

# 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: August 1, 2024

File No. \_\_\_\_\_ Official Date Stamp:

RECEIVED

8-26 2024

Development Services  
Division

**APPLICANT NAME:** NVR, Inc., Barbara Zellmer, Regional Land Entitlement Manager

Address: 1409 Tech Blvd, Suite 202

City: Tampa

State: Florida

Zip: 33619

Phone: 813-739-7435

Email: bzellmer@nvrinc.com

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

**REPRESENTATIVE/CONTACT NAME:** Cynthia Tarapani

Company Name: Tarapani Planning Strategies

Address: 128 E. Tarpon Avenue

City: Tarpon Springs

State: Florida

Zip: 34689

Phone: 727-642-2030

Email: c.tarapani@tarapaniplanning.com

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

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

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

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

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

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

### PROPERTY INFORMATION:

1. PARCEL(S) KEY NUMBER(S): See Attached List
2. SECTION 26 & 35, TOWNSHIP 22, RANGE 19
3. Current zoning classification: PDP-GC
4. Desired zoning classification: PDP-MF
5. Size of area covered by application: 40.26 acres
6. Highway and street boundaries: State Road 50 on north and Emerson Road on east
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: 20 minutes)

### 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): NVR, Inc.

and (representative, if applicable): Cynthia Tarapani

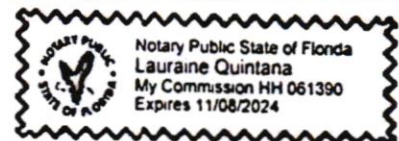
to submit an application for the described property.

Signature of Property Owner

STATE OF FLORIDA  
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 15 day of July, 2024, by BESIM HALEF who is personally known to me or produced \_\_\_\_\_ as identification.

Signature of Notary Public



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

Notary Seal/Stamp





# 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: August 1, 2024

File No. H-21-53 Official Date Stamp:

RECEIVED

AUG 21 2024

Hernando County Development Services  
Zoning Division

APPLICANT NAME: NVR, Inc., Barbara Zellmer, Regional Land Entitlement Manager

Address: 1409 Tech Blvd, Suite 202

City: Tampa State: Florida Zip: 33619

Phone: 813-739-7435 Email: bzellmer@nvrinc.com

Property owner's name: (if not the applicant) Emerson Capital Group LLC

REPRESENTATIVE/CONTACT NAME: Cynthia Tarapani

Company Name: Tarapani Planning Strategies

Address: 128 E. Tarpon Avenue

City: Tarpon Springs State: Florida Zip: 34689

Phone: 727-642-2030 Email: c.tarapani@tarapaniplanning.com

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

Contact Name:

Address: City: State: Zip:

### PROPERTY INFORMATION:

1. PARCEL(S) KEY NUMBER(S): 420556/ 1580541/ 739730/ 1411163/ 1411154/ 739749/ 476407
2. SECTION 26 & 35, TOWNSHIP 22, RANGE 19
3. Current zoning classification: PDP-GC
4. Desired zoning classification: PDP-MF
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6. Highway and street boundaries: State Road 50 on north and Emerson Road on east
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: 20 minutes)

### PROPERTY OWNER AFFIDAVIT

I, W. Parkinson Myers, 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): NVR, Inc.  
and (representative, if applicable): Cynthia Tarapani  
to submit an application for the described property.

Emerson Capital Group, LLC  
by: ECG Manager, LLC - its Manager  
by: W. Parkinson Myers - its Manager

Signature of Property Owner

STATE OF FLORIDA

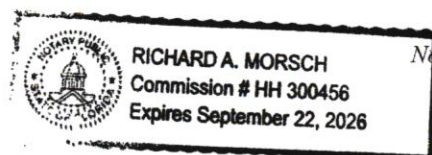
COUNTY OF HERNANDO Hillborough

The foregoing instrument was acknowledged before me this 9th day of AUGUST, 2024, by W. PARKINSON MYERS who is personally known to me or produced \_\_\_\_\_ as identification.

