

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: May 12, 2025  
Board of County Commissioners: July 1, 2025

**APPLICANT:** Meritage Homes of Florida, Inc., R Tyler Vansant, Esq.

**FILE NUMBER:** H-24-78

**REQUEST:** Master Plan Revision on Property Zoned Combined Planned Development Project including Multifamily, General Commercial and Specific C-2 uses and a Rezoning to include PDP(SF) Planned Development Project (Single Family) uses 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 NUMBER(S):** 377292, 377274

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### BACKGROUND

On July 11, 2023, the Board of County Commissioners approved 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 for the subject site to allow the developer to construct a mixed use community with townhome, multifamily, and commercial uses (Rezoning file H-23-09). To date, no construction has occurred on the property.

### APPLICANT'S REQUEST

The petitioner's current request is to maintain the existing approved residential unit count of 432 units, but provide for flexibility to potentially construct townhome, patio home and/or multifamily units. The commercial entitlements are remaining the same; however, the petitioner is requesting a maximum of 8 outparcels versus the 6 commercial lots previously approved.

A patio home is not defined in the Hernando County Land Development Regulations; however, it is developed as a single-family detached townhome product, with a slightly smaller footprint that will provide moderately priced housing options for Hernando County residents.

### Deviations Requested

The petitioner has requested three new deviations that will be applied if the patio home product is developed. These include:

Unit Type/Setback	Patio Home
Front Setback	15' (Deviation from 25')
Side Setback	0/5' (Deviation from 10')
Rear Setback	5' (Deviation from 20')
Lot Coverage	67% (Deviation from 35%)
Minimum Lot Dimension	30' x 85'

The performance conditions approved in H-23-09 are restated with changes incorporated as necessary to allow for the patio home product type.

**SITE CHARACTERISTICS**

<b>Site Size:</b>	45.7 Acres
<b>Surrounding Zoning; Land Uses:</b>	North: PDP(MF); Multifamily South: PDP(SF); Single Family East: PDP(GC), PDP(SF); Silverthorn Plaza and Subdivision West: PDP(SF); Sterling Hills Subdivision
<b>Current Zoning:</b>	Combined Planned Development Project including Multifamily and Specific C-2 uses
<b>Future Land Use Map Designation:</b>	Residential and Commercial

**ENVIRONMENTAL REVIEW**

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 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.

**UTILITIES REVIEW**

The Hernando County Utilities Department does not currently supply water or sewer service to these parcels. Water and sewer service are available to these parcels. HCUD has no objection to the requested master plan revision subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction.

Availability of existing water, sewer, and reclaimed water capacity is dependent on the engineer's estimated flows for the proposed development. Existing utility infrastructure may require upgrades to supply service to the proposed development. Complete a Utilities Capacity Request form located on HCUD's Engineering website and submit with a proposed site plan for capacity inquiries. Utility location does not guarantee capacity.

## **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.

## **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. It has two proposed access points from Elgin Boulevard through the Commercial portion of the development and an access to the residential along Barclay Boulevard. In addition, based on approvals from previous property ownership, the petitioner has agreed to provide a Cross Access Agreement for all interconnections with adjacent developments being constructed to its north to provide greater access to Powell Drive.

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

- This project has submitted a Traffic Access Analysis which is under review.
- Any improvements, including Turn Lanes identified by the Traffic Access Analysis will be the responsibility of the developer.
- The Driveways will need to meet current County standards.
- Project must provide connectivity to the North and West as previously approved.
- Applicant has requested a deviation to the sidewalk connectivity, a determination cannot be made with a pedestrian circulation plan. Deviation may be memorialized with an Administrative Design Variance, upon review of construction drawings with a pedestrian circulation plan.

**Comments:** Subsequent to the initial comments received by the County Engineer, the petitioner discussed the project further with the Department of Public Works and agreed to the following conditions:

- A Traffic Access Analysis, Signal Warrant Analysis and a queue Stacking Study shall be required. This project may require improvements to the existing 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.
- Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer.

