

Robin Reinhart

From: George Angeliadis <george@lmdlawfirm.com>
Sent: Friday, July 28, 2023 3:54 PM
To: Robin Reinhart
Cc: Omar DePablo; Kandi McCorkel; Michelle Miller; Scott Herring; Tina R Duenninger; Kyle Benda; Jon Jouben; Todd Crosby; Michele Pruden; Elizabeth Narverud; John Allocco; Jerry Campbell; Steve Champion; Michele Pruden; Elizabeth Narverud; dwj@djohnstonlaw.com; Administration Resource Object
Subject: Re: Rezoning Case 21-67

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REQUEST FOR CONTINUANCE OF REZONING CASE 21-67 (Pinehurst/US 19/SH Drive Project)

Dear Board of County Commissioners,

As you will note from the email string below, I represent David and Brenda Rabbitt with regard to Rezoning Case 21-67, as Mr. McAteer is now employed by another county and could no longer serve as counsel in this matter.

I am writing to request a continuance of the hearing in the above Rezoning case which is currently scheduled for your August 8, 2023 Agenda. As you can see from the below emails, I have consistently been requesting updates from staff as to when the rescheduled hearing would take place. I have highlighted the relevant dates and sections.

As you will note, on June 30, 2023, I requested information as to whether a re-hearing had been scheduled in this matter. On the same date, I was advised by staff that the matter was “tentatively” scheduled for **August 15, 2023**. Having not received a formal response to whether the hearing was still tentative, on July 26, 2023, I again asked if the hearing date was finalized. On July 27, 2023, I was informed that the hearing date was confirmed for **August 8, 2023**.

I promptly advised staff that I had a conflict on August 8, 2023 in the form of an evidentiary hearing before Circuit Judge Daniel Diskey in Pasco County, Florida. This hearing cannot be reset. I was informed that any request for a continuance should be in writing and that the BOCC would make the determination as to whether a continuance should be granted.

Again, this request is not made for the purpose of delay. The last time this matter was addressed by the BOCC was more than a year ago on April 12, 2022. This delay is not the result of any actions by my client. I have consistently been requesting information (and Mr. McAteer before me) on when the re-hearing of this matter would take place. There will be no prejudice to the applicant for continuing this matter a short period of time under these circumstances; however, my client will suffer extreme prejudice if they are not able to have counsel present to represent them at the re-hearing. Additionally, I have requested certain public records and communications in an effort to prepare for this matter which have not been received to date. Finally, as you are aware, the last hearing was well attended by concerned citizens that reside in the area affected by the petition. Providing these citizens with only ten days notice of this very important hearing may create a hardship for citizens that may have conflicts on such short notice.

To summarize my position, I was originally notified by staff that the hearing was “tentatively” scheduled for the August 15, 2023 Agenda. Had I been notified that the hearing was actually being considered for August 8, 2023, I would have been able to raise my conflict with that date much sooner, so that alternative dates would be agreed to prior to notices going out. I was not notified until July 27, 2023...after months of requests for updates on when the re-hearing would take place, that the matter was no longer “tentative” and would happen on a different date than originally

discussed. Therefore, for the reasons stated above, I would respectfully request that this matter be reset for one of the BOCC meetings taking place on 8/22 (as it does not appear that there is actually a calendared meeting on 8/15), 9/12 or 9/26.

I would appreciate a decision on this matter as soon as possible, so that I may plan accordingly. As a reminder, if responding to staff via email with your position on my request, please do not hit "reply all"

Thank you for your time and attention to this matter.

Respectfully, George Angeliadis



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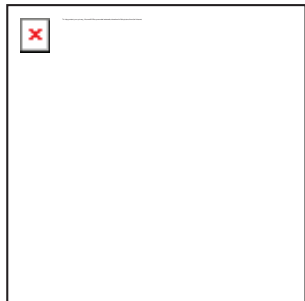
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George Angeliadis, Esq.