Signature of Notary Public

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

Rezoning Application Form\_11-08-16.Docx



Notary Seal/Stamp

Page 1 of 1

**MAPLE CROSSING REZONING APPLICATION  
PLANNED DEVELOPMENT NARRATIVE**

***Presented to:***

**Hernando County  
1653 Blaise Drive  
Brooksville, Florida 34601**

***Prepared for:***

**NVR, INC.  
1409 Tech Boulevard, Suite 202  
Tampa, Florida 33619**

***Prepared by:***

**Cynthia Tarapani, Owner  
Tarapani Planning Strategies  
Land Use Planning Expert  
128 E. Tarpon Avenue  
Tarpon Springs, Florida 34689  
Telephone 727-642-2030  
c.tarapani@tarapaniplanning.com**

**August 6, 2024  
Revised November 8, 2024  
Revised November 22, 2024**

**MAPLE CROSSING REZONING APPLICATION  
PLANNED DEVELOPMENT NARRATIVE**

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**MAPLE CROSSING REZONING APPLICATION  
LIST OF SUBMITTAL DOCUMENTS**

**A. Application Signed by Property Owners**

**B. List of Parcel's Key Numbers ( Legal Description)**

**C. Proof of Ownership**

Deed for Banc Development Ltd.- OR Book 3249, Page 1620

Deed for Emerson Capital Group- OR Book 3063, Page 1353

**D. List of Experts for Public Hearings**

**E. Property Appraiser's List and Map of Adjacent Property Owners**

**F. Maple Crossing PD Master Plan**

**G. Maple Crossing Land Development Traffic Assessment**

**H. Preliminary Protected Species Surveys**

**I. Application Fee**

Check from NVR Ryan Homes in the amount of \$1,281.40 payable to  
Hernando County

**J. Cultural Resources Assessment Survey (submitted on November 8, 2024)**

## I. INTRODUCTION

NVR, Inc., the Applicant, is the Contract Purchaser of an approximate 40.18 acre property located at the southwest quadrant of State Road 50 and Emerson Road in Hernando County. The property is composed of seven parcels owned by two different owners: Banc Development Ltd. and Emerson Capital Group. This Rezoning Application is submitted to revise the type of allowable development from Commercial to Multifamily, revise the site's zoning from PDP-C to PDP-MF, and revise the previously approved Master Plan to allow the proposed use of up to a maximum of 245 townhouses.

## II. PROJECT PROPOSAL & SITE CHARACTERISTICS

The Rezoning Site is currently vacant and it is proposed for a townhouse development with a maximum total of 245 townhouses, developed in a range of two to eight townhouse units per building. There is no commercial development proposed for the site. There is a wetland system that bifurcates the site that begins in the southwest corner of the property, continues diagonally through the site to the northeast, and then continues off-site connecting with the FDOT pond located at the southwest corner of SR 50 and Emerson Road. Based on the wetland survey, the size of the wetlands are a total of 1.64 acres, the size of the uplands is 38.54 acres, for a total site size of 40.18 acres.

There are two access points proposed for the development: one entrance on Emerson Road on the east side of the site, and one entrance on Oxley Road on the west side of the site. Both access points will be treed boulevard entrances in compliance with Hernando County regulations. There is no access proposed to State Road 50/ Cortez Boulevard for the development. The Applicant proposes to connect the two sections of the property with an internal road that crosses the wetlands in the southwest section of the site. The specific location where the road crosses the wetlands is subject to design and permitting. Therefore, the project will comply with the County's policy requiring two access points for a residential development with more than 50 residential units.

It should be noted that the project entrance on Oxley Road will be located close proximity to and approximately 250 feet south of State Road 50 to minimize project traffic on Oxley Road.

Within the development, the local roads are proposed to be public roads that comply with the County's development standards. The site will be designed with a stormwater management system that complies with the regulations of both Hernando County and SWFWMD. The development will contain neighborhood parks that comply with the County's requirements regarding the acreage and the parks will be located in locations convenient to the residents of both the East and West Parcels

The total size of the project and proposed density is shown in **Table 1** below.

