.

### 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.

**Comments:** The parcel is within the Residential Land Use classification and is surrounded by residential parcels that are 1.8 acres or larger. The AR (Agricultural Residential) district is intended to provide transition from agricultural parcels into the single-family category. The area is characterized by AR (Agricultural Residential) to the south and AG (Agricultural) to the west. Considering the surrounding parcel minimum acreage, the proposed rezoning is consistent with the strategies for residential density and the pattern of land development within the surrounding.

## FINDINGS OF FACT

The request for a rezoning from R-1C (Residential) to AR (Agricultural/Residential) is appropriate based on consistency with the County's adopted Comprehensive Plan and the surrounding area.

## 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 rezoning from R-1C (Residential) to AR (Agricultural/Residential).

# H-23-04

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



**Zoning:**

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NG)
C4	PDP(OP)
CITY	PDP(PBF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

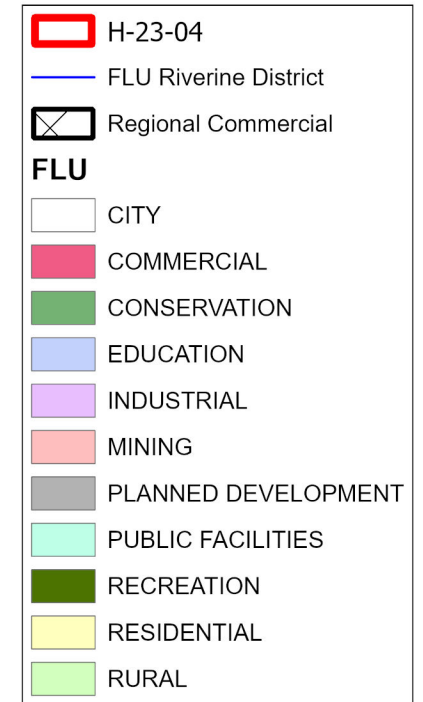
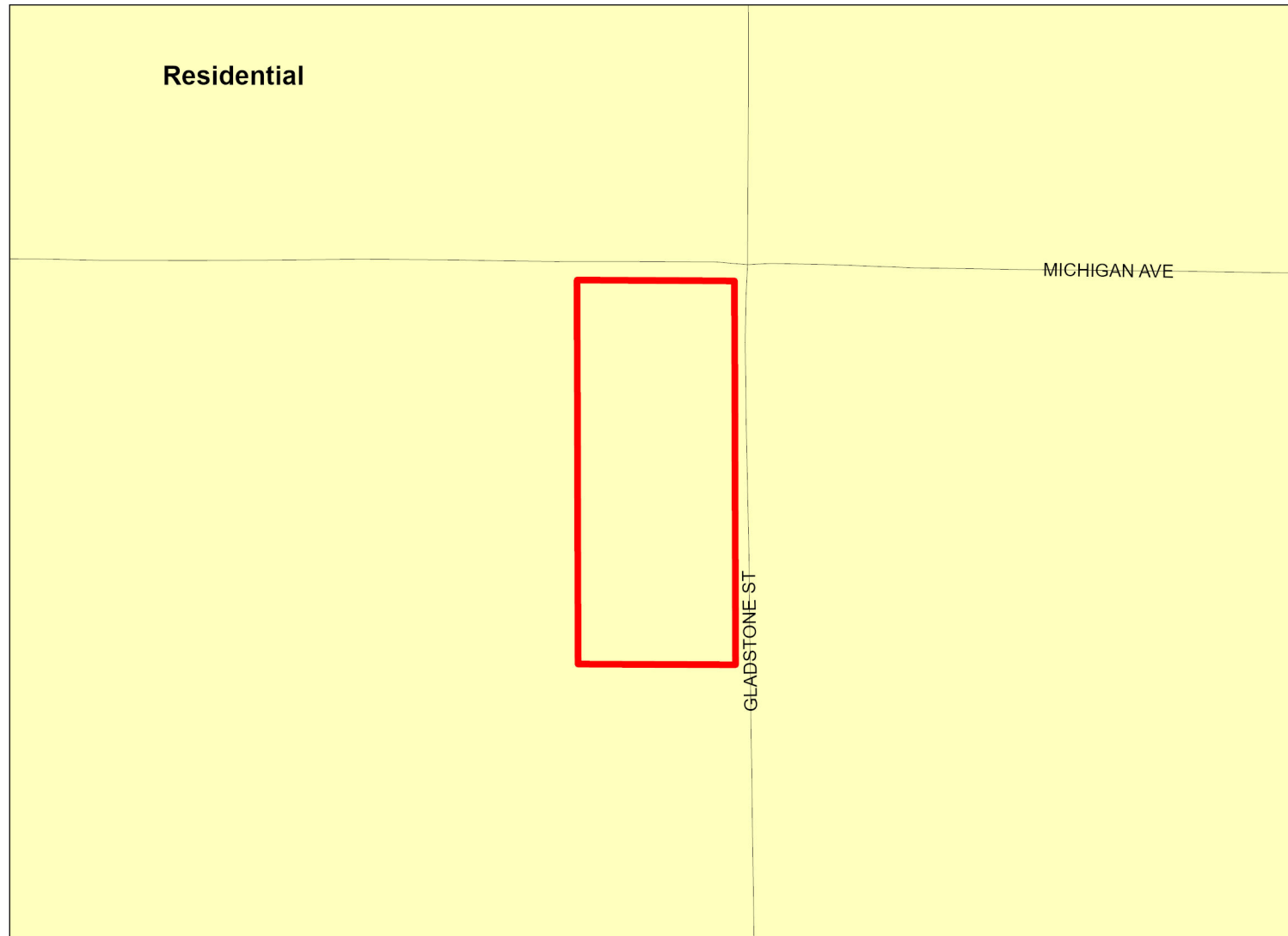
City Zoning Pending



# Hernando County Comprehensive Plan Map

Existing Future Land Use: H-23-04

Version Date: 07/14/2022

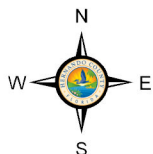


## Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

0 0.02 0.04 0.08 0.12 0.16 Miles

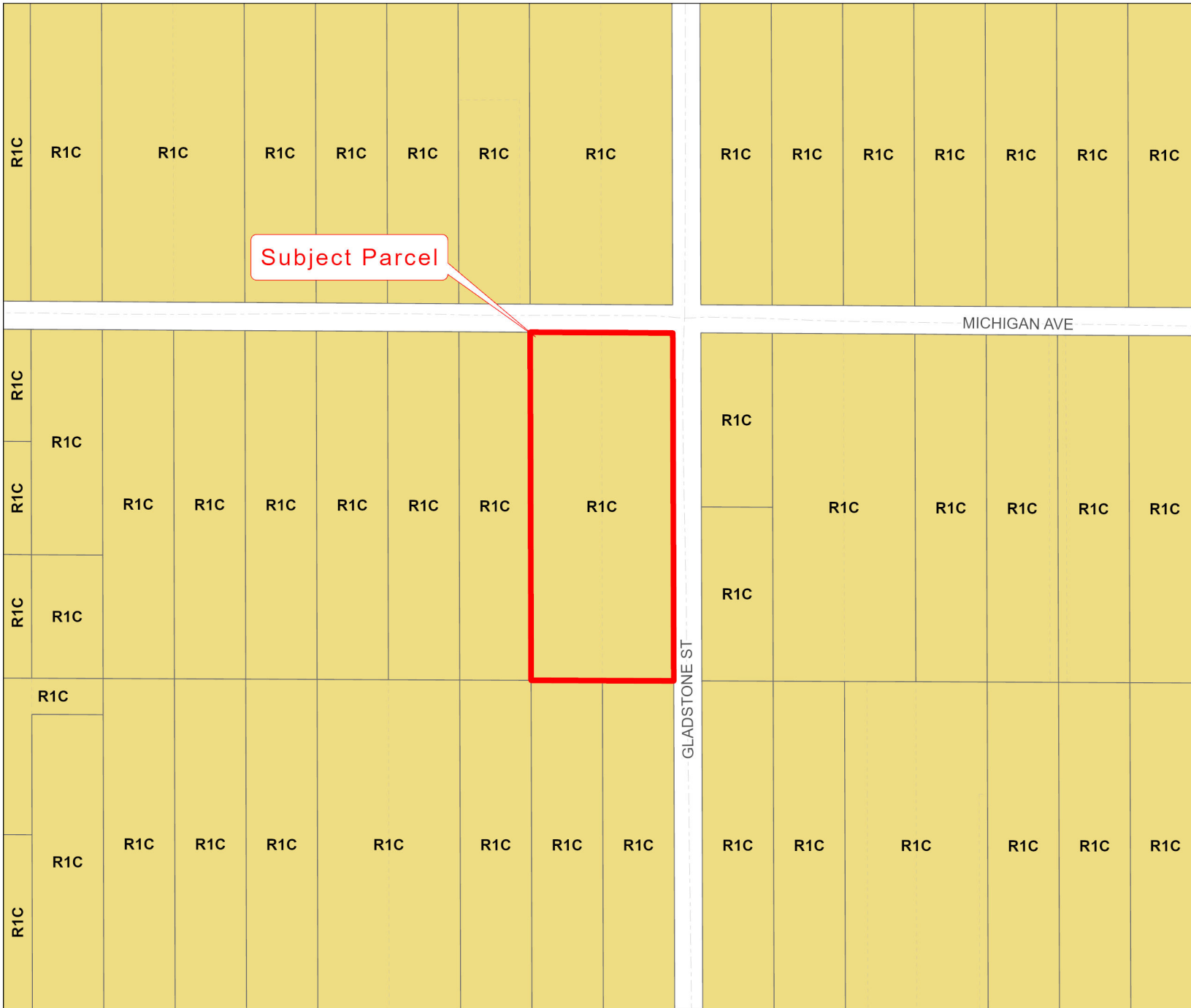


Date of mapping: 03/07/2023



# H-23-04

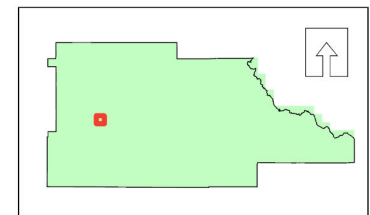
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



## Zoning:

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



FILE COPY

# ZONING PERMIT Zoned

NOTICE: NO STRUCTURE, BUILDING OR  
IMPROVEMENT CAN ENCROACH,  
OR BE CONSTRUCTED WITHIN  
EASEMENTS.

BEARINGS BASED ON  
NORTH LINE LOTS 71 & 72,  
AS N-89° 57' 31" W

ZONING PERMIT Zoned \_\_\_\_\_  
to be used as POOL ONLY  
checked By DMC Date 7-9-05

LEGEND  
E= CENTERLINE  
R/W= RIGHT OF WAY  
O= FOUND 1/2"  
■= FOUND CONCRETE  
MONUMENT  
(F)= FIELD  
(P)= PLAT  
CONC= CONCRETE

NORTH 100'

LOT 73

E MICHIGAN AVENUE 50' R/W  
 18" ROCK ROAD

N-89°57'31"W 254.01'(F) 254.32'(P) =

6/19/98 (F)

620.00' (P)

S:00°26'52"E

6/19/98 (F)

620.00' (P)

S:00°26'52"E

S-89°56'18"-W 254.42'(P) 254.38'(F)

FOUND 1/2  
IRON ROD  
"LS 4832

I hereby certify that the above correctly reflects the results of a recent survey made under my direction and that the data shown is true and correct to the best of my knowledge and belief. This survey meets the minimum technical standards, Florida Chapter 61-G17, F.A.C., pursuant to Section 472.027, Florida Statutes.

### Lot Survey

## Foundation

### Final

Field Date 3-3-04  
Field Date 7-21-04  
Field Date 2-4-05

PATRICK J. O'LEARY, PROFESSIONAL SURVEYOR AND MAPPER PLS #5130  
Florida Registration No. LB 6892

Flood Zone \_\_\_\_\_  
As Per F.I.R.M. Panel No. \_\_\_\_\_

**NORTH POINT**  
**LAND SURVEYING, INC.**

20 LAKE WIRE DRIVE, SUITE 104  
LAKE LAND, FLORIDA 33815  
(863) 683-6353  
FAX 683-5262

56-33

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

# HERNANDO COUNTY ZONING AMENDMENT PETITION



## Application to Change a Zoning Classification

### Application request (check one):

Rezoning ☒ Standard ☐ PDP

Master Plan ☐ New ☐ Revised

PSFOD ☐ Communication Tower ☐ Other

PRINT OR TYPE ALL INFORMATION

Date: 1-18-23

File No. 11-23-04 Official Date Stamp:

Received

JAN 18 2023

Planning Department  
Hernando County, Florida

### APPLICANT NAME:

Jarrod Savinier / Cindy Masse

Address: 8341 Gladstone Street

City: Weeki Wachee

State: Florida

Zip: 34613

Phone: 813-557-8312

Email: greathomerealtor@gmail.com

Property owner's name: (if not the applicant)

Jarrod Savinier

### REPRESENTATIVE/CONTACT NAME:

Cindy Masse

Company Name: N/A

Address: 2398 Commerical way unit 184

City: Spring Hill

State: Florida

Zip: 34606

Phone: 352-410-3648

Email: Cmasse2634@gmail.com

### HOME OWNERS ASSOCIATION:

☐ Yes ☒ No (if applicable provide name)

Contact Name:

Address:

City:

State:

Zip:

### PROPERTY INFORMATION:

1. PARCEL(S) KEY NUMBER(S): 00082644

2. SECTION 23

TOWNSHIP 22

RANGE 17

3. Current zoning classification: R1C

4. Desired zoning classification: AG

AR-2

CAN

5. Size of area covered by application: 3.61

6. Highway and street boundaries: Gladstone and Michigan Ave

7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No

8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)

9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed: \_\_\_\_\_)

### PROPERTY OWNER AFFIDIVAT

I, Jarrod Savinier, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

☐ I am the owner of the property and am making this application OR

☒ I am the owner of the property and am authorizing (applicant): Cindy Masse

and (representative, if applicable): Cindy Masse

to submit an application for the described property.

Signature of Property Owner

STATE OF FLORIDA

COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 10th day of JANUARY, 2023, by JARROD SAVINIER & CINDY MASSE who is personally known to me or produced Drivers license as identification.

Signature of Notary Public

Effective Date: 11/8/16 Last Revision: 11/8/16



Notary Seal/Stamp

JAN 18 2023

Planning Department  
Hernando County, Florida

AR-2

2/24/23



My name is Jarrod Saulnier, I would like my property at 8341 Gladstone street Weeki Wachee, FL 34613 to be rezoned from residential to AR/Agricultural residential. At the time of buying the home on this property I didn't think to check into what it was zoned for, considering it was a large piece of property with neighbors also having 1.8+ or more acres. As my family grows and times are changing I'd like to be able to provide sustainable food source that are organic with no pesticides, fertilizers or antibiotic's. That being said, having the opportunity to grow vegetables or fruit, having a greenhouse, raise chickens (not roosters) or other animals would be essential to our way of life. In order to achieve chemical free vegetables in greenhouse I would like to have a natural aquaponics system to do so, the property has AE flood zone on the lower left hand corner that holds water to provide a fish pond to give nutrients to the plants. As my family and I get older I think about the foods that goes into our bodies to keep us healthy. Being able to provide unprocessed food for my family would be of great benefit to our health. In ordered to do this for my family and I, rezoning my property to <sup>AR-2</sup>AR is essential. I'm asking Hernando county to accept my request to be Rezoned from residential to <sup>AR-2</sup>AR. Thank you for your time. At this time no plans are in order till approval of rezoning (then options will be explored).

Sincerely Jarrod Saulnier and family

Received

JAN 18

Planning Department  
Hernando County, Florida

## 1. Proposal

- A..Proposed land uses and their specific acreage . **Agricultural Use for personal agriculture to cultivate edible plant crops and aquaculture**
- B..Proposed density level of residential uses. **Residential is 8323 sq feet of the property**
- C.Proposed square footage of development and building heights of commercial uses.  
**There is no development applied for There is no commercial use applied for.**
- D.Proposed deviations from cose. **No proposed deviations from code**

## 2. Site Characteristics

- A.Site size. **3.61**
- B.Existing land uses and their specific acreage. **Existing land usage is Residential/ 3.61 Acres**
- C.Known activities or uses on site. **Residential use currently.**

## 3. Environmental Considerations

- A.Flood Zone. **X & AE**
- B. Drainage features. **Land pitch and swells**
- C. Water features. **None**
- D. Habitats. **Deer Turkey Coyote Birds**
- E Conditions and impacts on natural features.**None**

## 4. Site Plan Discussion in the Narrative

- A.A description of the concept of the development plan. **There is no development plan at this time. Usage shall be for personal agriculture to cultivate edible plant crops and Aquaculture**
- B.Proposed buffer sizes and separation widths between proposed land uses.**43,560 square feet total buffer**
- C.Proposed setbacks and minimum sizes for individual lots .**No individual lots at this time**
- D.Impacts and improvements to infrastructure. **No planned improvements at this time**
- E.Proposed uses within pods. **One pod is residential ( 1 acre ) The remaining pod is used to cultivate edible plant crops and aquaponics: In the AE Flood zone of property**

JAN 18 2023

**5. Impact to public facilities .**

Planning Department  
Hernando County, Florida

**A.It is the opinion of the applicant that the edible plant crops and aquaculture will not have any impact on public facilities described in the application section 5**

**6.Water and Sewer Services**

**The residential home is equipped with well water and a septic system that are current to county code. The edible plant crops and aquaculture shall not require any additional public water or sewer. The natural runoff will maintain the aquaculture in the AE flood zone on the property and no fertilizing material will be used**

**7.Senior , Age restricted or affordable housing.**

**There are no age restrictions or affordable housing units on the property. The property is not registered with the florida housing for older persons registry**



## AGENDA ITEM

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### TITLE

Rezoning Petition Submitted by Joseph Perry (H2312)

### BRIEF OVERVIEW

**Request:**

Rezoning from R-2 (Residential) to R-1A (Residential)

**General Location:**

South side of the western terminus of Ganz Drive

### FINANCIAL IMPACT

Click or tap here to enter text.

### LEGAL NOTE

The Planning and Zoning Commission has jurisdiction to make a recommendation on the subject application. The Applicable Criteria for a Zoning District Amendment are contained in Appendix A, (Zoning Code) Article VI. The Zoning District Amendment must be consistent with the Comprehensive Plan.

### 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 R-2 (Residential) to R-1A (Residential).

### REVIEW PROCESS

Cayce Dagenhart	Approved	05/22/2023 8:12 AM
Omar DePablo	Approved	05/24/2023 12:06 PM
Michelle Miller	Approved	05/25/2023 9:28 AM
Aaron Pool	Approved	05/26/2023 10:49 AM
Kyle Benda	Approved	05/26/2023 11:04 AM

**AYES:** Fulford, Arlack, Birren, Holmes and Whiting

**ABSENT:** Hickey and McDonald

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: June 12, 2023  
Board of County Commissioners: July 11, 2023

**APPLICANT:** Joseph Perry

**FILE NUMBER:** H-23-12

**REQUEST:** Rezoning from R-2 (Residential) to R-1A (Residential)

**GENERAL LOCATION:** South side of the western terminus of Ganz Drive

**PARCEL KEY NUMBERS:** 480679

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### APPLICANT'S REQUEST

The petitioner is requesting a rezoning of the subject property from R-2 (Residential) to R-1A (Residential) to utilize an RV during the construction of the primary home. The County LDRs allow an RV on a parcel during construction if the parcel allows for mobile homes. The R-1A (Residential) allows for both mobile homes and single-family site-built homes. The petitioner has not indicated a construction schedule.

If the rezoning is approved, the petitioner shall be required to obtain a separate temporary RV placement permit through the Planning and Zoning Division before locating the RV on the site.

### SITE CHARACTERISTICS

**Site Size:** 0.5 acres

**Surrounding Zoning & Land Uses:**

North:	R2; Mobile Home
South:	City; Mobile Homes, RV's
East:	R-1A; Undeveloped
West:	Mining; Undeveloped

**Current Zoning:** R-2 (Residential)

**Future Land Use Map Designation:** Residential

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**ENVIRONMENTAL REVIEW**

<b>Soils:</b>	Micanopy Loamy Fine Sand, Kendrick Fine Sand, Flemington Fine Sandy Loam
<b>Protection Features:</b>	There are neither Protection Features (Wellhead Protection Areas (WHPA) nor Special Protection Areas (Special Protected Areas (SPAs) on this site according to county data.
<b>Hydrologic Features:</b>	There is a Class 1 Wetland on the western side of the property according to the Hernando County Comprehensive Plan and should not be altered. A wetland jurisdictional line needs to be shown on future site plans.
<b>Flood Zone:</b>	X

**UTILITIES REVIEW**

The Hernando County Utilities Department (HCUD) has reviewed this application and indicated that the property is located within the City of Brooksville Utility Department's (CBUD) first right to serve district; contact CBUD for any utility related comments.

**ENGINEERING REVIEW**

The subject site is located on the south side of the western terminus of Ganz Drive. The County Engineer has reviewed the petitioner's request and has indicated the following:

- This site contains an area of 1% annual chance floodplain along the top of the channel bank on the westerly side of the site.
- No drainage or traffic issues.

**LAND USE REVIEW:****Building Setbacks**

Minimum Building Setbacks:

- Front: 25'
- Side: 10'
- Rear: 20'

**Comment:** The use of an RV on the subject site once rezoned to R-1A (Residential), will be subject to all appropriate permit requirements through the Planning and Zoning Division. 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.

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**COMPREHENSIVE PLAN REVIEW:****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.

***Comments:*** The parcel is within the Residential Land Use classification and is surrounded by residential parcels of similar zoning and uses. The proposed rezoning is consistent with the strategies for residential density and the pattern of land development within the surrounding area.

**Wetlands**

**Objective 10.03B:** Hernando County wetlands are important to the maintenance of groundwater, freshwater and marine ecosystems and shall be protected to the greatest extent possible consistent with state and federal regulations to avoid compromising wetland functions.

**Strategy 10.03B(2):** Hernando County shall only allow the alteration of Class I Wetlands consistent with the requirements of state and federal regulatory agencies. Alteration includes but is not limited to filling, draining, excavating or interruption of flow into or out of the wetland. Class I Wetlands meet at least one of the following criteria:

- a. Wetlands contiguous to or hydrologically connected with any natural surface water body including, but not limited to rivers, creeks, lakes and tidal waters;
- b. Any wetland having a hydrological connection to the Floridan aquifer;
- c. Any wetland within or hydrologically connected to a lake littoral zone;
- d. Any contiguous extent of wetlands of forty (40) acres or more;
- e. Wetlands that serve as known nesting, resting or feeding areas of federal or state listed species.

***Comments:*** The applicant should not encroach into the wetlands. Any temporary or permanent structure on the site must be located outside of the wetland demarcation line.

**FINDINGS OF FACT**

The request for a rezoning from R-2 (Residential) to R-1A (Residential) is appropriate based on consistency with the County's adopted Comprehensive Plan and the surrounding area.

## **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 R-2 (Residential) to R-1A (Residential).

# H-23-12

Photo date: 2020

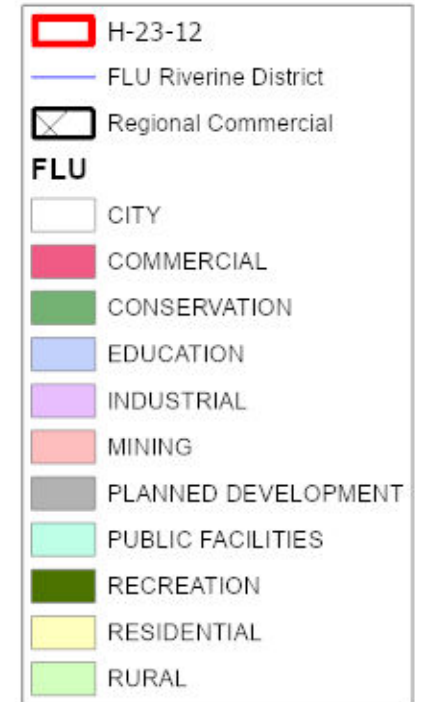
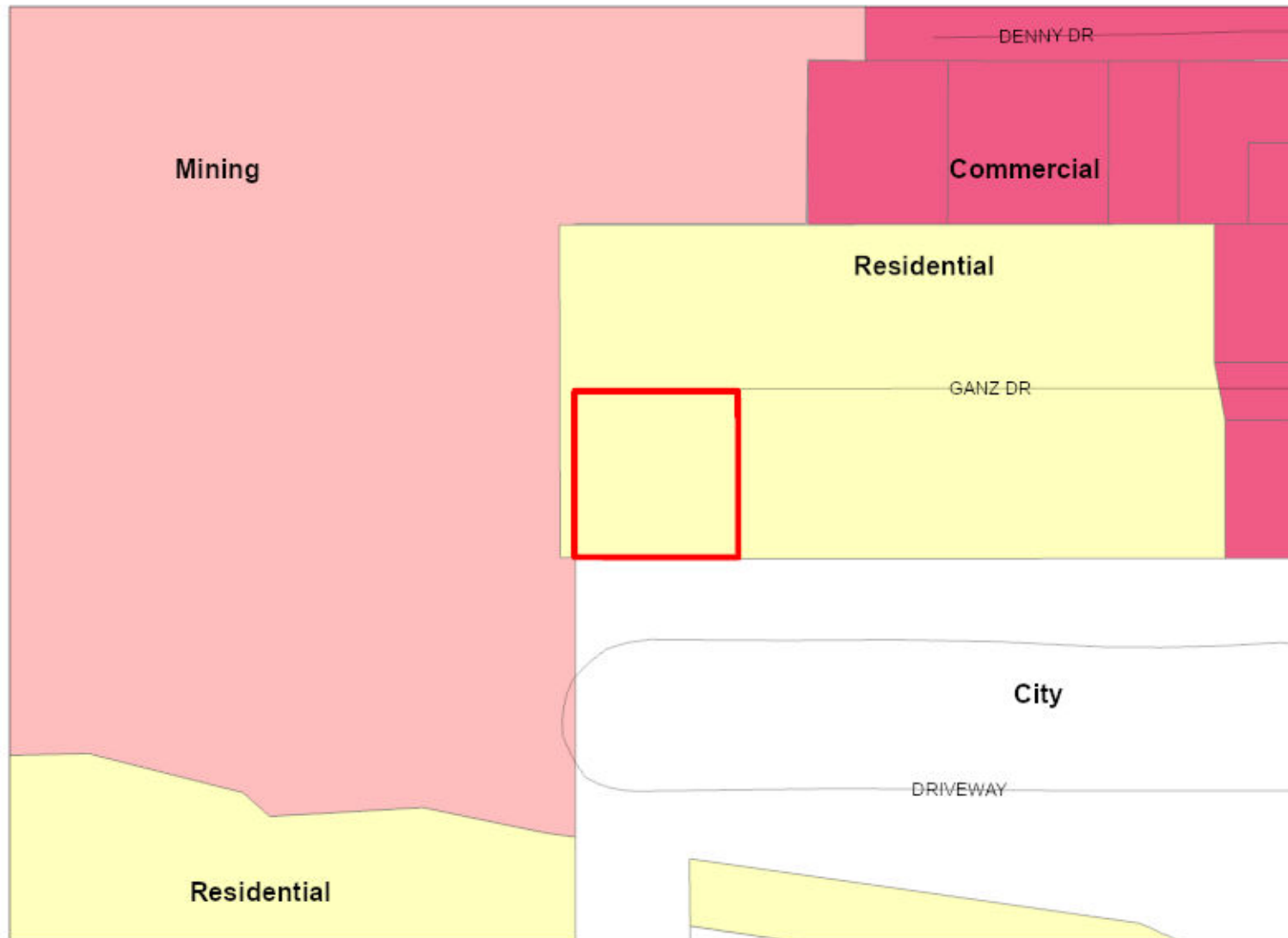
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# Hernando County Comprehensive Plan Map

Existing Future Land Use: H-23-12

Version Date: 07/14/2022



**Future Land Use Map**

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

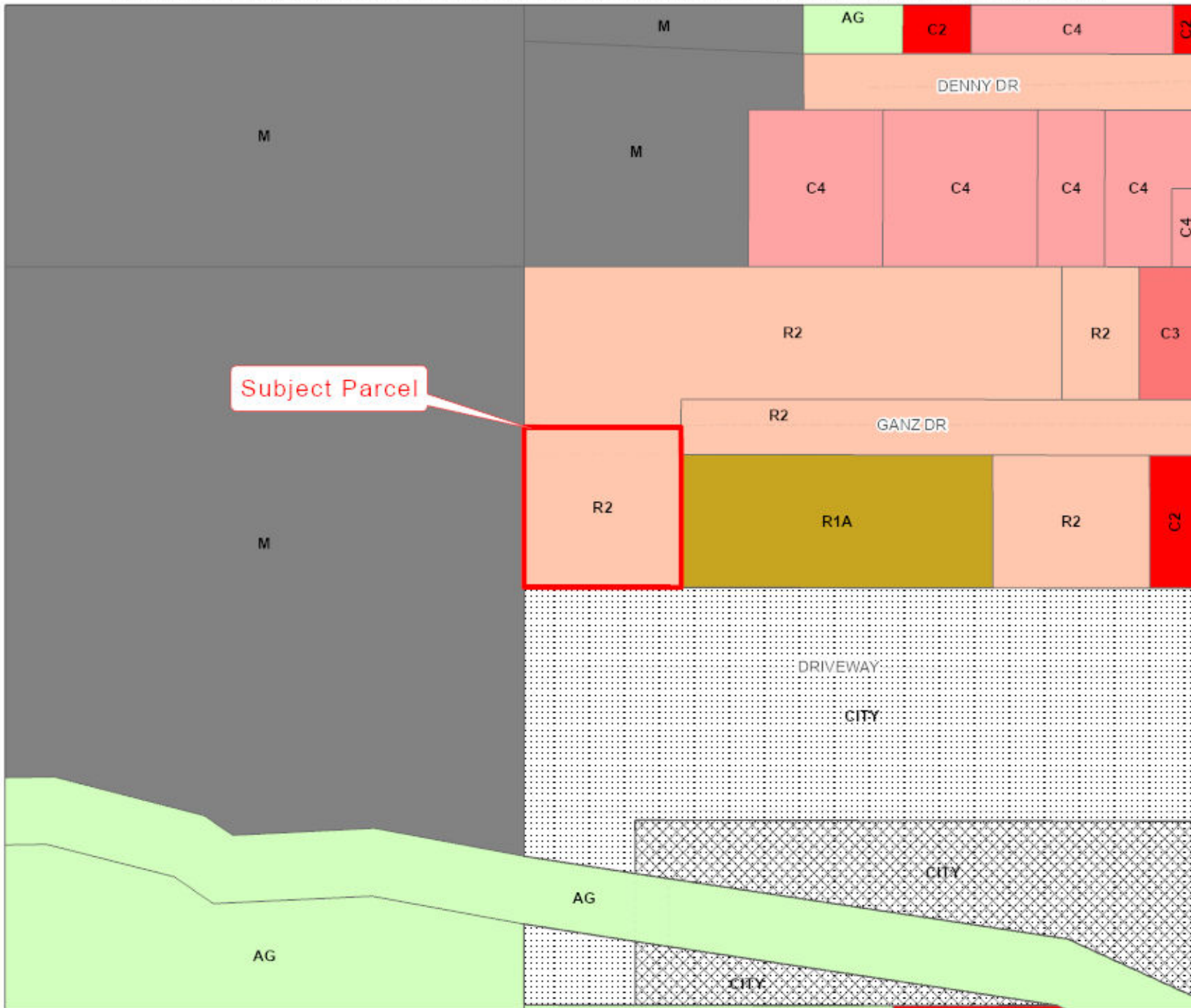


Date of mapping: 04/11/2023



# H-23-12

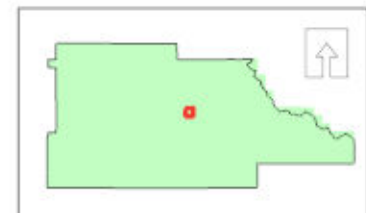
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**Zoning:**

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

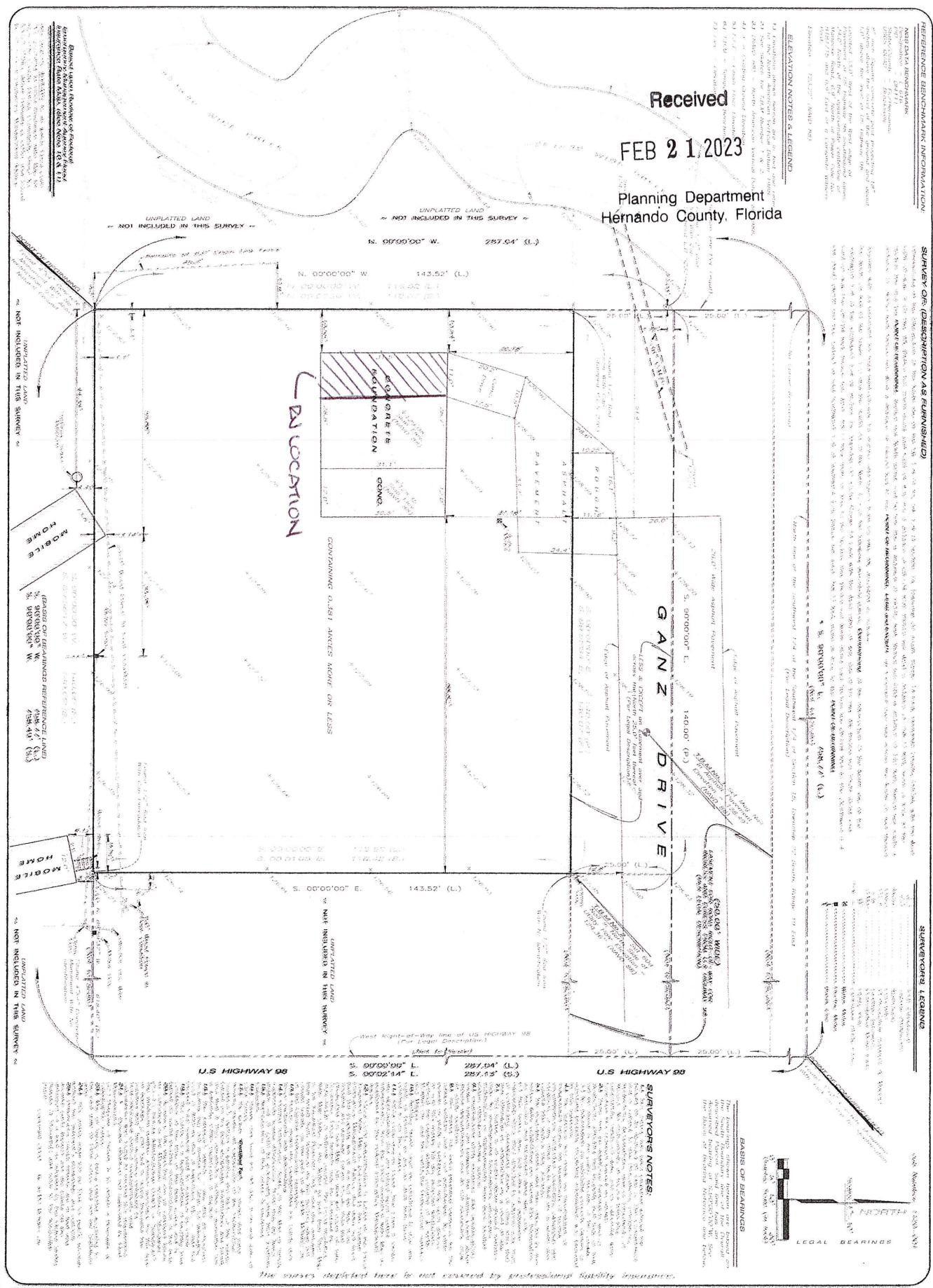
City Zoning Pending



Robert 352 410 0199

Received  
FEB 21 2023

Planning Department  
Hernando County, Florida



**CERTIFIED TO:** Every Subordinate

**MAP OF BOUNDARY & TOPOGRAPHIC SURVEY**

**W. KEMP MORRIS JR.**  
Professional Surveyor & Mapper  
Florida Department of Transportation, Division of Surveying and Mapping

Date of Signature: \_\_\_\_\_

Received

FEB 21 2023

PONCE DE LEON BLVD

Planning Department  
Hernando County, Florida



# HERNANDO COUNTY ZONING AMENDMENT PETITION



## Application to Change a Zoning Classification

### Application request (check one):

Rezoning ☐ Standard ☐ PDP

Master Plan ☐ New ☐ Revised

PSFOD ☐ Communication Tower ☐ Other

PRINT OR TYPE ALL INFORMATION

Date: 2-21-23

File No. 4-23-12 Official Date Stamp:

Received

FEB 21 2023

Planning Department  
Hernando County, Florida

### APPLICANT NAME:

Joseph Perry

Address: 20218 Ganz Dr.

