

STAFF REPORT

HEARINGS: Planning & Zoning Commission: August 14, 2023
Board of County Commissioners: September 12, 2023

APPLICANT: Teramore Development, LLC

FILE NUMBER: H-23-08

REQUEST: Rezoning from R-1A (Residential) to PDP(NC)/Planned Development Project (Neighborhood Commercial)

GENERAL LOCATION: East of US Hwy 19, between Ridge Road and Osceola Drive

PARCEL KEY NUMBERS: 86187, 86196, 86203, 86212, 85142

APPLICANT'S REQUEST:

On January 31, 2023, the petitioner submitted a request for a rezoning from R-1A (Residential) to PDP(NC)/Planned Development Project (Neighborhood Commercial). The Planning Department reviewed the application, distributed for comment to the reviewing agencies and departments, and issued a letter of with County comments on May 1, 2022. Furthermore, a meeting was held with the applicant on May 16, 2023, to discuss County the following County concerns:

- A frontage road is required by ordinance for properties located along US Hwy19/ Commercial Way.
- There is a Platted 20' Alley that can be utilized for a reverse frontage road. The requested waiver of frontage road is not supported. This is a request that they will have to take to the board for approval.
- The Vacation of the Platted 20' Alley is not supported.
- The requested setback reduction on the West side of parcel is not supported.
- The parking lot layout and driveways will have to meet county standards. Refer to Hernando County Facility Guidelines IV-28. The proposed crosswalk should be designed as a standard crosswalk.

This letter provided a 30-day window for response to the deficiencies as noted and in accordance with Florida Statutes Section 125.022 (see below).

Within 30 days after receiving an application for approval of a development permit or development order, a county must review the application for completeness and issue a letter indicating that all required information is submitted or specifying with particularity any areas that are deficient. If deficient,

the applicant has 30 days to address the deficiencies by submitting the required additional information.

No response was received on County comments until June 26, 2023. The revisions would have required a second review by Engineering to confirm the revisions met the minimum requirements of the County. Along with the petitioners revised documentation, no written request for postponement was submitted.

On July 13, 2023, during the 30-day period for the County's review of the additional information provided by the applicant, the applicant, pursuant to Florida Statutes Section 125.022(2)(e), requested that the County schedule the application for the August 14, 2023 Planning and Zoning Commission meeting to approve or deny the application.

STAFF RECOMMENDATION:

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners deny the petitioner's request for a Rezoning from R-1A (Residential) to PDP(NC)/Planned Development Project (Neighborhood Commercial) with Deviations due to the lack of required documentation for the County to properly evaluate the request.