**Table 1**  
**Maple Crossing**  
**Project Size and Proposed Density**

Site	Size in acres
Uplands	38.54 ac
Wetlands	1.64 ac
<b>TOTAL SITE SIZE</b>	40.18 acres
<b>Proposed Development</b>	245 Townhouse Units
<b>Gross Density (on Total Site)</b>	245 units on 40.18 acre= 6.1 u/ ac
<b>Net Density (on Uplands Only)</b>	245 units on 38.54 acres = 6.4 u/ ac

**Proposed Deviations from LDC**

For the Maple Crossing development the Applicant requests three deviations from the *Land Development Code* as described below.

1. Request to reduce the building setback along State Road 50 in the West Parcel only from 125' to 75'.

The Planned Development provisions, Article VIII of the *LDC*, require a building setback of 125' from State Road 50 and the Applicant proposes a setback of 75'. The justification for this reduced setback relates to the physical form and dimensions of the West Parcel, which is the only section of the site to which the State Road 50 setback applies. The depth of the West Parcel from the north property line adjacent to State Road 50 south to the wetland system is approximately 274 feet, excluding the wetland buffer. If the State Road 50 setback is applied, it will be difficult, if not impossible, to develop townhouses on both sides of a local road in this area, and resulting in an inefficient site design that will negatively impact the development potential of the project.

The Applicant proposes a setback of 75' from the north property line to the townhouse buildings within which an extremely wide buffer of 45' will be installed along the entire West Parcel frontage of State Road 50. The large proposed setback coupled with the wide buffer will provide an effective buffer between State Road 50 and the proposed townhouses. Additionally, the buffer will create an aesthetically pleasing view along the State Road 50 frontage.

2. Reduce the minimum lot size from 4,500 square feet to 2,640 square feet.

The County's R -3 Zoning District establishes lot sizes for multifamily residential units, and as calculated, would require a 4,500 square foot lot for each townhouse. The Applicant requests a minimum lot size of 2,640 square feet for each townhouse.

Each townhouse lot is designed with a width of 24' and a depth of 110' which results in the proposed lot size of 2,640 square feet. It should be noted that this lot size is very typical for townhouse development to reflect the land actually sold to the individual townhouse owner. It should be noted that this minimum lot size does not operate to allow additional density since the maximum development in the proposed project is limited to 245 residential units. Additionally, the development will comply with the County's requirements for Neighborhood Parks and Open Space.

3. Reduce the interior front yard setback for the townhouse units from 25' to 20'.

The County's required setback is 25' for the front yard of residential developments. The Applicant requests a front yard setback of 20' between the townhouse building and the internal local road for the following reasons.

First, this front yard setback will be visible only to residents of the development and will not impact the view of the project from external boundaries. Secondly, the reduced front yard setback results in a driveway length that is adequate for the lengths of typical cars and trucks. Typical car lengths range from 14' for a compact car, 16' for a midsize car, 17' for a full size car, and 16'-19' for typical truck sizes. With the proposed 20' front setback, there will be adequate space in the driveway for typical cars and trucks without blocking the sidewalk. Therefore, the requested reduced setback will not impair the function of the local roads or the sidewalks.



### **III. ENVIRONMENTAL CONSIDERATIONS**

A Preliminary Protected Species Survey has been prepared by Universal Engineering Sciences for each side of the development and they are attached as **Submittal Document H**. Based on review of available data and a field inspection, the attached Surveys confirm that no Protected Species were identified on the project property. In summary, other than the wetland system that traverses the site, at this time, there are no known environmental considerations on the site.

The site is located in Flood Zones A and X. The detailed engineering design will determine whether or not the buildings will be required to be elevated. If building elevation is necessary, then the first floor of all habitable buildings on the site will be elevated as determined by this analysis and consistent with Hernando County's regulations.

### **IV. SITE PLAN DISCUSSION**

As mentioned above there is a wetland system that bifurcates the site that begins in the southwest corner of the property, continues diagonally through the site to the northeast, and then continues off-site connecting with the FDOT pond located at the southwest corner of SR 50 and Emerson Road. Based on the wetland survey, the size of the wetlands are a total of 1.64 acres and the project will include the appropriate wetland buffers, consistent with SWFWMD regulations.

