# Hernando County

# Planning & Zoning Commission

**Regular Meeting**

**Minutes**

**October 9, 2023**

## CALL TO ORDER

The public meeting was called to order at 9:00 AM on Monday, October 9, 2023, in the John Law Ayers Room, Government Center, Brooksville, Florida. This meeting was advertised in the Hernando Sun newspaper and the Agenda Packet was available online at www.hernandocounty.us.

| Attendee Name | Title |
|---|---|
| Jonathan McDonald | Chairman |
| W. Steve Hickey | Vice Chairman |
| Donald Whiting | Regular Member |
| Nicholas Holmes | Regular Member |
| Gregory Arflack | Alternate Member |
| James Lipsey | Ex Officio Non-voting Member (School Board Representative) |
| Kyle Benda | Assistant County Attorney |
| Michelle Miller | Planning Administrator |
| Omar DePablo | Senior Planner |
| Scott Herring | Public Works Director/County Engineer |
| Robin Reinhart | Agenda Coordinator |

Member Kathryn Birren was not present for the meeting.

### Invocation

### Pledge of Allegiance

### Poll Commission for Ex Parte Communications

Chairman McDonald, Vice Chairman Hickey, Alternate Member Arflak, and Member Whiting announced that they had had no ex parte communications concerning the quasi-judicial petitions being considered at this meeting.

Member Holmes announced the ex parte communications that he had had concerning the quasi-judicial petitions being considered at this meeting.

### County Attorney Statement

Assistant County Attorney Benda provided the standard admonition that the Planning and Zoning Commission decisions were to be based only on the evidence presented in the quasi-judicial proceedings.

### Administering of the Oath

## STAFF ANNOUNCEMENTS

Planning Administrator, Michelle Miller, announced Item No. 12900 [Conditional Use Permit Petition Submitted by Frances M Cain/POA c/o Karen S Durand (CU2311)] will need to be pulled for postponement.

## APPROVAL/MODIFICATION OF AGENDA

**Motion**
To approve the Agenda.

| | |
|---|---|
| **RESULT:** | **ADOPTED** |
| **MOVER:** | W. Steven Hickey |
| **SECONDER:** | Gregory Arflack |
| **AYES:** | McDonald, Hickey, Arflack, Holmes and Whiting |
| **ABSENT:** | Birren |

## ADOPTION OF INFORMATION PACKETS INTO EVIDENCE

**Motion**
To adopt the Information packets into evidence.

| | |
|---|---|
| **RESULT:** | **ADOPTED** |
| **MOVER:** | W. Steven Hickey |
| **SECONDER:** | Gregory Arflack |
| **AYES:** | McDonald, Hickey, Arflack, Holmes and Whiting |
| **ABSENT:** | Birren |

## PUBLIC HEARINGS

## UNIFIED AGENDA

**Chairman's Statement**

**Introduction of the Unified Agenda**

**Approval of Revised Minutes for the Planning and Zoning Commission Meeting of May 8, 2023**

**CP 1447117 Barclay Townhomes**

**CP 1460797 Centralia**

**CP 1455941 Waterford Overall**

**Conditional Use Permit Petition Submitted by Pamela J Merrill (CU2309)**

**Conditional Use Permit Petition Submitted by Madeline & Thomas Crouch (CU2310)**

**Conditional Use Permit Petition Submitted by Frances M Cain / POA c/o Karen S Durand (CU2311)**

**Conditional Use Permit Petition Submitted by Timothy & Judy Gunsteens (CU2312)**

This item was pulled and voted on separately.

**Special Exception Use Permit Petition Submitted by Mother Mary Theresa, Sisters of Sr Thomas, Aquinas (SE2304)**

**Approval of Unified Agenda**

**Motion**
To approve the Unified Agenda, postponing agenda item 12900 [Conditional Use Permit Petition Submitted by Frances M Case (CU2311) and pulling agenda item 12901 [Conditional Permit Petition Submitted by Timothy & Judy Gunsteens (CU2312)]

| | |
|---|---|
| **RESULT:** | **ADOPTED** |
| **MOVER:** | W. Steven Hickey |
| **SECONDER:** | Donald Whiting |
| **AYES:** | McDonald, Hickey, Arflack, Holmes and Whiting |
| **ABSENT:** | Birren |

## STANDARD AGENDA

**Conditional Use Permit Petition Submitted by Timothy & Judy Gunsteens (CU2312)**

The Board accepted public input on this matter.

**Motion**
To approve the staff recommendation.

| | |
|---|---|
| **RESULT:** | **ADOPTED** |
| **MOVER:** | Donald Whiting |
| **SECONDER:** | Gregory Arflack |
| **AYES:** | McDonald, Hickey, Arflack, Holmes and Whiting |
| **ABSENT:** | Birren |

## RECESS/RECONVENE

The Board recessed at 9:15 am and reconvened at 9:20 am.

**Rezoning Petition Submitted by M. Daniels Construction (H2263)**

There was no public input.

**Motion**
To approve the staff recommendation with modifications.

(Note: The motion pertained to Modified Performance Condition Nos. 7 and 11 as approved by the Planning Department).

| | |
|---|---|
| **RESULT:** | **ADOPTED** |
| **MOVER:** | Nicholas Holmes |
| **SECONDER:** | Gregory Arflack |
| **AYES:** | McDonald, Hickey, Arflack, Holmes and Whiting |
| **ABSENT:** | Birren |

**Rezoning Petition Submitted by Otis J Green III(H2332)**

The Board accepted public input on this matter.

**Motion**
To approve the staff recommendation.

| | |
|---|---|
| **RESULT:** | **ADOPTED** |
| **MOVER:** | W. Steven Hickey |
| **SECONDER:** | Gregory Arflack |
| **AYES:** | McDonald, Hickey, Arflack, Holmes and Whiting |
| **ABSENT:** | Birren |

**Rezoning Petition Submitted by Lee Pedone (H2333)**

The Board accepted public input on this matter.

**Motion**
To approve the staff recommendation.

| | |
|---|---|
| **RESULT:** | **ADOPTED** |
| **MOVER:** | Donald Whiting |
| **SECONDER:** | W. Steven Hickey |
| **AYES:** | McDonald, Hickey, Arflack, Holmes and Whiting |
| **ABSENT:** | Birren |

**Rezoning Petition Submitted by Tires Unlimited & Service, LLC (H2334)**

The Board accepted public input on this matter.

**Motion**
To approve the staff recommendation with modifications.

(Note: The motion pertained to Modified Performance Condition No. 5 as approved by the Planning Department).

| | |
|---|---|
| **RESULT:** | **ADOPTED** |
| **MOVER:** | Nicholas Holmes |
| **SECONDER:** | W. Steven Hickey |
| **AYES:** | McDonald, Hickey, Arflack, Holmes and Whiting |
| **ABSENT:** | Birren |

**PSFOD (Public Service Facility Overlay District) Revision Submitted by American Tower Corporation (H2337)**

There was no public input.

**Motion**
To approve the staff recommendations.

| | |
|---|---|
| **RESULT:** | **ADOPTED** |
| **MOVER:** | W. Steven Hickey |
| **SECONDER:** | Nicholas Holmes |
| **AYES:** | McDonald, Hickey, Arflack, Holmes and Whiting |
| **ABSENT:** | Birren |

**Comprehensive Plan Amendment Petition Submitted by Raysor Ventures, LLC (CPAM2302)**

The Board accepted public input on this matter.

**Motion**
To approve the staff recommendation.

| | |
|---|---|
| **RESULT:** | **ADOPTED** |
| **MOVER:** | Nicholas Holmes |
| **SECONDER:** | W. Steven Hickey |
| **AYES:** | McDonald, Hickey, Arflack, Holmes and Whiting |
| **ABSENT:** | Birren |

**Rezoning Petition Submitted by Raysor Ventures, LLC (H2336)**

The Board accepted public input on this matter.

**Motion**
To approve the staff recommendation.

| | |
|---|---|
| **RESULT:** | **ADOPTED** |
| **MOVER:** | Nicholas Holmes |
| **SECONDER:** | Donald Whiting |
| **AYES:** | McDonald, Hickey, Arflack, Holmes and Whiting |
| **ABSENT:** | Birren |

## COMMISSIONERS AND STAFF ISSUES

The Board and Staff commented on various issues.

## ADJOURNMENT

The meeting was adjourned at 11:15 a.m.

## UPCOMING MEETINGS

The next regular meeting of the Planning and Zoning Commission is scheduled for Monday, November 13, 2023, beginning at 9:00 AM, in the Commission Chambers

**Planning & Zoning Commission**

# AGENDA ITEM

Meeting: 10/09/2023
Department: Planning
Prepared By: Robin Reinhart
Initiator: Michelle Miller
DOC ID: 12903
Legal Request Number:
Bid/Contract Number:

## TITLE
Approval of Revised Minutes for the Planning and Zoning Commission Meeting of May 8, 2023

## BRIEF OVERVIEW
The attached minutes for the Planning and Zoning Commission Meeting of May 8, 2023, are submitted for review and approval.

## FINANCIAL IMPACT
N/A

## LEGAL NOTE
N/A

## RECOMMENDATION
It is recommended that the Planning and Zoning Commission review the Minutes of the Meeting of May 8, 2023 and consider them for approval.

## REVIEW PROCESS

| | | |
|---|---|---|
| Omar DePablo | Approved | 09/28/2023 12:15 PM |
| Michelle Miller | Approved | 09/29/2023 2:11 PM |
| Kyle Benda | Approved | 09/29/2023 9:26 PM |

**MOVER:** W. Steven Hickey
**SECONDER:** Donald Whiting

# Hernando County

# Planning & Zoning Commission

**Regular Meeting**

**Minutes**

**May 8, 2023**

**THE MEETING AGENDA AND BACK-UP MATERIAL ARE AVAILABLE ONLINE AT WWW.HERNANDOCOUNTY.US. THE AGENDA AND ATTACHMENTS ARE FINALIZED ONE WEEK PRIOR TO THE HEARING.**

**IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS WITH DISABILITIES NEEDING A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT JESSICA WRIGHT, HERNANDO COUNTY ADMINISTRATION, 15470 FLIGHT PATH DRIVE, BROOKSVILLE, FL 34604, (352) 754-4002. IF HEARING IMPAIRED, PLEASE CALL 1-800-676-3777.**

**IF A PERSON DECIDES TO APPEAL ANY QUASI-JUDICIAL DECISION MADE BY THE BOARD, AGENCY, OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH HEARING OR MEETING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDING, AND THAT, FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.**

**PLEASE NOTE THAT THIS MEETING HAS A START TIME OF 9:00 AM AND ALL ITEMS MAY BE HEARD ANY TIME THERE AFTER.**

Invocation

MEETING CALLED TO ORDER

The public meeting was called to order at 9:00 AM on Monday, May 8, 2023, in the John Law Ayers Room, Government Center, Brooksville, Florida. This meeting was advertised in the Hernando Sun newspaper and the agenda packet was available on-line at www.hernandocounty.us.

| Attendee Name | Title |
|---|---|
| Jonathan McDonald | Chairman |
| Kathryn Birren | Regular Member |
| Donald Whiting | Regular Member |
| Nicholas Holmes | Regular Member |
| Michelle Miller | Planning Administrator |

| | |
|---|---|
| Kyle Benda | Assistant Couny Attorney |
| Robin Reinhart | Agenda Coordinator |

Pledge of Allegiance

Poll Commission for Ex Parte Communications

The Commission members indicated they had no ex parte communications concerning the petitions being considered at this meeting.

County Attorney Statement

Assistant County Attorney Kyle Benda provided the standard admonition that the Planning and Zoning Commission decisions were to be based only on the evidence presented in the quasi-judicial proceedings.

Administering of the Oath

## STAFF ANNOUNCEMENTS

Mrs. Miller advised Mr. Lipsey is not present as none of the items on the agenda need School Board assistance.

## APPROVAL/MODIFICATION OF AGENDA (Limited to Staff & Commission

A motion was made to approve the agenda as written. The motion carried 5-0.

**Motion**
C. APPROVAL/MODIFICATION OF AGENDA (Limited to Staff & Commission

| | |
|---|---|
| **RESULT:** | **ADOPTED** |
| **MOVER:** | Kathryn Birren |
| **SECONDER:** | Donald Whiting |
| | McDonald, Birren, Holmes and Whiting |

## ADOPTION OF THE INFORMATION PACKETS INTO EVIDENCE

The agenda packet that was submitted to the P&Z included written information regarding all cases to be considered which needed to be accepted into evidence for the hearing.

The staff recommended the P&Z accept the agenda packet, including the staff reports, into evidence as if read aloud in their entirety.

**Motion**
D. ADOPTION OF THE INFORMATION PACKETS INTO EVIDENCE

| | |
|---|---|
| **RESULT:** | **ADOPTED** |
| **MOVER:** | Nicholas Holmes |
| **SECONDER:** | Kathryn Birren |
| | McDonald, Birren, Holmes and Whiting |

## PUBLIC HEARINGS

## UNIFIED AGENDA

A motion was made to Approve the Unified Agenda with staff recommendations.

**Approval of Minutes for the Planning and Zoning Commission Meeting of January 09, 2023.**

**Approval of Minutes for the Planning and Zoning Commission Meeting of February 13, 2023.**

**CU-22-13 - Gilles Pierce: Conditional Use Permit for a Temporary Security Residence**

**CU-23-02 - Penny J Johnson: Conditional Use Permit for Temporary Security Residence and a Temporary Storage Shed**

**CU-23-03 - Robert V Perry: Conditional Use Permit for Second Residence**

Public Comment:

**CU-23-04 - Jason Tippin: Renewal of a Conditional Use Permit for a Second Residence**

Megan Sanborn, under oath, spoke against the Petition for a second residence.

Detective Jason Tippin, under oath, spoke in response to public comment.

Assistant County Attorney Kyle Benda spoke on behalf of the law with Unified Agendas.

**SE-23-01 - Timothy Mullins and Debra Mullins: Revision to a Special Exception Use Permit for Community Residential Home, namely an Assisted Living Facility**

## LEGISLATIVE AGENDA

## STANDARD AGENDA (BOARD SITTING IN ITS QUASI-JUDICIAL CAPACITY)

**H-23-07 - A. Ventimiglia, Angelo Scarfo: Rezoning from R-1B (Residential) to R-1A (Residential)**

Mrs. Miller introduced the petition, and ran the overhead projector to show location of the subject parcel.

Angelo Cravotta, representing the petitioner, under oath, on behalf of the petitioner.

No Public comment.

Commissioners had no questions for the petitioner.

**Motion**
A motion was made to recommend the Board of County Commissioners adopt the resolution approving the petitioner's request.

## COMMISSIONERS AND STAFF ISSUES

## ADJOURNMENT

The meeting was adjourned at 10:55 P.M.

**Motion**
Motion to adjourn 10:00

## UPCOMING MEETINGS

**The next regular meeting of the Planning and Zoning Commission is scheduled for Monday, June 12, 2023, beginning at 9:00 AM, in the Commission Chambers**

Meeting: 10/09/2023
Department: Planning
Prepared By: Alaina Kidd
Initiator: Michelle Miller
DOC ID: 12885
Legal Request Number:
Bid/Contract Number:

## TITLE
CP 1447117 Barclay Townhomes

## BRIEF OVERVIEW
Conditional Plat approval for Barclay Townhomes

## FINANCIAL IMPACT
No financial impact

## LEGAL NOTE
The Planning and Zoning Commission has the authority to review this item in accordance with Chapter 26 (Subdivision Regulations), Article II (Procedures for County review and approval), Section 26-21 (procedure for conditional approval of a conditional plat) of the Hernando County Code of Ordinances.

## RECOMMENDATION
Barclay Townhomes with performance conditions.

## REVIEW PROCESS

| | | |
|---|---|---|
| Cayce Dagenhart | Approved | 09/28/2023 9:17 AM |
| Omar DePablo | Approved | 09/28/2023 11:59 AM |
| Michelle Miller | Approved | 09/29/2023 2:11 PM |
| Kyle Benda | Approved | 09/29/2023 9:26 PM |

# STAFF REPORT

| | |
|---|---|
| **HEARINGS:** | Planning & Zoning Commission: October 9, 2023 |
| **APPLICANT:** | Barclay Project LLC |
| **FILE NUMBER:** | 1447117 |
| **PURPOSE:** | Conditional Plat Approval for Barclay Townhomes |
| **GENERAL LOCATION:** | West and adjacent to Barclay Avenue |
| **PARCEL KEY NUMBER:** | 193150, 1373908, 193969,137917 and 193178 |

The conditional plat for the Barclay Townhomes subdivision is for 172 multi-family lots. It is located west and adjacent to Barclay Avenue.

The conditional plat has been reviewed by various County agencies and found to be consistent with County standards. A certificate of concurrency has been issued for this conditional plat.

**STAFF RECOMMENDATION:**

It is recommended that the Planning and Zoning Commission approve the conditional plat of the Barclay Townhomes subdivision with the following performance conditions:

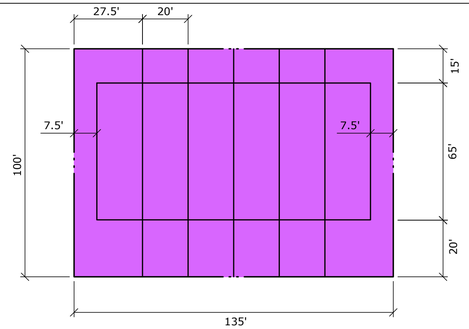
1. The conditional plat shall expire in two (2) years if no further approvals in the subdivision process are obtained.

2. The petitioner must 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.

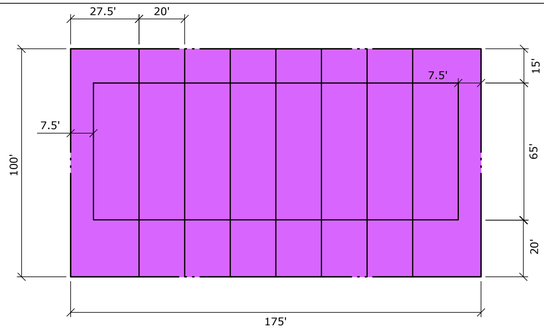
3. A burrow survey and FWC permit are required to be provided to the County prior to tortoise relocation and site clearing/alteration. A limited site clearing permit for tortoise relocating can be obtained from Zoning. The after-action-report and FWC acceptance email is required prior to site clearing, or any site alteration. Eastern Indigo snake protection method notes need to be added to environmental plan notes on construction drawings.

4. The developer must conform to all Hernando County Facility Design Guidelines

| LAND USE TABLE | | | |
|---|---|---|---|
| LAND USE | ACRES | DWELLING UNITS | DENSITY |
| RESIDENTIAL | 9.03 | 172 | |
| RECREATIONAL | 2.24 | (2.24 AC REQ.) | |
| BUFFERS | 1.46 | (7% OR 1.37 ACRES PRESERVED VEGETATION REQUIRED) | |
| RIGHT-OF-WAY | 3.13 | | |
| PRIVATE ACCES & PUMP STATION TRACTS | 0.15 | | |
| OPEN SPACE | 3.59 | | |
| TOTAL AREA | ±19.6 | 172 | APPROX. 8.78 UNITS/ACRE |

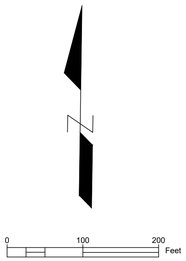


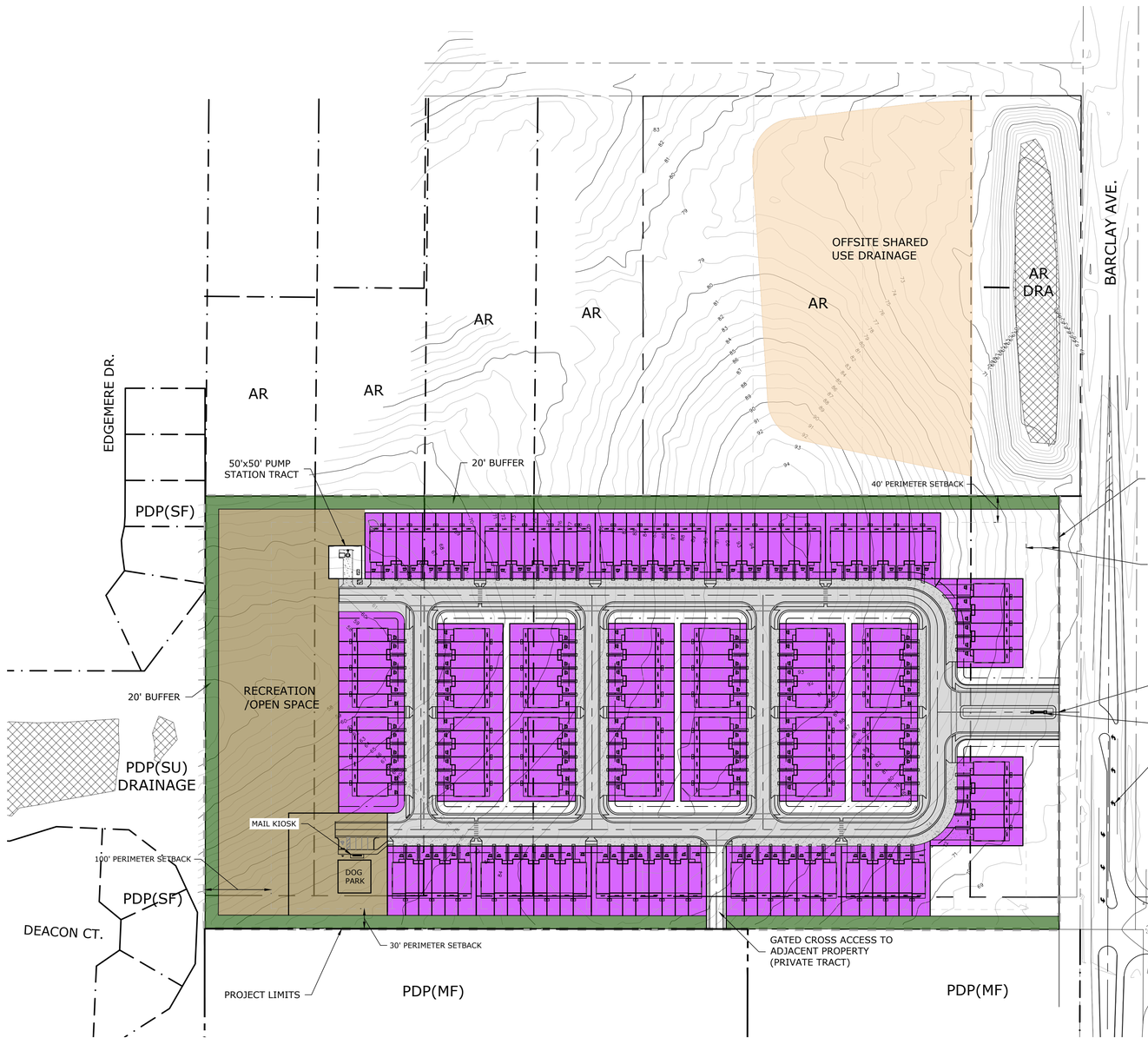

6-PLEX LOT DETAIL
NTS




8-PLEX LOT DETAIL
NTS

| CURVE TABLE | |
|---|---|
| CURVE # | RADIUS |
| C1 | 50 |
| C2 | 50 |




LEGEND

- MULTI FAMILY UNITS
- DRAINAGE
- RIGHT-OF-WAY
- BUFFERS
- RECREATION

SITE DATA

OWNER/APPLICANT:
BARCLAY PROJECT, LLC.
4912 TURNBURY WOOD DR
TAMPA, FL 33647-2056

PARCEL KEY NOS.: 193150, 1373908, 193169, 1373917, AND 193178

SECTION/TOWNSHIP/RANGE: 12/23S/18E

CURRENT ZONING: PDP (SF)

AREA = +/- 19.60 Ac.

PROPOSED NO. OF LOTS: 172

MINIMUM PERIMETER SETBACKS:
NORTH - 40'
SOUTH - 30'
WEST - 100'
EAST - 50'

MINIMUM BUILDING SETBACKS:
FRONT - 20'
SIDE(BETWEEN INDIVIDUAL UNITS) - 0'
SIDE(BETWEEN TOWNHOME CLUSTERS) - 15'
REAR - 15'

MINIMUM LOT SIZE: 1,600 SF

**BUFFERS:** THE BUFFER TRACTS INDICATED ON THIS PLAN WILL CONSIST OF NATURAL VEGETATION WHERE POSSIBLE, ENHANCED TO 80% OPACITY AS REQUIRED.

**FLOOD PLAIN:** THE PROJECT IS LOCATED ON FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL 12053C0188D EFFECTIVE DATE FEBRUARY 2,2012.

NO WETLANDS AND/OR SURFACE WATERS ARE PRESENT.

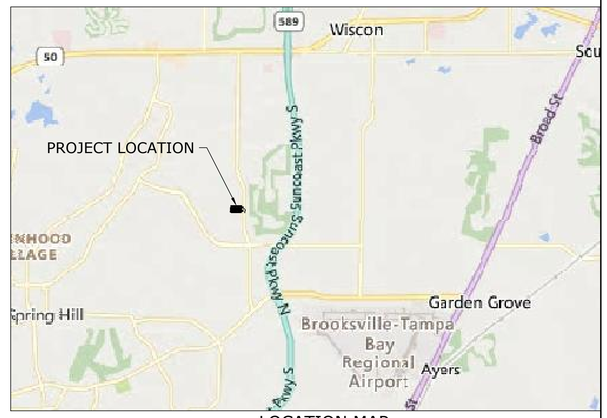
**FIRE PROTECTION:** FIRE HYDRANTS WILL BE PLACED THROUGHOUT THE COMMUNITY AT A MINIMUM OF 250' CURB LINE DISTANCE INTERVALS, WHICH IS CONSISTENT WITH COUNTY STANDARDS. THE POTABLE WATER SYSTEM WILL BE DESIGNED WITH COUNTY STANDARDS. THE POTABLE WATER SYSTEM WILL BE DESIGNED TO PROVIDE A MINIMUM OF 1,000 GPM AT A MINIMUM OF 20 PSI FOR USE IN FIREFIGHTING AS REQUIRED BY NFPA GUIDELINES, AS REQUIRED BY HERNANDO COUNTY.

GENERAL NOTES

1. THIS IS A PLANNING DOCUMENT AND IS NOT TO BE CONSIDERED A FINAL DESIGN OR CONSTRUCTION PLAN; ALSO, NOT INTENDED FOR RECORDATION IN PUBLIC RECORDS. DRAINAGE AND UTILITY EASEMENTS WILL BE INCLUDED IN THE FINAL CONSTRUCTION PLANS AND SHALL MEET THE REQUIREMENTS OF HERNANDO COUNTY AND ANY AGENCIES HAVING JURISDICTION RELATED TO THIS PROJECT.
2. DRAINAGE RETENTION AREA(S) ARE CONCEPTUALLY LOCATED, THE ACTUAL SIZE AND LOCATION WILL BE DETERMINED WITH FINAL ENGINEERING DESIGN.

Brian M Malmberg
Digitally signed by Brian M Malmberg
Date: 2023.06.30 12:39:26 -04'00'

BRIAN M MALMBERG LICENSE No. 59405 STATE OF FLORIDA PROFESSIONAL ENGINEER




LOCATION MAP
N.T.S.

CONDITIONAL PLAT

BARCLAY TOWNHOMES


Coastal engineering associates, inc.
Engineering
Planning
Surveying
Environmental
Transportation
Construction Management
966 Candlelight Boulevard - Brooksville - Florida 34601
(352) 796-3473 - FAX (352) 799-0369
EB-0000142



REUSE OF DOCUMENT
THIS DOCUMENT, COMPRISED OF THE INCORPORATED IDEAS AND DESIGNS, AS AN INSTRUMENT OF SERVICE IS AND SHALL REMAIN THE PROPERTY OF COASTAL ENGINEERING ASSOCIATES, INC. AND IS NOT TO BE USED, IN WHOLE OR IN PART, FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN AUTHORIZATION OF COASTAL ENGINEERING ASSOCIATES, INC.
DRAWING INVALID UNLESS SIGNED, DATED & SEALED BY REGISTERED PROFESSIONAL.


| DATE | REV. BY | REV. NO. | REVISION |
|---|---|---|---|
| 5/1/2023 | JY | 1 | REVISED PER COUNTY COMMENTS |
| 7/28/2023 | JY | 1 | REVISED PER COUNTY COMMENTS |
| -- | -- | -- | -- |
| -- | -- | -- | -- |
| -- | -- | -- | -- |
| -- | -- | -- | -- |

WHEN PRINTED TO SCALE, DRAWING SIZE SHALL BE 22" X 34"

SHEET
1 of 2

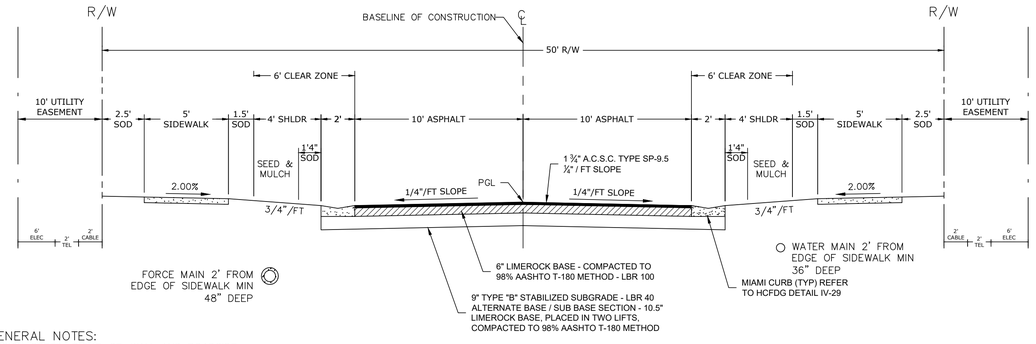
JOB No.: 21076

PRINTED: 07/28/2023 - 1:28pm PRINTED BY: JY PATH: L:\21076\BARCLAY TOWNHOMES\dwg\PLAN\cp\21076_Conditional_Plat Rev4.dwg

## LOCAL ROAD – CLOSED DRAINAGE

DESIGN SPEED = 30 MPH*

HERNANDO COUNTY ROADWAY STANDARD DETAIL (IV-05)




GENERAL NOTES:
DESIGN SPEED, RIGHT-OF-WAY, AND ROADSIDE DIMENSIONS ARE MINIMUMS. SITE CONDITION MAY REQUIRE INCREASES.

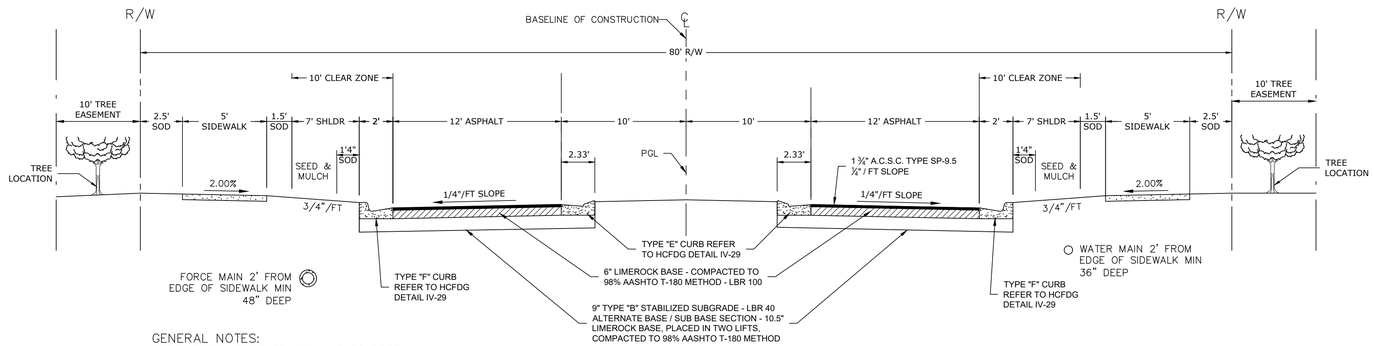
* VARIANCE IN HORIZONTAL DESIGN SPEED ALLOWED WITH JUSTIFICATION AND APPROPRIATE SIGNAGE

ALL DIMENSIONS & LABELS ARE TYPICAL

LOCAL ROADS TYPICAL SECTION
NOT TO SCALE

## COLLECTOR / DIVIDED 2 LANE ROAD – CLOSED DRAINAGE

DESIGN SPEED = 30 MPH*




GENERAL NOTES:
DESIGN SPEED, RIGHT-OF-WAY, AND ROADSIDE DIMENSIONS ARE MINIMUMS. SITE CONDITION MAY REQUIRE INCREASES.

* VARIANCE IN HORIZONTAL DESIGN SPEED ALLOWED WITH JUSTIFICATION AND APPROPRIATE SIGNAGE

ALL DIMENSIONS & LABELS ARE TYPICAL

ENTRANCE ROAD OFF BARCLAY AVE.
TYPICAL SECTION
NOT TO SCALE

PRINTED: 07/28/2023 - 1:28pm PRINTED BY: JY PATH: L:\21076\BARCLAY TOWNHOMES\dwg\PLAN\cp\21076_Conditional_Plat Rev4.dwg

TYPICAL SECTIONS

BARCLAY TOWNHOMES

BRIAN M. WALLBERG LICENSE No. 59405 STATE OF FLORIDA PROFESSIONAL ENGINEER


Coastal
engineering associates, inc.
966 Candlelight Boulevard - Brooksville - Florida 34601
(352) 796-9423 - Fax (352) 799-8359
EB-0000142
Engineering
Planning
Surveying
Environmental
Transportation
Construction Management



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DRAWING INVALID UNLESS SIGNED, DATED & SEALED BY REGISTERED PROFESSIONAL

| DATE | REV. BY | REV. NO. | REVISION |
|---|---|---|---|
| 5/1/2023 | JY | 1 | REVISED PER COUNTY COMMENTS |
| 7/28/2023 | JY | 1 | REVISED PER COUNTY COMMENTS |

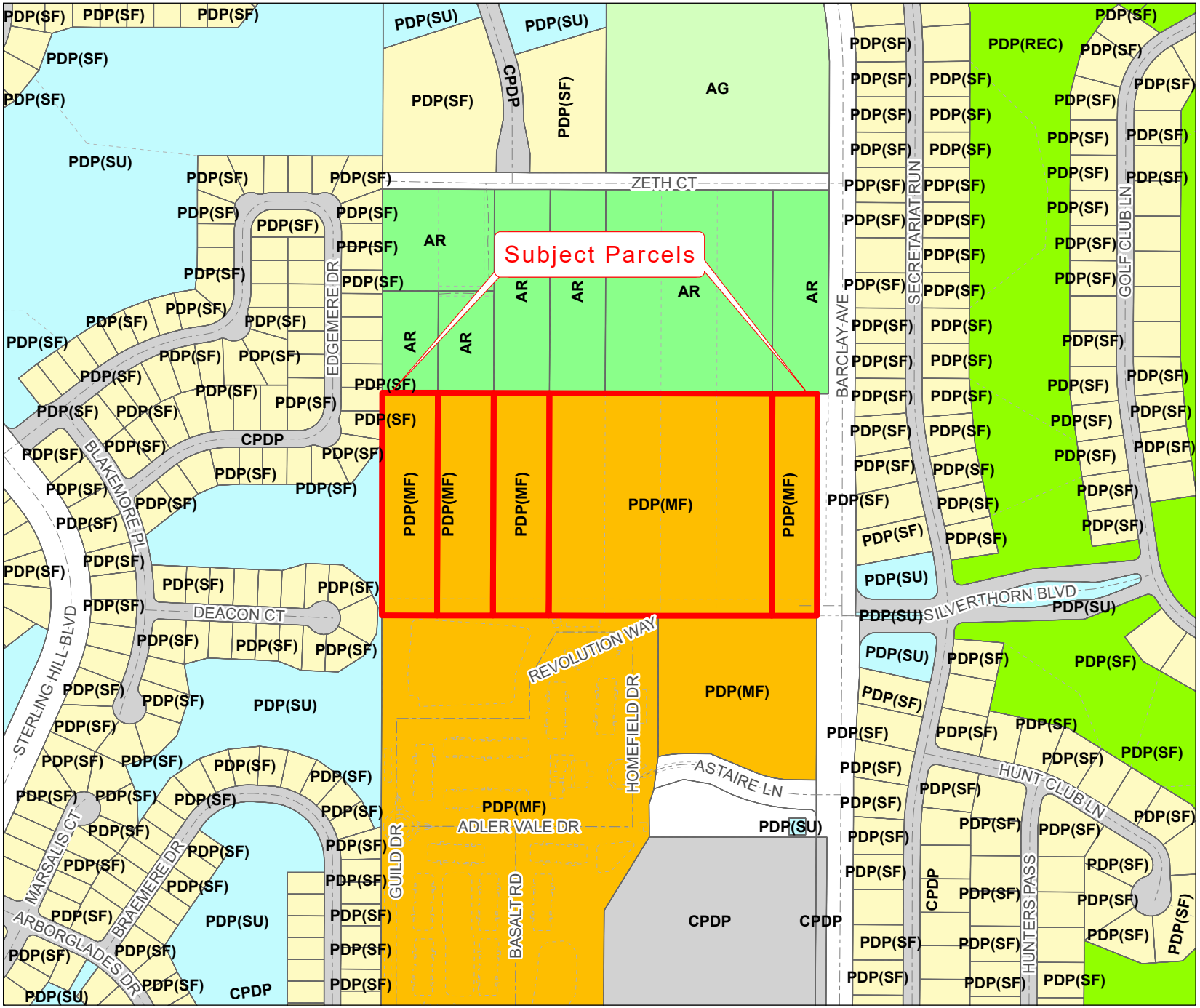
WHEN PRINTED TO SCALE, DRAWING SIZE SHALL BE 22" X 34"

SHEET
2 of 2

JOB No.: 21076

# CP 1447117

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

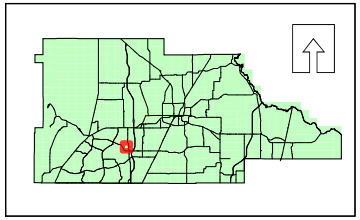



HERNANDO COUNTY
CENTRAL GIS

Zoning:

- AC
- AG
- AR
- AR1
- AR2
- C1
- C2
- C3
- C4
- CITY
- CM1
- CM2
- CPDP
- CV
- I1
- I2
- M
- OP
- PDP(AF)
- PDP(CM)
- PDP(CP)
- PDP(GC)
- PDP(GHC)
- PDP(HC)
- PDP(HHC)
- PDP(HID)
- PDP(IND)
- PDP(LI)
- PDP(MF)
- PDP(MH)
- PDP(NC)
- PDP(OP)
- PDP(PSF)
- PDP(REC)
- PDP(RR)
- PDP(RUR)
- PDP(SF)
- PDP(SU)
- R1A
- R1B
- R1C
- R1MH
- R2
- R2.5
- R3
- RC
- RM

City Zoning Pending



Hernando County Zoning Department
Project date: 9/19/2023

0 0.03 0.07 0.13 0.2 0.26 Miles



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CP1447117 .pdf

# CP 1447117

Photo date: 2023

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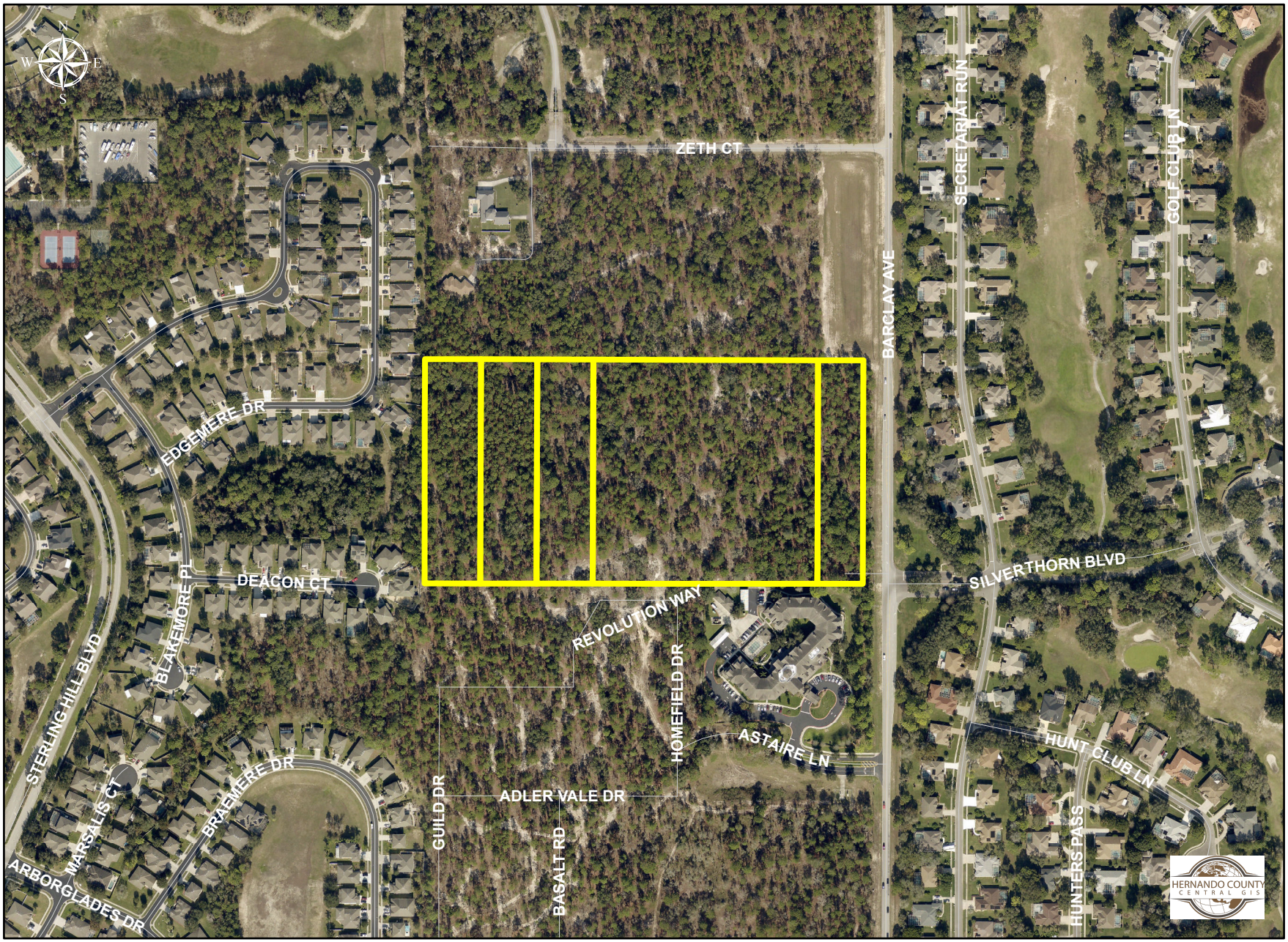

**STAFF REPORT**

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**HEARINGS:** Planning & Zoning Commission: February 07, 2022
Board of County Commissioners: March 8, 2022

**APPLICANT:** Barclay Project, LLC

**FILE NUMBER:** H-21-86

**REQUEST:** Rezoning from AR/(Agricultural-Residential) to PDP(MF)/Planned Development Project (Multifamily) with deviations

**GENERAL LOCATION:** Northwest corner of Barclay Avenue and Jayrod Trail

**PARCEL KEY NUMBERS:** 193178, 1373917, 1373908, 193150, 193169

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**APPLICANT'S REQUEST:**

The property is currently zoned AR/(Agricultural/Residential). The petitioner's current request is a rezoning to PDP(MF)/Planned Development Project (Multifamily) to develop a 172-unit townhome development.

The following deviations are proposed with this petition:

- Individual lot setbacks:
  - Front: 20' (Deviation from 25')
  - Side (where units are attached): 0' (Deviation from 10')
  - Side (end units) 15'
  - Rear: 15' (Deviation from 20')
- Minimum lot size: 1,600 square feet (deviation from 6,000 square feet)

Additionally, the petitioner has proposed to vacate a County-owned right-of-way (Jayrod Trail) along the property's southern border, as this is not being contemplated as an access for the development. If the master plan is approved, the petitioner will need to submit a petition to vacate this right-of-way to the Hernando County Zoning Department.

**SITE CHARACTERISTICS:**

**Site Size:** 19.60 acres

| | |
|---|---|
| **Surrounding Zoning & Land Uses:** | North: AR; Vacant<br>South: PDP(MF); vacant and retirement residence<br>East: PDP(SF); existing residential development (Silverthorn)<br>West: PDP(SF); PDP(SU); existing residential development |
| **Current Zoning:** | AR/(Agricultural Residential); |
| **Future Land Use Map Designation:** | Residential |

**ENVIRONMENTAL REVIEW:**

| | |
|---|---|
| **Soil Type:** | Candler Fine Sand |
| **Habitat:** | Vacant, undeveloped and identified as sandhill according to FWC CLC mapping (Florida Cooperative Land Cover Classification System that combines Florida Land Use Cover and Classification System with fish and wildlife data). |
| ***Comment:*** | Candler Fine Sand provides habitat suitable for gopher tortoises and commensal species. A comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting. |
| **Features/ Resources:** | The property does not contain special protection areas, archaeological resources, or wetlands according to County data resources. Contains a Class 2 WHPA, Flood is X-shaded (shown in bottom of DRA). The proposed use is not impacted by the Wellhead Protection Area. |
| **Flood Zone:** | X |
| **Water Quality:** | This project is located within the Weeki Wachee Priority Focus Area identified by FDEP as contributing nutrients to the Weeki Wachee Riverine System. Providing information on Florida Friendly Landscaping techniques and proper fertilizer use is another opportunity to educate property owners on water quality. These materials are designed to address and help reduce nutrient pollution. |

***Comments:*** The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for required plantings and buffers, as applicable.

The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ Program information and encourage the use of the principles, techniques, and landscaping recommendations. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.

Invasive plant species if present are to be removed during the development process.

**SCHOOL DISTRICT REVIEW:**

No comments were received from the Hernando County School District on the subject application.

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.

**UTILITIES REVIEW:**

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to these parcels. There is an existing 16-inch water main approximately 710 feet to the south on the west side of Barclay Avenue, and an existing 6-inch water main across Barclay Avenue just to the east of Barclay Avenue and Silverthorne Boulevard. There is an existing 8-inch sewer force main approximately 710 feet to the south on the west side of Barclay Avenue.

There may be capacity issues in the area which would require offsite improvements.

HCUD has no objection to the requested zoning change subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction.

**ENGINEERING REVIEW:**

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

- This proposed development is outside the 1% annual chance floodplain.
- The development must meet the Hernando County Facility Design Guidelines and South West Florida Water Management District Environmental Resources Permitting drainage design requirements.
- This project will generate over 50 PM Peak Hour trips. A Traffic Access Analysis is required. The Traffic Access Analysis will be required to include a queuing analysis. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer.
- The driveway /entry road is required to meet Hernando County Facility Design Guideline requirements.
- All roads are required to meet Hernando County Facility Design Guideline requirements, (Collector, Major Local).
- The petitioner's request to vacate Jayrod Trail is appropriate and can be approved. This will require a separate application upon the completion of the rezoning request.
- The project's drainage retention may be located northeast of subject project on County owned property subject to all agreements for Drainage Retention Area use. These agreements must be in place no later than at the time of Conditional Plat.

**LAND USE REVIEW:**

**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 has proposed a treed boulevard entrance into the development from Barclay Avenue.

The petitioner has only shown one access point from the proposed development; the County Engineer has reviewed the proposed access and has no objections to the provision of one access point for the development.

**Setbacks and Lot Size:**

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

- North: 40'
- South: 30'
- West: 100'
- East: 50'

The petitioner has proposed the following setbacks for the individual lots:

- Front: 20' (Deviation from 25')
- Side (between individual units): 0' (Deviation from 10')
- Side (between townhome clusters): 15'
- Rear: 15' (Deviation from 20')

The petitioner has proposed a minimum lot size: 1,600 square feet (deviation from 6,000 square feet). This lot size is appropriate given the style of housing proposed within the development.

**Buffer**

The petitioner has proposed a 20' buffer along western portion of the northern boundary and the eastern portion of the southern boundary of the property.

***Comments:*** If the master plan is approved, the petitioner shall be required to provide a 20' wide vegetative buffer with preserved existing vegetation, enhanced to 80% opacity as required, along the entire northern and southern boundaries. This buffer shall be placed in a separate tract owned and maintained by the Homeowners' Association. A landscape plan for the buffer shall be provided at the time of conditional plat review.

**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:*** The petitioner has shown 2.2 acres for an amenity/park area on the master plan. This meets the minimum criteria for the neighborhood park for the subject site.

**Natural Vegetation:**
Projects two (2) to twenty (20) acres must designate an area of at least five (5) percent 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 two thousand (2,000) square feet and no more than two (2) non-contiguous areas shall be allowed.

***Comment:*** The petitioner has not specified the location for preservation of any natural vegetation. If the master plan is approved, the petitioner shall be required to set aside 0.96 acres for natural vegetation in accordance with the Hernando County Land Development Regulations.

**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.

**COMPREHENSIVE PLAN REVIEW:**

**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.**

**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.

**Strategy 1.04B(7):** All multi-family developments shall be located such that the integrity of nearby established single family neighborhoods is preserved:

a. multi-family development may serve as a density transition located on the periphery of single-family neighborhoods and connecting to higher intensity uses;
b. multi-family developments at a density incompatible with surrounding land uses should not access arterial or collector roadway systems through established single-family neighborhoods.

**Land Use Compatibility**

**Objective 1.10B:** **The County shall establish standards by which land use compatibility is evaluated in the review of proposals for Future Land Use Map amendments, zoning changes, and other land development applications.**

**Strategy 1.10B(1):** Future Land Use Map amendments should be compatible with surrounding development and minimize impact to natural resources without the need for mitigation measures that are extraordinary in scope or difficult to enforce.

**Strategy 1.10B(2):** Zoning changes should be compatible with surrounding development and minimize impact to natural resources. Impacts may be mitigated through design of building placement, buffers,

noise reduction, setbacks and other appropriate planning techniques or performance measures.

**Strategy 1.10B(3):** Protect existing and future residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the surrounding residential area.

***Comments:*** The subject site is located along Barclay Avenue, within the urbanized area of Spring Hill. The proposed PDP(MF)/Planned Development Project (Multifamily) is consistent with the Comprehensive Plan residential land use category, and is fitting for the area, as it is adjacent to single-family residences and multi-family zoned properties.

**FINDINGS OF FACT:**

The request for rezoning from AR/(Agricultural/Residential) to PDP(MF)/Planned Development Project (Multifamily) 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.

2. The requested use is not adverse to the public interest.

**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:**

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Rezoning from AR/(Agricultural-Residential) to PDP(MF)/Planned Development Project (Multifamily) 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. A comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.

3. The petitioner must 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. The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ (FFL) Program information and include FFL language in the HOAs 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.

5. The developer must provide geotechnical testing in accordance with the Hernando County Facility Design Guidelines, including DRAs to determine if karst features are present.

6. The developer shall conduct a water and sewer capacity analysis during the conditional plat phase and connect to the central water and sewer systems at time of vertical construction. Any required capacity improvements will be the responsibility of the developer.

7. A Traffic Access Analysis is required. Any improvements identified by the Traffic Access Analysis shall be the responsibility of the developer.

8. Project drainage retention may be located northeast of subject project on County owned property subject to all agreements for Drainage Retention Area use. These agreements must be in place no later than at the time of Conditional Plat.

9. Minimum Perimeter Setbacks:

| | |
|---|---|
| North: | 40' |
| South: | 30' |
| West: | 100' |
| East: | 50' |

Minimum Lot Setbacks:

| | |
|---|---|
| Front: | 20' (Deviation from 25') |
| Side (between individual units): | 0' (Deviation from 10') |
| Side (between townhome clusters): | 15' |
| Rear: | 15' (Deviation from 20') |

10. The minimum lot size shall be 1,600 square feet (deviation from 6,000 square feet).

11. The petitioner shall provide a treed boulevard entrance from Barclay Avenue.

12. The petitioner shall be required to provide a 20' wide vegetative buffer of preserved existing vegetation, enhanced to 80% opacity as required, along the entire northern and southern boundaries. This buffer shall be placed in a separate tract owned and maintained by the Homeowners' Association. A landscape plan for the buffer shall be provided at the time of conditional plat review.