- The Multifamily development shall provide a boulevard entrance from Elgin into the residential area of the project.
- The petitioner shall be required to provide interconnectivity and cross connection between outparcels, the cross connection will be private between developers and not open to the public.
- Subject to the approval by the Hillside/point Grande apartments developer (H-22-27), the petitioner shall provide a Cross Access Agreement for all interconnections.
- This development shall coordinate the dedication of land to facilitate the widening of Barclay Avenue (such land was dedicated to Hernando County pursuant to Warranty Deed dated December 1, 2016, and recorded in O.R. Book 3420, Page 1410, of the public records of Hernando County).
- Access to townhomes and/or single-family patio homes shall be accommodated by a minimum 40' private right of way which shall be owned and maintained by the HOA and/or CDD. Such right of way shall meet the minimum county design standards to the maximum extent possible and be further reviewed administratively at the time of conditional plat.
  - Parking standards for townhomes and/or single-family patio homes shall exceed the Hernando County Land Development Code by providing a minimum of 100 additional guest parking spaces.
  - The HOA and/or CDD shall institute and enforce a strict towing policy to ensure that vehicles park only on one side of the street and/or at clearly marked locations that minimize roadway obstructions. Parking signage and/or striping shall be utilized to reduce the occurrences of towing.
- The petitioner shall provide recreation amenities for the townhomes, single family patio homes and apartments as appropriate to these development types. Such amenities shall be included on each proposed conditional plat and interconnected via pedestrian and bicycle facilities but shall not be located on the perimeter of the western boundary adjacent to existing residential lots.
  - 8-Foot multi-use trails shall be acceptable in lieu of the 5-Foot sidewalks required by the Hernando County Code of Ordinances. Such trails and/or sidewalk locations shall be included on each proposed conditional plat and be further reviewed administratively at that time.

## **LAND USE REVIEW**

The petitioner is proposing a mix of residential units, including multifamily, townhome and patio homes styles, with a maximum number of 432 total units for the development. The previously approved commercial intensity is not being changed; however, the petitioner is requesting an increase in the number of outparcels from six (6) to eight (8).

The site is being proposed as a mixed-use development with both commercial and residential uses. There are specific requirements for the residential and commercial portions of the site.

**RESIDENTIAL REQUIREMENTS****Townhome and Patio Home Setbacks, Lot Width and Sizes and Building Separations:**

The petitioner has proposed the following setbacks, lot coverage and lot dimension for the townhome and patio home designs.

<b>Unit Type/Setback</b>	<b>Townhome</b>	<b>Patio Home</b>
Front Setback	15' (Deviation from 25')	15' (Deviation from 25')
Side Setback	0/10' (Deviation from 10' internal)	0/5' (Deviation from 10')
Rear Setback	15' (Deviation from 20')	5' (Deviation from 20')
Lot Coverage	67% (Deviation from 25%)	67% (Deviation from 35%)
Minimum Lot Dimension	20*90	30*85

Additionally, the petitioner is proposing a 0' setback between commercial buildings, and a 20' setback between commercial and residential portions of the development.

**Multifamily Unit Parameters:**

The petitioner has proposed the following site layout criteria for the multifamily units:

<b>Building Setbacks</b>	20' to overall project boundary line 15' to tract or lot lines
<b>Density</b>	16.5 dwelling units/acre
<b>Lot Coverage</b>	35%

**Comments:** In addition to the parameters requested by the petitioner, the petitioner shall be limited to a building height of 35' within 100' of any single-family residential zoned property. All other multifamily buildings can be constructed to a maximum height of 3 stories. Buildings must maintain a minimum separation of 15'.

**Proposed Perimeter Setbacks:**

The petitioner has proposed the following perimeter setbacks for the subject site:

<b>Perimeter Setback</b>	<b>Setback Width</b>
North	20'
South (Elgin Boulevard)	75'
West (Braemere Drive)	10'
East (Barclay Avenue)	10'

**Buffers:**

The petitioner has proposed the following buffers for the subject site:

Buffer Location	Buffer Width
South (Along Elgin Boulevard)	25'
Side (Along Braemere Drive)	20'
Side (Along Barclay Avenue)	10'
North (Adjacent to Existing Residential)	10'
Internal	20'

**Comments:** In accordance with the previous approvals on the site, the entire 20' western buffer shall be natural vegetation and supplemented where necessary to achieve 80% opacity.

**Construction Buffer:**

To protect existing residential development immediately adjacent to the subject site, the petitioner shall provide a construction buffer along the western property line prior to any construction commencing on the site.

**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 shall provide a treed entranceway into the development; this entranceway must be shown on the master plan and conditional plat. Additionally, in accordance with the requirements of the County Engineer, the Multifamily development shall provide a boulevard entrance from Elgin into the residential area of the project.

