

STAFF REPORT

HEARINGS: Planning and Zoning Commission: July 14, 2025
Board of County Commissioners: September 2, 2025

APPLICANT: William Bourguignon

FILE NUMBER: H-22-89

REQUEST: Rezoning from R-1A (Residential) to C-1 (Highway Commercial)
GENERAL LOCATION: East side of Maplewood Drive, approximately 275' of Calienta Street

PARCEL KEY NUMBERS: 152569

APPLICANT'S REQUEST:

The petitioner is requesting a rezoning of the subject property from R1-A (Residential) to C-1 (Commercial). The proposed use is for the storage of building materials, trailers, and construction equipment associated with the petitioner's existing business, Bill Bourguignon Construction Company LLC.

The property encompasses approximately 0.40 acres and is fully enclosed with fencing along all property boundaries. A storage building with an office is proposed on-site, with a maximum building height of 20 feet from ground level.

The petitioner is also requesting that the property not be connected to water or sewer services, as the building will be used solely for storage purposes. If restroom facilities are required for public use, the petitioner is proposing to make them available at the petitioner's adjacent residence.

SITE CHARACTERISTICS:

Site Size: 0.40 acres

Surrounding Zoning & Land Uses:

North: R-1B/ Residential: Developed

South: CPDP/ Combined Planned Development Project: Developed

East: PDP(RR)/ Planned Development Project (Resort Residential): Undeveloped

West: R1B/ Residential: Undeveloped

Current Zoning: R1B/ Residential and PDP(RR)/ Planned Development Project (Resort Residential)

**Future Land Use
Map Designation:** Residential

ENVIRONMENTAL REVIEW:

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

UTILITIES REVIEW:

The Hernando County Utilities Department (HCUD) does not currently provide water or sewer service to this parcel, but it does provide water and sewer service to the parcel to the north (both parcels owned by applicant) via a 10-inch water main that runs along the west side of Maplewood Drive and an 8-inch sewer gravity main that runs in Maplewood Drive. HCUD has no objection to the submitted zoning change from Residential to Commercial to allow construction of office and storage buildings, subject to a commercial connection to the central water and sewer systems at time of vertical construction. Parcel Key #: 152569.

ENGINEERING REVIEW:

The subject site is located on the East side of Maplewood Drive, approximately 275' of Calienta Street. The County Engineer has reviewed the petitioner's request and has the following comments:

- This project is located in FEMA Coastal Flood Zone "AE (El. 12)", landward of the LiMWA line. The proposed storage site is adjacent to a salt marsh.
- Depending on the structure size, a Traffic Access Analysis could be required.
- Driveway apron will be required to meet Hernando County commercial driveway standards. Refer to Hernando County Facility Design Guidelines IV-25.
- A Right of Way Use permit is required for any driveway work in the County right of way.
- Any on-site parking will need to meet Hernando County commercial parking standards. Refer to Hernando County Facility Design Guidelines IV-28.
- If site is open to public; handicap parking is required. Refer to Hernando County Facility Design Guideline V-09.

Comment: The petitioner shall be required to coordinate with the Department of Public Works prior to site plan submission and determine if a traffic Access Analysis is required.

LAND USE REVIEW:

Building Setbacks

Minimum Building Setbacks:

Front: 75'

Side: 20'

Rear: 35'

Buffers

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

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

Landscaping:

The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and design techniques, principles, materials, and plantings for required landscaping

Comments: The petitioner is required a Ten (10) foot landscape buffer along the North property line adjacent to residential property. All other property lines will require a Five (5) foot landscape buffer

Parking:

County Land Development Regulations require four (4) spaces per 1,000 square feet for office and one (1) space per peak time employee for outdoor storage. If approved, the petitioner must provide the minimum parking requirements of the County's Land Development Regulations.

Lighting:

County Land Development Regulations require lighting that enhances the visual impact of the project on the community and to specifically address lighting intensity

levels and glare accordingly. Commercial buildings and projects shall be designed to provide safe, convenient, and efficient lighting for pedestrians and vehicles.

Comments: The petitioner has not indicated any provisions for lighting of the subject property. If approved, the petitioner must provide full or semi-cutoff fixtures as required by the County Land Development Regulations, to retain all light on site and prevent any light spillage onto neighboring residential uses.