13. The petitioner shall provide the minimum neighborhood park acreage in accordance with the Hernando County Land Development Regulations.

14. The petitioner shall submit a fire protection plan with the Conditional Plat in accordance with Hernando County Land Development Regulations.

15. The petitioner shall set aside the minimum acreage for natural vegetation in accordance with the Hernando County Land Development Regulations.

16. 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.

17. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

**P&Z RECOMMENDATION:**

On February 7, 2022, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Rezoning from AR/(Agricultural-Residential) to PDP(MF)/Planned Development Project (Multifamily) with deviations with the following unmodified 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 comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.

3. The petitioner must 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. The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ (FFL) Program information and include FFL language in the HOAs 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.

5. The developer must provide geotechnical testing in accordance with the Hernando County Facility Design Guidelines, including DRAs to determine if karst features are present.

6. The developer shall conduct a water and sewer capacity analysis during the conditional plat phase and connect to the central water and sewer systems at time of vertical construction. Any required capacity improvements will be the responsibility of the developer.

7. A Traffic Access Analysis is required. Any improvements identified by the Traffic Access Analysis shall be the responsibility of the developer.

8. Project drainage retention may be located northeast of subject project on County owned property subject to all agreements for Drainage Retention Area use. These agreements must be in place no later than at the time of Conditional Plat.

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10. The minimum lot size shall be 1,600 square feet (deviation from 6,000 square feet).

11. The petitioner shall provide a treed boulevard entrance from Barclay Avenue.

12. The petitioner shall be required to provide a 20' wide vegetative buffer of preserved existing vegetation, enhanced to 80% opacity as required, along the entire northern and southern boundaries. This buffer shall be placed in a separate tract owned and maintained by the Homeowners' Association. A landscape plan for the buffer shall be provided at the time of conditional plat review.

13. The petitioner shall provide the minimum neighborhood park acreage in accordance with the Hernando County Land Development Regulations.

14. The petitioner shall submit a fire protection plan with the Conditional Plat in accordance with Hernando County Land Development Regulations.

15. The petitioner shall set aside the minimum acreage for natural vegetation in accordance with the Hernando County Land Development Regulations.

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17. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

**BCC ACTION:**

On March 8, 2022, the Board of County Commissioners voted 5-0 to adopt Resolution 2022-56 approving the petitioner's request for a Rezoning from AR/(Agricultural-Residential) to PDP(MF)/Planned Development Project (Multifamily) with deviations with the following unmodified 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 comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.

3. The petitioner must 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. The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ (FFL) Program information and include FFL language in the HOAs 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.

5. The developer must provide geotechnical testing in accordance with the Hernando County Facility Design Guidelines, including DRAs to determine if karst features are present.

6. The developer shall conduct a water and sewer capacity analysis during the conditional plat phase and connect to the central water and sewer systems at time of vertical construction. Any required capacity improvements will be the responsibility of the developer.

7. A Traffic Access Analysis is required. Any improvements identified by the Traffic Access Analysis shall be the responsibility of the developer.

8. Project drainage retention may be located northeast of subject project on County owned property subject to all agreements for Drainage Retention Area use. These agreements must be in place no later than at the time of Conditional Plat.

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| Side (between individual units): | 0' (Deviation from 10') |
| Side (between townhome clusters): | 15' |
| Rear: | 15' (Deviation from 20') |

10. The minimum lot size shall be 1,600 square feet (deviation from 6,000 square feet).

11. The petitioner shall provide a treed boulevard entrance from Barclay Avenue.

12. The petitioner shall be required to provide a 20' wide vegetative buffer of preserved existing vegetation, enhanced to 80% opacity as required, along the entire northern and southern boundaries. This buffer shall be placed in a separate tract owned and maintained by the Homeowners' Association. A landscape plan for the buffer shall be provided at the time of conditional plat review.

13. The petitioner shall provide the minimum neighborhood park acreage in accordance with the Hernando County Land Development Regulations.

14. The petitioner shall submit a fire protection plan with the Conditional Plat in accordance with Hernando County Land Development Regulations.

15. The petitioner shall set aside the minimum acreage for natural vegetation in accordance with the Hernando County Land Development Regulations.

16. 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.

17. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

Meeting: 10/09/2023
Department: Planning
Prepared By: Alaina Kidd
Initiator: Michelle Miller
DOC ID: 12886
Legal Request Number:
Bid/Contract Number:

## TITLE
CP 1460797 Centralia

## BRIEF OVERVIEW
Conditional Plat approval for Centralia Subdivision

## FINANCIAL IMPACT
No financial impact

## LEGAL NOTE
The Planning and Zoning Commission has the authority to review this item in accordance with Chapter 26 (Subdivision Regulations), Article II (Procedures for County review and approval), Section 26-21 (procedure for conditional approval of a conditional plat) of the Hernando County Code of Ordinances.

## RECOMMENDATION
Centralia Subdivision with performance conditions.

## REVIEW PROCESS

| | | | |
|---|---|---|---|
| Cayce Dagenhart | Approved | 09/28/2023 | 2:14 PM |
| Omar DePablo | Approved | 09/28/2023 | 3:44 PM |
| Michelle Miller | Approved | 09/29/2023 | 2:13 PM |
| Kyle Benda | Approved | 09/29/2023 | 9:27 PM |

# STAFF REPORT

| | |
|---|---|
| **HEARINGS:** | Planning & Zoning Commission: October 09, 2023 |
| **APPLICANT:** | NVR, Inc |
| **FILE NUMBER:** | 1460797 |
| **PURPOSE:** | Conditional Plat Approval for Centralia Subdivision |
| **GENERAL LOCATION:** | East of and adjacent to Commercial Way, north of and adjacent to Amity Avenue and south of and adjacent to Centralia Road |
| **PARCEL KEY NUMBER:** | 940389, 1128782, and 940398 |

The conditional plat for the Centralia Subdivision is for 221 single family residential and planned development project general commercial with deviations. It is located east of and adjacent to Commercial Way, north of and adjacent to Amity Avenue and south of and adjacent to Centralia Road.

The conditional plat has been reviewed by various County agencies and found to be mostly consistent with County standards. A certificate of concurrency has been issued for this conditional plat.

**STAFF RECOMMENDATION:**

It is recommended that the Planning and Zoning Commission approve the conditional plat of the Centralia Subdivision with the following performance conditions:

1. The conditional plat shall expire in two (2) years if no further approvals in the subdivision process are obtained.

2. The petitioner must 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.

3. A comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified professional and submitted with the Construction Drawing application. The petitioner is required to comply with all applicable FWC regulations and permitting.

4. A burrow survey and FWC permit are required to be provided to the County prior to tortoise relocation and site clearing/alteration. A limited site clearing permit for tortoise relocating can be obtained from Zoning. The after-action-report and FWC acceptance email is required prior to site clearing, or any site alteration. Eastern Indigo snake protection method notes need to be added to environmental plan notes on construction drawings.

5. The petitioner shall correct the proposed number of dwelling units in the “Site Data” to 221 before final approval of this conditional plat.

6. The petitioner shall relabel the “Upland Cut Borrow Pit/Other Surface Waters” features to “Class III Wetlands”. The jurisdictional wetland lines shall also be added to this conditional plat prior to approval. Please cite the source for the Upland Cut Borrow Pit/Other Surface Waters classification.

7. The petitioner shall revise the project narrative to include a discussion regarding the conclusions of the Cultural Resource Assessment Study (CRAS). The petitioner shall also provide proof that the Florida Division of Historical Resources has been provided with the CRAS and requires no further action on the part of the petitioner before final approval of this conditional plat.

8. If archaeological artifacts are discovered at any time during Development construction, the Developer shall stop construction in that area and immediately notify the County, WRPC, DCA and the Division of Historical Resources of the Florida Department of State.

9. Geotechnical subsurface testing and reporting in accordance with Hernando County’s Facility Design Guidelines shall be conducted for all proposed drainage retention areas within the project to test for subsurface karst features. The Gopher Tortoise survey should be performed and submitted before any geotechnical testing is performed to prevent unintended destruction of burrows.

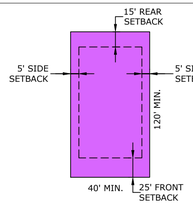
   If the intent is to perform the geotechnical testing before the relocation of the gopher tortoises, a map shall be submitted providing the proposed testing locations, the gopher tortoise burrow locations, and the paths the heavy equipment will use to get to those locations while avoiding the destruction of the burrows.

10. The developer must conform to all Hernando County Facility Design Guidelines

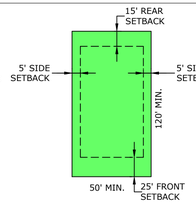
| CURVE TABLE | | | |
|---|---|---|---|
| # | RADIUS | # | RADIUS |
| C1 | 350 | C8 | 600 |
| C2 | 450 | C9 | 300 |
| C3 | 300 | C10 | 300 |
| C4 | 2000 | C11 | 125 |
| C5 | 205 | | |
| C6 | 300 | | |
| C7 | 500 | | |

## LEGEND

- 40' WIDE LOT TRACT
- 50' WIDE LOT TRACT
- VILLA LOT TRACT
- RECREATION / PARK
- DRAINAGE AREA
- BUFFER
- NATIVE VEGETATION
- PROPOSED R/W
- FLOOD ZONE
- PROJECT BOUNDARY/PHASE LINE




TYPICAL 40' LOT
NTS

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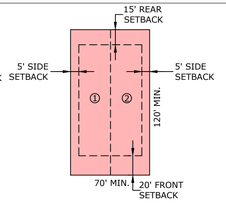
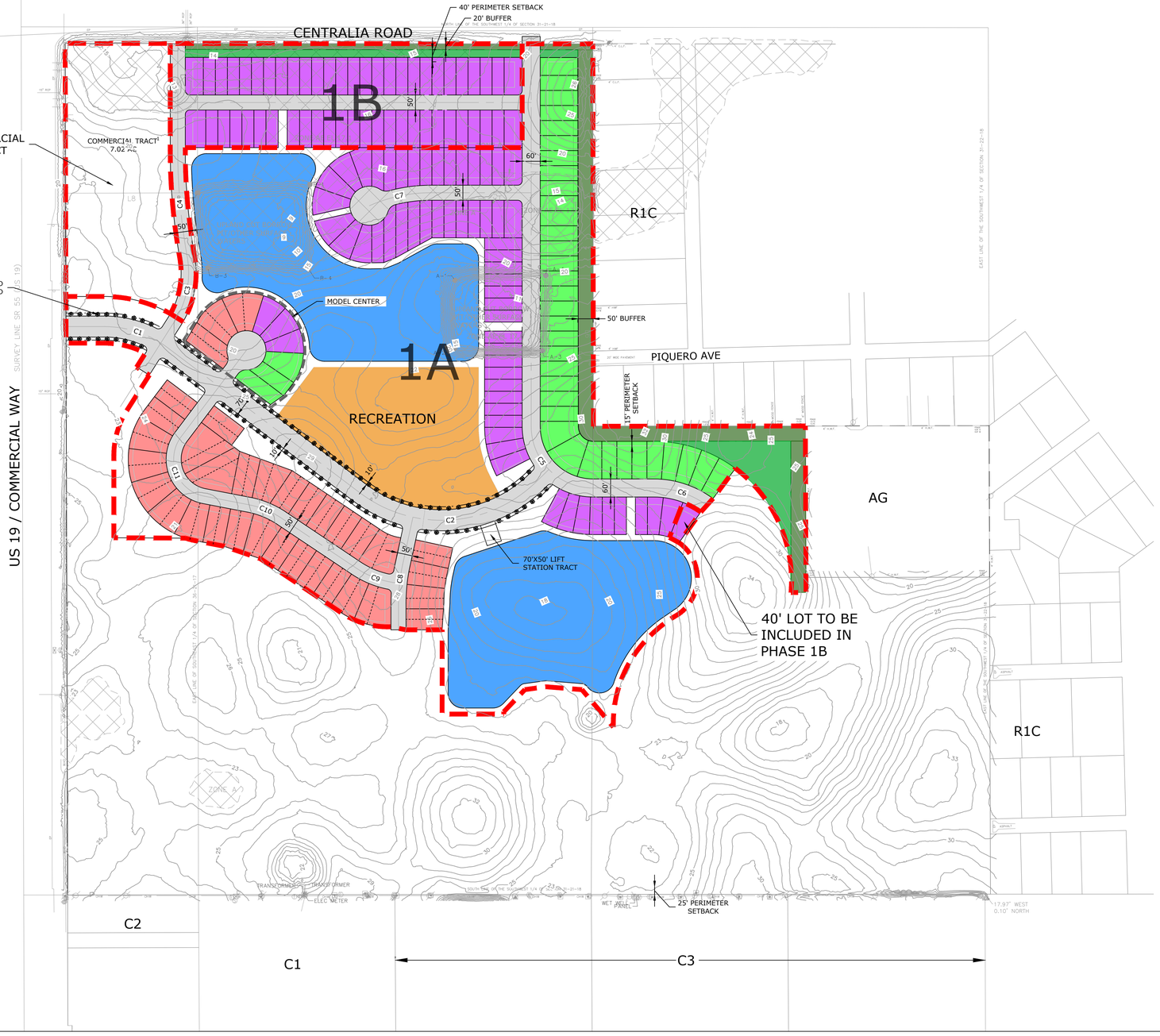
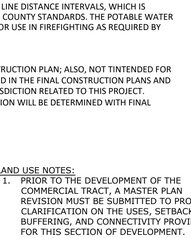



TYPICAL VILLA LOT
NTS




## SITE DATA

**OWNER/APPLICANT:**
NVR, INC.
1492 TECH BLVD, SUITE 202
TAMPA, FL 33619

**PARCEL KEY:** 940389, 1128782 & 940398

**AREA:** +/- 81.2 ACRES

**SECTION/TOWNSHIP/RANGE:** 36/21S/17E & 31/21S/18E

**ZONING:** PDP(SF) & PDP(GC) W/ DEVIATIONS

**PROPOSED NO. OF UNITS:** 222

**MINIMUM PERIMETER BUILDING SETBACKS (NOT INCLUSIVE OF VEGETATIVE BUFFERS):**
WEST (U.S. HWY 19): 75'
NORTH (CENTRALIA ROAD): 40'
SOUTH 25'
EAST 15'

**SINGLE FAMILY INTERNAL LOT BUILDING SETBACKS:**
FRONT: 25'
SIDE: 5'
REAR: 15'

**VILLA INTERNAL LOT BUILDING SETBACKS:**
FRONT: 20'
SIDE 5'
REAR: 15'

**MINIMUM LOT WIDTH:** 40'

**MINIMUM LOT SIZE:** 4,400 SF

**MINIMUM PROJECT BUFFERS:**
SIDE: 20'
EAST: 50'

**BUFFER NOTE:** ALL REQUIRED BUFFERS SHALL BE SEPARATE TRACTS, OWNED AND MAINTAINED BY THE HOMEOWNERS' ASSOCIATION, WITH NATURAL VEGETATION PRESERVED AND ENHANCED TO 80% OPACITY WITHIN 3 YEARS OF PLANTING.

**FLOODPLAIN:**
THE PROJECT IS LOCATED ON FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL 12053C0156E, EFFECTIVE DATE OF JANUARY 15, 2021. ACCORDING TO THE FIRM PANEL, THERE ARE SIX AREAS THAT ARE DESIGNATED ZONE AE WITH A 100-YEAR FLOODPLAIN ELEVATION BETWEEN 17.0 FT AND 22.5 FT. THERE ARE ALSO A SMALL AREAS OF ZONE A AND ONE AREA OF ZONE X-SHADED WITHIN THE DEVELOPMENT. THE REMAINING AREAS ARE WITHIN ZONE X WITH MINIMAL FLOOD RISK OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN.

NO WETLANDS ARE PRESENT. TWO AREAS CLASSIFIED AS UPLAND CUT BORROW PITS/OTHER SURFACE WATERS EXIST WITHIN THE PROJECT AREA.

**FIRE PROTECTION:**
FIRE HYDRANTS WILL BE PLACED THROUGHOUT THE COMMUNITY AT A MINIMUM OF 250' CURB LINE DISTANCE INTERVALS, WHICH IS CONSISTENT WITH COUNTY STANDARDS. THE POTABLE WATER SYSTEM WILL BE DESIGNED WITH COUNTY STANDARDS. THE POTABLE WATER SYSTEM WILL BE DESIGNED TO PROVIDE A MINIMUM OF 1,000 GPM AT A MINIMUM OF 20 PSI FOR USE IN FIREFIGHTING AS REQUIRED BY NFPA GUIDELINES, AS REQUIRED BY HERNANDO COUNTY.

**GENERAL NOTES:**
1. THIS IS A PLANNING DOCUMENT AND IS NOT TO BE CONSIDERED A FINAL DESIGN OR CONSTRUCTION PLAN; ALSO, NOT TINTENDED FOR RECORDATION IN PUBLIC RECORDS. DRAINAGE AND UTILITIY EASEMENETS WILL BE INCLUDED IN THE FINAL CONSTRUCTION PLANS AND SHALL MEET THE REQUIREMENTS OF HERNANDO COUNTY AND ANY AGENCIES HAVING JURISDICTION RELATED TO THIS PROJECT.
2. DRAINAGE RETENTION AREA(S) ARE CONCEPTUALLY LOCATED, THE ACTUAL SIZE AND LOCATION WILL BE DETERMINED WITH FINAL ENGINEERING DESIGN.

**UNIT BREAKDOWN**

**COMMERCIAL TRACT** - 1

**PHASE 1A :** 167 UNITS
40' UNITS - 60
50' UNITS - 39
VILLA UNITS - 68

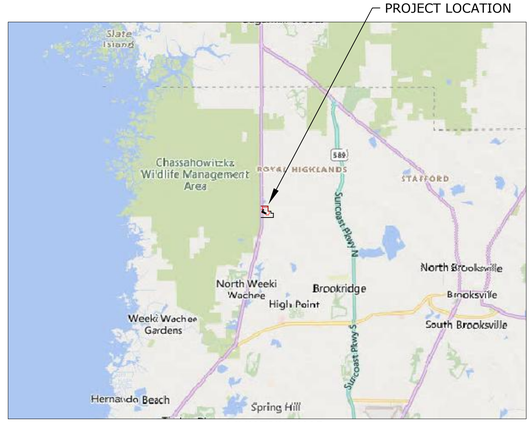
**PHASE 1B:** 54 UNITS
40' UNITS - 54

**PHASE 1 TOTAL -** 221
SINGLE-FAMILY UNITS & 1 COMMERCIAL TRACT

Brian M Malmberg
Digitally signed by Brian M Malmberg
Date: 2023.06.30 12:39:26 -04'00'

| LAND USE TABLE | | |
|---|---|---|
| LAND USE | ACRES | UNITS |
| SINGLE FAMILY | 28.20 | 222 |
| RECREATION | 5.70 | (5.104 AC REQ.)[3] |
| BUFFERS & PRESERVED VEGETATION | 5.23 | (7% OR 5.19 AC PRESERVED VEGETATION REQ.)[2] |
| DRAINAGE & ROADS | 27.70 | |
| COMMERCIAL TRACT[1] | 7.02 | 80,000 SF |
| OPEN SPACE | 7.35 | |
| **TOTAL:** | +/- 81.2 | |

LAND USE NOTES:
1. PRIOR TO THE DEVELOPMENT OF THE COMMERCIAL TRACT, A MASTER PLAN REVISION MUST BE SUBMITTED TO PROVIDE CLARIFICATION ON THE USES, SETBACKS, BUFFERING, AND CONNECTIVITY PROVIDED FOR THIS SECTION OF DEVELOPMENT.
2. REQUIRED PRESERVED VEGETATION CALCULATIONS DO NOT INCLUDE THE COMMERCIAL TRACT. PRESERVED VEGETATION WILL BE HANDLED ON THE COMMERCIAL TRACT AT TIME OF DEVELOPMENT, PER HERNANDO COUNTY LDC COMMERCIAL LANDSCAPING REQUIREMENTS.
3. RECREATION AREA PROVIDED WILL BE USED TO SATISFY THE RECREATION REQUIREMENT FOR THE FULL BUILD OUT OF THE CENTRALIA SUBDIVISON. REQUIRED RECREATION IS BASED ON THE CURRENT ENTITLEMENTS OF 513 RESIDENTIAL UNITS, BUT MAY BE REVISED WITH THE LAYOUT OF FUTURE PHASES.




LOCATION MAP
N.T.S.

CONDITIONAL PLAT

CENTRALIA SUBDIVISON
PH 1A & 1B

BRIAN M. MALMBERG LICENSE No. 69405 STATE OF FLORIDA PROFESSIONAL ENGINEER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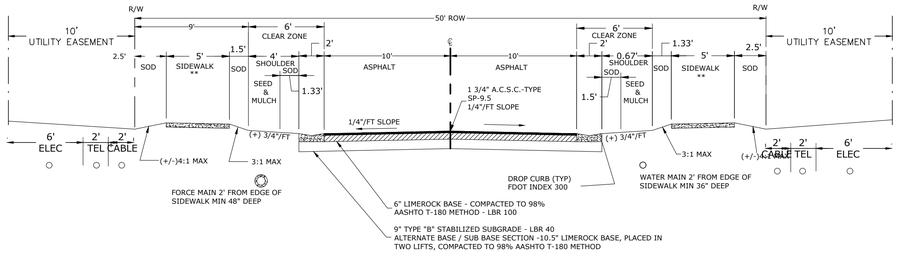
|---|---|---|---|
| 7/5/2023 | JY | 1 | REVISED PER COUNTY COMMENTS |
| - | - | - | - |
| - | - | - | - |
| - | - | - | - |
| - | - | - | - |
| - | - | - | - |
| - | - | - | - |
| - | - | - | - |

WHEN PRINTED TO SCALE, DRAWING SIZE SHALL BE 22" X 34"

SHEET
1

JOB No.: 21107


PRINTED: 07/11/2023 - 8:45am PRINTED BY: JY PATH: L:\21107\Centralia Property\dwg\PLAN\cp\21107-CP REV1.dwg




TYPICAL SECTIONS

NOT TO SCALE

GENERAL NOTES:

DESIGN SPEED, RIGHT-OF-WAY, AND ROADSIDE DIMENSIONS ARE MINIMUMS. SITE CONDITION MAY REQUIRE INCREASES.

* VARIANCE IN HORIZONTAL DESIGN SPEED ALLOWED WITH JUSTIFICATION AND APPROPRIATE SIGNAGE

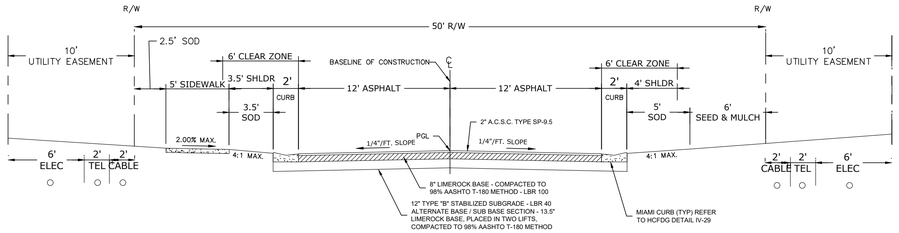
** SIDEWALKS IF APPLICABLE

ALL DIMENSIONS & LABELS ARE TYPICAL

LOCAL ROAD
CLOSED DRAINAGE

NOT TO SCALE

DESIGN SPEED = 30MPH *
HERNANDO COUNTY ROADWAY DETAIL (1V-05)




GENERAL NOTES:
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ALL DIMENSIONS & LABELS ARE TYPICAL AND SHOWN IN FEET UNLESS LABELED OTHERWISE

MODIFICATIONS
* ADDITION OF MIAMI CURB

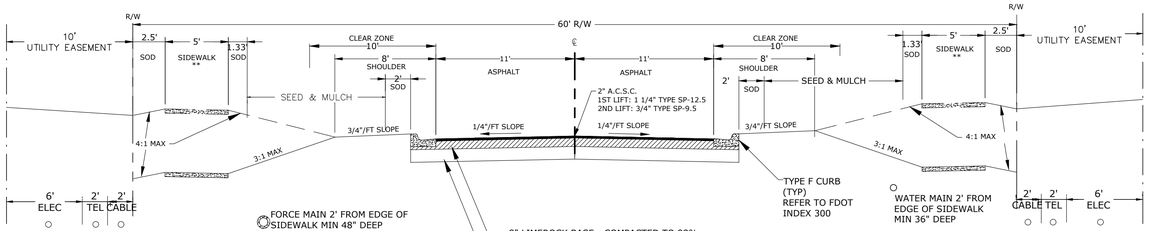
TYPICAL SECTIONS

NOT TO SCALE

FRONTAGE ROAD
CLOSED DRAINAGE

NOT TO SCALE

DESIGN SPEED = 30MPH *
HERNANDO COUNTY ROADWAY DETAIL (1V-04)




GENERAL NOTE:

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* VARIANCE IN HORIZONTAL DESIGN SPEED ALLOWED WITH JUSTIFICATION AND APPROPRIATE SIGNAGE

** SIDEWALKS IF APPLICABLE

ALL DIMENSIONS AND LABELS ARE TYPICAL AND SHOWN IN FEET UNLESS LABELD OTHERWISE

TYPICAL SECTIONS

NOT TO SCALE

MAJOR LOCAL/COMMERCIAL 2 LANE ROAD
CLOSED DRAINAGE

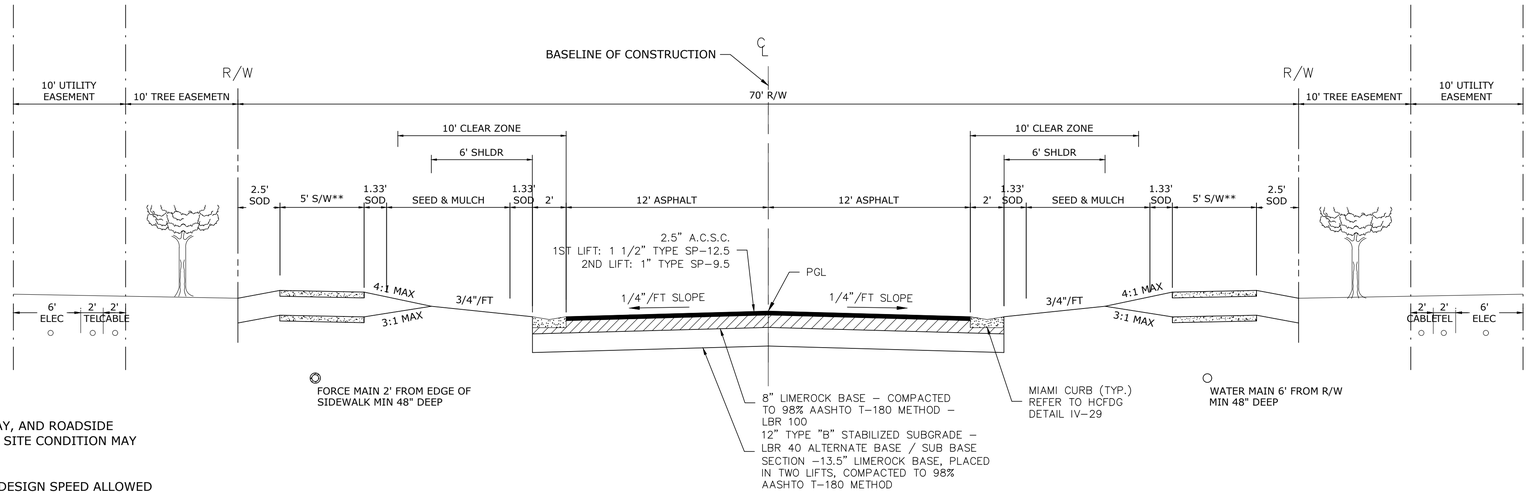
NOT TO SCALE

DESIGN SPEED = 35 MPH *

# COLLECTOR / 2 LANE ROAD - CLOSED DRAINAGE

## DESIGN SPEED = 40 MPH*

HERNANDO COUNTY ROADWAY STANDARD DETAL (IV-10)




GENERAL NOTES:
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* VARIANCE IN HORIZONTAL DESIGN SPEED ALLOWED WITH JUSTIFICATION AND APPROPRIATE SIGNAGE

** SIDEWALKS IF APPLICABLE

ALL DIMENSIONS & LABELS ARE TYPICAL AND SHOWN IN FEET UNLESS LABELED OTHERWISE

TYPICAL SECTION

NOT TO SCALE

TYPICAL SECTIONS

CENTRALIA SUBDIVISION
PH 1A & 1B

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2

JOB No.: 21107

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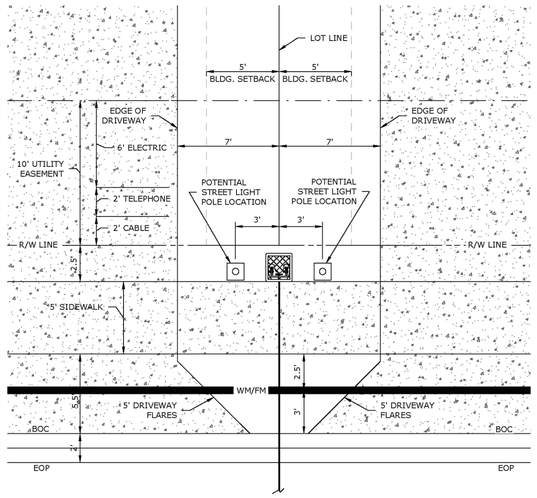


1" = 5' SCALE

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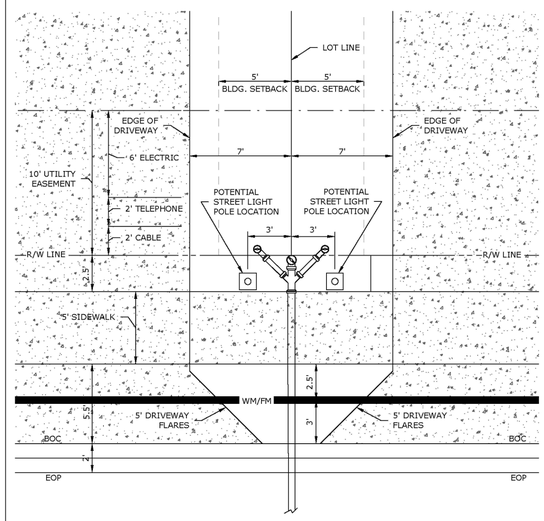
| STANDARD UTILITY LOCATION W/ 5' SETBACKS | DATE 06/21/21 |
|---|---|
| WATER SERVICE | 1 |

PRINTED: 04/25/2022 - 3:18pm PRINTED BY: JB PATH: S:_CAD\Blocks\STD Util Loc Details.dwg




1" = 5' SCALE

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| STANDARD UTILITY LOCATION W/ 5' SETBACKS | DATE 06/21/21 |
|---|---|
| SANITARY SEWER SERVICE | 2 |

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Utility Detail

CENTRALIA SUBDIVISION
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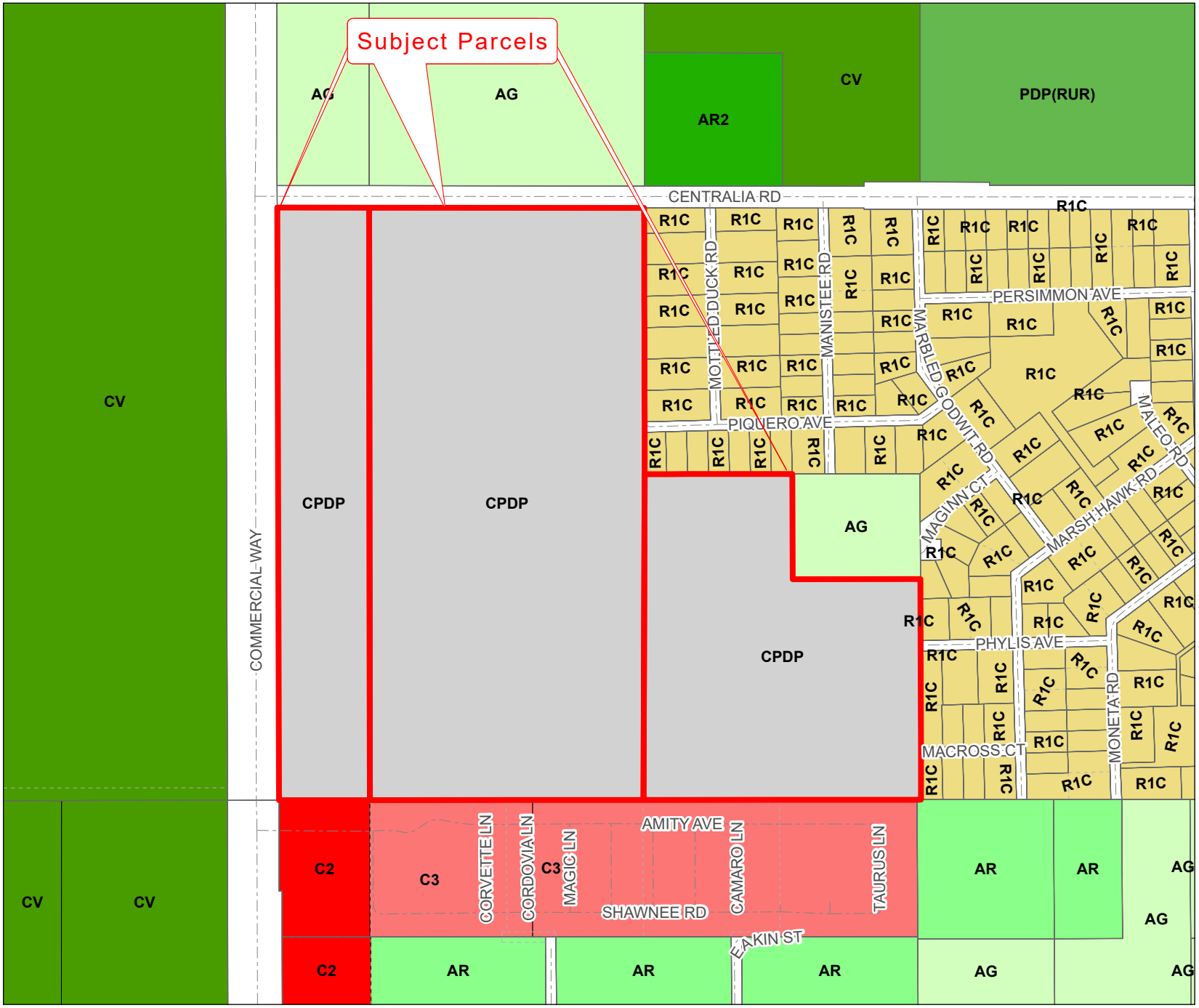
3

JOB No.: 21107

# CP 1460797

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

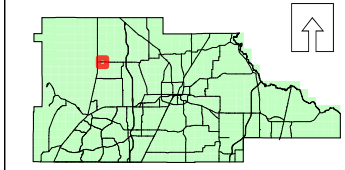



HERNANDO COUNTY
CENTRAL GIS

Zoning:

- AC
- AG
- AR
- AR1
- AR2
- C1
- C2
- C3
- C4
- CITY
- CM1
- CM2
- CPDP
- CV
- I1
- I2
- M
- OP
- PDP(AF)
- PDP(CM)
- PDP(CP)
- PDP(GC)
- PDP(GHC)
- PDP(HC)
- PDP(HHC)
- PDP(HID)
- PDP(IND)
- PDP(LI)
- PDP(MF)
- PDP(MH)
- PDP(NC)
- PDP(OP)
- PDP(PSF)
- PDP(REC)
- PDP(RR)
- PDP(RUR)
- PDP(SF)
- PDP(SU)
- R1A
- R1B
- R1C
- R1MH
- R2
- R2.5
- R3
- RC
- RM

City Zoning Pending



Hernando County Zoning Department
Project date: 9/19/2023

0 0.05 0.1 0.2 0.3 0.4 Miles



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# CP 1460797

Photo date: 2023

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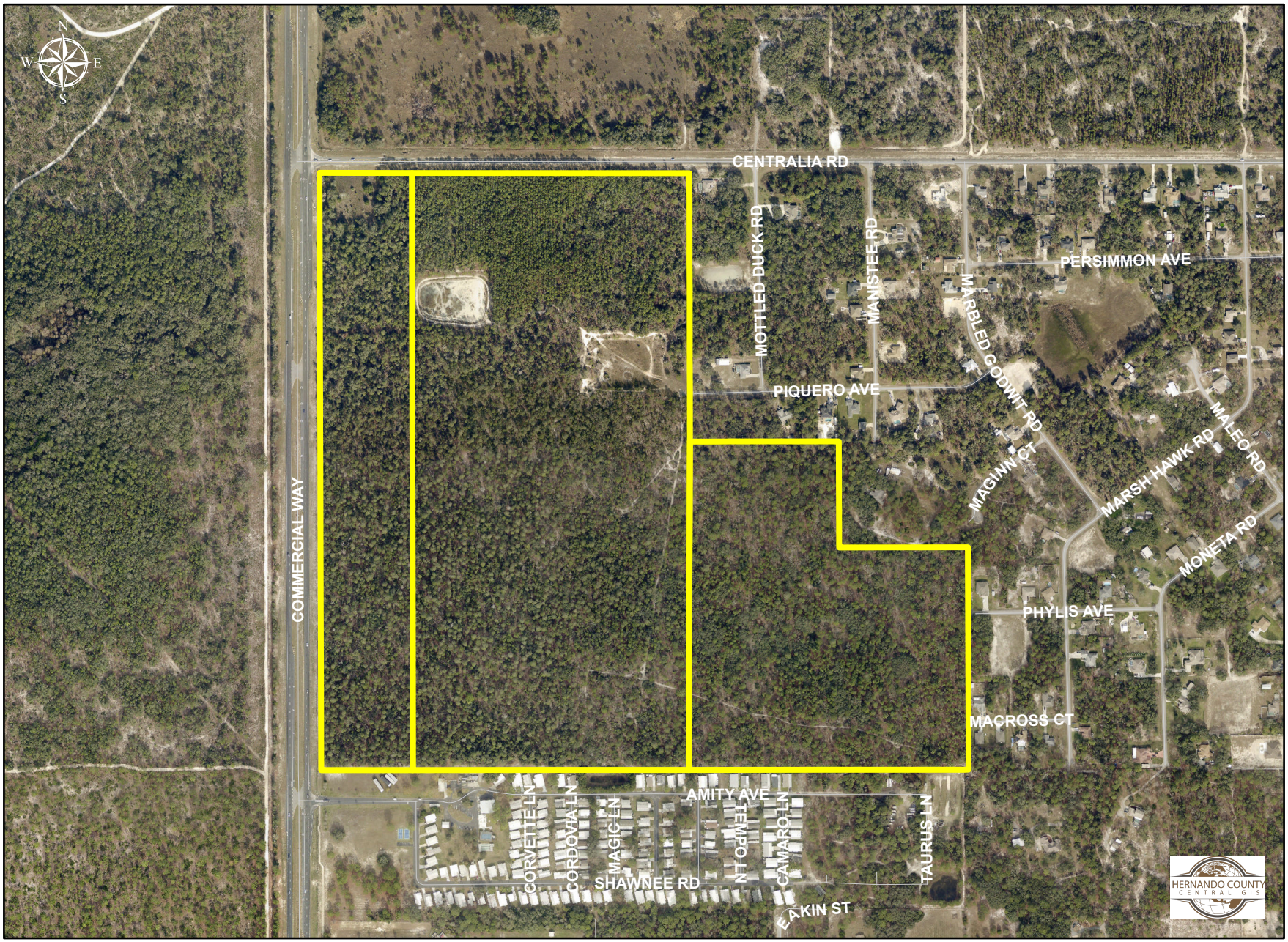

## STAFF REPORT

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**HEARINGS:** Planning and Zoning Commission: June 13, 2022
Planning and Zoning Commission: August 8, 2022
Board of County Commissioners: July 12, 2022
Planning and Zoning Commission: September 12, 2022
Board of County Commissioners: September 13, 2022

**APPLICANT:** NVR, Inc.

**FILE NUMBER:** H-22-08

**REQUEST:** Master Plan Revision on Property Zoned PDP(SF)/Planned Development Project (Single Family) and PDP(GC)/Planned Development Project (General Commercial) with Deviations

**GENERAL LOCATION:** Southeast Corner of Commercial Way and Centralia Road

**PARCEL KEY NUMBERS:** 940389, 1128782, 940398

---

**BACKGROUND:**

On February 2, 2022, the petitioner submitted a request for a Master Plan Revision on Property Zoned PDP(SF)/Planned Development Project (Single Family) and PDP(GC)/Planned Development Project (General Commercial) with deviations. The requested modification included 80,000 square feet of commercial and 513 dwelling units of various lot sizes and housing products.

On June 13, 2022, the Planning and Zoning Commission voted 5-0 to postpone the petitioner's request for a Master Plan Revision on Property Zoned PDP(SF)/Planned Development Project (Single Family) and PDP(GC)/Planned Development Project (General Commercial) with Deviations to the August 8, 2022, Planning and Zoning Commission hearing date.

Subsequent to the July 13, 2022, Planning and Zoning Commission meeting, the petitioner provided the additional information necessary to process the application.

**PETITIONER'S REQUEST:**

The analysis of the previously approved commercial intensity and residential density versus the petitioner's current request is listed below.

| | Previous Approval | Current Request |
|---|---|---|
| **Commercial Intensity** | 14 acres | 7 acres |
| **Residential Density** | 385 dwelling units<br>Mix of 50', 70' and 100' lots | 513 dwelling units<br>Mix of villas, 40' and 50' lots |

**Proposed Commercial Entitlements:**

The petitioner has identified 7.0 acres with a total of 80,000 square feet of commercial uses. However, no specific information on the setbacks or building sizes and scale have been provided. Prior to the development of the commercial component of this site, the petitioner shall be required to submit a master plan revision with necessary details for the commercial development.

**Deviations Requested:**

- Overall Project Perimeter Setbacks:
  - North (Centralia Road): 40' (Deviation from 20')
- Internal Building Setbacks (Residential):
  - Side: 5'/0' (villa lots) (Deviation from 10')
  - Rear: 15' (deviation from 20')
- Minimum Lot Size (Residential): 4,400 square feet (deviation from 6,000)

**SITE CHARACTERISTICS:**

**Site Size:** 153.84 acres

**Surrounding Zoning & Land Uses:**
North: AG; Undeveloped
South: C-3; Mobile Home Park
East: R-1C; Single Family
West: CV; Conservation

**Current Zoning:** PDP(SF)/Planned Development Project (Single Family) and PDP(GC)/Planned Development Project (General Commercial)

**Future Land Use Map Designation:** Residential/Commercial

**ENVIRONMENTAL REVIEW:**

**Soil Type:** Candler Fine Sand and Basinger Fine Sand

**Protection Features:** Wetlands are class 1 and 3 (Class 1 wetland Comp plan policy NW corner). There are no WHPAs or SPAs. There is a large archaeological/historical site according to County data resources. A cemetery is located on the property (Centralia cemetery).

**Habitat:** The property is vacant, forested with planted pine and shown as sandhill, coniferous plantation, wet prairie, and stormwater treatment areas, according to FWC CLC (Florida Cooperative Land Cover Classification System that includes Florida Land Use Cover and Classification System). Candler Fine Sand and habitat are suitable for gopher tortoise. The petitioner is required to comply with all applicable FWC regulations and permitting.

**Comments:** The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for required plantings and buffers, as applicable.

Natural vegetation is to be retained in the buffers and enhanced with tress and vegetation to meet 80% opacity requirement.

The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ Program information and encourage the use of the principles, techniques, and landscaping recommendations. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.

**Water Quality:** The proposed development is within the Chassahowitzka River Basin Management Action Plan and subject to a nutrient Total Maximum Daily Load (TMDL) for nitrate. Providing information on Florida friendly landscaping techniques and proper fertilizer use is another opportunity to educate property owners on water quality. These materials are designed to address and help reduce nutrient pollution.

**Flood Zone:** A and AE

**SCHOOL BOARD 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.

**UTILITIES REVIEW:**

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. Water and sewer service are not currently available to this parcel. There is an existing 16-inch water main to the south on the east side of Commercial Way at Weeki Wachee High School. There is an existing 10-inch sewer force main also to the south on the east side of Commercial Way at the high school.

HCUD has no objection to the revised master plan for CPDP for PDP(SF) and PDP(GC) which reduces the project's commercial footprint and modifies the residential portion to develop a total of 513 units, subject to a utility capacity analysis and connection to the central water and sewer systems, with the stipulation that the developer will need to provide utility placement details showing the locations of all utilities on the conditional plat for lots with side setbacks of less than 10 feet.

**ENGINEERING REVIEW:**

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

- A Frontage Road will be required.
- A Traffic Access Analysis is required. A Methodology Statement is currently under review. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer.
- Requires FDOT access and drainage permits.
- Access to existing stub roads will be required.
- Driveways and roadways must meet County standards.
- This site contains several 1% annual chance floodplain areas.

- Development must comply with SWFWMD ERP (Southwest Florida Water Management District Environmental Resource Permitting) and Hernando County Facility Design Guideline storm drainage regulations.
- Please refer to the Centralia Watershed when submitting drainage plans.

***Comments:*** Subsequent to the above preliminary comments, the petitioner submitted a revised plan to the Planning Division. This plan is not acceptable to the Public Works Department due to the lack of a frontage road and the lack of connection to adjacent properties.

**LAND USE REVIEW:**

The land use specifications below apply to the overall project perimeter setbacks and the specific land use requirements for the residential portion of the development. Prior to the development of the commercial portion of the site, a master plan revision will need to be submitted to address the code requirements for commercial development.

**Overall Land Use Specifications:**

**Perimeter Setbacks:**

- West (US Hwy 19): 125’
- North (Centralia Road): 40’ (Deviation from 20’)
- South: 25’
- East: 15’

These perimeter setbacks are not inclusive of the vegetative buffers proposed for the site.

**Residential Land Use Specifications:**

**Setbacks, Lot Widths, and Sizes:**

The petitioner is proposing the following minimum setbacks for the subject site:

- Front (single family): 25’
- Front (villas): 20’
- Side: 5’ (0 internal for villas)
- Rear: 15’

- Minimum Lot Width: 40’
- Minimum Lot Size: 4,400 square feet

**Buffers:**

- East: 50’ natural vegetative buffer with 80% opacity and enhanced where necessary

- North: 20' landscape buffer
- South: None proposed
- West: None proposed

***Comments:*** The petitioner has not proposed buffers along the southern and western property lines where adjacent to US Highway 19 (Commercial Way) and commercial uses. The petitioner shall be required to meet the minimum requirements of the land development regulations for these locations.

**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 has proposed two points of access to US Highway 19 (Commercial Way) and one access off Centralia Road. However, no treed boulevard entranceway was identified in the plan. If the master plan is approved, the petitioner shall be required to designate the southernmost access from US Highway 19 (Commercial Way) as the treed boulevard entrance into the development, meeting the requirements of the Hernando County Land Development Regulations.

**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:*** The petitioner has proposed 5.5 acres for recreation on the master plan. This recreation area is centrally located within the development.

**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. If approved, the petitioner must provide a minimum of seven percent (7%) natural vegetation. Preserved natural vegetation and/or planted native vegetation may be used to meet all or part of the requirement for open space if it is a minimum of fifteen (15) feet in width.

***Comments:*** The petitioner has set aside 11.0 acres for natural vegetation on the master plan.

**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.

**COMPREHENSIVE PLAN REVIEW:**

**Level of Service Analysis:**

**Strategy 1.12A(1):** A level of service standard shall be adopted for facilities and services. These standards shall be used for the purpose of implementing impact fees and for issuing development orders and are as follows:

a. Fire Protection: Maintain or exceed an overall ISO (Insurance Service Office) rating of Class 2/2Y for Hernando County Fire District.
b. Law Enforcement: Maintain a ratio of at least 1.32 sworn officers per 1,000 permanent residents of the unincorporated County with accompanying equipment and facilities;

c. Public Buildings: Maintain the provision of public buildings at a minimum of 1,500 square feet per 1,000 permanent and seasonal residents (peak population);
d. Public Libraries: Maintain a book collection equal to at least 1.5 items per capita for the permanent residents;
e. Educational Facilities: Levels of service for educational facilities are set forth in the Public School Facilities Element of this Plan;
f. Transportation Facilities: Level of service standards for transportation facilities are set forth in the Transportation Element of this Plan;
g. Potable Water Facilities, Wastewater Facilities, Solid Waste Facilities, and Drainage Facilities: Level of service standards for potable water, wastewater, solid waste and drainage facilities are set forth in the Utilities Element of this Plan;
h. Hurricane Evacuation: Level of service standards for hurricane evacuation are set forth in the Coastal Management Element of this Plan.

**Strategy 1.12A(2):** The County's established level of service standards shall be maintained for the following facilities:

a. public libraries;
b. public buildings;
c. law enforcement and detention facilities;
d. public parks;
e. fire and emergency medical services;
f. public schools;
g. potable water and wastewater services
h. solid waste services;
i. drainage facilities;
j. transportation facilities.

**Strategy 1.12A(3):** Land development should not proceed unless facilities and services are available, planned, provided or mitigated consistent with the projected impact of the development

***Comments:*** The petitioner has reviewed the level of service standards for Hernando County and has acknowledged that impact fees shall be paid to offset their impact to these public facilities. Additionally, the developer has acknowledged that any costs to construct on-site or off-site improvements necessary for utilities infrastructure shall be their responsibility. Upon the completion of the required transportation analysis, any

required improvements shall be the responsibility of the developer. At the time of conditional plat, a certificate of concurrency will be issued upon the determination that the County has the capacity to provide adequate transportation, utilities, drainage, and parks infrastructure.

**Compatibility Analysis:**

**Objective 1.10B:** The County shall establish standards by which land use compatibility is evaluated in the review of proposals for Future Land Use Map amendments, zoning changes, and other land development applications.

**Strategy 1.10B(1):** Future Land Use Map amendments should be compatible with surrounding development and minimize impact to natural resources without the need for mitigation measures that are extraordinary in scope or difficult to enforce.

**Strategy 1.10B(2):** Zoning changes should be compatible with surrounding development and minimize impact to natural resources. Impacts may be mitigated through design of building placement, buffers, noise reduction, setbacks and other appropriate planning techniques or performance measures.

**Strategy 1.10B(3):** Protect existing and future residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the surrounding residential area.

***Comments:*** The petitioner has proposed a 50' vegetative buffer along the eastern boundary where adjacent to existing residential development. Additionally, the petitioner has proposed a transition of lot sizes 40'/villa lots along the western side of the property to 50' lots toward the eastern side of the development where adjacent to existing residential uses. The recreation area is centrally located to the development, providing adequate access for all residents. With these design elements, the proposed development is compatible with the surrounding development and the Comprehensive Plan.

**FINDINGS OF FACT:**

The request for a Master Plan Revision on Property Zoned PDP(SF)/Planned Development Project (Single Family) and PDP(GC)/Planned Development Project (General Commercial) with Deviations is appropriate based on the following conclusions:

1. The petitioner did not provide adequate justification for the lack of connection to the stub roads, nor did they provide a frontage road meeting the requirements of the Hernando County Facility Design Guidelines. If the master plan is approved, the petitioner shall provide access to the stub roads and construct a frontage road as part of a comprehensive transportation strategy.

2. The enhanced buffer along the eastern boundary of the project provides an appropriate transition between the proposed plan and the existing residential development.

3. The petitioner has acknowledged its requirement to meet Comprehensive Plan level of service requirements and recognizes the potential for on-site and offsite costs for required infrastructure.

4. Prior to the development of the commercial component of this site, the petitioner shall be required to submit a master plan revision with necessary details for the commercial development.

**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:**

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners deny the petitioner's request for a Master Plan Revision on Property Zoned PDP(SF)/Planned Development Project (Single Family) and PDP(GC)/Planned Development Project (General Commercial) with Deviations due to the lack of required documentation for the County to properly evaluate the request.

**P&Z RECOMMENDATION:**

On June 13, 2022, the Planning and Zoning Commission voted 5-0 to postpone the petitioner's request for a Master Plan Revision on Property Zoned PDP(SF)/Planned Development Project (Single Family) and PDP(GC)/Planned Development Project (General Commercial) with Deviations to the August 8, 2022, Planning and Zoning Commission hearing date.