City: Brooksville

State: FL

Zip: 34601

Phone: 920979 8628

Email: jlperry548@gmail.com

Property owner's name: (if not the applicant)

### REPRESENTATIVE/CONTACT NAME:

Company Name:

Address:

City:

State:

Zip:

Phone:

Email:

### HOME OWNERS ASSOCIATION:

☐ Yes ☒ No (if applicable provide name)

Contact Name:

Address:

City:

State:

Zip:

### PROPERTY INFORMATION:

1. PARCEL(S) KEY NUMBER(S): 480679

2. SECTION 15

TOWNSHIP 22

RANGE 19

3. Current zoning classification: R2

4. Desired zoning classification: R1A

5. Size of area covered by application: .5 acre

6. Highway and street boundaries: Ganz Dr

7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No

8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)

9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed: \_\_\_\_\_)

### PROPERTY OWNER AFFIDIVAT

I, Joseph Perry, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

☒ I am the owner of the property and am making this application OR

☐ I am the owner of the property and am authorizing (applicant): \_\_\_\_\_

and (representative, if applicable): \_\_\_\_\_

to submit an application for the described property.

Joseph Perry  
Signature of Property Owner

STATE OF FLORIDA

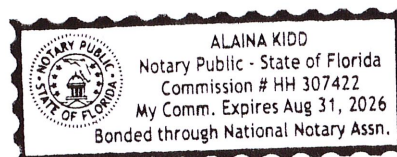
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 21st day of February, 2023, by Joseph Perry who is personally known to me or produced POWER as identification.

Alaina Kidd  
Signature of Notary Public

Signature of Notary Public

Effective Date: 11/8/16 Last Revision: 11/8/16



Notary Seal/Stamp

2-21-21

I'm Looking To keep my RV on site  
when Building my New home That I will  
Not BE THERE Full Time Just a SUMMER home  
Looking TO REZONE my Land TO R1A

Joseph M



## AGENDA ITEM

---

### TITLE

Master Plan Revision Petition Submitted by Elevation Development Corporation (H2309)

### BRIEF OVERVIEW

#### Request:

Master Plan revision and a rezoning from PDP(GC)/Planned Development (General Commercial) and PDP(OP)/planned Development Project (Office Professional) to PDP(MF)/Planned Development Project (Multifamily) with specific C-2 uses for Drive-Thru Restaurants and Mini-Storage Facilities.

#### General Location:

North side of Elgin Boulevard approximately 450' from its intersection with Barclay Avenue and west side of Barclay Avenue, approximately 650' south of its intersection with Silverthorn Boulevard

### FINANCIAL IMPACT

A matter of policy. There is no financial impact.

### LEGAL NOTE

The Planning and Zoning Commission has jurisdiction to make a recommendation on the subject application. The Applicable Criteria for Planned Development Projects are contained in Appendix A, (Zoning Code) Article VIII. The Planned Development Project master plan must be consistent with the Comprehensive Plan.

### RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a Resolution approving the petitioner's request for a Master Plan Revision and a Rezoning from PDP(GC)/ Planned Development Project (General Commercial) and PDP(OP)/ Planned Development Project (Office Professional) to CPDP (Combined Planning Development Project) to include Multifamily and specific C-2 uses and with Deviations with performance conditions.

### REVIEW PROCESS

Cayce Dagenhart	Approved	05/23/2023	8:47 AM
Omar DePablo	Approved	05/23/2023	9:27 AM
Michelle Miller	Approved	05/23/2023	9:34 AM
Aaron Pool	Escalated	05/25/2023	4:18 PM
Michelle Miller	Escalated	05/26/2023	4:20 PM
Aaron Pool	Approved	05/30/2023	1:13 PM
Kyle Benda	Approved	05/31/2023	9:05 AM

**RESULT:**      **ADOPTED**  
**MOVER:**      Nicholas Holmes  
**SECONDER:** Gregory Arflack  
**AYES:**        Fulford, Arflack, Birren, Holmes and Whiting  
**ABSENT:**      Hickey and McDonald

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: June 12, 2023  
Board of County Commissioners: July 11, 2023

**APPLICANT:** Elevation Development Corporation

**FILE NUMBER:** H-23-09

**REQUEST:** Master Plan Revision and a Rezoning from PDP(GC)/ Planned Development Project (General Commercial) and PDP(OP)/ Planned Development Project (Office Professional) to CPDP (Combined Planning Development Project) to include Multifamily and specific C-2 uses and with Deviations

**GENERAL LOCATION:** North side of Elgin Boulevard approximately 450' from its intersection with Barclay Avenue and west side of Barclay Avenue, approximately 650' south of its intersection with Silverthorn Boulevard

**PARCEL KEY NUMBERS:** 377292, 377274

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### APPLICANT'S REQUEST

On January 8, 2003, the Board of County Commissioners approved a Master Plan revision on the subject sites to include a rezoning from AG (Agriculture) to PDP(GC)/Planned Development Project (General Commercial) and PDP(OP)/ Planned Development Project (Office Professional) with the specific C-1 use of personal service establishment. Since the 2003 approval, no development has commenced. In accordance with County Land Development Regulations (LDRs), a master plan is valid for a period of two (2) years. Should no development occur during that time, the entitlements remain, however the master plan expires and requires the property owner to reestablish the plan.

The petitioner's current request is for a Master Plan revision and a rezoning from PDP(MF)/Planned Development Project (Multi-Family) Planned Development (General Commercial) and PDP(OP)/Planned Development Project (Office Professional) to PDP(MF)/Planned Development Project (Multifamily) with specific C-2 uses of Drive-Thru Restaurants and Mini-Storage Facilities. The petitioner's proposal is for a multiple-use development with commercial outparcels at the front and residential developments located behind the commercial parcels.

The residential portion of the development will consist of 312 units, 3-story multifamily (13 buildings) development and a 120 unit, 3-story townhome development (13 buildings). with a proposed density of 12.40 DU per acre for the residential portion.

The proposed PDP will include six (6) commercial out-parcels that will consist of 10.32 acres and two (2) multifamily parcels consisting of a total of 34.82 acres. The commercial portion of the development will consist of C-1 Uses with the addition of drive-thru restaurants and mini-storage facilities.

**Table 1: Proposed Residential Land Use Distribution**

Land Use	Proposed Acreage
Multifamily	19.63
Townhome	15.19
<b>Total Residential</b>	<b>34.82</b>

**Table 2: Proposed Commercial Land Use Distribution**

Land Use	Proposed Acreage
Commercial – Outparcel 1	2.94
Commercial – Outparcel 2	1.26
Commercial – Outparcel 3	1.06
Commercial – Outparcel 4	0.88
Commercial – Outparcel 5	1.30
Commercial – Outparcel 6	2.88
<b>Total Commercial</b>	<b>10.32</b>

The land is currently vacant with adjacent residential uses directly to north and west, except for a portion of the property that aligns with the proposed commercial outparcels which is an existing storm water pond. Eglin Blvd abuts the south with residential on the south side of the roadway. To the east property line abuts commercial that aligns with the proposed commercial outparcels. The remainder of the east property line abuts Barclay Avenue, with residential uses on the east side of Barclay Avenue.

### Deviations Requested

The petitioner is requesting deviations from the following County LDRs.

- Internal Commercial Building Setbacks: 0' (deviation from 20')
- Internal Commercial Landscape Buffers: 0' (deviation from 5')
- Commercial Side Building Setback: 10' (deviation from 20')
- Multifamily Building Setback (Barclay Ave.): 10' (deviation from 25')
- Residential protection standards: building height within 100' of single-family residential zoned property: 35' (deviation from 20')

### SITE CHARACTERISTICS

**Site Size:** 45.7 Acres

#### Surrounding Zoning;

**Land Uses:**

North:	PDP(MF); Multifamily
South:	PDP(SF); Single Family
East:	PDP(GC), PDP(SF); Silverthorn Plaza and Subdivision
West:	PDP(SF); Sterling Hills Subdivision

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**Current Zoning:** CPDP/Combined Planned Development Project (H-02-44)

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

## ENVIRONMENTAL REVIEW

**Soils:** Candler Fine Sand

**Habitat:** Undeveloped sandhill and coniferous pine plantation according to FWC CLC mapping (Florida Cooperative Land Cover Classification System that combines Florida Land Use Cover and Classification System with fish and wildlife data).

**Comments:** Based on soils and habitat there is potential for gopher tortoise, a protected species, and associated commensal species to be present. The naturally vegetated parcel (key 377274) is mapped as Strategic Habitat Conservation Area by FWC.

The petitioner shall provide an updated gopher tortoise burrow survey prepared by a qualified professional, FWC permitting, and proof of relocation prior to site approval. The gopher tortoise survey shall be submitted and approved prior to any geotechnical activity occurring on-site.

A comprehensive floral and faunal (wildlife) survey shall be performed and provided with the construction plans. Invasive species shall be included in this survey.

The petitioner is required to comply with all applicable FWC regulations and permitting.

**Protection Features:** The properties do not contain SPAs (Special Protection Area), wetland, or archaeological sites. However, the subject parcels do fall within a WHPA 2 (Wellhead Protection Area class 2).

**Comments:** The following activities are prohibited in WHPA2, the prohibited uses should not impact the proposed development:

- (1) Hazardous waste treatment, storage or disposal facilities as defined in section 403.703(22), Florida Statutes, or 40 Code of Federal Regulations 260.10 or chapter 17-730 Florida Administrative Code, including transfer facilities, such facilities ancillary to recycling facilities and facilities which burn such hazardous waste for fuel.
- (2) Unlined solid waste disposal facilities.
- (3) New discharges of any regulated substance or untreated stormwater into karst solution features, sinkholes or

drainage wells. Existing stormwater facilities discharging to sinkholes or drainage wells which are in violation of chapter 17-25, Florida Administrative Code permit requirements shall be brought into compliance within one year of the effective date of this article. Stormwater facilities which treat stormwater to chapter 17-25, Florida Administrative Code standards shall be presumed to be allowable under this section.

- (4) Landfarming of soil contaminated with regulated substances.
- (5) The siting of underground petroleum product lines, including, but not limited to, pipelines designed for the transportation of gasoline and oil.

**Water Quality:**

This project is located within the Weeki Wachee Priority Focus Area identified by FDEP as contributing nutrients to the Weeki Wachee Riverine System. Implementation of Florida Friendly Landscaping™ principles, techniques, and materials are designed to conserve water and reduce pollutant loading to Florida's waters.

**Comments:**

The Developer shall provide new commercial property owners with Florida-Friendly Landscaping™ (FFL) Program information and include FFL language in the covenants and restrictions. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.

The developer must provide geotechnical/geophysical subsurface testing in accordance with the Hernando County Facility Design Guidelines. This testing shall be done after the gopher tortoise burrow survey is completed and approved to avoid destruction of the burrows.

**Flood Zone:**

X

**SCHOOL DISTRICT REVIEW**

No comments were received from the Hernando County School District on the subject application. The applicant 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.

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## UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) has reviewed the request and indicated it does not currently supply water or sewer service to these parcels. There is an existing 20-inch water main that runs along the south side of Elgin Boulevard, and an existing 16-inch water main that runs along the east side of Barclay Avenue. There is an existing 8-inch sewer force main that runs along the north side of Elgin Boulevard, and an existing 8-inch sewer force main that exits a lift station at the corner of Astaire Lane and Barclay Avenue, then runs south along the east side of Barclay Avenue. HCUD has no objection to the submitted master plan update subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction.

## ENGINEERING REVIEW

The subject site is located on the north side of Elgin Boulevard approximately 450' from its intersection with Barclay Avenue and west side of Barclay Avenue, approximately 650' south of its intersection with Silverthorn Boulevard. The petitioner is proposing two right-in/right-out access points on Elgin Boulevard for the commercial and residential development. Cross Access is being proposed into the existing Circle K and the Centennial Bank at the intersection of Barclay Avenue and Elgin Boulevard and another cross-access with the parcel directly to the north, as per previous direction issued by the Board of County Commissioners (H-22-27). An additional full access is proposed to Barclay Avenue along the north multifamily parcel.

The County Engineer has reviewed the petitioner's request and provided the following comments:

- Proposed development must meet Hernando County Facility Design Guidelines and Southwest Florida Water Management District Environmental Resource Permit drainage design standards.
- This project generates over 50 PM Peak Hour Trips and a Traffic Access Analysis is required. The Methodology Statement received for this project was not in compliance with county standards. (Refer to Hernando County Facilities Design Guidelines IV-18.)
- This project may require signalization on Barclay Avenue or Elgin Boulevard. A signalization analysis at these intersections will be required as part of the Traffic Access Analysis.
- Barclay Avenue is scheduled to be widened to a 4-lane roadway. This project will be required to participate through a dedication of land to facilitate the widening.
- Provide a Cross Access Agreement for parcels located to the east, Circle K / Parcel Key# 1282873 and Centennial Bank -Parcel Key#1696132.
- Relocate the western most access driveway along Elgon Boulevard to align with median opening.

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**LAND USE REVIEW**

The petitioner is proposing a mixed-use development on the subject property, consisting of commercial, office professional and residential uses. Certain land use specifications apply to the entire project; others apply specifically to the nonresidential or residential components.

**Building Setbacks**

Due to the nature of the mixed-use development, the building setbacks listed pertain to all uses based on their location/orientation.

- Front (South) (Elgin Blvd.): 75'
- Side (West): 10'
- Side (West) (Commercial): 10' (deviation from 20')
- Side (East) (Barclay Ave.) (Multifamily): 10' (deviation from 25')
- Rear (North) (Residential): 20'
- Internal (Commercial to Commercial): 0' (deviation from 20')
- Internal (Commercial to Residential): 20'

**Multifamily Specific Regulations**

- Building Separation: 15'
- Maximum Building Height: 3 Stories

**Townhome Specific Regulations**

- Maximum Building Height within 100' of single-family residential zoned property: 35' (deviation from 20')

**Perimeter Landscape Buffers**

Due to the nature of the mixed-use development, the buffers pertain to all uses based on their location/orientation. Unless specifically stated on the master plan, perimeter buffers shall consist of undisturbed natural vegetation that provides a visual buffer with at least 80% opacity. If natural vegetation cannot achieve this level of opacity, plantings shall be used to achieve the required opacity.

- Front (South) (Elgin Blvd.): 25'
- Side (West): 20'
- Side (East) (Barclay Ave.): 10'
- Rear (North) (Residential): 10'
- Internal (Commercial to Commercial): 0' (deviation from 5')
- Internal (Commercial to Residential): 20'

**Comments:** Each land use shall meet the minimum internal landscape buffer requirements for each of the proposed land uses (multifamily and/or commercial).

The petitioner has proposed a 5' portion of the 20' western landscape buffer as undisturbed natural vegetation. If approved the entire 20' western buffer shall be natural vegetation and supplemented where necessary to achieve 80% opacity.

## **Commercial Land Use Specifications**

### **Large Retail Development Standards:**

Based on the "Floor to Area Ratio" of the commercial area, the subject development will be required to meet the Large Retail Development standards as specified below:

- Commercial development with any single building, or single site development with multiple buildings with the same use and owned and managed by the same entity, greater than 65,000 square feet of gross floor area is only allowable through approval as a Planned Development Project and which otherwise satisfies these requirements and this article. This type of development may be compatible in a given commercial zoning district but because of its size, intensity, increased traffic-generation, extended hours of operation, or proximity to residential areas/districts or public schools require additional conditions as a prerequisite for approval at a requested location. The applicant shall have the burden of adequately demonstrating compliance with all of the minimum standards set forth below and otherwise contained within this article. The governing body, in their sole discretion and following public hearing and notice, shall be the final arbiter of determining whether compliance with these minimum standards has been adequately demonstrated and whether to approve, approve in part or deny a particular request hereunder.
- Mechanical/operational equipment including HVAC located at ground level shall be set back at least one hundred (100) feet from any property line external to the development site and shall be visually shielded through enhanced screening or shall be located on the roof and shall be visually shielded with a parapet wall. All mechanical/operational equipment shall be sound attenuated as necessary to comply with the county's noise ordinance.
- Where the proposed commercial development consists of multiple buildings (excluding out parcels), then loading areas and loading docks should be situated between said buildings in a manner which allows the buildings to act as screens. All loading areas/docks shall be set back at least one hundred (100) feet from any property line external to the development site and shall be screened at 100% opacity through the use of landscape plantings, berms, fences or walls. The County may require the use of absorptive noise barrier walls for commercial noise reduction.
- All outdoor lighting shall meet the specific use regulations for commercial lighting under Article III.
- All on-site advertising signs, including out parcels, 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 this code.

- The master plan shall meet the following increased setbacks and buffering requirements:
  - Setbacks. Where any side or rear lot line adjoins (excluding roads) a residential- or agricultural-zoned property or an existing residential use, then no building shall be located within one hundred (100) feet of said lot line.
  - Buffering. A thirty-five (35) foot wide buffer screened at 80% opacity at a height of six (6) feet above finished grade shall run along each rear and/or side property line which abuts any residential or agricultural zoned property. This buffer shall be screened through the use of landscape planting and landscape berms and may be augmented through the use of fences or walls, existing natural vegetation, and/or a combination thereof. The County may require the use of absorptive noise barrier walls for commercial noise reduction.
- The applicant shall demonstrate that the proposed use is appropriate to the property in question, is compatible with existing and planned uses in the area and demonstrate compliance with the County Comprehensive Plan.

#### **Large Retail Development Signage:**

County LDRs require that any commercially zoned parcel(s) with less than one hundred (100) linear feet of road frontage will be allowed one (1) sign not to exceed one hundred (100) square feet in sign area. Commercially zoned parcels with a road frontage in excess of one hundred (100) linear feet will be allowed one (1) square foot of sign area per linear foot of road frontage with a maximum of two hundred (200) square feet of sign area. For commercially zoned parcels on all other roads and for parcels within any zoning district other than commercial or residential there shall be a maximum of fifty (50) square feet of sign area.

**Comments:** The predominant sign material shall be like the material (e.g., brick, stone, etc.) of the buildings developed on the subject property. The signage for the project is limited to four (4) monument signs not to exceed the maximum spacing in the LDRs. A maximum of two (2) signs no more than 15' in height are allowed as indicated on the site plan. A maximum of two signs no more than 10' in height are allowed along the frontage road.

Shopping centers, malls, strip plazas and other buildings housing more than one (1) business or activity may display no more than one (1) sign for each two hundred (200) feet of frontage, provided they are at least two hundred (200) feet apart along public streets and provided each sign does not exceed the maximum allowed according to County LDRs. The petitioner must meet the minimum sign standards as required by the County LDRs.

**Table 3: Minimum County Required Sign Setbacks**

<b>Sign Size</b>	<b>Setback Required</b>
Up to 75 square feet in area:	5' from property line
75 square feet and up to 150 square feet in area:	10' from property line
150 square feet or greater:	20' from property line

**Multifamily/Residential Land Use Specifications:****Boulevard Entrance Policy**

To establish minimum access requirements to single family subdivisions, the Board of County Commissioners adopted a policy requiring two (2) means of access for subdivisions. The policy serves to provide more than one-way in and one-way out for residents of a subdivision, alternate routes for emergency services, interconnection between subdivisions, a shortened drive time for residents to the entrance/exits, and access points for travel direction outside of the development. A minimum of two (2) access points must be provided to serve any new subdivision or development pod with more than 50 units.

**Comments:** The Master Plan establishes more than one access point to the developments. The petitioner shows a boulevard entrance into the development from Barclay Avenue. This access point is the only full access entrance (meaning vehicles may make left- and right-hand turns) to the development. Two other access points, both right-in, right-out, are provided on Elgin Boulevard. These entrances provide direct access to the commercial portion of the development. The westernmost access point on Elgin Boulevard is shown as a boulevard entrance that leads to the Townhome portion of the proposed development. All proposed boulevards must be landscaped with trees and a variety of plantings.

**Treed Roadway**

County LDRs require that new single family and multifamily developments with more than 50 units provide at least one treed roadway/access way for motor vehicles extending through the length or width (whichever is greater) of the development with a vegetative buffer at least 10' in width on both sides of the road.

**Comment:** The petitioner has not shown a treed roadway entrance into the development. If approved, the developer will be required to meet the minimum requirements of the Treed Boulevard Roadway standards.

**Natural Vegetation**

Projects greater than twenty (20) acres shall designate an area of at least seven percent (7%) of the total project area as preserved natural vegetation and no construction activity can occur in this area. Preserved natural vegetation areas must be a minimum of twenty thousand (20,000) square feet. If approved, the petitioner must provide a minimum of seven percent (7%) natural vegetation. Preserved natural vegetation and/or planted native

vegetation may be used to meet all or part of the requirement for open space if it is a minimum of fifteen (15) feet in width.

**Comment:** This proposal includes 34.82 acres of residential land use. The natural vegetation area must be at least 2.44 acres. The minimum size of this area is 20,000 square feet. The petitioner has not indicated the location of the preserved natural vegetation on the site. If approved, the petitioner shall be required to update the master plan within 30 days to demonstrate compliance with the natural vegetation requirements in the Land Development Regulations.

### Neighborhood Park

All developments with 50 dwelling units or more shall provide and maintain a neighborhood park system for use by the residents of the subdivision in accordance with the requirements of the LDRs. The proposed phase contains more than 50 dwelling units. Neighborhood parks may count towards the minimum open space requirements. The amount of land provided and maintained as a neighborhood park shall be 1.0 acre for the first 50 dwelling units plus 1/100th of an acre for each dwelling unit over 50 up to 250 dwelling units, for a maximum of 3.0 acres. If approved, the development must meet the minimum neighborhood park requirements as required by the County's LDRs. Individual single family and multifamily pods that exceed 50 dwelling units must provide a neighborhood park.

**Comments:** The petitioner shows a proposed playground at the southwest corner of the townhome portion of the property and a clubhouse with amenities for multifamily/apartments. If the approved, the petitioner shall provide appropriate recreation amenities for the townhomes and apartments as represented on the master plan.

### Construction Buffer

All new development (subdivision and commercial) greater than two (2) acres that abuts existing residentially zoned housing units not in previously developed or future phases of the same development must provide a construction buffer at the perimeter of the construction site boundary. It shall be a natural vegetative buffer a minimum of ten (10) feet in width, provide a minimum of eighty (80) percent opacity, and minimize - airborne erosion to existing adjacent residentially zoned housing units. If natural vegetation is not adequate or available to provide such a buffer, a fence or wall at least six (6) feet in height above grade must be installed within thirty (30) days of clearing and prior to commencement of construction. If a fence is used it must include mesh or slats to minimize airborne erosion. If a permanent fence or wall is provided it must be dominated by greenery on the side facing adjacent property at the conclusion of construction. Retention of a natural vegetative buffer is encouraged. A permanent construction buffer can be used to meet all or part of the requirements for natural vegetation preservation.

**Comments:** This project abuts an existing residential subdivision on a portion of the western boundary. If approved, the developer will be required to provide a construction buffer along the western property line.

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**Fire Protection Plan**

Hernando County LDRs require that a fire protection plan be completed for residential developments with lot sizes less than 60' in width.

**Comments:** The petitioner shall be required to provide a fire protection plan at the time of conditional plat.

**COMPREHENSIVE PLAN REVIEW**

The proposed commercial parcels will align with a major roadway, Elgin Boulevard and the residential provides a step down in intensity with the denser multi-family community abutting Barclay Avenue. The townhome community offers a further step down as the land use transitions into single family residential. The subject property is located within the Residential and Commercial land use classification on the adopted Future Land Use Map.

**Public School Facilities Element:**

Strategy 8.01C(2): Hernando County shall encourage development to locate in areas with adequate school capacity or to where school sites adequate to serve potential growth have been acquired by the School District, provided such location of the development is consistent with the land use policies of the Hernando County Comprehensive Plan.

**Future Land Use Element:**

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 project is located adjacent to the Elgin Boulevard and Barclay Avenue commercial node. The proposed project is mixed-use and the commercial along Elgin Boulevard is allowed in the Residential category when it's an integral part of a mixed-use development.

**Residential Mapping Criteria:**

The Residential Category is designed to accommodate a variety of residential and support uses at varying densities and types located in areas primarily clustered in and around the Adjusted Urbanized Area and those areas that maximize the efficient use of existing and planned infrastructure.

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.

**Multi-Family Housing**

Strategy 1.04B(4): The Residential Category includes zoning for multi-family housing generally averaging 7.5 dwelling units per gross acre up to 22 dwelling units per gross acre in order to provide for a diversity of housing choices. Multifamily housing should be located within, or in close proximity to urban areas shown on the Adjusted Urbanized Area Map, or near shopping and employment centers or within Planned Development Projects.

Strategy 1.04B(5): High density zonings are intended for locations in the more intensely developed sections of the County. New residential development of high-density housing shall utilize the Planned Development Project (PDP) process. Regulatory criteria shall include standards that evaluate and address suitability of the location including:

- a. proximity to existing or designated commercial areas, corridors, or employment centers;
- b. direct or limited local access to arterial or collector roadways;
- c. availability of appropriate infrastructure and services capacity at the site including police, fire, emergency medical services, potable water utility supply, sewer utility supply, and primary and secondary school facilities;
- d. protection of high quality environmentally sensitive resources or historic and archaeological resources;
- e. the character and density of existing and approved residential development in the surrounding area.

**Comments:** The multifamily development is proposed as a PDP/Planned Development Project with a maximum of 432 units on 34.82 acres. The proposed density is 12.4 du/acre. The proposed project location is suitable for multifamily with appropriate performance conditions.

**FINDINGS OF FACT**

The request for a Master Plan Revision and a Rezoning from PDP(GC)/ Planned Development Project (General Commercial) and PDP(OP)/ Planned Development Project (Office Professional) to CPDP (Combined Planning Development Project) to include Multifamily and specific C-2 uses and with Deviations is appropriate based on the following:

1. The following requested deviations are justified with appropriate performance conditions:
  - Internal Commercial Building Setbacks: 0' (deviation from 20')
  - Internal Commercial Landscape Buffers: 0' (deviation from 5')

- Commercial Side Building Setback: 10' (deviation from 20')
2. The following requested deviation is not justified and shall be required to meet the minimum requirements of the County LDR's:
    - Multifamily Building Setback (Barclay Ave.): 10' (deviation from 25')
  3. The requested C-2 (Highway Commercial) uses are not considered adverse to the public interest and are compatible with the Comprehensive Plan and surrounding land uses.
  4. The master plan is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all performance conditions.

#### NOTICE OF APPLICANT RESPONSIBILITY

*The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of 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 associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.*

#### STAFF RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a Resolution approving the petitioner's request for a Master Plan Revision and a Rezoning from PDP(GC)/ Planned Development Project (General Commercial) and PDP(OP)/ Planned Development Project (Office Professional) to CPDP (Combined Planning Development Project) to include Multifamily and specific C-2 uses of Drive-Thru Restaurants and Mini-Storage Facilities, 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 development shall have no more than 432 residential dwelling units.
3. The developer shall provide a construction buffer along the western property line adjacent to existing single-family residential zoning.

4. Environmental

- a. The petitioner is required to comply with all applicable FWC regulations and permitting.
- b. 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.
- c. A comprehensive floral and faunal (wildlife) survey shall be performed and provided with the construction plans. Invasive species shall be included in this survey. Invasive plant species shall be removed during the development process.
- d. The petitioner shall provide an updated gopher tortoise burrow survey, FWC permitting, and proof of relocation prior to site approval. The gopher tortoise survey shall be performed and submitted prior to any geotechnical subsurface testing on the site.
- e. 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. This is a BOCC required performance condition and may not be waived.
- f. The development shall meet the natural vegetation area requirements of 2.44 acres per County LDR's.
- g. No land uses prohibited in the Wellhead Protection Area Class 2 shall be permitted on this site.

5. Traffic Analysis and Access

- a. A Traffic Access Analysis, Signal Warrant Analysis and a queue Stacking Study shall be required. This project may require signalization on Barclay Avenue or Elgin Boulevard. A signalization analysis (signal warrant analysis) at these intersections will be required as part of the Traffic Access Analysis.
- b. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer.
- c. The Multifamily development shall provide a boulevard entrance from Elgin into the residential area of the project.
- d. The petitioner shall be required to provide interconnectivity and cross-connection between outparcels.
- e. The petitioner shall provide a Cross Access Agreement for all interconnections.

- f. This development shall coordinate the dedication of land to facilitate the widening of Barclay Avenue.
  - g. The petitioner shall relocate the western most access driveway along Elgin Boulevard to align with median opening.
6. Proposed development must meet Hernando County Facility Design Guidelines and Southwest Florida Water Management District Environmental Resource Permit drainage design standards.
7. The petitioner shall provide a fire protection plan at the time of conditional plat.

8. Building Setbacks

- Front (South) (Elgin Blvd.): 75'
- Side (West): 10'
- Side (West) (Commercial): 10' (deviation from 20')
- Side (East) (Barclay Ave.) (Multifamily): 25'
- Rear (North) (Residential): 20'
- Internal (Commercial to Commercial): 0' (deviation from 20')
- Internal (Commercial to Residential): 20'

Multifamily Specific

- Building Separation: 15'
- Maximum Building Height: 3 Stories

Townhome Specific

- Maximum Building Height within 100' of single-family residential zoned property: 35' (deviation from 20')

9. Perimeter Landscape Buffers

- Front (South) (Elgin Blvd.): 25'
- Side (West): 20'

The entire 20' western buffer shall be natural vegetation and supplemented where necessary to achieve 80% opacity.

- Side (East) (Barclay Ave.): 10'
- Rear (North) (Residential): 10'
- Internal (Commercial to Commercial): 0' (deviation from 5')
- Internal (Commercial to Residential): 20'

10. Buffers

Each land use shall meet the minimum internal landscape buffer requirements for each of the proposed land uses (multifamily and/or commercial). Unless specifically shown on the master plan, perimeter buffers shall consist of undisturbed natural vegetation that provides a visual buffer with at least 80% opacity. If natural vegetation cannot achieve this level of opacity, plantings shall be used to achieve the required opacity.

Perimeter Landscape Buffers

- Front (South) (Elgin Blvd.): 25'
- Side (West): 20'
- Side (East) (Barclay Ave.): 10'
- Rear (North) (Residential): 10'

Internal Landscape Buffers

- Internal (Commercial to Commercial): 0' (deviation from 5')
- Internal (Commercial to Residential): 20'

11. School Concurrency

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. Utilities

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.

13. Site Clearing and Development

- a. The development shall meet the minimum LDR design standards for Large Retail Development in Article III, Appendix A (Zoning).
- b. This site shall not be clear-cut. A tree survey, conducted by a qualified professional, identifying all trees with 16" DBH and above shall be submitted with construction plans. This tree survey shall conform to Section 10-28 Subdivision Landscaping Requirements of the Hernando County LDRs.

- c. Trees over 18" DBH shall not be removed from the property unless formal approval is given by the Zoning Department. Best efforts should be made to preserve trees 18" DBH and above.
- d. All lighting shall be full cut-off fixtures to prevent any light spillage into neighboring parcels.