Attorney

Lucas, Macyszyn & Dyer Law Firm

Mailing Address:

9020 Rancho Del Rio Drive

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727.849.5353

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From: Robin Reinhart <RReinhart@co.hernando.fl.us>

Date: Thursday, July 27, 2023 at 8:30 AM

To: George Angeliadis <george@lmdlawfirm.com>

Cc: Omar DePablo <ODePablo@hernandocounty.us>, Kandi McCorkel <KMcCorkel@co.hernando.fl.us>, Michelle Miller <MLMiller@co.hernando.fl.us>, Scott Herring <SHerring@co.hernando.fl.us>, Tina R Duenninger <TRDuenninger@hernandocounty.us>, Kyle Benda <KBenda@co.hernando.fl.us>, Jon Jouben <JJouben@co.hernando.fl.us>, Todd Crosby <TCrosby@co.hernando.fl.us>, Michele Pruden <michele@lmdlawfirm.com>, Michelle Miller <MLMiller@co.hernando.fl.us>

Subject: FW: Rezoning Case 21-67

To confirm the BOCC meeting is currently set for August 8, 2023, I am attaching the staff report, master plan revision, and traffic study.

Michelle and I have spoken this morning, she has asked that you provide a written request for continuance. The agenda has already been finalized, as well as the county's responsibility to advertise the item 10 days prior to the Board of County Commissioner Meeting. It is up to the Board of County Commissioners to decide to hear the item or grant your request for continuance.

Should you need additional assistance please do not hesitate to contact the office.



Robin Reinhart | Agenda Coordinator

Planning Division | Development Services Department

1653 Blaise Dr., Brooksville, FL 34601

Phone: (352) 754-4057 ext. 28011

Fax: (352)754-4420

Email: rreinhart@hernandocounty.us

Website: <https://www.hernandocounty.us/zoning>

Office Hours: Monday-Friday, 7:30 AM – 4:00 PM

From: George Angeliadis <george@lmdlawfirm.com>

Sent: Wednesday, July 26, 2023 11:48 AM

To: Omar DePablo <ODePablo@hernandocounty.us>; Kandi McCorkel <KMcCorkel@co.hernando.fl.us>; Michelle Miller <MLMiller@co.hernando.fl.us>; Scott Herring <SHerring@co.hernando.fl.us>; Tina R Duenninger <TRDuenninger@hernandocounty.us>

Cc: Kyle Benda <KBenda@co.hernando.fl.us>; Jon Jouben <JJouben@co.hernando.fl.us>; Todd Crosby <TCrosby@co.hernando.fl.us>; Michele Pruden <michele@lmdlawfirm.com>

Subject: Re: Rezoning Case 21-67

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Good morning, Mr. DePablo. Is this meeting still tentative, or is it confirmed as an actual agenda item that will be heard on 8/15?

Please let me know. Also, can you please let me know if the documents/communications I previously requested are available?

Good morning. Thank you and your client for your patience during this process. **The application is now tentatively scheduled for the August 15, 2023, BOCC hearing.** Staff is finalizing some items prior to preparing the agenda item for the BOCC. Should you have any questions feel free to email me directly. Have a great weekend.



Omar DePablo
Senior Planner | Planning Division
Hernando County Development Services Department
1653 Blaise Drive, Brooksville, FL 34601
Phone: (352) 754-4057 ext. 28028
Fax: (352) 754-4420
Email: odepablo@hernandocounty.us
Website: <http://www.hernandocounty.us/plan>



Please consider the environment before printing my e-mail.

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From: George Angeliadis <george@lmdlawfirm.com>
Sent: Friday, June 30, 2023 10:12 AM
To: Kandi McCorkel <KMccorkel@co.hernando.fl.us>; Michelle Miller <MLMiller@co.hernando.fl.us>; Scott Herring <SHerring@co.hernando.fl.us>; Tina R Duenninger <TRDuenninger@hernandocounty.us>
Cc: Kyle Benda <KBenda@co.hernando.fl.us>; Jon Jouben <JJouben@co.hernando.fl.us>; Omar DePablo <ODePablo@hernandocounty.us>; Todd Crosby <TCrosby@co.hernando.fl.us>
Subject: Re: Rezoning Case 21-67

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Good morning, Kandi. **Can you please provide me with an update on this project and whether a hearing has been scheduled?**

Additionally, please provide me with any written communications between and among any Hernando County staff on this project since the most recent traffic study was submitted; between staff and the applicant; and or between staff and Darryl Johnston.