**BOCC ACTION:**

On July 12, 2022, the Board of County Commissioners voted 5-0 to postpone the petitioner's request for a Master Plan Revision on Property Zoned PDP(SF)/Planned Development Project (Single Family) and PDP(GC)/Planned Development Project (General Commercial) with Deviations to their September 13, 2022, hearing date.

**NOTE: Subsequent to the Planning and Zoning Commission hearing on June 13, 2022, the petitioner provided the additional information necessary to process the application. The updated staff recommendation is below:**

**REVISED STAFF RECOMMENDATION:**

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioner's adopt a resolution approving the petitioner's request for a Master Plan Revision on Property Zoned PDP(SF)/Planned Development Project (Single Family) and PDP(GC)/Planned Development Project (General Commercial) with Deviations and 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 comprehensive wildlife and floral survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.

3. The petitioner must 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. The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ (FFL) Program information and include FFL language in the HOAs 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.

5. Geotechnical subsurface testing and reporting in accordance with Hernando County's Facility Design Guidelines shall be conducted for all proposed drainage retention areas within the project to test for subsurface karst features.

6. Invasive plant species shall be identified during the construction plan review and removed during the development process.

7. Contact Florida Division of Historical Resources for requirements of a cultural resource assessment for compliance.

8. The petitioner shall provide the jurisdictional wetland lines on all future plans.

9. The developer shall provide a utility capacity analysis and shall connect to the central water and sewer systems at time of vertical construction. Furthermore, the developer will be required to provide utility placement details showing the locations of all utilities on the conditional plat for lots with side setbacks of less than 10 feet.

10. 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.

11. A frontage road along US Highway 19 (Commercial Way) meeting the requirements of the Hernando County Facility Design Guidelines shall be constructed at the time of development.

12. A Traffic Access Analysis is required. Any improvements identified by the Traffic Access Analysis shall be the responsibility of the developer.

13. The petitioner shall be required to connect to all stub roads adjacent to the development.

14. This project must meet the storm drainage design requirements of Southwest Florida Water Management District and Hernando County Facility Design Guidelines.

15. Minimum Perimeter Setbacks (not inclusive of the vegetative buffer):

| | |
|---|---|
| West (US Hwy 19): | 125' |
| North (Centralia Road): | 40' (Deviation from 20') |
| South: | 25' |
| East: | 15' |

16. Minimum Setbacks, Lot Widths and Lot Sizes:

| | |
|---|---|
| Front (single family): | 25' |
| Front (villas): | 20' |
| Side: | 5' (0 internal for villas) |
| Rear: | 15' |
| Minimum Lot Width: | 40' |
| Minimum Lot Size: | 4,400 square feet |

17. Minimum Buffers:
    North: 20'
    East: 50'

    The petitioner shall be required to meet the minimum requirements of the land development regulations for the southern and western property lines.

    These buffers are all to be separate tracts, owned and maintained by the Homeowners' Association, with natural vegetation preserved and enhanced to 80% opacity within 3 years of planting.

18. The petitioner shall be required to designate the southernmost access from US Highway 19 (Commercial Way) as the treed boulevard entrance into the development, meeting the requirements of the Hernando County Land Development Regulations.

19. The petitioner shall provide the minimum neighborhood park acreage as required by the County's Land Development Regulations and ensure that this park is pedestrian-accessible for all residents within the development.

20. The petitioner shall preserve the minimum seven percent (7%) natural vegetation as required by the County's Land Development Regulations. The required natural vegetation may be included as part of the required open space.

21. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.

22. The developer shall provide a utility capacity analysis and shall connect to the central water and sewer systems at time of vertical construction. Furthermore, the developer will be required to provide utility placement details showing the locations of all utilities on the conditional plat for lots with side setbacks of less than 10 feet.

23. The petitioner is limited to 80,000 square feet of commercial uses. Prior to the development of the commercial portion of the site, the petitioner must submit a master plan revision to provide clarification on the uses, setbacks, buffering, and connectivity provided for this section of development.

24. The petitioner is limited to 513 dwelling units. A specific lot layout shall be provided at the time of conditional plat.

25. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to

submit the revised plan will result in no further development permits being issued.

**P&Z RECOMMENDATION:**

On August 8, 2022, the Planning and Zoning Commission voted 5-0 to postpone the petitioner's request for a Master Plan Revision on Property Zoned PDP(SF)/Planned Development Project (Single Family) and PDP(GC)/Planned Development Project (General Commercial) with Deviations to the September 12, 2022, Planning and Zoning Commission hearing date, with the applicant incurring all re-advertising costs.

**P&Z RECOMMENDATION:**

On September 12, 2022, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Master Plan Revision on Property Zoned PDP(SF)/Planned Development Project (Single Family) and PDP(GC)/Planned Development Project (General Commercial) with Deviations and the following modified 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 comprehensive wildlife and floral survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.

3. The petitioner must 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. The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ (FFL) Program information and include FFL language in the HOAs 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.

5. Geotechnical subsurface testing and reporting in accordance with Hernando County's Facility Design Guidelines shall be conducted for all proposed drainage retention areas within the project to test for subsurface karst features.

6. Invasive plant species shall be identified during the construction plan review and removed during the development process.

7. Contact Florida Division of Historical Resources for requirements of a cultural resource assessment for compliance.

8. The petitioner shall provide the jurisdictional wetland lines on all future plans.

9. The developer shall provide a utility capacity analysis and shall connect to the central water and sewer systems at time of vertical construction. Furthermore, the developer will be required to provide utility placement details showing the locations of all utilities on the conditional plat for lots with side setbacks of less than 10 feet.

10. 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.

11. A frontage road along US Highway 19 (Commercial Way) meeting the requirements of the Hernando County Facility Design Guidelines shall be constructed at the time of development.

12. A Traffic Access Analysis is required. Any improvements identified by the Traffic Access Analysis shall be the responsibility of the developer.

~~13.~~ ~~The petitioner shall be required to connect to all stub roads adjacent to the development.~~

~~14~~13. This project must meet the storm drainage design requirements of Southwest Florida Water Management District and Hernando County Facility Design Guidelines.

~~15~~14. Minimum Perimeter Setbacks (not inclusive of the vegetative buffer):

| | |
|---|---|
| West (US Hwy 19): | 125' |
| North (Centralia Road): | 40' (Deviation from 20') |
| South: | 25' |
| East: | 15' |

~~16~~15. Minimum Setbacks, Lot Widths and Lot Sizes:

| | |
|---|---|
| Front (single family): | 25’ |
| Front (villas): | 20’ |
| Side: | 5’ (0 internal for villas) |
| Rear: | 15’ |
| Minimum Lot Width: | 40’ |
| Minimum Lot Size: | 4,400 square feet |

~~17~~16. Minimum Buffers:

| | |
|---|---|
| North: | 20’ |
| East: | 50’ |

~~18~~17. The petitioner shall be required to meet the minimum requirements of the land development regulations for the southern and western property lines.

~~19~~18. These buffers are all to be separate tracts, owned and maintained by the Homeowners’ Association, with natural vegetation preserved and enhanced to 80% opacity within 3 years of planting.

~~20~~19. The petitioner shall be required to designate the southernmost access from US Highway 19 (Commercial Way) as the treed boulevard entrance into the development, meeting the requirements of the Hernando County Land Development Regulations.

~~21~~20. The petitioner shall provide the minimum neighborhood park acreage as required by the County’s Land Development Regulations and ensure that this park is pedestrian-accessible for all residents within the development.

~~22~~21. The petitioner shall preserve the minimum seven percent (7%) natural vegetation as required by the County’s Land Development Regulations. The required natural vegetation may be included as part of the required open space.

~~23~~22. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.

~~24~~23. The developer shall provide a utility capacity analysis and shall connect to the central water and sewer systems at time of vertical construction. Furthermore, the developer will be required to provide utility placement details showing the locations of all utilities on the conditional plat for lots with side setbacks of less than 10 feet.

~~25~~24. The petitioner is limited to 80,000 square feet of commercial uses. Prior to the development of the commercial portion of the site, the petitioner must

submit a master plan revision to provide clarification on the uses, setbacks, buffering, and connectivity provided for this section of development.

~~26~~25. The petitioner is limited to 513 dwelling units. A specific lot layout shall be provided at the time of conditional plat.

~~27~~26. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

**BCC ACTION:**

On September 13, 2022, the Board of County Commissioners voted 5-0 to postpone the case to the October 11, 2022 meeting.

**BOCC ACTION:**

On October 11, 2022, the Board of County Commissioners voted 5-0 to adopt Resolution 2022-191 approving the petitioner's request for a Master Plan Revision on Property Zoned PDP(SF)/Planned Development Project (Single Family) and PDP(GC)/Planned Development Project (General Commercial) with Deviations and the following modified 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 comprehensive wildlife and floral survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.

3. The petitioner must 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. The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ (FFL) Program information and include FFL language in the HOAs 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.

5. Geotechnical subsurface testing and reporting in accordance with Hernando County's Facility Design Guidelines shall be conducted for all proposed drainage retention areas within the project to test for subsurface karst features.

6. Invasive plant species shall be identified during the construction plan review and removed during the development process.

7. Contact Florida Division of Historical Resources for requirements of a cultural resource assessment for compliance.

8. The petitioner shall provide the jurisdictional wetland lines on all future plans.

9. The developer shall provide a utility capacity analysis and shall connect to the central water and sewer systems at time of vertical construction. Furthermore, the developer will be required to provide utility placement details showing the locations of all utilities on the conditional plat for lots with side setbacks of less than 10 feet.

10. 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.

11. A frontage road along US Highway 19 (Commercial Way) meeting the requirements of the Hernando County Facility Design Guidelines shall be constructed at the time of development.

12. A Traffic Access Analysis is required. Any improvements identified by the Traffic Access Analysis shall be the responsibility of the developer.

13. This project must meet the storm drainage design requirements of Southwest Florida Water Management District and Hernando County Facility Design Guidelines.

14. Minimum Perimeter Setbacks (not inclusive of the vegetative buffer):

| | |
|---|---|
| West (US Hwy 19): | ~~125'~~ 75' |
| North (Centralia Road): | 40' (Deviation from 20') |
| South: | 25' |
| East: | 15' |

15. Minimum Setbacks, Lot Widths and Lot Sizes:

| | |
|---|---|
| Front (single family): | 25' |
| Front (villas): | 20' |
| Side: | 5' (0 internal for villas) |
| Rear: | 15' |
| Minimum Lot Width: | 40' |
| Minimum Lot Size: | 4,400 square feet |

16. Minimum Buffers:

| | |
|---|---|
| North: | 20' |

East: 50’

17. The petitioner shall be required to meet the minimum requirements of the land development regulations for the southern and western property lines.

18. These buffers are all to be separate tracts, owned and maintained by the Homeowners’ Association, with natural vegetation preserved and enhanced to 80% opacity within 3 years of planting.

19. The petitioner shall be required to designate the southernmost access from US Highway 19 (Commercial Way) as the treed boulevard entrance into the development, meeting the requirements of the Hernando County Land Development Regulations.

20. The petitioner shall provide the minimum neighborhood park acreage as required by the County’s Land Development Regulations and ensure that this park is pedestrian-accessible for all residents within the development.

21. The petitioner shall preserve the minimum seven percent (7%) natural vegetation as required by the County’s Land Development Regulations. The required natural vegetation may be included as part of the required open space.

22. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.

23. The developer shall provide a utility capacity analysis and shall connect to the central water and sewer systems at time of vertical construction. Furthermore, the developer will be required to provide utility placement details showing the locations of all utilities on the conditional plat for lots with side setbacks of less than 10 feet.

24. The petitioner is limited to 80,000 square feet of commercial uses. Prior to the development of the commercial portion of the site, the petitioner must submit a master plan revision to provide clarification on the uses, setbacks, buffering, and connectivity provided for this section of development.

25. The petitioner is limited to 513 dwelling units. A specific lot layout shall be provided at the time of conditional plat.

26. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

Meeting: 10/09/2023
Department: Planning
Prepared By: Alaina Kidd
Initiator: Michelle Miller
DOC ID: 12887
Legal Request Number:
Bid/Contract Number:

## TITLE
CP 1455941 Waterford Overall

## BRIEF OVERVIEW
Conditional Plat approval for Waterford Overall

## FINANCIAL IMPACT
No financial impact

## LEGAL NOTE
The Planning and Zoning Commission has the authority to review this item in accordance with Chapter 26 (Subdivision Regulations), Article II (Procedures for County review and approval), Section 26-21 (procedure for conditional approval of a conditional plat) of the Hernando County Code of Ordinances.

## RECOMMENDATION
Centralia Subdivision with performance conditions

## REVIEW PROCESS

| | | | |
|---|---|---|---|
| Cayce Dagenhart | Approved | 09/28/2023 | 3:22 PM |
| Omar DePablo | Approved | 09/28/2023 | 3:45 PM |
| Michelle Miller | Approved | 09/29/2023 | 2:14 PM |
| Kyle Benda | Approved | 09/29/2023 | 9:28 PM |

# STAFF REPORT

| | |
|---|---|
| **HEARINGS:** | Planning & Zoning Commission: October 9, 2023 |
| **APPLICANT:** | Oak Hill Land LLC |
| **FILE NUMBER:** | 1455941 |
| **PURPOSE:** | Conditional Plat Approval for Waterford Overall |
| **GENERAL LOCATION:** | North side of Cortez Boulevard, approximately 600' west of Oak Hill Hospital |
| **PARCEL KEY NUMBER:** | 1800126, 1801866, 1801839,1797498 and 1797489 |

The conditional plat for the Waterford Overall subdivision is for 723 lots within a CPDP (Combined Planning Development Project) with single-family and multi-family residential uses. It is located just west of Oak Hill Hospital on the north side of Cortez Boulevard.

The conditional plat has been reviewed by various County agencies and found to be consistent with County standards. A certificate of concurrency has been issued for this conditional plat.

**STAFF RECOMMENDATION:**

It is recommended that the Planning and Zoning Commission approve the conditional plat of the Waterford Overall subdivision with the following performance conditions:

1. The conditional plat shall expire in two (2) years if no further approvals in the subdivision process are obtained.

2. The petitioner must 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.

3. A comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified professional and submitted with the Construction Drawing application. The petitioner is required to comply with all applicable FWC regulations and permitting.

4. A burrow survey and FWC permit are required to be provided to the County prior to tortoise relocation and site clearing/alteration. A limited site clearing permit for tortoise relocating can be obtained from Zoning. The after-action-report and FWC acceptance email is required prior to site clearing, or any site alteration.

Eastern Indigo snake protection method notes need to be added to environmental plan notes on construction drawings.

5. If archaeological artifacts are discovered at any time during Development construction, the Developer shall stop construction in that area and immediately notify the County, WRPC, DCA and the Division of Historical Resources of the Florida Department of State.

6. Geotechnical subsurface testing and reporting in accordance with Hernando County's Facility Design Guidelines shall be conducted for all proposed drainage retention areas within the project to test for subsurface karst features. The Gopher Tortoise survey should be performed and submitted before any geotechnical testing is performed to prevent unintended destruction of burrows.

   If the intent is to perform the geotechnical testing before the relocation of the gopher tortoises, a map shall be submitted providing the proposed testing locations, the gopher tortoise burrow locations, and the paths the heavy equipment will use to get to those locations while avoiding the destruction of the burrows.

7. The developer must conform to all Hernando County Facility Design Guidelines

8. This Conditional Plat is approved with the following conditions:

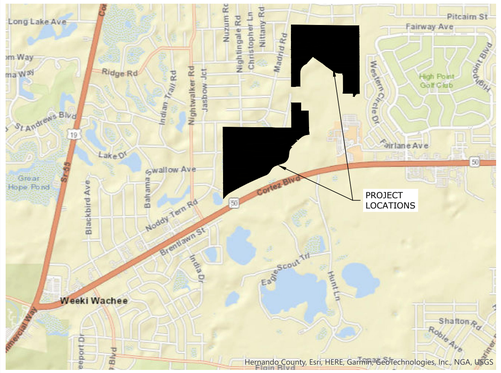
   a. Any improvements identified by the updated Traffic Access Analysis, which is currently under review, shall be the responsibility of the developer. Project design may be concurrent with the Traffic Access Analysis review, however, is strictly at the developer's risk.

   b. Site layout, access types and locations, roadway improvements, and drainage MAY all require major revisions. If the change is large enough, a Master Plan Revision would be required.

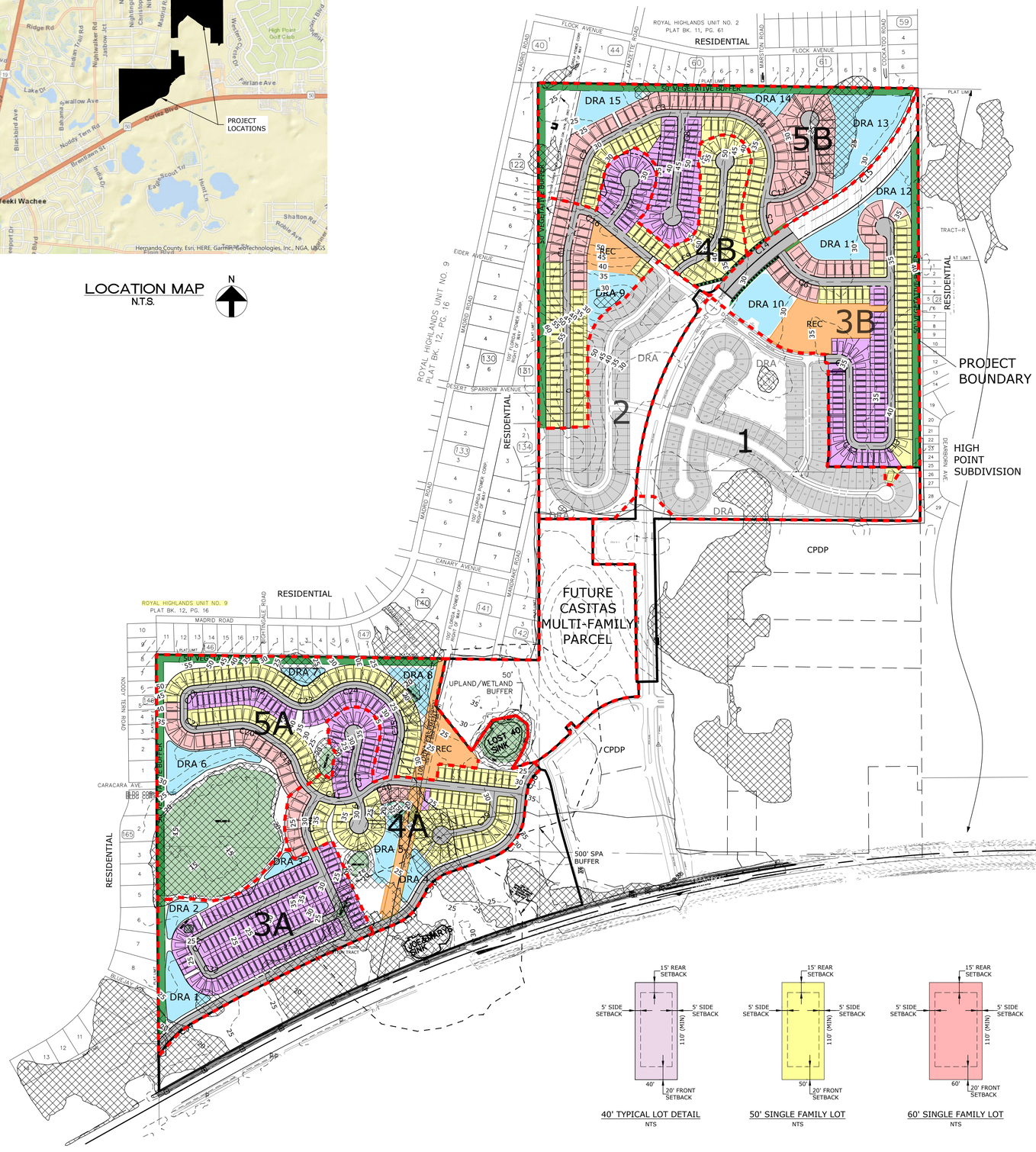
   c. All Minimum Perimeter Setbacks shall be included on the conditional plat. The southern setbacks are missing.

   d. The labels for the wetlands will be made legible. The labels for the contour lines shall be removed so as not to cover other labels and information.

   e. The lines for the SPA buffer shall be more clearly differentiated from the contour lines. The contour lines shall be included in the legend.




LOCATION MAP
N.T.S.




40' TYPICAL LOT DETAIL
NTS

50' SINGLE FAMILY LOT
NTS

60' SINGLE FAMILY LOT
NTS

SITE DATA
OWNER/APPLICANT:
OAK HILL LAND LLC
18125 WAYNE ROAD
ODESSA, FL 33556
PARCEL KEY NO.: 1800126, 1801866, 1801839, 1801857, 1725191, 1797498 & 1797489
SECTION/TOWNSHIP/RANGE: 30 & 31/22S/18E
CURRENT ZONING: CPDP W/ SF & MF
AREA = +/- 253.26 ACRES
PROPOSED NO. OF LOTS: 723

INTERNAL BUILDING SETBACKS:
FRONT 25'
SIDE 5'
REAR 15'

MINIMUM CASITAS SETBACKS, HEIGHT AND BUILDING SEPARATION:
- FRONT: 10'
- SIDE: 0'/5'
- REAR: 10'
- BETWEEN BUILDINGS: 10'
- MAXIMUM HEIGHT: 1 STORY

MINIMUM PERIMETER SETBACKS (INCLUSIVE OF VEGETATIVE BUFFERS):
- NORTH, WEST, AND EAST (WHERE ADJACENT TO ROYAL HIGHLANDS AND HIGHPOINT): 50'
- ADJACENT TO DUKE ENERGY POWER LINE EASEMENT: 15'

MINIMUM SETBACKS FROM INTERNAL ROADS:
- PROJECT FRONTAGE ROAD (SINGLE FAMILY): 35'
- PROJECT BOULEVARD COLLECTOR ROAD (RESIDENTIAL): 35'
- PROJECT BOULEVARD COLLECTOR ROAD (CASITAS): 35'
- PROJECT FRONTAGE ROAD (CASITAS): 25'

MINIMUM PROJECT BUFFERS:
- ADJACENT TO ROYAL HIGHLANDS: 50'
- ADJACENT OT HIGH POINT SUBDIVISION LOTS: 50'
- ADJACENT TO PROJECT BOULEVARD COLLECTOR ROAD (SINGLE FAMILY): 20'
- ADJACENT TO PROJECT BOULEVARD COLLECTOR ROAD (CASITAS): 25'
- ADJACENT TO FRONTAGE ROAD (CASITAS): 25'

BUFFERS: ALL REQUIRED BUFFERS SHALL BE LANDSCAPED OR ENHANCED TO ACHIEVE A MINIMUM OPACITY OF 80%. BUFFERS MAY BE AUGMENTED THROUGH THE USE OF FENCES OR WALLS AS DESIRED.

FLOOD PLAIN:
THE PROJECT IS LOCATED ON FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL 12053C 0166D AND 12053C 0168D, EFFECTIVE DATE FEBRUARY 2, 2012. THE PROPERTY IS LARGELY LOCATED WITHIN ZONE X WITH ONE SMALL AREA OF ZONE X-SHADE LOCATED WITHIN THE NORTHERN PORTION OF THE CONDITIONAL PLAT. SEVERAL ZONE AE FLOOD AREAS ARE LOCATED WITHIN THE CONDITIONAL PLAT WITH THE MAJORITY BEING IN THE SOUTHWEST PORTION.

WETLANDS AND/OR SURFACE WATERS ARE PRESENT. AN IMPROVED 50-FOOT UPLAND/WETLAND BUFFER WITH POST-OUTFALL TREATMENT FOR STORMWATER SHALL BE RETAINED AND REMAIN UNDISTURBED AROUND THE SINKS (AKA - JOE, MARY, THE LOST 40, AND ANY OTHER SINK FEATURES AS DETERMINED BY A QUALIFIED GEOTECHNICAL PROFESSIONAL) MEASURED FROM THE HIGH-WATER MARK LANDWARD. THE BUFFERS SHALL BE PLANTED WITH NATIVE VEGETATION, WHERE NEEDED, TO CONTROL EROSION AND SHALL BE MAINTAINED (INVASIVE EXOTIC SPECIES ARE TO BE REMOVED). A CONSERVATION EASEMENT OVER THE WETLANDS AND REQUIRED UPLAND BUFFERS SHALL BE PROVIDED AT THE TIME OF FINAL PLATTING OR PRIOR TO DEVELOPMENT WHERE PLATTING IS NOT REQUIRED.

FIRE PROTECTION:
FIRE HYDRANTS WILL BE PLACED THROUGHOUT THE COMMUNITY AT A MINIMUM OF 250' CURB LINE DISTANCE INTERVALS WHICH IS CONSISTENT WITH COUNTY STANDARDS. THE POTABLE WATER SYSTEM WILL BE DESIGNED TO PROVIDE A MINIMUM OF 1,000 GPM FOR USE IN FIREFIGHTING AS REQUIRED BY NFPA GUIDELINES AS REQUIRED BY HERNANDO COUNTY.

GENERAL NOTES
1. THIS IS A PLANNING DOCUMENT AND IS NOT TO BE CONSIDERED A FINAL DESIGN OR CONSTRUCTION PLAN; ALSO, NOT INTENDED FOR RECORDATION IN PUBLIC RECORDS. DRAINAGE AND UTILITY EASEMENTS WILL BE INCLUDED IN THE FINAL CONSTRUCTION PLANS AND SHALL MEET THE REQUIREMENTS OF HERNANDO COUNTY AND ANY AGENCIES HAVING JURISDICTION RELATED TO THIS PROJECT.
2. DRAINAGE RETENTION AREA(S) ARE CONCEPTUALLY LOCATED, THE ACTUAL SIZE AND LOCATION WILL BE DETERMINED WITH FINAL ENGINEERING DESIGN.

N
0 400 800 Feet

LEGEND
- 40' WIDE LOTS
- 50' WIDE LOTS
- 60' WIDE LOTS
- DRAINAGE
- RIGHT-OF-WAY
- RESERVED RIGHT-OF-WAY
- BUFFERS
- RECREATION
- TREE LINED BLVD.
- WETLANDS
- FLOOD ZONES
- PHASE LINE
- SPA BUFFER

## LAND USE TABLE

| LAND USE | ACRES | DWELLING UNITS | DENSITY |
|---|---|---|---|
| SINGLE FAMILY | 106.90 | 723 | |
| RECREATIONAL | 11.80 | (11.8 ACRES REQUIRED) | |
| BUFFERS | 13.34 | | |
| WETLAND | 16.70 | | |
| OPEN SPACE | 17.11 | | |
| DRAINAGE & ROADS | 60.04 | | |
| MULTIFAMILY/CASITAS PARCEL | 27.36 | 180 | |
| TOTAL AREA | +/- 253.26 | 903 | APPROX. 3.6 UNITS/ACRE |

NATIVE VEGETATION REQUIRED: 17.73 ACRES
NATIVE VEGETATION PROVIDED:
- PRESERVED VEGETATION PROVIDED BY VEGETATIVE BUFFERS: 13.34
- PRESERVED VEGETATION TO BE PROVIDED BY PRESERVED LOST 40 SINK AND 50' UPLAND/WETLAND BUFFER TOTALING 3.26 ACRES
- REMAINING 1.13 ACRES OF NATIVE VEGETATION TO BE PROVIDED BY REQUIRED 50' VEGETATIVE BUFFER ON MULTIFAMILY/CASITAS PARCEL(AT TIME OF DEVELOPMENT OF MULTIFAMILY/CASITAS PARCEL)

TOTAL PRESERVED VEGETATION: 17.73

## OVERALL LOT BREAKDOWN

| LOT WIDTH | NORTH PARCEL PHASE 1* | NORTH PARCEL PHASE 2* | WEST PARCEL PHASE 3A | NORTH PARCEL PHASE 3B | WEST PARCEL PHASE 4A | NORTH PARCEL PHASE 4B | WEST PARCEL PHASE 5A | NORTH PARCEL PHASE 5B | TOTAL LOTS |
|---|---|---|---|---|---|---|---|---|---|
| 40' | 0 | 0 | 118 | 64 | 25 | 21 | 42 | 40 | 310 |
| 50' | 118 | 78 | 0 | 41 | 59 | 89 | 63 | 35 | 483 |
| 60' | 0 | 0 | 0 | 23 | 10 | 15 | 18 | 60 | 126 |
| TOTAL LOTS | 118 | 78 | 118 | 128 | 94 | 125 | 123 | 135 | 919 |

*PHASE ONE AND TWO CONDITIONAL PLATS HAVE BEEN PREVIOUSLY APPROVED

Brian M Malmberg
Digitally signed by Brian M Malmberg
Date: 2023.06.30 12:39:26 -04'00'

BRIAN M MALMBERG LICENSE No. 59405 STATE OF FLORIDA PROFESSIONAL ENGINEER

# OVERALL CONDITIONAL PLAT

WATERFORD

Coastal
Engineering Associates, Inc.
Engineering
Planning
Surveying
Environmental
Transportation
Construction Management
966 Candlelight Boulevard - Brooksville - Florida 34601
(352) 796-9404 - Fax (352) 799-0369
EB-0000142

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1

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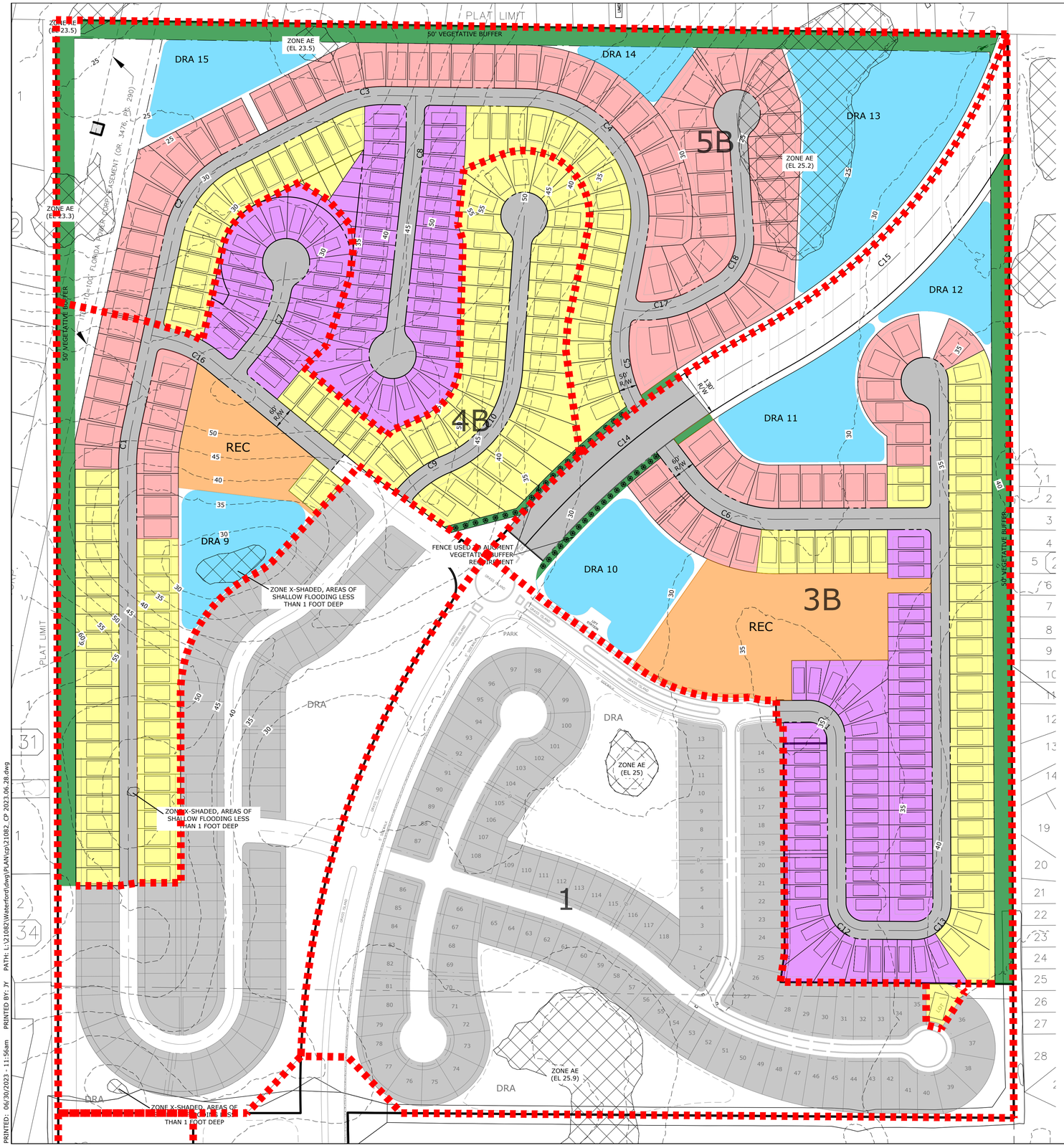


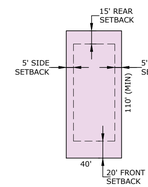

## LEGEND

- 40' WIDE LOTS
- 50' WIDE LOTS
- 60' WIDE LOTS
- DRAINAGE
- RIGHT-OF-WAY
- RIGHT-OF-WAY RESERVATION
- BUFFERS
- RECREATION
- TREE LINED BLVD.
- FLOOD ZONES
- PHASE LINE

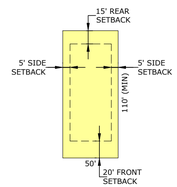
N

0 150 300 Feet

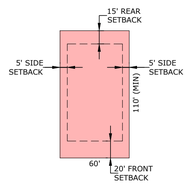
| CURVE TABLE | | | | | |
|---|---|---|---|---|---|
| CURVE NO. | DELTA | RADIUS | LENGTH | CHORD DISTANCE | CHORD BEARING |
| C1 | 012°22'58.97" | 500.00 | 108.06' | 107.85' | N06°04'44.22"E |
| C2 | 050°46'35.66" | 300.00 | 265.87' | 257.25' | N37°39'31.53"E |
| C3 | 027°48'45.95" | 300.00 | 145.63' | 144.20' | N76°57'12.34"E |
| C4 | 099°54'05.72" | 325.00 | 566.67' | 497.57' | S39°11'21.83"E |
| C5 | 040°56'04.58" | 350.00 | 250.06' | 244.77' | S09°42'21.25"E |
| C6 | 052°53'08.86" | 300.00 | 276.91' | 267.18' | N63°52'00.88"W |
| C7 | 031°38'47.08" | 300.00 | 165.70' | 163.60' | S23°28'14.29"W |
| C8 | 005°22'41.70" | 1000.00 | 93.87' | 93.83' | S03°32'56.16"W |
| C9 | 026°26'34.97" | 300.00 | 138.46' | 137.23' | N54°26'05.26"E |
| C10 | 063°37'34.58" | 300.00 | 333.15' | 316.29' | N35°50'35.46"E |
| C11 | 090°00'00.00" | 75.00 | 117.81' | 106.07' | N45°18'35.31"W |
| C12 | 089°14'08.69" | 75.00 | 116.81' | 105.36' | N44°55'39.66"W |
| C13 | 090°45'51.74" | 75.00 | 118.81' | 106.77' | S45°04'20.56"W |
| C14 | 019°59'31.81" | 2300.00 | 802.54' | 798.47' | N50°41'54.73"E |
| C15 | 036°23'50.16" | 1500.00 | 952.88' | 936.94' | N42°29'45.91"E |
| C16 | 027°01'24.13" | 300.00 | 141.49' | 140.19' | N64°13'04.23"W |
| C17 | 040°04'00.04" | 300.00 | 209.79' | 205.54' | N80°43'41.02"E |
| C18 | 064°22'26.68" | 150.00 | 168.53' | 159.81' | N28°30'27.66"E |




40' TYPICAL LOT DETAIL
NTS




50' SINGLE FAMILY LOT
NTS




60' SINGLE FAMILY LOT
NTS

# NORTHERN CONDITIONAL PLAT

WATERFORD


Coastal engineering associates, inc.
Engineering
Planning
Surveying
Environmental
Transportation
Construction Management
966 Candlelight Boulevard - Brooksville - Florida 34601
(352) 796-3772 - Fax (352) 799-0369
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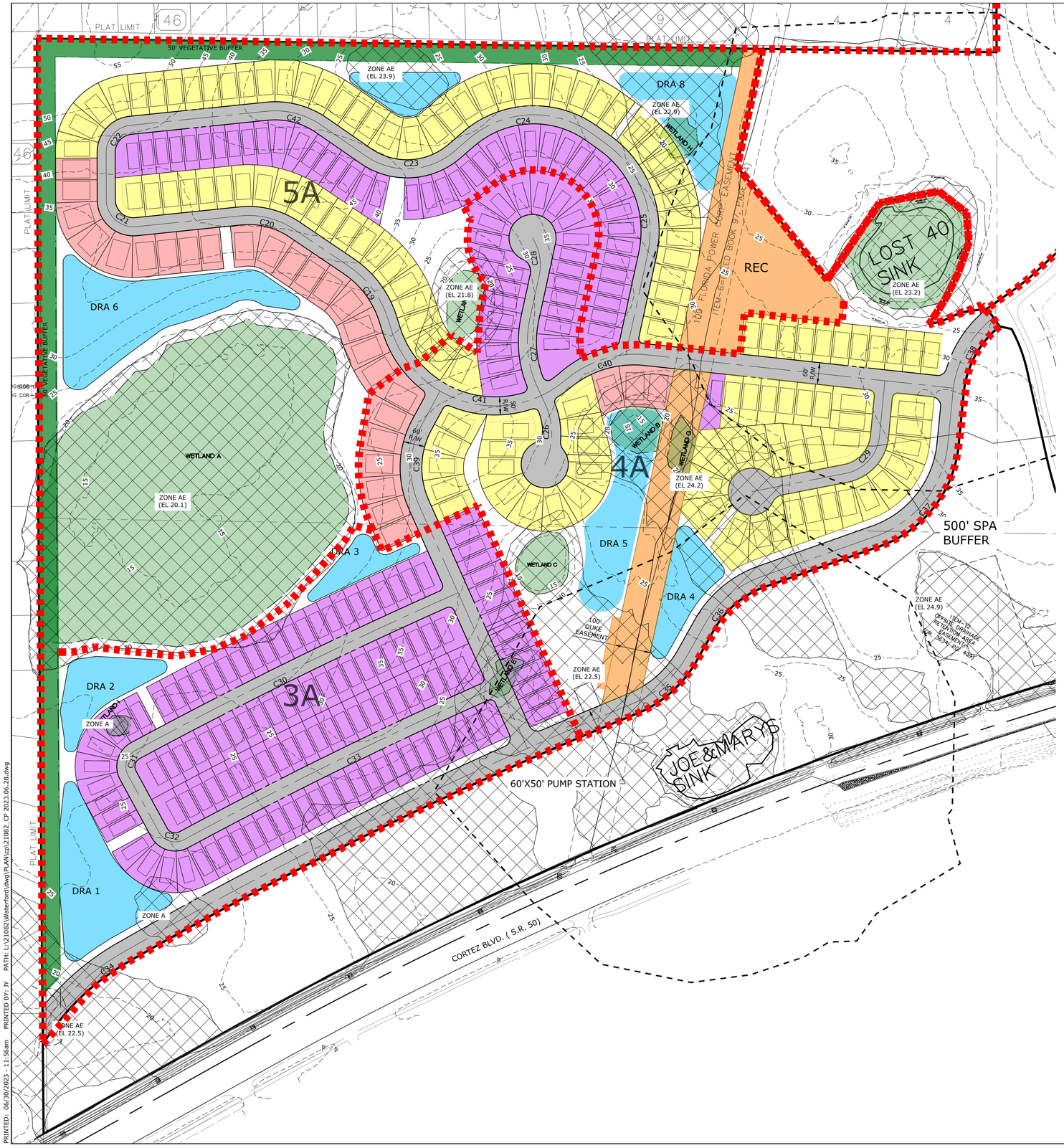


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## LEGEND

- 40' WIDE LOTS
- 50' WIDE LOTS
- 60' WIDE LOTS
- DRAINAGE
- RIGHT-OF-WAY
- BUFFERS
- RECREATION
- TREE LINED BLVD.
- WETLANDS
- FLOOD ZONES
- PHASE LINE
- SPA BUFFER

N

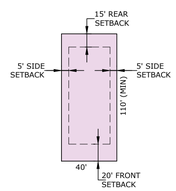
0 150 300 Feet

### CURVE TABLE

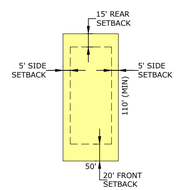
| CURVE NO. | DELTA | RADIUS | LENGTH | CHORD DISTANCE | CHORD BEARING |
|---|---|---|---|---|---|
| C19 | 038°28'51.24" | 275.00 | 184.70' | 181.24' | N36°43'42.30"W |
| C20 | 039°56'05.22" | 225.00 | 156.82' | 153.67' | N75°56'10.54"W |
| C21 | 095°44'18.45" | 75.00 | 125.32' | 111.24' | S48°02'03.92"E |
| C22 | 084°15'41.55" | 75.00 | 110.30' | 100.62' | S41°57'56.08"W |
| C23 | 075°22'05.19" | 200.00 | 263.08' | 244.52' | N87°00'57.73"E |
| C24 | 076°19'23.86" | 275.00 | 366.33' | 339.84' | S87°29'37.33"W |
| C25 | 066°35'44.98" | 300.00 | 348.69' | 329.40' | N21°02'48.25"W |
| C26 | 051°04'00.12" | 193.43 | 172.40' | 166.75' | N00°20'21.54"E |
| C27 | 037°26'42.76" | 300.00 | 196.06' | 192.59' | S06°28'17.14"E |
| C28 | 044°24'55.61" | 140.00 | 108.53' | 105.83' | N09°57'23.06"W |
| C29 | 073°22'57.38" | 115.00 | 147.29' | 137.43' | N42°16'54.64"E |
| C30 | 004°36'04.77" | 12357.31 | 992.39' | 992.13' | S63°56'16.61"W |
| C31 | 090°11'09.26" | 50.00 | 78.70' | 70.83' | S16°32'39.59"W |
| C32 | 089°48'40.81" | 50.00 | 78.38' | 70.59' | S73°27'15.44"E |
| C33 | 004°36'17.08" | 12077.31 | 970.63' | 970.37' | S63°56'32.69"W |
| C34 | 024°18'02.80" | 696.30 | 295.32' | 293.11' | S47°37'06.72"W |
| C35 | 038°28'56.06" | 305.00 | 204.85' | 201.02' | N48°32'34.53"E |
| C36 | 041°14'55.29" | 295.00 | 212.38' | 207.82' | S49°55'34.14"W |

### CURVE TABLE

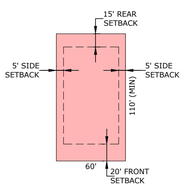
| CURVE NO. | DELTA | RADIUS | LENGTH | CHORD DISTANCE | CHORD BEARING |
|---|---|---|---|---|---|
| C37 | 065°56'48.25" | 300.00 | 345.30' | 326.55' | N38°33'50.07"E |
| C38 | 045°30'11.71" | 300.00 | 238.25' | 232.04' | S28°20'31.80"W |
| C39 | 052°29'01.65" | 250.00 | 229.00' | 221.08' | S02°12'50.50"W |
| C40 | 046°34'37.09" | 300.00 | 243.88' | 237.22' | S72°55'36.94"W |
| C41 | 112°52'24.92" | 300.00 | 591.00' | 499.97' | S73°55'29.14"E |
| C42 | 040°36'13.48" | 225.00 | 159.45' | 156.13' | N75°36'06.41"W |




40' TYPICAL LOT DETAIL
NTS




50' SINGLE FAMILY LOT
NTS




60' SINGLE FAMILY LOT
NTS

# SOUTHERN CONDITIONAL PLAT

WATERFORD

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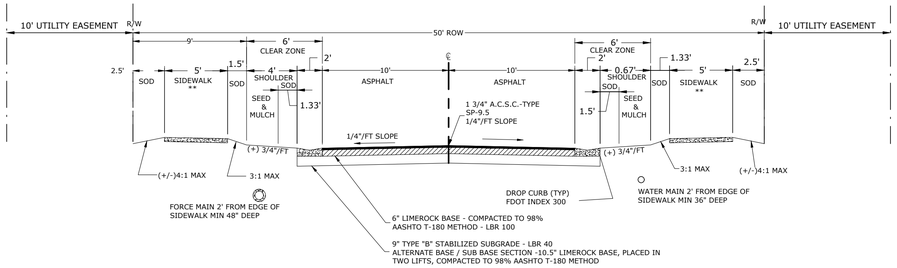
JOB No.: 21082




GENERAL NOTES:

DESIGN SPEED, RIGHT-OF-WAY, AND ROADSIDE DIMENSIONS ARE MINIMUMS. SITE CONDITION MAY REQUIRE INCREASES.

* VARIANCE IN HORIZONTAL DESIGN SPEED ALLOWED WITH JUSTIFICATION AND APPROPRIATE SIGNAGE

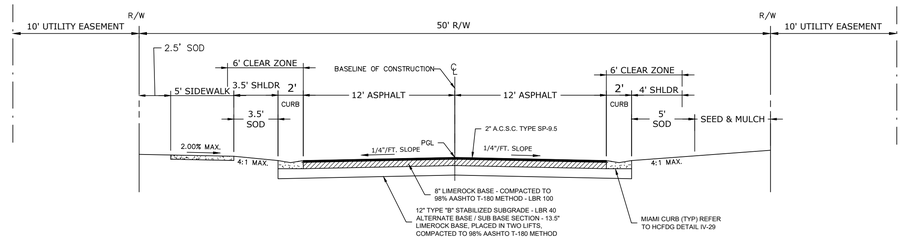
** SIDEWALKS IF APPLICABLE

ALL DIMENSIONS & LABELS ARE TYPICAL

## TYPICAL SECTIONS
NOT TO SCALE

LOCAL ROAD
CLOSED DRAINAGE
NOT TO SCALE

DESIGN SPEED = 30MPH *
HERNANDO COUNTY ROADWAY DETAIL (1V-05)




GENERAL NOTES:
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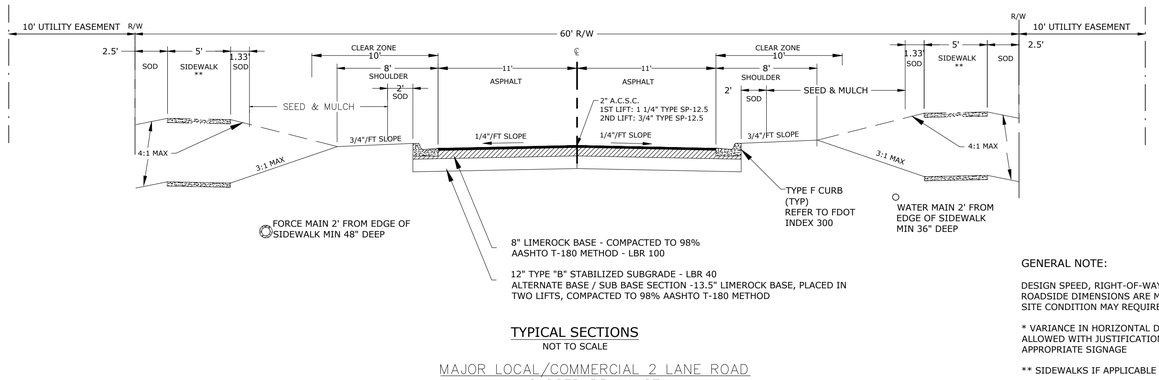
ALL DIMENSIONS & LABELS ARE TYPICAL AND SHOWN IN FEET UNLESS LABELED OTHERWISE

MODIFICATIONS
* ADDITION OF MIAMI CURB

## TYPICAL SECTIONS
NOT TO SCALE

FRONTAGE ROAD
CLOSED DRAINAGE
NOT TO SCALE

DESIGN SPEED = 30MPH *
HERNANDO COUNTY ROADWAY DETAIL (1V-04)




GENERAL NOTE:

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* VARIANCE IN HORIZONTAL DESIGN SPEED ALLOWED WITH JUSTIFICATION AND APPROPRIATE SIGNAGE

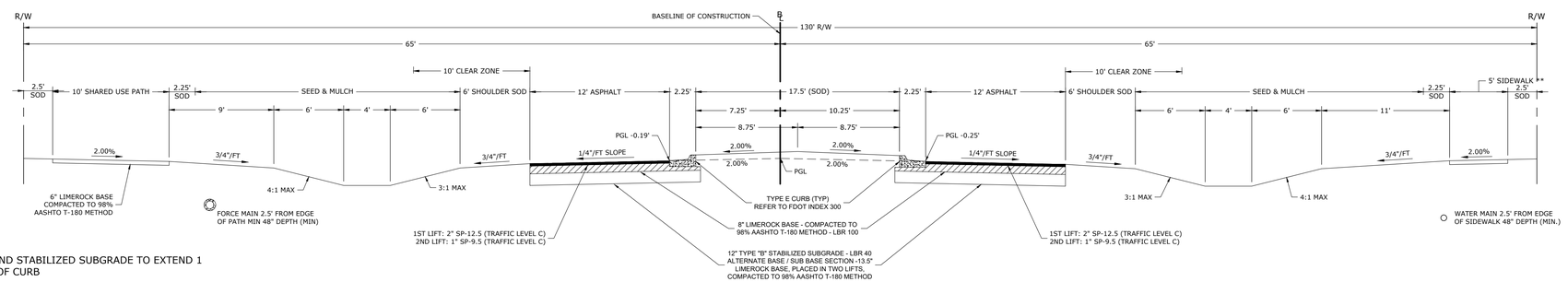
** SIDEWALKS IF APPLICABLE

ALL DIMENSIONS AND LABELS ARE TYPICAL AND SHOWN IN FEET UNLESS LABELD OTHERWISE

## TYPICAL SECTIONS
NOT TO SCALE

MAJOR LOCAL/COMMERCIAL 2 LANE ROAD
CLOSED DRAINAGE
NOT TO SCALE

DESIGN SPEED = 35 MPH *
HERNANDO COUNTY ROADWAY DETAIL (1V-06)




GENERAL NOTES:

1. LIMEROCK BASE AND STABILIZED SUBGRADE TO EXTEND 1 FOOT PAST BACK OF CURB
2. MEDIAN AREAS LESS THAN 4 FOOT IN WIDTH OR LESS TO BE 6" DEPTH 3000 PSI CONCRETE.
3. THE PAVEMENT SURFACE ON LOW PAVEMENT EDGE IS TO BE ¼" ABOVE THE LIP OF THE GUTTER.
4. ⅛" - ¼" CONSTRUCTION JOINTS AT 10' CENTERS MAXIMUM ARE TO BE PROVIDED.
5. A ½" EXPANSION JOINT IS REQUIRED BETWEEN CONCRETE PAVEMENT AND CURBS AND/OR GUTTERS.