14. Signage

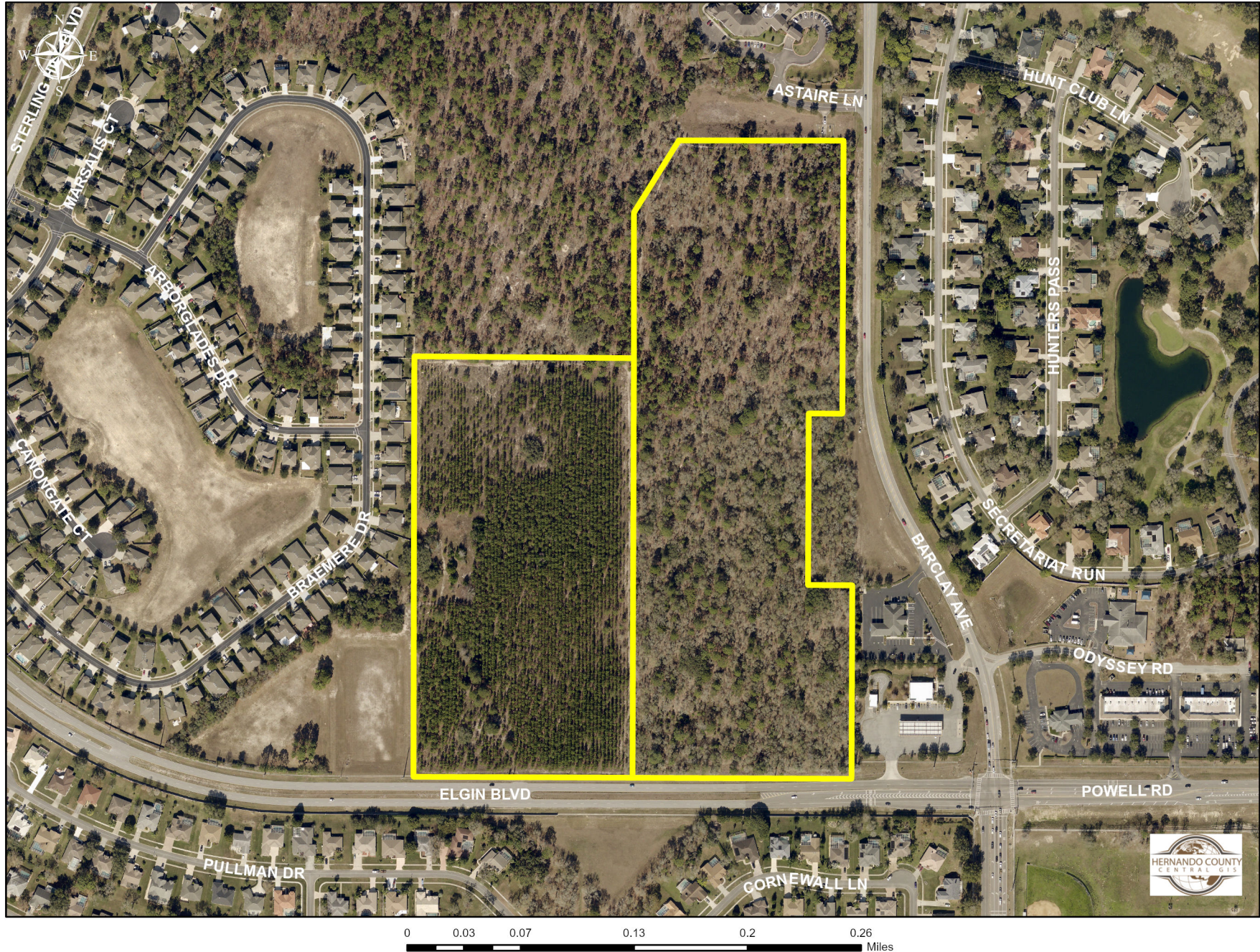
The project shall meet the minimum sign standards as required by the County LDRs. The predominant sign material shall be similar to the material (e.g., brick, stone, etc.) of the commercial buildings developed on the subject property. All on-site advertising signs, including outparcels and the subdivision 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.

- 15. The petitioner shall provide recreation amenities for the townhomes and apartments as appropriate to these development types and demonstrated on the master plan.
- 16. The petitioner shall dedicate transit stop location(s) on site and shall coordinate installation with the Transit Division upon need and demand at the developer's expense.
- 17. The petitioner shall provide a master plan in compliance with all performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

# H-23-09

Photo date: 2020

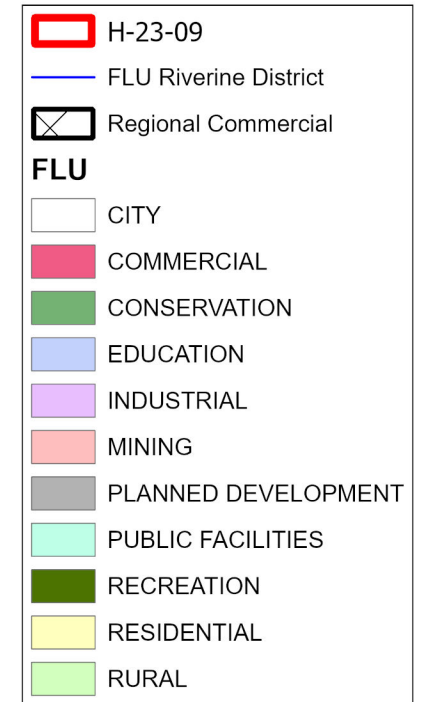
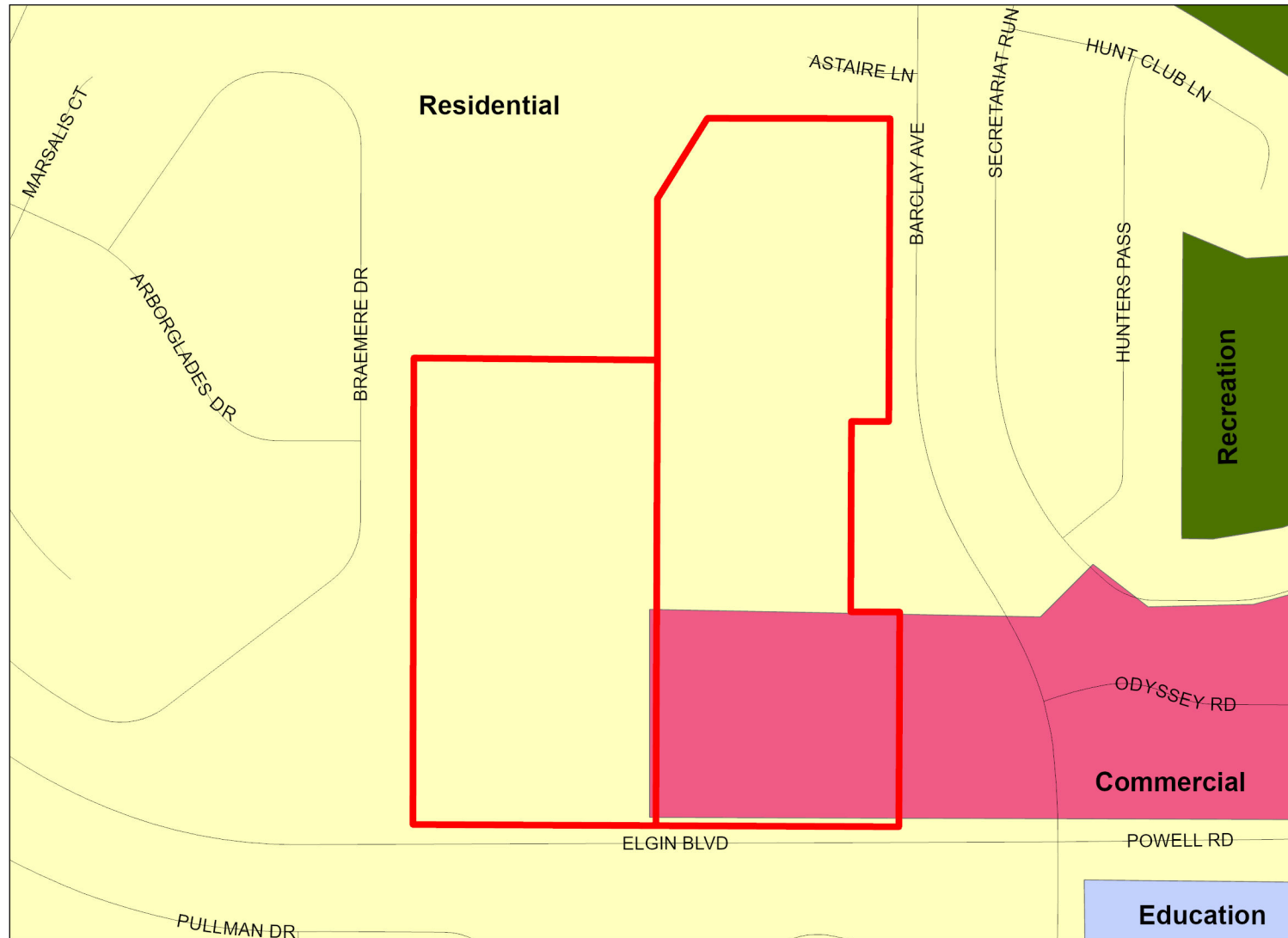
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# Hernando County Comprehensive Plan Map

Existing Future Land Use: H-23-09

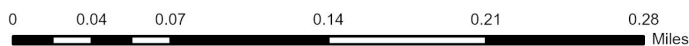
Version Date: 07/14/2022



## Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOCHEE RIVERS.



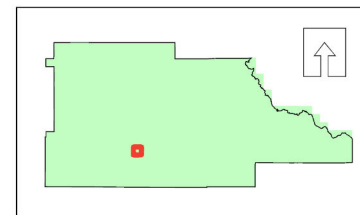
Date of mapping: 03/07/2023





Zoning:

AC	PDP(HHC)
AG	PDP(HID)
AR	PDP(IND)
AR1	PDP(LI)
AR2	PDP(MF)
C1	PDP(MH)
C2	PDP(NC)
C3	PDP(OP)
C4	PDP(PSF)
CITY	PDP(REC)
CM1	PDP(RR)
CM2	PDP(RUR)
CPDP	PDP(SF)
CV	PDP(SU)
I1	R1A
I2	R1B
M	R1C
OP	R1MH
PDP(AF)	R2
PDP(CM)	R2.5
PDP(CP)	R3
PDP(GC)	RC
PDP(GHC)	RM

 City Zoning Pending

# HERNANDO COUNTY ZONING AMENDMENT PETITION



## Application to Change a Zoning Classification

### Application request (check one):

Rezoning ☐ Standard ☒ PDP

Master Plan ☒ New ☐ Revised

PSFOD ☐ Communication Tower ☐ Other

**PRINT OR TYPE ALL INFORMATION**

Date: 1/25/2023

File No. H-23-09 Official Date Stamp:



Received

FEB 01 2023

Planning Department  
Hernando County, Florida

**APPLICANT NAME:** Elevation Development Corporation

Address: 189 South Orange Avenue, Suite 1550

City: Orlando

State: FL

Zip: 32801

Phone: 407.270.8866

Email: www.elevationdev.com

**Property owner's name:** (if not the applicant) R. Thomas Chapman, Jr., Trustee

**REPRESENTATIVE/CONTACT NAME:** Jason Bullard

Company Name: Exo Limited, LLC

Address: 4776 New Broad Street, Suite 100

City: Orlando

State: FL

Zip: 32814

Phone: 407.743.0104

Email: permits@exolimited.com

**HOME OWNERS ASSOCIATION:** ☐ Yes ☒ No (if applicable provide name)

Contact Name:

Address:

City:

State:

Zip:

### PROPERTY INFORMATION:

1. PARCEL(S) **KEY** NUMBER(S): 00377292, 00377274

2. SECTION 10, TOWNSHIP 23, RANGE 18

3. Current zoning classification: PDP

4. Desired zoning classification: PDP

5. Size of area covered by application: 45.7 Acres

6. Highway and street boundaries: East: Barclay Ave., South: Elgin Blvd.

7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No

8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)

9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed: )

### PROPERTY OWNER AFFIDIVAT

I, R. Thomas Chapman Jr., have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

☐ I am the owner of the property and am making this application **OR**

☒ I am the owner of the property and am authorizing (applicant): Elevation Development Corporation  
and (representative, if applicable): Exo Limited, Jason Bullard, Jeff Leahy, Ian Clark & Robyn Davila-Usher  
to submit an application for the described property.

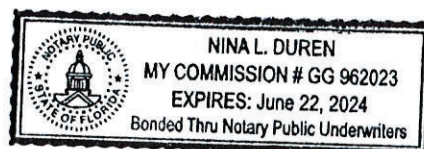
Signature of Property Owner

STATE OF FLORIDA

COUNTY OF ~~HERNANDO~~ PINELLAS

The foregoing instrument was acknowledged before me this 26th day of January, 2023, by R. Tom Chapman who is personally known to me or produced as identification.

Signature of Notary Public



Notary Seal/Stamp

Effective Date: 11/8/16 Last Revision: 11/8/16

January 19, 2023

Exo Limited, LLC  
4776 New Broad Street  
Suite 100  
Orlando, FL 32814

RE: Letter of Authorization

Barclay  
Elgin Boulevard  
Springhill Blvd., FL 34608

Parcel ID's: R10-423-18-0000-0040-0000 & R10-423-18-0000-0020-0000

To Whom It May Concern:

I am authorizing Exo Limited, LLC. (exo) such as Jason Bullard, Robyn Davilla-Usher, Ian Clark, and Jeff Leahy as agent for Owner, to communicate and submit all required information as necessary in obtaining governmental approvals and permits for the above-referenced project.

Please note that exo is expressly prohibited from entering into any agreements on behalf of Owner, or any of its affiliates, that bind Owner financially, with the exception of standard application and permit costs, or that convey or restrict property rights.

Any reproduced copy of this signed original shall be deemed to be an original counterpart of this Letter of Authorization.

Sincerely,

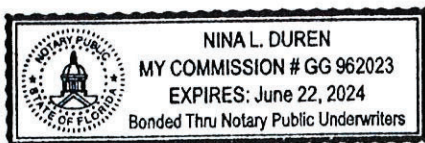


Owner

STATE OF FLORIDA  
COUNTY OF PINELLAS

Sworn to (or affirmed) and subscribed before me this 26<sup>th</sup> day of January 2023, by

R. Tom Chapman



Nina L. Duren  
Nina L. Duren

Personally Known ☒ OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_



# HERNANDO COUNTY, FLORIDA PROPERTY RECORD CARD

1.12

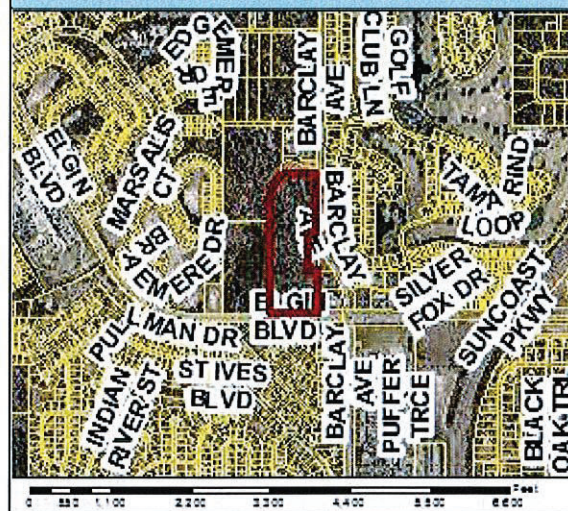
## 2022 FINAL TAX ROLL

KEY #	00377274	PRINTED	01/13/23	PAGE	1
PARCEL #	R10 423 18 0000 0020 0000	SITUS	ELGIN BLVD		
OWNER(S)	CHAPMAN R THOMAS JR TTEE	PARCEL DESCRIPTION	28.7 ACRES MOL IN E1/2 OF W1/2 OF SW1/4 AKA PAR B IN CLASS D SUB AS APPROVED BY PLANNING DEPT (S-02-106) LESS 2 ACRES MOL DESC IN ORB 3420 PG 1410		
MAILING ADDRESS UPDATED	1901 ULMERTON RD STE 475 CLEARWATER FL 33762-2312 09/02/14	UPDATED	12/01/16		

### MISCELLANEOUS PROPERTY INFORMATION

SQUARE FOOTAGE		
ACRES	26.50	
AERIAL MAP	52D	
JURISDICTION	C	COUNTY
LEVY CODE	CWES	COUNTY WIDE EMS
NEIGHBORHOOD	CPOWL	CORR. POWELL/ELGIN BLVD
SUBDIVISION	0	
DOR LAND USE	54	TIMBER NATURAL STAND
NON-AD VALOREM DIST1	36	H.C. FIRE/RESCUE DISTRICT

### JANUARY 2020 GIS AERIAL



### 2022-02-00 PROPERTY VALUES

	COUNTY	SCHOOL	SWFWMD	MUNICIPALITY
LAND	2,027,250	2,027,250	2,027,250	
BUILDINGS	+	0	0	
FEATURES AND OUT BUILDINGS	+	0	0	
JUST/MARKET VALUE	=	2,027,250	2,027,250	
VALUE PRIOR TO CAP		3,815	3,815	
ASSESSED VALUE		3,815	3,815	
EXEMPT VALUE	-	0	0	
TAXABLE VALUE	=	3,815	3,815	
CLASSIFIED USE LAND VALUE	3,815	AD VALOREM TAXES	59.83	NON-AD VALOREM TAXES 103.29

### LAND INFORMATION

CODE	DESCRIPTION	AG	LAST UPDT	CAP YEAR	EXC CAP	GRA DE	FRON TAGE	DEPTH	UNITS	MEASURE	ADJ RATE	VALUE
11	COMMERCIAL AC	N	2017		Y	5			26.50	ACRES	76500.00	2,027,250
54	NAT STDTIMBR	Y	2016		Y	5			26.50	ACRES	143.96	3,815

### BUSINESSES ON PROPERTY

KEY #	BUSINESS NAME	NAICS	BUSINESS TYPE
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### ADDRESSES ON PROPERTY

SITUS
ELGIN BLVD

### BUILDING PERMITS

APPLIC.#	APP.DATE	PERMIT #	CODE	DESCRIPTION	ISSUED	STATUS	FINALED	VALUE
1124205	6/30/03	0000000		INVALID PERMIT CODE		VOID		0
1124204	6/30/03	0000000		INVALID PERMIT CODE		VOID		0
1124203	6/30/03	0000000		INVALID PERMIT CODE		VOID		0
1124202	6/30/03	0000000		INVALID PERMIT CODE		VOID		0
1124201	6/30/03	0000000		INVALID PERMIT CODE		VOID		0
1124200	6/30/03	0000000		INVALID PERMIT CODE		VOID		0



# HERNANDO COUNTY, FLORIDA PROPERTY RECORD CARD

1.12

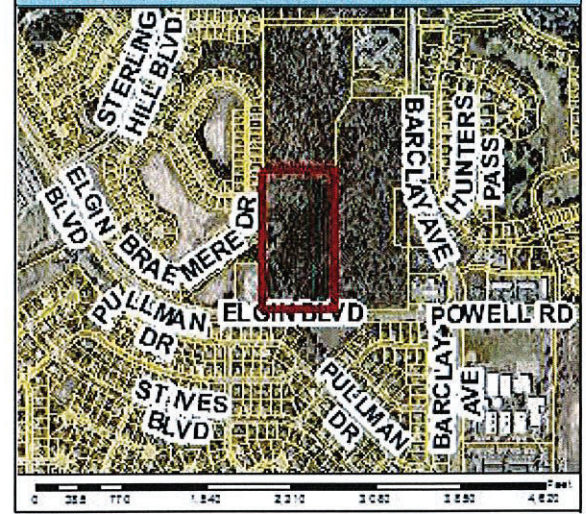
## 2022 FINAL TAX ROLL

KEY #	00377292	PRINTED	01/13/23	PAGE	1
PARCEL #	R10 423 18 0000 0040 0000	SITUS	ELGIN BLVD		
OWNER(S)	CHAPMAN R THOMAS JR TTEE	PARCEL DESCRIPTION	W1/2 OF SW1/4 OF SE1/4		
MAILING ADDRESS	1901 ULMERTON RD STE 475	UPDATED	ORB 318 PG 317 LESS THE		
UPDATED	CLEARWATER FL 33762-2312	01/01/03	S55 FT THEREOF DES IN		
07/18/16			ORB 796 PG 1743		

### MISCELLANEOUS PROPERTY INFORMATION

SQUARE FOOTAGE		
ACRES	19.20	
AERIAL MAP	52D	
JURISDICTION	C	COUNTY
LEVY CODE	CWES	COUNTY WIDE EMS
NEIGHBORHOOD	CPOWL	CORR. POWELL/ELGIN BLVD
SUBDIVISION	0	
DOR LAND USE	55	TIMBER PLANTED
NON-AD VALOREM DIST1	36	H.C. FIRE/RESCUE DISTRICT

### JANUARY 2020 GIS AERIAL



### 2022-02-00 PROPERTY VALUES

	COUNTY	SCHOOL	SWFWMD	MUNICIPALITY
LAND	1,649,600	1,649,600	1,649,600	
BUILDINGS	+	0	0	
FEATURES AND OUT BUILDINGS	+	0	0	
JUST/MARKET VALUE	=	1,649,600	1,649,600	
VALUE PRIOR TO CAP		10,688	10,688	
ASSESSED VALUE		10,688	10,688	
EXEMPT VALUE	-	0	0	
TAXABLE VALUE	=	10,688	10,688	
CLASSIFIED USE LAND VALUE	10,688	AD VALOREM TAXES	167.65	NON-AD VALOREM TAXES
				103.29

### LAND INFORMATION

CODE	DESCRIPTION	AG	LAST UPDT	CAP YEAR	EXC CAP	GRADE	FRONTAGE	DEPTH	UNITS	MEASURE		ADJ RATE	VALUE
11	COMMERCIAL AC	N	2017		Y	3			19.20	ACRES		85500.00	1,641,600
19	IMPACT FEE VALUE	N	2012		Y				2.00	UNITS		4000.00	8,000
19	IMPACT FEE VALUE	Y	2012		Y				2.00	UNITS		4000.00	8,000
55	PLANTED PINE	Y	2012		Y	5			19.20	ACRES		140.00	2,688

### BUSINESSES ON PROPERTY

KEY #	BUSINESS NAME	NAICS	BUSINESS TYPE
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### ADDRESSES ON PROPERTY

SITUS
ELGIN BLVD

### BUILDING PERMITS

APPLIC.#	APP.DATE	PERMIT #	CODE	DESCRIPTION	ISSUED	STATUS	FINALED	VALUE
1200118	10/25/06	1200118	DM	DEMOLITION M H	10/25/06	FINALED	11/08/06	2,250
0911615	12/12/85	8507245	MH	MOBILE HOME 1 ACRE OR MO	12/12/85	FINALED	12/16/85	10,900

# CHAPMAN VILLAGE

## MASTER PLAN NARRATIVE

February 1, 2023

Prepared For:

**Hernando County**

Prepared By:

**exo** LIMITED  
engineering and operations

4776 New Broad Street  
Suite 100  
Orlando, FL 32814

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Hernando County  
Planning Department  
1653 Blaise Drive  
Brooksville, FL 34601  
352.754.4057

To the Planning Department,

On behalf of Elevation Development LLC, exo limited is submitting a PDP narrative for the parcels R10-423-18-0000-0020-0000 and R10-423-18-0000-0040-0000. The zoning for the parcels is currently planned development with a future land use of residential and CPDP. Figure 1 depicts the site's zoning map and FLU map in detail. We are proposing a multiple-use development with commercial outparcels at the front and residential developments located behind the commercial parcels. We believe that this project fits in with the existing development of the area and is in alignment with the future goals and objectives of Hernando County.

## 1. Proposal:

The zoning for the parcels is currently planned development with a future land use of residential and CPDP. Figure 1 depicts the site's zoning map and FLU map in detail. We are proposing a multiple use development with commercial aspects at the front and residential developments located behind the commercial parcels. The residential parcels will consist of a multi-family (±312 Units) and townhome (±104) community. The commercial parcels will consist of C-1 Uses with the addition of drive-thru restaurants and min-storage facilities. The floor to area ratio for the commercial lots is 0.8. The density for the residential parcels is 16.5 DU per acre. We believe that this project fits in with the existing development area and is in alignment with the future goals and objectives of Hernando County.

Below please find the anticipated development program for the project:

<b>DEVELOPMENT PROGRAM</b>		
MULTI-FAMILY TOTAL UNITS		PROPOSED
APARTMENTS		312
TOWNHOMES		104
PARCEL TYPE	SF	AC.
MULTIFAMILY - PARCEL 1	835,223 SF	19.63
TOWNHOME - PARCEL 2	682,180 SF	15.19
COMMERCIAL - OUTPARCEL 1	128,292 SF	2.94
COMMERCIAL - OUTPARCEL 2	54,964 SF	1.26
COMMERCIAL - OUTPARCEL 3	46,400 SF	1.06
COMMERCIAL - OUTPARCEL 4	38,416 SF	0.88
COMMERCIAL - OUTPARCEL 5	56,430 SF	1.30
COMMERCIAL - OUTPARCEL 6	125,514 SF	2.88

**Figure 1 - DEVELOPMENT PROGRAM CHART**

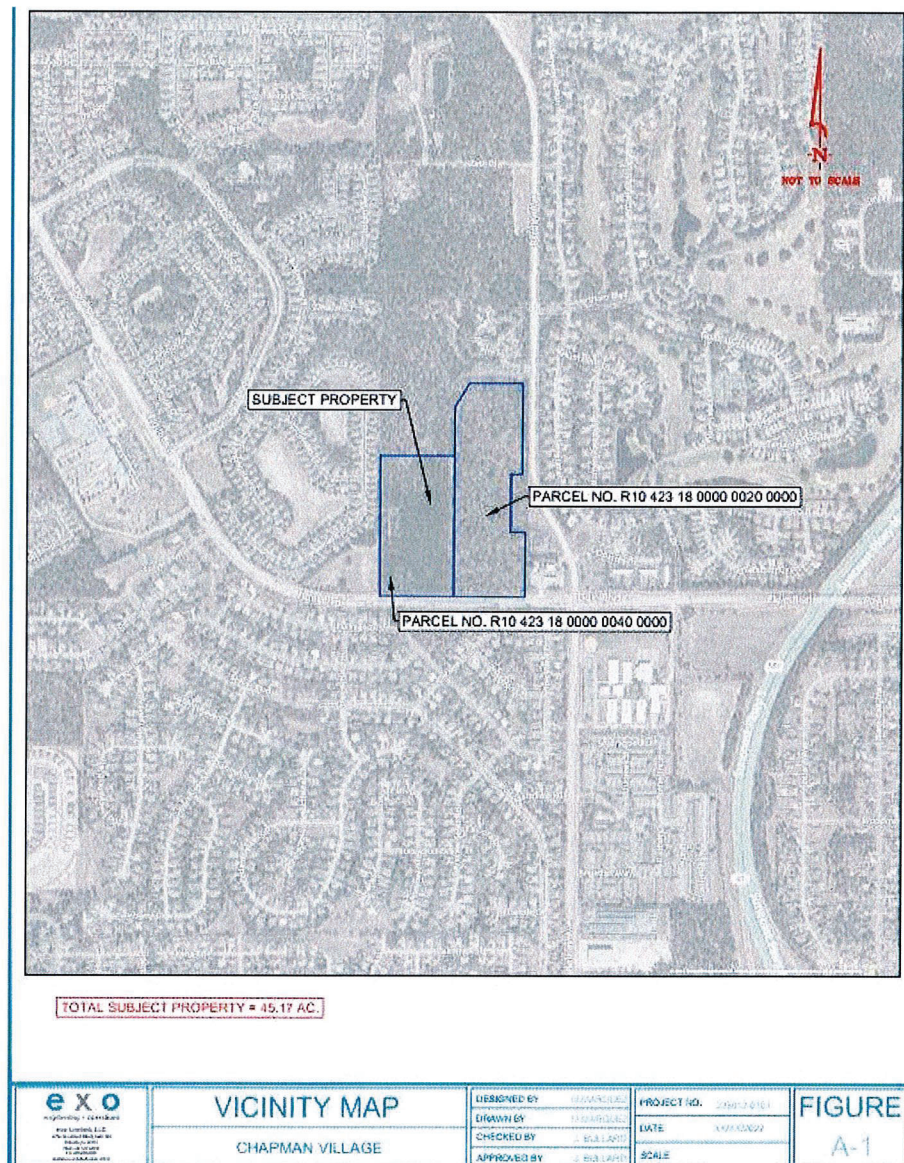
The project team anticipates starting construction at the end of 2023 with an estimated 18-month construction time frame.

## 2. Site Characteristics:

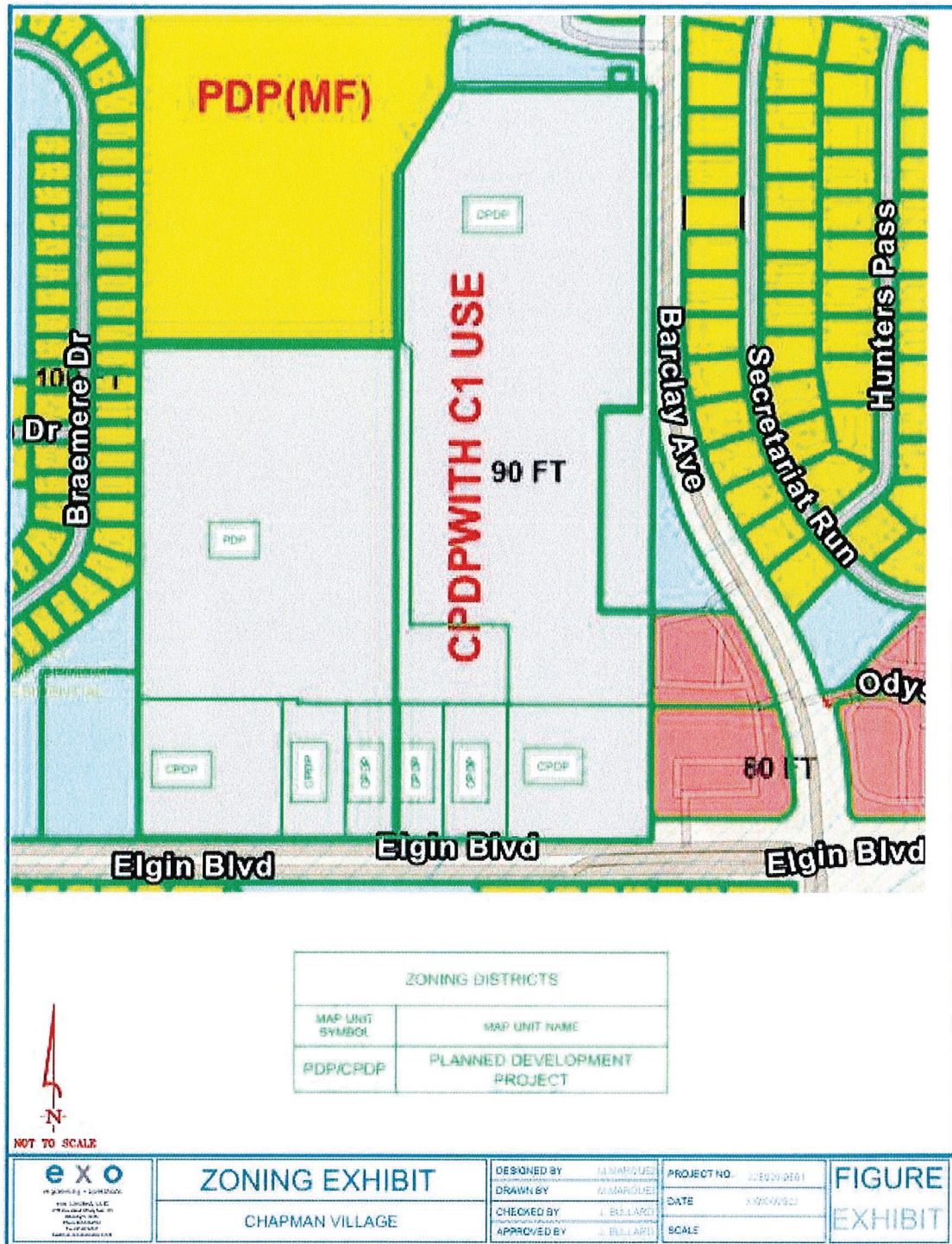
### Parcel Numbers

Parcel R10-423-18- 0000-0020-0000 (No Physical Address) – The parcel is currently undeveloped and vacant.

