

STAFF REPORT

HEARINGS: Planning & Zoning Commission: June 13, 2022
Board of County Commissioners: July 12, 2022

APPLICANT: Joseph W. Klukowski

FILE NUMBER: H-22-18

REQUEST: Rezoning from R-1A/(Residential) to C-4/(Heavy Highway Commercial)

GENERAL LOCATION: East side of Dent Street, approximately 500' south of Cortez Boulevard

PARCEL KEY NUMBERS: 115636, 115627

APPLICANT'S REQUEST:

The petitioner is requesting a rezoning from R-1A/(Residential) to C-4/(Heavy Highway Commercial) to develop a storage building and an automotive repair shop. The petitioner has indicated that the proposed use is comprised of two (2) parcels with overall dimensions of 316' x 86' (1.87 acres); however only the first 163' (0.98 acres) from Dent Street will be utilized/rezoned for the proposed uses. The balance of the parcels will remain R-1A/(Residential) and will have access to Nunn Boulevard. The petitioner has proposed to include a 20' x 30' storage facility (expansion of the existing Complete Automotive Repair to the north) and 4,200 square feet (40' x 90') building for an automotive repair shop.

SITE CHARACTERISTICS:

Site Size: 1.87 acres

Surrounding Zoning:

Land Uses: North: C-1, C-2; Liquor Store, Automotive Repair
South: R-1A; Mobile Home
East: C2, Transmission Repair, Warehouse
West: R-1A; Mobile Home

Current Zoning: R-1A/(Residential)

Future Land Use Map Designation: Commercial

ENVIRONMENTAL REVIEW:

- Soil Type:** Candler Fine Sand
- Habitat:** Commercial and Services 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:** The petitioner is required to comply with all applicable FWC regulations and permitting.
- Hydrologic Features:** The property does not contain mapped wetlands, according to County data resources.
- Protection Features:** The property does not contain any Special Protection Area (SPA), Wellhead Protections Areas (WHPAs), according to County data resources.
- 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.
- Flood Zone:** C

UTILITIES REVIEW:

The Hernando County Utility Department (HCUD) has indicated they do not supply water or sewer service to the subject parcel. There is an existing 12-inch water main that runs along the front of the parcel on Cortez Boulevard. There is an existing 6-inch sewer force main that also runs along the front of the parcel on Cortez Boulevard. HCUD has no objection to the request.

ENGINEERING REVIEW:

The subject site is located on the East side of Dent Street, approximately 500' south of Cortez Boulevard. The petitioner has proposed a driveway to be provided for each of the uses. The County Engineer has reviewed the petitioner’s request and indicated the following:

- A Traffic Access Analysis is required since this use would be supporting and expanding the existing “Complete Automotive Repair” business. Refer to Hernando County Facility Design Guideline IV-18. The Traffic Access Analysis shall include a queuing analysis.
- Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer.
- Dent Street is a Lime rock easement/roadway, this old Potterfield Easement will need to be brought up a Major Local/Commercial Road along the length of parcel along Dent Street.
- Nunn Street may need to be improved for the length of property to current County Standards. The petitioner shall coordinate with County Engineer at the time of site development.
- All driveway connections will need to be improved to current County standards.
- Both properties are outside the 1% annual chance floodplain.
- This project must also meet the storm drainage design requirements of South West Florida Water Management District and Hernando County Facility Design Guidelines.

LAND USE REVIEW:

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.

Building Setbacks

Minimum Building Setbacks

Dent Street:	35'
Side:	20'
Rear:	35'

Buffering

In the C-4 zoning district, screened outside storage shall be permitted behind the building line as an accessory use to a permitted use. Screening shall be required from adjoining and contiguous properties by a wall, fence or other approved enclosures. Screening shall meet an eighty (80) percent opacity standard. Such screening shall be located behind the building line and shall have a minimum height of five (5) feet and maximum of eight (8) feet.

Additionally, the proposed use must meet the minimum commercial landscape standards as required by the County LDRs.

Comments: The petitioner has indicated a 6' high fence will be provided along the perimeter of the property. If approved, the petitioner must provide a 6' opaque fence at a minimum along the west and south property lines where

the use abuts residential parcels. The minimum commercial landscaping requirements will be required along Dent Street.

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.

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 commercial uses along Cortez Boulevard and AR-2/(Agricultural/Residential 2) tracts to the south.

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 consistent with the Hernando County Comprehensive Plan mapping criteria and Strategies related to commercial development.

Strategy 1.04G(14): Heavy Commercial uses may be established to accommodate those uses that have potential impacts too significant for a standard commercial district and shall meet the following criteria:

- a. not to be located proximate to residential housing;
- b. be accessible to arterial or major collector roadways without requiring the use of residential roads;
- c. provide for adequate buffers, screening and transition;
- d. minimize negative impacts to adjoining properties;
- e. minimize the visual impacts of outdoor storage

Comments: The petitioner’s request for Heavy Landscaping Service Establishment is considered a C-4/(Heavy Highway Commercial) Specialty Commercial use. The request for Heavy Landscaping Service Establishment as a C-4 use is consistent with the Strategy criteria in terms of accessibility to a major roadway, adequate buffers and minimizing the impacts from outdoor storage.

FINDING OF FACTS

A rezoning from R-1A/(Residential) to C-4/(Heavy Highway Commercial) 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. 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 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-1A/(Residential) to C-4/(Heavy Highway Commercial) in accordance with the staff report.