## CORTEZ OAKS AVE. TYPICAL SECTION – OPEN DRAINAGE
NOT TO SCALE

DESIGN SPEED = 45 MPH
HERNANDO COUNTY ROADWAY DETAIL (IV-12)

TYPICAL SECTIONS

WATERFORD


Coastal
engineering associates, inc.
Engineering
Planning
Surveying
Environmental
Transportation
Construction Management
966 Candlelight Boulevard - Brooksville - Florida 34601
(352) 796-0423 - Fax (352) 799-0369
EB-0001142



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| DATE | REV. BY | REV. NO. | REVISION |
|---|---|---|---|
| 5/30/2023 | JY | 1 | REVISED PER COUNTY COMMENTS |

WHEN PRINTED TO SCALE, DRAWING SIZE SHALL BE 22" x 34"

4

JOB No.: 21082



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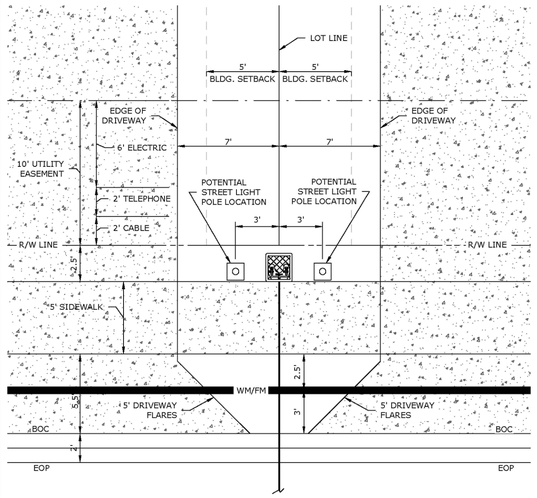


1" = 5' SCALE

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966 Candlelight Boulevard - Brooksville - Florida 34601
(352) 796-9423 - Fax (352) 799-8359
EB-0000142

| STANDARD UTILITY LOCATION W/ 5' SETBACKS | DATE 06/21/21 |
|---|---|
| WATER SERVICE | 1 |

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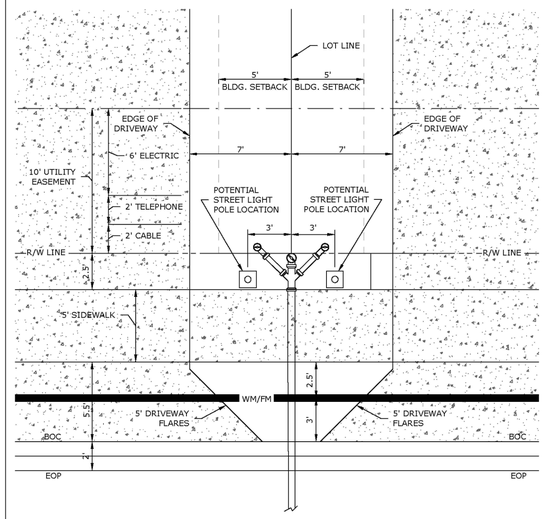


1" = 5' SCALE

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| STANDARD UTILITY LOCATION W/ 5' SETBACKS | DATE 06/21/21 |
|---|---|
| SANITARY SEWER SERVICE | 2 |

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TYPICAL SECTIONS

WATERFORD

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Engineering, Planning, Surveying, Environmental, Transportation, Construction Management
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| DATE | REV. BY | REV. NO. | REVISION |
|---|---|---|---|
| 5/30/2023 | JY | 1 | REVISED PER COUNTY COMMENTS |

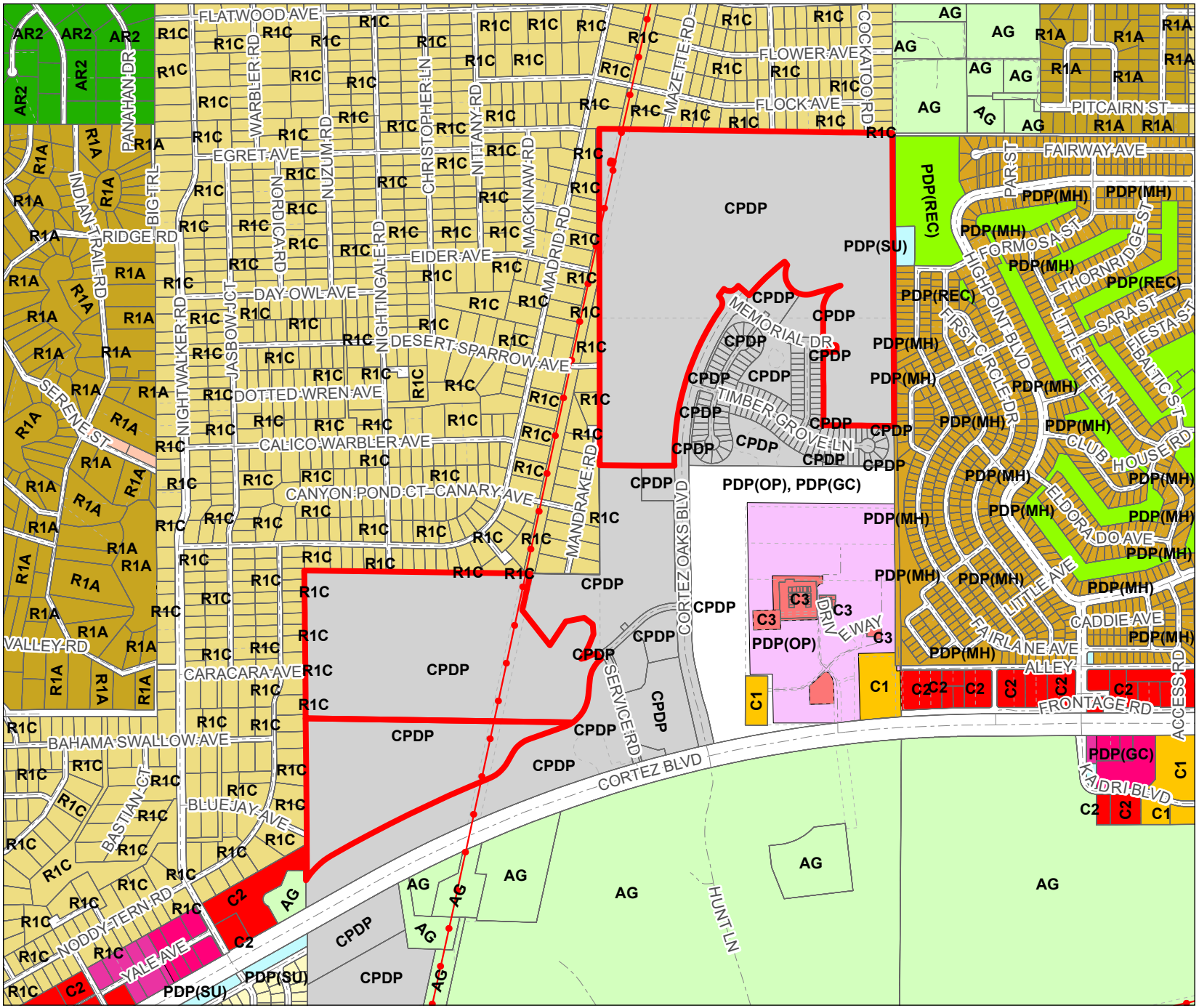
WHEN PRINTED TO SCALE, DRAWING SIZE SHALL BE 22" X 34"

5

JOB No.: 21082

# CP 1455941

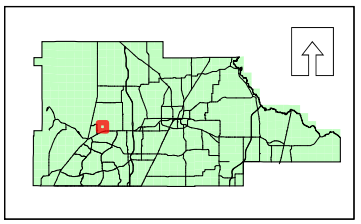
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



Zoning:

- AC
- AG
- AR
- AR1
- AR2
- C1
- C2
- C3
- C4
- CITY
- CM1
- CM2
- CPDP
- CV
- I1
- I2
- M
- OP
- PDP(AF)
- PDP(CM)
- PDP(CP)
- PDP(GC)
- PDP(GHC)
- PDP(HC)
- PDP(HHC)
- PDP(HID)
- PDP(IND)
- PDP(LI)
- PDP(MF)
- PDP(MH)
- PDP(NC)
- PDP(OP)
- PDP(PSF)
- PDP(REC)
- PDP(RR)
- PDP(RUR)
- PDP(SF)
- PDP(SU)
- R1A
- R1B
- R1C
- R1MH
- R2
- R2.5
- R3
- RC
- RM

City Zoning Pending



Hernando County Zoning Department
Project date: 9/19/2023

0 0.1 0.2 0.4 0.6 0.8 Miles



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CP1455941.pdf

# CP 1455941

Photo date: 2023

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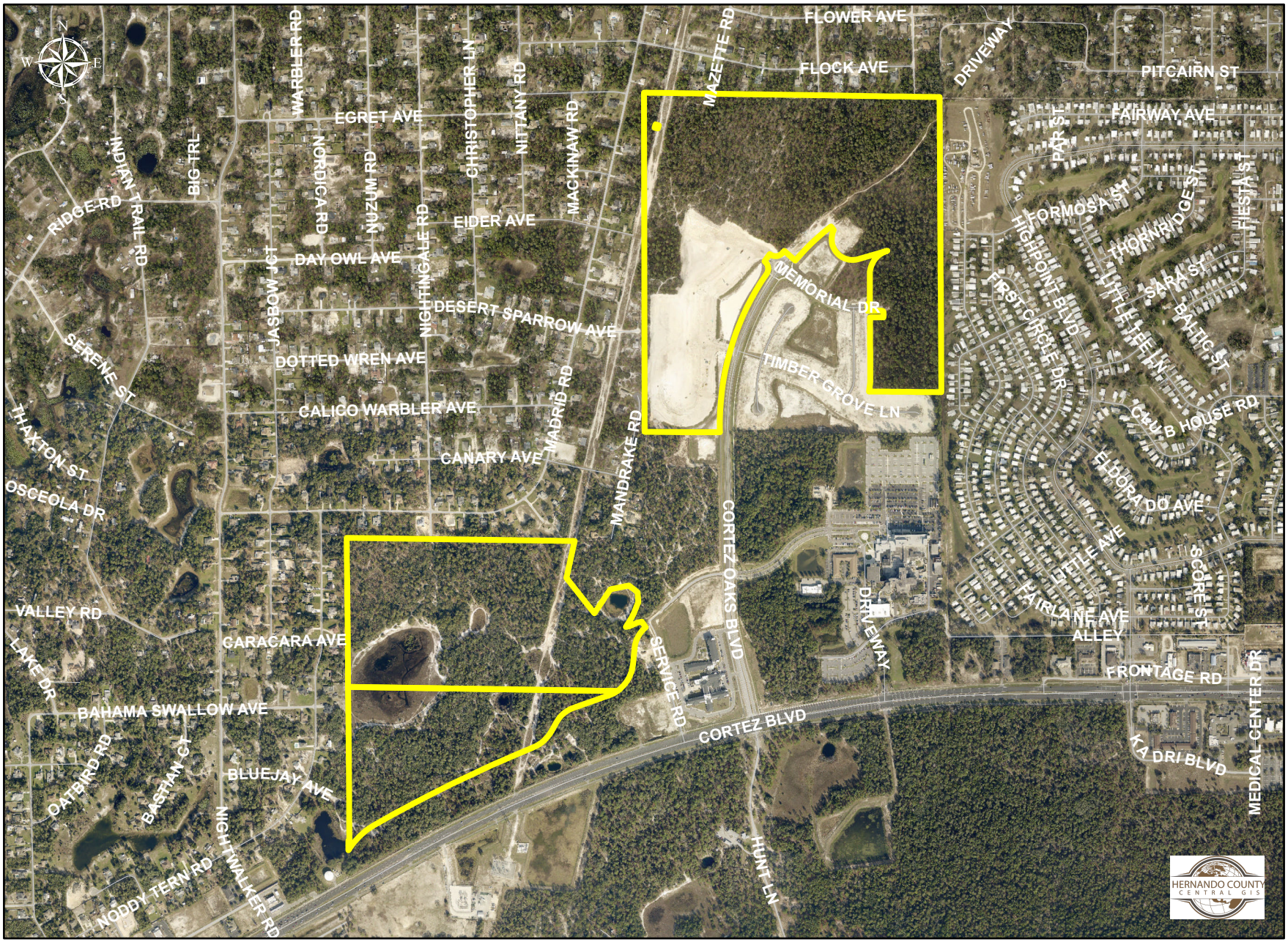

# STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: December 12, 2022
Board of County Commissioners: January 10, 2023

**APPLICANT:** Oak Hill Land LLC

**FILE NUMBER:** H-22-59

**REQUEST:** Master Plan Revision on Property Zoned CPDP (Combined Planned Development Project) with deviations

**GENERAL LOCATION:** North side of Cortez Boulevard, approximately 800' east of Nightwalker Road

**PARCEL KEY NUMBERS:** 1725191, 1800126, 1797489, 1797498

---

**BACKGROUND:**

On August 13, 2019, the Board of County Commissioners approved a master plan revision on the subject parcels zoned CPDP/(Combined Planned Development Project) which includes Single Family, Multifamily, General Commercial with specific C-2 uses, Office Professional, and Congregate Care Facility; and a rezoning from Agricultural to CPDP/(Combined Planned Development Project to include Single Family, Multifamily, General Commercial with specific C-2 uses, Office Professional with specific C-1 uses and deviations. The entitlements approved for the development were as follows:

- 80,000 square feet of Office Professional
- 980 Total Residential Units
  - 500 Single Family units
  - 320 attached villas located west of the Duke Energy Power Lines
  - 180 Multifamily units located in the mixed-use areas including 75 independent living units
- 216 Skilled Nursing Units
- 120 Assisted Living/Memory Care Units
- 140,000 square feet of Commercial
- Commercial uses located in the mixed-use section west of the Duke Energy Power Lines were limited to a maximum of 16,650 square feet.
- Up to 45,000 square feet of commercial is set aside for Parcel Key 1765744

Since the August 13th approval, the project has commenced construction on several of the approved products.

**APPLICANTS REQUEST:**

The petitioner's current request is for a Master Plan Revision on a portion of the site. The applicant is requesting the parcels retain their CPDP (Combined Planned Development) designation for single-family and multifamily residential; however, seeks several residential-specific revisions to the project. The applicant is requesting that the number of dwelling units allowed be increased to a maximum of 1,180 units (previously approved for 980 units) to accommodate the addition of 200 Casita units located in the current mixed-use area north of the reverse frontage road and west of Cortez Oaks Boulevard. The petitioner is not requesting any revisions to the remaining entitlements for the site.

The petitioner is proposing Casitas (a cottage-style product) designed for long term rental. The proposed Casitas are different from the traditional 3- to 4-story garden apartments, which are typically comprised of 12 to 30 units per building, with densities ranging from 10-22 units per acre. Casita densities typically range from 5 to 10 units per acre. The proposed density for the Waterford Casita's will be approximately 7.5 units per acre.

The proposed Casita buildings will have professional on-site management. They are proposed to be one-story, detached buildings that appear similar in style to single family home. Two and three-bedroom Casita units have one unit per building and one-bedroom Casita units have two units per building. Unit sizes range from 763 square feet to 1,395 square feet. Each unit has its own private fenced rear yard and are served by central sewer and water. Parking will be similar to a traditional multifamily complex.

**Petitioner's Proposed Revisions to Conditions:**

The proposed master plan revision is specific to the addition of the new Casita product. All other uses will remain as previously approved. However, as part of the request, the petitioner requesting revisions to the following previously approved performance conditions to accommodate the Casita product:

13. While the single-family portions of the project will meet the neighborhood park requirements and the overall recreational acreage will also be greater than 12 acres, the residential area in the rental Casitas is more compact. We are requesting that the County accept the recreational concept provided by the developer of the Casitas on the attached exhibit, which they have determined is appropriate for their tenants.

16. Requesting the building setbacks for the Casitas from Cortez Oaks Boulevard and the Frontage Road be reduced to 25', with a landscape buffer to be reviewed and approved by the County. The request is a deviation from the County's minimum required 35' building setback.

17. While the single-family portions of the project will meet these minimum project buffers, we are requesting the minimum buffers for the Casitas from Cortez Oaks Boulevard and the Frontage Road be reduced to 25', with a landscape buffer to be reviewed and approved by the County. The request is a deviation from the previously approved 35'.

21. Setbacks for the Casitas:

| | |
|---|---|
| Front: | 10' (deviation from 25') |
| Side: | 0'/5' (deviation from 10') |
| Rear: | 10' (deviation from 20') |
| Between Buildings: | 10' (deviation from 15') |

25. Increase in dwelling units to 1,128 dwelling units, with a maximum of 200 being Casitas

32. Since sinkholes Joe & Mary are not within the boundaries of this project, they should be removed from this zoning condition.

It should be noted that the petitioner included parcel key number 1725191 in the application; however, this parcel is not part of the casita portion of the development and therefore will be removed from the final approval of master plan revision request, if granted.

**SITE CHARACTERISTICS:**

| | |
|---|---|
| **Site Size:** | 268.8 total acres |
| **Surrounding Zoning & Land Uses:** | North: R-1C; Single Family; vacant lots<br>South: PDP(SF), AG and PSF; Undeveloped, towers/substation and Sand Hill Ranch Scout Reservation<br>East: PDP(REC), (MH), OP, C-1 and C-3; High Point Subdivision, Oak Hill Hospital and associated offices<br>West: R-1C, AG, C-3; Single Family and undeveloped |
| **Current Zoning:** | CPDP (Combined Planned Development Project) |
| **Future Land Use Map Designation:** | Residential, Rural, Commercial and Public Facility |

**ENVIRONMENTAL REVIEW:**

**Soil Type:** Candler Fine Sand, Tavares Fine Sand and Basinger Fine Sand

**Hydrologic Features:** The subject property contains Class 1, 2 and 3 wetlands and Special Protection Areas (SPA), according to County data resources.

***Comments:*** Several of the depressional wetlands on-site are sinkholes, directly connected to the aquifer, and classified as SPAs under the Groundwater Protection Ordinance (GPO). The property contains multiple sinks – Lost Forty, Joe, and Mary's sinks, and potentially unnamed sink(s). The Lost Forty, Joe, and Mary's sinks are connected to the surficial aquifer system; unnamed sink(s) have the potential to be connected. The Lost Forty is a documented sink tied to an underwater cavern system on the subject property.

The petitioner has requested that Joe and Mary sink be removed from Condition 32 of the previous H1916 approval. This condition states:

> *An improved 50-foot upland/wetland buffer with post-outfall treatment for stormwater shall be retained and remain undisturbed around the sinks (aka – Joe, Mary, the Lost 40, and any other sink features as determined by a qualified geotechnical professional) measured from the High-Water Mark landward. The buffers shall be planted with native vegetation, where needed, to control erosion and shall be maintained (invasive exotic species are to be removed). A conservation easement over the wetlands and required upland buffers shall be provided at the time of final platting or prior to development where platting is not required.*

Upon review of this request, staff determined that Joe and Mary sinks are significant sinks that can be impacted by the subject development. Any portion of the sinks included within the bounds of the property shall be protected through the wetland buffer as indicated in the condition of approval.

Sinks greater than half acre are classified as Class 1 wetlands. These are designated as Class 1 wetlands based on policies within the Hernando County Comprehensive Plan and Special Protection Areas. This project falls within the FDEP Weeki Wachee Basin

Management Action Plan area (an area of impaired groundwater). An upland/wetland buffer of 50 feet shall be retained and remain undisturbed around the Class 1 wetlands measured from the High-Water Mark. Erosion within the buffers from previous use is to be controlled by the planting of native vegetation (wetland littoral plantings to improve water quality could be included in the landscape plan). Buffers are intended to be maintained with vegetation.

A geotechnical evaluation and report prepared by a qualified professional shall be used in the design and layout of the project and shall be submitted to the County in connection with construction plans or development plans for each phase to ascertain that efforts have been made to avoid adverse impacts to subsurface karst sensitive features. The evaluation shall also include a stormwater design plan to prevent runoff, provide treatment, and avoid adverse stormwater impacts to Class 1 wetlands, potable drinking water, and Class 1 Wellhead Protection Areas. Class 1 wetlands and associated buffer areas shall include conservation easements on future plat(s), plans, and construction drawings.

General commercial and residential uses with central services are permitted within 500' of the designated SPA with the exception of new discharges of any regulated substance or untreated stormwater into karst solution features or sinkholes, facilities regulated by the Emergency Planning and Community Right-to-know Act of 1986, and hazardous waste facilities classified as large quantity generators of hazardous waste. The following uses are not permitted within 500' of Special Protection Ares (SPAs): Automobile repair, maintenance, and commercial car washes. Uses include major and minor automobile repair, automobile tire repair, automobile painting, automobile body shops, oil change stations, and commercial car washes, marine paint shops and marine repair shops, laundry and dry-cleaning plants; any establishment performing dry cleaning on-site, and electroplating. The petitioner is not proposing any of these uses at this time.

Any removal, encroachment or alteration of these wetlands shall require permitting and mitigation by the appropriate state and federal agencies. All future plans, plats, and construction drawings shall indicate the jurisdictional wetland lines.

**Protection Features:** The property is located within Class 1 and 2 Wellhead Protection Areas (WHPA) according to County data resources.

***Comments:*** General commercial and residential uses with central services are allowable within the WHPA-2 and within the WHPA-1 designation with the exception of new discharges of any regulated substance or untreated stormwater into karst solution features or sinkholes, underground storage tanks for fuel, facilities regulated by the Emergency Planning and Community Right-to-know Act of 1986, and hazardous waste facilities classified as large quantity generators of hazardous waste. The petitioner is not proposing any of these uses at this time.

**Habitat:** Candler fine sand provides a habitat suitable for gopher tortoises. Given the presence of the Candler fine soils, gopher tortoise habitat and several commensal species have a moderate potential for occurring on the project site including eastern indigo snake (Drymarchon corais), Florida mouse (Podomys floridanus), Florida pine snake (Pituophis melanoleucus mugitus), and gopher frog (Rana areolata). Since there is the potential for these listed Species of Special Concern to be present, the site should be inspected prior to construction, and a Florida Fish and Wildlife Conservation Commission permit may be required prior to site alterations. Wetland species may be present. Native majestic and specimen trees should be retained to the greatest extent possible.

***Comments:*** A comprehensive floral/faunal survey is required. Wildlife/gopher tortoise and aquatic (associated with caverns) surveys shall be conducted in order to identify any listed species present. A Florida Fish and Wildlife Conservation Commission (FWC) permit may be required prior to site alterations. The petitioner is required to comply with all applicable FWC regulations.

**Archaeological Historical:** An archaeological/historical survey was previously conducted for a portion of the site (HE00566). No further research is recommended for that Florida Master Site. There is potential for additional archaeological sites based on the project's natural characteristics.

**Flood Zone:** AE and C

***Comments:*** The floodplain analysis of the Willow Sink Watershed shows several floodplains within the proposed development. The following condition should be incorporated:

Floodplain mitigation is required within each sub-basin affected, such that the volume of the floodplain is preserved. This is required by the FEMA National Flood Insurance Program and Florida Building Code. For areas within the floodplain, all finished floor elevations shall be constructed above the 100-year flood elevation, and roadways shall meet the requirements of the Facilities Design Guidelines.

It is recommended that the applicant contact the Department of State, Division of Historic Resources for any additional archaeological compliance survey requirements.

**WATER QUALITY REVIEW:**

The proposed development is 2.33 miles from the Weeki Wachee Spring (WBID 1382B), the headwater for the Weeki Wachee River (WBID 1382F), and both are identified as impaired waterbodies and subject to a nutrient Total Maximum Daily Load (TMDL). Where stormwater is directed to retention/detention areas, the developer shall use enhanced treatment methods to reduce nitrogen loading.

An improved upland/wetland buffer with post-outfall treatment for stormwater shall be retained and remain undisturbed around the sinks (aka – Joe, Mary and the Lost 40) measured from the High-Water Mark. The buffers shall be planted with native vegetation to control erosion. A conservation easement over the wetlands and required upland buffers shall be granted to Hernando County at the time of final platting or prior to development where platting is not required.

**UTILITIES REVIEW:**

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer services to the subject property. Water service is available via an existing 12-inch water main located on the north side of Cortez Boulevard. Sewer service is available via an existing 10-inch force main located along the east side of two of the parcels. The Hernando County Utilities Department has no objection to the proposed rezoning and master plan revision subject to a water and sewer capacity analysis and connection to the central water and sewer systems at the 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.

**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 AND TRANSPORTATION REVIEW:**

According to the Hernando County Engineering Department, a traffic access analysis is in review. The petitioner should continue to work with the County Engineering to assess traffic impacts due to land use changes and coordinate additional right-of-way at time of development.

A permit for the relocation of the traffic light at the entrance to Oak Hill Hospital to Cortez Oaks Boulevard is in process. Once approved, this intersection will provide for an entryway into the development and connection to the Oak Hill Campus through their reverse frontage road connection.

**LAND USE REVIEW:**

**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.

***Comments:*** The petitioner has proposed two access points for the Casitas. One access will be directly to Cortez Oaks Boulevard and a second to the reverse frontage road.

**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. If approved, the petitioner must provide a minimum of seven percent (7%) natural vegetation. Preserved natural vegetation and/or planted native vegetation may be used to meet all or part of the requirement for open space as long as it is a minimum of fifteen (15) feet in width.

***Comments:*** The petitioner has not specified areas designated as natural vegetation on the master plan. If approved, the petitioner will be required to provide at least 26.25 acres of natural vegetation.

| **Natural Vegetation Needs Analysis** | |
|---|---|
| Natural Vegetation Calculation Criteria | Acreage |
| Total Project Area | 375.9 |
| Required Natural Vegetation | 26.25 |

**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:*** The petitioner as indicated while the single-family portions of the project will meet the neighborhood park requirements and the overall recreational acreage will also be greater than 12.0 acres, that the County accept the recreational concept provided by the developer for the Casitas. If the master plan revision is approved, the petitioner shall provide a comprehensive parks and recreation plan at the time of conditional plat that will show the connection from the recreation and open space approved for the remainder of the site to the amenities included within the Casita development. The petitioner shall also ensure that residents within the Casitas are provided information on the parks and recreation available throughout the Waterford development for their use and enjoyment.

**Project Setbacks and Buffers**

The petitioner is proposing the following project setbacks and buffers for the proposed Casita product. All other uses will continue to meet the previously approved conditions.

| **Perimeter:** | |
|---|---|
| South (adjacent to Cortez Boulevard ROW) | 75' (Previously Approved) |
| South (adjacent to Oak Hill Hospital) | 15' (Previously Approved) |
| North, West, and East (adjacent to Royal Highlands and High Point) | 50' (Previously Approved) |
| West (adjacent to Duke Energy Power Line Easement) | 15' (Previously Approved) |

| **From Internal Roads**: | |
|---|---|
| Project Frontage Road (Single Family) | 35' (Previously Approved) |
| Project Boulevard Collector Road (Residential) | 35' (Previously Approved) |
| Project Boulevard Collector Road (Casitas) | 25' (Deviation from 75') |
| Project Frontage Road (Casitas) | 25' (Deviation from 35') |

| **Buffers** | |
|---|---|
| Adjacent to Royal Highlands | 50' (Previously Approved) |
| Adjacent to High Point Subdivision | 50' of which half can consist of utility easement (Previously Approved) |
| Adjacent to Project Boulevard Collector Road (Single Family Residential) | 20' (Previously Approved) |
| Adjacent to Project Boulevard Collector Road (Casitas) | 25' (Deviation from 35') |
| Adjacent to Frontage Road (Casitas) | 25' (Deviation from 35') |

All required buffers shall be landscaped, or enhanced, to achieve 80% opacity.

***Comments:*** The request to reduce the setback from the project boulevard collector road from 75' to 25' is not supported by staff due to the lack of continuity of the overall Cortez Oaks Boulevard corridor. While the Casitas are a stand-alone multifamily project, they are part of the overall Waterford community; continuity of the Cortez Oaks Boulevard corridor is essential to the aesthetics and safety of the community. If the master plan revision is approved, the petitioner should be required to meet the 75' setback from Cortez Oaks Boulevard as initially approved in H1916.

**Residential Setbacks**

The following pertain solely to the newly proposed Casita product.

Proposed Building Setbacks, Height and Building Separation:

| | |
|---|---|
| Front: | 10' (deviation from 25') |
| Side: | 0'/5' (deviation from 10') |
| Rear: | 10' (deviation from 20') |
| Maximum Height: | 1 Story |
| Between Buildings: | 10' (deviation from 15') |

**COMPREHENSIVE PLAN REVIEW:**

The property is located predominately within the Residential land use classification with a portion located within Commercial, Rural, and Public Facility land use designations. The portion located within the Public Facility area is owned by Hernando County and is utilized as a powerline easement by Duke Power. No development is proposed within this area.

**Future Land Use Element**

**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(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.

**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.

**Strategy 1.04B(6):** Multi-family development may be allowed in the Commercial Category pursuant to a Planned Development Project (PDP) Master Plan and related strategies to accommodate infill and/or mixed use development.

**Strategy 1.04B(7):** All multi-family developments shall be located such that the integrity of nearby established single family neighborhoods is preserved:

a. multi-family development may serve as a density transition located on the periphery of single family neighborhoods and connecting to higher intensity uses;
b. multi-family developments at a density incompatible with surrounding land uses should not access arterial or collector roadway systems through established single family neighborhoods.

***Comments:*** The density (7.5 du/ac) of the Casita product is considered Multifamily in nature and the use is consistent with the residential future land use classifications. The Casitas are being developed as multifamily and part of an overall master plan. Additionally, the multifamily housing will have access to Cortez Boulevard through Cortez Oaks Boulevard, creating consistent access across the community to the existing roadway network.

The petitioner has requested an increase to the total number of units from 980 to 1180; however, the density of the multifamily units is decreasing through the development of the Casita-style units. The petitioner should be limited to the 980 dwelling units as initially approved, with the understanding that land uses may be exchanged, as long as the total number of residential units does not exceed 980. At each conditional plat, the petitioner shall be required to provide the number of units and square foot of nonresidential requested versus total allowed for entire development.

**FINDINGS OF FACT:**

A Master Plan Revision on Property Zoned CPDP (Combined Planned Development Project) with Deviations is appropriate with the following revisions:

1. The development shall be limited to the 980 units as initially approved (H1916).

2. The development shall maintain the 75' setback along Cortez Oaks Boulevard.

3. The applicant shall provide appropriate amenities for the Casitas and inform Casita residents of available parks and recreation facilities within the Waterford community for their use and enjoyment.

With these revisions, the proposed master plan is consistent with the Comprehensive Plan and is 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 RECOMMENDATIONS:**

It is recommended 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 CPDP (Combined Planned Development Project) with Deviations, and 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 or the property, and complete all applicable development review processes.

2. All previous performance conditions (H1916) shall be in full force and effect with the exception of those listed herein and solely pertaining to the Casitas product.

3. The petitioner shall provide a comprehensive parks and recreation plan at the time of conditional plat that will show the connection from the recreation and open space approved for the remainder of the site to the amenities included within the Casita development. The petitioner shall also ensure that residents within the Casitas are provided information on the parks and recreation available throughout the Waterford development for their use and enjoyment.

4. Minimum Perimeter Project Setbacks:
   - South (Adjacent to Cortez Boulevard ROW): 75'
   - South (Adjacent to Oak Hill Hospital): 15'
   - North, West and East (Adjacent to Royal Highlands and High Point): 50'
   - Adjacent to Duke Energy Power Line Easement: 15'

5. Minimum Setbacks from Internal Roads:
   - Project Frontage Road (Single Family): 35'
   - Project Boulevard Collector Road (Residential): 35'
   - Project Boulevard Collector Road (Casitas): 75'
   - Project Frontage Road (Casitas): 25'(Deviation from 35')

6. Minimum Project Buffers:
   - Adjacent to Royal Highlands: 50'
   - Adjacent to High Point Subdivision Lots: 50'
   - Adjacent to Project Boulevard Collector Road (Single Family): 20'
   - Adjacent to Project Boulevard Collector Road (Casitas): 25' (Deviation from 35')
   - Adjacent to Frontage Road (Casitas): 25' (Deviation from 35')

7. All required buffers shall be landscaped or enhanced to achieve a minimum opacity of 80%. Buffers may be augmented through the use of fences or walls as desired.

8. The development shall meet the minimum open space requirements of the County's LDRs.

9. Minimum Casita Setbacks, Height and Building Separation:
   Front: 10' (deviation from 25')
   Side: 0'/5' (deviation from 10')
   Rear: 10' (deviation from 20')
   Maximum Height: 1 Story
   Between Buildings: 10' (deviation from 15')

10. The project shall be limited to a maximum of:
    - 80,000 square feet of office
    - 980 residential units
      - 500 Single Family units
      - 320 attached villas located west of the Duke Energy Power Lines
      - 180 Multifamily units located in the mixed-use areas including 75 independent living units
    - 216 Skilled Nursing Units
    - 120 Assisted Living/Memory Care Units
    - 140,000 square feet of Commercial
    - Commercial uses located in the mixed-use section west of the Duke Energy Power Lines are limited to a maximum of 16,650 square feet.
    - Up to 45,000 square feet of commercial is set aside for Parcel Key 1765744.
    - 80,000 square feet of Office.

11. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

**P&Z RECOMMENDATION:**

On December 12, 2022, 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 CPDP (Combined Planned Development Project) with Deviations, and the following modified 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 or the property, and complete all applicable development review processes.

2. All previous performance conditions (H1916) shall be in full force and effect except for those listed/modified herein. ~~with the exception of those listed herein and solely pertaining to the Casitas product.~~

3. The petitioner shall provide a comprehensive parks and recreation plan at the time of conditional plat that will show the connection from the recreation and open space approved for the remainder of the site to the amenities included within the Casita development. The petitioner shall also ensure that residents within the Casitas are provided information on the parks and recreation available throughout the Waterford development for their use and enjoyment.

4. Minimum Perimeter Project Setbacks:
   - South (Adjacent to Cortez Boulevard ROW): 75'
   - South (Adjacent to Oak Hill Hospital): 15'
   - North, West and East (Adjacent to Royal Highlands and High Point): 50'
   - Adjacent to Duke Energy Power Line Easement: 15'

5. Minimum Setbacks from Internal Roads:
   - Project Frontage Road (Single Family): 35'
   - Project Boulevard Collector Road (Residential): 35'
   - Project Boulevard Collector Road (Casitas): ~~75'~~ 35 (Deviation from 75')
   - Project Frontage Road (Casitas): 25'(Deviation from 35')

6. Minimum Project Buffers:
   - Adjacent to Royal Highlands: 50'
   - Adjacent to High Point Subdivision Lots: 50'
   - Adjacent to Project Boulevard Collector Road (Single Family): 20'
   - Adjacent to Project Boulevard Collector Road (Casitas): 25' (Deviation from 35')
   - Adjacent to Frontage Road (Casitas): 25' (Deviation from 35')

7. All required buffers shall be landscaped or enhanced to achieve a minimum opacity of 80%. Buffers may be augmented through the use of fences or walls as desired.

8. The development shall meet the minimum open space requirements of the County's LDRs.

9. Minimum Casita Setbacks, Height and Building Separation:
   Front: 10' (deviation from 25')
   Side: 0'/5' (deviation from 10')
   Rear: 10' (deviation from 20')
   Maximum Height: 1 Story
   Between Buildings: 10' (deviation from 15')

10. The project shall be limited to a maximum of:

A. Waterford Oaks (Parcel Key #s 1725191, 1800126, 1797498 and 1797489) 1,100 residential units, consisting of:
- 920 Single Family detached dwelling units (all located in Parcel Key #s 1725191,1797498 and 1797489)
- 180 Multifamily units (Casitas) located in Parcel Key # 1800126

B. Remainder of former Cortez Oaks Master Plan (Parcel Key #s 346673, 1777786, 1777937 and 1765744), consisting of:
- 216 Skilled Nursing Units (all located in Parcel Key # 1777786)
- 120 Assisted Living/Memory Care Units (all located in Parcel Key # 1777786)
- 70 Multifamily units (all located in Parcel Key # 1765744)
- 160,000 building square feet of Office (all located in Parcel Key #s 1765744 and 346673)
- 140,000 building square feet of Commercial located in Parcel Key #s 346673 and 1765744. Up to 45,000 of square feet of this total is set aside for Parcel Key # 1765744.

- ~~80,000 square feet of office~~
- ~~980 residential units~~
  - ~~500 Single Family units~~
  - ~~320 attached villas located west of the Duke Energy Power Lines~~
  - ~~180 Multifamily units located in the mixed-use areas including 75 independent living units~~
- ~~216 Skilled Nursing Units~~
- ~~120 Assisted Living/Memory Care Units~~
- ~~140,000 square feet of Commercial~~

- ~~Commercial uses located in the mixed-use section west of the Duke Energy Power Lines are limited to a maximum of 16,650 square feet.~~
- ~~Up to 45,000 square feet of commercial is set aside for Parcel Key 1765744.~~
- ~~80,000 square feet of Office.~~

11. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

**BOCC ACTION:**

On January 10, 2023, the Board of County Commissioners voted 5-0 to adopt Resolution 2023-05 adopting the petitioner's request for a Master Plan Revision on property zoned CPDP (Combined Planned Development Project) with Deviations, and the following unmodified 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 or the property, and complete all applicable development review processes.

2. All previous performance conditions (H1916) shall be in full force and effect except for those listed/modified herein.

3. The petitioner shall provide a comprehensive parks and recreation plan at the time of conditional plat that will show the connection from the recreation and open space approved for the remainder of the site to the amenities included within the Casita development. The petitioner shall also ensure that residents within the Casitas are provided information on the parks and recreation available throughout the Waterford development for their use and enjoyment.

4. Minimum Perimeter Project Setbacks:
   - South (Adjacent to Cortez Boulevard ROW): 75'
   - South (Adjacent to Oak Hill Hospital): 15'
   - North, West and East (Adjacent to Royal Highlands and High Point): 50'
   - Adjacent to Duke Energy Power Line Easement: 15'

5. Minimum Setbacks from Internal Roads:
   - Project Frontage Road (Single Family): 35'
   - Project Boulevard Collector Road (Residential): 35'
   - Project Boulevard Collector Road (Casitas): ~~75'~~ 35 (Deviation from 75')
   - Project Frontage Road (Casitas): 25'(Deviation from 35')

6. Minimum Project Buffers:
   - Adjacent to Royal Highlands: 50'
   - Adjacent to High Point Subdivision Lots: 50'
   - Adjacent to Project Boulevard Collector Road (Single Family): 20'
   - Adjacent to Project Boulevard Collector Road (Casitas): 25' (Deviation from 35')
   - Adjacent to Frontage Road (Casitas): 25' (Deviation from 35')

7. All required buffers shall be landscaped or enhanced to achieve a minimum opacity of 80%. Buffers may be augmented through the use of fences or walls as desired.

8. The development shall meet the minimum open space requirements of the County's LDRs.

9. Minimum Casita Setbacks, Height and Building Separation:

| | |
|---|---|
| Front: | 10' (deviation from 25') |
| Side: | 0'/5' (deviation from 10') |
| Rear: | 10' (deviation from 20') |
| Maximum Height: | 1 Story |
| Between Buildings: | 10' (deviation from 15') |

10. The project shall be limited to a maximum of:

    A. Waterford Oaks (Parcel Key #s 1725191, 1800126, 1797498 and 1797489) 1,100 residential units, consisting of:
    - 920 Single Family detached dwelling units (all located in Parcel Key #s 1725191,1797498 and 1797489)
    - 180 Multifamily units (Casitas) located in Parcel Key # 1800126

    B. Remainder of former Cortez Oaks Master Plan (Parcel Key #s 346673, 1777786, 1777937 and 1765744), consisting of:
    - 216 Skilled Nursing Units (all located in Parcel Key # 1777786)
    - 120 Assisted Living/Memory Care Units (all located in Parcel Key # 1777786)
    - 70 Multifamily units (all located in Parcel Key # 1765744)
    - 160,000 building square feet of Office (all located in Parcel Key #s 1765744 and 346673)
    - 140,000 building square feet of Commercial located in Parcel Key #s 346673 and 1765744. Up to 45,000 of square feet of this total is set aside for Parcel Key # 1765744.

11. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

Meeting: 10/09/2023
Department: Planning
Prepared By: Robin Reinhart
Initiator: Michelle Miller
DOC ID: 12898
Legal Request Number:
Bid/Contract Number:

## TITLE
Conditional Use Permit Petition Submitted by Pamela J Merrill (CU2309)

## BRIEF OVERVIEW
**Request:**
Renewal for a Conditional Use Permit for a Second Residence

**General Location:**
Northwest corner of Croom Road and Scott William Trail

## FINANCIAL IMPACT
A matter of policy. There is no financial impact.

## LEGAL NOTE
The Planning and Zoning Commission has approval jurisdiction over the subject application. The Applicable Criteria for conditional use approval are contained in Appendix A, (Zoning Code) Article V, Section 4. The Conditional Use Approval must be consistent with the Comprehensive Plan.

Article V, Section 4(A)(2) permits the following, with planning and zoning commission approval: Temporary second principal building on one lot of record in cases of extreme personal hardship. Article V, Section 4(G)(3) provides: "No conditional use permit shall be issued for a period to exceed two (2) years unless otherwise specified in this ordinance. However, conditional use permits may be renewed or extended upon reapplication."

## RECOMMENDATION
It is recommended that the Planning and Zoning Commission determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a Temporary Security Residence for a period of up to one (1) year with performance conditions.

## REVIEW PROCESS

| | | |
|---|---|---|
| Omar DePablo | Escalated | 09/27/2023 5:19 PM |
| Michelle Miller | Approved | 09/28/2023 11:39 AM |
| Michelle Miller | Approved | 09/28/2023 11:39 AM |
| Kyle Benda | Approved | 09/28/2023 4:17 PM |

# STAFF REPORT

**HEARINGS:** Planning & Zoning Commission: October 9, 2023

**APPLICANT:** Pamela J. Merrill

**FILE NUMBER:** CU-23-09

**REQUEST:** Renewal for a Conditional Use Permit for a Second Residence

**GENERAL LOCATION:** Northwest corner of Croom Road and Scott William Trail

**PARCEL KEY NUMBER:** 01250256

## APPLICANT'S REQUEST:

On August 9, 2021, the Planning and Zoning Commission approved a request for a Conditional Use Permit for a Second Residence (CU2102). The petitioner's current request is for a renewal of the conditional use permit for the second residence on a 4.25 acre parcel. Due to the health of the petitioner's sister, a triple-wide mobile home has been placed on the property to provide the required assistance. The petitioner has provided a letter from a physician indicating that it would be beneficial for the petitioner's sister to live near family members. No changes from the previous approvals are requested.

## SITE CHARACTERISTICS:

**Site Size:** 4.25 acres

**Surrounding Zoning/ Land Uses:**
North: AG; Single family and Mobile Homes
South: AG; Single family and Mobile Homes
East: AG; Single family and Mobile Homes
West: AR; Single family and Mobile Homes

**Current Zoning:** AG/(Agricultural)

**Future Land Use Map Designation:** Residential

**Flood Zone:** C

**UTILITIES REVIEW:**

The Hernando County Utilities Department has indicated the subject site is located within the City of Brooksville Utility Department's (CBUD) first right to serve district.

**HEALTH DEPARTMENT REVIEW:**

The Hernando County Health Department has reviewed the application and indicated that the petitioner will be required to meet the Health Department Sanitation Regulations.

**ENGINEERING & TRANSPORTATION REVIEW:**

The subject site is located on the northwest corner of Croom Road and Scott William Trail. The existing access to the property will continue to be utilized. The County Engineer has indicated no engineering related concerns.

**LAND USE REVIEW:**

A conditional use permit is intended to be used as a special permit which temporarily allows uses not otherwise permitted by the ordinance. The P&Z has the ability to grant a conditional use permit for a period up to two years if they determine that a hardship exists. Conditional use permits may be renewed or extended upon reapplication at the end of a two-year period.

**NOTICE OF APPLICANT RESPONSIBILITY:**

*The conditional use permit process is a land use determination and does not constitute a permit for either construction, 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 RECOMMENDATIONS:**

It is recommended that the Planning and Zoning Commission determine whether a hardship continues to exist; if such a determination is made, the Planning and Zoning Commission may approve the request for a renewal for a second residence for a period of up to two (2) years. If approved, the conditional use permit should be contingent upon the following:

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 petitioner shall remove the second residence upon termination of the permit, or when the hardship no longer exists.

3. The conditional use permit shall expire on October 9, 2025.

# CU-23-09

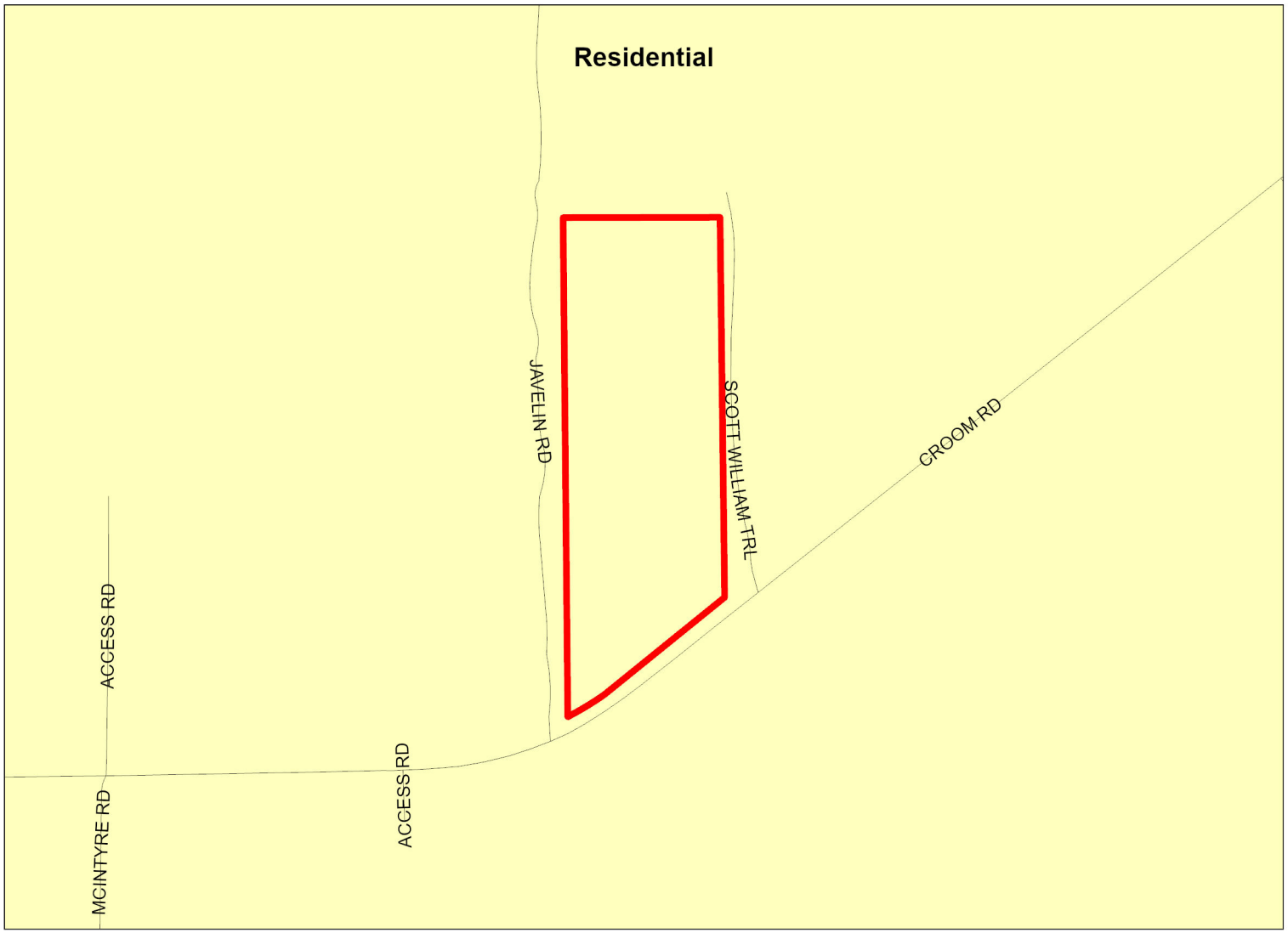
Photo date: 2023

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

0 0.02 0.04 0.08 0.12 0.16
Miles

# Hernando County Comprehensive Plan Map

Existing Future Land Use: CU-23-09
Version Date: 12/09/2022




0 0.02 0.04 0.08 0.12 0.16
Miles

N
W E
S

CU-23-09
FLU Riverine District
Regional Commercial

**FLU**

- CITY
- COMMERCIAL
- CONSERVATION
- EDUCATION
- INDUSTRIAL
- MINING
- PLANNED DEVELOPMENT
- PUBLIC FACILITIES
- RECREATION
- RESIDENTIAL
- RURAL

## Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

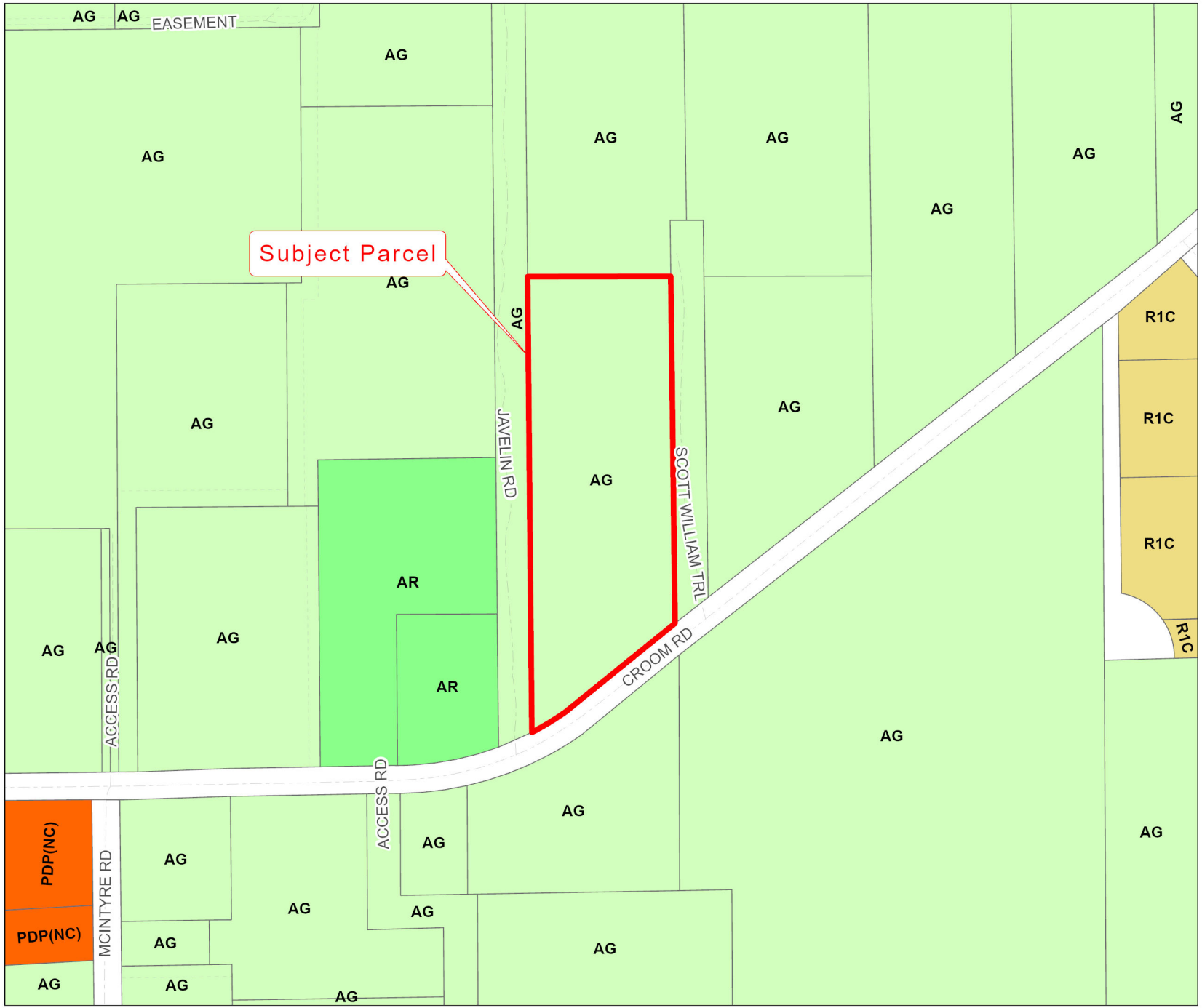
NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

Date of mapping: 09/20/2023

HERNANDO COUNTY
CENTRAL GIS

# CU-23-09

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

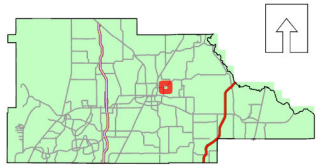



HERNANDO COUNTY
CENTRAL GIS

Zoning:

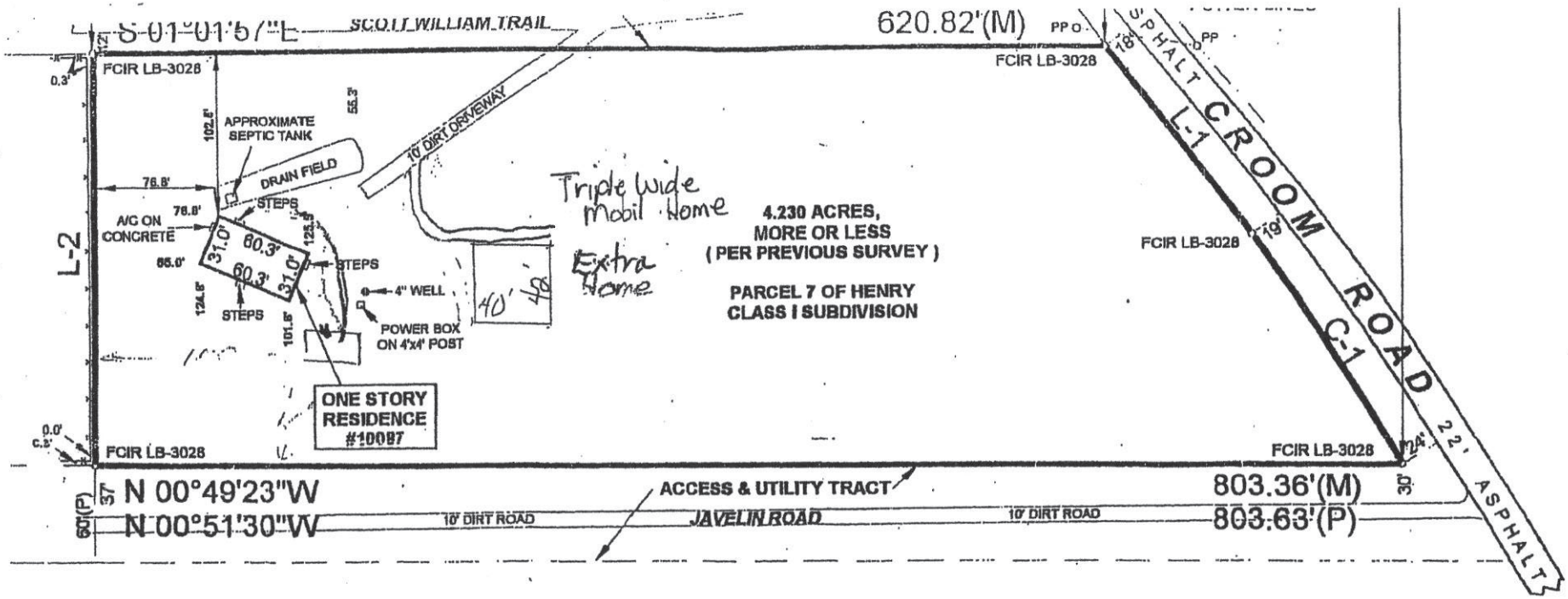
| | |
|---|---|
| AC | PDP(HC) |
| AG | PDP(HHC) |
| AR | PDP(HID) |
| AR1 | PDP(IND) |
| AR2 | PDP(LI) |
| C1 | PDP(MF) |
| C2 | PDP(MH) |
| C3 | PDP(NC) |
| C4 | PDP(OP) |
| CITY | PDP(PSF) |
| CM1 | PDP(REC) |
| CM2 | PDP(RR) |
| CPDP | PDP(RUR) |
| CV | PDP(SF) |
| I1 | PDP(SU) |
| I2 | R1A |
| M | R1B |
| OP | R1C |
| PDP(AF) | R1MH |
| PDP(CM) | R2 |
| PDP(CP) | R2.5 |
| PDP(GC) | R3 |
| PDP(GHC) | RC |
| | RM |

City Zoning Pending



Hernando County Planning Department
Project date: 09/20/2023

0 0.02 0.04 0.08 0.12 0.16 Miles




LEGAL DESCRIPITION; ( PROVIDED BY OTHERS )

THE EAST 675.70 FEET OF THE NORTH 3/4 OF THE EAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 13, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, LESS THE NORTH 1791.41 FEET AND THE EAST 330 FEET THEREOF. TOGETHER WITH THE EAST 675.70 FEET OF THAT PART OF THE SE 1/4 OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 13, LYING NORTH OF CROOM ROAD. LESS THE EAST 330 FEET, ALSO LESS THE EAST 30.00 FET, ALSO LESS THE WEST 60.00 FEET THEREOF.