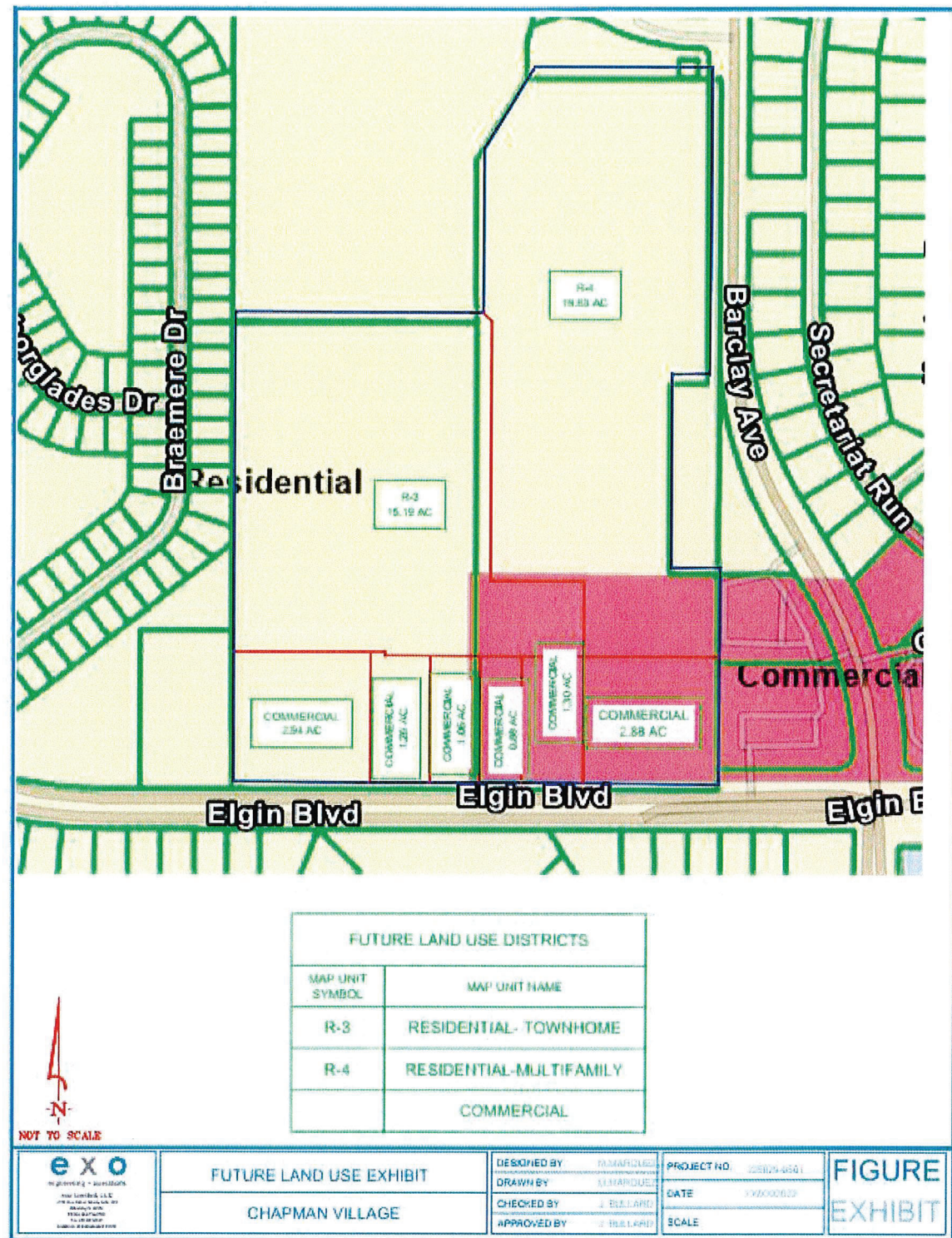
Parcel R10-423-18-0000-0040-0000 (No Physical Address) – The parcel is currently undeveloped and vacant.



**FIGURE 2– VICINITY MAP**



**FIGURE 3- ZONING EXHIBIT**



**FIGURE 4 – EXISTING FLU**

For CPDP, Allowable uses include C1 uses, drive-in restaurants and mini-warehouses

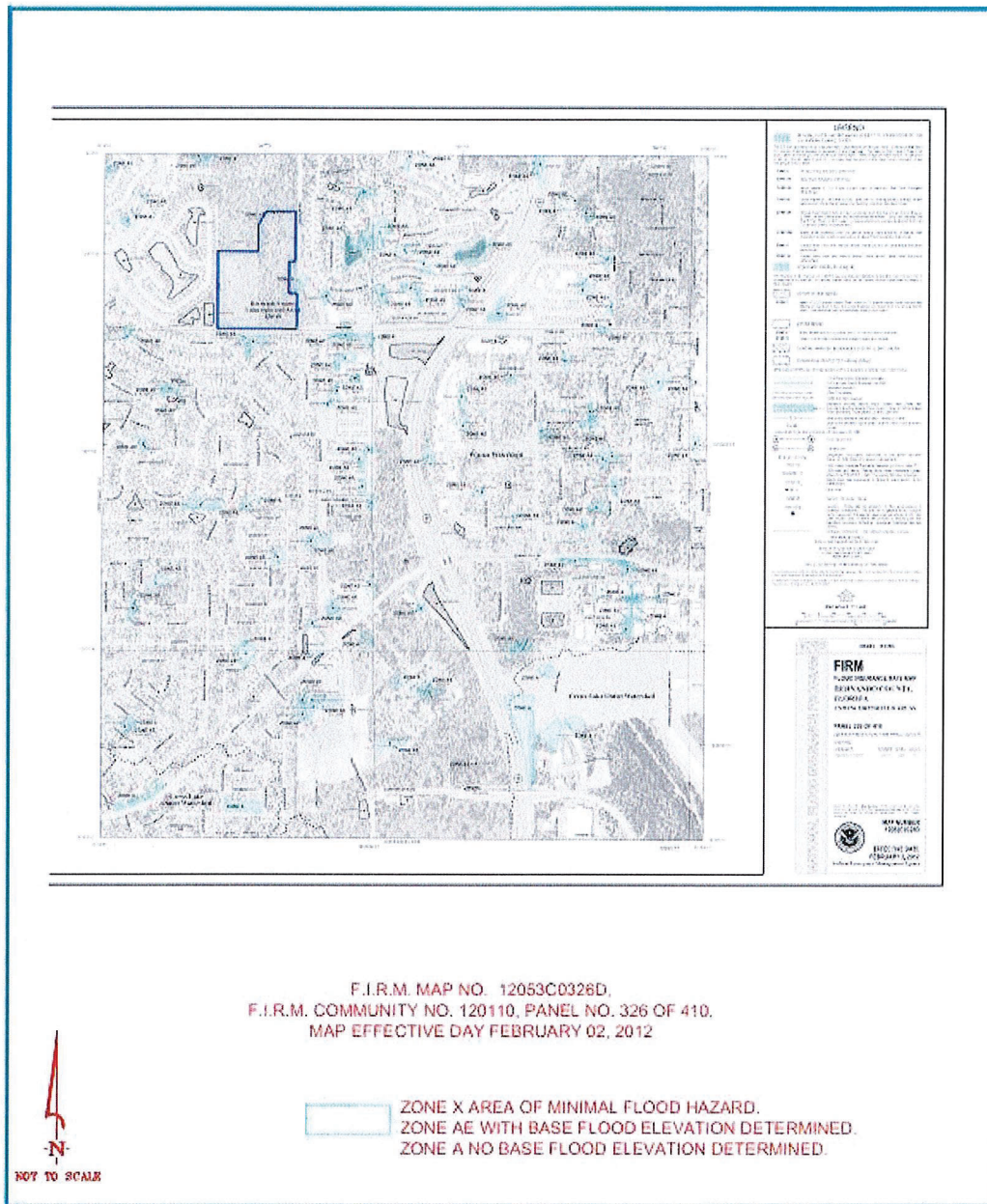
### **Land Use Compatibility:**

Above, please find an excerpt of the Hernando County Zoning Map. The proposed project is contained within the 2 parcels zoned as CPDP with C1 Uses. As it stands the current zoning of R-4 with adjacent properties demonstrating PUD, R-1, C-2, C-3, and R-4 zoning characteristics. The proposed commercial parcels will align with a major roadway, Elgin Blvd and the residential provides a step down in intensity with the denser multi-family community abutting Barclay Ave. The townhome community offers a further step down as the land use transitions into single family residential.

Refer to the master plan documents for the adjacent land uses.

### **3. Environmental Considerations:**

- a. **Flood zone** – There are three areas on the designated parcel that are within Zone X area of minimal flood hazard, Zone AE with base flood elevation determined and Zone A no base flood elevation determined. Refer to the below exhibit for the FEMA flood plain map
- b. **Drainage Features** – Presently the site is undeveloped with existing topographic features that allow run-off to pool on-site. There are existing storm water ponds to the east and west that serve the adjacent roadway infrastructure.
- c. **Water Features** – The site has no water features.
- d. **Habitats** – The property does not contain any wetlands or archaeological sites, or Special Protection Areas (SPAs) according to County data resources. Based on the environmental report performed by Atlantic Ecological Services, no protected fauna or flora species are anticipated to be impacted or are anticipated on the property. There was also no documented cultural resources documented on or adjacent to the property. Please refer to the Atlantic Ecological Services report under separate cover.
- e. **Impacts on Natural Features** – The current site is made up of Upland Scrub, Pine and Hardwoods ( $\pm 29.04$  Ac), Pine Plantation ( $\pm 16.73$  Ac) and disturbed lands ( $\pm 2.62$  Ac). Per Hernando County's Land Development code, projects two (2) to twenty (20) acres must designate an area of at least seven (7) percent of the total project area as preserved natural vegetation and no construction activity can occur in this area. Preserved natural vegetation areas must be a minimum of twenty thousand (20,000) square feet and no more than two (2) non-contiguous areas shall be allowed. The pine plantation can be excluded from the preservation calculation. The anticipated preservation area is 2.22 Acres. The plan will show the proposed natural vegetation areas to be preserved and the proposed areas to be cleared. This designation will not affect the proposed use. If the project is unable to preserve natural vegetation then the project will utilize native vegetation using Florida Friendly Landscaping practices.



**Figure 5 – FLOOD MAP**

## 4. Site plan

The proposed PDP will include five (6) commercial out-parcels that will consist of 10.32 acres and 2 multi-family parcels that will consist of a total of 34.82 acres. The proposed development will have 104 townhome units (13 buildings) to the west and 312 multi-family apartment units (13 buildings) to the east, with a proposed density of 11.94 DU per acre for the residential portion. The proposed maximum density requested is 16.5 DU per acre. The commercial floor to area ratio is 0.8.

The land is currently vacant with adjacent residential uses directly to north and west, except a the portion that aligns with the proposed commercial outparcels which is an existing storm water pond. Eglin Blvd abuts the south with residential on the south side of the roadway. To the east property line abuts commercial that aligns with the proposed commercial outparcels. The remainder of the east property line abuts Barclay Ave, with residential uses on the east side of Barclay Ave.

Along the perimeter of the site plan the proposed building setback, for the commercial parcels, is 75 feet from the frontage (Elgin Blvd) and 25 feet along all other sides. The proposed landscape setback is 25 feet from all sides of the perimeter property line. Internal setbacks for commercial lots is proposed to be 0 feet for both landscaping and building setbacks. Internal setbacks for residential to commercial is 20 feet building and landscape setbacks.

As part of the review of the proposed Master Plan update, it is necessary to compare the impact on the public facilities that development of the parcel with the proposed Commercial would create with that of the existing Residential designation.

### Site Statistical Information and Development Standards:

DEVELOPMENT DATA		
<b>BUILDING SETBACKS</b>		
	MINIMUM	
FRONT (SOUTH) (ELGIN BLVD.)	75 FT	
SIDE (WEST) (BRAEMERE DR.)	10 FT	
SIDE (EAST) (BARCLAY AVE.)	10 FT	
REAR (NORTH) (RESIDENTIAL)	20 FT	
INTERNAL (COMMERCIAL TO COMMERCIAL)	0 FT	
INTERNAL (COMMERCIAL TO RESIDENTIAL)	20 FT	
<b>LANDSCAPE BUFFER</b>		
	MINIMUM	
FRONT (SOUTH) (ELGIN BLVD.)	25 FT	
SIDE (WEST) (BRAEMERE DR.)	20 FT	
SIDE (EAST) (BARCLAY AVE.)	10 FT	
REAR (NORTH) (RESIDENTIAL)	10 FT	
INTERNAL (COMMERCIAL TO COMMERCIAL)	0 FT	
INTERNAL (COMMERCIAL TO RESIDENTIAL)	20 FT	
<b>DEVELOPMENT RATIOS (TOWNHOMES)</b>		
	MAXIMUM	PROPOSED
DENSITY (DU/AC)	16.5 / AC	7
IMPERVIOUS SURFACE RATIO (ISR)	0.75	75%
OPEN SPACE (EXCLUDES POND AREA)	0.15	15%
<b>DEVELOPMENT RATIOS (MULTI-FAMILY)</b>		
	MAXIMUM	PROPOSED
DENSITY (DU/AC)	16.5 / AC	16
IMPERVIOUS SURFACE RATIO (ISR)	0.75	75%
BUILDING COVERAGE	0.35	35%
OPEN SPACE (EXCLUDES POND AREA)	0.15	15%
<b>DEVELOPMENT RATIOS (COMMERCIAL)</b>		
	MAXIMUM	PROPOSED
IMPERVIOUS SURFACE RATIO (ISR)	0.75	75%
FLOOR AREA RATIO (FAR)	0.8	VARIES
OPEN SPACE (EXCLUDES POND AREA)	0.15	VARIES
<b>BUILDING HEIGHT</b>		
	MAXIMUM	
MULTI-FAMILY	3-Story or 45 FT*(SEE NOTE 3)	
TOWNHOME	3-Story or 45 FT*(SEE NOTE 3)	
COMMERCIAL	60 FT	

**Figure 6 – DEVELOPMENT STATISTICS**

Refer to the Master Plan for additional cited standards.

**Drainage Concept:**

The proposed development is anticipated to utilize an interconnected storm water management system that will consist of 5 ponds.

Please refer to the Grading and Drainage plan within the master plans documents for further information.

The proposed stormwater management system will meet applicable Hernando County and SWFWMD criteria.

Per the Hernando County Land Development Code the post development runoff shall be no greater than predevelopment runoff based on 25-year frequency, 24-hour duration and in accordance with the county's adopted facilities design guidelines.

**5. Public Facilities**

The Public Service Facility Zoning Overlay District will be used to evaluate and review all proposed public facilities. Conditions and performance standards may be required through the public facility review process which are binding for purposes of issuance of development orders and permits.

**Solid waste:** Adopted LOS = 4.75 lbs./day/person (nonresidential uses are included in the adopted LOS)

Solid waste will be calculated on a county-wide basis at regular intervals.

Current estimate 4.75 lbs. per capita

Population × lbs per capita = Demand

It is assumed that the residential uses will generate an average population of 2.6 people per unit. The estimated population for the project is 1,092.

The anticipated solid waste for the project is 5,187 lbs.

**Parks:** Total LOS = 4.00 acres/1,000 people with 2.00 acres/1,000 for user-oriented facilities 2.00 acres/1,000 for open space

Parks will be calculated on a county-wide basis at regular intervals.

Population/1,000 × 2 acres = Demand (acres)

It is assumed that the residential uses will generate an average population of 2.6 people per unit. The estimated population for the project is 1,092.

The anticipated parks demand for the project is 2.184 Acres.

## 6. Water & Sewer Services

The proposed project is anticipated to connect to Hernando County Utility system. The below chart outlines the anticipated flows for the project.

### **WATER SYSTEM DEMANDS**

Use	# of Units	Unit	Factor (GPD/unit)	Avg. Daily Flow (GPD)
Multi-Family	312	Per Unit	350	109,200
Townhomes	104	Per Unit	350	36,400
Resturant (operating 16 hour or more per day)	120	Per Seat	60	7,200
Car Wash	100	Vehciles Per Day	75	7,500
Coffe Shop	42	Per Seat	60	2,520
Storage	400	Per Unit	1	2
Grocery	14,000	Per 100 SF	20	2,800
<b>TOTAL PROPOSED DEMANDS</b>				<b>Total = 165,622</b> <b>ERUs = 473.21</b>

### **SANITARY SEWER DEMANDS**

Use	# of Units	Unit	Factor (GPD/unit)	Avg. Daily Flow (GPD)
Multi-Family	312	Per Unit	280	87,360
Townhomes	104	Per Unit	280	29,120
Resturant (operating 16 hour or more per day)	120	Per Seat	60	7,200
Car Wash	100	Vehciles Per Day	20	2,000
Coffe Shop	42	Per Seat	60	2,520
Storage	400	Per Unit	1	2
Grocery	14,000	Per 100 SF	20	2,800
<b>TOTAL PROPOSED DEMANDS</b>				<b>Total = 131,002</b> <b>ERUs = 467.86</b>

A portion of the project is anticipated to connect to County Lift-station 35, with the remaining portion connecting to the 8" force main along Eglin Blvd.

The project is anticipated to connect to the 16" water main along Barclay Ave.

**Conclusion:**

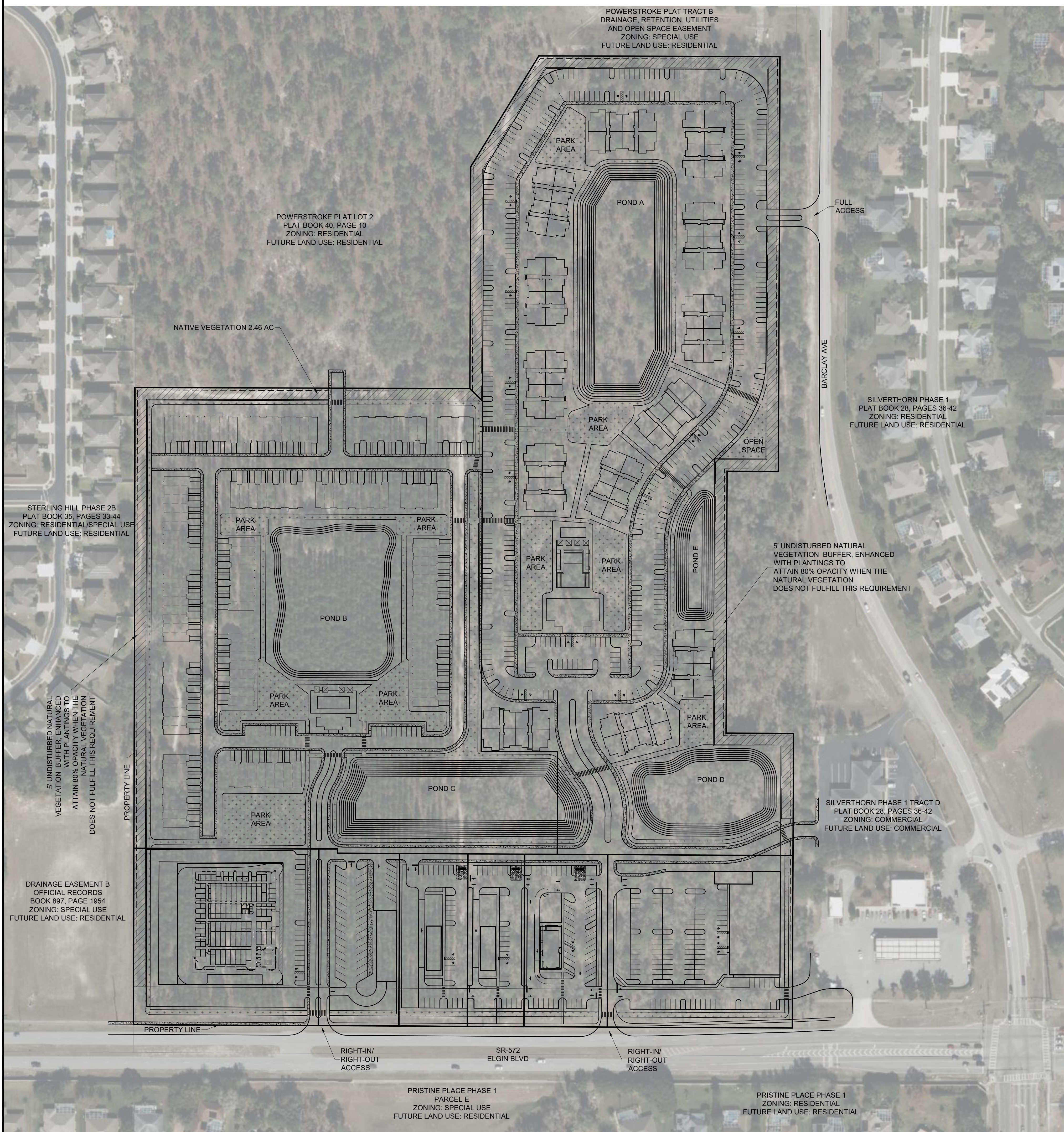
In conclusion the project team believes this project will meet the characteristics of the area and be a decent addition to the Hernando County community.

Should you have any questions or would like to discuss this report, please feel free to contact me at [jason.bullard@exolimited.com](mailto:jason.bullard@exolimited.com) or 407.453.4233.

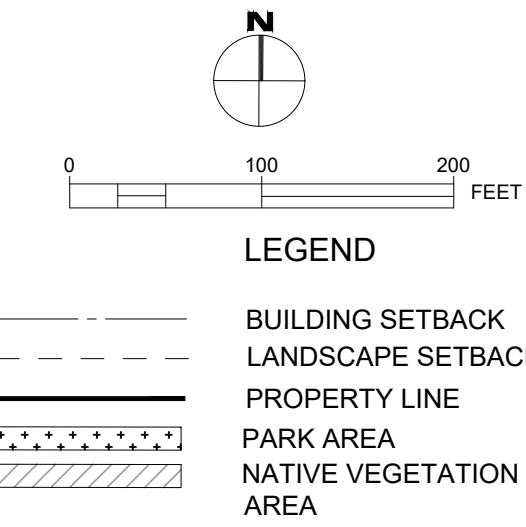
Respectfully Submitted,



Jason Bullard, MBA, PE  
Project Manager



RECEIVED  
5-17-23  
PLANNING DEPARTMENT  
HERNANDO COUNTY FLORIDA



GENERAL INFORMATION

PARCEL NUMBERS:

R10 423 18 0000 0040 0000 (Parcel Key: 377292)  
R10 423 18 0000 0020 0000 (Parcel Key: 377274)

ADDRESS:

ELGIN BOULEVARD (SR-572)

CITY:

SPRING HILL

STATE:

FLORIDA

ZIP:

34609

COUNTY:

HERNANDO COUNTY

DEVELOPER:

ELEVATION DEVELOPMENT  
189 SOUTH ORANGE AVE. SUITE 1550  
ORLANDO, FLORIDA 32801

AGENT:

ENGINEERING + OPERATIONS: EXO LIMITED, LLC  
4776 NEW BROAD STREET, SUITE 100  
ORLANDO, FL  
407-681-3836  
CONTACT : JASON BULLARD, PE

SITE DATA

SUBJECT PARCELS:

AC.  
45.16

S.F.  
1,967,419

ZONING  
CPDP

ZONING

FUTURE LAND USE

PROPOSED

MULTIFAMILY - PARCEL 1

PLANNED DEVELOPMENT

RESIDENTIAL

RESIDENTIAL

TOWNHOME - PARCEL 2

PLANNED DEVELOPMENT

RESIDENTIAL

RESIDENTIAL

COMMERCIAL - OUTPARCEL 1

PLANNED DEVELOPMENT (CPDP \*SEE NOTE 1)

RESIDENTIAL

COMMERCIAL

COMMERCIAL - OUTPARCEL 2

PLANNED DEVELOPMENT (CPDP \*SEE NOTE 1)

RESIDENTIAL

COMMERCIAL

COMMERCIAL - OUTPARCEL 3

PLANNED DEVELOPMENT (CPDP \*SEE NOTE 1)

RESIDENTIAL

COMMERCIAL

COMMERCIAL - OUTPARCEL 4

PLANNED DEVELOPMENT (CPDP \*SEE NOTE 1)

COMMERCIAL

COMMERCIAL

COMMERCIAL - OUTPARCEL 5

PLANNED DEVELOPMENT (CPDP \*SEE NOTE 1)

COMMERCIAL

COMMERCIAL

COMMERCIAL - OUTPARCEL 6

PLANNED DEVELOPMENT (CPDP \*SEE NOTE 1)

COMMERCIAL

COMMERCIAL

DEVELOPMENT DATA

BUILDING SETBACKS

MINIMUM

FRONT (SOUTH) (ELGIN BLVD.)  
SIDE (WEST) (BRAEMERE DR.)  
SIDE (EAST) (BARCLAY AVE.)  
REAR (NORTH) (RESIDENTIAL)  
INTERNAL (COMMERCIAL TO COMMERCIAL)  
INTERNAL (COMMERCIAL TO RESIDENTIAL)

75 FT  
10 FT  
10 FT  
20 FT  
0 FT  
20 FT

LANDSCAPE BUFFER

MINIMUM

FRONT (SOUTH) (ELGIN BLVD.)  
SIDE (WEST) (BRAEMERE DR.)  
SIDE (EAST) (BARCLAY AVE.)  
REAR (NORTH) (RESIDENTIAL)  
INTERNAL (COMMERCIAL TO COMMERCIAL)  
INTERNAL (COMMERCIAL TO RESIDENTIAL)

25 FT  
20 FT  
10 FT  
10 FT  
0 FT  
20 FT

DEVELOPMENT RATIOS (TOWNHOMES)

MAXIMUM

DENSITY (DU/AC)  
IMPERVIOUS SURFACE RATIO (ISR)

16.5 / AC  
0.75

PROPOSED  
8  
75%

DEVELOPMENT RATIOS (MULTI-FAMILY)

MAXIMUM

DENSITY (DU/AC)  
IMPERVIOUS SURFACE RATIO (ISR)  
BUILDING COVERAGE

16.5 / AC  
0.75  
0.35

PROPOSED  
16  
75%  
35%

DEVELOPMENT RATIOS (COMMERCIAL)

MAXIMUM

IMPERVIOUS SURFACE RATIO (ISR)  
FLOOR AREA RATIO (FAR)

0.75  
0.8

PROPOSED  
75%  
VARIES

BUILDING HEIGHT

MAXIMUM

MULTI-FAMILY  
TOWNHOME  
COMMERCIAL

3-Story or 45 FT\*(SEE NOTE 3)  
2-Story or 35 FT\*(SEE NOTE 3)  
60 FT

VEGETATION CLASSIFICATION\*

AC

NATURAL PRESERVATION

PINE PLANTATION  
DISTURBED AREA  
UPLAND SCRUB

16.73  
2.62  
29.04

EXCLUDED  
INCLUDED  
INCLUDED

NATURAL PRESERVATION REQUIRED - 7%  
OPEN SPACE (EXCLUDES BUFFER / STORMWATER) - 15%  
NEIGHBORHOOD PARKS (SEE NOTE 5)

2.44  
5.22  
4.32

2.46  
8.00  
4.38

DEVELOPMENT PROGRAM

MULTI-FAMILY TOTAL UNITS

PROPOSED

APARTMENTS  
TOWNHOMES

312  
120

PARCEL TYPE

SF

AC.

MULTIFAMILY - PARCEL 1  
TOWNHOME - PARCEL 2  
COMMERCIAL - OUTPARCEL 1  
COMMERCIAL - OUTPARCEL 2  
COMMERCIAL - OUTPARCEL 3  
COMMERCIAL - OUTPARCEL 4  
COMMERCIAL - OUTPARCEL 5  
COMMERCIAL - OUTPARCEL 6

835,223 SF  
682,180 SF  
128,292 SF  
54,964 SF  
46,400 SF  
38,416 SF  
56,430 SF  
125,514 SF

19.63  
15.19  
2.94  
1.25  
1.06  
0.88  
1.30  
2.88

PARKING CALCULATIONS

PER HERNANDO COUNTY LAND DEVELOPMENT CODE OF ORDINANCE / APPENDIX A - ZONING / ARTICLE II / SECTION 4.

MULTI-FAMILY

REQUIRED

PROVIDED

MULTIFAMILY - PARCEL 1  
TOWNHOME - PARCEL 2  
COMMERCIAL  
COMMERCIAL - OUTPARCEL 3  
COMMERCIAL - OUTPARCEL 4  
COMMERCIAL - OUTPARCEL 5  
COMMERCIAL - OUTPARCEL 6  
COMMERCIAL - OUTPARCEL 7  
COMMERCIAL - OUTPARCEL 8

468 (1.5 PER 1&2 BEDROOM)  
(2 PER 3 BEDROOM AND LARGER)  
2 PER UNIT  
541  
2 PER UNIT/20GUEST

NOTE 1:

ALLOWABLE USES INCLUDE C1 USES, DRIVE-IN RESTAURANTS AND MINI-WAREHOUSES

NOTE 2:

THE EXTERIOR GARAGE FACADE WALLS ALONG THE FRONTAGE OF A DWELLING UNIT SHALL NOT OCCUPY MORE THAN 70% OF THE ENTIRE FRONT BUILDING FACADE WIDTH OF THE DWELLING UNIT. FURTHERMORE, SAME EXTERIOR FRONT GARAGE FACADE WALLS SHALL BE DESIGNED AND ARCHITECTURALLY TREATED IN SUCH A WAY AS TO DIMINISH THE OVERALL PRESENCE OF THE GARAGE DOOR. BUILDING DIMENSIONS WILL BE A MINIMUM OF 3600 SF WITH A MINIMUM OF 70' FRONTAGE. THE COLOR SHALL BE STRATEGICALLY USED AND DIFFERENTIATE REPETITIOUS ELEMENTS.

NOTE 3:

NO BUILDINGS OVER 35' IN HEIGHT IS PERMITTED WITHIN 100' OF THE SINGLE-FAMILY SUBDIVISION ON THE WESTERN BOUNDARY OF THE PROPERTY.

NOTE 4:

BUILDING SEPARATION: COMMERCIAL PHASE 10', RESIDENTIAL PHASE 15'.

NOTE 5:

THE PARK AREAS WILL BE INTERCONNECTED VIA PEDESTRIAN AND BIKE FACILITIES

[illegible]

# CHAPMAN VILLAGE

ELGIN BLVD SPRING HILL, FL 34609

# MASTER PLAN

LICENSED PROFESSIONAL	FLORIDA LICENSE NUMBER	DATE:
SHEET NUMBER		REVISION
C-103		
03	OF	03

BLDG TYPE 1A/1B AND 2A/2B EXTERIOR ELEVATION KEYNOTES										GENERAL NOTES									
1	ASPHALT SHINGLE ROOFING - GAF TIMBERLINE HDZ, PEWTER GRAY	7	CEMENT STUCCO SYSTEM, LIGHT SAND FINISH, SW7005 PURE WHITE	13	FIBER CEMENT BOARD WRAPPED BEAM/COLUMN, SW2806 ROCKWD BR	19	HANDRAIL/GUARDRAIL, BLACK OR INTEGR. SCREEN AND RAIL SYS. 18X14 CHARCOAL MESH/BLACK ALUM FRAME	25	DOOR AND FRAME, BLACK	31	HOSE BIBB - SEE PLUMBING	37		1.	ARCHITECTURAL GROUND FLOOR ELEVATION OF 100'-0" IS A REFERENCE ELEVATION. SEE CIVIL FOR ACTUAL ELEVATIONS.	5.	WRB TO BE CONTINUOUSLY INSTALLED AND IN GENERAL ACCORDANCE WITH THE MANUFACTURER REQUIREMENTS.	ASTM STANDARDS, INCLUDING SEALING OF ALL BUTT JOINTS, TERMINATIONS AND TRANSITIONS IN STUCCO ACCESSORIES.	
2	OFF RIDGE VENT - SEE ROOF PLAN	8	CEMENT STUCCO SYSTEM, LIGHT SAND FINISH, SW2806 ROCKWOOD BR	14	5/4" X 4" FIBER CEMENT TRIM BOARD ON 4 SIDES, MATCH COLUMN COLOR	20	HANDRAIL/GUARDRAIL, BLACK	26	WINDOW, BLACK FRAME	32	MECHANICAL PENETRATION - SEE MECH.	38		2.	FLASHINGS SHALL MATCH ROOF COLOR.	6.	FLASH AND SEAL ALL PENETRATIONS THROUGH THE WALL WATERTIGHT AT INTERFACE WITH WRB AND EXTERIOR SHEATHING.	9.	ALL STUCCO ACCESSORIES TO BE PVC.
3	6" ALUMINUM BOX GUTTER, MATCH WALL FIELD COLOR	9		15	END WALL TYPE A - SEE 1/A2.71	21	SIMULATED WOOD TRELLIS, SW6217 TOPSAIL	27	NOT USED	33	ELECTRICAL DEVICE - SEE ELEC.	39		3.	EXTERIOR FINISHES AND PAINT COLORS SHOWN ON FRONT ELEVATIONS SHALL RETURN BACK TO THE SIDES/EDGES OF THE BUILDING FACE UNO.	7.	INSTALL SECOND LAYER OF WRB AND LATH AS SEPARATE COMPONENTS. PAPER-BACK LATH NOT ACCEPTABLE.	10.	ALL SEALANTS APPLIED AT EXTERIOR WALLS TO CONSIST OF 100% URETHANE (SIKA 1A OR SIM) OR STPE HYBRID (BASF 150). USE OF PAINTER'S CAULK IS NOT ACCEPTABLE.
4	5 1/2" SQUARE DOWNSPOUT, MATCH WALL FIELD COLOR	10	2" RECESS WITH SLOPED BOTTOM, SW 2806 ROCKWOOD BROWN	16	END WALL TYPE B - SEE 2/A2.71	22	BERMUDA SHUTTER - ATLANTIC SHUTTER, SW6258 TRICORN BLACK	28	RETURN STUCCO BAND TO BALCONY COLUMN	34	LIGHT FIXTURE - SEE I.D.	40		4.	BALCONY SCREEN ENCLOSURE ARE OPTIONAL SEE 12/A6.05	8.	INSTALL LATH, STUCCO ACCESSORIES AND STUCCO IN ACCORDANCE WITH APPLICABLE...		
5	METAL ROOFING - PAC-CLAD SNAP- CLAD, SLATE GRAY W/ STRIATIONS	11		17	END WALL TYPE C - SEE 3/A2.71	23	BUILDING ADDRESS SIGNAGE	29		35		41							
6	METAL CAP FLASHING	12		18	ENTRY WALL - SEE 4/A2.71	24	BUILDING SIGNAGE BY OWNER'S SIGNAGE VENDOR	30		36		42							



2 BUILDING TYPE 1A REAR ELEVATION



1 BUILDING TYPE 1A FRONT ELEVATION

ACi  
ARCHITECTURE  
redefined

DEVELOPMENT, MANAGEMENT, ARCHITECTURE  
FL AA0002940

955 N. PENNSYLVANIA AVENUE  
WINTER PARK, FLORIDA 32789 USA  
PHONE: (407) 740-8405  
WWW.ACISTUDIOS.COM

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JUNIPER VILLAGE  
ELEVATION DEVELOPMENT  
MOUNT DORA, FLORIDA

SCOTT C. WEBBER  
FLORIDA REGISTRATION AR0017591

ADDENDA / REVISIONS		
NO.	DATE	DESCRIPTION

DATE: AUGUST 31ST, 2022  
ISSUE: SDP  
PROJECT MGR: SW  
PROJECT NO.: 2203

SHEET NAME:  
BLDG TYPE 1A  
ELEVATIONS

SHEET NUMBER:  
A2.12



## AGENDA ITEM

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### TITLE

Master Plan Revision Petition by Ocean Bleu Group (H2311)

### BRIEF OVERVIEW

**Request:**

Master Plan Revision to include a rezoning from R-1A (Residential) to PDP(GC)/Planned Development Project (General Commercial) with Deviations

**General Location:**

Northeast corner of Anderson Snow Road and County Line Road

### FINANCIAL IMPACT

A matter of policy. There is no financial impact.