I am glad to pay for any costs associated with the compilation and/or duplication of these documents.

Thank you, George



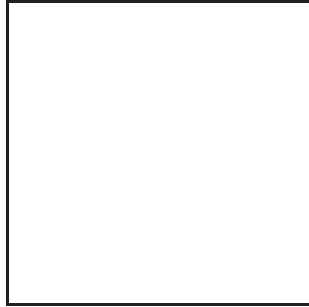
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George Angeliadis, Esq.

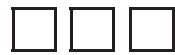
Attorney

Lucas, Macyszyn & Dyer Law Firm

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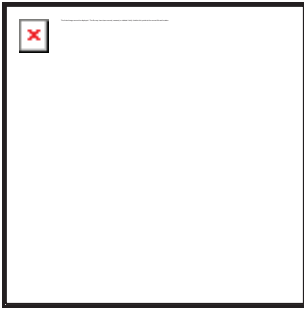
From: Kandi McCorkel <KMCCorkel@co.hernando.fl.us>
Date: Thursday, May 11, 2023 at 11:58 AM
To: George Angeliadis <george@lmdlawfirm.com>, Michelle Miller <MLMiller@co.hernando.fl.us>, Scott Herring <SHerring@co.hernando.fl.us>, Tina R Duenninger <TRDuenninger@hernandocounty.us>
Cc: Kyle Benda <KBenda@co.hernando.fl.us>, Jon Jouben <JJouben@co.hernando.fl.us>, Omar DePablo <ODePablo@hernandocounty.us>, Todd Crosby <TCrosby@co.hernando.fl.us>
Subject: RE: Rezoning Case 21-67

Good Morning George,
I am not aware of any new information or scheduling for this project since our last communication.

Michelle/Planning may be better able to advise of any actions pertaining to.

Thank you.

Kandi McCorkel
Engineering Development Coordinator
Hernando County Department of Public Works
1525 East Jefferson St. Brooksville, FL 34601
Office: 352-754-4062 ext 17030
Direct: 352-754-4826



George Angeliadis, Esq.

Attorney

Lucas, Macyszyn & Dyer Law Firm

Mail to: 8606 Government Drive New Port Richey, FL 34654

727.849.5353

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From: Kandi McCorkel <KMccorkel@co.hernando.fl.us>

Date: Tuesday, April 25, 2023 at 10:33 AM

To: Michelle Miller <MLMiller@co.hernando.fl.us>, George Angeliadis <george@lmdlawfirm.com>, Scott Herring <SHerring@co.hernando.fl.us>, Tina R Duenninger <TRDuenninger@hernandocounty.us>

Cc: Kyle Benda <KBenda@co.hernando.fl.us>, Jon Jouben <JJouben@co.hernando.fl.us>, Omar DePablo <ODEpablo@hernandocounty.us>, Todd Crosby <TCrosby@co.hernando.fl.us>

Subject: RE: Rezoning Case 21-67

Good Morning,

The Transportation Analysis has been completed, see attached acceptance letter.

Thank you.