TOGETHER WITH A UNDIVIDED INTEREST IN ACCESS AND UTILITY TRACT "C" BEING FURTHE DESCRIBED AS FOLLOWS: THE WEST 60.00 FEET OF THE EAST 360.00 FEET OF THE NORTH 3/4 OF THE EAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 13, LESS THE NORTH 1691.41 FEET THEREOF AND THE WEST 60.00 FEET OF THE EAST 360.00 FEET OF THE

CURVE DATA
C-1

| | |
|---|---|
| RADIUS | 2436.58' |
| ARC | 168.44' |
| DELTA | 03°57'39" |
| CHORD | 168.34'(M) 168.41'(P) |
| CB | N 56°19'30"E(M) N 56°19'44"E(P) |

LINE DATA
L-1

| | |
|---|---|
| S 51°36'08"W | 147.04'(M) |

100

# HERNANDO COUNTY CONDITIONAL USE PERMIT *OR* SPECIAL EXCEPTION USE PERMIT PETITION

File No. _____ Official Date Stamp:
Received
JUL 21 2023
Planning Department
Hernando County, Florida
* Renewal

**Application request** *(check one)*:
☑ **Conditional Use Permit**
☐ **Special Exception Use Permit**

**PRINT OR TYPE ALL INFORMATION**

Date: 7/17/2023

**APPLICANT NAME:** Pamela J. Merrill
Address: 10087 Scott William Trail
City: Brooksville, FL 34601 State: FL Zip: 34601
Phone: 352-584-3881 Email: spmerril@bellsouth.net
**Property owner's name:** *(if not the applicant)* _____

**REPRESENTATIVE/CONTACT NAME:** _____
Company Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Email: _____

**HOME OWNERS ASSOCIATION:** ☐ Yes ☑ No *(if applicable provide name)* _____
Contact Name: _____
Address: _____ City: _____ State: _____ Zip: _____

**PROPERTY INFORMATION:**
1. PARCEL(S) **KEY** NUMBER(S): 01250256 Parcel R13 422 19 7011 0000 0070
2. SECTION _____, TOWNSHIP _____, RANGE _____
3. Current zoning classification: Agricultural
4. Desired use: Continue to allow sister w/ heath issues to live next to me.
5. Size of area covered by application: ½ Acre
6. Highway and street boundaries: Croom Rd., Javelin Rd., & Scott William Trail
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☑ No
8 Will expert witness(es) be utilized during the public hearings? ☐ Yes ☑ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☑ No (Time needed: _____)

**PROPERTY OWNER AFFIDIVAT**

I, Pamela J. Merrill, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that **(check one)**:

☑ I am the owner of the property and am making this application **OR**
☐ I am the owner of the property and am authorizing *(applicant)*: _____
and *(representative, if applicable)*: _____
to submit an application for the described property.

Pamela J. Merrill
*Signature of Property Owner*

***STATE OF FLORIDA***
***COUNTY OF HERNANDO***
The foregoing instrument was acknowledged before me this 21 day of July, 2023, by who is personally known to me or produced _____ as identification.

Madelyn Hermetet
Signature of Notary Public

MADELYN HERMETET
MY COMMISSION # HH 220715
EXPIRES: February 3, 2026
*Notary Seal/Stamp*

Effective Date: 11/8/16 Last Revision: 11/8/16

**PETITION FOR CONDITIONAL USE PERMIT**

For 10087 Scott William Trail

**Narrative Description of Request**

- Proposed Use in Relation to Property Parcel: Additional housing for sister with serious health issues and mobility concerns.

- Existing Structures: My home (10087 Scott William Trail) and my sister's home (10065 Scott William Trail) and one (1) 10'x12' aluminum tool shed.

- Access and Parking: Access from Scott William Trail on current gravel driveway to current structure (for sister) with current drive to current second structure set off of current driveway.

- Not Applicable:

- Proof of Hardship: See attached letter from doctor.

A C C E S S
HEALTH CARE PHYSICIANS

Ivan Diaz, MD
Joshua Wozniak, APRN-C
Cherie Wright, APRN-BC

07/18/2023

RE: Mary Toth
DOB: 2/18/1956

To whom it may concern

This letter is being written at the request of Ms Toth's sister who assists in her medical care.

The purpose of this letter is to certify that Ms.Toth suffers from several chronic medical conditions which result in the need of assistance in which living with or near caregivers may be necessary.

Please feel free to contact us with any further concerns.

Sincerely,

Ivan Diaz MD

10200 Yale Ave. Weekie Wachee, FL 34613
**Office:** (352) 597-1960 **Fax:** (352) 597-9470 **Electronic Fax:** (352) 597-1212

Meeting: 10/09/2023
Department: Planning
Prepared By: Robin Reinhart
Initiator: Michelle Miller
DOC ID: 12899
Legal Request Number:
Bid/Contract Number:

## TITLE
Conditional Use Permit Petition Submitted by Madeline & Thomas Crouch (CU2310)

## BRIEF OVERVIEW
**Request:**
Conditional Use Permit for Temporary Storage Containers

**General Location:**
Southwest corner of Primrose Lane and Atwood Drive

## FINANCIAL IMPACT
A matter of policy. There is no financial impact.

## LEGAL NOTE
The Planning and Zoning Commission has approval jurisdiction over the subject application. The Applicable Criteria for conditional use approval are contained in Appendix A, (Zoning Code) Article V, Section 4. The Conditional Use Approval must be consistent with the Comprehensive Plan.

## RECOMMENDATION
It is recommended that the Planning and Zoning Commission determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a Conditional Use Permit for Temporary Storage Containers for a period of up to two (2) years with performance conditions.

## REVIEW PROCESS

| | | |
|---|---|---|
| Omar DePablo | Escalated | 09/27/2023 5:19 PM |
| Michelle Miller | Approved | 09/28/2023 11:40 AM |
| Michelle Miller | Approved | 09/28/2023 11:40 AM |
| Kyle Benda | Approved | 09/28/2023 4:18 PM |

# STAFF REPORT

**HEARINGS:** Planning & Zoning Commission: October 9, 2023

**APPLICANT:** Madeline Rivera Crouch & Thomas Crouch

**FILE NUMBER:** CU-23-10

**REQUEST:** Conditional Use Permit for Temporary Storage Containers

**GENERAL LOCATION:** Southwest corner of Primrose Lane and Atwood Drive

**PARCEL KEY NUMBER:** 29891

## APPLICANT'S REQUEST:

The petitioner is requesting a conditional use permit in order to store two shipping containers on the 0.98 acre subject site. The containers will store the petitioner's household items during the construction of the home. There are no active building permits and no timeline for construction has been provided.

## SITE CHARACTERISTICS:

**Site Size:** 0.98 acres

**Surrounding Zoning/ Land Uses:**
North: R-1C; Single Family
South: R-1C; Undeveloped
East: R-1C; Undeveloped
West: R-1C; Undeveloped

**Current Zoning:** R-1C (Residential)

**Future Land Use Map Designation:** Residential

**Flood Zone:** C

## UTILITIES REVIEW:

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel; water and sewer services are not available to this parcel.

**ENGINEERING REVIEW:**

The subject site is located on the southwest corner of Primrose Lane and Atwood Drive. The petitioner has not indicated a driveway location at this time . The County Engineer has reviewed the request and indicated no concerns with the requested zoning.

**LAND USE REVIEW:**

**Setbacks:**

Proposed Shipping Container Setbacks:

Atwood Drive: 25'
South: 10'

A conditional use permit is intended to be used as a special permit which temporarily allows uses not otherwise permitted by the ordinance. The P&Z has the ability to grant a conditional use permit for a period up to two years if they determine that a hardship exists. Conditional use permits may be renewed or extended upon reapplication at the end of a two-year period.

**NOTICE OF APPLICANT RESPONSIBILITY:**

*The conditional use permit process is a land use determination and does not constitute a permit for either construction, 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 RECOMMENDATIONS:**

It is recommended that the Planning and Zoning Commission determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a Conditional Use Permit for Temporary Storage Containers for a period of up to two (2) year 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 petitioner shall remove the shipping Containers upon Certificate of Occupancy for the home, or by October 9, 2024, whichever comes first.

3. Minimum Shipping Container Setbacks:
   Atwood Drive: 25'
   South: 10'

# CU-23-10

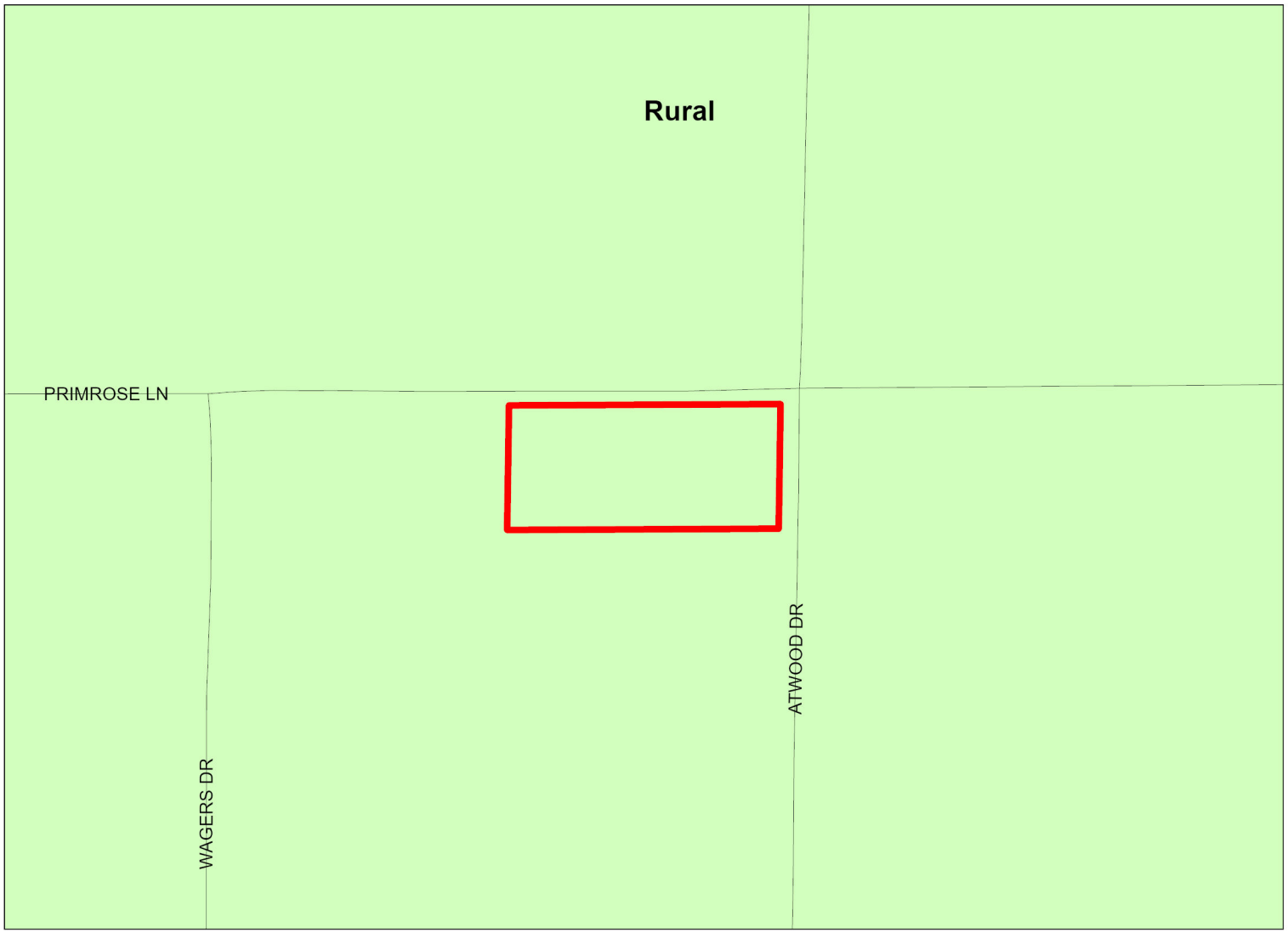
Photo date: 2023

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

0 0.01 0.03 0.05 0.08 0.1
Miles

# Hernando County Comprehensive Plan Map

Existing Future Land Use: CU-23-10
Version Date: 12/09/2022




CU-23-10
FLU Riverine District
Regional Commercial

**FLU**

- CITY
- COMMERCIAL
- CONSERVATION
- EDUCATION
- INDUSTRIAL
- MINING
- PLANNED DEVELOPMENT
- PUBLIC FACILITIES
- RECREATION
- RESIDENTIAL
- RURAL

## Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

0 0.01 0.03 0.05 0.08 0.1
Miles

N
W E
S

Date of mapping: 09/21/2023

HERNANDO COUNTY
CENTRAL GIS

# CU-23-10

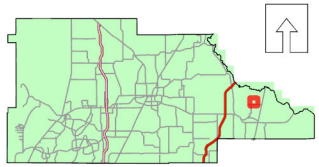
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

HERNANDO COUNTY
CENTRAL GIS

Zoning:

- AC
- AG
- AR
- AR1
- AR2
- C1
- C2
- C3
- C4
- CITY
- CM1
- CM2
- CPDP
- CV
- I1
- I2
- M
- OP
- PDP(AF)
- PDP(CM)
- PDP(CP)
- PDP(GC)
- PDP(GHC)
- PDP(HC)
- PDP(HHC)
- PDP(HID)
- PDP(IND)
- PDP(LI)
- PDP(MF)
- PDP(MH)
- PDP(NC)
- PDP(OP)
- PDP(PSF)
- PDP(REC)
- PDP(RR)
- PDP(RUR)
- PDP(SF)
- PDP(SU)
- R1A
- R1B
- R1C
- R1MH
- R2
- R2.5
- R3
- RC
- RM

City Zoning Pending



Hernando County Planning Department
Project date: 09/21/2023

0 0.01 0.03 0.05 0.08 0.1 Miles

# HERNANDO COUNTY CONDITIONAL USE PERMIT
# *OR* SPECIAL EXCEPTION USE PERMIT PETITION

CU-23-10

File No. _____ Official Date Stamp:

Received

JUL 21 2023

Planning Department
Hernando County, Florida

**Application request** *(check one)*:
- ☒ Conditional Use Permit
- ☐ Special Exception Use Permit

**PRINT OR TYPE ALL INFORMATION**

Date: 7/18/2023

**APPLICANT NAME:** Madeline Rivera Crouch & Thomas Crouch
Address: 17543 Thomas BLVD
City: Hudson State: FL Zip: 34667
Phone: 727-307-6734 Email: brodytcrouch@yahoo.com
**Property owner's name:** *(if not the applicant)* _____

**REPRESENTATIVE/CONTACT NAME:** N/A
Company Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Email: _____

**HOME OWNERS ASSOCIATION:** ☐ Yes ☒ No *(if applicable provide name)* _____
Contact Name: _____
Address: _____ City: _____ State: _____ Zip: _____

**PROPERTY INFORMATION:**
1. PARCEL(S) KEY NUMBER(S): 29891
2. SECTION 26, TOWNSHIP 22, RANGE 21
3. Current zoning classification: RIC
4. Desired use: Residental
5. Size of area covered by application: .98 of an acre
6. Highway and street boundaries: Atwood Drive and Primrose Lane
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No
8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed: _____)

**PROPERTY OWNER AFFIDIVAT**

I, Madeline Rivera Crouch Thomas Crouch, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that **(check one)**:

☒ I am the owner of the property and am making this application **OR**

☐ I am the owner of the property and am authorizing *(applicant)*: _____
and *(representative, if applicable)*: _____
to submit an application for the described property.

Aff 19,385

Madeline Rivera Crouch
*Signature of Property Owner*

***STATE OF FLORIDA***
***COUNTY OF HERNANDO***

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 19 day of July, 2023, by _____ who is ☒ personally known to me or ☐ produced _____ as identification.

Sello

Eric Milan Barreto
ABOGADO NOTARIO
Estado de Puerto Rico

*Notary Seal/Stamp*

Signature of Notary Public

ROBIN ANDREA REINHART
MY COMMISSION # HH 309051
EXPIRES: September 6, 2026

RECIBO 22-05776040

9397
07/18/2023
$5.00

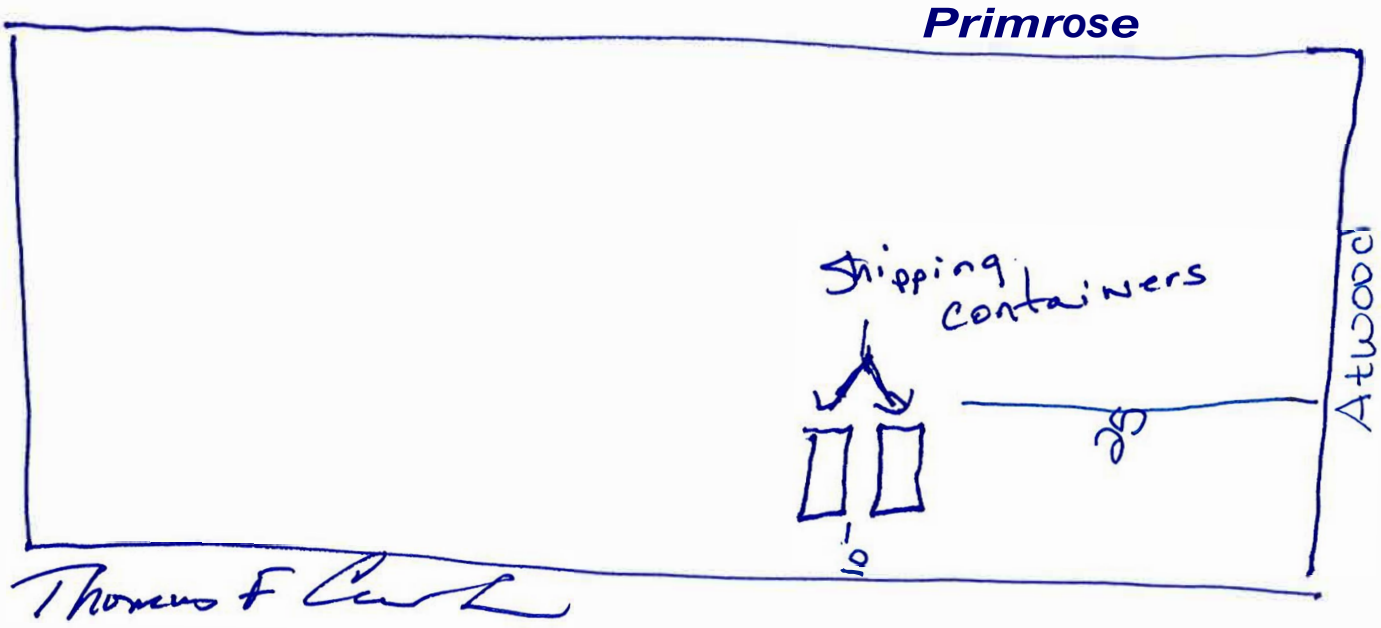
Sello de Asistencia Legal
80536-2023-0718-89188034



Robin Reinhart

I Need Permission to Leave my 2 Shipping Container with My household Contents on The property while The house is being built

Thomas F Couch
owner




Thomas F Couch

Meeting: 10/09/2023
Department: Planning
Prepared By: Robin Reinhart
Initiator: Michelle Miller
DOC ID: 12900
Legal Request Number:
Bid/Contract Number:

## TITLE
Conditional Use Permit Petition Submitted by Frances M Cain / POA c/o Karen S Durand (CU2311)

## BRIEF OVERVIEW
**Request:**
Conditional Use Permit for a Second Residence

**General Location:**
North side of Faber Drive, approximately 128' east of Honeysuckle Lane

## FINANCIAL IMPACT
A matter of policy. There is no financial impact.

## LEGAL NOTE
The Planning and Zoning Commission has approval jurisdiction over the subject application. The Applicable Criteria for conditional use approval are contained in Appendix A, (Zoning Code) Article V, Section 4. The Conditional Use Approval must be consistent with the Comprehensive Plan.

Article V, Section 4(A)(2) permits the following, with planning and zoning commission approval: Temporary second principal building on one lot of record in cases of extreme personal hardship. Article V, Section 4(G)(3) provides: "No conditional use permit shall be issued for a period to exceed two (2) years unless otherwise specified in this ordinance. However, conditional use permits may be renewed or extended upon reapplication."

## RECOMMENDATION
It is recommended that the Planning and Zoning Commission determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a Conditional Use Permit for Second Residence for a period of up to two (2) years with performance conditions.

## REVIEW PROCESS

| | | |
|---|---|---|
| Omar DePablo | Escalated | 09/27/2023 5:19 PM |
| Michelle Miller | Approved | 09/28/2023 11:43 AM |
| Michelle Miller | Approved | 09/28/2023 11:43 AM |
| Kyle Benda | Approved | 09/28/2023 4:21 PM |

CU-23-11

# HERNANDO COUNTY CONDITIONAL USE PERMIT *OR* SPECIAL EXCEPTION USE PERMIT PETITION

File No. _____ Official Date Stamp:

Received

JUL 25 2023

Planning Department
Hernando County, Florida

**Application request** *(check one)*:
- ☒ **Conditional Use Permit**
- ☐ **Special Exception Use Permit**

**PRINT OR TYPE ALL INFORMATION**

Date: 7/25/23

**APPLICANT NAME:**
Address: 6142 Faber dr.
City: Brooksville State: FL Zip: 34602
Phone: 352 396-5850 Email: keithrunyon.KR@Gmail.com
**Property owner's name:** *(if not the applicant)*

**REPRESENTATIVE/CONTACT NAME:**
Company Name: ~~Keith Runyon~~ Frances M Cain/POA C/O Karen S. Durand
Address: 6142 Faber dr
City: Brooksville FL State: FL Zip: 34602
Phone: 352-396-5850 Email: keithrunyon.KR@Gmail.com

**HOME OWNERS ASSOCIATION:** ☐ Yes ☒ No *(if applicable provide name)*
Contact Name:
Address: City: State: Zip:

**PROPERTY INFORMATION:**
1. PARCEL(S) **KEY** NUMBER(S): 387717
2. SECTION 03, TOWNSHIP 23, RANGE 20
3. Current zoning classification: AR
4. Desired use: Allow for extended stay of RV for Military Hardship
5. Size of area covered by application:
6. Highway and street boundaries: Faber dr. - Honeysuckle LN
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No
8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed: _____)

**PROPERTY OWNER AFFIDIVAT**

I, Frances M Cain/POA C/O Karen S Durand, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (**check one**):

☑ I am the owner of the property and am making this application **OR** POA

☐ I am the owner of the property and am authorizing *(applicant)*: _____
and *(representative, if applicable)*: _____
to submit an application for the described property.

Frances Cain
*Signature of Property Owner*

*STATE OF FLORIDA*
*COUNTY OF HERNANDO*
The foregoing instrument was acknowledged before me this 25th day of JULY, 2023, by Frances M Cain who is personally known to me or produced FL DL as identification.

Kaymarie A. Griffith
Signature of Notary Public

Received

JUL 25 2023

Planning Department
Hernando County, Florida

Effective Date: 11/8/16 Last Revision: 11/8/16

KAYMARIE GRIFFITH
Notary Public - State of Florida
Commission # HH 163903
My Comm. Expires Aug 10, 2025
Bonded through National Notary Assn.

*Notary Seal/Stamp*

**Runyon Family**

6142 Faber Drive
Brooksville Fl 34602

Hernando County Planning Department
20 N Main St. Rm262
Brooksville Fl.34601

July 24, 2023

To whom this is relevant,

I am requesting a special exception use permit on behalf of my son & his family.
Currently my son, Keith Runyon II is serving in the United States Army, in training. While awaiting completion of Keith's training & permanent duty assignment, His Wife & Children are staying in their camper trailer on this property. Until his permanent duty orders are assigned the family cannot obtain military housing, which is the reason for this hardship.

We request relief from the code; Appendix A-Zoning, Article 3-Specific regulations, Section 3 specific use regulations, (E) Recreation Vehicles 2.

Please grant this relief request due to military hardship.

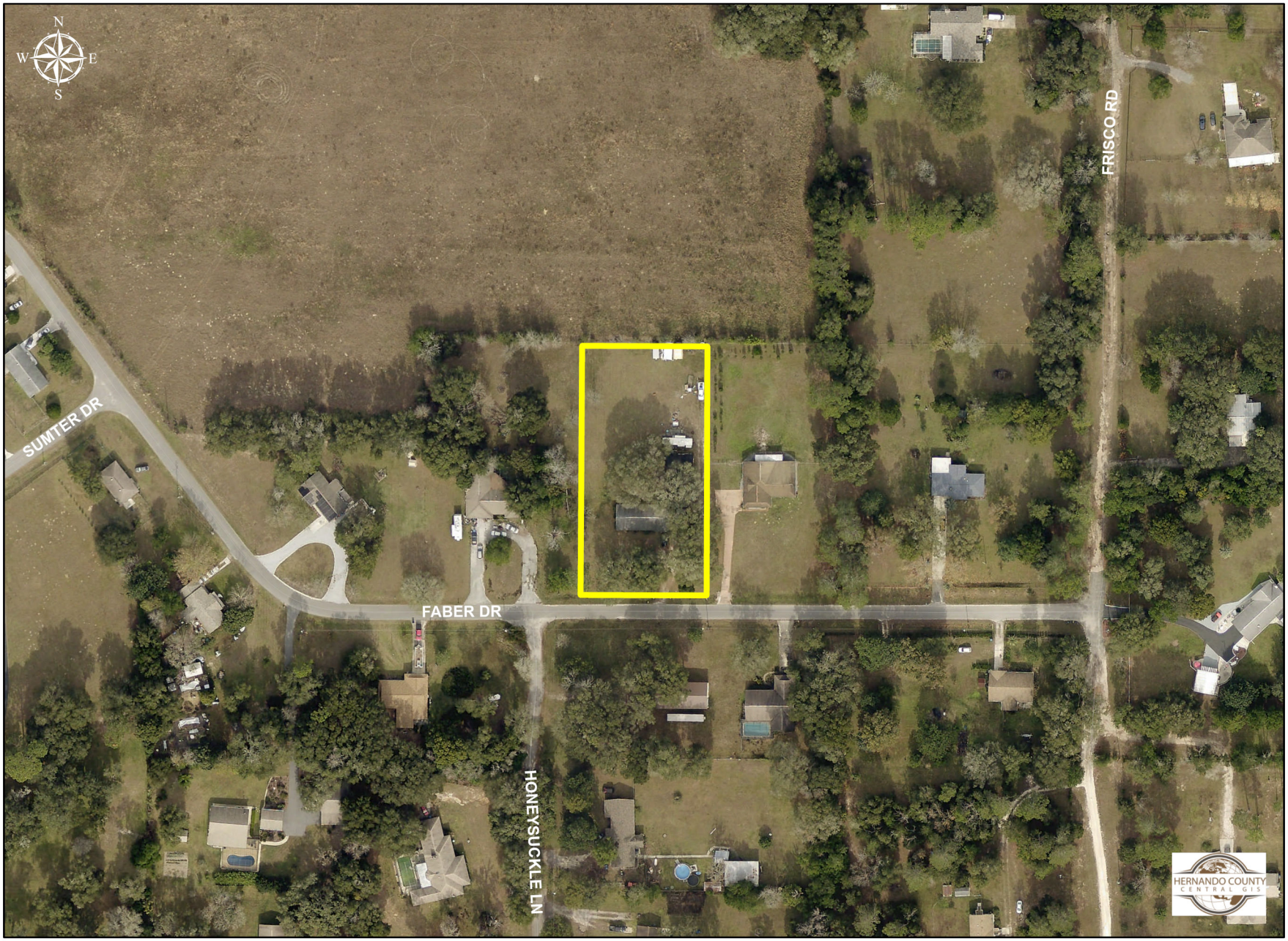
Warm Regards,

**Keith Runyon**
Father, Grandfather, Combat Veteran

# CU-23-11

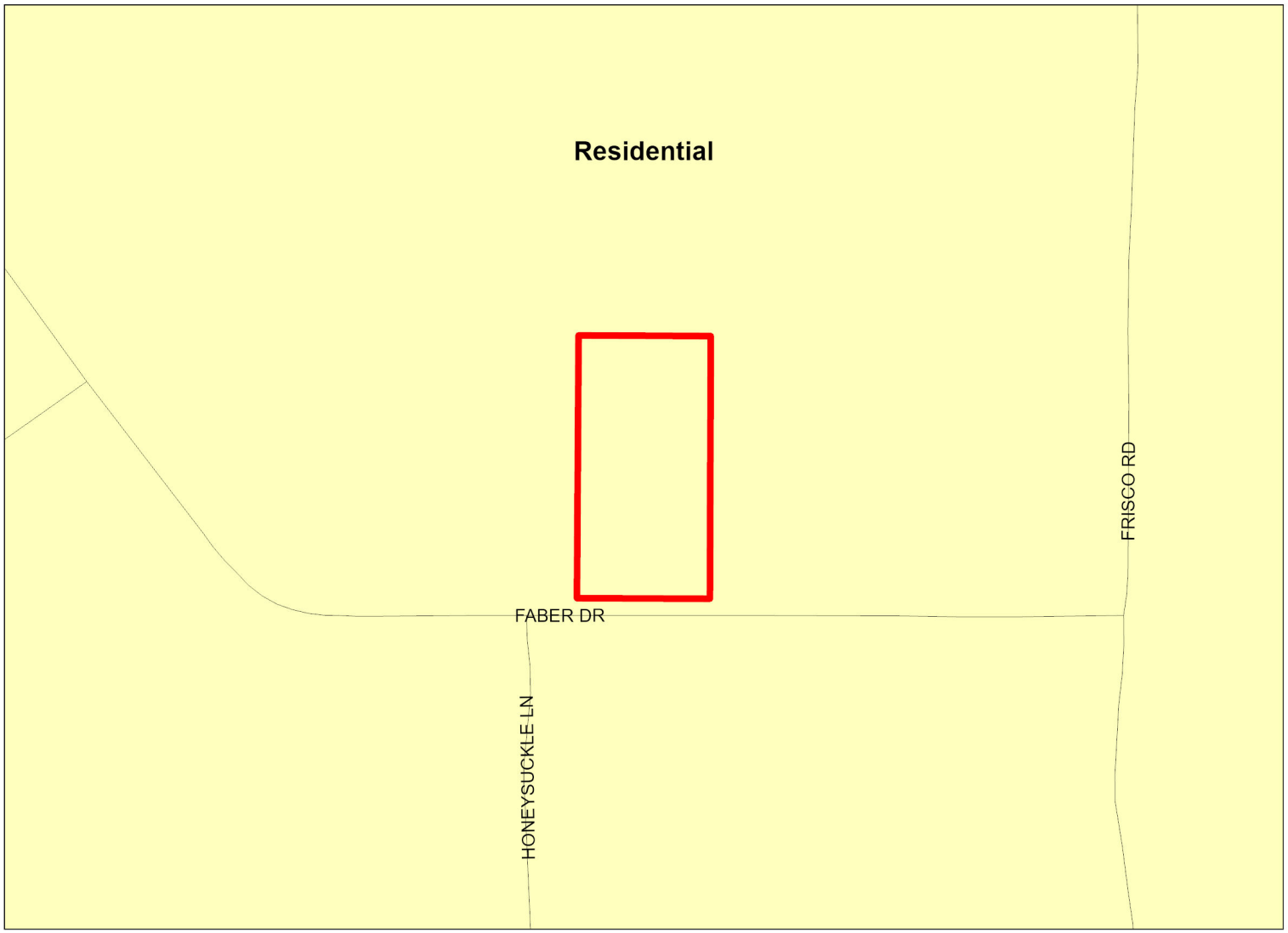
Photo date: 2023

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# Hernando County Comprehensive Plan Map

Existing Future Land Use: CU-23-11
Version Date: 12/09/2022




CU-23-11
FLU Riverine District
Regional Commercial

**FLU**

- CITY
- COMMERCIAL
- CONSERVATION
- EDUCATION
- INDUSTRIAL
- MINING
- PLANNED DEVELOPMENT
- PUBLIC FACILITIES
- RECREATION
- RESIDENTIAL
- RURAL

## Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

0 0.01 0.03 0.05 0.08 0.1 Miles

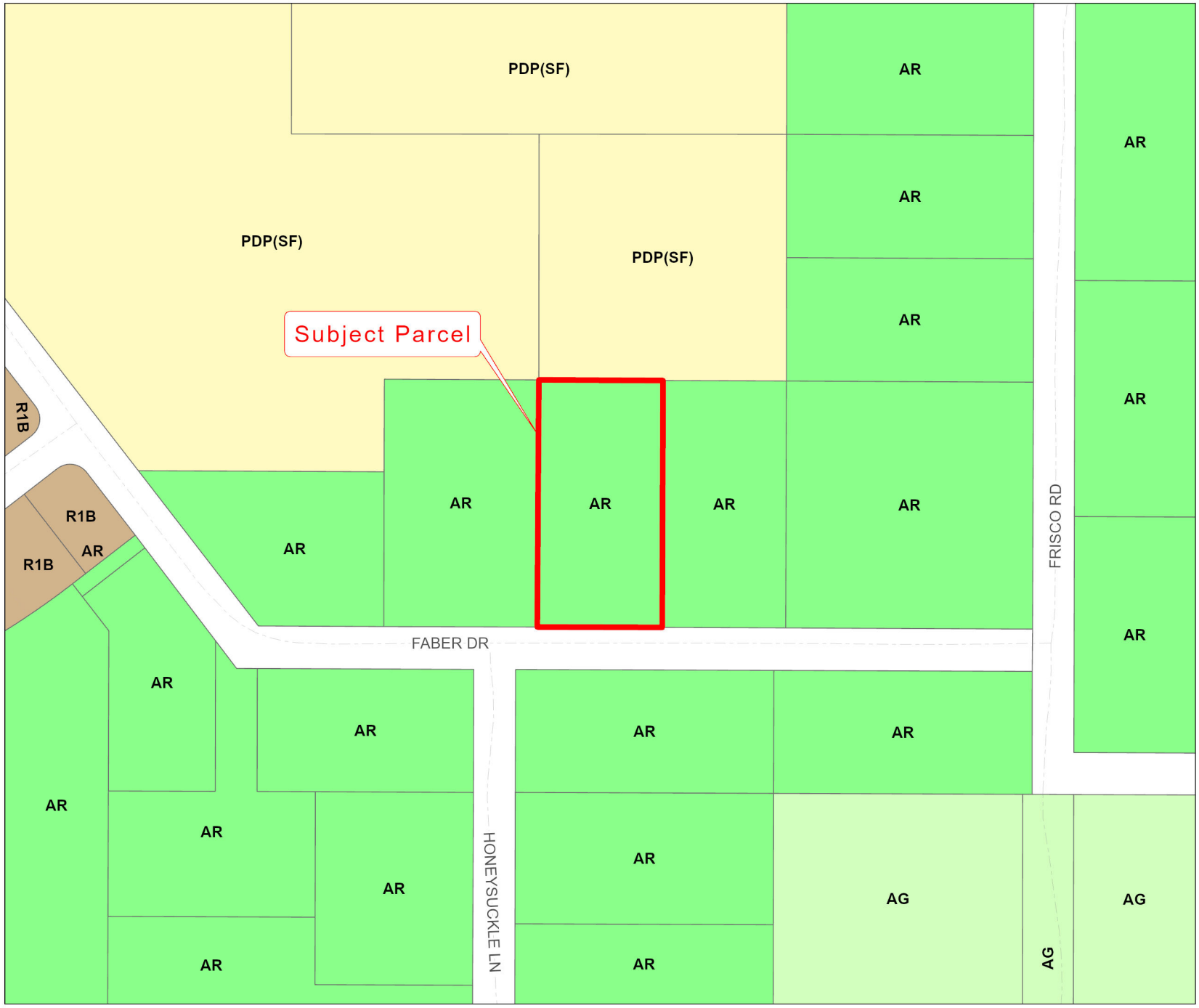
N
W E
S

Date of mapping: 09/21/2023

HERNANDO COUNTY CENTRAL GIS

# CU-23-11

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

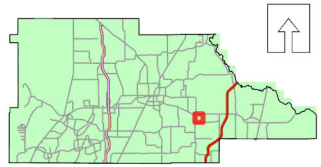



HERNANDO COUNTY
CENTRAL GIS

Zoning:

| | |
|---|---|
| AC | PDP(HC) |
| AG | PDP(HHC) |
| AR | PDP(HID) |
| AR1 | PDP(IND) |
| AR2 | PDP(LI) |
| C1 | PDP(MF) |
| C2 | PDP(MH) |
| C3 | PDP(NC) |
| C4 | PDP(OP) |
| CITY | PDP(PSF) |
| CM1 | PDP(REC) |
| CM2 | PDP(RR) |
| CPDP | PDP(RUR) |
| CV | PDP(SF) |
| I1 | PDP(SU) |
| I2 | R1A |
| M | R1B |
| OP | R1C |
| PDP(AF) | R1MH |
| PDP(CM) | R2 |
| PDP(CP) | R2.5 |
| PDP(GC) | R3 |
| PDP(GHC) | RC |
| | RM |

City Zoning Pending



Hernando County Planning Department
Project date: 09/21/2023

0 0.01 0.03 0.05 0.08 0.1 Miles

# STAFF REPORT

| | |
|---|---|
| **HEARINGS:** | Planning & Zoning Commission: October 9, 2023 |
| **APPLICANT:** | Frances M. Cain/POA c/o Karen S. Durand |
| **FILE NUMBER:** | CU-23-11 |
| **REQUEST:** | Conditional Use Permit for a Second Residence |
| **GENERAL LOCATION:** | North side of Faber Drive, approximately 128' east of Honeysuckle Lane |
| **PARCEL KEY NUMBER:** | 387717 |

## APPLICANT'S REQUEST:

The petitioner is requesting a conditional use permit for a second residence on a 1.0 acre parcel. The petitioner has indicated the request is to house their son's family while he is in military training and awaiting his permanent assignment. Unfortunately, according to the petitioner, the family is unable to obtain military housing until such a time a permanent duty has been assigned. The petitioner is proposing to utilize a 10'x30' RV as the second home on the site.

## SITE CHARACTERISTICS:

| | |
|---|---|
| **Site Size:** | 1.0 acres |
| **Surrounding Zoning/ Land Uses:** | North: PDP(SF); Undeveloped<br>South: AR; Single family<br>East: AR; Single family<br>West: AR; Single family |
| **Current Zoning:** | AR/(Agricultural Residential) |
| **Future Land Use Map Designation:** | Residential |
| **Flood Zone:** | C |

**HEALTH DEPARTMENT REVIEW:**

The petitioner will be required to meet the Health Department Sanitation Regulations. This may include upgrades to the Onsite Sewage Treatment and Disposal System as necessary.

**ENGINEERING & TRANSPORTATION REVIEW:**

The subject site is located on the North side of Faber Drive, approximately 128' east of Honeysuckle Lane. The existing access to the property will continue to be utilized. The County Engineer has indicated no engineering related concerns.

**LAND USE REVIEW:**

Minimum Building Setbacks:
Front: 50'
Side: 10'
Rear: 35'

A conditional use permit is intended to be used as a special permit which temporarily allows uses not otherwise permitted by the ordinance. The P&Z has the ability to grant a conditional use permit for a period up to two years if they determine that a hardship exists. Conditional use permits may be renewed or extended upon reapplication at the end of a two-year period.

**NOTICE OF APPLICANT RESPONSIBILITY:**

*The conditional use permit process is a land use determination and does not constitute a permit for either construction, 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 RECOMMENDATIONS:**

It is recommended that the Planning and Zoning Commission determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a Conditional Use Permit for Second Residence for a period of up to two (2) year 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 petitioner shall remove the second residence upon termination of the permit, or when the hardship no longer exists.

3. Minimum Building Setbacks:
   Front: 50'
   Side: 10'
   Rear: 35'

4. The conditional use permit shall expire on October 9, 2025.

Meeting: 10/09/2023
Department: Planning
Prepared By: Robin Reinhart
Initiator: Michelle Miller
DOC ID: 12901
Legal Request Number:
Bid/Contract Number:

## TITLE
Conditional Use Permit Petition Submitted by Timothy & Judy Gunsteens (CU2312)

## BRIEF OVERVIEW
**Request:**
Conditional Use Permit for a Temporary Security Residence

**General Location:**
Cul-De-Sac Terminus of Liberator Court

## FINANCIAL IMPACT
A matter of policy. There is no financial impact.

## LEGAL NOTE
The Planning and Zoning Commission has approval jurisdiction over the subject application. The Applicable Criteria for conditional use approval are contained in Appendix A, (Zoning Code) Article V, Section 4. The Conditional Use Approval must be consistent with the Comprehensive Plan.

Article V, Section 4(A)(2) permits the following, with planning and zoning commission approval: Temporary second principal building on one lot of record in cases of extreme personal hardship. Article V, Section 4(G)(3) provides: "No conditional use permit shall be issued for a period to exceed two (2) years unless otherwise specified in this ordinance. However, conditional use permits may be renewed or extended upon reapplication."

## RECOMMENDATION
It is recommended that the Planning and Zoning Commission determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a Temporary Security Residence for a period of up to one (1) year with the following performance conditions.

## REVIEW PROCESS

| | | |
|---|---|---|
| Omar DePablo | Escalated | 09/27/2023 5:19 PM |
| Michelle Miller | Approved | 09/28/2023 11:43 AM |
| Michelle Miller | Approved | 09/28/2023 11:43 AM |
| Kyle Benda | Approved | 09/28/2023 4:19 PM |

| | |
|---|---|
| **AYES:** | McDonald, Hickey, Arflack, Holmes and Whiting |
| **ABSENT:** | Birren |

# STAFF REPORT

| | |
|---|---|
| **HEARINGS:** | Planning & Zoning Commission: October 9, 2023 |
| **APPLICANT**: | Timothy Gunsteens and Judy Gunsteens |
| **FILE NUMBER:** | CU-23-12 |
| **REQUEST**: | Conditional Use Permit for a Temporary Security Residence |
| **GENERAL LOCATION**: | Cul-De-Sac Terminus of Liberator Court |
| **PARCEL KEY NUMBER:** | 440874 |

## APPLICANT'S REQUEST

The petitioner has submitted a request for a conditional use permit for a temporary security residence on a 0.79 acre parcel for the construction of a homestead. The proposed security residence is 16' x 50'. The RV is proposed along the southwest corner of the subject site, approximately 100' from the Liberator Court. The parcel has an active building permit for the proposed home.

## SITE CHARACTERISTICS

| | |
|---|---|
| **Site Size:** | 0.79 acres |
| **Surrounding Zoning & Land Uses:** | North: PDP(SF); Single Family<br>South: PDP(SF); Single Family<br>East: PDP(SF); Single Family<br>West: PDP(SF); Single Family |
| **Current Zoning:** | PDP(SF)/Planned Development Project (Single Family) |
| **Future Land Use Map Designation:** | Residential |

## UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) supplies water to this parcel; sewer service on the account is currently inactive. HCUD has no objection to the requested Conditional Use Permit to allow a temporary RV residence on the parcel while the permanent residence is being built, subject to reactivation of the sewer account at time of vertical construction.

## ENGINEERING REVIEW

The site is located at the cul-de-sac terminus of Liberator Court. Access will be via a single family driveway. The County Engineer has reviewed the petitioners request and indicated no engineering related concerns.

**LAND USE REVIEW**

Proposed RV Setbacks:

- Front: 100'
- Side: 6'
- Rear: 40'

A conditional use permit is intended to be used as a special permit which temporarily allows uses not otherwise permitted by the ordinance. The Commission has the ability to grant a conditional use permit for a period up to two years if they determine that a hardship exists.

**NOTICE OF APPLICANT RESPONSIBILITY**

*The conditional use permit process is a land use determination and does not constitute a permit for either construction, 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:**

It is recommended that the Planning and Zoning Commission determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a Temporary Security Residence for a period of up to one (1) year 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 petitioner shall remove the security residence upon Certificate of Occupancy for the home, or by October 9, 2024, whichever comes first.

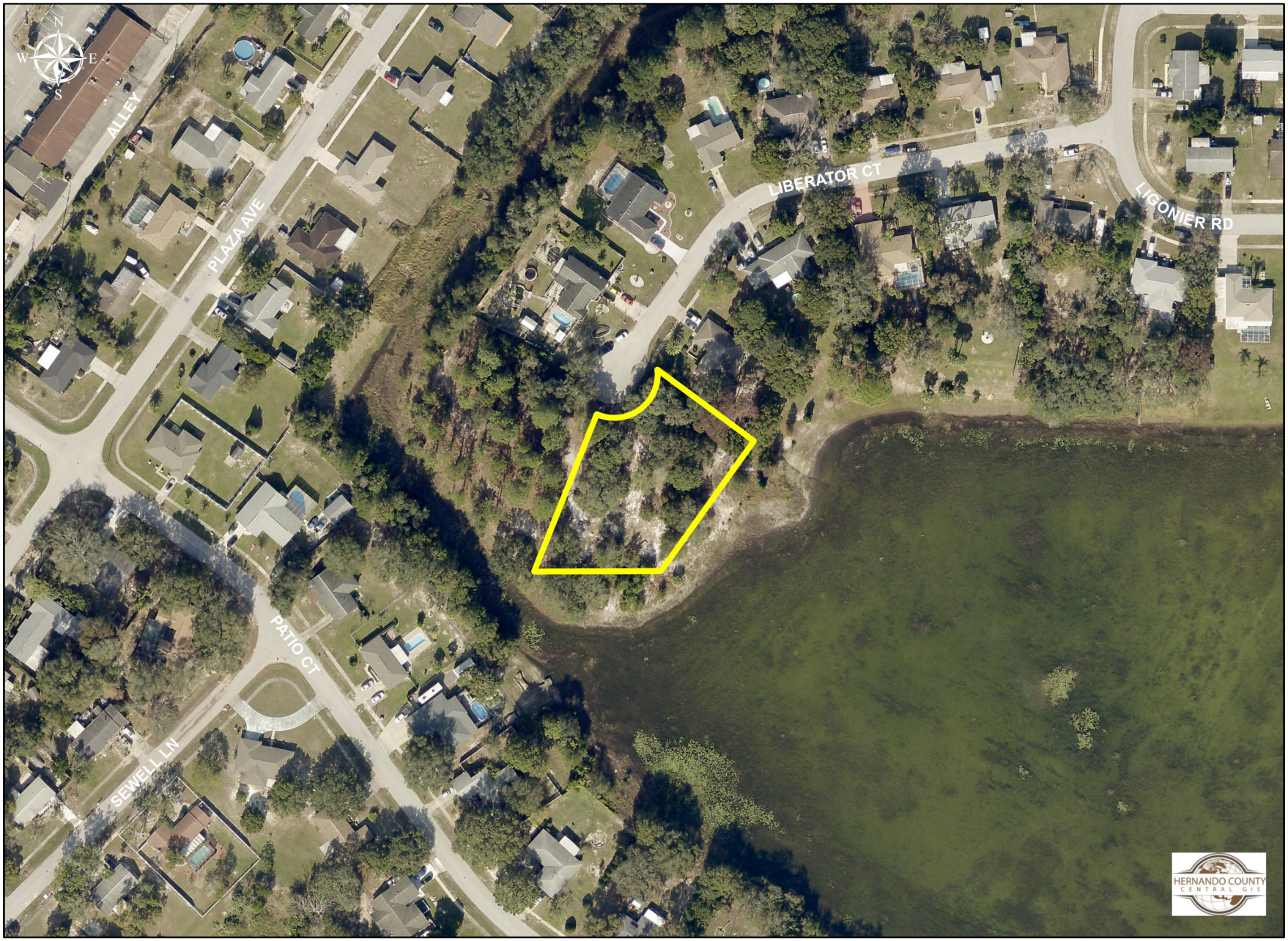
3. The petitioner shall apply for reactivation of the sewer account at time of vertical construction.