### LEGAL NOTE

The Planning and Zoning Commission has jurisdiction to make a recommendation on the subject application. The Applicable Criteria for Planned Development Projects are contained in Appendix A, (Zoning Code) Article VIII. The Planned Development Project master plan must be consistent with the Comprehensive Plan.

### RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a Resolution approving the petitioner's request for a Master Plan revision to include a rezoning from R-1A (Residential) to PDP(GC)/Planned Development Project (General Commercial) with Deviations, and the following performance conditions.

### REVIEW PROCESS

Cayce Dagenhart	Approved	05/23/2023	8:58 AM
Omar DePablo	Approved	05/23/2023	9:40 AM
Michelle Miller	Approved	05/23/2023	9:46 AM
Aaron Pool	Escalated	05/25/2023	4:18 PM
Michelle Miller	Escalated	05/26/2023	4:20 PM
Aaron Pool	Approved	05/30/2023	1:12 PM
Kyle Benda	Approved	05/31/2023	9:07 AM

**RESULT:** ADOPTED

**MOVER:** Kathryn Birren

**SECONDER:** Donald Whiting

**AYES:** Fulford, Arflack, Birren, Holmes and Whiting

**ABSENT:** Hickey and McDonald



## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: June 12, 2023  
Board of County Commissioners: July 11, 2023

**APPLICANT:** Ocean Bleu Group

**FILE NUMBER:** H-23-11

**REQUEST:** Master Plan Revision to include a rezoning from R-1A (Residential) to PDP(GC)/Planned Development Project (General Commercial) with Deviations

**GENERAL LOCATION:** Northeast corner of Anderson Snow Rd. and County Line Rd.

**PARCEL KEY NUMBERS:** 196736, 196727, 196898, 196905, 378914

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### APPLICANT'S REQUEST

On February 8, 2022, the Board of County Commissioners approved a rezoning from AG (Agricultural) to PDP(GC)/Planned Development Project (General Commercial) with deviations to develop a 5.32-acre portion of a 9.07-acre parcel with a convenience store, fast food restaurant and car wash (rezoning case H-21-70). The proposed development was to be phased out as follows:

- Phase 1 – a 6,119 square foot convenience store/gas station, a 2,524 square foot fast food restaurant with drive-thru, and a 4,827 square foot car wash.
- Phase 2 - Reserved for future development.

The petitioner's current request is for a master plan revision and a rezoning from R-1A (Residential) to PDP(GC)/Planned Development Project (General Commercial) with deviations to add four (4) additional parcels (key #'s 196736, 196727, 196898, and 196905) to the commercial development. The proposed four (4) parcels will add an additional 1.0 acre to the master plan and provide additional acreage for the already approved fast food restaurant and a new oil change use. This change does not impact the petitioner's schedule or phasing plan; a master plan revision will be required prior to the development of Phase 2.

### Deviations Requested

The petitioner is asking for a deviation from the Residential Protection Standards for the hours of operation for the fast-food restaurants drive-thru so their proposed drive-thru may operate 24 hours a day. No other changes are requested by the applicant from the previous approval.

**SITE CHARACTERISTICS**

<b>Site Size:</b>	9.87 acres
<b>Surrounding Zoning &amp; Land Uses:</b>	North: AG, PDP(OP); Undeveloped South: Pasco County East: R-1A, PDP(MF); Undeveloped, Mobile Home West: PDP(GC), (SF); Commercial, Single-Family
<b>Current Zoning:</b>	AG (Agricultural)
<b>Future Land Use Map Designation:</b>	Commercial
<b>Flood Zone:</b>	C

**ENVIRONMENTAL REVIEW**

<b>Soil Type:</b>	Masaryk Very Fine Sand
<b>Hydrologic Features:</b>	The property does not contain any Wellhead Protection Areas (WHPA) or wetlands, according to County data resources.
<b>Protection Features:</b>	The property does not contain any Special Protection Areas (SPA) according to County data resources.
<b>Archaeology:</b>	The property does not contain any archaeological sites according to County data resources.
<b>Habitat:</b>	The property has been previously cleared. It is shown as open land according to FLUCCS (Florida Land Use Cover and Classification System) data.
<b>Comments:</b>	<p>There is potential for listed species to be present. A comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified professional and submitted prior to any land clearing activities. The petitioner is required to comply with all applicable FWC regulations and permitting.</p> <p>A comprehensive wildlife survey is required to identify listed species present prior to clearing or development activities.</p>

**Water Quality:** This project is located within the Weeki Wachee Priority Focus Area identified by FDEP as contributing nutrients to the Weeki Wachee Riverine System.

**Flood Zone:** X

## UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. There is a 16-inch water main that runs along the west side of Anderson Snow Road. There is a 20-inch sewer force main that runs along the west property line on Anderson Snow Road.

HCUD has no objection to the requested zoning, subject to a utility capacity analysis and connection to the central water and sewer system at time of vertical construction.

## ENGINEERING REVIEW

The subject site is located at the southeast corner of County Line Road and Anderson Snow Road. The petitioner had previously proposed two access drives to Anderson Snow Road. An access will be provided along the south on Anderson Snow Road and the second towards the north along Anderson Snow Road which will line up with the existing driveway on the west side of Anderson Snow Road (7 Eleven). The requested revision will now include access to Countyline Road.

The County Engineer as reviewed the petitioner's request and indicated the following:

- This composite site comprises approximately 10.0 acres with an area of 1% annual-chance floodplain at the southern end of the site. Development within floodplain requires specific permitting and mitigation. Engineer's certification of "No net rise" required.
- Development must meet Hernando County Facility Design Guidelines and Southwest Florida Water Management District Environmental Resource Permit drainage design standards.
- This project generates over 50 PM Peak Hour Trips and a Traffic Access Analysis is required. Traffic Access Analysis to include a queuing analysis.
- Signalization Analysis at the northern driveway (Proposed Full Access) will be required as part of the Traffic Access Analysis. Refer to Hernando County Facilities Design Guidelines IV-18. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer to install.
- No access to Arkays Avenue will be granted for this project.

- The driveway shown on County Line Road will need to be adjusted eastward to provide adequate spacing between the traffic signal at County Line Road and Anderson Snow Road and the proposed driveway.
- The driveway shown on County Line Road may be limited to right in /right out only.
- Previous performance conditions of Master Plan H-21-70 are still applicable and shown in the performance conditions in the Staff Recommendation section of this document.

## LAND USE REVIEW

### Setbacks

Minimum Perimeter Building Setbacks:  
*Previously approved in H-21-70*

- Anderson Snow Road (west): 75'
- County Line Road (south): 75'
- Side (east property boundary adjacent to Arkays Ave.): 20'
- Rear (north and east property boundary adjacent to residential property) 35'
- Gas Canopy: 35'

**Comments:** Additional right-of-way may be required at the time of development for the site frontage along Anderson Snow Road for future widening. Building setbacks shall be measured from the new right-of-way line. The petitioner shall coordinate with the Department of Public Works to establish where that line may be.

Internal Building Setbacks:  
*Previously approved in H-21-70*

- Between lots: 0'
- Side (east along Arkays): 20'
- Rear (north and east adjacent to residential zoning): 35'

### Buffers

The petitioner has proposed a 10' landscape buffer along the perimeter of Phase 1, except for the area where the drainage retention area (DRA) is located. In the

previous rezoning case (H-21-70) the applicant was given permission to leave the buffer between the DRA and the residential property un-landscaped. It is the staff's opinion that the removal of the landscape buffer requirement between the DRA and the residential property should be reconsidered. There will be 20 vacuum spaces associated with the car wash. The vacuums will be running continuously during the car wash's hours of operation. Without any vegetation or fencing to dampen the noise, the sound could disturb the residential property adjacent to the DRA.

#### Perimeter Buffers

- Southern and Western Perimeter of Phase 1: 10' landscape buffer
- Eastern and Northern Perimeters adjacent to residential zoning: 10' undisturbed natural vegetated/planted buffer with 80% opacity. Plantings for this buffer shall be chosen specifically for their noise reduction qualities.

#### Internal Landscape Buffers

*Previously approved in H-21-70*

- Internal Landscape Buffer: 0'

### Lighting

The petitioner has not indicated any lighting provisions for the proposed uses. If approved, the petitioner will be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring residential parcels. Security lighting shall be shielded from the neighboring residential use to the north.

### Parking

County Land Development Regulations (LDRs) require a minimum of 4.0 parking spaces per 1,000 square feet of commercial use and 0.5 parking spaces per seat for fast-food restaurants.

**Comment:** The petitioner shall meet the minimum parking requirements of the County LDRs.

### Landscaping

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.

**Residential Protection Standards:**

According to Hernando County LDRs, the following residential protection standards apply:

- Commercial activities which include customer entrances, drive-up windows, ordering boxes, or loading/unloading areas shall not be allowed to operate between the hours of 12 midnight and 7:00 a.m. within 100' of any single-family residential district property line.

**Comments:** The petitioner is asking for a deviation from the Residential Protection Standards for the drive-thru hours of operation for the fast-food restaurants. Currently, drive-thru speaker systems are not permitted to operate between the hours of 12 midnight and 7 a.m. The applicant is requesting a deviation to be able to operate the drive-thru 24 hours a day, 7 days a week.

Staff are hesitant to recommend approval of this request since the BOCC have previously established the hours of operation for a drive-thru within 100' of residential property should be limited to 7:00 a.m. to 12 p.m.

If the BOCC approves this deviation request, staff recommends it be upon the condition that an enhanced buffer, designed with sound attenuation in mind, is installed along the east and north property boundary lines to dampen noise and light from the proposed uses.

- No building within 100' of any single-family residential district property line shall be more than 20' in height.
- All loading bays and loading docks must be a minimum of 100' from any 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.

**Comment:** There are residentially zoned parcels to the east of the proposed project. Loading/unloading areas, drive-up windows and ordering boxes must be directed away from the residentially zoned parcels and meet the minimum Residential Protection Standard distance.

**COMPREHENSIVE PLAN REVIEW**

The subject property is located within the Commercial land use classification on the adopted Future Land Use Map. The area is characterized by residential to the east and commercial uses to the north and west east.

**Land Use Compatibility**

Objective 1.10B: The County shall establish standards by which land use compatibility is evaluated in the review of proposals for Future Land Use Map amendments, zoning changes, and other land development applications.

Strategy 1.10B(1): Future Land Use Map amendments should be compatible with surrounding development and minimize impact to natural resources without the need for mitigation measures that are extraordinary in scope or difficult to enforce.

Strategy 1.10B(2): Zoning changes should be compatible with surrounding development and minimize impact to natural resources. Impacts may be mitigated through design of building placement, buffers, noise reduction, setbacks and other appropriate planning techniques or performance measures.

Strategy 1.10B(3): Protect existing and future residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the surrounding residential area.

**Comments:** The subject site is near subdivided single-family lots to the east. Appropriate buffering should be required along the eastern property line to screen noise and light from the proposed uses.

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.

Strategy 1.04G(1): Commercial development as envisioned on the Future Land Use Map is intended primarily for locations at

major intersections and along major corridors where service to local and regional markets are enhanced by transportation patterns. New commercial zoning is directed to these mapped areas. Commercial areas that are not mapped but are allowed under this Future Land Use Category include neighborhood commercial and specialty commercial uses as described in this Plan, commercial approved as part of mixed-use developments, commercial designated by planned development districts, the infill development of existing commercial areas, commercial areas extending from designated commercial nodes, and pre-existing commercially developed and designated areas. Frontage roads and cross-access between commercial uses are required where needed in accordance with the provisions of this Plan and adopted land development regulations.

**Comments:**

The subject property is in a Commercial land use designation according to the Future Land Use Map. The proposed use is consistent with the Hernando County Comprehensive Plan related to commercial development.

**FINDINGS OF FACT**

A Master Plan Revision and a Rezoning from R-1A (Residential) to PDP(GC)/Planned Development Project (General Commercial) with Deviations is appropriate based on the following conclusion:

1. The request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all performance conditions.
2. Though the car wash vacuums will be over 100' from the residentially zoned property, with no vegetation between the vacuums and the residences to dampen the noise, the residential use will be impacted. A buffer is needed to preserve the tranquility of the existing residences.
3. The BOCC has determined drive-thrus within 100' of a residential zone may not operate between the hours of 12 midnight and 7 a.m. If a deviation from the Residential Protection Standards is granted to allow the drive-thru to operate 24 hours a day an enhanced buffer planted with sound attenuation in mind, to counter the noise and activity that will occur in during operating hours, should be required.

4. With these staff recommendations in place, the proposed use is compatible with the area and not adverse to the public interest.

## 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 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 for a Master Plan revision to include a rezoning from R-1A (Residential) to PDP(GC)/Planned Development Project (General Commercial) 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. Environmental
  - A. The petitioner shall provide a floral and faunal (wildlife) survey, prepared by a qualified professional, and submitted to the County prior to any land clearing activities. Copies of any required permits shall be provided prior to site alteration or construction.
  - B. The petitioner is required to comply with all applicable FWC regulations and permitting.
  - C. If needed, a Gopher Tortoise Relocation permit shall be sought prior to any geotechnical activities taking place on the property.
  - D. 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.

- E. The applicant shall submit a geotechnical report and drainage design plan, both prepared by a qualified professional, which meets Hernando County Facility Design Guidelines. As this is a performance condition required by the BOCC, this requirement cannot be waived.

3. Land Clearing and Development

- A. All onsite lighting must provide full cutoff fixtures and retain all light on site to prevent any light spillage onto neighboring properties. Security lighting shall be shielded from the neighboring residential use to the north.
- B. Specimen (18" DBH to 36" DBH) and Majestic (36" DBH and above) shall not be removed from the property without formal permission from the County Planning and Zoning Division.
- C. The proposed DRA and any development in Phase 2 shall be planned around the presence of protected trees to the greatest extent possible. The site plan for the southeastern portion of this property may also need to be adjusted to accommodate protected trees.
- D. This development is subject to the Residential Protection Standards in Appendix A, Article VIII, Section 6 A of the Hernando County Land Development Regulations (LDRs).
- E. The petitioner shall meet the minimum parking requirements of the County LDRs.
- F. Signage shall be designed as part of a complete development system. The location(s) and design shall be reviewed and approved as part of the overall site plan. The predominant sign material shall include architectural or split faced block, brick, glass, wood, stucco, artificial stucco, or stone and be compatible with the principal building design.
- G. Phase 2 (north undeveloped area) shall require an amendment to the master plan prior to development.

4. Utilities

The developer shall provide a utility capacity analysis at the time of development and connect to water and sewer at the time of vertical construction.

5. Traffic and Vehicular Access:

- A. A Traffic Access Analysis and Traffic Queuing Analysis, prepared by a qualified professional, submitted during the appropriate stage of development. Installation of any improvements identified by these analyses shall be the responsibility of the developer.
- B. The Traffic Access Analysis shall demonstrate that the driveway on Anderson Snow Road closest to County Line Road will not interfere with the traffic signal.
- C. A Signalization Analysis, prepared by a qualified professional, shall be performed as part of the Traffic Access Analysis, and submitted with the construction plans for the northern driveway (Proposed Full Access).
- D. A cross access easement or agreement between the commercial parcels shall be provided at the time of subdivision plat approval.
- E. No access to Arkays Avenue shall be granted for the project.
- F. The driveway shown on County Line Road shall be adjusted eastward to provide adequate space between the traffic signal at County Line Road and Anderson Snow Road.
- G. The driveway shown on County Line Road shall be limited to right-in /right out only.
- H. Additional right-of-way may be required at the time of development for the site frontage along Anderson Snow Road and County Line Road for the intersection as determined by the County Engineer. Building setbacks shall be measured from the future ROW line.

6. Buffers

A. Perimeter Buffers

- Southern and Western  
Perimeter of Phase 1: 10' landscape buffer
- Eastern and Northern  
Perimeters adjacent to  
residential zoning: 10' undisturbed natural vegetated  
/planted buffer with 80% opacity.  
Plantings for this buffer shall be  
chosen specifically for their noise  
reduction qualities. This buffer shall

also include a minimum 6' tall opaque fence.

B. Internal Buffers

- Internal Landscape Buffer: 0'
- Service areas, which include areas designated for loading and unloading of goods, and refuse collection, shall be buffered from rights-of-way and residentially zoned areas. Buffering shall consist of construction of a wall between the service area and abutting land use. All other applicable LDRs must be met in addition to this requirement.

7. Setbacks

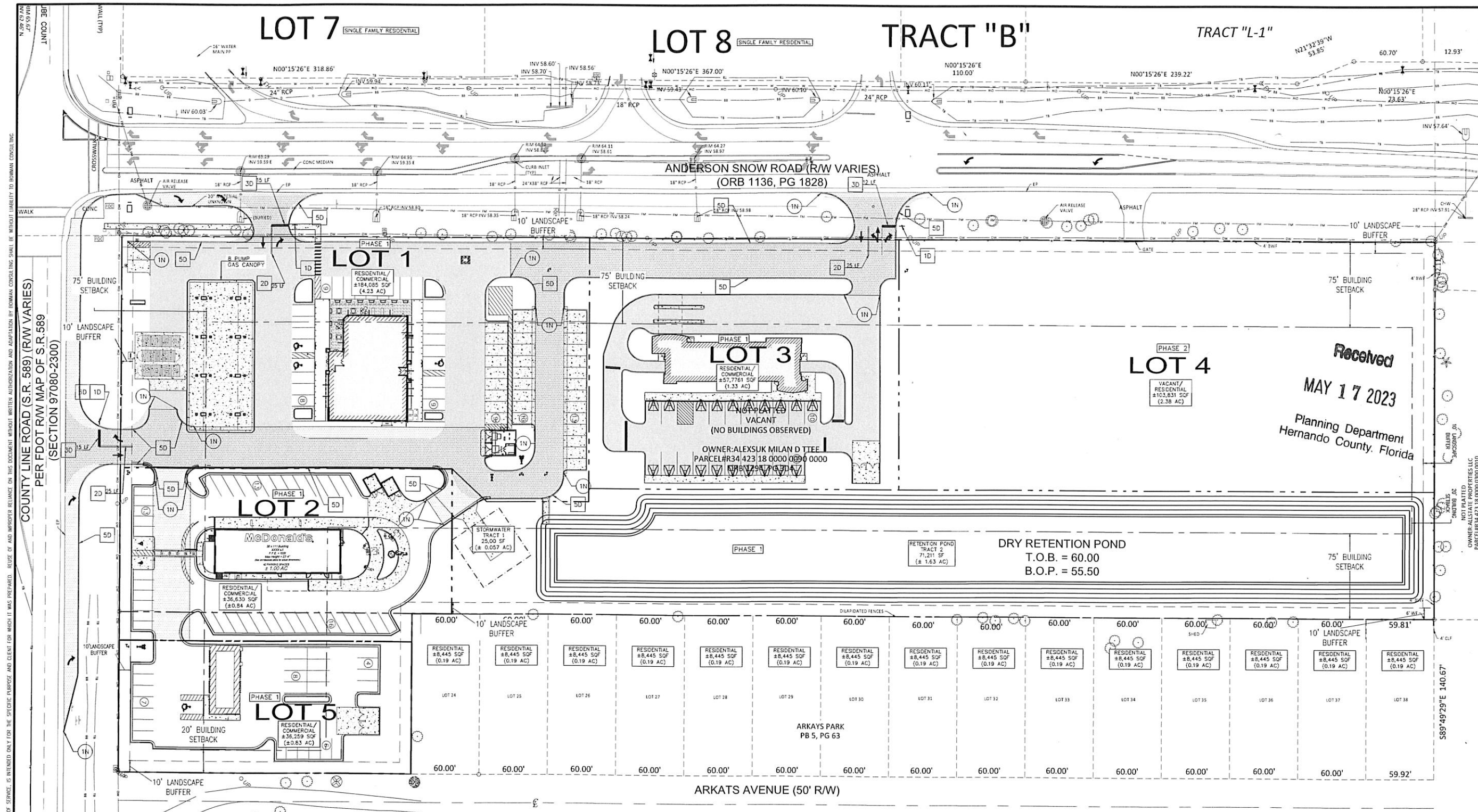
A. Minimum Perimeter Setbacks:

- Anderson Snow Road (west): 75'
- County Line Road (south): 75'
- Side (east property boundary adjacent to Arkansas Ave.): 20'
- Rear (north and east property boundary adjacent to residential property) 35'
- Gas Canopy: 35'

B. Internal Building Setbacks:

- Between lots: 0'
- Side (east along Arkays): 20'
- Rear (north and east adjacent to residential zoning): 35'

8. The petitioner shall be required to submit and receive approval for a Master Plan Revision prior to the development of Phase 2 as indicated in this application.
9. The petitioner shall provide a revised plan in compliance with all performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.



### GENERAL SITE NOTES

- REFER TO TOPOGRAPHIC SURVEY FOR ADDITIONAL INFORMATION AND EXISTING SYMBOL LEGEND.
- REFER TO ARCHITECTURAL PLANS FOR BUILDING INFORMATION.
- IN GENERAL, ITEMS SHOWN AS BOLD LINEWORK REPRESENT PROPOSED FEATURES TO BE CONSTRUCTED AS PART OF THIS PROJECT, UNLESS NOTED OTHERWISE. SIMILARLY, SHADOWED LINEWORK TYPICALLY REPRESENTS EXISTING FEATURES OR ITEMS SHOWN FOR INFORMATIONAL PURPOSES ONLY.
- UNLESS NOTED OTHERWISE, PROPOSED DIMENSIONS ARE SHOWN AT THE CENTERLINE OF ITEMS AND TO THE STRUCTURE FACE OR FLOWLINE OF CURB.
- CONTRACTOR IS RESPONSIBLE FOR CORRECT HORIZONTAL AND VERTICAL ALIGNMENT OF ALL TIES BETWEEN PROPOSED AND EXISTING IMPROVEMENTS.
- PAYMENT MARKINGS SHALL CONFORM TO THE LATEST MUTCD MANUAL AND FDOT DESIGN STANDARDS.
- ALL TRAFFIC CONTROL SIGNS SHALL BE REFLECTIVE PER THE LATEST MUTCD MANUAL.
- SAFE VEHICULAR AND PEDESTRIAN TRAFFIC MUST BE MAINTAINED AT ALL TIMES.
- DAMAGED SIDEWALKS RESULTING FROM CONSTRUCTION ACTIVITY WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE REMOVED AND REPLACED. SIDEWALKS THAT ARE REMOVED MUST BE RESTORED WITHIN THREE (3) DAYS.
- ALL AREAS DISTURBED WITHIN THE PUBLIC RIGHT-OF-WAY MUST BE SOODED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING ALL CONSTRUCTION AND STOCKPILED VEGETATIVE DEBRIS AND FILL FROM THE SITE IN THE EVENT THE CONSTRUCTION SITE IS ABANDONED PRIOR TO PROJECT COMPLETION.
- CONTRACTOR SHALL HAVE ONE SIGNED COPY OF THE APPROVED PLANS AND THE APPROPRIATE STANDARDS AND SPECIFICATIONS ALONG WITH A COPY OF ANY PERMITS AND AGREEMENTS NEEDED FOR THE JOB ON-SITE AT ALL TIMES.
- CONTRACTOR SHALL MEET OR EXCEED ALL SITE WORK SPECIFICATIONS AND APPLICABLE STATE AND FEDERAL REGULATIONS FOR ALL MATERIALS AND CONSTRUCTION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ASPECTS OF SAFETY DURING CONSTRUCTION.
- THE CONTRACTOR SHALL NOTIFY THE ENGINEER IN ANY SITUATION THAT IS NOT IDENTIFIED IN THE PLANS OR SPECIFICATIONS IS ENCOUNTERED.
- NO REVISION SHALL BE MADE TO THESE PLANS WITHOUT THE APPROVAL OF THE ENGINEER OF RECORD.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR KEEPING ROADWAYS FREE AND CLEAR OF ALL CONSTRUCTION DEBRIS AND DIRT TRACKED FROM THE SITE.
- ANY REFERENCE TO PUBLISHED STANDARDS SHALL REFER TO THE LATEST REVISION OF SAID STANDARD, UNLESS SPECIFICALLY STATED OTHERWISE.
- ALL NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICE COMPANIES SHALL BE PERFORMED PRIOR TO ANNOUNCED BUILDING POSSESSION AND THE FINAL CONNECTION OF SERVICES.

### SITE DATA

LOCAL JURISDICTION: HERNANDO COUNTY  
LAND USE CLASSIFICATION: SINGLE FAMILY RESIDENCE / USED AUTOMOBILE SALES / COM COMMERCIAL  
FUTURE LAND USE CLASSIFICATION: R34 423 18 0000 0090 0000, R34 223 18 1380 0000 0210, R34 223 18 1380 0000 0220  
PROPERTY PARCEL ID: PDP - COMMERCIAL  
ZONING CLASSIFICATION: N/A  
OVERLAY DISTRICT: WITHIN AN AREA ZONED "X"  
FLOOD ZONE CLASSIFICATION: FIRM MAP NO. 12053C03360, COMMUNITY MAP NO. 120110, DATED 2/12/2012

DIRECTION	PROPERTY USE AND ZONING	FUTURE LAND USE
EAST	VACANT MOBILE HOME	COMMERCIAL
SOUTH	PARCELS COUNTY	RESIDENTIAL
WEST	SINGLE FAMILY RESIDENTIAL COMMERCIAL	COMMERCIAL/RESIDENTIAL
NORTH	VACANT	RESIDENTIAL

### SITE AREA CALCULATIONS

TOTAL SITE AREA	418,576 (9.61 AC.) (100%)
IMPERVIOUS AREA	37,637 SF (0.86 AC.) (9.0%)
SIDEWALK PAVEMENT	37,637 SF (0.86 AC.) (9.0%)
PERVIOUS AREA	380,939 SF (8.75 AC.) (91.0%)

### NOTES

1N END CURB

### DETAILS

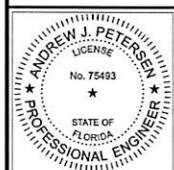
- 36" X 36" STOP SIGN, PER MUTCD STANDARD R1-1
- DOUBLE YELLOW SOLID LINE STRIPING, PER FDOT STANDARD INDEX 711-001, SEE LENGTH INDICATED AT SYMBOL
- 24" WIDE WHITE THERMO PLASTIC STOP BAR, PER FDOT STANDARD INDEX 711-001, SEE LENGTH INDICATED AT SYMBOL
- 12" WIDE WHITE THERMO PLASTIC CROSS WALK STRIPING, PER FDOT STANDARD INDEX 711-001, SEE LENGTH INDICATED AT SYMBOL
- TYPE "D" CURB, PER FDOT STANDARD INDEX 520-001
- RIGHT TURN ONLY SIGN, PER MUTCD STANDARD R3-5R

### LEGEND - PROPOSED

- PROPERTY LINE
- PROPOSED TYPE "D" CURB
- STANDARD-DUTY CONCRETE PAVEMENT
- STANDARD-DUTY ASPHALT PAVEMENT



OVERALL SITE PLAN  
SPRINGHILL COMMERCIAL DEVELOPMENT  
NE/O ANDERSON SNOW RD. & COUNTY LINE RD.  
SPRING HILL, FLORIDA 34609  
HERNANDO COUNTY, FLORIDA



ANDREW J. PETERSEN  
LICENSE NO. 75493  
05/17/2023  
PLAN STATUS

DATE	DESCRIPTION
ALW DESIGN	ELC
SCALE	AS SHOWN
JOB No.	010878-01-001
DATE	05/17/2023
100878-01-D-CP-001-04-C1.0-SIT (14)DW	
SHEET	C1.0

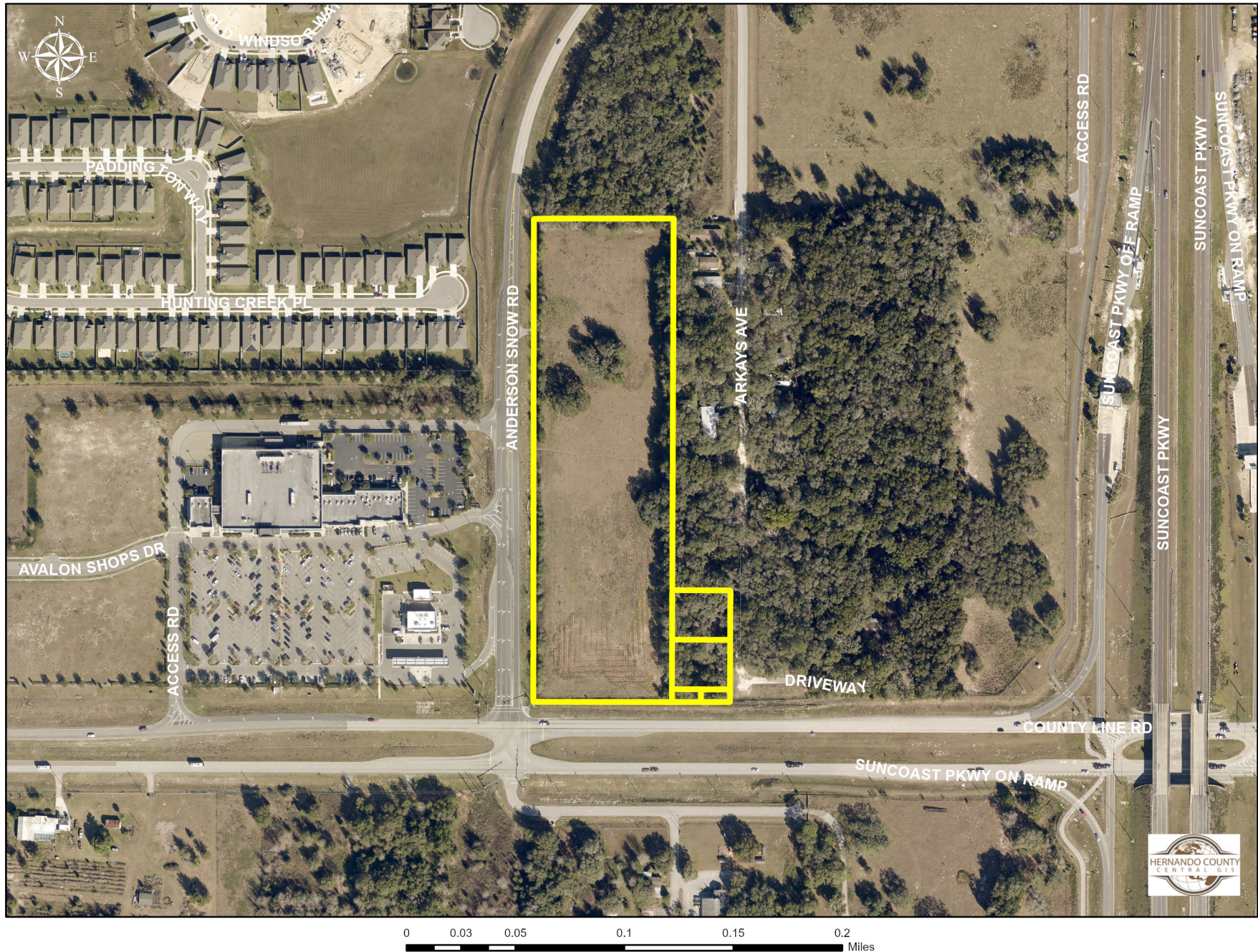
Bowman Consulting Group, Ltd.  
4450 W. Eau Gallie Blvd  
Suite 144  
Melbourne, FL 32904  
Phone: (321) 255-5434  
Fax: (321) 255-7751  
www.bowmanconsulting.com  
© Bowman Consulting Group, Ltd.