Kandi McCorkel
Engineering Development Coordinator
Hernando County Department of Public Works
1525 East Jefferson St. Brooksville, FL 34601
Office: 352-754-4062 ext 17030
Direct: 352-754-4826
Email: KMccorkel@co.hernando.fl.us
Website: [Public Works](#) | [Hernando County, FL](#)



Hernando County Facility Design Guidelines can be found online at:

<http://www.hernandocounty.us/departments/departments-n-z/public-works/facility-design-guidelines>

From: Michelle Miller <MLMiller@co.hernando.fl.us>

Sent: Tuesday, April 25, 2023 9:20 AM

To: George Angeliadis <george@lmdlawfirm.com>; Kandi McCorkel <KMcCorkel@co.hernando.fl.us>; Scott Herring <SHerring@co.hernando.fl.us>; Tina R Duenninger <TRDuenninger@hernandocounty.us>

Cc: Kyle Benda <KBenda@co.hernando.fl.us>; Jon Jouben <JJouben@co.hernando.fl.us>; Omar DePablo <ODePablo@hernandocounty.us>; Derrill McAteer <derrill@mcateerlawfl.com>; Todd Crosby <TCrosby@co.hernando.fl.us>

Subject: RE: Rezoning Case 21-67

Good morning,

The County will not schedule hearings on this matter until the review of the traffic analysis is complete.

Thanks,

Michelle



Michelle L. Miller, M.S. | Planning Administrator

Planning and Zoning Division | Development Services Department

1653 Blaise Drive, Brooksville, FL 34601

Phone: (352) 754-4057 ext. 28027 | **Fax:** (352) 754-4420

Email: mlmiller@hernandocounty.us

Website: <http://www.hernandocounty.us/plan>

Office Hours: Monday-Friday, 7:30 AM – 4:00 PM; Lobby Closes at 3:30 PM

From: George Angeliadis <george@lmdlawfirm.com>

Sent: Monday, April 17, 2023 4:03 PM

To: Kandi McCorkel <KMcCorkel@co.hernando.fl.us>; Scott Herring <SHerring@co.hernando.fl.us>; Tina R Duenninger <TRDuenninger@hernandocounty.us>

Cc: Kyle Benda <KBenda@co.hernando.fl.us>; Jon Jouben <JJouben@co.hernando.fl.us>; Omar DePablo <ODePablo@hernandocounty.us>; Derrill McAteer <derrill@mcateerlawfl.com>; Todd Crosby <TCrosby@co.hernando.fl.us>

Subject: Re: Rezoning Case 21-67

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Thank you for this information. Is this matter currently scheduled for any hearings before Zoning or the BOCC?

Please advise. Thanks again, George

Revised analysis received 4/6/23, see 2nd attachment.

Review of the revised analysis has not been completed at this time.

Thank you.

Kandi McCorkel
Engineering Development Coordinator
Hernando County Department of Public Works
1525 East Jefferson St. Brooksville, FL 34601
Office: 352-754-4062 ext 17030
Direct: 352-754-4826
Email: KMcCorkel@co.hernando.fl.us
Website: [Public Works | Hernando County, FL](#)



Hernando County Facility Design Guidelines can be found online at:

<http://www.hernandocounty.us/departments/departments-n-z/public-works/facility-design-guidelines>

From: George Angeliadis <george@lmdlawfirm.com>

Sent: Thursday, April 13, 2023 11:34 PM

To: Scott Herring <SHerring@co.hernando.fl.us>; Kandi McCorkel <KMcCorkel@co.hernando.fl.us>; Tina R Duenninger <TRDuenninger@hernandocounty.us>

Cc: Kyle Benda <KBenda@co.hernando.fl.us>; Jon Jouben <JJouben@co.hernando.fl.us>; Jon Jouben <JJouben@co.hernando.fl.us>; Omar DePablo <ODEpablo@hernandocounty.us>; Derrill McAteer <derrill@mcateerlawfl.com>

Subject: Rezoning Case 21-67

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Good morning,

Please allow this correspondence to advise you that my firm has taken over the representation of the Rabbitt's with regard to the above application, as Mr. McAteer is now employed with another agency. Please forward any information, materials and/or responses to me regarding this matter moving forward.

With regard to the application, I would like to know whether the applicant has provided any further information/response to Mr. McAteer's email of March 9, 2023, or to Hernando County's comment/inquiry number three (3) regarding the stacking or queing of traffinc on Pinehurst approaching SH Drive due to the applicant's requested exits from the development proposed in its application. Please also provide any revised traffic studies/comments submitted since Mr. McAteer's last inquiry.