4. Minimum RV Setbacks:
    - Front: 100'
    - Side: 6'
    - Rear: 40'

# CU-23-12

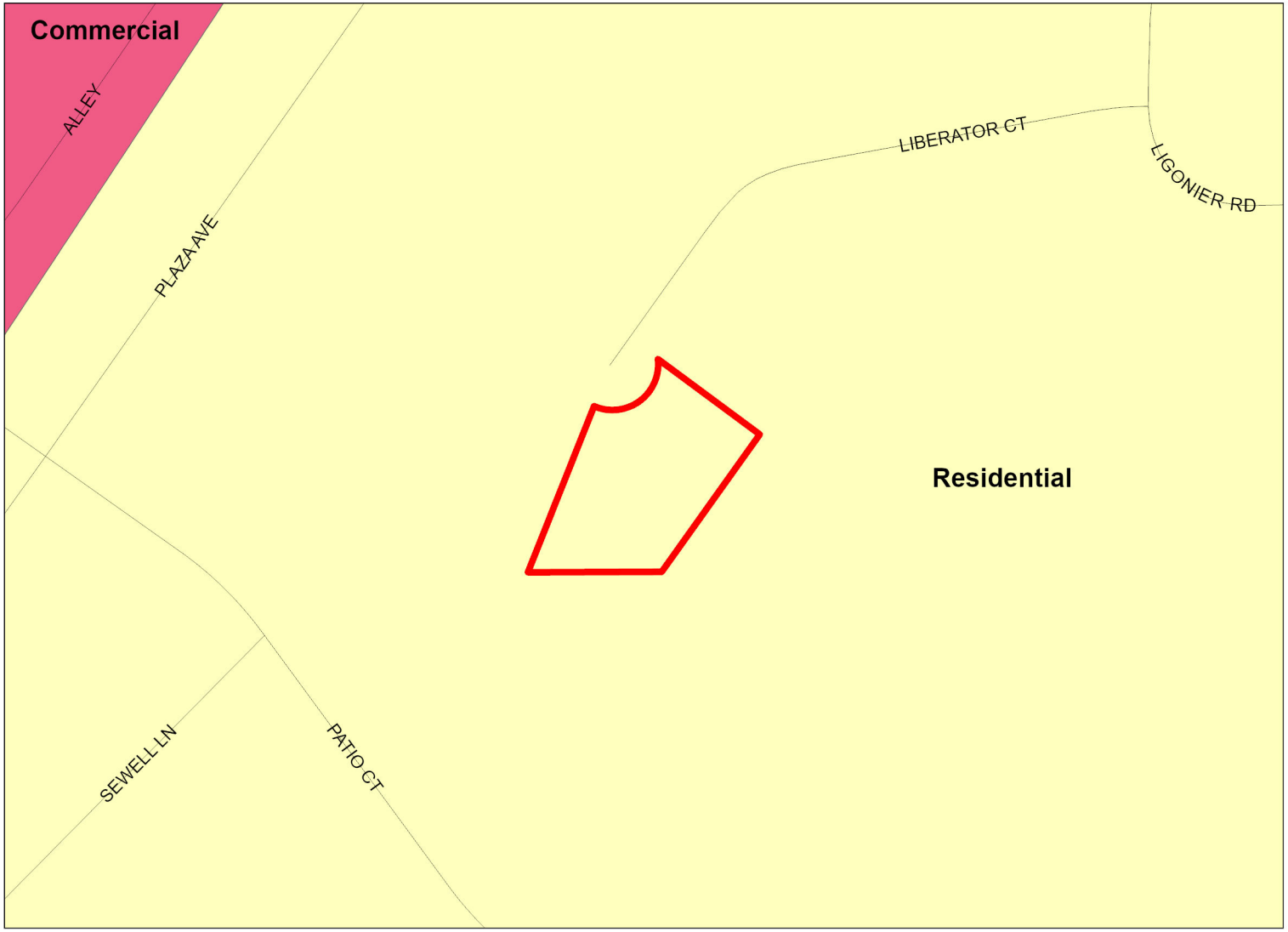
Photo date: 2023

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# Hernando County Comprehensive Plan Map

Existing Future Land Use: CU-23-12
Version Date: 12/09/2022




CU-23-12
FLU Riverine District
Regional Commercial

**FLU**

- CITY
- COMMERCIAL
- CONSERVATION
- EDUCATION
- INDUSTRIAL
- MINING
- PLANNED DEVELOPMENT
- PUBLIC FACILITIES
- RECREATION
- RESIDENTIAL
- RURAL

## Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

0 0.01 0.03 0.05 0.08 0.1 Miles

N W E S

Date of mapping: 08/22/2023

HERNANDO COUNTY CENTRAL GIS

# CU-23-12

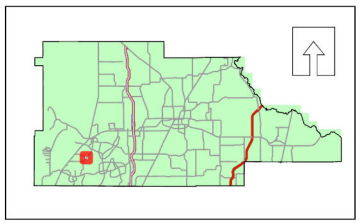
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

HERNANDO COUNTY
CENTRAL GIS

Zoning:

| | |
|---|---|
| AC | PDP(HC) |
| AG | PDP(HHC) |
| AR | PDP(HID) |
| AR1 | PDP(IND) |
| AR2 | PDP(LI) |
| C1 | PDP(MF) |
| C2 | PDP(MH) |
| C3 | PDP(NC) |
| C4 | PDP(OP) |
| CITY | PDP(PSF) |
| CM1 | PDP(REC) |
| CM2 | PDP(RR) |
| CPDP | PDP(RUR) |
| CV | PDP(SF) |
| I1 | PDP(SU) |
| I2 | R1A |
| M | R1B |
| OP | R1C |
| PDP(AF) | R1MH |
| PDP(CM) | R2 |
| PDP(CP) | R2.5 |
| PDP(GC) | R3 |
| PDP(GHC) | RC |
| | RM |

City Zoning Pending



Hernando County Planning Department
Project date: 08/22/2023

0 0.01 0.03 0.05 0.08 0.1 Miles

# HERNANDO COUNTY CONDITIONAL USE PERMIT *OR* SPECIAL EXCEPTION USE PERMIT PETITION

File No. CU-23-12 Official Date Stamp:

Received

MAY 21 2023

Planning Department
Hernando County, Florida

**Application request** *(check one)*:

☑ **Conditional Use Permit**

☐ **Special Exception Use Permit**

**PRINT OR TYPE ALL INFORMATION**

Date: 06/12/2023

**APPLICANT NAME:** Timothy Gunsteens & Judy Gunsteens

Address: 11242 Riddle Dr.

City: Spring Hill State: FL Zip: 34609

Phone: 7273727794 Email: tgunsteens@tampabay.rr.com tim@tgunsconsulting.com

**Property owner's name:** *(if not the applicant)*

**REPRESENTATIVE/CONTACT NAME:** Timothy Gunsteens

Company Name:

Address:

City: State: Zip:

Phone: Email:

**HOME OWNERS ASSOCIATION:** ☐ Yes ☑ No *(if applicable provide name)*

Contact Name:

Address: City: State: Zip:

**PROPERTY INFORMATION:**

1. PARCEL(S) **KEY** NUMBER(S): R32 323 17 5250 1734 0110
2. SECTION 14, TOWNSHIP 23, RANGE 17
3. Current zoning classification: SFH
4. Desired use: RV parking
5. Size of area covered by application: 16'x50' section along West side of property. Home under construction (50' away)
6. Highway and street boundaries: Liberator Ct.
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☑ No
8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☑ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☑ No (Time needed: )

**PROPERTY OWNER AFFIDIVAT**

I, Timothy J. Gunsteens, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (**check one**):

☑ I am the owner of the property and am making this application **OR**

☐ I am the owner of the property and am authorizing *(applicant)*:

and *(representative, if applicable)*:

to submit an application for the described property.

Judy Gunsteens
*Signature of Property Owner*

***STATE OF FLORIDA***
***COUNTY OF HERNANDO***

The foregoing instrument was acknowledged before me this 21 day of June, 2023, by Timothy Gunsteens who is personally known to me or produced as identification.

Judy Gunsteens

Jerica Hutchison
Signature of Notary Public

JERICA HUTCHISON
Notary Public - State of Florida
Commission # HH 028519
My Comm. Expires Aug 5, 2024

*Notary Seal/Stamp*

Effective Date: 11/8/16 Last Revision: 11/8/16

**Narrative Description of the Request – Conditional Special Use permit for Gunsteens, 9154 Liberator Ct., Spring Hill, 34609**

PARCEL(S) **KEY** NUMBER: R32 323 17 5250 1734 0110

SECTION 14 , TOWNSHIP 23, RANGE 17

a. Proposed use and its relation to the parcel of property – RV for use while house built. RV to be located on SW side of lot, 100 feet from Liberator Ct., off of SW corner of house under construction
b. Existing and future structure: New home under construction Permit Number: 1449796
c. Access and parking: Access will be from Liberator Ct., via driveway extension to font of RV
d. If applicable, hours of operation and number of employees; N/A
e. If applicable, proof of hardship is required for any proposed temporary second residence. N/A

# MAP OF SURVEY, BOUNDARY SURVEY AND SITE PLAN

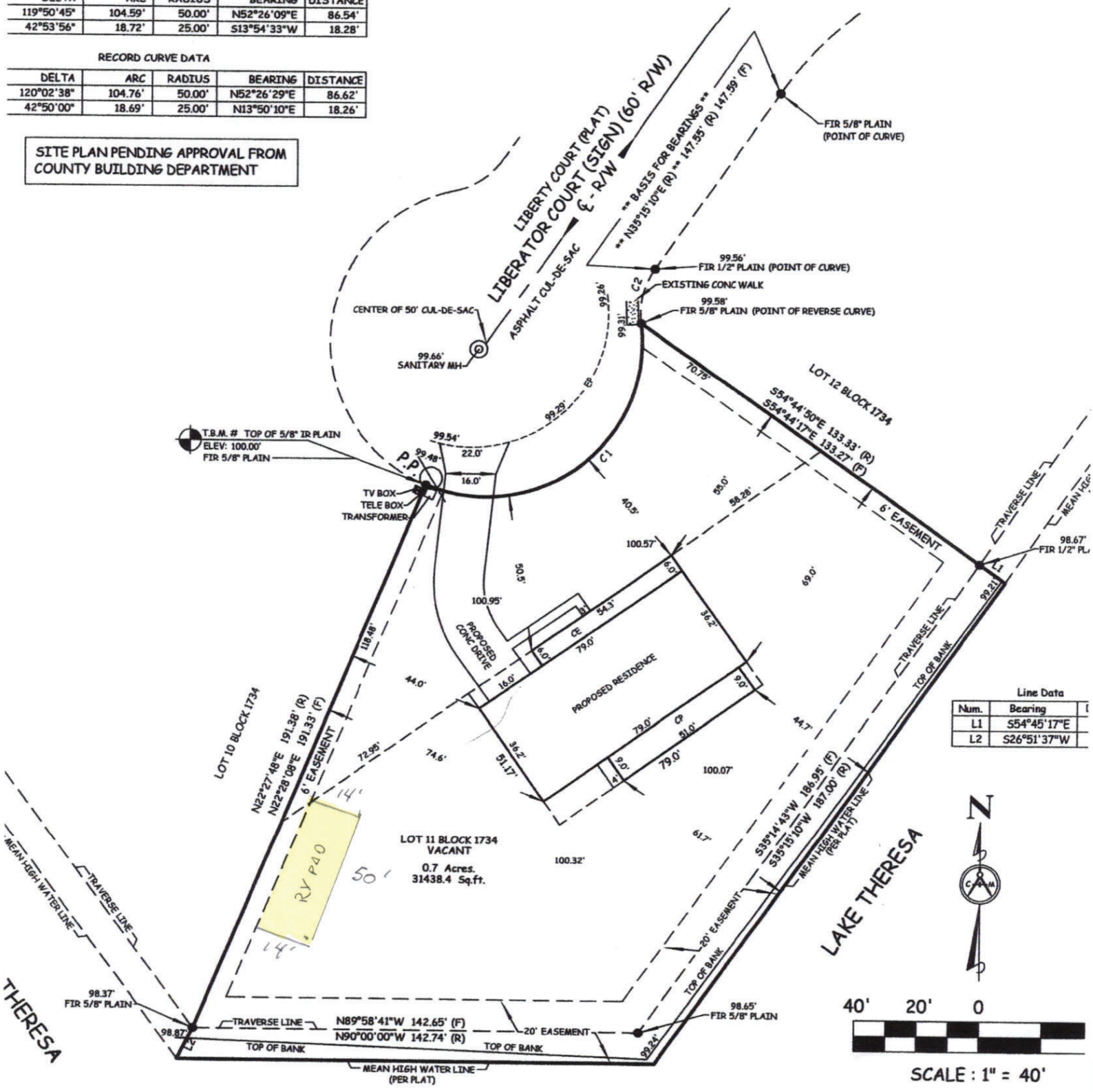
FIELD CURVE DATA

| DELTA | ARC | RADIUS | BEARING | DISTANCE |
|---|---|---|---|---|
| 119°50'45" | 104.59' | 50.00' | N52°26'09"E | 86.54' |
| 42°53'56" | 18.72' | 25.00' | S13°54'33"W | 18.28' |

RECORD CURVE DATA

| DELTA | ARC | RADIUS | BEARING | DISTANCE |
|---|---|---|---|---|
| 120°02'38" | 104.76' | 50.00' | N52°26'29"E | 86.62' |
| 42°50'00" | 18.69' | 25.00' | N13°50'10"E | 18.26' |

SITE PLAN PENDING APPROVAL FROM COUNTY BUILDING DEPARTMENT




Line Data

| Num. | Bearing |
|---|---|
| L1 | S54°45'17"E |
| L2 | S26°51'37"W |

## R NOTES:

on the description furnished by the client and it of a title search.
m hereon are assumed by this Surveyor and ordance with the Record Plat or Deed and the e line used for the **BASIS FOR BEARINGS is ' next to the bearing.
utilities and improvements not located or

4. There are no visible encroachments unless shown hereon.
5. The ownership of fences, if any, which exist on or near property lines is not known by this Surveyor and Mapper.
6. Fences located near the property line are not to scale. The distances shown as ties to said fences are correct.
7. The distances shown hereon as ties to existing occupation are at right angles to subject property line.
8. Gutters, overhangs, underground foundations and irrigation systems are not located unless shown hereon.
9. The property shown heron may be subject to the Rules, Regulations, Ordinances and/or Jurisdictions of Local, State, and/or Federal Agencies. The requirements of said Rules, Regulations, Ordinances and/or the limits of said Jurisdictions are not shown hereon, unless stated otherwise.
10. All easements shown hereon are for drain utilities unless shown otherwise.
11. The property shown heron is subject to R Restrictions, and Easements of Record and
12. The Ties to Property Lines are Calculated Measurement unless otherwise shown and Perpendicular Ties.

RTIFIES THAT A SURVEY OF THE PROPERTY DESCRIBED , WAS MADE UNDER MY SUPERVISION AND THAT THE MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN 5J-17 ( formerly 61G17-6) FLORIDA ADMINISTRATIVE CODE, JT TO SECTION 472.027, FLORIDA STATUTES, AND THAT THE

## CONTROL & CORNER LEGEND

○ SIR: Set 1/2" Iron Rod LB# 5232 □ Set 4" x 4" C.M. LS# 3882 △ Set Mag Nail & Disk
● Found Iron Rod ■ FCM: Found Concrete Monument ▲ Found Nail ⊕ Found Iron Pipe ⊠ F

## ABBREVIATIONS LEGEND

AC Air Conditioner
AGP Above Ground Pool
ASNS Aluminum Shed No Slab
DI Drop Inlet
D.R.A. Drainage Retention Area
D.R.O.W. Drainage Right-of-way
Fnc. Fence
GW Guy Wire
HWF Hog Wire Fence
RCP Reinforc
R/W Right o
SEC Section

Meeting: 10/09/2023
Department: Planning
Prepared By: Robin Reinhart
Initiator: Michelle Miller
DOC ID: 12902
Legal Request Number:
Bid/Contract Number:

## TITLE

Special Exception Use Permit Petition Submitted by Mother Mary Theresa, Sisters of Sr Thomas, Aquinas (SE2304)

## BRIEF OVERVIEW

**Request:**

Revision to a Special Exception Use Permit for a Place of Public Assembly, namely a Religious Establishment

**General Location:**

Northeast corner of Spring Lake Highway and Rosecrans Street

## FINANCIAL IMPACT

A matter of policy. There is no financial impact.

## LEGAL NOTE

The Planning and Zoning Commission has jurisdiction over the subject application; the Commission has the ability to approve special exceptions with appropriate conditions and safeguards or deny special exceptions not in harmony with the Land Development Regulations. The Applicable Criteria for a special exception are contained in Appendix A, (Zoning Code) Article V, Section 8. The Special Exception must be consistent with the Comprehensive Plan.

## RECOMMENDATION

It is recommended that the Planning and Zoning Commission approve the petitioner's request for a revision to a Special Exception Use Permit for a Place of Public Assembly, namely a Religious Establishment, with performance conditions.

## REVIEW PROCESS

| | | |
|---|---|---|
| Omar DePablo | Escalated | 09/27/2023 5:19 PM |
| Michelle Miller | Approved | 09/28/2023 11:42 AM |
| Michelle Miller | Approved | 09/28/2023 11:42 AM |
| Kyle Benda | Approved | 09/28/2023 4:19 PM |

# STAFF REPORT

**HEARINGS:** Planning & Zoning Commission: October 9, 2023

**APPLICANT:** Mother Mary Theresa, Sisters of St. Thomas Aquinas, Inc.

**FILE NUMBER:** SE-23-04

**PURPOSE:** Revision to a Special Exception Use Permit for a Place of Public Assembly, namely a Religious Establishment

**GENERAL LOCATION:** Northeast corner of Spring Lake Highway and Rosecrans Street

**PARCEL KEY NUMBER:** 393265

## APPLICANT'S REQUEST:

On December 14, 2015, the Planning and Zoning Commission approved a Special Exception Use Permit for a Place of Public Assembly, namely a Religious Establishment in order to construct a convent on a 16.99-acre portion of a 38.6-acre parcel. At the time, Phase 1 was proposed to include a two-story, 19,821 square foot convent with 21 living quarters and chapel and Phase 2 was to consist of an additional 13 living quarters and chapel. Those phases have been completed and are currently in use. The convent and chapel are not open to the public.

The petitioner's current request is for a revision to the previously approved Special Exception to expand the main structure and provide for an additional building connected by an arcade. The request also includes a separate bishop's cottage and a cart barn. The proposed expansion will add an additional 35,893 square feet to the convent.

## SITE CHARACTERISTICS:

**Site Size:** 16.99 acres (38.6 acre parent parcel)

**Surrounding Zoning; Land Uses:**
North: AG; Undeveloped
South: AG; Undeveloped, Single Family
East: AG; Single Family
West: AG; Undeveloped, Single Family

**Current Zoning:** AG/(Agricultural)

**Future Land Use Map Designation:** Rural

**ENVIRONMENTAL REVIEW:**

**Soil Type:** Arredondo Fine Sand and Sparr Fine Sand

**Hydrologic Features:** The subject property contains no wetlands or Special Protection Areas (SPA), according to County data resources.

**Protection Features:** The property is not located within a Wellhead Protection Area (WHPA) according to County data resources.

**Flood Zone:** C

**UTILITIES REVIEW:**

The Hernando County Utilities Department has indicated they currently do not supply water or sewer service to this parcel. Water and sewer service are not available to this parcel. HCUD has no objection to the request subject to Health Department approval of any improvements that may be necessary to the Onsite Sewage Treatment and Disposal Systems for the parcel.

**ENGINEERING & TRANSPORTATION REVIEW:**

The site is located on the northeast corner of Spring Lake Highway and Rosecrans Street. The petitioner has indicated a single access point to Rosecrans Street. The County Engineer has reviewed the petitioners request and indicated no traffic related concerns.

**LAND USE REVIEW:**

**Setback**

Minimum Building Setbacks:

| | |
|---|---|
| Spring Lake Highway: | 75' |
| Rosecrans Street: | 75' |
| Side: | 35' |
| North: | 0' (previously approved setback was 50') |

***Comments:*** The petitioner has indicated a 0' north building setback due to common ownership with the northern parcel. The Special Exception Use process does not provide for deviation. The

petitioner will be required to apply for a setback variance at such time development along the north encroaches on the minimum building setback.

**Parking**

The minimum land development regulations (LDRs) would require 0.3 parking space per seat based on maximum occupancy of the chapel. The LDRs indicate that places of public assembly may have up to fifty percent of the required parking spaces (including aisles) surfaced with grass, lawn or other materials as designated in the County parking lot standards; however, if parking demand is such that said grass, lawn or other material is caused to be damaged or destroyed to the extent that said grass or lawn ceases to grow, or the other material otherwise causes a nuisance to the neighborhood, then paving may be required by the Zoning Administrator. Furthermore, County LDRs require one parking space per room for lodging and boarding house type uses.

***Comments:*** The petitioner has indicated that the proposed convent will not be open to the public and a maximum of three (3) cars may be onsite at any given time.

A Place of Public Assembly is an allowable special exception use in any zoning category provided the appropriate land use approvals are obtained. A special exception use permit shall be granted only for those buildings, uses, and accessory buildings specifically indicated by the Commission.

A special exception use permit is an additional use which may be granted by the Planning and Zoning Commission (P&Z) in accordance with the LDRs. As part of the review, the P&Z must determine that the tract of land is suitable for the type of special exception use proposed by virtue of its location, shape, topography, and nature of surrounding development. The P&Z has the ability to assign reasonable conditions to the approval.

The special exception use permit is a land use determination only. All applicable development rules would have to be met if the permit is approved. Furthermore, special exception use permits shall be in compliance with the minimum Special Exception Use General Standards, Article V, Section 8(B).

**COMPREHENSIVE PLAN REVIEW:**

The subject property is located within the Rural land use classification on the adopted Future Land Use Map. Uses allowed in this category include: farms, ranches, agri-industrial uses, agricultural commercial, farm worker housing, residential uses, neighborhood commercial uses, recreation, and public and semi-

public uses. A place of public assembly for a religious establishment is an allowable use in all zoning districts.

**FINDING OF FACTS:**

The request for a revision to a Special Exception Use Permit for a Place of Public Assembly, namely a Religious Establishment 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.

2. The requested use is not adverse to the public interest.

**NOTICE OF APPLICANT RESPONSIBILITY:**

*The special exception 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. Homeowners 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 RECOMMENDATIONS:**

It is recommended that the Planning and Zoning Commission approve the petitioner's request for a revision to a Special Exception Use Permit for a Place of Public Assembly, namely a Religious Establishment, 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:

| | |
|---|---|
| Spring Lake Highway: | 75' |
| Rosecrans Street: | 75' |
| Side: | 35' |

Rear: 50'

3. The petitioner shall coordinate with the Health Department any improvements that may be necessary to the Onsite Sewage Treatment and Disposal Systems

# SE-23-04

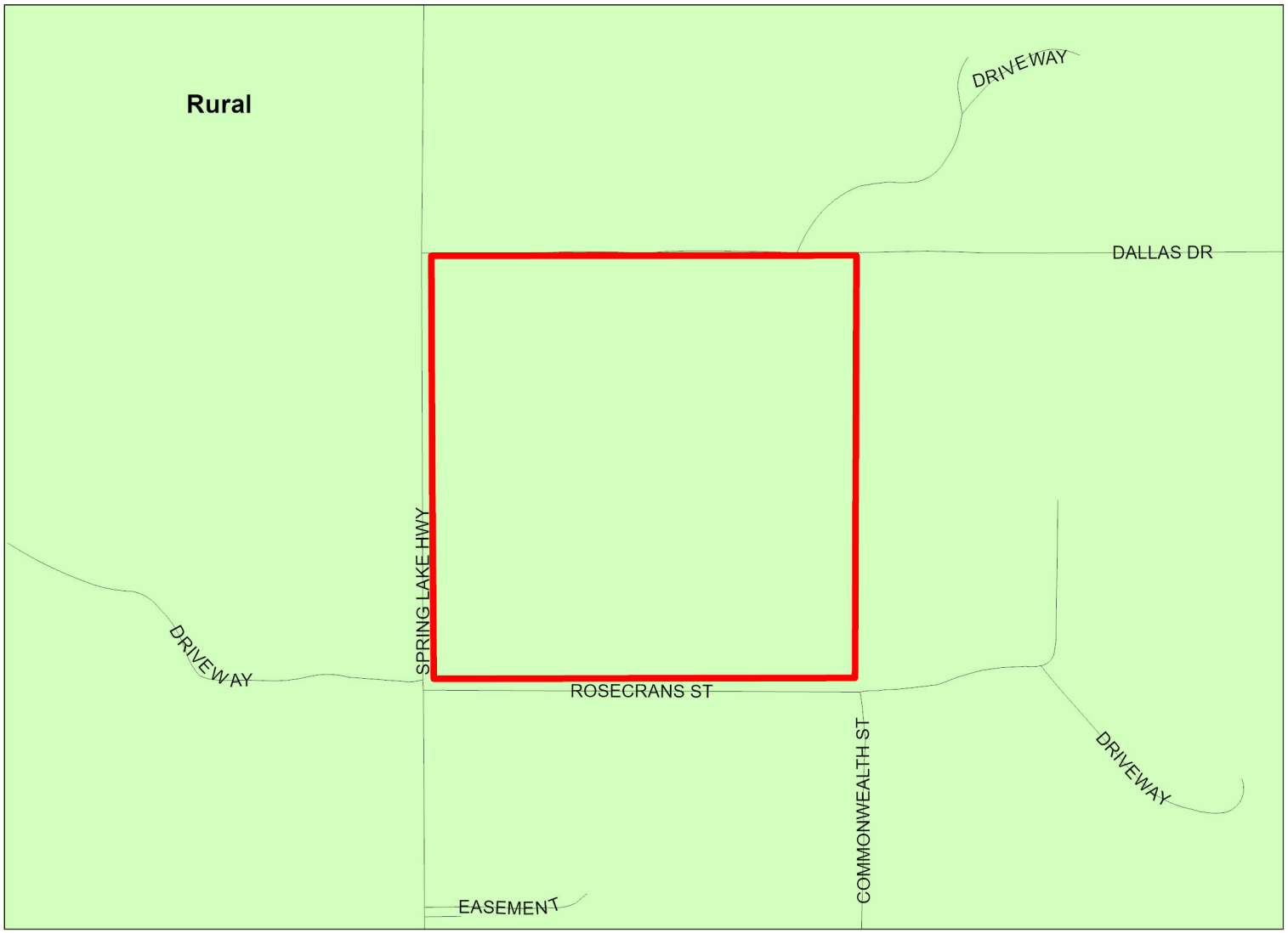
Photo date: 2023

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

# Hernando County Comprehensive Plan Map

Existing Future Land Use: SE-23-04

Version Date: 12/09/2022




SE-23-04

FLU Riverine District

Regional Commercial

**FLU**

- CITY
- COMMERCIAL
- CONSERVATION
- EDUCATION
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- MINING
- PLANNED DEVELOPMENT
- PUBLIC FACILITIES
- RECREATION
- RESIDENTIAL
- RURAL

## Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

0 0.04 0.08 0.16 0.24 0.32 Miles

N W E S

Date of mapping: 07/26/2023

HERNANDO COUNTY CENTRAL GIS

# SE-23-04

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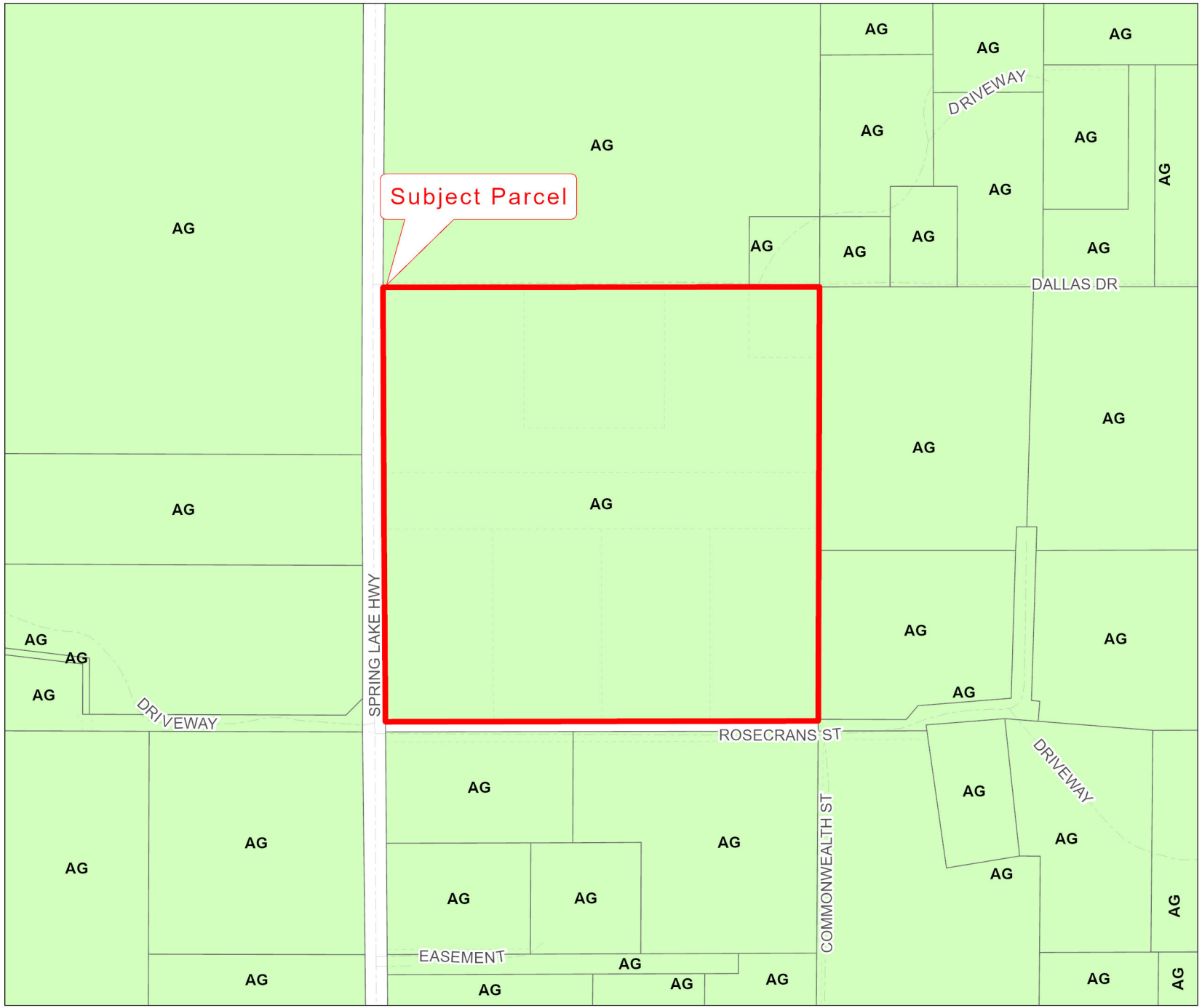
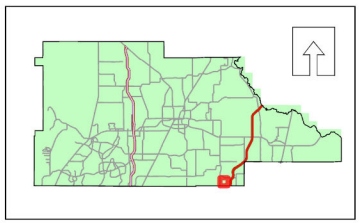



HERNANDO COUNTY
CENTRAL GIS

Zoning:

| | |
|---|---|
| AC | PDP(HC) |
| AG | PDP(HHC) |
| AR | PDP(HID) |
| AR1 | PDP(IND) |
| AR2 | PDP(LI) |
| C1 | PDP(MF) |
| C2 | PDP(MH) |
| C3 | PDP(NC) |
| C4 | PDP(OP) |
| CITY | PDP(PSF) |
| CM1 | PDP(REC) |
| CM2 | PDP(RR) |
| CPDP | PDP(RUR) |
| CV | PDP(SF) |
| I1 | PDP(SU) |
| I2 | R1A |
| M | R1B |
| OP | R1C |
| PDP(AF) | R1MH |
| PDP(CM) | R2 |
| PDP(CP) | R2.5 |
| PDP(GC) | R3 |
| PDP(GHC) | RC |
| | RM |

City Zoning Pending



Hernando County Planning Department
Project date: 07/26/2023

0 0.03 0.07 0.13 0.2 0.26 Miles

# HERNANDO COUNTY CONDITIONAL USE PERMIT *OR* SPECIAL EXCEPTION USE PERMIT PETITION

File No. _____ Official Date Stamp:

SE-23-04

Received

JUN 06 2023

Planning Department
Hernando County, Florida

**Application request** *(check one)*:

☐ **Conditional Use Permit**

☑ **Special Exception Use Permit**

**PRINT OR TYPE ALL INFORMATION**

Date: _____

**APPLICANT NAME:** Mother Mary Theresa, Sisters of St. Thomas Aquinas - Mark Sullivan, Agent

Address: 26331 Rosecrans Street

City: Brooksville State: FL Zip: 34602

Phone: 352-428-4847 Email: Administration@qasonline.org

**Property owner's name:** *(if not the applicant)* _____

**REPRESENTATIVE/CONTACT NAME:** Mother Mary Theresa, Sisters of St. Thomas Aquinas - Mark Sullivan, Agent

Company Name: Florida Engineering and Enviromental Services, Inc.

Address: 4519 George Road, Suite 130

City: Tampa State: FL Zip: 33634

Phone: 813-267-5649 Email: msullivan@flaengineering.com

**HOME OWNERS ASSOCIATION:** ☐ Yes ☑ No *(if applicable provide name)* _____

Contact Name: _____

Address: _____ City: _____ State: _____ Zip: _____

**PROPERTY INFORMATION:**

1. PARCEL(S) **KEY** NUMBER(S): 00393265
2. SECTION 34, TOWNSHIP 23 S, RANGE 20E
3. Current zoning classification: AG
4. Desired use: Expansion of Convent, plus Bishop's Cottage and Cart Barn for previously approved SEU parcel.
5. Size of area covered by application: 16.99 Acres
6. Highway and street boundaries: Spring Lake Highway (west) and Rosecrans Street (south)
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☑ No
8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☑ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☑ No (Time needed: _____)

**PROPERTY OWNER AFFIDIVAT**

I, Mark Sullivan, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (**check one**):

☐ I am the owner of the property and am making this application **OR**

☐ I am the owner of the property and am authorizing *(applicant)*: _____ and *(representative, if applicable)*: Mark Sullivan, Agent (see attached Agent of Record document) to submit an application for the described property.

_____
*Signature of Property Owner* / Agent

***STATE OF FLORIDA***
***COUNTY OF HERNANDO***

The foregoing instrument was acknowledged before me this 10TH day of MAY, 2023, by MARK SULLIVAN who is personally known to me or produced _____ as identification.

_____
Signature of Notary Public

TIMOTHY J. BARA
MY COMMISSION # GG 341110
EXPIRES: September 17, 2023
Bonded Thru Notary Public Underwriters

*Notary Seal/Stamp*

Effective Date: 11/8/16 Last Revision: 11/8/16

FLORIDA ENGINEERING
AND ENVIRONMENTAL SERVICES, INC.

Received
JUL 06 2023
Planning Department
Hernando County, Florida

## Project Narrative

**Sisters of St. Thomas Aquinas - Convent Expansion**
**26331 Rosecrans Street**
**Special Exception Use Permit Application**

The subject project involves the expansion of the facilities at the subject site, which was previously approved by Hernando County for a Special Exception Use Permit under SE-15-19. The purpose of the originally approved application was for a ***Place of Public Assembly, for a Religious Establishment for a Convent and Chapel***. This project was constructed, and those facilities are currently in use.

The current proposal is for an expansion to this site, with the project to include an expansion to the Convent, plus a separate Bishop's Cottage and a Cart Barn. Please see the attached Site Plan along with a second sheet which details the uses and sizes of the existing and proposed facilities.

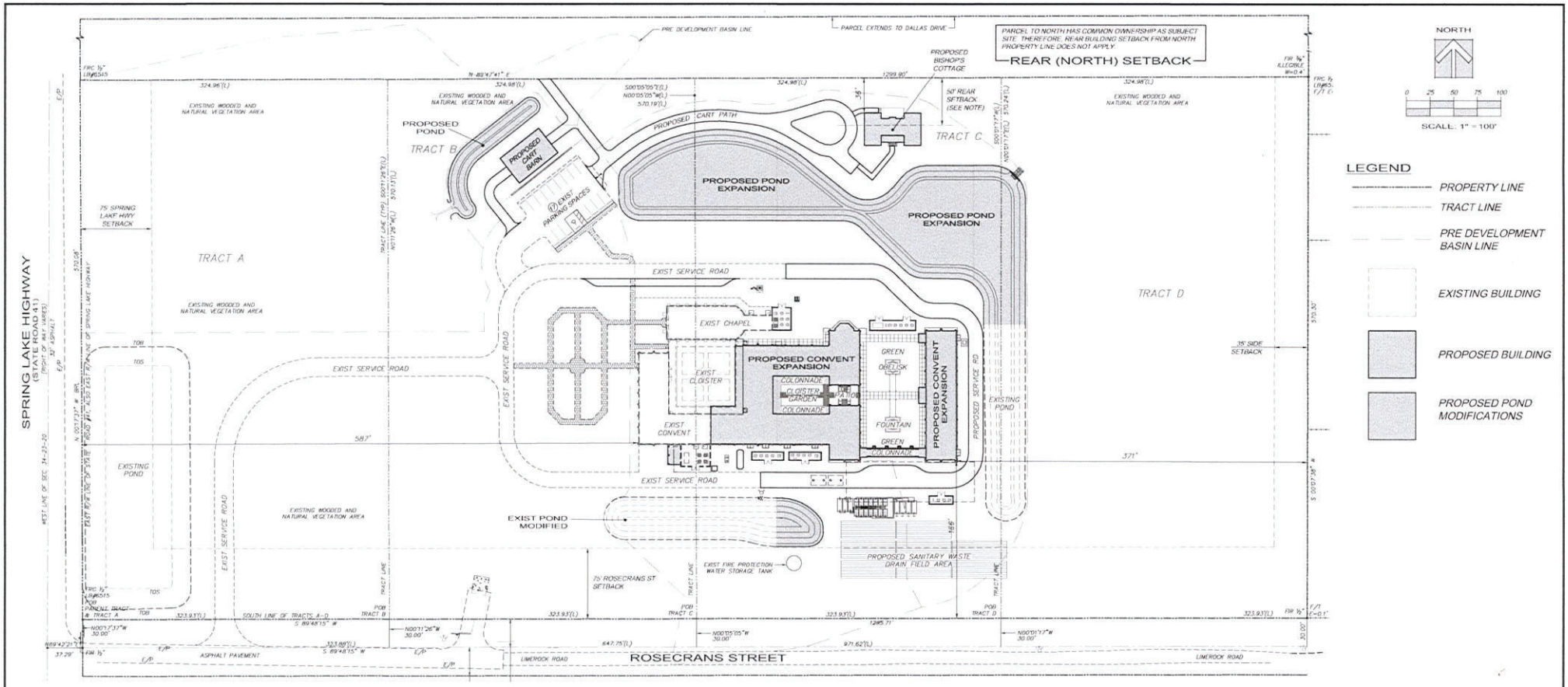
As can be seen on the Site Plan, the Convent Expansion connects to the existing Building and extends to the east, while the Cart Barn and the Bishop's Cottage are located on the north side of the original construction area.

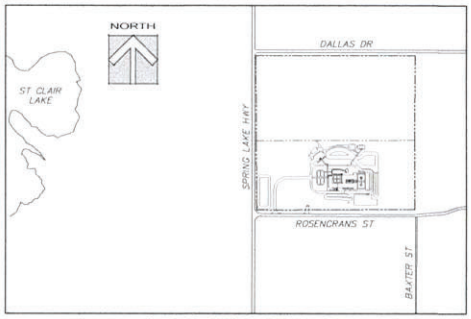
With regard to traffic and parking needs, we have previously submitted to the County for consideration of the expanded use of the property and its unique characteristics as to its very limited parking and traffic generation needs. Upon consideration of this submittal, Kandi McCorkel of Public Works notified us that based on their review, a traffic study is not required related to the proposed expansion project. As such, no expansion to the site's existing parking area is proposed, and the current site driveway onto Rosecrans Street will remain with no need for modification.

Other site civil engineering considerations include an expansion and relocation of water and sanitary sewer facilities, which are accommodated by on-site well and septic systems. Further, with regard to the increased impervious area associated with this project, an expansion and relocation of stormwater ponds is proposed as part of the design.

4519 GEORGE ROAD · SUITE 130 · TAMPA, FLORIDA 33634 · (813) 880-9106 · (813) 880-9055 fax

P:\22-013 SSTA - CONVENT ADDITION - 9 FLRN, CNTY - SPECIAL EXCEPTION USE PERMIT SEU - SSTA CONVENT EXPANSION - PROJECT NARRATIVE.docx




LOCATION MAP

SECTION 34, TOWNSHIP 23 SOUTH, RANGE 20 EAST
SCALE: 1" = 1,000'

SITE DATA:

| | | |
|---|---|---|
| PARCEL KEY NO: | 00393265 | |
| PARCEL NO: | R34 423 20 0000 0140 0000 | |
| SITE ADDRESS: | 26331 ROSECRANS STREET | |
| SPECIAL USE EXEMPTION PERMIT: | SE-15-19 (ORIGINAL) | |
| PARCEL SIZE: | 38.70 ACRES | |
| CONSTRUCTION SITE AREA: | 16.99 ACRES | |
| ZONING: | AG | |
| USES: | CONVENT, CHAPEL, CART BARN & BISHOP'S COTTAGE (SEE ATTACHED GRAPHIC FOR BUILDING USES & SIZES) | |
| MINIMUM BUILDING SETBACKS: | NORTH | REAR 0' (SEE NOTE) |
| | SOUTH | FRONT 75' |
| | EAST | SIDE 35' |
| | WEST | SIDE 75' |

Received

JUL 06 2023

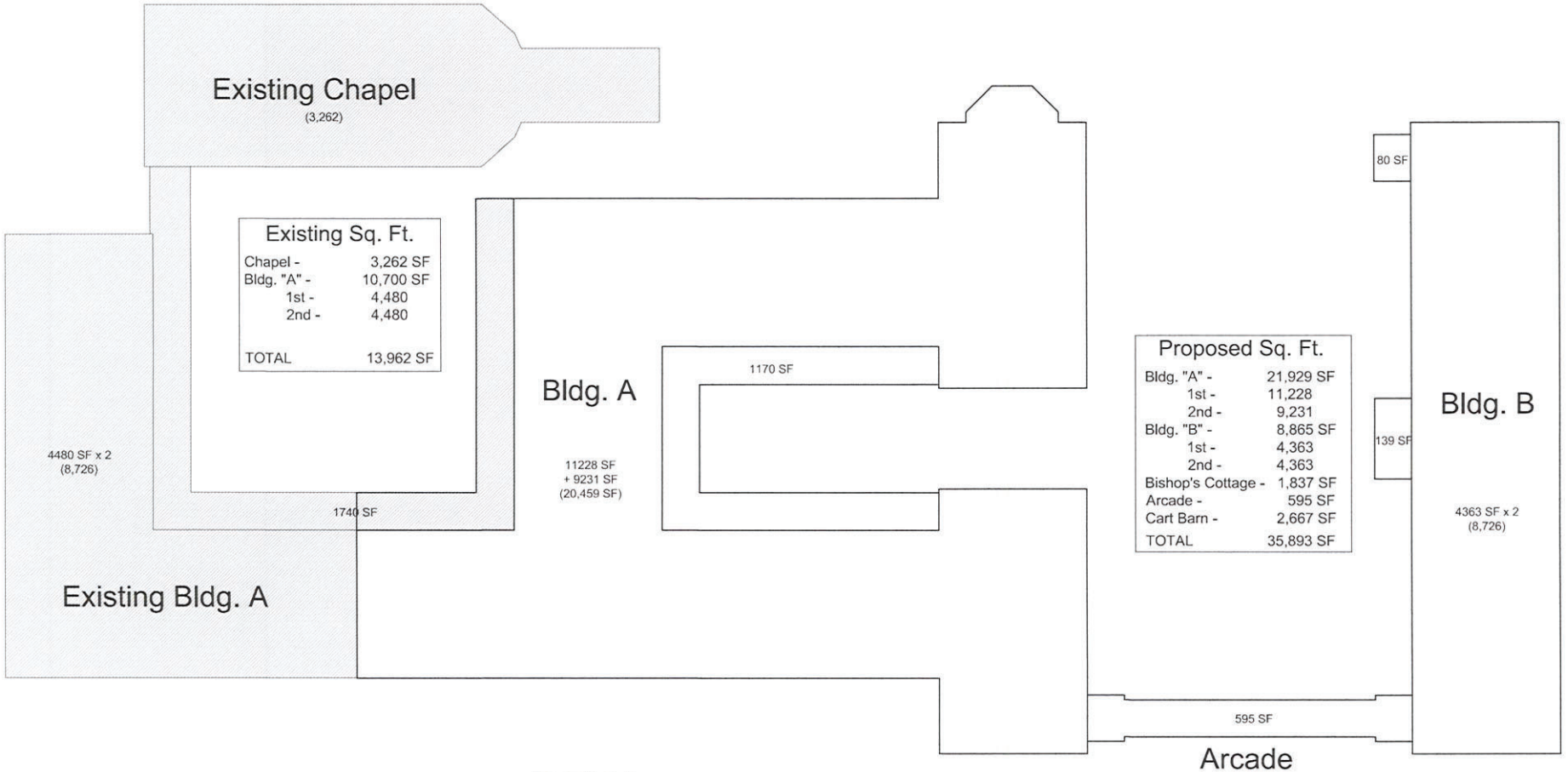
Planning Department
Hernando County, Florida

# SITE PLAN FOR SPECIAL EXCEPTION USE PERMIT

## SISTERS OF ST THOMAS AQUINAS CONVENT EXPANSION

FLORIDA ENGINEERING
AND ENVIRONMENTAL SERVICES, INC.
CERTIFICATE OF AUTHORIZATION: EB 5804
4519 George Road Suite 130
Tampa, Florida 33634
Tel (813) 880-9106 Fax (813) 880-9055

DATE: MAY 19, 2023

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JUL [illegible]

Planning Department
Hernand[illegible]ga

Meeting: 10/09/2023
Department: Planning
Prepared By: Robin Reinhart
Initiator: Michelle Miller
DOC ID: 12904
Legal Request Number:
Bid/Contract Number:

## TITLE
Rezoning Petition Submitted by M. Daniels Construction (H2263)

## BRIEF OVERVIEW
**Request:**
Expansion of a Public Service Facility Overlay District (PSFOD)

**General Location:**
West side of Sunshine Grove Rd, approximately 2,000' north of Ken Austin Pkwy

**Hearing Detail:**
On September 11, 2023, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners postpone the petitioners request for an Expansion of a Public Service Facility Overlay District (PSFOD) in order to readvertise the request for deviations.

## FINANCIAL IMPACT
A matter of policy. There is no financial impact.

## LEGAL NOTE
The Planning and Zoning Commission has jurisdiction to make a recommendation on the subject application. The Applicable Criteria for a Zoning District Amendment are contained in Appendix A, (Zoning Code) Article VI. The applicable Public Service Facility (PSF) Overlay District Standards are contained in Article IV, Section 11. The Zoning District Amendment must be consistent with the Comprehensive Plan.

## RECOMMENDATION
It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for an Expansion of a Public Service Facility Overlay District (PSFOD) with Deviations and with performance conditions.

## REVIEW PROCESS

| | | |
|---|---|---|
| Omar DePablo | Approved | 09/28/2023 11:59 AM |
| Michelle Miller | Approved | 09/29/2023 2:06 PM |
| Kyle Benda | Approved | 09/29/2023 9:19 PM |

| | |
|---|---|
| **RESULT:** | **ADOPTED** |
| **MOVER:** | Nicholas Holmes |
| **SECONDER:** | Gregory Arflack |
| **AYES:** | McDonald, Hickey, Arflack, Holmes and Whiting |
| **ABSENT:** | Birren |

**P&Z ACTION:**

On September 11, 2023, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners postpone the petitioners request for an Expansion of a Public Service Facility Overlay District (PSFOD) in order to readvertise the request for deviations.

**STAFF REPORT**

| | |
|---|---|
| **HEARINGS:** | Planning & Zoning Commission: September 11, 2023<br>Board of County Commissioners: October 10, 2023<br>Planning & Zoning Commission: October 9, 2023<br>Board of County Commissioners: October 24, 2023 |
| **APPLICANT**: | M. Daniel Construction, Inc. |
| **REPRESENTATIVE**: | Darryl W. Johnston, Esq. |
| **FILE NUMBER:** | H-22-63 |
| **REQUEST**: | Expansion of a Public Service Facility Overlay District (PSFOD) with Deviations |
| **GENERAL LOCATION:** | West side of Sunshine Grove Road, approximately 2,000' north of Ken Austin Parkway |
| **PARCEL KEY NUMBER:** | 344354 |

**APPLICANT'S REQUEST:**

The petitioner is requesting an expansion of an existing Public Service Facility Overlay District (PSFOD) to create a Class III landfill (yard trash, construction and demolition debris and furniture; no appliances), as identified by Rule 62-701, F.A.C. The landfill has been in existence since 1993 and is currently about 12.84 acres (center western portion of the subject site). The petitioner proposes expanding the landfill to the remaining 110.1 acres. The Class III landfill will be required by the Florida Administrative Code to provide a protective liner for the landfill.

This subject application has two corresponding applications. A rezoning from Mining to Agriculture (H2310) and a Conditional Use Permit (CU2301), which requests excavation of the eastern most 40.0 acres. The subject site has been utilized since the early 1990's for landfill and sand excavation.

The County LDR's require a minimum of 1,000' setback/buffer for C&D Landfills from schools. The petitioner is requesting a deviation in the minimum setback/buffer from the required 1,000' to 200' in order to maintain the distance that has historically been provided.

**SITE CHARACTERISTICS:**

| | | |
|---|---|---|
| **Site Size:** | 110.1 acre portion (150.1 acres) | |
| **Surrounding Zoning; Land Uses:** | North: | Mining; Undeveloped |
| | South: | AG; High, Middle and Elementary School Campus |
| | East: | AG; Single Family, Mobile Homes |
| | West: | AG; Single Family, Mobile Homes |

**Current Zoning:** AG/(Agricultural)

**Future Land Use Map Designation:** Rural

**ENVIRONMENTAL REVIEW:**

**Soil Type:** Candler fine sand

***Comments:*** Candler fine sand provides a habitat suitable for gopher tortoises. Given the presence of the candler fine soils, gopher tortoise habitat and several commensal species have a moderate potential for occurring on the project site including eastern indigo snake (Drymarchon corais), Florida mouse (Podomys floridanus), Florida pine snake (Pituophis melanoleucus mugitus), and gopher frog (Rana areolata). Since there is the potential for this listed Species of Special Concern to be present, the site should be inspected prior to excavation, and a Florida Fish and Wildlife Conservation Commission permit may be required prior to site alterations.

Candler Fine Sand provides habitat suitable for gopher tortoises (a listed species) and commensal species. A comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified professional during the construction plan approval stage of development. The petitioner is required to comply with all applicable FWC regulations and permitting.

Excavation may create an environment for nuisance exotic vegetative species to begin to grow in the disturbed areas. The petitioner must provide acceptable control measures to contain and eliminate any nuisance species.

**Hydrologic Features:** The subject property contains no wetlands but does contain a Special Protection Areas (SPA) according to County data resources.

***Comments:*** Due to the mining designation of the property, it is considered a SPA under the Hernando County Regulations. It is petitioner's intent to change the zoning, corresponding application H2310, in order to remove and abandon the SPA. According to the petitioner, the lime rock layer beneath the clay has not been breached. A synthetic liner/barrier is proposed over the clay for the Class III landfill.

**Protection Features:** The property is not located within a Wellhead Protection Area (WHPA) according to County data resources.

**SCHOOL BOARD REVIEW:**

The Hernando County School Board has indicated.

**UTILITIES REVIEW:**

The Hernando County Utilities Department has indicated they currently do not supply water or sewer services to this parcel. There is an existing 24-inch water main that runs along the west side of Sunshine Grove Road. There is an existing 16-inch sewer force main that also runs along the west side of Sunshine Grove Road. HCUD has no objection to the submitted request to extend the parcel's current Public Service Facility Overlay for construction and debris over to the eastern boundary of the mining portion of the property.