**Bowman**  
CONSULTING

# H-23-11

Photo date: 2020

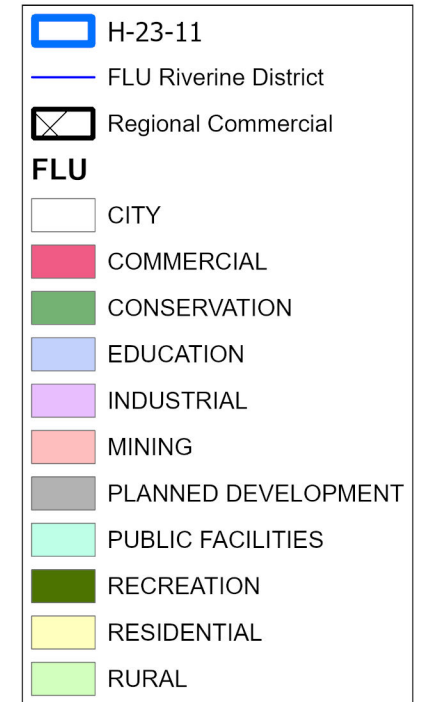
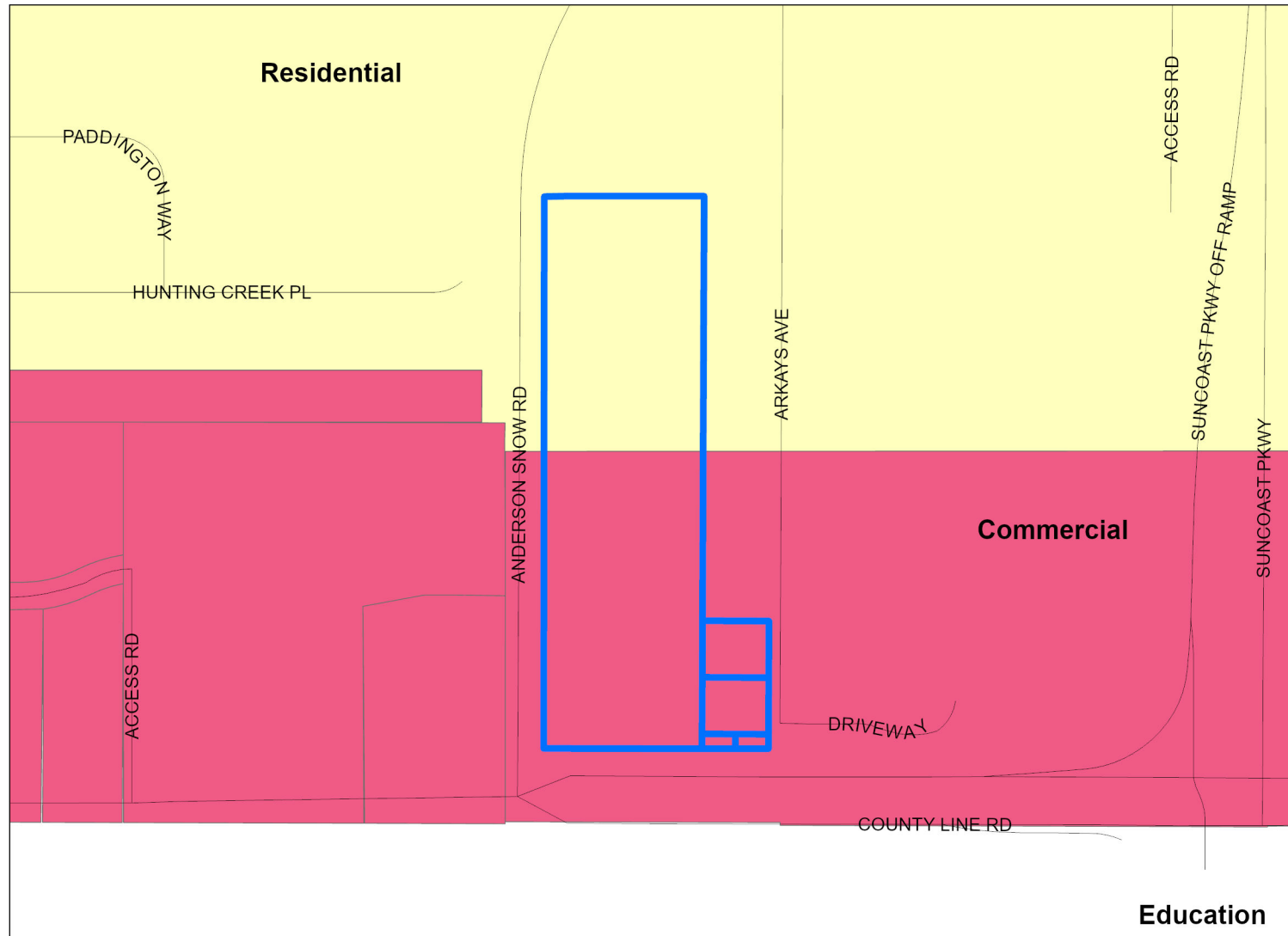
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# Hernando County Comprehensive Plan Map

Existing Future Land Use: H-23-11

Version Date: 07/14/2022



## Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

0 0.03 0.06 0.11 0.17 0.22 Miles

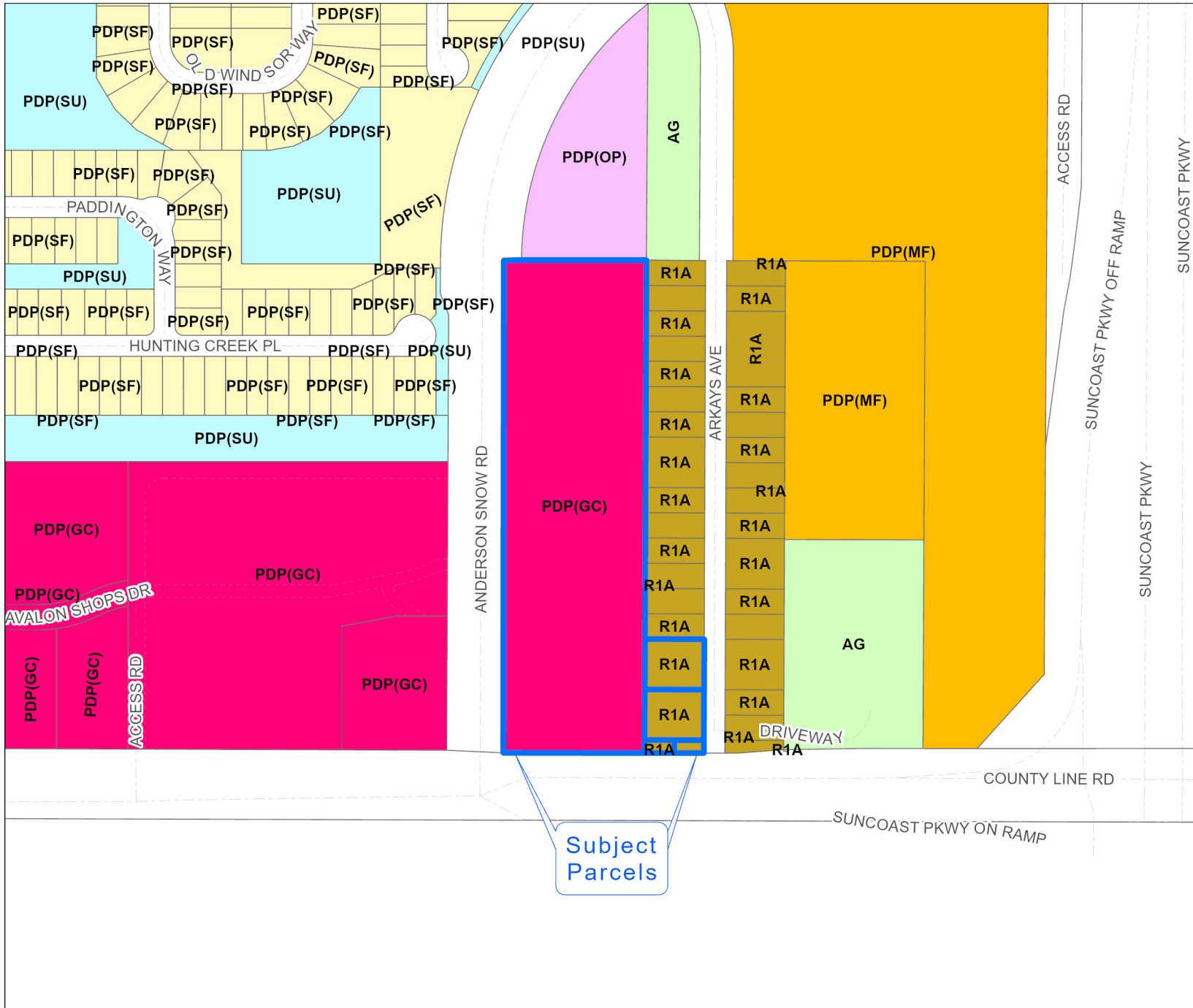


Date of mapping: 03/07/2023



# H-23-11

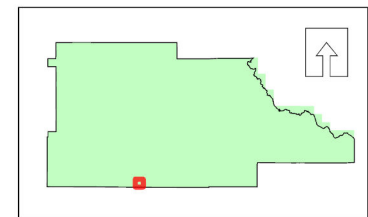
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



## Zoning:

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



# HERNANDO COUNTY ZONING AMENDMENT PETITION



## Application to Change a Zoning Classification

### Application request (check one):

Rezoning ☐ Standard ☒ PDP  
Master Plan ☐ New ☒ Revised  
PSFOD ☐ Communication Tower ☐ Other  
**PRINT OR TYPE ALL INFORMATION**

Date: 12/29/2022

File No. H-23-11 Official Date Stamp:

**Received**

**FEB 10 2023**

Planning Department  
Hernando County, Florida

**APPLICANT NAME:** Ocean Bleu Group

Address: 2202 N. West Shore Boulevard suite 200

City: Tampa

State: FL

Zip: 33607

Phone: 321-255-5434 Email: ipedevillano@bowma.com

Property owner's name: (if not the applicant) \_\_\_\_\_

**REPRESENTATIVE/CONTACT NAME:** Jacqueline Pedevillano

Company Name: Bowman Consultant

Address: 4450 W Eau Gallie Blvd suite 144

City: Melbourne

State: FL

Zip: 32934

Phone: 321-255-5434 Email: ipedevillano@bowman.com

**HOME OWNERS ASSOCIATION:** ☐ Yes ☒ No (if applicable provide name) \_\_\_\_\_

Contact Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip: \_\_\_\_\_

### PROPERTY INFORMATION:

1. PARCEL(S) **KEY** NUMBER(S): 196736, 196727, 196898, 196905, 378914
2. SECTION 34, TOWNSHIP 23 S, RANGE 18 E
3. Current zoning classification: Agricultural Residential (main parcel, 378914, is currently PDP)
4. Desired zoning classification: PDP- Commercial
5. Size of area covered by application: 10 acres
6. Highway and street boundaries: Arkays Ave and County Line Road
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No
8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed: \_\_\_\_\_)

### PROPERTY OWNER AFFIDAVIT

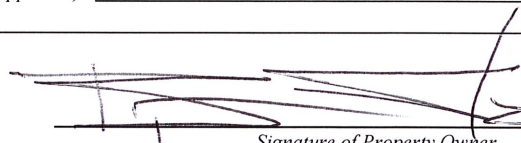
I, \_\_\_\_\_, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

☐ I am the owner of the property and am making this application **OR**

☒ I am the owner of the property and am authorizing (applicant): Bryan Schultz


and (representative, if applicable): Bowman Consulting

to submit an application for the described property.

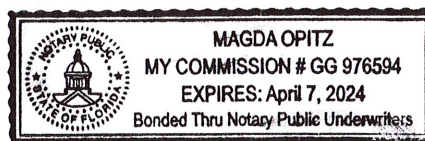
  
Signature of Property Owner

STATE OF FLORIDA  
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 7 day of February, 2023, by Bryan Schultz who is personally known to me or produced FLDL as identification.

  
Signature of Notary Public

Effective Date: 11/8/16 Last Revision: 11/8/16



Notary Seal/Stamp

Received

FEB 10 2023

Planning Department  
Hernando County, Florida

**LETTER OF AUTHORIZATION**

Date: 30<sup>th</sup> December 2022

RE: Spring Hill, Hernando County Parcel Keys: 00196727, 00196898, and 00196905

**TO WHOM IT MAY CONCERN:**

Please be advised by this correspondence that Bowman Consulting Group and Ocean Bleu Group are authorized to act as Applicant/Agent on behalf of Bry Homes LLC for the purpose of making application submittals for permits and negotiating conditions for the above referenced project.

Billy Ray Young Jr

Print Name

Billy Ray Young Jr

Signature

STATE OF

Florida

COUNTY OF

Hernando

Sworn to and subscribed before me, the undersigned Notary Public, this 30 day of December 2022.

Notary Public



JAYNELIS GONZALEZ MARTIR  
Notary Public  
State of Florida  
Comm# HH281948  
Expires 6/28/2026

Printed Name

Jaynelis Gonzalez

LETTER OF AUTHORIZATION

Date: 30<sup>th</sup> December 2022

RE: Spring Hill, Hernando County parcel key: 00196736

Received

FEB 10 2023

Planning Department  
Hernando County, Florida

TO WHOM IT MAY CONCERN:

Please be advised by this correspondence that Bowman Consulting Group and Ocean Bleu Group are authorized to act as Applicant/Agent on behalf of Robert/Violet Langan for the purpose of making application submittals for permits and negotiating conditions for the above referenced project.

PATRICIA SMITH

Print Name

Patricia Smith

Signature

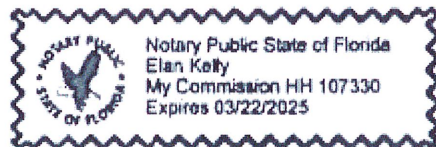
STATE OF Florida

COUNTY OF Pinellas

Sworn to and subscribed before me, the undersigned Notary Public, this 17 day of January,  
2021. 2023 OK

[Signature]

Notary Public



Elan Kelly

Printed Name

## Project Narrative

The 4 adjacent parcels requesting to be rezoned in unincorporated Hernando County have the following parcel key numbers: 00196736, 00196727, 00196898, and 00196905, listed north to south respectively. The four parcels are currently zoned residential, and this request is to rezone them to PDP (GC)/Planned Development Project (General Commercial) to incorporate them into the existing PDP, H-21-70, that is located at the northeast corner of Anderson Snow Road and County Line Road and directly west of Arkays Avenue. This will add a total of  $\pm 1.00$  acres of vacant land to the existing approved PDP which is currently  $\pm 9$  acres. This proposed new development would allow for a  $\pm 1,560$  SF building designated for minor car services as well as a quick service restaurant (QSR) with drive-thru. Part of our PDP amendment is to also request deviation from the current hours of operations for the quick service restaurant (QSR) with drive thru from hours **7 am to midnight to 24 hours**. The oil/tire change store is proposed to the east of the QSR and will include a cross access in between with two lanes. The landscape buffers and setbacks will adhere to the existing approved PDP guidelines. The guideline sets the building setback to 75' from County Line Road; 0' internal setback; side that is not abutting internal, 20'; and the rear would have 35'. There is also a 0' internal landscape buffer. The other landscape buffer will be according to the approved master plan: 10' landscape buffer along the perimeter of phase 1 unless it abuts a drainage retention area.

Received

FEB 10 2023

Planning Department  
Hernando County, Florida



## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 06/12/2023  
Department: P&Z Agenda Item  
Prepared By: Robin Reinhart  
Initiator: Aaron Pool  
DOC ID: 12266  
Legal Request Number:  
Bid/Contract Number:

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#### TITLE

Rezoning Petition Submitted by Oak Development Group, LLC (H2276)

#### BRIEF OVERVIEW

##### Request:

Rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations

##### General Location:

Eastern terminus of Godwit Avenue and Gyrafalcon Avenue and south of Seely Lane

##### Hearing Detail:

On February 14, 2023, the Board of County Commissioners voted 5-0 to remand the petitioner's request for a rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations back to the Planning and Zoning Commission.

#### FINANCIAL IMPACT

A matter of policy. There is no financial impact.

#### LEGAL NOTE

The Planning and Zoning Commission has jurisdiction to make a recommendation on the subject application. The Applicable Criteria for a Zoning District Amendment are contained in Appendix A, (Zoning Code) Article VI. The Applicable Criteria for Planned Development Projects are contained in Appendix A, (Zoning Code) Article VIII. The Zoning District Amendment to the Planned Development District and applicable PDP master plan must be consistent with the Comprehensive Plan.

#### 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 AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations and with performance conditions.

#### REVIEW PROCESS

Omar DePablo	Escalated	05/16/2023 4:20 PM
Michelle Miller	Approved	05/17/2023 11:56 AM
Michelle Miller	Approved	05/17/2023 11:56 AM
Aaron Pool	Escalated	05/19/2023 4:19 PM
Michelle Miller	Delegated	05/22/2023 8:45 AM
Aaron Pool	Approved	05/22/2023 9:10 AM

Kyle Benda

Approved

05/22/2023 2:47 PM

**RESULT:**     **ADOPTED**  
**MOVER:**     Nicholas Holmes  
**SECONDER:** Gregory Arflack  
**AYES:**      Fulford, Arflack, Birren, Holmes and Whiting  
**ABSENT:**     Hickey and McDonald

**BCC ACTION:**

On February 14, 2023, the Board of County Commissioners voted 5-0 to remand the petitioner's request for a rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations back to the Planning and Zoning Commission. This hearing shall be scheduled after the applicant has submitted revised plans to staff and revised recommendations have been developed for consideration. The applicant shall be responsible for all re-advertising costs for the application.

**NOTE:**

Subsequent to the February 14, 2023, Board of County Commissioners (BOCC) hearing and per BOCC direction, the petitioner submitted a revised master plan addressing the projects access points and density. The Planning and Engineering Departments have reviewed the following revisions:

1. The overall project was reconfigured. The area previously allocated to the communication tower along the northeast has been removed. The neighborhood park has been relocated to the south.
2. Communication tower will be removed, and the existing eagles nest relocated per Florida Fish and Wildlife regulations.
3. The density was reduced from 162 units to 142 units.
4. Access to Godwit Avenue and Gyrafalcon Avenue will remain, however, additional access has been proposed along the reconfigured northeast portion of the property. The new connection will connect to Seely Lane.
5. A new large drainage retention area is proposed along the entire southern property line.

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 PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations and with the following revised 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 is required to comply with all applicable FWC regulations and permitting.

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™ (FFL) Program information and include FFL language in the HOAs covenants and restrictions. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.
5. A jurisdictional wetland line shall be shown on the conditional plats.
6. Geotechnical subsurface testing and reporting in accordance with Hernando County's Facility Design Guidelines shall be conducted for all proposed drainage retention or detention areas within the project.
7. Invasive plant species must be removed, including wetland areas, during the development process and controlled through the approved Association documents during the subdivision process for long-term maintenance and control.
8. The subdivision shall be limited to 142 single-family residential units.
9. The developer shall conduct a water and sewer capacity analysis during the conditional plat phase and connect to the central water and sewer systems at time of vertical construction. All required improvements will be the responsibility of the developer.
10. In conjunction with the conditional plat phase, the petitioner shall perform a Traffic Access Analysis (TAA) in accordance with the requirements of the County Engineer. The Traffic Access Analysis shall include a queuing analysis. Any identified improvements shall be the responsibility of the developer.
11. The petitioner shall maintain a minimum perimeter buffer of 20' around the residential portion of the project enhanced to an 80% opacity by landscaping and augmented with a 6' high opaque fence or wall around the project perimeter, except in areas designated as neighborhood park or drainage. The buffer shall be designated as a common tract and included in the Association documents for long term maintenance.
12. Minimum Lot Setbacks, widths and sizes:

Front:	20'(Deviation from 25')
Sides:	5' (Deviation from 10')
Rear:	20'
Corner Lots:	Secondary Front 10'

Minimum Lot Width: 50' (Deviation from 60')

Minimum Perimeter Setbacks:

Front: 25'  
Side: 10'  
Rear: 10'

13. The petitioner shall preserve the minimum seven percent (7%) natural vegetation as required by the County's Land Development Regulations. The required natural vegetation may be included as part of the required open space. If preservation of existing native vegetation is not practical as a result of the proposed development needs or site constraints, such as but not limited to existing topography, existing drainage patterns, stormwater design and other infrastructure needs such as water, waste water, and roadway design, then the developer shall instead be allowed to install native vegetation using Florida Friendly Landscaping practices at the time of site development in order to satisfy the minimum vegetation requirement. For purposes of calculating the 7%, undisturbed vegetation in the cell tower area shall count toward meeting this requirement.
14. The petitioner shall provide the minimum neighborhood park acreage as required by the County's Land Development Regulations as designated on the master plan. The neighborhood park shall provide vehicular and pedestrian access from the subdivision street network.
15. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.
16. 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.
17. The petitioner shall provide a designed construction access point to be reviewed and approved by County Engineer no later than at time of Conditional Plat.
18. The Master Plan designates both entrances as treed boulevard entrances exceeding the minimum required by the County LDR's.

19. The petitioner shall provide access to Seely Lane as shown on the master plan.
20. 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 ACTION:**

On December 12, 2022, the Planning and Zoning Commission voted to postpone the petitioner's request for a Rezoning from Rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations to the January 9, 2023, hearing at 9:00 a.m. with the applicant incurring any sign re-posting costs.

## STAFF REPORT

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<b>HEARINGS:</b>	Planning & Zoning Commission: December 12, 2022 Planning & Zoning Commission: January 9, 2023 Board of County Commissioners: January 10, 2023 Board of County Commissioners: February 14, 2023 Board of County Commissioners: June 13, 2023
<b>APPLICANT:</b>	Oak Development Group, LLC
<b>FILE NUMBER:</b>	H-22-76
<b>REQUEST:</b>	Rezoning from AG/(Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations
<b>GENERAL LOCATION:</b>	Eastern terminus of Godwit Avenue and Gyrafalcon Avenue and south of Seely Lane
<b>PARCEL KEY NUMBERS:</b>	344657

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### APPLICANT'S REQUEST

The petitioner is requesting a rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) with deviations to develop a single-family residential subdivision with up to 162 dwelling units on 40.4 acres (4.0 DU/AC). The parcel has an existing communication tower; the gross density includes the tower area.

The petitioner has proposed a minimum lot width of 52' and lot size of 6,240 feet for those internal lots within the subdivision. The lots along the perimeter of the development, at the north, south and west ends, are proposed at a minimum of 72' in width with a total lot size of 8,640 square feet. This rezoning petition is a companion to the Small-Scale Comprehensive Plan Amendment (CPAM2205).

#### Deviations Requested:

The petitioner is requesting the following deviations as part of the proposed master plan:

- Minimum Lot Area: 5,500 square feet (Deviation from 6,000 square feet)
- Minimum Lot Width: 50' (Deviation from 60')
- Setbacks (R-1A Residential District and PD Perimeter Setbacks):

- Front: 20' (Deviation from 25')
- Side: 5' (Deviation from 10')
- Front (Double Frontage/Corner Lots) - Require one of two frontages to meet 20' Front setback:
  - 2<sup>nd</sup> Front of Corner Lot: 10' (Deviation from 20')

## SITE CHARACTERISTICS

<b>Site Size:</b>	40.4 acres
<b>Surrounding Zoning and Land Use:</b>	North: AG; Developed/undeveloped residential uses South: AG; Developed/undeveloped residential uses East: AG; Developed/undeveloped residential uses West: R-1A; Developed residential uses
<b>Current Zoning:</b>	AG (Agriculture)
<b>Future Land Use Map Designation:</b>	Rural (Pending adoption of CPAM2205 to change the Future Land Use to Residential)

## ENVIRONMENTAL REVIEW

<b>Soil Type:</b>	Basinger Fine Sand, Candler Fine Sand
<b>Resources and Features:</b>	The property contains no Wellhead Protections Areas (WHPA) or Special Protection Areas (SPA) according to County data. A Class 3 wetland is located on western boundary.
<b>Comments:</b>	The petitioner will be required to provide a wetland delineation on all future development plans.
<b>Habitat:</b>	Vacant, undeveloped forested sandhill and low density residential according to FWC CLC (Florida Cooperative Land Cover Classification System that combines Florida Land Use Cover and Classification System with fish and wildlife data) mapping.

**Comments:** Candler Sands provide habitat suitable for gopher tortoises and commensal species. A wildlife survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.

The subject site has an existing communication tower which has an existing eagle's nest. The petitioner has provided the required 500' buffer in order to protect the nest. The area will not be developed and will be zoned PDP(SU)/Planned Development Project (Special Use) in order to preserve the area.

**Flood Zone:** X with a portion of the western boundary in AE.

**Water Quality:** This project is located within the Weeki Wachee Priority Focus Area identified by FDEP as contributing nutrients to the Weeki Wachee Riverine System. Providing information on Florida Friendly Landscaping techniques and proper fertilizer use is another opportunity to educate property owners on water quality.

**Comments:** The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for required plantings and buffers, as applicable.

The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ Program information 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 information is available through Hernando County Utilities Department.

## SCHOOL DISTRICT REVIEW

The applicant 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.

**UTILITIES REVIEW:**

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. Water service is not available to this parcel, however there are existing 2-inch and 4-inch water mains that run along Fir and Evergreen Streets located in the subdivision to the south, and existing 4-inch and 8-inch water mains approximately 1,800 feet to the north along Smooth Bark Court and Woodland Waters Boulevard. Sewer service will become available via an existing 10-inch sewer force main (running along the western property line) once the Weeping Willow force main has been completed. HCUD has no objection to the request subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction.

**ENGINEERING REVIEW:**

The subject site is located on the eastern terminus of Godwit Avenue and Gyrafalcon Avenue and south of Seely Lane. The petitioner proposes connections to both Godwit Avenue and Gyrafalcon Avenue. The County Engineer has reviewed the petitioner's request and has the following comments:

- Floodplain permitting, and mitigation are required. Development must conform to Hernando County Facility Design Guidelines and Southwest Florida Water Management District Environmental Resource Permit storm drainage design requirements.
- A Traffic Access Analysis will be required. Traffic Access Analysis must include a queuing analysis. Refer to Hernando County Facility Design Guidelines IV-18 for requirements.
- A Traffic Access Analysis Methodology Statement was approved on August 12, 2022.
- The projects internal roadways design and curves shall meet Hernando County Standards. (IE: Collector, Major Local, Local & Frontage Road). Refer to Hernando County Facility Design Guidelines Section IV.
- The petitioner must provide a designed construction access point to be reviewed and approved by County Engineer no later than at time of Conditional Plat.

## LAND USE REVIEW

### Setbacks and Buffers

The petitioner is proposing the following setbacks, lot sizes and lot widths for each residential lot:

- Front: 20' (Deviation from 25')
- Sides: 5' (Deviation from 10')
- Rear: 20'
- Minimum Lot Width: 52' (Deviation from 60')

The petitioner has also proposed a 20' landscape buffer along the entire perimeter of the project.

**Comments:** The petitioner has not identified any perimeter setbacks for the subject property. If the master plan is approved, the following minimum perimeter setbacks shall be required:

- Front: 25'
- Side: 10'
- Rear: 10'

### Access

To establish minimum access requirements to single family and multifamily subdivisions, the Board of County Commissioners adopted a policy requiring two (2) means of access for subdivisions. The policy serves to provide more than one-way in and one-way out for residents of a subdivision, alternate routes for emergency services, interconnection between subdivisions, a shortened drive time for residents to the entrance/exits, and access points for travel direction outside of the development. A minimum of two (2) access points must be provided to serve any new subdivision or development pod with more than 50 units. If approved, individual single family and multifamily pods that exceed 50 units must meet the two (2) means of access per pod.

Additionally, Hernando County Land Development Regulations require that new single family and multifamily developments with more than 50 units provide at least one treed roadway/access way for motor vehicles extending through the length or width (whichever is greater) of the development with a vegetative buffer at least 10' in width.

**Comments:** The petitioner has proposed two points of access into the development – Godwit Avenue and Gyrafalcon Avenue. The petitioner has not indicated which of the two proposed access points will be the required treed boulevard entrance. If approved the petitioner shall provide a treed boulevard

entrance in accordance with the Hernando County Land Development Regulations.

**Neighborhood Park:**

All developments with 50 dwelling units or more shall provide and maintain a neighborhood park system for use by the residents of the subdivision in accordance with the requirements of the LDRs. The proposed phase contains more than 50 dwelling units. Neighborhood parks may count towards the minimum open space requirements. The amount of land provided and maintained as a neighborhood park shall be 1.0 acre for the first 50 dwelling units plus 1/100th of an acre for each dwelling unit over 50 up to 250 dwelling units, for a maximum of 3.0 acres.

**Comments:** The petitioner has designated 2.12 acres for a neighborhood park. The park meets the minimum requirements for the neighborhood park according to the Hernando County Land Development Regulations. Design shall ensure the park is accessible through the internal roadway network within the development.

**Natural Vegetation:**

Projects greater than twenty (20) acres shall designate an area of at least seven percent (7%) of the total project area as preserved natural vegetation and no construction activity can occur in this area. Preserved natural vegetation areas must be a minimum of twenty thousand (20,000) square feet. If approved, the petitioner must provide a minimum of seven percent (7%) natural vegetation. Preserved natural vegetation and/or planted native vegetation may be used to meet all or part of the requirement for open space if it is a minimum of fifteen (15) feet in width.

**Comments:** The petitioner has not provided calculations for the preservation of natural vegetation on the site. If the master plan is approved, the petitioner shall be required to set aside 2.81 acres for natural vegetation. The proposed perimeter buffer may be counted toward this requirement.

**Fire Protection Plan:**

Hernando County LDRs require that a fire protection plan be completed for residential developments with lot sizes less than 60' in width.

**Comments:** If approved, the petitioner shall submit a fire protection plan with the Conditional Plat in accordance with Hernando County LDRs.

**COMPREHENSIVE PLAN REVIEW:**

The subject site is located within the Rural Land Use category and has a corresponding Comprehensive Plan Amendment (CPAM2205). The area is characterized by standard residential parcels (west and southeast) and agricultural lots varying in size from 2.5 to 5.0 acres, with several larger parcels.

**Future Land Use Element**Planned Development Projects and Standards

Objective 1.10C: Planned Development Project (PDP) zoning introduces flexibility to the land development process. The PDP is developed as a zoning district that may include multiple land uses and provides for the mitigation of impacts through performance standards. The PDP process may be used in any Future Land Use Category.

Strategy 1.10C(1): A Planned Development Project (PDP) is designed as an integral unit with one or more land uses utilizing a Master Plan to illustrate and describe the site layout and characteristics including, but not limited to, uses and use restrictions, density and intensity, site and building layout and design, site coverage and designated open space, construction and phasing plans, and other detailed information about the project.

**Comments:** Single Family is consistent with the associated Small-Scale Comprehensive Plan Amendment (CPAM2205).

**FINDINGS OF FACT:**

A Rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations is appropriate based on consistency with the County's adopted Comprehensive Plan and compatibility with the surrounding land uses subject to compliance with all performance conditions.

**NOTICE OF APPLICANT RESPONSIBILITY:**

*The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.*

*The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner 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 AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and 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. 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 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™ (FFL) Program information and include FFL language in the HOAs covenants and restrictions. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.
5. A jurisdictional wetland line shall be shown on the conditional plats.
6. Geotechnical subsurface testing and reporting in accordance with Hernando County's Facility Design Guidelines shall be conducted for all proposed drainage retention or detention areas within the project.
7. Invasive plant species must be removed, including wetland areas, during the development process and controlled through the approved Association documents during the subdivision process for long-term maintenance and control.

8. The subdivision shall be limited to 162 single-family residential units located within the PDP(SF)/Planned Development Project (Single-Family) section of the development. No residential units shall be constructed in the area designated as PDP(SU)/Planned Development Project (Special Use) on the master plan. The PDP(SU) shall be reserved for the tower and eagles nest buffer of 500'.
9. The developer shall conduct a water and sewer capacity analysis during the conditional plat phase and connect to the central water and sewer systems at time of vertical construction. All required improvements will be the responsibility of the developer.
10. In conjunction with the conditional plat phase, the petitioner shall perform a Traffic Access Analysis (TAA) in accordance with the requirements of the County Engineer. The Traffic Access Analysis shall include a queuing analysis. Any identified improvements shall be the responsibility of the developer.
11. The petitioner shall maintain a minimum perimeter buffer of 20' enhanced to an 80% opacity by landscaping and augmented with a 6' high opaque fence or wall around the project perimeter, except in areas designated as neighborhood park or drainage. The buffer shall be designated as a common tract and included in the Association documents for long term maintenance.
12. Minimum Lot Setbacks, widths and sizes:
  - Front: 20'(Deviation from 25')
  - Sides: 5' (Deviation from 10')
  - Rear: 20'
13. Minimum Lot Width: 52' (Deviation from 60')
14. Minimum Perimeter Setbacks:
  - Front: 25'
  - Side: 10'
  - Rear: 10'
15. The petitioner shall preserve the minimum seven percent (7%) natural vegetation as required by the County's Land Development Regulations. The required natural vegetation may be included as part of the required open space.
16. The petitioner shall provide the minimum neighborhood park acreage as required by the County's Land Development Regulations as designated on the master plan. The neighborhood park shall provide vehicular and pedestrian access from the subdivision street network.

17. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.
18. 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.
19. The petitioner shall provide a designed construction access point to be reviewed and approved by County Engineer no later than at time of Conditional Plat.
20. The petitioner shall notify residents and/or buyers that the subject site was the former Brooksville Turret Gunnery Range.
21. The petitioner shall provide a boulevard entrance in accordance with County LDR's.
22. 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 ACTION:**

On December 12, 2022, the Planning and Zoning Commission voted to postpone the petitioner's request for a Rezoning from Rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations to the January 9, 2023, hearing at 9:00 a.m. with the applicant incurring any sign re-posting costs.

**REVISED 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 AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and 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. 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 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™ (FFL) Program information and include FFL language in the HOAs covenants and restrictions. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.
5. A jurisdictional wetland line shall be shown on the conditional plats.
6. Geotechnical subsurface testing and reporting in accordance with Hernando County's Facility Design Guidelines shall be conducted for all proposed drainage retention or detention areas within the project.
7. Invasive plant species must be removed, including wetland areas, during the development process and controlled through the approved Association documents during the subdivision process for long-term maintenance and control.
8. The subdivision shall be limited to 162 single-family residential units located within the PDP(SF)/Planned Development Project (Single-Family) section of the development. No residential units shall be constructed in the area designated as PDP(SU)/Planned Development Project (Special Use) on the master plan. The PDP(SU) shall be reserved for the tower and eagles nest buffer of 500'.

