



STAFF REPORT

HEARINGS: Planning & Zoning Commission: October 13, 2025
Board of County Commissioners: December 2, 2025

APPLICANT: David Kato, D.R Horton

FILE NUMBER: H-25-31

REQUEST: Rezoning from PDP(SU) Planned Development Project (Special Use) namely as Landscape to PDP(SF) Planned Development Project (Single Family)

GENERAL LOCATION: Bounded by Waterfall Drive and Eden Circle

PARCEL KEY NUMBERS: 412388

APPLICANT'S REQUEST:

The applicant is requesting a rezoning from PDP(SU) Landscape/Planned Development Project (Special Use) to PDP(SF)/Planned Development Project (Single Family) to construct one (1) single family home on the 0.4863-acre subject site. The lot is 27,179 square feet. The site was previously designated as landscape on the original Spring Hill Master Plan.

The petitioner has indicated the use of an individual advanced sewage systems for the lot in accordance with Section 28-99 of the Hernando County Code of Ordinances. The petitioner's proposed minimum lot size is 21,179 square feet. The proposed lot sizes comply with the minimum code criteria based upon the total acreage and average lot size based upon an additional restriction placed upon proposed Tract. This proposed lot is similar in size to other residential lots in the area, which are served by standard septic tanks.

SITE CHARACTERISTICS:

Site Size: 0.4863 acres

Surrounding Zoning;
Land Uses: North: PDP(SF); Single Family
South: PDP(SF); Single Family
East: PDP(SF); Single Family
West: PDP(SF); Single Family

Current Zoning: PDP(SU); Planned Development Project (Special Use)

Future Land Use Map Designation: Residential

ENVIRONMENTAL REVIEW:

Soil Type: Candler Fine Sand

UTILITIES REVIEW:

Hernando County Utilities Department (HCUD) does not currently supply water or wastewater service to this parcel. Water service is available, wastewater is unavailable to this parcel. HCUD has no objection to the zoning change from PDP(SU) to PDP(SF) to allow the construction of a single-family residence, subject to Health Department approval of an appropriate Onsite Sewage Treatment and Disposal System for the residence, and connection to the central water system at time of site development.

ENGINEERING REVIEW:

The subject site is Bounded by Waterfall Drive and Eden Circle.

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

- Development shall follow all required land development permitting requirements.
- The subject site may require a replat prior to development, as the parcel is indicated as Tract F of Spring Hill Unit 6.

LAND USE REVIEW:**Lot Sizes and Layout**

Minimum Building Setbacks:

Front: 25'

Side: 10'

Rear: 20'

The Hernando County Code of Ordinances, Section 28-99 – Restrictions as to number of systems per lot provides the regulatory framework for new residential developments utilizing septic tanks for wastewater disposal:

Sec. 28-99. - Restrictions as to number of systems per lot.

- a. In residential developments where a central water supply system is utilized, a maximum of one individual sewage disposal system per twenty-one thousand five hundred (21,500) square foot lot is allowed.
- b. In residential developments where individual wells are utilized, a maximum of one individual sewage disposal system per each one (1) acre lot is allowed.
- c. In planned development projects on a central water supply, the minimum lot size requirements per individual sewage disposal may be modified provided the overall density of the project does not exceed one (1) septic tank per twenty-one thousand five hundred (21,500) square feet and is subject to approval by the county planning and zoning commission.

COMPREHENSIVE PLAN REVIEW:**Future Land Use Element****Strategy 1.04A(3):**

The **Residential Category** accommodates residential growth clustered in and around urbanized areas and those areas that maximize the efficient use of infrastructure contained in long-range facilities plans of the County.

Residential Category**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(2):

Future residential development will be planned to locate where the Residential Category predominates on the Future Land Use Map as determined by the availability of facilities and services, the need to accommodate future growth, the strategies to discourage the proliferation of urban sprawl, and the impacts to natural resources, including groundwater.

Single-Family Housing**Strategy 1.04B(3):**

The Residential Category will include zoning for single-family housing, generally averaging a density of 1.5 dwelling units per gross acre to 5.3 dwelling units per gross acre comprised of varying lot sizes and dwelling unit types such as senior housing, villa housing, single family detached housing, and zero lot line housing.

Utilities Element**Wastewater Treatment Advancements****Strategy 6.03E(2):**

The County should consider methods to alleviate nutrient pollution from septic tanks including connection to central systems and the appropriate use of advanced on-site systems for single or multiple lots.

FINDINGS OF FACT:

A rezoning from PDP (SU/Planned Development Project (Special Use) to PDP(SF) Planned Development Project (Single Family) is appropriate based on consistency with the Comprehensive Plan and compatibility with the surrounding areas.

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's 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 to rezone a property zoned PDP(SU) Planned Development Project (Special Use) Landscape to PDP(SF) Planned Development Project (Single Family) 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. Minimum Building Setbacks:
Front: 25'
Side: 10'
Rear: 20'
3. Obtain Health Department approval of an appropriate Onsite Sewage Treatment and Disposal System for the residence, and connection to the central water system at time of site development.
4. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of receipt of the Board of County Commissioners action from Development Services staff. Failure to submit the revised plan will result in no further development permits being issued.

PLANNING AND ZONING RECOMMENDATION

On October 13, 2025, the Planning and Zoning Commission voted 5-0 to deny the petitioner's request for a rezoning from PDP(SU) Planned Development Project (Special Use) Landscape to PDP(SF) Planned Development Project (Single Family) based on lack of compatibility with surrounding uses and the petitioner's lack of attendance at the meeting.