COMPREHENSIVE PLAN REVIEW:

The subject property is located within the Residential Land Use classification on the adopted Future Land Use Map. The area is characterized by single family homes to the North and to the West, The East and South are zoned CPDP/ Combined Planned Development Project. PDP(GC) with specific C2 uses for outdoor storage are considered permitted uses in the Residential Land Use designation with appropriate performance conditions.

Objective 1.04B: The Residential Category allows primarily single family, duplex, resort and multi-family housing and associated ancillary uses such as recreational and institutional. Office and certain commercial uses may be allowed subject to the locational criteria and performance standards of this Plan. Residential density shall not exceed 22 dwelling units per gross acre.

Strategy 1.04B(1): Commercial and institutional uses within the Residential Category are generally associated with medium and high-density residential development and may include neighborhood commercial, office professional, recreational, schools, and hospitals. Minor public facilities that do not unduly disturb the peaceful enjoyment of residential uses may also be allowed.

Comments: While not all commercial uses are consistent with the Residential Future Land Use classification, outdoor storage may be an acceptable ancillary use to residential development. Therefore, to accommodate the petitioner's request for the outdoor storage, staff recommends rezoning to PDP(GC) Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage. This will allow the site to develop with appropriate buffers, setbacks and conditions to protect existing residential neighborhoods and ensure continuity with the surrounding community.

FINDINGS OF FACT:

The Petitioner's request for a rezoning of the subject property from R1-A (Residential) to C-1 Commercial with outdoor storage is inappropriate based on the following:

1. Staff is recommending converting the zoning from the requested R1-A (Residential) to PDP(GC)Planned Development Project (General Commercial) with a specific C-2 use for outdoor storage to allow for performance conditions on lighting, landscape buffers, setbacks, and Protection Standards for the neighboring parcels.
2. The petitioner's request to utilize the existing bathroom in his residence is not feasible; at the time of development, they shall be required to provide a public restroom within the storage building office and must comply with ADA requirements as well as the Hernando County Building Code.
3. The staff recommendation 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 denying a rezoning from R1-A (Residential) to C-1 General Commercial and convert the petitioner's request to a rezoning from R1-A (Residential) to PDP(GC)Planned Development Project (General Commercial) with specific C-2 uses for outdoor storage, with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations,

for either construction or use of the property, and complete all applicable development review processes.

2. A faunal (wildlife) survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable Florida Fish and Wildlife Conservation (FWC) regulations and permitting.
3. 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.
4. A commercial connection to the central water and sewer systems shall be required at time of vertical construction.
5. A Traffic Access Analysis could be required depending on the size of the structure. The petitioner shall be required to coordinate with the Department of Public Works prior to site plan submission and determine if a traffic Access Analysis is required.
6. Driveway apron will be required to meet Hernando County commercial driveway standards under the Hernando County Facility Design Guidelines IV-25.
7. A Right of Way Use permit is required for any driveway work in the County right of way.
8. On-site parking will need to meet Hernando County commercial parking standards under the Hernando County Facility Design Guidelines IV-28.
9. The petitioner is required to have handicap parking if the site is open to the public following the Hernando County Facility Design Guideline V-09.
10. Minimum Building Setbacks:
Front: 75'
Side: 20'
Rear: 35'
11. Hernando County Land Development Regulations require that screening of outdoor storage from adjoining and contiguous properties by a wall, fence, or other approved enclosures. Screening shall meet an eighty (80) percent opacity standard. Such screening shall be located behind the building line and shall have a minimum height of five (5) feet and maximum of eight (8) feet. In this instance, the primary use is storage, and the entire site must be fenced.

12. The petitioner is required a ten (10) feet landscape buffer along the North property line adjacent to residential property. All other property lines will require a five (5) feet landscape buffer
13. County LDRs require four (4) spaces per 1,000 square feet for office and one (1) space per peak time employee for outdoor storage. If approved, the petitioner must provide the minimum parking requirements of the County's Land Development Regulations.
14. The petitioner must provide full or semi-cutoff fixtures as required by the County Land Development Regulations, to retain all light on site and prevent any light spillage onto neighboring residential uses.
15. A public restroom shall be provided within the storage building office and must comply with ADA requirements as well as the Hernando County Building Code.
16. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of Board of County Commissioner approval. Failure to submit the revised plan will result in no further development permits being issued.