9. The developer shall conduct a water and sewer capacity analysis during the conditional plat phase and connect to the central water and sewer systems at time of vertical construction. All required improvements will be the responsibility of the developer.
10. In conjunction with the conditional plat phase, the petitioner shall perform a Traffic Access Analysis (TAA) in accordance with the requirements of the County Engineer. The Traffic Access Analysis shall include a queuing analysis. Any identified improvements shall be the responsibility of the developer.
11. The petitioner shall maintain a minimum perimeter buffer of 20' around the residential portion of the project enhanced to an 80% opacity by landscaping and augmented with a 6' high opaque fence or wall around the project perimeter, except in areas designated as neighborhood park or drainage. The buffer shall be designated as a common tract and included in the Association documents for long term maintenance.
12. Minimum Lot Setbacks, widths and sizes:

Front:	20'(Deviation from 25')
Sides:	5' (Deviation from 10')
Rear:	20'
Corner Lots:	Secondary Front 10'
Minimum Lot Width:	50' (Deviation from 60')

Minimum Perimeter Setbacks:	
Front:	25'
Side:	10'
Rear:	10'
13. The petitioner shall preserve the minimum seven percent (7%) natural vegetation as required by the County's Land Development Regulations. The required natural vegetation may be included as part of the required open space. If preservation of existing native vegetation is not practical as a result of the proposed development needs or site constraints, such as but not limited to existing topography, existing drainage patterns, stormwater design and other infrastructure needs such as water, waste water, and roadway design, then the developer shall instead be allowed to install native vegetation using Florida Friendly Landscaping practices at the time of site development in order to satisfy the minimum vegetation requirement. For purposes of calculating the 7%, undisturbed vegetation in the cell tower area shall count toward meeting this requirement.

14. The petitioner shall provide the minimum neighborhood park acreage as required by the County's Land Development Regulations as designated on the master plan. The neighborhood park shall provide vehicular and pedestrian access from the subdivision street network.
15. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.
16. 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.
17. The petitioner shall provide a designed construction access point to be reviewed and approved by County Engineer no later than at time of Conditional Plat.
18. The Master Plan designates both entrances as treed boulevard entrances exceeding the minimum required by the County LDR's.
19. 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 January 9, 2022, the Planning and Zoning Commission voted 3-2 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) 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. 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 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™ (FFL) Program information and include FFL language in the HOAs covenants and restrictions. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.
5. A jurisdictional wetland line shall be shown on the conditional plats.
6. Geotechnical subsurface testing and reporting in accordance with Hernando County's Facility Design Guidelines shall be conducted for all proposed drainage retention or detention areas within the project.
7. Invasive plant species must be removed, including wetland areas, during the development process and controlled through the approved Association documents during the subdivision process for long-term maintenance and control.
8. The subdivision shall be limited to 162 single-family residential units located within the PDP(SF)/Planned Development Project (Single-Family) section of the development. No residential units shall be constructed in the area designated as PDP(SU)/Planned Development Project (Special Use) on the master plan. The PDP(SU) shall be reserved for the tower and eagles nest buffer of 500'.

9. The developer shall conduct a water and sewer capacity analysis during the conditional plat phase and connect to the central water and sewer systems at time of vertical construction. All required improvements will be the responsibility of the developer.
10. In conjunction with the conditional plat phase, the petitioner shall perform a Traffic Access Analysis (TAA) in accordance with the requirements of the County Engineer. The Traffic Access Analysis shall include a queuing analysis. Any identified improvements shall be the responsibility of the developer.
11. The petitioner shall maintain a minimum perimeter buffer of 20' around the residential portion of the project enhanced to an 80% opacity by landscaping and augmented with a 6' high opaque fence or wall around the project perimeter, except in areas designated as neighborhood park or drainage. The buffer shall be designated as a common tract and included in the Association documents for long term maintenance.
12. Minimum Lot Setbacks, widths and sizes:

Front:	20'(Deviation from 25')
Sides:	5' (Deviation from 10')
Rear:	20'
Corner Lots:	Secondary Front 10'
Minimum Lot Width:	50' (Deviation from 60')
Minimum Perimeter Setbacks:	
Front:	25'
Side:	10'
Rear:	10'
13. The petitioner shall preserve the minimum seven percent (7%) natural vegetation as required by the County's Land Development Regulations. The required natural vegetation may be included as part of the required open space. If preservation of existing native vegetation is not practical as a result of the proposed development needs or site constraints, such as but not limited to existing topography, existing drainage patterns, stormwater design and other infrastructure needs such as water, waste water, and roadway design, then the developer shall instead be allowed to install native vegetation using Florida Friendly Landscaping practices at the time of site development in order to satisfy the minimum vegetation requirement. For purposes of calculating the 7%, undisturbed vegetation in the cell tower area shall count toward meeting this requirement.
14. The petitioner shall provide the minimum neighborhood park acreage as required by the County's Land Development Regulations as designated on the

master plan. The neighborhood park shall provide vehicular and pedestrian access from the subdivision street network.

15. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.
16. 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.
17. The petitioner shall provide a designed construction access point to be reviewed and approved by County Engineer no later than at time of Conditional Plat.
18. The Master Plan designates both entrances as treed boulevard entrances exceeding the minimum required by the County LDR's.
19. 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.

**BCC ACTION:**

On January 10, 2023, the Board of County Commissioners voted 5-0 to postpone the petitioner's request for a rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations to the February 14, 2023, meeting.

**BCC ACTION:**

On February 14, 2023, the Board of County Commissioners voted 5-0 to remand the petitioner's request for a rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations back to the Planning and Zoning Commission. This hearing shall be scheduled after the applicant has submitted revised plans to staff and revised recommendations have been developed for consideration. The applicant shall be responsible for all re-advertising costs for the application.

**NOTE:**

Subsequent to the February 14, 2023, Board of County Commissioners (BOCC) hearing and per BOCC direction, the petitioner submitted a revised master plan addressing the projects access points and density. The Planning and Engineering Departments have reviewed the following revisions:

1. The overall project was reconfigured. The area previously allocated to the communication tower along the northeast has been removed. The neighborhood park has been relocated to the south.
2. Communication tower will be removed, and the existing eagles nest relocated per Florida Fish and Wildlife regulations.
3. The density was reduced from 162 units to 142 units.
4. Access to Godwit Avenue and Gyrafalcon Avenue will remain, however, additional access has been proposed along the reconfigured northeast portion of the property. The new connection will connect to Seely Lane.
5. A new large drainage retention area is proposed along the entire southern property line.

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 PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations and with the following revised 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 is required to comply with all applicable FWC regulations and permitting.

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™ (FFL) Program information and include FFL language in the HOAs covenants and restrictions. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.
5. A jurisdictional wetland line shall be shown on the conditional plats.
6. Geotechnical subsurface testing and reporting in accordance with Hernando County's Facility Design Guidelines shall be conducted for all proposed drainage retention or detention areas within the project.
7. Invasive plant species must be removed, including wetland areas, during the development process and controlled through the approved Association documents during the subdivision process for long-term maintenance and control.
8. The subdivision shall be limited to 142 single-family residential units.
9. The developer shall conduct a water and sewer capacity analysis during the conditional plat phase and connect to the central water and sewer systems at time of vertical construction. All required improvements will be the responsibility of the developer.
10. In conjunction with the conditional plat phase, the petitioner shall perform a Traffic Access Analysis (TAA) in accordance with the requirements of the County Engineer. The Traffic Access Analysis shall include a queuing analysis. Any identified improvements shall be the responsibility of the developer.
11. The petitioner shall maintain a minimum perimeter buffer of 20' around the residential portion of the project enhanced to an 80% opacity by landscaping and augmented with a 6' high opaque fence or wall around the project perimeter, except in areas designated as neighborhood park or drainage. The buffer shall be designated as a common tract and included in the Association documents for long term maintenance.
12. Minimum Lot Setbacks, widths and sizes:

Front:	20'(Deviation from 25')
Sides:	5' (Deviation from 10')
Rear:	20'
Corner Lots:	Secondary Front 10'

Minimum Lot Width: 50' (Deviation from 60')

Minimum Perimeter Setbacks:

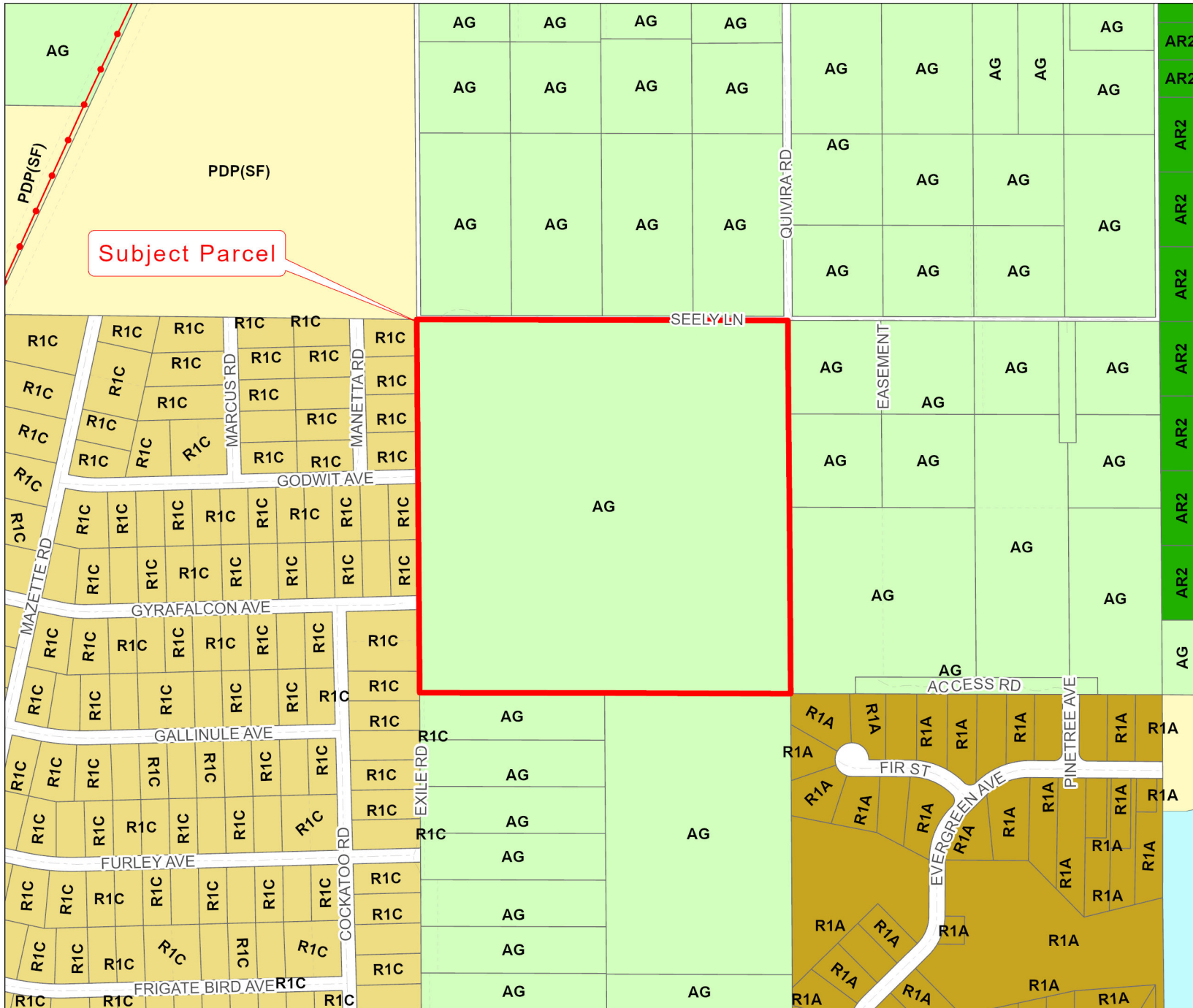
Front: 25'  
Side: 10'  
Rear: 10'

13. The petitioner shall preserve the minimum seven percent (7%) natural vegetation as required by the County's Land Development Regulations. The required natural vegetation may be included as part of the required open space. If preservation of existing native vegetation is not practical as a result of the proposed development needs or site constraints, such as but not limited to existing topography, existing drainage patterns, stormwater design and other infrastructure needs such as water, waste water, and roadway design, then the developer shall instead be allowed to install native vegetation using Florida Friendly Landscaping practices at the time of site development in order to satisfy the minimum vegetation requirement. For purposes of calculating the 7%, undisturbed vegetation in the cell tower area shall count toward meeting this requirement.
14. The petitioner shall provide the minimum neighborhood park acreage as required by the County's Land Development Regulations as designated on the master plan. The neighborhood park shall provide vehicular and pedestrian access from the subdivision street network.
15. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.
16. 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.
17. The petitioner shall provide a designed construction access point to be reviewed and approved by County Engineer no later than at time of Conditional Plat.
18. The Master Plan designates both entrances as treed boulevard entrances exceeding the minimum required by the County LDR's.

19. The petitioner shall provide access to Seely Lane as shown on the master plan.
20. 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.

# H-22-76

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

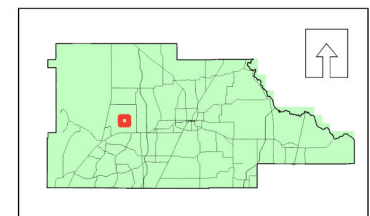


Subject Parcel

## Zoning:

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



# H-22-76

Photo date: 2020

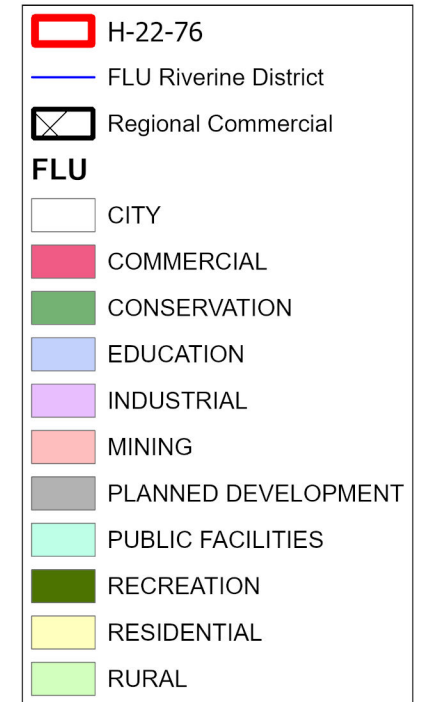
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# Hernando County Comprehensive Plan Map

Existing Future Land Use: H-22-76

Version Date: 07/14/2022



## Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

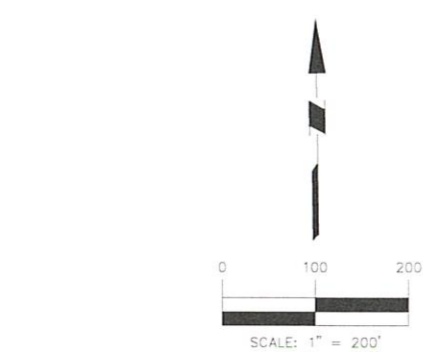
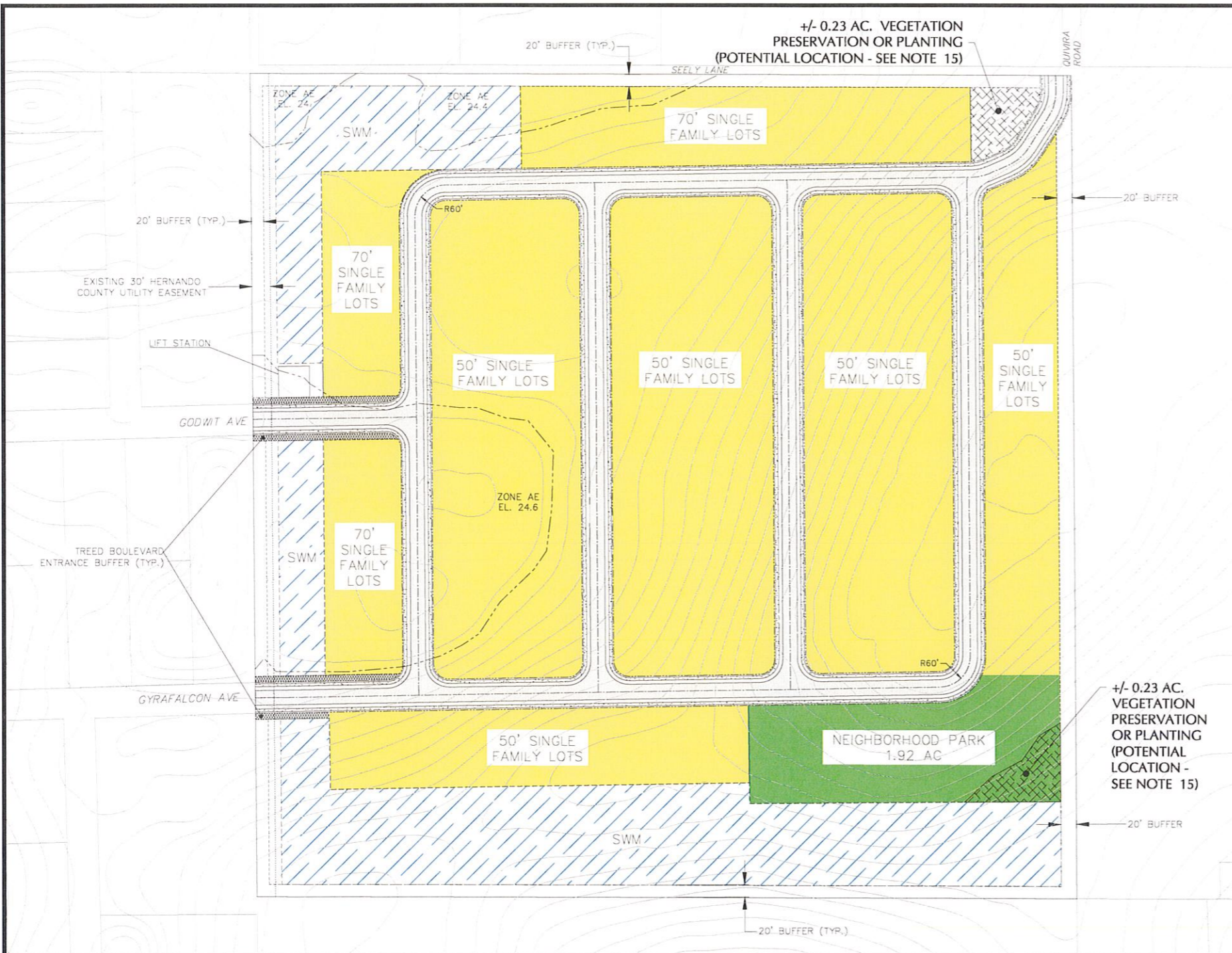
NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOCHEE RIVERS.

0 0.04 0.09 0.17 0.26 0.34 Miles



S:\Share\P&Z\PCases2022\December\_2022\H2276a\_8x11\_Detail.pdf  
Date of mapping: 10/17/2022



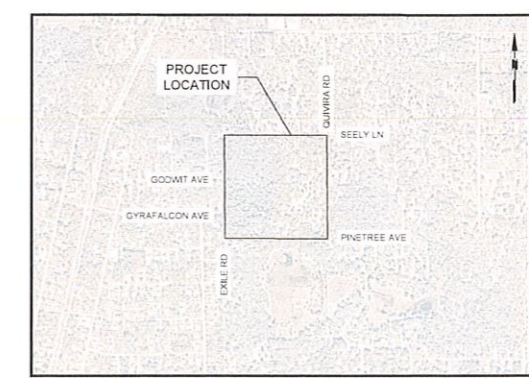


LEGEND	
	SINGLE FAMILY LOT AREA
	ASPHALT ROADWAY
	NEIGHBORHOOD PARK AREA
	LANDSCAPE BUFFER (TO BE CLEARED, GRADED AND PLANTED WITH NATIVE VEGETATION) IF NOT EXISTING VEGETATION NOT PRESERVED
	CONCRETE SIDEWALK
	TREED BOULEVARD ENTRANCE BUFFER

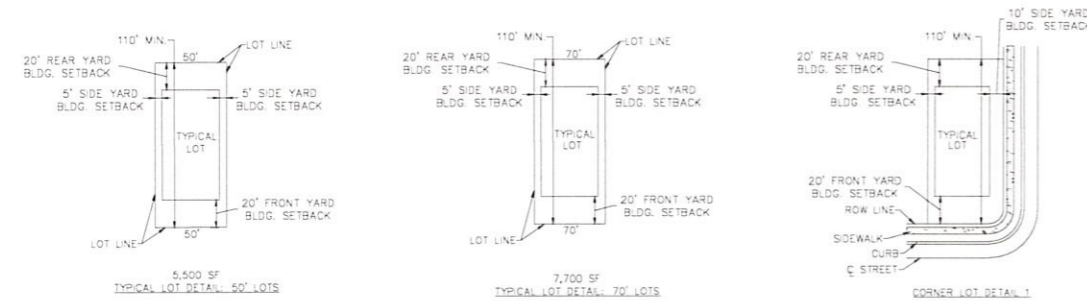
- SITE DATA:**
1. PARCEL ID/KEY: R20-422-18-0000-0030-0000
  2. AREA: 40.40 ACRES
  3. OWNER: BRUGER LESA TTEE
  4. CURRENT ZONING: AG
  5. PROPOSED ZONING: PDP (SINGLE FAMILY)
  6. PROPOSED USE: SINGLE FAMILY RESIDENTIAL
  7. SURROUNDING ZONING:  
NORTH: AG  
EAST: AG  
SOUTH: AG  
WEST: R1C, R1CDRA
  8. FLOOD ZONE:  
ZONE 'AE' PER 12053C0166D  
EFFECTIVE: FEBRUARY 2, 2012
  9. PROPOSED LOTS: 142
  10. PROPOSED LOT SIZES (SEE LOT DIAGRAM, NOTE 2):  
50 FT X 110 FT = 5,500 SF  
70 FT X 110 FT = 7,700 SF
  11. PROPOSED DENSITY:  
142 LOTS / 40.40 ACRES  
3.51 LOTS / ACRE
  12. PROPOSED YARD SETBACKS:  
SEE LOT DIAGRAMS
  13. MAX BUILDING HEIGHT:  
35 FT / 2-STORIES
  14. NEIGHBORHOOD PARK REQUIREMENTS:  
PER HERNANDO COUNTY CODE OF ORDINANCES  
SEC. 26-75: ONE (1) ACRE FOR FIRST 50 UNITS  
PLUS ONE-ONE HUNDREDTH (1/100) ACRE FOR EVERY UNIT OVER 50.  
  
1 AC (FIRST 50 LOTS) + (.01 AC)\*(142-50 LOTS)  
TOTAL REQUIRED = 1.92 ACRES  
TOTAL PROVIDED = 1.92 ACRES
  15. NATIVE VEGETATION PRESERVATION OR PLANTING REQUIREMENTS:  
PER HERNANDO COUNTY CODE OF ORDINANCES  
SEC. 10-28 (2): PROJECTS OVER 20 ACRES SHALL PROVIDE AT LEAST SEVEN (7%) OF TOTAL PROJECT AREA AS PRESERVED NATURAL VEGETATION OR INSTALLED NATIVE VEGETATION  
  
TOTAL REQUIRED: 40.40 AC X 7% = 2.83 ACRES  
TOTAL PROVIDED: 2.83 ACRES  
(FINAL LOCATIONS WITHIN LANDSCAPE BUFFERS, NEIGHBORHOOD PARK, OR OTHER OPEN SPACES DEPICTED HEREON (OR ELSEWHERE) WILL BE SHOWN ON CONSTRUCTION PLANS, LOCATION HEREON ARE NOT TO BE CONSIDERED BINDING. NOTHING ON THIS MASTER PLAN OR ASSOCIATED APPROVAL SHALL BE CONSTRUED AS A COMMITMENT TO PRESERVE EXISTING NATURAL BUFFER VEGETATION OR PROHIBIT THE USE OF THE LANDSCAPE BUFFER AREAS AS DRAINAGE SWALES THAT MAY HOUSE UNDERGROUND DRAINAGE STRUCTURES.)

Received  
MAR 31 2023

Planning Department  
Hernando County Florida



VICINITY MAP  
NTS



- NOTES:**
1. PROPOSED LOT SIZES SHOWN ARE MINIMUM. DEVELOPER RESERVES THE RIGHT TO INCREASE LOT SIZES IF AND WHEN NECESSARY.
  2. LOT SQUARE FOOTAGES SHOWN ARE NOT INTENDED AS ABSOLUTE MINIMUMS; RADIAL OR OTHER IRREGULAR LOTS MAY DEVIATE FROM THESE LOT SQUARE FOOTAGES SO LONG AS THEY FIT THE TYPICAL HOUSING PRODUCT WITH THE REQUIRED SETBACKS SHOWN.

- NOTE:**
1. THIS IS A PLANNING DOCUMENT AND IS NOT TO BE CONSIDERED A FINAL DESIGN OR CONSTRUCTION PLANS.
  2. STORMWATER MANAGEMENT AND FINAL UTILITY CONFIGURATIONS, FUNCTION, EASEMENTS, SIZE, OR LOCATIONS TO BE DETERMINED WITH THE FINAL APPROVED ENGINEERED SET OF CONSTRUCTION PLANS AND FINAL PLAT.
  3. TOPOGRAPHIC INFORMATION IS APPROXIMATE AND REFERENCED FROM SOUTHWEST FLORIDA WATER MANAGEMENT MAPPING AND GIS DEPARTMENT.



This item has been digitally signed and sealed by Andrew D. Eiland, Jr., PE on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.  
2023.03.29 10:40:06-04'00'

**LANGAN**  
Langan Engineering and Environmental Services, Inc.  
400 N. Ashley Drive, Suite 2175  
Tampa, FL 33602  
T: 813.439.6100 F: 813.439.6101 www.langan.com  
FL CERTIFICATE OF AUTHORIZATION NO. 00006601/LB8172/LB8198

Project  
**BRUGER PARCEL**  
OAK DEVELOPMENT GROUP, LLC  
HIGH POINT  
HERNANDO COUNTY FLORIDA

Drawing Title  
**MASTER PLAN**

Project No. <b>350069601</b>	Drawing No. <b>CS101</b>
Date <b>03-28-2023</b>	
Drawn By <b>DW</b>	
Checked By <b>AE</b>	

# **REZONING APPLICATION NARRATIVE**

**\*\*\*\*\***

## **BRUGER PROPERTY OAK DEVELOPMENT GROUP, LLC**

**Submitted by:**

**Jacob T. Cremer, Esquire  
Jessica M. Icerman, Esquire  
Cynthia D. Spidell, AICP  
Stearns Weaver Miller  
401 East Jackson Street, Suite 2100  
Tampa, Florida 33602  
(813) 222-5051**

**Received**  
**MAR 31 2023**  
**Planning Department**  
**Hernando County, Florida**

*Original Submittal: October 5, 2022  
First Revision: December 14, 2022  
Second Revision: March 31, 2023*

**b. Statement of Density Level of Residential Uses.**

This rezoning proposes a maximum of 142 single family residential units on 40.4 acres for a gross density of 3.5 dwelling units/gross acre. This rezoning also proposes a neighborhood park consisting of 1.92 acres which meets the County's land development regulations (LDR's) pursuant to Code of Ordinance Section 26-75. Pursuant to such LDR's, the amount of acreage required is one (1) acre for the first fifty (50) units plus 1/100<sup>th</sup> of an acre for each dwelling unit over fifty (50) up to 250 dwelling units for a maximum of 3 acres. As this rezoning seeks 142 dwelling units, the calculation is as follows:

<b>Dwelling Units</b>	<b>Acreage</b>
First 50 units	1 acre
Units 51 to 142= 92 units	.92 of an acre
<b>Minimum Park Acreage:</b>	<b>1.92 acres</b>

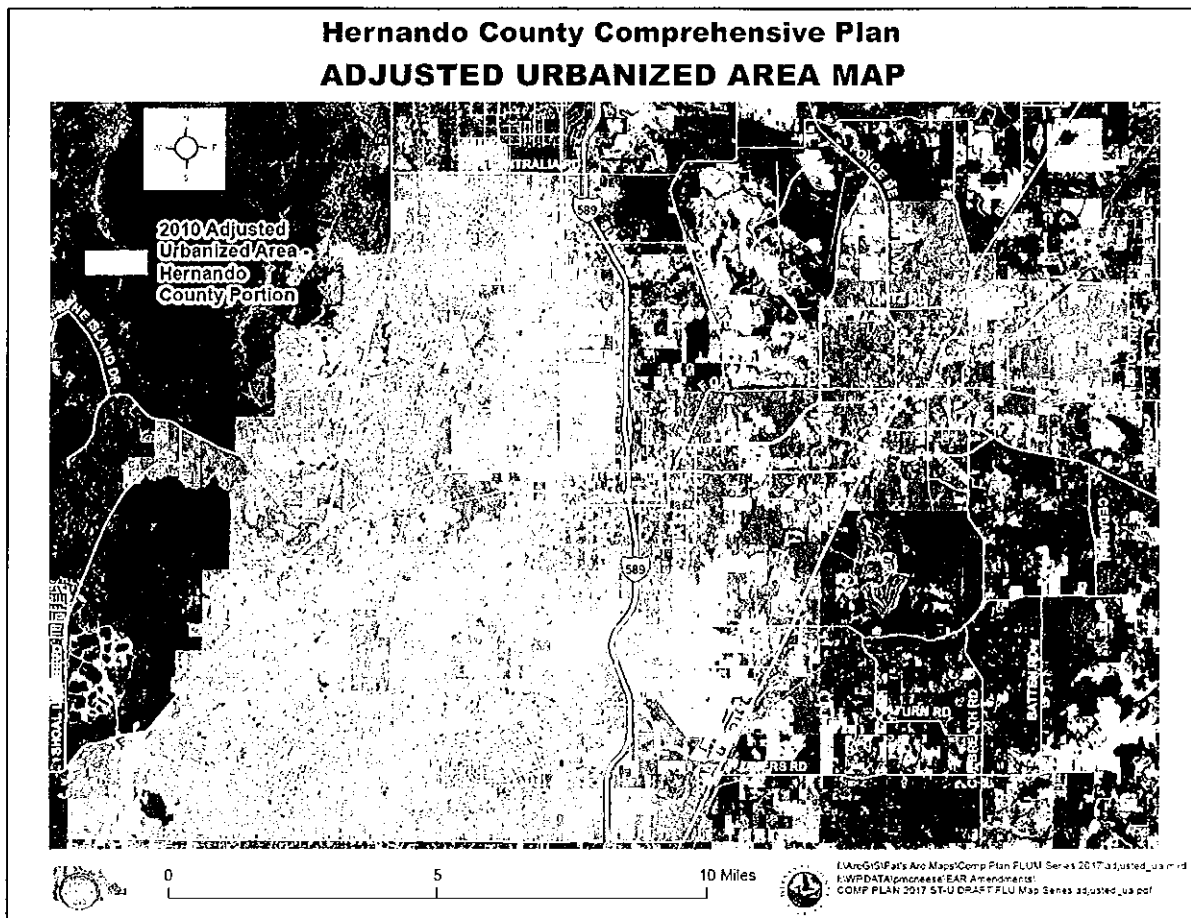
The neighborhood park has been creatively located in the southeast corner of the property immediately north of and adjacent to the stormwater pond area along the entire southern boundary of the Property. This will ensure buffering in excess of code requirements to the adjacent landowner(s) south of the Property. The proposed master plan actively provides connectivity through the site and notably provides a connection to the north. This facilitates a unique connectivity opportunity to Quivira Road (and ultimately to Starr Road) and Seely Lane. Although Quivira Road and Seely Lane are currently unpaved roads, should the county improve these roads in the future, the proposed grid network of this planned development facilitates this critical connectivity opportunity.

**c. Statement of Proposed Square Footage of Development and Building Heights of Commercial Uses**

No commercial uses are proposed. The single family residential lot layout and dimensional standards are located on the Master Plan (**Exhibit B**). It should be noted that there are only two minimum lot sizes proposed which are:

- 50' width x 110' length (50x110=5,500 total lot size)
- 70' width x 110' length (70x110=7,700 total lot size)

This development is located in the adjusted urbanized area and will allow for an efficient use of public facilities and services.



## II. Site Characteristics

- a. **Site Size:** The site subject to this rezoning per the attached Sketch & Description is 40.4. (Exhibit C)
- b. **Existing Land uses and their specific acreage:** N/A. The lot is currently vacant and has a cell tower located in the northeast corner and is proposed to be removed:

### **III. Environmental Considerations.**

Environmental considerations such as flood zone, drainage features, and water features have been noted on the Master Plan as applicable. An environmental assessment was conducted for the site (**Exhibit D**). The applicant will follow the recommendations outlined in the report and will comply with all applicable environmental permitting regulations. As noted in the environmental assessment (Exhibit D), an eagle's nest is located in the communication tower. Upon removal of the communication tower, all applicable laws will govern activities with respect to the eagle's nest.

### **Site Plan Discussion.**

#### **a. Description of the concept of the development plan.**

As can be seen on the attached Master Plan, the County's latest development guidelines have been incorporated into the design. Larger lots have been strategically placed along the perimeter where applicable with 50' lots elsewhere.

#### **b. Proposed buffer sizes and separation widths between proposed land uses.**

A 20' landscape perimeter buffer has been shown on the Master Plan along the residential portion of the project. Additionally, as depicted on the Master Plan, the applicant/developer is committed to placing larger lots (minimum 70' wide) along the perimeter with the exception of those areas adjacent to the stormwater pond/neighborhood park (to the south) and along the eastern boundary. It should be noted that the stormwater pond locations and neighborhood park are proposed to be strategically located around the outer portions of the project to maximize perimeter buffering opportunities.

#### **c. Proposed setbacks and minimum sizes for individual lots.**

The master plan contains the various lot sizes proposed for the project and includes all applicable setbacks on the lot layout.

#### **d. Proposed uses within pods.**

This rezoning proposes single family residential and a potential recreational amenity center within the neighborhood park.

### **IV. Public Facilities Impact Analysis.**

- a. **Water & Wastewater Analysis.** The following charts outline the potential impacts on water and wastewater:

for obtaining water and sewer service from the county, payment of connection fees, and commitments for service.

As part of the zoning and permitting process, the applicant will work with the County and enter into applicable water and sewer agreements. It is also acknowledged that the developer must request water and sewer service from the County.

**VI. Senior, Age-Restricted or Affordable Housing.**

N/A. None of these items are proposed.