There are two access points proposed for the development: one entrance on Emerson Road on the east side of the site, and one entrance on Oxley Road on the west side of the site. Both access points will be treed boulevard entrances in compliance with Hernando County regulations. There is no access proposed to State Road 50/ Cortez Boulevard for the development. The Applicant proposes to connect the two sections of the property with an internal road that crosses the wetlands in the southwest section of the site. Therefore, the project will comply with the County's policy requiring two access points for a residential development with more than 50 residential units.

The project entrance on Oxley Road will be located in close proximity to and approximately 250 feet south of State Road 50 to minimize project traffic on Oxley Road. It should be noted that this proposed entrance is north of the northernmost home's driveway on Oxley Road and therefore, the project traffic will turn into the townhouse neighborhood before this residential driveway and will not need to travel past the existing homes to enter and exit the townhouse development.

## **Sidewalks**

The development will be constructed with sidewalks on all of the project's interior roads. The internal road that connects the two portions of the site will also have a sidewalk to provide pedestrian access between the two sections of the site.

## **Guest Parking**

The development proposes additional parking to be available for guests and located conveniently throughout the East and West Parcels. The final number of spaces and specific location of the guest parking will be determined during engineering design and submitted to the County for review.

## **Compatibility, Setbacks & Buffers**

The site is located at the intersection of two major roads: State Road 50 and Emerson Road, and also has frontage on Oxley Road, a third local road. The site's shape and dimensions are suitable to a townhouse development with appropriate community amenities. The site is also well insulated from any surrounding properties and is not expected to create negative impacts to the surrounding properties based on the following proposed setbacks and buffers. It should be noted that all of the proposed setbacks and buffers are shown on the Master Plan and are described in this section. Additionally, the required and provided building setbacks are described in **Table 2** below. There will be a 25' buffer from all wetlands as required by SWFWMD, and as illustrated on the Master Plan.

**North:** The north boundary of the development is State Road 50, a State- maintained arterial currently constructed as a four-lane divided roadway. Along the north property boundary, the project proposes a 75' building setback from the property line to the townhouse buildings and a 45' buffer. The justification for a reduced building setback along State Road 50 is contained in **Section II** of this report.

**South:** To the south of the site is a public school, Moton Elementary School. The activities on the school property in the proximity of the new townhouses are employee parking and a stormwater pond. Further south on the school property, there are sports courts and open play fields. Along the project's southern boundary, the Master Plan proposes a 45' building setback from the property line to the townhouse buildings and a 15' buffer.

**East:** Emerson Road is adjacent to the eastern property line of the site and to the southeast of the site is a private school, Hernando Christian Academy. There will be one entrance to the development from Emerson Road which will be a treed boulevard entrance with open space/ landscaping on both sides of the entrance. To the north and south of the open space at the project entrance along the balance of Emerson Road, a buffer of 35' is proposed. The project proposes to comply with the required 35' building setback along Emerson Road.

Portions of the East and West Parcels border the FDOT stormwater pond, and therefore, limited buffering is needed in these areas. Within the East Parcel and along the three internal property lines adjacent to the off-site pond, a 5' buffer is proposed. Specifically, this 5' buffer is proposed within the East Parcel along both north boundaries and also along the east boundary.

Within the West Parcel and on its east boundary adjacent to the FDOT stormwater pond, the proposed buffer is 15' for the upland portion of that boundary. A significant portion of this boundary is occupied by wetlands and the required 25' wetland buffer will be observed in this area.

**West:** Oxley Road is adjacent to the western boundary of the site. The approved Cone & Graham townhouse project is located at the immediate southwest corner of Oxley Road and SR 50 and west of this proposed Rezoning site. Single family homes are developed to the south of the approved Cone & Graham townhouse development on the west side of Oxley Road.

The project proposes to minimize the traffic impacts on Oxley Road by locating only one access point on this road and locating it in close proximity to State Road 50. It should be noted that this proposed entrance is north of the northernmost home's driveway on Oxley Road and therefore, the project traffic will turn into the development before this residential driveway and will not need to travel past the existing homes to enter and exit the townhouse development.

The proposed external setbacks and buffers are proposed to minimize impacts of the proposed development with surrounding land uses. The West boundary is the only property boundary that is in proximity to existing residential uses. Therefore, the project has proposed a large setback of 45' on the West boundary along Oxley Road and a 20' buffer along this roadway. Further, there is only one entrance to the development on Oxley Road and this entrance will also be developed as a treed entrance. All of these site features are designed to form an appropriate buffer between these two residential uses.