**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:** If the approved, the petitioner shall provide appropriate recreation amenities for the townhomes and apartments. These amenities shall be specified at the time of site development/construction drawings for the site. Additionally, the site shall be designed to provide multipurpose pathways to integrate the neighborhood parks within the development and provide for bicycle/pedestrian access throughout neighborhood. The multipurpose pathways shall be a minimum of eight (8) feet wide with an appropriate landscape buffer on both sides based upon the scale and intensity of adjoining uses. These pathways shall incorporate pedestrian scale lighting and, where possible, take advantage of drainage features and other open space opportunities, incorporating pedestrian scale landscaping and seating areas.

**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.

**Comments:** No multipurpose pathways shall be placed within the vegetated buffers along the perimeter of the development or within those areas reserved for the preservation of natural vegetation.

**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.

**Parking**

The petitioner has proposed a minimum 100 on-street guest parking spaces, to be developed if town home and/or patio home units are constructed.

**Comments:** The applicant shall be required to provide adequate parking in accordance with the Land Development Regulations at the time of site plan approval. Holiday parking shall also be provided, which shall not be counted toward the minimum parking calculations.

**COMMERCIAL REQUIREMENTS:**

The development shall be constructed to the Large Retail Development Standards as approved in H-23-09 and restated below:

**Large Retail Development Standards:**

The subject development is proposed to have a maximum of 362,732 square feet of commercial uses and shall 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.

**Minimum County Required Sign Setbacks**

Sign Size	Setback Required
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

**COMPREHENSIVE PLAN REVIEW****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 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. The proposed master plan revision retains the consistency with the Comprehensive Plan and adds an additional housing type, patio homes, that is a moderately dense single-family product, consistent with the existing approvals within the development and maintaining overall consistency with the surrounding uses.

**FINDINGS OF FACT**

The request for a Master Plan Revision on Property Zoned Combined Planned Development Project including Multifamily and Specific C-2 uses and a Rezoning to include PDP(SF) Planned Development Project (Single Family) uses with deviations is appropriate based on the following conclusions:

1. The proposed use is consistent with the County's adopted Comprehensive Plan and compatible with 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**

Staff recommends 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 Combined Planned Development Project including Multifamily and Specific C-2 uses and a rezoning to include PDP(SF) Planned Development Project (Single Family) uses 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 development shall have no more than 432 residential dwelling units and up to 362,732 square feet of commercial uses.
3. The developer shall provide a construction buffer along the western property line adjacent to existing single-family residential zoning.
4. 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.
5. 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.
6. 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.
7. 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. This testing shall be completed after the burrow survey to avoid any further impact to the gopher tortoise habitat.
8. The development shall meet the natural vegetation area requirements of 2.44 acres per County LDR's.
9. No land uses prohibited in the Wellhead Protection Area Class 2 shall be permitted on this site.
10. A Traffic Access Analysis, Signal Warrant Analysis and a queue Stacking Study shall be required. This project may require improvements to the existing 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. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer.
11. The developer will complete a traffic study as approved by the county engineer to confirm the need for a boulevard entrance from Elgin into the residential area of the development.

12. The petitioner shall be required to provide interconnectivity and cross connection between outparcels, the cross connection will be private between developers and not open to the public.
13. Subject to the approval by the Hillside/point Grande apartments developer (H-22-27), the petitioner shall provide a Cross Access Agreement for all interconnections.
14. This development shall coordinate the dedication of land to facilitate the widening of Barclay Avenue (such land was dedicated to Hernando County pursuant to Warranty Deed dated December 1, 2016, and recorded in O.R. Book 3420, Page 1410, of the public records of Hernando County).
15. Access to townhomes and/or single-family patio homes shall be accommodated by a minimum 40' private right of way which shall be owned and maintained by the HOA and/or CDD. Such right of way shall meet the minimum county design standards to the maximum extent possible and be further reviewed administratively at the time of conditional plat.
16. Parking standards for townhomes and/or single-family patio homes shall exceed the Hernando County Land Development Code by providing a minimum of 100 additional guest parking spaces.
17. The HOA and/or CDD shall institute and enforce a strict towing policy to ensure that vehicles park only on one side of the street and/or at clearly marked locations that minimize roadway obstructions. Parking signage and/or striping shall be utilized to reduce the occurrences of towing.
18. The petitioner shall provide recreation amenities for the townhomes, single family patio homes and apartments as appropriate to these development types. Such amenities shall be included on each proposed conditional plat and interconnected via pedestrian and bicycle facilities but shall not be located on the perimeter of the western boundary adjacent to existing single family residential lots.
19. 8-Foot multi-use trails shall be acceptable in lieu of the 5-Foot sidewalks required by the Hernando County Code of Ordinances. Such trails and/or sidewalk locations shall be included on each proposed conditional plat and be further reviewed administratively at that time.
20. Proposed development must meet Hernando County Facility Design Guidelines and Southwest Florida Water Management District Environmental Resource Permit drainage design standards.
21. Single family patio homes shall include roof gutters that will be installed by the homebuilder.
22. The petitioner shall provide a fire protection plan at the time of conditional plat.
23. 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 Apartments Specific Requirements

- Building Separation: 15'
- Maximum Building Height: 3 Stories
- Building Setbacks: 20' to overall project boundary; 15' to tract or lot lines
- Building Coverage: 45% building area coverage for the residential acreage.