**ENGINEERING & TRANSPORT REVIEW:**

The site is located on the west side of Sunshine Grove Road, approximately 2,000' north of Ken Austin Parkway. The petitioner has indicated utilizing the existing access points for the project; furthermore, the existing roadway network is capable of accommodating the expansion, and no upgrades to signals or roadway network will be necessary due to the site's proposed traffic volume. The County Engineer has reviewed the request and indicated the following:

- The existing site is internally drained and has a permitted retention pond. No new impervious area is being added, no permit modification by Southwest Florida Water Management District.
- Explain how the Florida Department of Environmental Protection permit is incorporated into the expansion.
- Applicant to provide documentation that supports narrative statement that the existing roadway network is capable of accommodating the expansion, and that there will not be upgrades to signals or additional truck volume added to roadway networks.

**LAND USE REVIEW:**

The petitioner shall be subject to the following criteria prior to the approval of a public service facility overlay district for a construction and demolition debris landfill facility:

(a) Have access to a roadway with a classification of no less than a two-lane collector which is designed to handle heavy truck traffic;

***Comments:*** The subject site has direct access to Sunshine Grove Road.

(b) Not be located within one thousand 1,000' of residentially zoned properties and schools;

***Comments:*** The petitioner is requesting a deviation in the minimum setback/buffer from the required 1,000' to 200' in order to maintain the distance that has historically been provided.

(c) Be compatible with the surrounding land uses:

(1) Shall not have a negative material impact on surrounding land uses,
(2) Shall not have a negative material impact on infrastructure, or

(3) Shall not have negative material environmental impacts;

(d) Not be located within any area containing hydric soils, as specified in the Soil Survey of Hernando County;

(e) Not to be located within two hundred fifty 250' of the property line of any property zoned as one of the rural zoning districts not under control of the owner/operator of the construction and demolition debris landfill;

***Comments:*** The petitioner meets or exceeds the 250' requirement along the east and west.

(f) Not be located within the 100-year floodplain; and,

(g) Not create a vulnerable feature.

(4) The following design criteria must be met prior to the approval of a public service facility overlay district for a construction and demolition debris landfill facility:

(a) The site shall have a minimum setback of seventy-five (75) feet from all adjacent property lines;

***Comments:*** The subject site has existing landfill and excavation activities and currently has 100' vegetative buffers along the north, east and west and a 200' buffer along the south. If approved these buffers must be maintained or enhanced to achieve 80% opacity.

(b) Access roads must be paved or stabilized with limerock or some other surface and be dust controlled;

(c) The site shall be completely fenced with a minimum six-foot-high security fence which must be locked during all hours when the construction and demolition debris landfill is closed;

(d) Have only one entrance;

***Comments:*** The subject site has a single existing access to Sunshine Grove Road.

(e) The site shall be buffered from adjacent properties with a fifteen-foot landscaped buffer of no less than eight (8) feet in height; and reach eighty (80) percent opacity within twelve (12) months;

***Comments:*** The subject site has existing landfill and excavation activities and currently has 100' vegetative buffers along the north, east and west and a 200' buffer along the south. If approved these buffers must be maintained or enhanced to achieve 80% opacity.

(f) Must comply with the provisions of the Groundwater Protection Ordinance; and,

***Comments:*** Due to the mining designation of the property, it is considered a SPA under the Hernando County Regulations. It is petitioner's intent abandon the SPA by rezoning the property from Mining to AG (Agriculture) (H2310). According to the petitioner, the lime

rock layer beneath the clay has not been breached. A synthetic liner/barrier is proposed over the clay for the Class III landfill.

(g) Meet all other local, state and federal rules.

(5) A construction and demolition (C&D) debris landfill facility shall meet the following operational standards:

(a) The owner/operator of a construction and demolition debris landfill shall be responsible for compensating the appropriate fire department for all expenses in the extinguishing or containing of a fire above the cost of an average fire call as determined by the Florida State Fire Marshal's *Output Report:*

(b) The owner/operator of a construction and demolition debris landfill shall provide the county with financial assurance, easily accessible to the county, in the amount needed for closure and care of the facility once closed not to be less than five (5) years. This financial assurance shall be in one of the following methods: a bond, insurance, irrevocable letter of credit, or cash. The financial assurance may be of co-obligation between the county and the Florida Department of Environmental Protection.

(c) The owner/operator of a proposed construction and demolition debris landfill shall provide to the county a copy of their Florida Department of Environmental Protection permit and/or any other such permits as required by the law, rule or regulation by any successor agency. If an owner/operator of a proposed construction and demolition debris landfill is unable to attain or is exempt from the Florida Department of Environmental Protection rules, the proposed landfill does not meet the requirements of this ordinance, and shall not be allowed to operate.

(d) All facilities receiving more than one hundred (100) tons per day, shall install scales to weigh incoming C&D debris. Facilities receiving less than one hundred (100) tons per day shall submit an alternate procedure for calculating daily waste, subject to approval by the county.

(e) Initial cover of six (6) inches of soil shall be applied and maintained in order to minimize adverse environmental, safety or health effects such as those resulting from birds, blowing litter, disease vectors, odors, or fires. The minimum frequency for applying cover is every two (2) weeks.

(f) A minimum of one C&D spotter (per FDEP standards) shall be present on site for each one hundred (100) tons, or part thereof, of C&D debris disposed per day.

(g) The Hernando County Waste Management Division will perform inspections at each privately owned C&D disposal facility no less than once per week. The purpose of these inspections will be to assess compliance with this ordinance and the Florida Department of Environmental Protection's rules and regulations, and to enforce the Hernando County Zoning Regulations.

(h) Inspection frequency by county employees shall be as follows:

| Facility | Frequency |
|---|---|
| Accept less than 50 tons per day | Once a week |
| Accept 50—100 tons per day | Three times per week |
| Accept 100 tons or more per day | Five times per week |

(i) Owners/operators shall provide unrestricted access to their C&D disposal facilities for other county departments and personnel (code enforcement, sheriff's department, fire department) for compliance inspections.

(j) Owner/operators shall maintain all records on-site for a minimum of three (3) years from the date of waste receipt. The following records shall be required:

Daily tons of C&D debris received.

Daily tons of C&D debris recycled and type (i.e., cardboard, concrete, wood, ferrous metal, etc.)

Name and address of the recycler or receiver of the recycled materials.

Daily tons of C&D debris disposed at the site.

Daily tons of rejected waste, type of waste, and the disposal location of the rejected waste.

(k) Owner/operators shall submit a quarterly report summarizing the above information to the Hernando County Waste Management Division on the fifteenth of the next month following each quarter (April 15th, July 15th, October 15th, and January 15th).

(l) Owner/operators shall submit a copy of the FDEP-required ground water monitoring well analyses to the Hernando County Waste Management Division after each sampling event.

(m) Owners/operators shall pay a regulatory fee to the county for each ton of C&D debris received, except for tons that are recycled and rejected. The fee shall be deposited into the Construction and Demolition Debris Revenue Account. The revenue generated by this regulatory fee will fund the cost of county inspections, and the remainder will help pay for any future cleanup costs resulting from C&D disposal facilities or illegal dumping sites.

(n) C&D disposal facility owners/operators shall pay the total regulatory fee due each month to the county no later than thirty (30) days following the end of each calendar month.

(o) The amount of the regulatory fee shall be established by resolution of the board.

**COMPREHENSIVE PLAN REVIEW:**

The subject site is located within the Mining Future Land Use Designation on the County's adopted Comprehensive Plan. The area is characterized by Mining and a landfill to the north and a school campus to the south.

**Mining Category**

**Objective 1.04I:** The Mining Category allows mining and ancillary mining activities with an overall average gross floor area ratio of 0.50, and co-location of mining support-related or industrial uses which consume mining products where mining occurs. Agricultural uses are also allowed.

***Comments:*** The proposed use is consistent with the Comprehensive Plan Mining Category.

**FINDINGS OF FACT:**

The Expansion of a Public Service Facility Overlay District (PSFOD) with deviations is appropriate based on the following conclusion:

1. The petitioner's request for a reduction in distance from schools from the required 1,000' to 200' is justified due to the historic use of the property. The existing 200' buffer along the south shall be maintained or enhanced to achieve 80% opacity.

2. The request 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 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 RECOMMENDATIONS:**

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for an Expansion of a Public Service Facility Overlay District (PSFOD) with Deviations and 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 wildlife survey shall be prepared by a qualified professional at the time of conditional plat approval. The petitioner is required to comply with all applicable FWC regulations.

3. The petitioner shall be required to remove and abandon the existing Special Protection Area (SPA).

4. A synthetic liner/barrier shall be placed along the entire landfill area to prevent leeching.

5. The petitioner shall be required to obtain and maintain all applicable permits complying with all current requirements of the Florida Department of Environmental Protection (FDEP) and all other state agencies having regulatory jurisdiction over the design, construction and operation of landfill.

6. The petitioner shall provide a plan for the control of fugitive dust.

7. The petitioner shall meet the requirements as identified by Rule 62-701, F.A.C., for a Class III landfill.

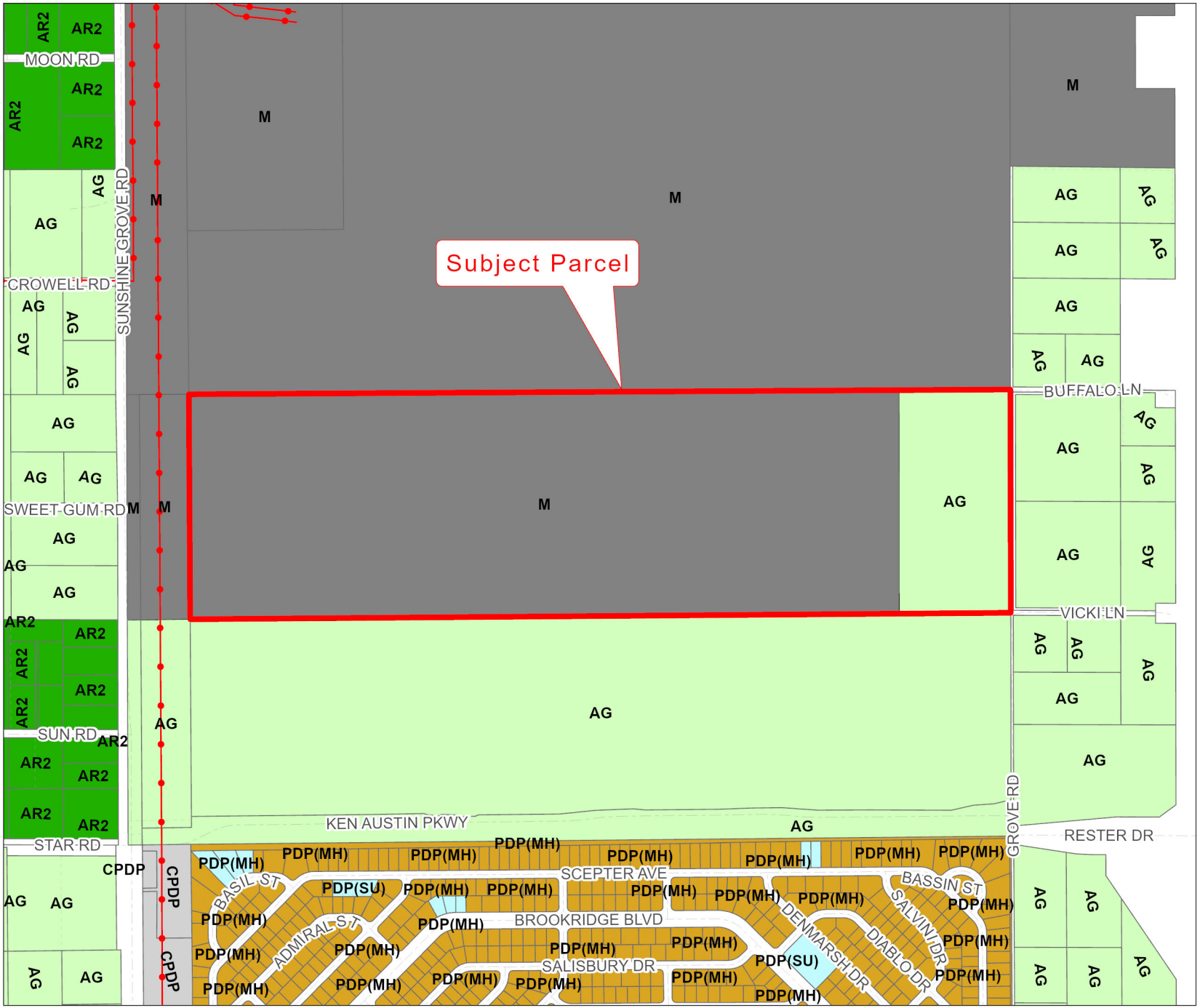
8. The petitioner shall provide documentation to the County Engineer, indicating the existing roadway network is capable of accommodating the expansion, and that there will not be upgrades to signals or additional truck volume added to roadway networks.

9. Minimum Buffers/Setbacks:
   North: 100'
   East: 100'
   West: 100'
   South: 200'

10. All existing buffers shall be maintained and enhanced to achieve 80% opacity, including but not limited to the southern buffer against the schools.

# H-22-63

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

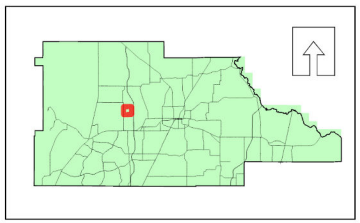



HERNANDO COUNTY
CENTRAL GIS

Zoning:

- AC
- AG
- AR
- AR1
- AR2
- C1
- C2
- C3
- C4
- CITY
- CM1
- CM2
- CPDP
- CV
- I1
- I2
- M
- OP
- PDP(AF)
- PDP(CM)
- PDP(CP)
- PDP(GC)
- PDP(GHC)
- PDP(HC)
- PDP(HHC)
- PDP(HID)
- PDP(IND)
- PDP(LI)
- PDP(MF)
- PDP(MH)
- PDP(NC)
- PDP(OP)
- PDP(PSF)
- PDP(REC)
- PDP(RR)
- PDP(RUR)
- PDP(SF)
- PDP(SU)
- R1A
- R1B
- R1C
- R1MH
- R2
- R2.5
- R3
- RC
- RM

City Zoning Pending



Hernando County Planning Department
Project date: 08/10/2022

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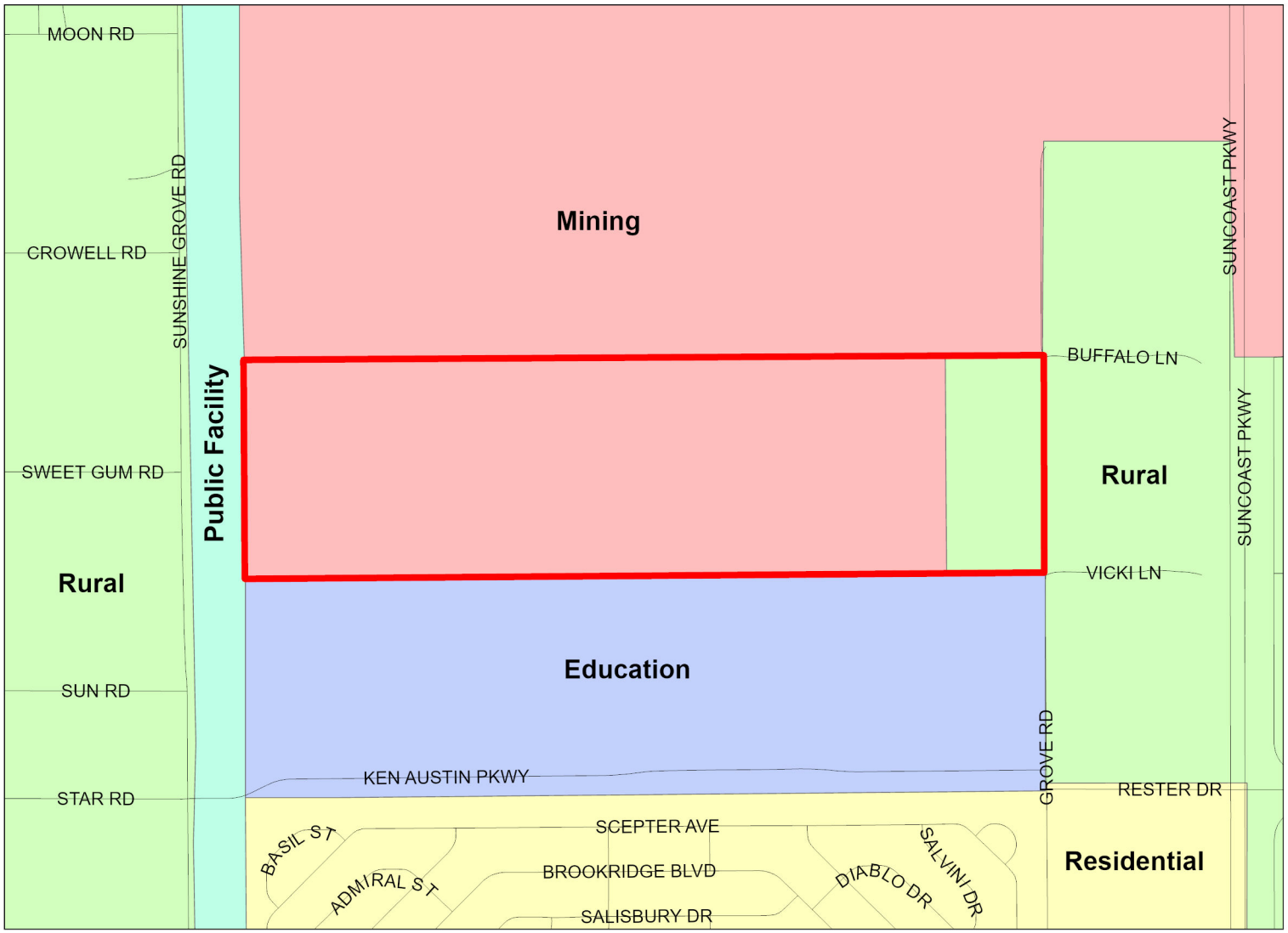
# H-22-63

Photo date: 2020

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

# Hernando County Comprehensive Plan Map

Existing Future Land Use: H-22-63
Version Date: 07/14/2022




H2263
FLU Riverine District
Regional Commercial

**FLU**

- CITY
- COMMERCIAL
- CONSERVATION
- EDUCATION
- INDUSTRIAL
- MINING
- PLANNED DEVELOPMENT
- PUBLIC FACILITIES
- RECREATION
- RESIDENTIAL
- RURAL

## Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

S:\Share\P&Z\PZCases2022\October_2022\H2263a_8x11_Detail.pdf
Date of mapping: 08/10/2022

HERNANDO COUNTY
CENTRAL GIS

# HERNANDO COUNTY ZONING AMENDMENT PETITION

File No. H-22-63 Official Date Stamp:

Received

AUG 0 3 2022

Planning Department
Hernando County, Florida

Application to Change a Zoning Classification

**Application request** *(check one)*:
Rezoning ☐ Standard ☐ PDP
Master Plan ☐ New ☐ Revised
PSFOD ☑ Communication Tower ☐ Other
**PRINT OR TYPE ALL INFORMATION**

Date: 8/3/22

**APPLICANT NAME:** M. Daniel Construction, Inc.
Address: 4435 Baseball Pond Rd
City: Brooksville State: FL Zip: 34602
Phone: 352 279 5933 Email: michelle mdanielinc.com
**Property owner's name:** *(if not the applicant)*

**REPRESENTATIVE/CONTACT NAME:**
Company Name: Darryl W. Johnston, Esq.
Address: 29 S. Brooksville Ave
City: Brooksville State: FL Zip: 34601
Phone: 352 796 5124 Email: dwjedjohnstonlaw.com

**HOME OWNERS ASSOCIATION:** ☐ Yes ☑ No *(if applicable provide name)*
Contact Name:
Address: City: State: Zip:

**PROPERTY INFORMATION:**
1. PARCEL(S) **KEY** NUMBER(S): 344354
2. SECTION 15, TOWNSHIP 22 South, RANGE 18 East
3. Current zoning classification: PSF and Mining and AG
4. Desired zoning classification: PSF for C.U. (Expansion of Existing PSF)
5. Size of area covered by application: 140.5
6. Highway and street boundaries: Sunshine Grove Road
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☑ No
8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☑ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☑ No (Time needed: )

**PROPERTY OWNER AFFIDIVAT**

I, Michael Daniel, as President, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (**check one**):

☑ I am the owner of the property and am making this application **OR**

☐ I am the owner of the property and am authorizing *(applicant)*:
and *(representative, if applicable)*:
to submit an application for the described property.

*Signature of Property Owner*

***STATE OF FLORIDA***
***COUNTY OF HERNANDO***
The foregoing instrument was acknowledged before me this 3 day of August, 20 22, by Michael Daniel who is personally known to me or produced as identification.

Signature of Notary Public

DARRYL W. JOHNSTON
Commission # HH 148619
Expires July 10, 2025
Bonded Thru Troy Fain Insurance 800-385-7019

*Notary Seal/Stamp*

Effective Date: 11/8/16 Last Revision: 11/8/16

Received
AUG 0 3 2022
Planning Department
Hernando County, Florida

# NARRATIVE – M. DANIEL CONSTRUCTION, INC.

## Proposal

This is a 150.1 acre parcel that is split zoned as Mining and the eastern ten (10) acres as Agricultural. There is a public service facility overlay for a construction and debris landfill ("C & D") on a portion of the western side of the property. This overlay has been in effect for more than a decade. The owner desires to expand the PSF overlay for the C & D to the eastern boundary of the mining portion of its property.

The subject property is currently used as a C & D landfill and a sand mine. Access to the subject is from Sunshine Grove Road. Zoning to the north is mining, to the south is AGSchool, and to the west and east is agricultural.

This is a request to modify the existing PSF to expand the C & D east to the western boundary of the agricultural zoned property on Petitioner's land. The buffers and setbacks for the C & D shall be per code.

## Site and Environmental Characteristics

Most of the site has historically been used as a sand mine. The western part, included with the approved PSF for a C & D, has been used as a C & D since its approval. The entire .6 acre site is a commercially developed.

The entire site is within Zone X and does not lie within a flood zone. All surface water will be properly permitted and drained to approved drainage retention areas. There are no wetlands or water features.

There are no known endangered or protected species on site.

## Site Plan

The proposed site plan is attached. There are no new buildings contemplated. No deviations are requested. The existing roadway network is capable of accommodating the expansion, and there will not be upgrades to signals or roadway network due to this site's traffic volume.

Hernando County Solid Waste Services has expressed support for the expansion.

## Conclusion

This expansion of the existing PSF is consistent with the County's comprehensive plan and is compatible with the surrounding land uses. The proposed uses will not be adverse to the public. We request approval of this PSF expansion as stated above.

# Sunshine Grove Road C&D Landfill

Received
AUG 0 3 2022
Planning Department
Hernando County, Florida

Received
JUN 12 2023
Planning Department
Hernando County, Florida

AMENDED NARRATIVE – M. DANIEL CONSTRUCTION, INC.

Proposal

This is a 150.1 acre parcel that is split zoned as Mining and the eastern ten (10) acres as Agricultural. There is a public service facility overlay for a construction and debris landfill ("C & D") on a portion of the western side of the property. This overlay has been in effect for more than a decade. The owner desires to expand the PSF overlay for the C & D to the eastern boundary of the mining portion of its property. The intent is to create a "Class III" landfill as defined by Rule 62-701, F.A.C.

The subject property is currently used as a C & D landfill and a sand mine. Access to the subject is from Sunshine Grove Road. Zoning to the north is mining, to the south is AG/School, and to the west and east is agricultural.

This is a request to modify the existing PSF to expand the C & D east to the western boundary of the agricultural zoned property on Petitioner's land. The buffers and setbacks for the C & D shall be per code.

Site and Environmental Characteristics

Most of the site has historically been used as a sand mine. The western part, included with the approved PSF for a C & D, has been used as a C & D since its approval. The entire .6 acre site is a commercially developed.

The entire site is within Zone X and does not lie within a flood zone. All surface water will be properly permitted and drained to approved drainage retention areas. There are no wetlands or water features.

There are no known endangered or protected species on site.

Site Plan

The proposed site plan is attached. There are no new buildings contemplated. No deviations are requested. The existing roadway network is capable of accommodating the expansion, and there will not be upgrades to signals or roadway network due to this site's traffic volume.

Hernando County Solid Waste Services has expressed support for the expansion.

Spa Removal

Due to the mining designation of the property, it is considered a SPA under the Hernando County Regulations. It is Petitioner's intent to change the zoning so SPA is removed and abandoned. It is not a SPA because of any activity on the property which has breached the lime rock layer beneath the property. The clay layer above lime rock has never been breached. The lime rock layer beneath the clay has never been breached. There will be a synthetic layer over the clay for the Class III land fill, so nothing will penetrate. The goal is to approve the Class III land fill and allow sand mining through an excavation permit for 40 acres or less on remaining property as permitted under the Code.

Conclusion

This expansion of the existing PSF is consistent with the County's comprehensive plan and is compatible with the surrounding land uses. The SPA designation will be abandoned. The proposed uses will not be adverse to the public. We request approval of this PSF expansion as stated above.

# Sunshine Grove Road C&D Landfill

Received
AUG 0 3 2022
Planning Department
Hernando County, Florida

**Planning & Zoning Commission**

# AGENDA ITEM

Meeting: 10/09/2023
Department: Planning
Prepared By: Robin Reinhart
Initiator: Michelle Miller
DOC ID: 12905
Legal Request Number:
Bid/Contract Number:

## TITLE
Rezoning Petition Submitted by Otis J Green III(H2332)

## BRIEF OVERVIEW
**Request:**
Rezoning from R-1C (Residential) to AR (Agricultural/Residential)

**General Location:**
South side of Medicine Stone Drive, approximately 625' southeast of Little Stone Drive

## FINANCIAL IMPACT
A matter of policy. There is no financial impact.

## LEGAL NOTE
The Planning and Zoning Commission has jurisdiction to make a recommendation on the subject application. The Applicable Criteria for a Zoning District Amendment are contained in Appendix A, (Zoning Code) Article VI. The Zoning District Amendment must be consistent with the Comprehensive Plan.

## RECOMMENDATION
It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from R-1C (Residential) to AR (Agricultural/Residential).

## REVIEW PROCESS

| | | |
|---|---|---|
| Omar DePablo | Approved | 09/28/2023 11:59 AM |
| Michelle Miller | Approved | 09/29/2023 2:07 PM |
| Kyle Benda | Approved | 09/29/2023 9:20 PM |

| | |
|---|---|
| **RESULT:** | **ADOPTED** |
| **MOVER:** | W. Steven Hickey |
| **SECONDER:** | Gregory Arflack |
| **AYES:** | McDonald, Hickey, Arflack, Holmes and Whiting |
| **ABSENT:** | Birren |

# STAFF REPORT

| | |
|---|---|
| **HEARINGS:** | Planning & Zoning Commission: September 11, 2023<br>Board of County Commissioners: October 10, 2023 |
| **APPLICANT:** | Otis J Greene III and Shannon Parker Greene |
| **FILE NUMBER:** | H-23-32 |
| **REQUEST:** | Rezoning from R-1C (Residential) to AR (Agricultural/Residential) |
| **GENERAL LOCATION:** | South side of Medicine Stone Drive, approximately 625' southeast of Little Stone Drive |
| **PARCEL KEY NUMBER:** | 19839 |

## APPLICANT'S REQUEST

The petitioner is requesting a rezoning of this property from R-1C (Residential) to AR (Agricultural/Residential) for the ability to farm and have farm animals for personal consumption. The 4.15 acre parcel is currently vacant; however, the petitioner has indicated a 2,800 square foot home will be constructed on the parcel.

## SITE CHARACTERISTICS

| | |
|---|---|
| **Site Size:** | 4.15 acres |
| **Surrounding Zoning; Land Uses:** | North:R-1C; Residential<br>South:R-1C; Lake<br>East:R-1C; Residential<br>West:R-1C; Residential |
| **Current Zoning:** | R-1C (Residential) |
| **Future Land Use Map Designation:** | Rural |

## UTILITIES REVIEW

Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. Water and sewer service are not available to this parcel. HCUD has no objection to the request, subject to Health Department approval of an appropriate Onsite Sewage Treatment and Disposal System for the parcel.

## ENGINEERING REVIEW

The subject property is on the south side of Medicine Stone Drive, approximately 625' southeast of Little Stone Drive. The County Engineer has reviewed the petitioner's request and indicated no engineering related concerns.

## LAND USE REVIEW

Minimum AR (Agricultural/Residential) Building Setbacks:

- Front: 50'
- Side: 10'
- Rear: 35'

The AR district is designed to allow the continued development of low-density, single-family housing. The Hernando County Code of Ordinances, Appendix A, Article IV, Section 13 identifies the permitted uses within the AR zoning district as follows:

A. The following regulations apply to agricultural/residential districts as indicated:

(1) Permitted uses:

(a) All agricultural/residential districts:

i. Aquaculture

ii. Grazing livestock at the rate of one mature animal and offspring less than one year of age, per acre.

iii. Poultry and swine for home consumption maintained at least seventy-five (75) feet from adjacent property.

iv. Horticultural specialty farms, including the cultivation of crops.

v. Accessory structures related to the principal use of the land.

vi. Pigeon aviaries with a maximum of 1,500 square feet of area devoted to housing pigeons per acre.

vii. Sales on the premises of permitted agricultural products produced on the premises: provided that where such products are sold from roadside stands, such stand shall be set back a safe distance from any public street right-of-way and shall provide for automobile access and off-street parking space in such a manner so as to not create an undue traffic hazard on the street on which such roadside stand is located.

(b) Agricultural/Residential:

i. Single-family dwellings

## COMPREHENSIVE PLAN REVIEW

The subject site is within the Rural land use designation; the permitted uses within the AR/(Agricultural-Residential) district are consistent with the goals, objectives and strategies of this land use designation.

## FINDINGS OF FACT

The request for a rezoning from R-1C (Residential) to AR (Agricultural/Residential) is appropriate based on the following:

- The request for AR (Agricultural/Residential) zoning, would be consistent with the Comprehensive Plan and compatible with the surrounding land uses.

## 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

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from R-1C (Residential) to AR (Agricultural/Residential)

# H-23-32

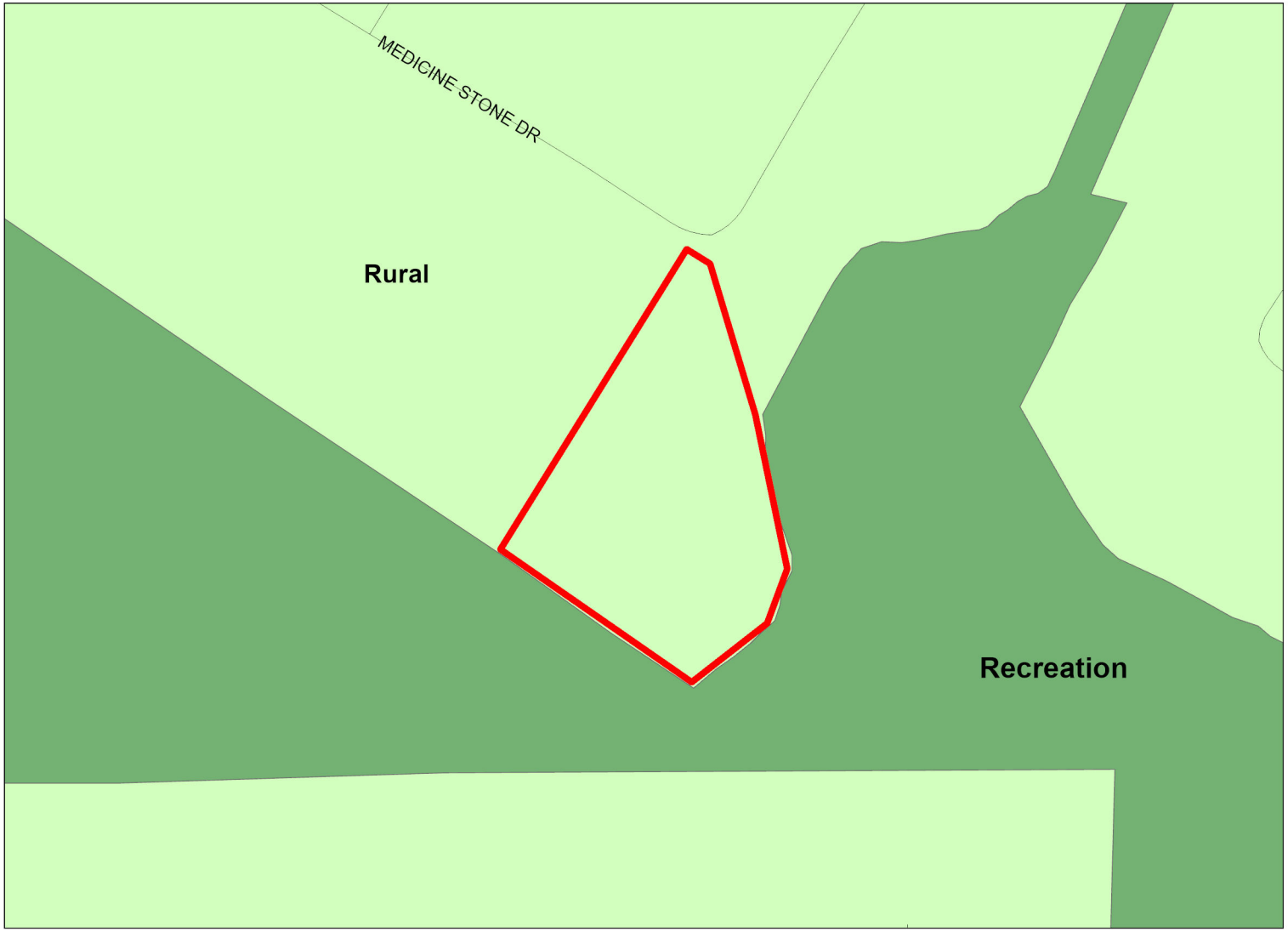
Photo date: 2020

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

0 0.02 0.04 0.08 0.12 0.16
Miles

# Hernando County Comprehensive Plan Map

Existing Future Land Use: H-23-32
Version Date: 12/09/2022




H-23-32
FLU Riverine District
Regional Commercial

**FLU**

- CITY
- COMMERCIAL
- CONSERVATION
- EDUCATION
- INDUSTRIAL
- MINING
- PLANNED DEVELOPMENT
- PUBLIC FACILITIES
- RECREATION
- RESIDENTIAL
- RURAL

## Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

0 0.02 0.04 0.08 0.12 0.16
Miles

N
W E
S

Date of mapping: 07/20/2023

HERNANDO COUNTY
CENTRAL GIS

# H-23-32

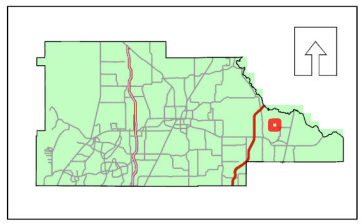
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

HERNANDO COUNTY
CENTRAL GIS

Zoning:

| | |
|---|---|
| AC | PDP(HC) |
| AG | PDP(HHC) |
| AR | PDP(HID) |
| AR1 | PDP(IND) |
| AR2 | PDP(LI) |
| C1 | PDP(MF) |
| C2 | PDP(MH) |
| C3 | PDP(NC) |
| C4 | PDP(OP) |
| CITY | PDP(PSF) |
| CM1 | PDP(REC) |
| CM2 | PDP(RR) |
| CPDP | PDP(RUR) |
| CV | PDP(SF) |
| I1 | PDP(SU) |
| I2 | R1A |
| M | R1B |
| OP | R1C |
| PDP(AF) | R1MH |
| PDP(CM) | R2 |
| PDP(CP) | R2.5 |
| PDP(GC) | R3 |
| PDP(GHC) | RC |
| | RM |

City Zoning Pending



Hernando County Planning Department
Project date: 07/20/2023

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# HERNANDO COUNTY ZONING AMENDMENT PETITION

Application to Change a Zoning Classification

**Application request** *(check one)*:
Rezoning ☐ Standard ☐ PDP
Master Plan ☐ New ☐ Revised
PSFOD ☐ Communication Tower ☐ Other
**PRINT OR TYPE ALL INFORMATION**

File No. H-23-32 Official Date Stamp:

Received
JUN 07 2023
Planning Department
Hernando County, Florida

Date: 6-6-2023

**APPLICANT NAME:** Otis J Greene III & Shannon Parker Greene
Address: 8469 Medicine Stone Dr
City: Webster State: Florida Zip: 33597
Phone: 678/300-8005 Email: TheBrokenArrow23@gmail.com
**Property owner's name:** *(if not the applicant)*

**REPRESENTATIVE/CONTACT NAME:**
Company Name:
Address:
City: State: Zip:
Phone: Email:

**HOME OWNERS ASSOCIATION:** ☐ Yes ☒ No *(if applicable provide name)*
Contact Name:
Address: City: State: Zip:

**PROPERTY INFORMATION:**

1. PARCEL(S) KEY NUMBER(S): R22-122-21-0900-0750-0260
2. SECTION 19839, TOWNSHIP , RANGE
3. Current zoning classification: R1
4. Desired zoning classification: AR
5. Size of area covered by application: 4.15 Ac
6. Highway and street boundaries: Medicine Stone Dr
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No
8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed: )

**PROPERTY OWNER AFFIDIVAT**

I, Otis J Greene III & Shannon Parker Greene, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that **(check one)**:

☒ I am the owner of the property and am making this application **OR**

☐ I am the owner of the property and am authorizing *(applicant)*:
and *(representative, if applicable)*:
to submit an application for the described property.

Otis J Greene III & Shannon P. Greene
*Signature of Property Owner*

*STATE OF FLORIDA*
*COUNTY OF HERNANDO* Pinellas
The foregoing instrument was acknowledged before me this 6th day of June, 2023, by ~~Myah Martinez~~ MMO Otis Greene & Shannon Greene who is personally known to me or produced drivers license as identification.

by means of physical presence

Myah Martinez
Signature of Notary Public

Effective Date: 11/8/16 Last Revision: 11/8/16

MYAH MARTINEZ
Notary Public - State of Florida
Commission # HH 382665
My Comm. Expires Apr 4, 2027

*Notary Seal/Stamp*

Received
JUN 07 2023
Planning Department
Hernando County, Florida

June 6, 2023

RE: Narrative Description of Request for Re-Zoning Application
Otis J. Greene, III and Shannon P. Greene
8469 Medicine Stone Drive
Webster, FL 33597
Parcel: R22-122-21-0900-0750-0260
Key Number: 19839

To Whom It May Concern:

We are requesting re-zoning for the above-mentioned property at the corner of Medicine Stone Drive and Rolling Stone Drive in Ridge Manor Estates. Our current zoning is R1 and we would like to re-zone to AR.

1. Proposal
    a. Proposed land uses and their specific acreage: a small family farm with a garden and a few animals. The property is 4.15 acres.
    b. Proposed density level of residential uses: a single-family residential home approximately 2,800 square feet
    c. Proposed sq. ft. of development and building height(s) of commercial uses: N/A
    d. Proposed deviations from code: N/A
2. Site Characteristics
    a. Site Size (acres): 4.15
    b. Existing land uses and their specific acreage: vacant undeveloped land
    c. Known activities or uses on-site: none
3. Environmental Considerations
    a. Flood Zone: at the far south end of the property is a small area for a flood zone approximately 1-acre that will be a used portion for any structures.
    b. Drainage Features: N/A
    c. Water Features: N/A
    d. Habitats: N/A
    e. Conditions and Impacts on Natural Features: N/A

# HERNANDO COUNTY ZONING AMENDMENT PETITION

Application to Change a Zoning Classification

**Application request** *(check one)*:
Rezoning ☐ Standard ☐ PDP
Master Plan ☐ New ☐ Revised
PSFOD ☐ Communication Tower ☐ Other
**PRINT OR TYPE ALL INFORMATION**

File No. H-23-32 Official Date Stamp:

Received
JUN 07 2023
Planning Department
Hernando County, Florida

Date: 6-6-2023

**APPLICANT NAME:** Otis J Greene III & Shannon Parker Greene
Address: 8469 Medicine Stone Dr
City: Webster State: Florida Zip: 33597
Phone: 678/300-8005 Email: TheBrokenArrow23@gmail.com
**Property owner's name:** *(if not the applicant)* _____

**REPRESENTATIVE/CONTACT NAME:** _____
Company Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Email: _____

**HOME OWNERS ASSOCIATION:** ☐ Yes ☒ No *(if applicable provide name)* _____
Contact Name: _____
Address: _____ City: _____ State: _____ Zip: _____

**PROPERTY INFORMATION:**

1. PARCEL(S) KEY NUMBER(S): R22-122-21-0900-0750-0260
2. SECTION 19839, TOWNSHIP _____, RANGE _____
3. Current zoning classification: R1
4. Desired zoning classification: AR
5. Size of area covered by application: 4.15 Ac
6. Highway and street boundaries: Medicine Stone Dr
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No
8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed: _____)

**PROPERTY OWNER AFFIDIVAT**

I, Otis J Greene III & Shannon Parker Greene, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that **(check one)**:

☒ I am the owner of the property and am making this application **OR**

☐ I am the owner of the property and am authorizing *(applicant)*: _____
and *(representative, if applicable)*: _____
to submit an application for the described property.

Otis J Greene III & Shannon P. Greene
*Signature of Property Owner*

*STATE OF FLORIDA*
*COUNTY OF HERNANDO* Pinellas
The foregoing instrument was acknowledged before me this 6th day of June, 2023, by ~~Myah Martinez~~ MM Otis Greene & Shannon Greene who is personally known to me or produced drivers license as identification.

by means of physical presence

Myah Martinez
Signature of Notary Public

Effective Date: 11/8/16 Last Revision: 11/8/16

MYAH MARTINEZ
Notary Public - State of Florida
Commission # HH 382665
My Comm. Expires Apr 4, 2027

*Notary Seal/Stamp*

Received
JUN 07 2023
Planning Department
Hernando County, Florida

June 6, 2023

RE: Narrative Description of Request for Re-Zoning Application
Otis J. Greene, III and Shannon P. Greene
8469 Medicine Stone Drive
Webster, FL 33597
Parcel: R22-122-21-0900-0750-0260
Key Number: 19839

To Whom It May Concern:

We are requesting re-zoning for the above-mentioned property at the corner of Medicine Stone Drive and Rolling Stone Drive in Ridge Manor Estates. Our current zoning is R1 and we would like to re-zone to AR.

1. Proposal
    a. Proposed land uses and their specific acreage: a small family farm with a garden and a few animals. The property is 4.15 acres.
    b. Proposed density level of residential uses: a single-family residential home approximately 2,800 square feet
    c. Proposed sq. ft. of development and building height(s) of commercial uses: N/A
    d. Proposed deviations from code: N/A
2. Site Characteristics
    a. Site Size (acres): 4.15
    b. Existing land uses and their specific acreage: vacant undeveloped land
    c. Known activities or uses on-site: none
3. Environmental Considerations
    a. Flood Zone: at the far south end of the property is a small area for a flood zone approximately 1-acre that will be a used portion for any structures.
    b. Drainage Features: N/A
    c. Water Features: N/A
    d. Habitats: N/A
    e. Conditions and Impacts on Natural Features: N/A

Otis & Shannon Greene
8469 Medicine Stone Drive
Webster, Fl 33597,
*TheBrokenArrow23@gmail.com*
*Otis Cell: 678-300-8005*

Received
JUN 07 2023
Planning Department
Hernando County, Florida

Meeting: 10/09/2023
Department: Planning
Prepared By: Robin Reinhart
Initiator: Michelle Miller
DOC ID: 12906
Legal Request Number:
Bid/Contract Number:

## TITLE
Rezoning Petition Submitted by Lee Pedone (H2333)

## BRIEF OVERVIEW
**Request:**
Rezoning from CPDP (Combined Planned Development Project) to PDP(IND)/Planned Development Project (Industrial)

**General Location:**
Southeast corner of Kettering Road and Dashback Street

## FINANCIAL IMPACT
A matter of policy. There is no financial impact.

## LEGAL NOTE
The Planning and Zoning Commission has jurisdiction to make a recommendation on the subject application. The Applicable Criteria for a Zoning District Amendment are contained in Appendix A, (Zoning Code) Article VI. The Applicable Criteria for Planned Development Projects are contained in Appendix A, (Zoning Code) Article VIII. The Zoning District Amendment to the Planned Development District and applicable PDP master plan must be consistent with the Comprehensive Plan.

## RECOMMENDATION
It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a Resolution approving the petitioner's request for a rezoning from CPDP (Combined Planned Development Project) to PDP(IND)/Planned Development Project (Industrial) with performance conditions.

## REVIEW PROCESS

| | | |
|---|---|---|
| Omar DePablo | Approved | 09/28/2023 12:12 PM |
| Michelle Miller | Approved | 09/29/2023 2:08 PM |
| Kyle Benda | Approved | 09/29/2023 9:20 PM |

**RESULT:** **ADOPTED**
**MOVER:** Donald Whiting
**SECONDER:** W. Steven Hickey
**AYES:** McDonald, Hickey, Arflack, Holmes and Whiting
**ABSENT:** Birren

# STAFF REPORT

**HEARINGS:** Planning & Zoning Commission: September 11, 2023
Board of County Commissioners: October 10, 2023

**APPLICANT:** Lee Pedone

**FILE NUMBER:** H-23-33

**REQUEST:** Rezoning from CPDP (Combined Planned Development Project) to PDP(IND)/Planned Development Project (Industrial)

**GENERAL LOCATION:** Southeast corner of Kettering Road and Dashback Street

**PARCEL KEY NUMBERS:** 396716

## APPLICANT'S REQUEST:

On July 12, 2006, the Board of County Commissioners approved a rezoning from AG (Agricultural) to C/PDP(SF)&(MF)/Combined Planned Development Project (Single Family) & (Multifamily), in order to develop the subject 118.5 acre parcel with 495 single family lots and 202 multifamily units. The overall acreage of the proposed residential project at the time was 215.4 acres. Since its approval, no development has occurred other than the site being utilized for a sand mine.

The petitioner's current request is for a rezoning of the 30.0 acre northern portion of the 118.5 acre parcel. The request is for a 210,000 square feet cold storage facility. The project is proposed as two phases, the first providing for 110,000 square feet of building and all infrastructure with off-site improvements. The second phase will complete the balance of the square footage and associated parking. The cold storage would be utilized by local farmers and livestock ranchers for storage of foods and merchandise.

## SITE CHARACTERISTICS:

**Site Size:** 30.0 acre portion of a 118.5 acre parcel

**Surrounding Zoning & Land Uses:**

| | |
|---|---|
| North: | PDP(IND); Vacant Industrial |
| South: | CPDP; Vacant |
| East: | AG, PDP(SF); Single Family |
| West: | CPDP; Vacant |

**Current Zoning:** CPDP (Combined Planned Development Project)

**Future Land Use Map Designation:** I-75/SR 50 Planned Development District

**ENVIRONMENTAL REVIEW:**

**Soil Type:** Candler fine Sand

**Hydrologic Features:** The subject property contains no wetlands or Special Protection Areas (SPA), according to County data resources.

**Protection Features:** The property is not located within a Wellhead Protection Area (WHPA) according to County data resources.

**Habitat:** Candler fine sand provides a habitat suitable for gopher tortoises. Given the presence of the Candler fine soils, gopher tortoise habitat and several commensal species have a moderate potential for occurring on the project site including eastern indigo snake (Drymarchon corais), Florida mouse (Podomys floridanus), Florida pine snake (Pituophis melanoleucus mugitus), and gopher frog (Rana areolata). Since there is the potential for this listed Species of Special Concern to be present, the site should be inspected prior to construction, and a Florida Fish and Wildlife Conservation Commission permit may be required prior to site alterations.

***Comments:*** A comprehensive wildlife/gopher tortoise survey shall be conducted in order to identify any listed species present on the property. A Florida Fish and Wildlife Conservation Commission (FWC) permit may be required prior to site alterations. The petitioner is required to comply with all applicable FWC regulations.

**Flood Zone:** X

**UTILITIES REVIEW:**

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. There is an existing 16-inch water main that runs along the east side of Kettering Road approximately 850 feet to the north. There is an existing 4-inch sewer force main that runs along the west side

of Kettering Road approximately 2,100 feet to the north. HCUD has no objection to the request subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction.

**ENGINEERING REVIEW:**

The subject site is located on the southeast corner of Kettering Road and Dashback Street. The project will have two access points. One access off Kettering Road and the second from Dashbach Street, which will require upgrades to 60' right-of-way road.

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

- In Phase 1 of development (Cold Storage), Dashback Street will be classified as a Major Local Roadway.
- In Phase 2 of development (balance of parcel), Dashback Street will be required to be brought up to a Collector Roadway.
- A Traffic Access Analysis will be required at the time of development of Phase II.
- The future widening of Kettering Road may require additional right-of-way from this parcel, developer must work with the County Engineer to determine.
- Relocation of the sandmine entrance to be determined upon construction drawing review.

**LAND USE REVIEW:**

**Setbacks:**
The petitioner has proposed the following setbacks for the subject site:

- Kettering Road: 75'
- Dashbach Street: 75'
- East: 35'
- South: 20'

**Perimeter Setback:**
The Hernando County Land Development Regulations require the following minimum perimeter setbacks for PDP(IND)/Planned Development Project (Industrial) master plans:

- Side 20'
- Rear 35'

**Buffers:**
According to the Hernando County Land Development Regulations, a 5' vegetative buffer is required along entire perimeter of the subject site.

Where an industrial zoned lot abuts another industrial zoned lot, in an area intended and used solely for truck loading, docking, staging and/or truck parking and the area is located behind the front line of the main building structure, the area is exempt from internal tree and parking island requirements. Such areas shall not require the commercial buffer but shall require installation and maintenance of a five-foot-wide landscape strip consisting of at least one (1) tree, three-inch minimum caliper, per fifty (50) linear feet and two (2) shrubs plus turf grass, ground cover and/or mulch. Preserved natural vegetation may be substituted for the landscape strip with approval of the development department review staff. Mitigation of any existing trees in the area behind the main building will not be required.

***Comments:*** The petitioner has proposed a 25' buffer along Kettering Road and Dashbach Street and a 15' Landscape buffer along the east and south property lines

**Parking**
The Hernando County Land Development Regulations has minimum parking calculations based on the specific uses proposed. The petitioner shall be required to provide 1 parking space per employee peak shift. Additionally, one space is required for every vehicle operated by the establishment on the premises.

***Comments***: The petitioner has shown the general location for parking but has not shown the number of spaces. At the time of site development, the petitioner shall be required to provide the data necessary to determine the total parking required for the proposed use.

**Lighting**
The petitioner has not proposed a lighting plan for the subject site. If the master plan is approved, the petitioner will be required to meet all lighting requirements as identified in the Hernando County Land Development Regulations.

**COMPREHENSIVE PLAN REVIEW:**

**I-75/SR-50 PLANNED DEVELOPMENT DISTRICT**

Objective 1.05A: The I-75/SR-50 Planned Development District (I-75/SR-50 PDD) is hereby established for the purpose of implementing planning tools to maximize the potential economic value of

the I-75 corridor through coordination of multiple land uses, roadway network configuration, new and upgraded public infrastructure and consistency of design. The PDD shall extend between the County's existing SR-50/I-75 interchange and where Lockhart Road crosses I-75 and from Lockhart Road to the Withlacoochee State Trail.

**Strategy 1.05A(1):** The I-75/SR-50 Planned Development District mapped area is characterized by a significant potential for future development of multiple land use types. The I-75/SR-50 PDD shall seek to create, to the maximum extent practical, a largely self-contained internally functional concentration of commercial, industrial, and mixed residential land uses supported by public infrastructure. The County intends to encourage and functionally integrate these land uses mainly through advance planning and programming of infrastructure that facilitates orderly development patterns.

**Industrial Category**

**Strategy 1.04H(3):** The County shall provide for economic development and provide for a stable inventory of industrial locations through the protection and maintenance of its industrial areas. The conversion of industrially designated sites to other uses is discouraged.

***Comments:*** The proposed use is consistent with the I-75/SR 50 Planned Development District and the strategy to provide for economic development.

**FINDINGS OF FACT:**

A request to establish a Master Plan on property zoned PDP(IND)/Planned Development Project (Industrial) is appropriate based on the following conclusion:

1. The subject site was recently approved for a Conditional Use Permit excavation. Upon approval of the PDP(IND)/Planned Development Project (Industrial), the subject 30.0 acre portion shall no longer be available for sand mining/excavation and shall be removed from any future excavation permits.