**Table 2**  
**Maple Crossing**  
**Summary of External Project Setbacks**

Property Boundary	Required Setback	Provided Setback
<b>North</b>	125' along State Road 50 20' along FDOT Parcel	75' along State Road 50* 30' along FDOT Parcel
<b>South</b>	20'	45'
<b>East</b>	20' in West Parcel 35' in East Parcel along Emerson Road'	30' in West Parcel adjacent to FDOT Pond 35' in East Parcel along Emerson Road
<b>West</b>	35' along Oxley Road	45' along Oxley Road

\* Deviation requested and described in **Section II**.

The dimensional requirements for the townhouse units are shown on the Master Plan and also in **Table 3** below.

**Table 3**  
**Maple Crossing**  
**Summary of Townhouse Dimensional Standards**

Standard	Amount
<b>Lot Size</b>	2,640 sq. ft. *
<b>Lot Depth</b>	110'
<b>Setbacks</b>	Front: 20' * Rear: See External Project Setbacks Side: N.A.
<b>Building Coverage</b>	35% (As calculated for the overall project site)

\* Deviation requested and described in **Section II**.

### **Cultural Resources Assessment Survey**

A Cultural Resource Assessment Survey was conducted by a well-qualified firm, Archaeological Consultants, Inc., for the Maple Crossing site. The Survey is included in this resubmittal.

The Survey included both background research and field work on the site to determine and locate any cultural resources within the site boundary. The results of the Survey indicate that there are no previously recorded historic resources or archaeological sites within the project boundary and no new resources were identified as a result of the field work. Additionally, there are no archaeological sites or historic resources on the site that are listed, determined eligible, or appear to be potentially eligible for listing in the National Register of Historic Places, and therefore, the project will not affect historic properties.

## **V. IMPACTS TO PUBLIC FACILITIES**

### **Transportation**

The Applicant has submitted a Traffic Assessment along with this Rezoning Application to confirm that the project will not reduce the Level of Service on the road network and to identify the improvements appropriate for the project. The Land Development Traffic Assessment was prepared by W.E. Oliver, P.E., LLC dated July 12, 2024 and attached as **Submittal Document G**.

The results of the Traffic Assessment are summarized on Page 11 of the report and as follows:

1. The Level of Service Analysis for Year 2030 “indicates good conditions” that meet the County’s adopted standards.
2. An east-to-south bound right turn lane on State Road 50 at Oxley Road is recommended.
3. A south-to-west bound right turn lane on Emerson Road at the East Parcel entrance is recommended.
4. Improvement of Oxley Road from State Road 50 south to West Parcel entrance is recommended to improve this section of Oxley Road to the County standards.

For more details, please refer to the full Traffic Assessment contained in this submittal.

### **Stormwater Management/ Drainage**

The new development will be required to treat its stormwater on the site in accordance with the regulations of Hernando County and SWFWMD. The Master Plan shows the conceptual location of the stormwater management ponds that will serve the project.

### **Water and Sewer Utilities**

See analysis in **Section VI** below.

### **Neighborhood Parks**

The proposed development will meet and exceed the County's requirement for neighborhood parks by providing parks in locations convenient to residents of both Parcels. The final sizes and locations of the neighborhood parks will be determined during final engineering design and submitted to the County for review.

### **Public School Facilities**

The project will be subject to and will comply with the County's Concurrency Evaluation and the Educational Facilities Impact Fees for each townhouse.

### **Summary**

Based on the analysis in this **Section V**, adequate public facilities will be available to serve the project.

## **VI. WATER & SEWER SERVICES**

Although the proposed development is located within the jurisdiction of Hernando County, it is located within the utility service area for the City of Brooksville. The City of Brooksville is evaluating their sewer capacity and taking steps to expand capacity through a potential agreement with Hernando County and with a major expansion to the sewer treatment plant. The Applicant is aware of this ongoing capacity evaluation and will coordinate with the City of Brooksville to obtain sewer service. Central water service will also be provided through the City of Brooksville and there are no capacity issues relating to that service.