Multifamily apartments shall not exceed 312 units and shall only be permitted on the northeastern portion of the property as shown on the master plan.

#### Townhome Specific Requirements:

- Maximum Building Height within 100' of single-family residential zoned property: 35' (deviation from 20')
- Minimum Lot Dimensions: 20' x 90'
- Building Setbacks:
  - Front: 15'
  - Side: 0'/10'
  - Rear: 15' (5' Accessory)
- Building Coverage: 67% (deviation from 35%)

#### Single Family (Patio Home) Specific Requirements:

- Minimum Lot Dimensions: 30' x 85'
- Building Setbacks:
  - Front: 15'
  - Side: 0'/5'
  - Rear: 15' (5' Accessory)
- Building Coverage: 67% (deviation from 35%)

#### 24. Perimeter Landscape Buffers

- 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'

The entire buffer width shall be natural vegetation and supplemented where necessary to achieve 80% opacity. If supplementation is necessary, a revegetation plan must be provided at the time of construction drawings including a cross-section of proposed planting by vegetation type.

Internal Landscape Buffers

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

25. 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.
26. 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.
27. The development shall meet the minimum LDR design standards for Large Retail Development in Article III, Appendix A (Zoning)
28. All lighting shall be full cut-off fixtures to prevent any light spillage into neighboring parcels.
29. 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.
30. 8-Foot multi-use trails may be acceptable in lieu of the 5-Foot sidewalks required by the Hernando County Code of Ordinances as approved by the County Engineer. The petitioner shall coordinate with the Department of Public Works prior to the submittal of the conditional plat application and incorporate trails and/or sidewalk locations on the conditional plat.
31. 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. The general location of the transit stop shall be reflected on the conditional plat and construction drawings.
32. The mini warehouse/self-storage facility shall compliment the architectural elements of the proposed villas to the north. Architectural features shall be provided on all facades.

33. The petitioner shall provide a master plan in compliance with all performance conditions within 30 calendar days of receiving staff comments related to the county BOCC approval. Failure to submit the revised plan will result in no further development permits being issued.



**P&Z ACTION**

On May 12, 2025, the Planning and Zoning Commission voted 2-2 to deny the petitioner's request for a Master Plan Revision on Property Zoned Combined Planned Development Project including Multifamily and Specific C-2 uses and a rezoning to include PDP(SF) Planned Development Project (Single Family) uses with deviations.

**REVISED STAFF RECOMMENDATION**

At the Planning and Zoning Commission, significant discussion was had regarding the conditions of approval for the proposed master plan revision and revisions requested by the petitioner. As the Planning and Zoning Commission did not have a majority vote on the motion to deny the petition, staff is recommending the following action to the Board of County Commissioners. These conditions incorporate revisions proposed by Coastal Engineering and have been agreed upon by staff for presentation to the Board of County Commissioners:

Staff recommends 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 Combined Planned Development Project including Multifamily, General Commercial and Specific C-2 uses and a rezoning to include PDP(SF) Planned Development Project (Single Family) uses 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 development shall have no more than 432 residential dwelling units and up to 362,732 square feet of commercial uses.
3. The developer shall provide a construction buffer along the western property line adjacent to existing single-family residential zoning.
4. 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.
5. 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.
6. 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.
7. 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. This testing shall be completed after the burrow survey to avoid any further impact to the gopher tortoise habitat.