**Exhibit List**

*Listed here but attached to the initial narrative submittal*

- Exhibit A – Location Map
- Exhibit B – Master Plan
- Exhibit C – Boundary Survey
- Exhibit D – Environmental Assessment

# HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):

Rezoning ☐ Standard ☒ PDP

Master Plan ☐ New ☐ Revised

PSFD ☐ Communication Tower ☐ Other

PRINT OR TYPE ALL INFORMATION

Date: 09/30/2022

Official Date Stamp

Received

OCT 06 2022

Planning Department  
Hernando County, Florida

**APPLICANT NAME:** Oak Development Group LLC  
Address: 1025 58th Street North  
City: St. Petersburg State: FL Zip: 33701  
Phone: (727) 560-7827 Email: CASEY@OAKDGL.COM  
**Property owner's name:** if not the applicant, Lesa Bruger, Trustee

**REPRESENTATIVE/CONTACT NAME:** Jacob T. Cremer & Cynthia D. Spidell  
Company Name: Stearns Weaver Miller  
Address: PO Box 3299  
City: Tampa State: FL Zip: 33601  
Phone: (813) 223-4800 Email: jcremer@stearnsweaver.com, cspidell@stearnsweaver.com & cweaver@stearnsweaver.com

**HOME OWNERS ASSOCIATION:** ☐ Yes ☒ No (if applicable, provide name)  
Contact Name: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

## PROPERTY INFORMATION:

1. PARCEL(S) **KEY** NUMBER(S): 00344657
2. SECTION: 20 TOWNSHIP: 22 South RANGE: 18 East
3. Current zoning classification: AG
4. Desired zoning classification: PDP (SF) and PDP (SU)
5. Size of area covered by application: 40.4 Acres
6. Highway and street boundaries: Southwest corner of Seely Lane and Quivira Road
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No
8. Will expert witness(es) be utilized during the public hearings? ☒ Yes ☐ No (If yes, identify on an attached list)
9. Will additional time be required during the public hearing(s) and how much? ☒ Yes ☐ No (Time needed: 110)

## PROPERTY OWNER AFFIDAVIT

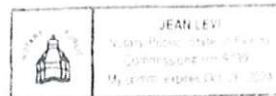
I, Lesa Bruger, Trustee, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):  
☐ I am the owner of the property and am making this application OR  
☒ I am the owner of the property and am authorizing application: Oak Development Group LLC and representative (if applicable): Jacob T. Cremer and Cynthia D. Spidell - Stearns Weaver Miller to submit an application for the described property

LESA BRUGER, Trustee

STATE OF FLORIDA  
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 5 day of October, 2022, by \_\_\_\_\_ who is personally known to me or produced \_\_\_\_\_ as identification.

Signature of Notary Public



Notary Seal Stamp

Effective Date: 11/8/16 Last Revision: 11/8/16

Page 4 of 4

# REZONING APPLICATION NARRATIVE

\*\*\*\*\*

Received

OCT 06 2022

Planning Department  
Hernando County, Florida

## BRUGER PROPERTY OAK DEVELOPMENT GROUP, LLC

Submitted by:

Jacob T. Cremer, Esquire  
Cynthia D. Spidell, AICP  
Stearns Weaver Miller  
401 East Jackson Street, Suite 2100  
Tampa, Florida 33602  
(813) 222-5051

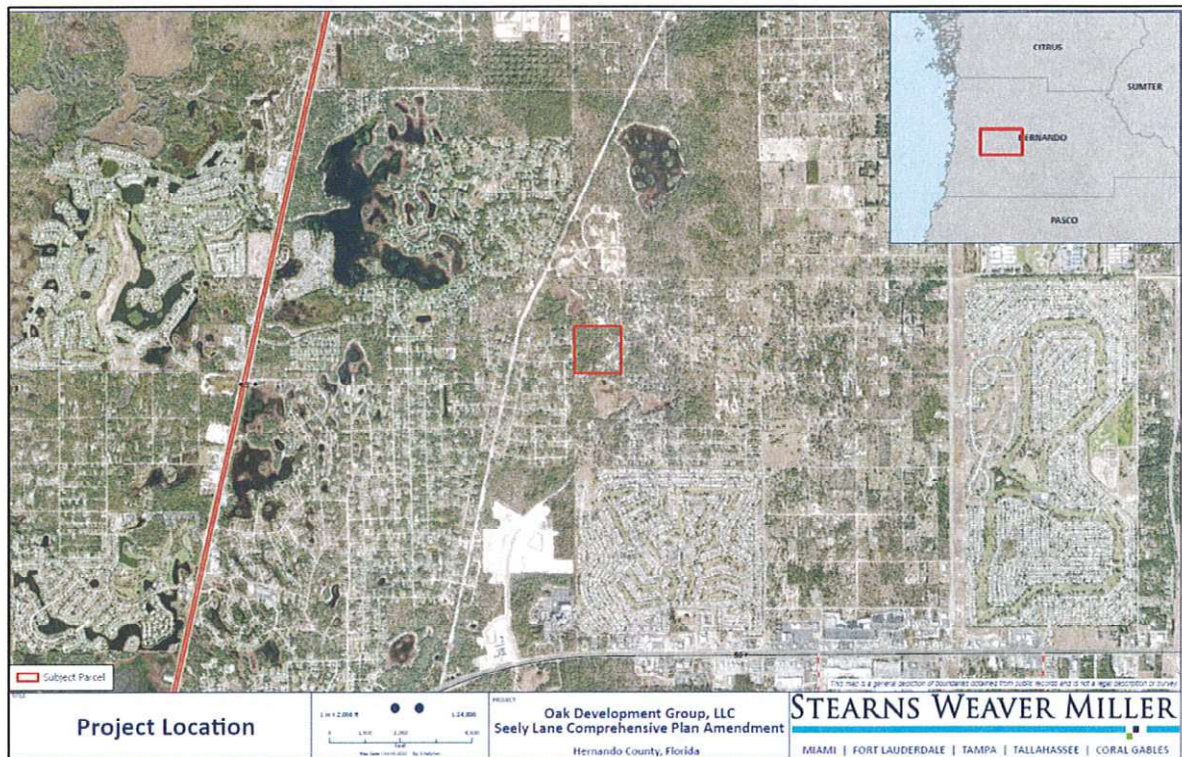
*Original Submittal: October 5, 2022*

**JUSTIFICATION REPORT**  
**PINE CONE REZONING FROM AG to PDP-SF & PDP-SU**

**I. Proposal**

**a. Statement of Proposed Land Use & Acreage.**

This rezoning application proposes to change the zoning from the Agricultural District (AG) to Planned Development - Single Family (PDP-SF) on approximately 40.4 acres on parcel key no. 00344657 (the “**Property**”) (**Exhibit A – Location Map**). This rezoning is in conjunction with a corresponding small scale comprehensive plan application for the Property. It should be noted that the area that is allocated to the existing cell tower as depicted on the Master Plan and attached boundary survey shall remain but is being included with this rezoning in order to maintain the option to remove the tower and develop as single family residential in accordance with the applicable conditions and site development standards shown on the Master Plan. The area subject to this rezoning is located on the south side of Seely Lane as set forth below:



**b. Statement of Density Level of Residential Uses.**

This rezoning proposes a maximum of 162 single family residential units on 40.4 acres for a gross density of 4.00 dwelling unit/gross acre. It should be noted that this gross density also includes the area that is currently shown as a communication tower. This rezoning also proposes a neighborhood park of 2.19 acres which is just above the 2.12 required per the County's land development regulations (LDR's) pursuant to Code of Ordinance Section 26-75. Pursuant to such LDR's, the amount of acreage required is one (1) acre for the first fifty (50) units plus 1/100<sup>th</sup> of an acre for each dwelling unit over fifty (50) up to 250 dwelling units for a maximum of 3 acres. As this rezoning seeks 162 dwelling units, the calculation is as follows:

Dwelling Units	Acreage
First 50/162	1 acre
Next 112/162	1.12 acre
<b>Minimum Park Acreage:</b>	<b>2.12 acres</b>

The neighborhood park has been creatively located in the area between the residences and the communication tower to maximize its use as a buffer.

**c. Statement of Proposed Square Footage of Development and Building Heights of Commercial Uses**

No commercial uses are proposed. The single family residential lot layout and dimensional standards are located on the Master Plan (**Exhibit B**). It should be noted that there are only two minimum lot sizes proposed which are:

- 52' width x 120' length (52x120=6,240 total lot size)
- 72' width x 120' length (72x120=8,640 total lot size)

**d. Statement of Proposed Deviations from Code.**

The proposed rezoning is to PDP-SF with specific standards unique to this development. The proposed standards deviation from the Euclidian standards for the R1-A zoning district in the following ways:

LDC Section	Description	LDC Requirement	Proposed Amount	Requested Deviation
LDC App. A, Art. IV, Sec. 2, C: R-1A Residential District	Minimum Lot Area	6,000 square feet	5,500* square feet	(500) square feet
LDC App. A, Art. IV, Sec. 2, C: R-1A Residential District	Minimum Lot Width	60 feet	50* feet	(10) feet

LDC App. A, Art. IV, Sec. 2, C: R-1A Residential District	Minimum Front Yard	25 feet	20 feet	(5) feet
LDC App. A, Art. IV, Sec. 2, C: R-1A Residential District	Minimum Side Yard	10 feet	5 feet	(5) feet
LDC Appendix A, Article VIII. Section 1.B: General Provisions for Planned Development Projects, Perimeter Setback	Front Yard	25 feet	20 feet	(5) feet
LDC Appendix A, Article VIII. Section 1.B: General Provisions for Planned Development Projects, Perimeter Setback	Side Yard	10 feet	5 feet	(5) feet
*Note: Represents minimum requested for 50-foot lots which are restricted as to location per the Master Plan. Perimeter lots shall be a minimum of 70 feet wide with the exception of one small area along the eastern boundary south of the neighborhood park.				

The R1-A Euclidean zoning district is designed primarily to permit the continued development of established residential areas which include a mixture of conventional single family dwellings and mobile homes and is therefore, not intended to be utilized extensively for future development.. *See* App. A, Article IV, Sec. 1(3). The proposed PDP(SF) proposes clustered density of 4.39 du/ga. This clustering requires smaller lots and setbacks. However, the proposed PDP(SF) is appropriately buffered and screened to ensure compatibility with the surrounding neighborhoods.

As described in section III.B below, a 20' landscape buffer has been shown on the Master Plan along the entire perimeter of the project. Additionally, the 70' lots are shown along the perimeter with the exception of one small area.

This development is located in the adjusted urbanized area and will allow for an efficient use of public facilities and services.

## II. Site Characteristics

- a. **Site Size:** The site subject to this rezoning per the attached Sketch & Description is 40.4) (**Exhibit C**)
- b. **Existing Land uses and their specific acreage:** N/A. the lot is currently vacant:



- c. **Known activities or uses on-site:** There are no known activities or uses currently on the site.

## III. Environmental Considerations.

Environmental considerations such as flood zone, drainage features, and water features have been noted on the Master Plan as applicable. An environmental assessment was conducted for the site (**Exhibit D**). The applicant will follow the recommendations outlined in the report and will comply with all applicable environmental permitting regulations.

## Site Plan Discussion.

- a. **Description of the concept of the development plan.**  
As can be seen on the attached Master Plan, the County's latest development guidelines have been incorporated into the design. Larger lots have been strategically placed along the perimeter and the 50' lots are interior.

- b. **Proposed buffer sizes and separation widths between proposed land uses.**  
A 20' landscape buffer has been shown on the Master Plan along the entire perimeter of the project. Additionally, as depicted on the Master Plan, the applicant/developer is committed to placing larger lots (minimum 70' wide) along the perimeter with the exception of a few lots just south of the neighborhood park. It should be noted that the stormwater pond locations and neighborhood park are proposed to be strategically located around the outer portions of the project to maximize perimeter buffering opportunities.
- c. **Proposed setbacks and minimum sizes for individual lots.**  
The master plan contains the various lot sizes proposed for the project and includes all applicable setbacks on the lot layout.
- d. **Proposed uses within pods.**  
This rezoning proposes single family residential and a potential recreational amenity center within the neighborhood park.

**IV. Public Facilities Impact Analysis.**

- a. **Water & Wastewater Analysis.** The following charts outline the potential impacts on water and wastewater:

Potable Water Impacts	
Zoning District	Proposed Density EDU
Planned Development - Single Family*	167
Average Daily Demand	65,130 gallons per day
Maximum Daily Demand	97,695 gallons per day (67.8 gallons per minute)
Required Fire Flow	1000 gallons per minute
Required Fire Flow + Maximum Daily Demand	1067.8 gallons per minute
*Analysis based on PDP (Single Family) Zoning District of 167 equivalent dwelling units as the Zoning Application to be considered concurrently with the CPAS application. (167 EDU = 162 single family homes + Amenity Center assumed @ 5 homes)	
Sanitary Sewer Impacts	
Average Daily Flow	33,400 gallons per day
Peak Hourly Flow	69.58 gallons per minute

- b. **Schools.** School concurrency applies to residential development and thus shall apply to this project. The applicant will work with the school board to complete a school capacity application and shall comply with applicable school concurrency requirements in conjunction with development of the property.
- c. **Parks.** In accordance with Strategy 7.01B(4) of the Hernando County Comprehensive Plan, a project in excess of 1000 new residential units will require an analysis of the proximity and accessibility of a district or community park by the proposed development to determine whether additional facilities are needed. As this project is a maximum of 162 dwelling units, an additional park analysis is not required.

**V. Water and Sewer Services.**

It is understood that the county subdivision regulations require the dedication of sewer and water systems to the County. It is also understood that such regulations provide

for obtaining water and sewer service from the county, payment of connection fees, and commitments for service.

As part of the zoning and permitting process, the applicant will work with the County and enter into applicable water and sewer agreements. It is also acknowledged that the developer must request water and sewer service from the County.

**VI. Senior, Age-Restricted or Affordable Housing.**

N/A. None of these items are proposed.

**Exhibit List**

*Listed here but attached to the initial narrative submittal*

- Exhibit A – Location Map
- Exhibit B – Master Plan
- Exhibit C – Boundary Survey
- Exhibit D – Environmental Assessment



## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 06/12/2023  
Department: Planning  
Prepared By: Robin Reinhart  
Initiator: Aaron Pool  
DOC ID: 12263  
Legal Request Number:  
Bid/Contract Number:

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#### TITLE

Rezoning Petition Submitted by Aaron and Nicole Gibson (H2314)

#### BRIEF OVERVIEW

##### Request:

Rezoning from R-1C (Residential) to AR-2 (Agriculture Residential 2)

##### General Location:

East side of the intersection of Headstone Street and Split Stone Drive

#### FINANCIAL IMPACT

A matter of policy. There is no financial impact.

#### LEGAL NOTE

The Planning and Zoning Commission has jurisdiction to make a recommendation on the subject application. The Applicable Criteria for a Zoning District Amendment are contained in Appendix A, (Zoning Code) Article VI. The Zoning District Amendment must be consistent with the Comprehensive Plan.

#### 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 rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2).

#### REVIEW PROCESS

Cayce Dagenhart	Approved	05/22/2023	8:13 AM
Omar DePablo	Approved	05/23/2023	9:35 AM
Michelle Miller	Approved	05/23/2023	9:45 AM
Aaron Pool	Escalated	05/25/2023	4:18 PM
Michelle Miller	Escalated	05/26/2023	4:20 PM
Aaron Pool	Approved	05/30/2023	1:13 PM
Kyle Benda	Approved	05/31/2023	9:08 AM

**RESULT:** ADOPTED

**MOVER:** Kathryn Birren

**SECONDER:** Gregory Arflack

**AYES:** Fulford, Arflack, Birren, Holmes and Whiting

**ABSENT:** Hickey and McDonald

## STAFF REPORT

---

**HEARINGS:** Planning & Zoning Commission: June 12, 2023  
Board of County Commissioners: July 11, 2023

**APPLICANT:** Aaron and Nicole Gibson

**FILE NUMBER:** H-23-14

**REQUEST:** Rezoning from R-1C (Residential) to AR-2 (Agriculture/Residential 2)

**GENERAL LOCATION:** East side of the intersection of Headstone St. and Split Stone Dr.

**PARCEL KEY NUMBERS:** 21443

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### APPLICANT'S REQUEST

The petitioner is requesting a Rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential 2) to have retired police horses on the property. No other changes to the property are being proposed.

While the zoning immediately adjacent to the subject parcels is residential, there are pockets of agricultural and agricultural-residential development in the general area of the proposed rezoning.

### SITE CHARACTERISTICS

**Site Size:** 1.16 acres

**Surrounding Zoning & Land Uses:**

North:	R-1C; Residential
South:	R-1C; Residential
East:	R-1C; Residential
West:	R-1C; Residential

**Current Zoning:** R-1C (Residential)

**Future Land Use Map Designation:** Rural

### ENVIRONMENTAL REVIEW

**Soils:** Candler Fine Sand/0-5% slopes

**Comment:** Please be advised that soils and habitat are suitable for gopher tortoise, a State protected species. If present care should be taken

to avoid gopher tortoise burrows while building or adding structures. If they cannot be avoided, a Florida Fish and Wildlife Commission (FWC) relocation permit may be needed.

**Protection Features:** There are no Protection Features (Wellhead Protection Areas (WHPA and Special Protection Areas (SPAs)) on this site according to county data.

**Hydrologic Features:** There are no Hydrologic Features (Sinkholes, Karst Sensitive Areas, and Wetlands) on this property according to county data.

**Habitat:** The subject property is designated Urban Open Land according to FWC CLC mapping (Florida Cooperative Land Cover Classification System that combines Florida Land Use Cover and Classification System with fish and wildlife data).

**Water Quality:** The proposed development is within the Weeki Wachee River Basin Management Action Plan (BMAP), and the Weeki Wachee Outstanding Florida Springs (OFS) Group.

**Flood Zone:** The subject property is in the X flood zone.

## UTILITIES REVIEW

Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. Water and sewer service are not available to this parcel. HCUD has no objection to the requested zoning subject to Health Department approval of an appropriate Onsite Sewage Treatment and Disposal System.

## ENGINEERING REVIEW

The subject property is on the east side of the intersection of Headstone Street and Split Stone Drive. The County Engineer has reviewed the petitioner's request indicated that the driveway apron shall be installed to Hernando County Facility Design Guideline IV-26- Residential Connection Standards. He has also indicated that while the property is located on an area upland outside the FEMA Floodplain, at times access to the site may be limited by flooding.

## LAND USE REVIEW

Minimum AR-2 Building Setbacks:

- Front: 50'
- Side: 10'
- Rear: 35'

The AR-2 district is designed to allow the continued development of low-density, single-family housing. The Hernando County Code of Ordinances, Appendix A, Article IV, Section 13 identifies the permitted uses within the AR-2 zoning district as follows:

A. The following regulations apply to agricultural/residential districts as indicated:

(1) Permitted uses:

(a) All agricultural/residential districts:

- i. Aquaculture
- ii. Grazing livestock at the rate of one mature animal and offspring less than one year of age, per acre.
- iii. Poultry and swine for home consumption, maintained at least seventy-five (75) feet from adjacent property.
- iv. Horticultural specialty farms, including the cultivation of crops.
- v. Accessory structures related to the principal use of the land.
- vi. Pigeon aviaries with a maximum of 1,500 square feet of area devoted to housing pigeons per acre.
- vii. Sales on the premises of permitted agricultural products produced on the premises: provided that where such products are sold from roadside stands, such stand shall be set back a safe distance from any public street right-of-way and shall provide for automobile access and off-street parking space in such a manner so as to not create an undue traffic hazard on the street on which such roadside stand is located.

(b) Agricultural/Residential-2

- i. Single-family dwellings
- ii. Mobile Homes

## COMPREHENSIVE PLAN REVIEW

### Rural Category

Objective 1.04C: The Rural Category allows agriculture, agricultural commercial, agro-industrial, recreation, agritourism and residential land uses of a rural character. Certain neighborhood commercial uses may be allowed subject to locational criteria and performance standards. Residential

density is 0.1 dwelling units per gross acre (1 unit per ten gross acres) except where otherwise indicated by the strategies listed herein and incorporated into the land development regulations.

**Comments:** The parcel is within the Rural land use classification and is surrounded by residential parcels that are 1.2 acres. The proposed rezoning is consistent with the strategies for rural density and the pattern of land development on the surrounding parcels.

### **FINDINGS OF FACT:**

A rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2) is appropriate based on consistency with the County's adopted Comprehensive Plan and the development patterns within the Ridge Manor Subdivision.

### **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 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 rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2).

# H-23-14

Photo date: 2020

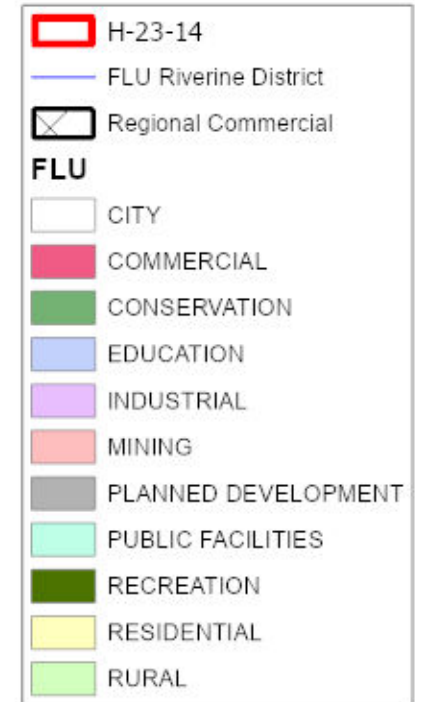
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# Hernando County Comprehensive Plan Map

Existing Future Land Use: H-23-14

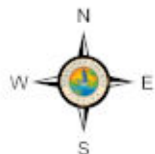
Version Date: 07/14/2022



## Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

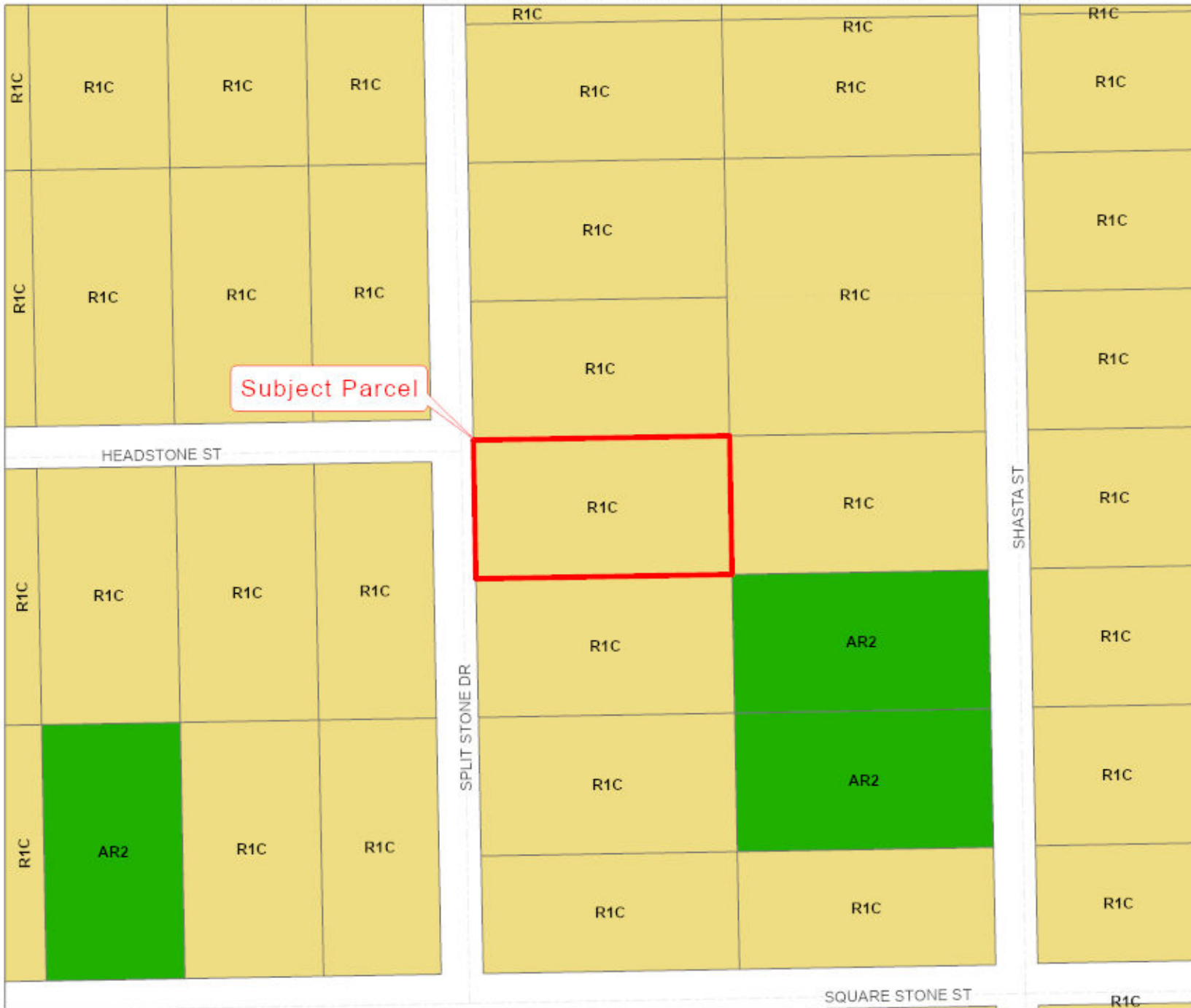


Date of mapping: 04/11/2023



# H-23-14

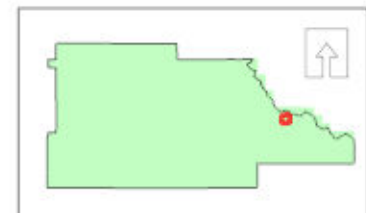
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



**Zoning:**

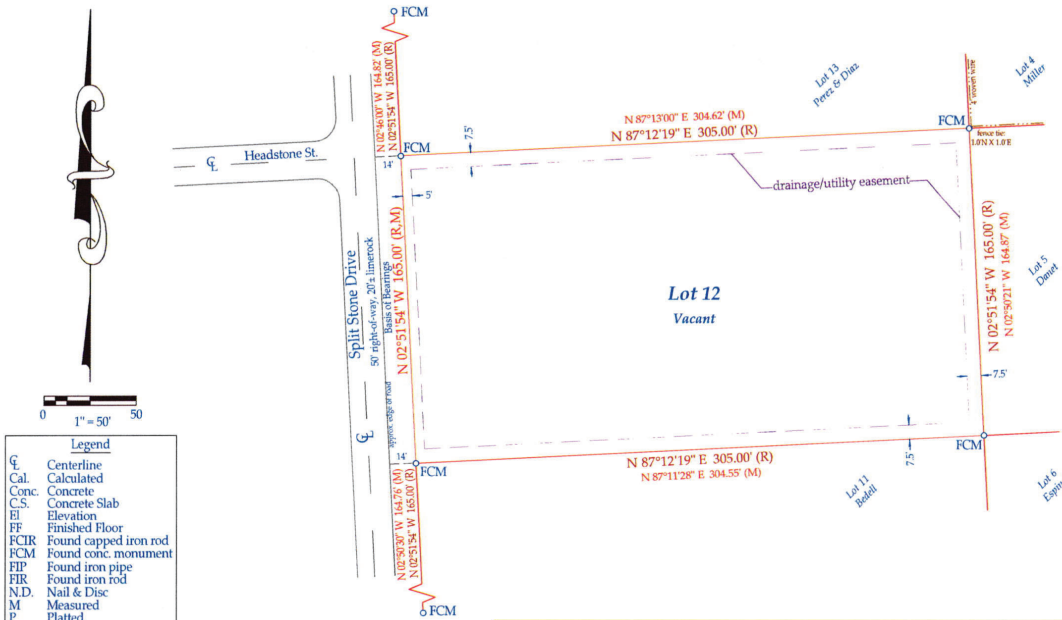
AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



BOUNDARY SURVEY  
PARCEL KEY: 21443

Sec. 22, Twp. 22 SOUTH, Rng. 21 EAST



Received

MAR 06 2023

Don't need to know  
where Temp. Sec.  
RV is going because  
they aren't requesting  
that approval

This survey was prepared without the benefit of a title search and may be subject to easements, agreements and other matters of record not shown hereon. No information regarding such easements and agreements was supplied except as may be shown. The survey depicted here is not covered by professional liability insurance.

Legal description obtained from deed recorded in  
OR Book 4135, Page 783, Public Records of Hernando County, Florida

Certified to:	Order No.	Field Book 09, Page 59,	Drawn by: E.J.P.
Aaron N. Gibson Nicole A. Gibson	KEY21443	Field Work Date: 02/16/2023	Checked by:
Legal Description:	Flood Plane Certification according to the F.I.R.M. Map, Community Panel Number: 12053C0237D Effective Date: 02/02/2012	I hereby certify that a survey of the property described hereon was made under my supervision and that the survey meets the minimum technical standards as set forth by the Florida Board of Professional Land Surveyors in Chapter SJ-17.052, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes. And, that the sketch hereon is a true and accurate representation to the best of my knowledge and belief.	
Lot 12, Block 89, RIDGE MANOR ESTATES, UNIT NO. 5, according to the plat thereof as recorded in Plat Book 11, Page 23, of the Public Records of Hernando county, Florida.	Property appears to be in Flood Zone "X" Area of minimal hazard	Frank Julian Digitally signed by Frank Julian DN: cn=Frank Julian, o=Sunshine Survey, LLC, email=frank@sunshinesurvey.com, c=US	
SUNSHINE SURVEY, LLC 1056 OSOWAW BLVD HERNANDO BEACH FL 34607-3730	LB # 8387 (863) 245-8442	PLAT OF SURVEY	Frank A. Julian Not Valid Unless Signed, Dated and Stamped With Embossed Seal.

# HERNANDO COUNTY ZONING AMENDMENT PETITION



## Application to Change a Zoning Classification

### Application request (check one):

- Rezoning ☒ Standard ☐ PDP  
Master Plan ☐ New ☐ Revised  
PSFOD ☐ Communication Tower ☐ Other  
**PRINT OR TYPE ALL INFORMATION**

File No. H-23-14 Official Date Stamp:

Received

MAR 06 2023

Planning Department  
Hernando County, Florida

Date: 3-4-23

### APPLICANT NAME:

Aaron and Nicole Gibson

Address: 3016 Spirey Rd

City: Lakeland

State: FL

Zip: 33810

Phone: 813-771-1680 Email: gibson.nicole@att.net

Property owner's name: (if not the applicant)

### REPRESENTATIVE/CONTACT NAME:

Company Name:

Address:

City:

State:

Zip:

Phone:

Email:

### HOME OWNERS ASSOCIATION:

☐ Yes ☒ No (if applicable provide name)

Contact Name:

Address:

City:

State:

Zip:

### PROPERTY INFORMATION:

1. PARCEL(S) KEY NUMBER(S): 21443
2. SECTION 22, TOWNSHIP 22, RANGE 21
3. Current zoning classification: R1C Residential 1C
4. Desired zoning classification: AR2 Agriculture 1 Residential 2
5. Size of area covered by application: 1.16 acres
6. Highway and street boundaries: Split Stone Dr.
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No
8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed: \_\_\_\_\_)

### PROPERTY OWNER AFFIDAVIT

I, Aaron Noah Gibson, Nicole Ann Gibson, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

☒ I am the owner of the property and am making this application OR

☐ I am the owner of the property and am authorizing (applicant): \_\_\_\_\_

and (representative, if applicable): \_\_\_\_\_

to submit an application for the described property.

[Signature]  
Signature of Property Owner

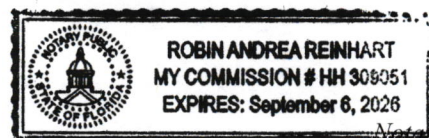
STATE OF FLORIDA

COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 6 day of March, 2023, by Aaron Noah Gibson / Nicole Ann Gibson who is personally known to me or produced FL DL as identification.

[Signature]  
Signature of Notary Public

Effective Date: 11/8/16 Last Revision: 11/8/16



Notary Seal/Stamp

03/06/2023

Received

MAR 06 2023

Re zone letter:

Parcel key 21443

Planning Department  
Hernando County, Florida

Parcel ID# R22-122-21-0900-0890-0120

To whom it may concern:

We have recently purchased the property on 0 Split stone drive and would like to ask for relief from the current zoning R1C (Residential 1C) to AR2 Agricultural/Residential from Hernando County Planning Department. The reasons for the re zoning request are as follows:

We have recently sold our home in Inverness, Florida. Our children currently attend a private school in that city. We are in the process of trying to get our children transferred to Hernando Christian Academy in Brooksville but at this time there is currently no open spots for next years grades for our children. As of this date, we will continue our children at their current school next year. We are currently living in Lakeland with family. The drive to school is almost 2 hours twice a day. If we were zone AR2, this would allow us to put a temporary camper/residence on our property while our permanent residence is being completed.

As our home in Inverness was zoned AR2, we have poultry that my children have cared for and raised since they were babies. This has allowed us to teach them responsibility and how to care for animals and see the rewards as our chickens lay eggs daily. They are currently in Lakeland with us and we would love to bring them with us to our new home.

Please consider the reasoning for our re zoning request as this would be of considerable benefit for our family as a whole. Thank you for your time and understanding to this matter.

Aaron and Nicole Gibson.

## Robin Reinhart

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**From:** gibson.nicole@att.net  
**Sent:** Monday, March 6, 2023 9:22 AM  
**To:** Robin Reinhart  
**Subject:** ReZone Gibson, Aaron

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

03/06/2023

Re zone letter:  
Parcel key 21443  
Parcel ID# R22-122-21-0900-0890-0120

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Aaron and Nicole Gibson.

Sent from my iPhone

Received

MAR 06 2023

Planning Department  
Hernando County, Florida



## Board of County Commissioners

### AGENDA ITEM

Meeting:  
Department:  
Prepared By:  
Initiator:  
DOC ID: 12865  
Legal Request Number:  
Bid/Contract Number:

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#### TITLE

Summary of Revisions to Landscape Buffers

#### REVIEW PROCESS