8. The development shall meet the natural vegetation area requirements of the Community Appearance Ordinance.
9. No land uses prohibited in the Wellhead Protection Area Class 2 shall be permitted on this site.
10. A Traffic Access Analysis, Signal Warrant Analysis and a queue Stacking Study shall be required. This project may require improvements to the existing 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. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer.
11. The developer will complete a traffic study as approved by the county engineer to confirm the need for a boulevard entrance from Elgin into the residential area of the development.
12. The petitioner shall be required to provide interconnectivity and cross connection between outparcels, the cross connection will be private between developers and not open to the public.
13. Subject to the approval by the Hillside/point Grande apartments developer (H-22-27), the petitioner shall provide a Cross Access Agreement for all interconnections.
14. This development shall coordinate the dedication of land to facilitate the widening of Barclay Avenue (such land was dedicated to Hernando County pursuant to Warranty Deed dated December 1, 2016, and recorded in O.R. Book 3420, Page 1410, of the public records of Hernando County).
15. Access to townhomes and/or single-family patio homes shall be accommodated by a minimum 40' private right of way which shall be owned and maintained by the HOA and/or CDD. Such right of way shall meet the minimum county design standards to the maximum extent possible and be further reviewed administratively at the time of conditional plat.
16. Parking standards for townhomes and/or single-family patio homes shall exceed the Hernando County Land Development Code by providing a minimum of 100 additional guest parking spaces.
17. The HOA and/or CDD shall institute and enforce a strict towing policy to ensure that vehicles park only on one side of the street and/or at clearly marked locations that minimize roadway obstructions. Parking signage and/or striping shall be utilized to reduce the occurrences of towing.
18. The petitioner shall provide recreation amenities for the townhomes, single family patio homes and apartments as appropriate to these development types. Such amenities shall be included on each proposed conditional plat and interconnected via pedestrian and bicycle facilities but shall not be located on the perimeter of the western boundary adjacent to existing single family residential lots.

19. Proposed development must meet Hernando County Facility Design Guidelines and Southwest Florida Water Management District Environmental Resource Permit drainage design standards.
20. Single family patio homes shall include roof gutters that will be installed by the homebuilder.
21. The petitioner shall provide a fire protection plan at the time of conditional plat.

22. Building Setbacks

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

Multifamily Apartments Specific Requirements

- Building Separation: 15'
- Maximum Building Height: 3 Stories
- Building Setbacks: 20' to overall project boundary; 15' to tract or lot lines
- Building Coverage: 45% building area coverage for the residential acreage.

Multifamily apartments shall not exceed 312 units and shall only be permitted on the northeastern portion of the property as shown on the master plan.

Townhome Specific Requirements:

- Maximum Building Height within 100' of single-family residential zoned property: 35' (deviation from 20')
- Minimum Lot Dimensions: 20' x 90'
- Building Setbacks:
  - Front: 15'
  - Side: 0'/10'
  - Rear: 15' (5' Accessory)
- Building Coverage: 67% (deviation from 35%)
- Front elevations of townhome buildings shall be designed and architecturally treated to diminish the overall view of the garage door from the street frontage. At least three (3) different architectural elements (as explained in the application narrative) shall be present on the front elevation of each townhome building facing the street. The Townhome elevations submitted with the application narrative are specifically approved.

Single Family (Patio Home) Specific Requirements:

- Maximum Building Height: 35'
- Minimum Lot Dimensions: 30' x 85'
- Building Setbacks:
  - Front: 15'

- Side: 0'/5'
- Rear: 15' (5' Accessory)
- Building Coverage: 67% (deviation from 35%)

**23. Perimeter Landscape Buffers**

- 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'

The entire buffer width shall be natural vegetation and supplemented where necessary to achieve 80% opacity. If supplementation is necessary, a revegetation plan must be provided at the time of construction drawings including a cross-section of proposed planting by vegetation type.

**Internal Landscape Buffers**

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

24. 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.
25. 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.
26. The development shall meet the minimum LDR design standards for Large Retail Development in Article III, Appendix A (Zoning)
27. All lighting shall be full cut-off fixtures to prevent any light spillage into neighboring parcels.
28. 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.

29. 8-Foot multi-use trails with sidewalks on one side of the street and crosswalks in appropriate locations may be acceptable in lieu of the 5-Foot sidewalks on both sides of the street required by the Hernando County Code of Ordinances as approved by the County Engineer. The petitioner shall coordinate with the Department of Public Works prior to the submittal of the conditional plat application and incorporate trails and/or sidewalk locations on the conditional plat.
30. The petitioner shall meet with the Transit Division prior to filing conditional plat to determine the need and demand for transit stop location(s) on site. The general location(s) of any transit stop location(s) shall be reflected on the conditional plat and construction drawings.
31. The mini warehouse/self-storage facility shall compliment the architectural elements of the proposed villas to the north. Architectural features shall be provided on all facades.
32. The petitioner shall provide a master plan in compliance with all performance conditions within 30 calendar days of receiving staff comments related to the county BOCC approval. Failure to submit the revised plan will result in no further development permits being issued.