2. The request 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 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:**

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a Resolution approving the petitioner's request for a rezoning from CPDP (Combined Planned Development Project) to PDP(IND)/Planned Development Project (Industrial) with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.

2. A comprehensive wildlife survey shall be prepared by a qualified professional. Any listed floral species shall be included. The petitioner is required to comply with all applicable FWC regulations and permitting.

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

4. The developer shall perform a utility capacity analysis in accordance with HCUD specifications and connect to the central water and sewer systems at time of vertical construction.

5. The petitioner shall coordinate the need for additional right-of-way, for the future widening of Kettering Road, with the County Engineer.

6. A Traffic Access Analysis will be required at the time of development. Any improvements identified by Traffic Access Analysis will be the responsibility of the developer.

7. Minimum Building Setbacks:
   Kettering Road: 75'
   Dashbach Street: 75'
   East: 35'
   South: 20'

8. Minimum Buffer Requirements:
   Kettering Road: 25'
   Dashbach Street: 25'
   East: 15'
   South: 15'

9. The petitioner shall be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring parcels.

10. The petitioner shall be required to relocate the entrance of the existing sand mine at the time of construction drawing review.

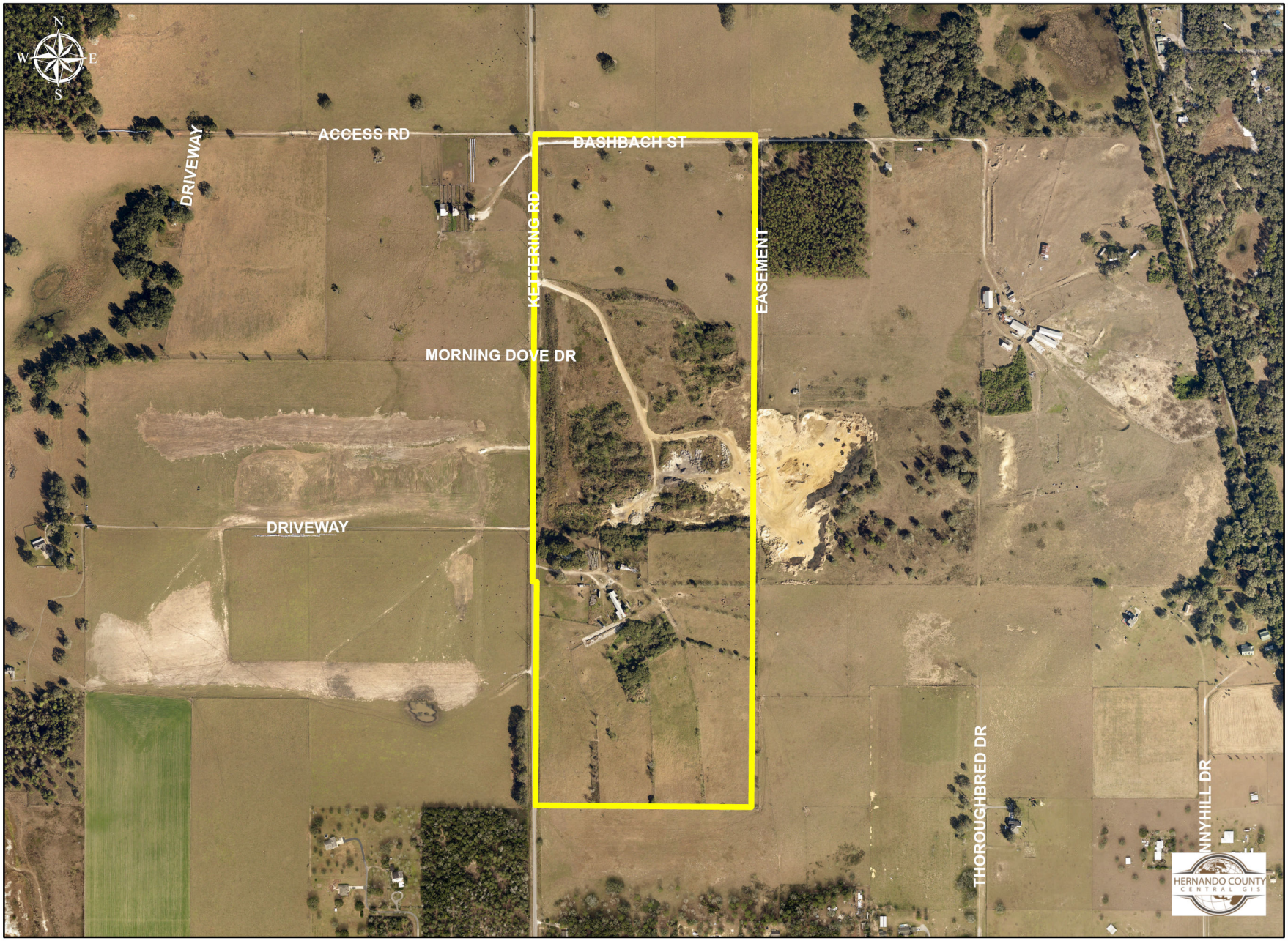
11. Upon approval of the PDP(IND)/Planned Development Project (Industrial), the subject 30.0 acre portion shall no longer be available for sand mining/excavation and shall be removed from any future excavation permits.

12. The petitioner shall provide a revised plan in compliance with all of the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

# H-23-33

Photo date: 2020

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# Hernando County Comprehensive Plan Map

Existing Future Land Use: H-23-33

Version Date: 12/09/2022

H-23-33

FLU Riverine District

Regional Commercial

**FLU**

- CITY
- COMMERCIAL
- CONSERVATION
- EDUCATION
- INDUSTRIAL
- MINING
- PLANNED DEVELOPMENT
- PUBLIC FACILITIES
- RECREATION
- RESIDENTIAL
- RURAL

## Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

0 0.05 0.1 0.2 0.3 0.4 Miles

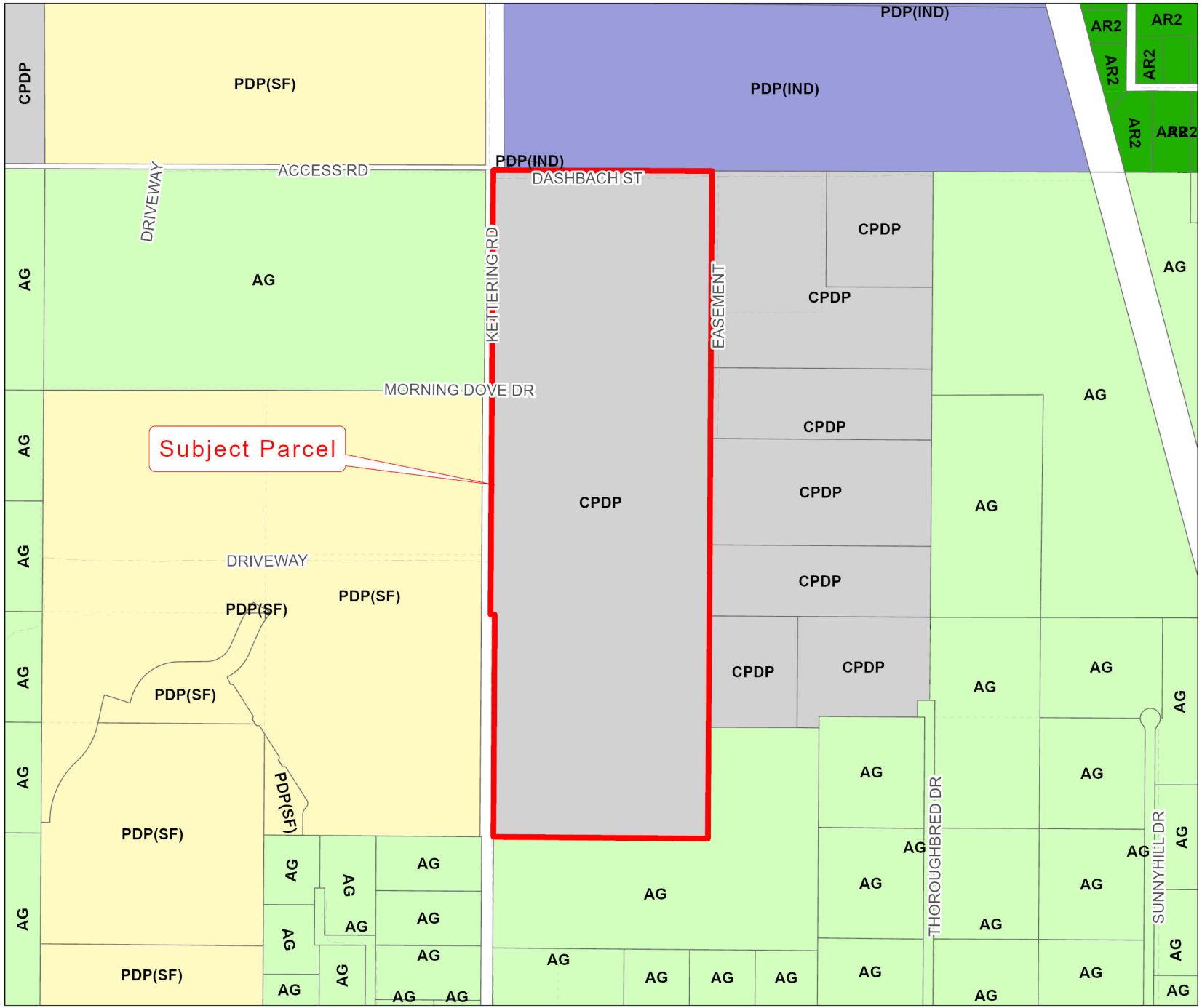
N W E S

Date of mapping: 07/20/2023

HERNANDO COUNTY CENTRAL GIS

# H-23-33

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

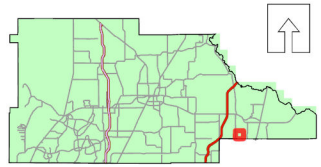



HERNANDO COUNTY
CENTRAL GIS

Zoning:

| | |
|---|---|
| AC | PDP(HC) |
| AG | PDP(HHC) |
| AR | PDP(HID) |
| AR1 | PDP(IND) |
| AR2 | PDP(LI) |
| C1 | PDP(MF) |
| C2 | PDP(MH) |
| C3 | PDP(NC) |
| C4 | PDP(OP) |
| CITY | PDP(PSF) |
| CM1 | PDP(REC) |
| CM2 | PDP(RR) |
| CPDP | PDP(RUR) |
| CV | PDP(SF) |
| I1 | PDP(SU) |
| I2 | R1A |
| M | R1B |
| OP | R1C |
| PDP(AF) | R1MH |
| PDP(CM) | R2 |
| PDP(CP) | R2.5 |
| PDP(GC) | R3 |
| PDP(GHC) | RC |
| | RM |

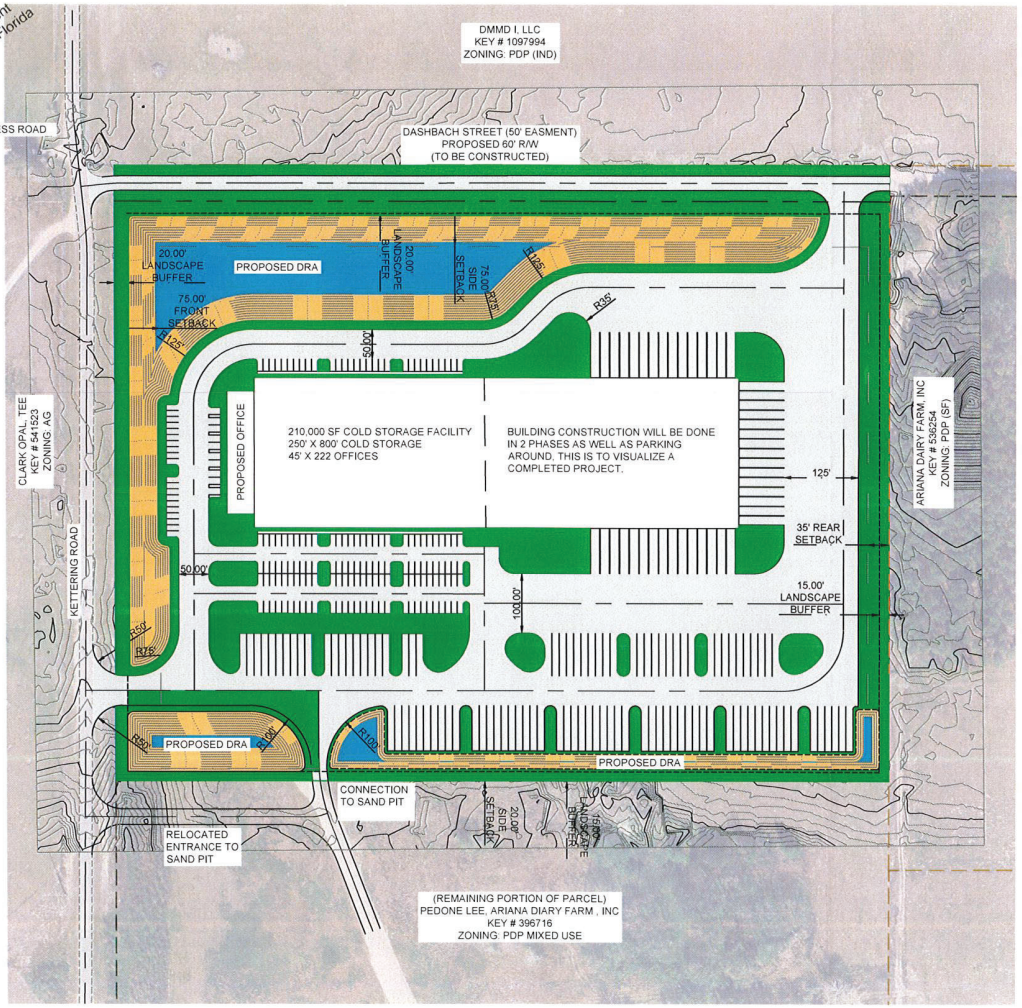
City Zoning Pending



Hernando County Planning Department
Project date: 07/20/2023

0 0.05 0.1 0.2 0.3 0.4 Miles

Received
JUN 07 2023
Planning Department
Hernando County, Florida




SCALE: 1" = 200'

1. STATEMENT OF INTENT:
THE OWNER IS DESIROUS OF BUILDING 250' x 800' COLD STORAGE FACILITY WITH FRONT OFFICES TOTAL OF 210,000 SF.

SITE ADDRESS: INTERSECTION OF DASHBACH AND KETTERING ROAD.

SITE TOTAL AREA: 30 ACRES

EXISTING USE: VACANT

2. PROPOSED BUILDING DATA:
210,000 SF COLD STORAGE FACILITY

CURRENT ZONING: PDP (MIXED USE)

REQUESTED ZONING: PDP (IND)

3. PARKING CALCULATIONS
COLD STORAGE 1 PER EMPLOYEE PEAK SHIFT
50 EMPLOYEES PEAK SHIFT X 1 = 50 SPACES REQUIRED
50 SPACES REQUIRED W/ 2 BEING HANDICAP
170 SPACES PROVIDED W/ 10 BEING HANDICAP
86 TRUCK SPACES

4. PERIMETER SETBACKS:

| | |
|---|---|
| FRONT: | 75' (KETTERING ROAD) |
| SIDES: | 35' (NORTH - DASHBACH) & 20' (SOUTH) |
| REAR: | 35' (EAST) |

5. ON-SITE AREA CALCULATIONS:

| | | |
|---|---|---|
| EXISTING PERVIOUS | 1,306,800.000 SF | (30 AC) |
| PROPOSED PERVIOUS: | 543,588.000 SF | (13.11 AC) |
| PROPOSED TIRE SHOP: | 210,000.000 SF | (4.82 AC) |
| PROPOSED IMPERVIOUS: | 553,212.000 SF | (12.70 AC) |

6. PHASING:

THE PROJECT IS TO BE COMPLETED IN 2 PHASES:

- PHASE I WOULD BE 110,000 SF OF BUILDING WITH ALL INFRASTRUCTURE. ALL OFF-SITE IMPROVEMENTS WILL BE CONSTRUCTED AS WELL.
- PHASE II WOULD BE THE REMAINING BUILDING EXPANSION AND PARKING ONLY.

| DESCRIPTION REVISION HISTORY | BY | DATE |
|---|---|---|

PEDONE
SAND MINE
HERNANDO COUNTY FLORIDA
MASTER PLAN


PROCIVIL 360
CIVIL ENGINEERING / RESIDENTIAL & COMMERCIAL
SITE DEVELOPMENT / PLANNING & ZONING /
PERMITTING / CONSTRUCTION SERVICES
12 SOUTH MAIN STREET, BROOKSVILLE, FL. 34601
PHONE - (352) 593-4255 WWW.PROCIVIL360.COM


LARRY G. BOONE, P.E.
P.E.# 49470
EXAMINED AND APPROVED
DATE:

| | |
|---|---|
| PM:DRAWN BY: FAD | |
| SCALE: NOTED | |
| DATE: 6/6/23 | |
| SEC: 16 | |
| TWP: 23 | |
| RANGE: 21 | |
| JOB NUMBER: 23026 | |
| SHEET NO. | 1 OF 1 |

# HERNANDO COUNTY ZONING AMENDMENT PETITION

File No. H-23-33 Official Date Stamp:

Received
JUN 07 2023
Planning Department
Hernando County, Florida

Application to Change a Zoning Classification

**Application request** *(check one)*:
Rezoning ☐ Standard ☑ PDP
Master Plan ☐ New ☐ Revised
PSFOD ☐ Communication Tower ☐ Other
**PRINT OR TYPE ALL INFORMATION**

Date: 6/7/2023

**APPLICANT NAME:** Lee Pedone
Address: 4335 Kettering Road
City: Brooksville State: FL Zip: 34602
Phone: 903-219-0886 Email: lp@pedoneinvestmentproperties.com
**Property owner's name:** *(if not the applicant)*

**REPRESENTATIVE/CONTACT NAME:** Alan Garman
Company Name: ProCivil360, LLC
Address: 12 South Main Street
City: Brooksville State: FL Zip: 34601
Phone: 352-593-4255 Email: permitting@procivil360.com

**HOME OWNERS ASSOCIATION:** ☐ Yes ☑ No *(if applicable provide name)*
Contact Name:
Address: City: State: Zip:

**PROPERTY INFORMATION:**

1. PARCEL(S) **KEY** NUMBER(S): 396716
2. SECTION 16, TOWNSHIP 23, RANGE 21
3. Current zoning classification: PDP Mixed Use
4. Desired zoning classification: PDP (IND)
5. Size of area covered by application: 30 acres
6. Highway and street boundaries: Kettering Road and Dashback Street
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☑ No
8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☑ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☑ No (Time needed: )

**PROPERTY OWNER AFFIDIVAT**

I, Lee Pedone, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (**check one**):

☐ I am the owner of the property and am making this application **OR**

☑ I am the owner of the property and am authorizing *(applicant)*:
and *(representative, if applicable)*: ProCivil360, LLC
to submit an application for the described property.

*Signature of Property Owner*

*STATE OF FLORIDA*
*COUNTY OF HERNANDO*
The foregoing instrument was acknowledged before me this 7 day of June, 20 23, by Lee Pedone who is personally known to me or produced as identification.

Signature of Notary Public

FRANK DICARO, JR.
MY COMMISSION # HH 260877
EXPIRES: August 6, 2026

*Notary Seal/Stamp*

Effective Date: 11/8/16 Last Revision: 11/8/16

PRINT FORM CLEAR FORM

Received
JUN 07 2023
Planning Department
Hernando County, Florida

# NARRATIVE

FOR

## Pedone Cold Storage (PRO23026)

ZONING / MASTER PLAN APPROVAL

June 5, 2023

**PROJECT LOCATION:** The total property owned by the applicant is 116.85 acres. This rezoning application is for 30 acres of the property. The property is located on the south side of Dashbach Road, and the east side of Kettering Road. This parcel is access to the Pedone Sand Mine, which is in current use, with the mining being on a different key number.

**PRESENT ZONING / LANDUSE:** The project site was zoned PDP Mixed Use (SF) and (MF) per rezoning H0579. The current land use is Planned Development.

**INTENDED USE:** 210,000 sf cold storage facility. The cold storage would be utilized by local farmers and livestock ranchers for storage of Foods and merchandise.

**BUFFERING/BOUNDARY CONDITIONS**: The project abuts two roads to the Dashbach & Kettering Road. To the east more of the owner's land is vacant and heavily treed. To the South of the portion being Rezoned is the remaining 86.85 acres of Planned development property. The buffering against the Right of ways is designated as 25' R/W buffers due to the size of the parcel and street lengths per Hernando County Landscape Code. To the East and South a 15' Landscape buffer is shown on the Plan.

**ACCESS:** The project will have two access points. First off Kettering Road, the second will be on Dashbach which will need to be upgraded to Hernando County standards for a 60' Right of Way Road.

**SETBACKS:** Typical County setbacks for commercial projects are applicable.

Against Kettering : 75'
Against Dashbach: 75'
Against East property Line: 35'
Against Southern Side lot line: 20'

**SOILS:** According to information found on the NRCS database, the existing soil is Candler fine sands. Candler is a very sandy soil with rapid percolation and stable for buildings. The predominant soil on this property. Candler soil drains rapidly.

**DRAINAGE DESIGN METHODOLOGY:** The approach for drainage is the same for most developments. The facility will be required to capture and treat water quality volume; capture and detain the 25 year 24 hour storm, and capture and store the volume differential for a 100 year 24 hour event for pre versus post conditions. Since the facility is to be near the Withlacoochee River, the flood plain basin for that area will be examined to determine if this facility would have any impacts to the study.

**FLOOD ZONE:** Per FEMA Flood Zone Map 12053C0377D, the whole site is Zone X. The base flood elevation is determined in the East Hernando Flood Plain study.

**ENVIRONMENTAL:** There are no wetlands or surface waters on-site. The existing soils and vegetation support habitat for gopher tortoise. An on-site survey for gopher tortoise and other endangered or threatened species will be conducted if the project is approved.

**POTABLE WATER:** A new potable water main has to be constructed along Kettering Road for the Subdivision to the South of this project.

**SANITARY SEWER:** A new force main has to be constructed along Kettering Road for the Subdivision to the South of this project.

**FIRE PROTECTION**: Building will be fire sprinkled and fire hydrants will be installed on-site per NFPA Code .

**TRAFFIC:** Based on the latest tables from the ITE manual, the proposed project will generate approximately: 38 PM peak hour trips. No further traffic study will be required per Hernando County Regulations.

**ACCESS ANALYSIS**: No access analysis will be required for this project, less than 50 peak hour trips.

**Planning & Zoning Commission**

# AGENDA ITEM

Meeting: 10/09/2023
Department: Planning
Prepared By: Robin Reinhart
Initiator: Michelle Miller
DOC ID: 12907
Legal Request Number:
Bid/Contract Number:

## TITLE
Rezoning Petition Submitted by Tires Unlimited & Service, LLC (H2334)

## BRIEF OVERVIEW
**Request:**
Rezoning from PDP(GHC)/Planned Development Project (General Highway Commercial) to PDP(GC)/Planned Development Project (General Commercial) to include a specific C-2 use for an Automobile Service Establishment with Deviations

**General Location:**
North of County Line Road and at the western terminus of Pythia Place

## FINANCIAL IMPACT
A matter of policy. There is no financial impact.

## LEGAL NOTE
The Planning and Zoning Commission has jurisdiction to make a recommendation on the subject application. The Applicable Criteria for a Zoning District Amendment are contained in Appendix A, (Zoning Code) Article VI. The Applicable Criteria for Planned Development Projects are contained in Appendix A, (Zoning Code) Article VIII. The Zoning District Amendment to the Planned Development District and applicable PDP master plan must be consistent with the Comprehensive Plan.

## RECOMMENDATION
It is recommended 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 PDP(GC)/Planned Development Project (General Commercial) to include a specific C-2 use for an Automobile Service Establishment and with performance conditions.

## REVIEW PROCESS

| | | |
|---|---|---|
| Omar DePablo | Approved | 09/28/2023 12:13 PM |
| Michelle Miller | Approved | 09/29/2023 2:10 PM |
| Kyle Benda | Approved | 09/29/2023 9:25 PM |

**RESULT:** **ADOPTED**
**MOVER:** Nicholas Holmes
**SECONDER:** W. Steven Hickey
**AYES:** McDonald, Hickey, Arflack, Holmes and Whiting
**ABSENT:** Birren

# STAFF REPORT

**HEARINGS:** Planning & Zoning Commission: October 9, 2023
Board of County Commissioners: November 14, 2023

**APPLICANT:** Tires Unlimited & Services, LLC

**FILE NUMBER:** H-23-34

**REQUEST:** Rezoning from PDP(GHC)/Planned Development Project (General Highway Commercial) to PDP(GC)/Planned Development Project (General Commercial) to include a specific C-2 use for an Automobile Service Establishment with Deviations

**GENERAL LOCATION:** North of County Line Road and at the western terminus of Pythia Place

**PARCEL KEY NUMBERS:** 1180331

## APPLICANT'S REQUEST:

This property is part of the Linden Retreat subdivision, approved in 1988 (H-88-57). As part of the original approval, Linden Retreat had commercial uses assigned along County Line Road and residential uses to the north. The subject site is vested as a PDP(GHC)/Planned Development Project (General Highway Commercial) which permits all C-1 (General Commercial) uses. However, the C-1 (General Commercial) zoning district limits Automobile Service Establishments to 4 bays.

The petitioner is requesting a rezoning from PDP(GHC)/Planned Development Project (General Highway Commercial) to PDP(GC)/Planned Development Project (General Commercial) to include a specific C-2 use for an Automobile Service Establishment with deviations, in order to develop a 9,900 square foot, 8 bay tire and automotive service center. As part of the request, the petitioner is requesting the following setbacks deviations:

- 75' County Line Road building setback (deviation from the required 125'). The petitioner has indicated this is to assist with the proposed right-of-way taking of 40' along the southern property line of the project. Pythia Place is also being considered as the reverse frontage road. The proposed front setback will be 75' from the new right-of -way line.

- 25' Pythia Place building setback (deviation from the required 35'). for future building expansion to remove outside storage such as shipping containers and tires and have all product in the expansion area of building.

**SITE CHARACTERISTICS:**

**Site Size:** 1.2 acres

**Surrounding Zoning; Land Uses:**
North: PDP(GHC); Undeveloped
South: County Line Road
East: PDP(GHC); Dollar General
West: AG; Tropics RV Park

**Current Zoning:** PDP(GHC)/Planned Development Project (General Highway Commercial)

**Future Land Use Map Designation:** Commercial

**Flood Zone:** C

**ENVIRONMENTAL REVIEW:**

**Soil Type:** Candler Fine Sand

***Comments:*** Candler Fine Sand provides habitat suitable for gopher tortoises (a listed species) and commensal species. A comprehensive faunal (wildlife) survey shall be prepared by a qualified professional during the construction plans stage of development. The petitioner is required to comply with all applicable FWC regulations and permitting.

**Water Quality Review:** The proposed development is within the Weeki Wachee River Basin Management Action Plan, the Weeki Wachee Primary Focus Area (PFA), and the Weeki Wachee Outstanding Florida Springs (OFS) Group.

***Comments:*** The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for required plantings and buffers, as applicable.

Natural vegetation is to be retained in the buffers and enhanced with tress and vegetation to meet 80% opacity requirement. Invasive plant species if present are to be removed during the development process.

**Protection Features:** There are no protection features (Wellhead Protection Areas (WHPAs) present on this parcel.

**Habitat:** Low Density Structure and Urban Open Land according to FWC CLC mapping (Florida Cooperative Land Cover Classification System that combines Florida Land Use Cover and Classification System with fish and wildlife data).

***Comments:*** A comprehensive floral survey shall be prepared by a qualified professional at the construction plan approval stage of development. The petitioner is required to comply with all applicable FWC regulations and permitting.

**Hydrologic Features:** There are no hydrologic features (Special Protection Areas (SPAs), sinkholes, karst sensitive areas, or wetlands) present on this parcel.

**Flood Zone:** There is a portion of the northwest part of the property that is in X floodplain, the rest of the parcel is not in a floodplain.

**UTILITIES REVIEW:**

Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. Sewer service is not available to this parcel. There is an existing 16-inch water main that runs along the north side of County Line Road, and an existing 6-inch water main that runs along the south side of Pythia Place. There is an existing 20-inch sewer force main that runs along the north side of County Line Road. HCUD has no objection to the request subject to connection to the central water and sewer systems as required per ordinance at time of vertical construction.

**ENGINEERING REVIEW:**

The subject property is located on the North of County Line Road and at the western terminus of Pythia Place. The petitioner proposes a single access to the Pythia Place and a right-in/right-out onto County Line Road. The County Engineer has reviewed the request and indicated the following:

- A Traffic Access Analysis will be required. Traffic Access Analysis shall also include a queuing analysis. Any improvements identified by the Traffic Analysis will be the responsibility of the developer to install.
- Pythia Place is designated as the Reverse Frontage Road for this area and a sidewalk will be required to be installed for the entire length of parcel.
- County Line Road is to be widened to a four-lane roadway in the future and the dedication of 40' of right-of-way will be required by deed of dedication within 30 days of Master Plan approval.
- Access to County Line Road is to be limited to a right-in/right-out.

**LAND USE REVIEW:**

**Proposed Setbacks:**

- County Line Road: 75' (deviation from required 125')
- Pythia Place: 25' (deviation from required 35')
- West: 35'
- East: 20'

***Comments:*** The petitioners request for a reduction in setbacks along County Line Road and Pythia Place is justified due to the use of Pythia Place as a reverse frontage road and the proposed widening of County Line Road.

**Buffers**

Along street right-of-way/pavements: A vegetative buffer at least 5' in width shall abut the street right-of-way/pavements for at least half of the street right-of-way frontage. If only installed planting areas are used, the vegetative buffer shall include a hedge of shrubs with a minimum height of eighteen (18) inches at time of planting. Shrubs shall be appropriately spaced according to growth needed of the species for the hedge to attain eighty (80) percent opacity within twelve (12) months of planting.

No vegetative buffer over 2' in height that might block any driver's view shall be permitted within the clear-sight triangle of the driveway or street/railroad intersection.

***Comments:*** The petitioner has not indicated buffers for the proposed use. If approved, the petitioner will be required to meet the minimum commercial buffer requirements for the proposed project.

**Lighting**

County LDRs 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 should be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring properties.

**COMPREHENSIVE PLAN REVIEW:**

**Future Land Use Element**

**Strategy 1.08B(2):** The corridor segment from Mariner Boulevard to the Suncoast Parkway consists of a residential character with commercial nodes at each end (Mariner and Suncoast intersections) and a smaller commercial node at Linden Drive. This pattern should generally be continued when considering any proposed projects or requested zoning changes in the planning horizon timeframe.

***Comments:*** The subject parcel is within the Residential Future Land Use. The subject property has been zoned for PDP(GHC)/ Planned Development Project (General Highway Commercial) since 1988. The property is adjacent to commercial property at the southern property line, and extends a commercial node identified in the Comprehensive Plan at Linden Drive and County Line Road.

**FINDINGS OF FACT:**

A rezoning from PDP(GHC)/Planned Development Project (General Highway Commercial) to PDP(GC)/Planned Development Project (General Commercial) to include a specific C-2 use for an Automobile Service Establishment with Deviations is appropriate, based on the following conclusion:

1. The petitioners request for a reduction in setbacks along County Line Road and Pythia Place is justified due to the use of Pythia Place as a reverse frontage road and the proposed widening of County Line Road.

2. The request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

**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. Homeowners 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 RECOMMENDATIONS:**

It is recommended 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 PDP(GC)/Planned Development Project (General Commercial) to include a specific C-2 use for an Automobile Service Establishment and 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 petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for required plantings and buffers, as applicable.

3. A comprehensive floral survey shall be prepared by a qualified professional at the construction plan approval stage of development.

4. Minimum Building Setbacks:
    - County Line Road: 75' (deviation from required 125')
    - Pythia Place: 25' (deviation from required 35')
    - West: 35'
    - East: 20'

5. The petitioner shall connect to the central water and sewer systems as required per ordinance at time of vertical construction.

6. A Traffic Access Analysis shall be required. The Traffic Access Analysis shall also include a queuing analysis. Any improvements identified by the Traffic Analysis will be the responsibility of the developer to install.

7. Pythia Place is designated as the Reverse Frontage Road for this area and a sidewalk shall be required to be installed for the entire length of parcel.

8. County Line Road is to be widened to a four-lane roadway in the future and the dedication of 40' of right-of-way shall be required by deed of dedication within 30 days of Master Plan approval.

9. Access to County Line Road shall be limited to a right-in/right-out.

10. The petitioner shall be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring properties.

11. The petitioner shall provide a revised plan in compliance with all of the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

# H-23-34

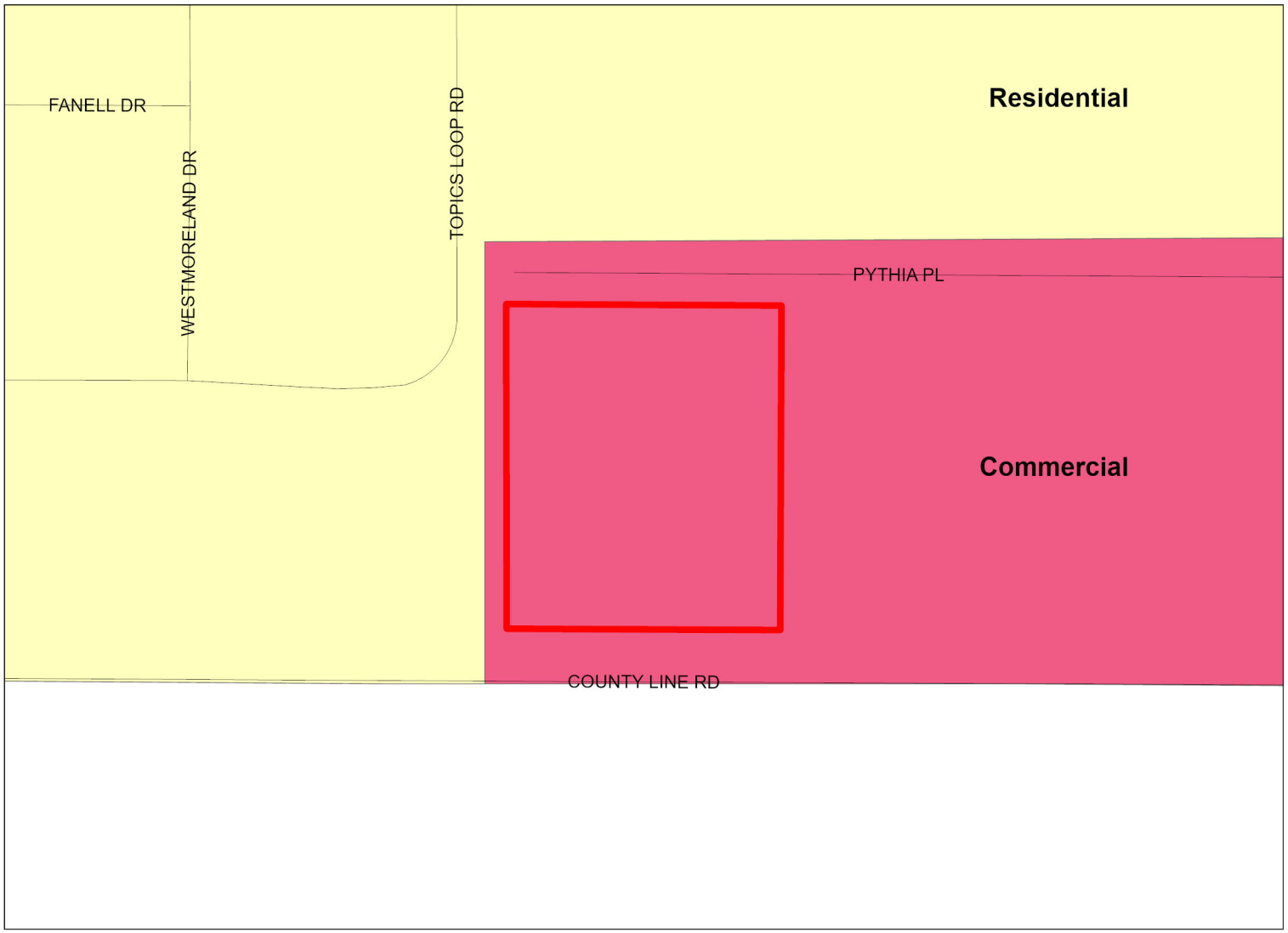
Photo date: 2023

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

0 0.01 0.02 0.04 0.06 0.08
Miles

# Hernando County Comprehensive Plan Map

Existing Future Land Use: H-23-34
Version Date: 12/09/2022




H-23-34
FLU Riverine District
Regional Commercial

**FLU**

- CITY
- COMMERCIAL
- CONSERVATION
- EDUCATION
- INDUSTRIAL
- MINING
- PLANNED DEVELOPMENT
- PUBLIC FACILITIES
- RECREATION
- RESIDENTIAL
- RURAL

## Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

0 0.01 0.02 0.04 0.06 0.08
Miles

N
W E
S

Date of mapping: 07/21/2023

HERNANDO COUNTY
CENTRAL GIS

# H-23-34

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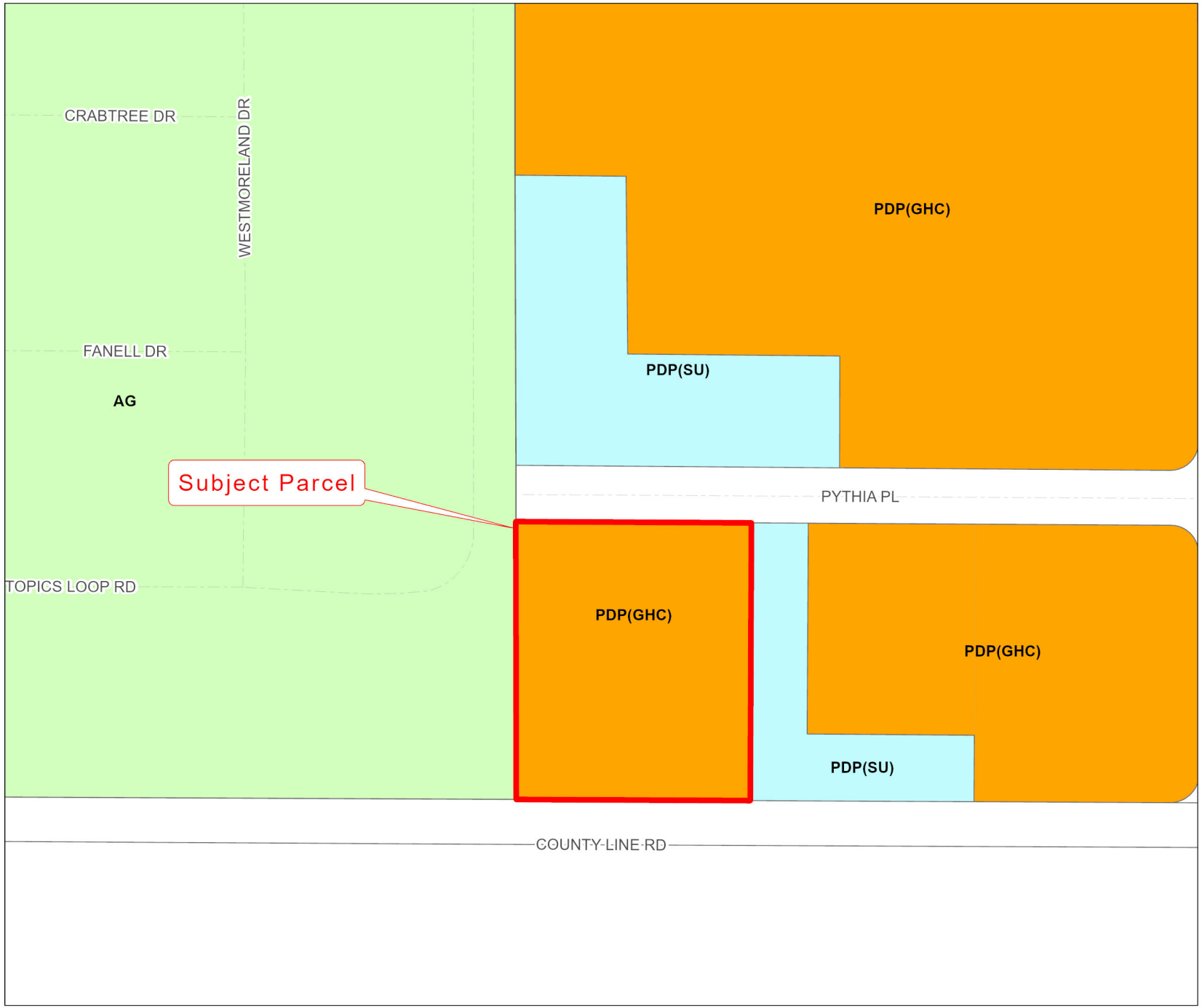
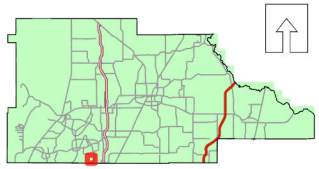



HERNANDO COUNTY
CENTRAL GIS

Zoning:

- AC
- AG
- AR
- AR1
- AR2
- C1
- C2
- C3
- C4
- CITY
- CM1
- CM2
- CPDP
- CV
- I1
- I2
- M
- OP
- PDP(AF)
- PDP(CM)
- PDP(CP)
- PDP(GC)
- PDP(GHC)
- PDP(HC)
- PDP(HHC)
- PDP(HID)
- PDP(IND)
- PDP(LI)
- PDP(MF)
- PDP(MH)
- PDP(NC)
- PDP(OP)
- PDP(PSF)
- PDP(REC)
- PDP(RR)
- PDP(RUR)
- PDP(SF)
- PDP(SU)
- R1A
- R1B
- R1C
- R1MH
- R2
- R2.5
- R3
- RC
- RM

City Zoning Pending



Hernando County Planning Department
Project date: 07/21/2023

0 0.01 0.02 0.04 0.06 0.08 Miles

# HERNANDO COUNTY ZONING AMENDMENT PETITION

File No. 172334 Official Date Stamp:

Received
JUN 07 2023
Planning Department
Hernando County, Florida

Application to Change a Zoning Classification

**Application request** *(check one)*:
Rezoning ☐ Standard ☑ PDP
Master Plan ☐ New ☐ Revised
PSFOD ☐ Communication Tower ☐ Other
**PRINT OR TYPE ALL INFORMATION**

Date: 6/7/2023

**APPLICANT NAME:** Tires Unlimited & Service, LLC
Address: 10377 County Line Road
City: Spring Hill State: FL Zip: 34609
Phone: 352-556-5483 Email: tiresunlimitedandservice@gmail.com
**Property owner's name:** *(if not the applicant)*

**REPRESENTATIVE/CONTACT NAME:** Alan Garman
Company Name: ProCivil360, LLC
Address: 12 S. Main Street
City: Brooksville State: FL Zip: 34601
Phone: 352-593-4255 Email: permitting@procivil360.com

**HOME OWNERS ASSOCIATION:** ☐ Yes ☑ No *(if applicable provide name)*
Contact Name:
Address: City: State: Zip:

**PROPERTY INFORMATION:**

1. PARCEL(S) **KEY** NUMBER(S): 1180331
2. SECTION 33, TOWNSHIP 23, RANGE 18
3. Current zoning classification: CPDP
4. Desired zoning classification: PDP (GHC) with a special exception C-2 use for outside storage
5. Size of area covered by application: 1.2 acres
6. Highway and street boundaries: County Line Road and Pythia Place
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☑ No
8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☑ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☑ No (Time needed: )

**PROPERTY OWNER AFFIDIVAT**

I, Devell Edwards, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (**check one**):

☐ I am the owner of the property and am making this application **OR**

☑ I am the owner of the property and am authorizing *(applicant)*:
and *(representative, if applicable)*: ProCivil360, LLC
to submit an application for the described property.

*Signature of Property Owner*

*STATE OF FLORIDA*
*COUNTY OF HERNANDO*
The foregoing instrument was acknowledged before me this 2 day of June, 20 23, by Devell Edwards who is personally known to me or produced as identification.

Signature of Notary Public

FRANK DICARO, JR.
MY COMMISSION # HH 260877
EXPIRES: August 6, 2026

*Notary Seal/Stamp*

Effective Date: 11/8/16 Last Revision: 11/8/16

# NARRATIVE

FOR

## Tires Unlimited

ZONING / MASTER PLAN APPROVAL

June 2, 2023

Received
JUN 07 2023
Planning Department
Hernando County, Florida

**PROJECT LOCATION:** The property, 1.20 acres is located on south side of Pythia Place, north side of County Line Road, west of the Dollar General located at the intersection of Linden Drive and County Line Road, and east of Topics RV Park. It is the last vacant lot along County Line Road in the area.

**PRESENT ZONING / LANDUSE:** The project site was zoned commercial with the approved master plan of Linden Retreat, a subdivision developed in the late 1980's. The County's FLUM designates the area as Commercial. This application is to rezone the site to PDP(GHC) with a special exception C-2 use for outside storage.

**INTENDED USE:** 8 Bay automotive tire and repair shop. Outside storage is asked for with this application. There is an expansion on the main building shown for future to store all products as to not have storage containers for the tires.

**BUFFERING/BOUNDARY CONDITIONS**: The project abuts two roads to the North Pythia Place and across that is a Hernando County Owned Drainage Retention area, to the South County Line Road. Adjacent to the west is Topics RV Park, which already has a fence in place. Adjacent to the east of the subject property is another Hernando County owned Drainage retention area.

**ACCESS:** The project will have two access points. A right in right out located on County Line Road, and a driveway access off of Pythia Place.

**SETBACKS:** Typical County setbacks for commercial projects are applicable.

Against County Line Road : 125'
Against Pythia Place: 35'
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Against side lines not non-commercial: 20'
Deviations to setbacks are being requested.

Against County Line: 75' ( a proposed Right of way taking of 40' along the Southern property line of the project. Pythia Place is a reverse frontage road the front setback should be 75' from the new Right of way line. )

Against Pythia Place: 25' for future building expansion to remove outside storage such as shipping containers and tires and have all product in the expansion area of building.

**SOILS:** According to information found on the NRCS database, the existing soils are Candler fine sands. Candler is a very sandy soil with rapid percolation and stable for buildings. The predominant soil in the Spring Hill Area is Candler. Candler soils drain rapidly.

**DRAINAGE DESIGN METHODOLOGY:** The lot is 1.2 acres and abuts a retention area constructed with Linden Retreat. This retention area is owned and maintained by Hernando County. According to SWFWMD ERP 4166, DRA #3 of Linden Retreats was predesigned for the commercial outparcels along County Line Road with an impervious area of 85%. The watershed for this retention area as designated on the Squirrel Prairie Flood/Pith Bear Plain maps will be analyzed to ensure storage and treatment for the 100-year event.

# NARRATIVE
FOR
## Tires Unlimited
ZONING / MASTER PLAN APPROVAL
June 2, 2023

**FLOOD ZONE:** Per FEMA Flood Zone Map 12053C 0317D, the majority of the site is Zone X (majority of the site) with the one area Zone AE (County DRA). The base flood elevation is determined in the Squirrel Prairie Flood Plain study. (AKA Pithlachascotee/Bear Creek).

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**POTABLE WATER:** The project has Hernando County water on both streets, County Line Road 20" water line and Pythia Place a 6".

**SANITARY SEWER:** A 16" County Force main is located along North Side County Line Road. However, with the existing flows from the owners existing business the need to connect to the County's sewer is not necessary due to low flows. The project will construct a septic tank system. This system shall be permitted through the department of Environmental Health during the construction permitting phase. An area of green space on the back of the building has been shown on the master plan which will be sufficient to construct said septic system.

**FIRE PROTECTION**: An existing Fire Hydrants is located across the project on Pythia Place .

**TRAFFIC:** Based on the latest tables from the ITE manual, the proposed project will generate approximately: 42 PM peak hour trips. No further traffic study will be required per Hernando County Regulations.

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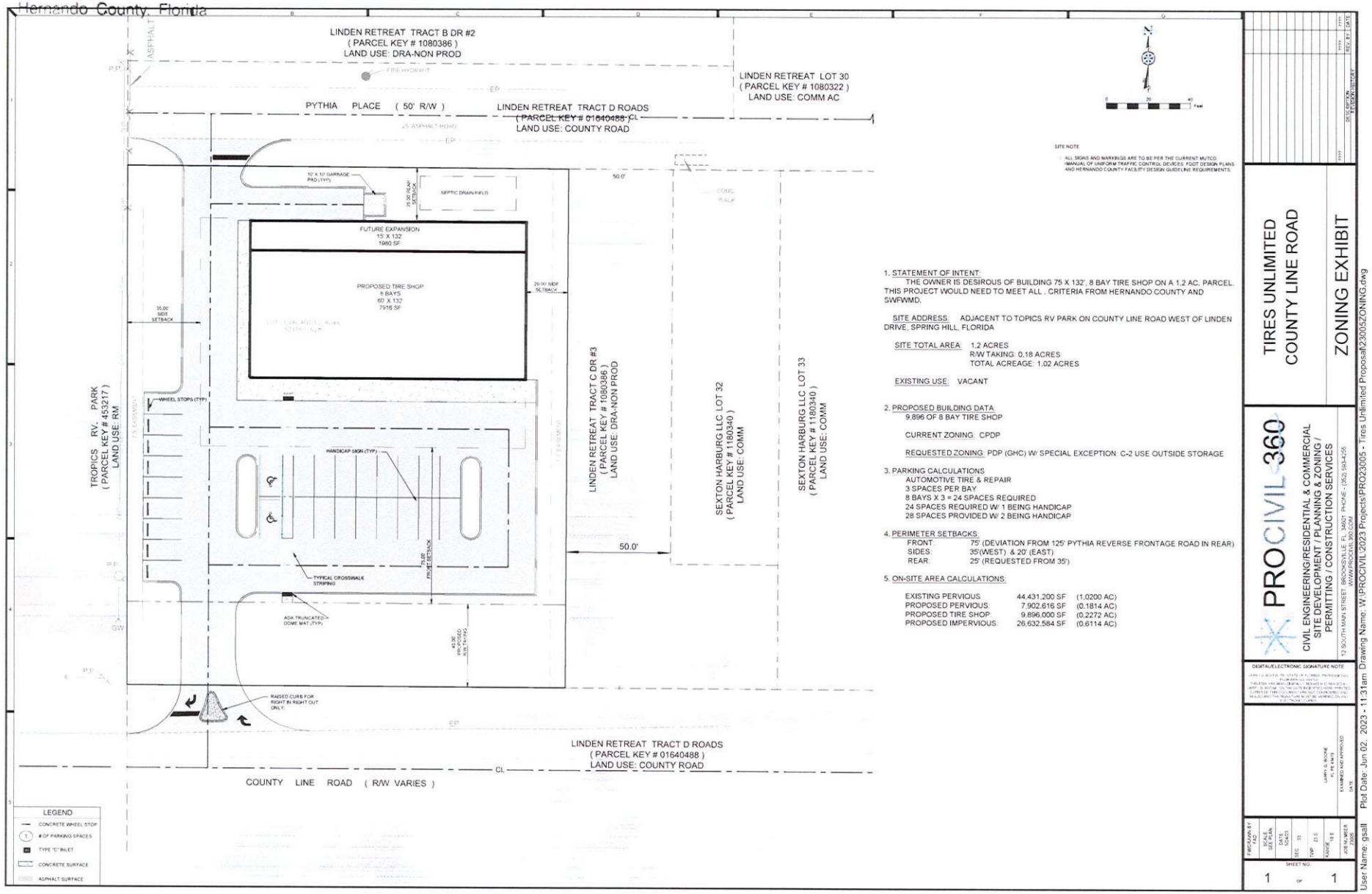
Received

JUN 07 2023

Planning Department
Hernando County, Florida




SITE NOTE

1. ALL SIGNS AND MARKINGS ARE TO BE PER THE CURRENT MUTCD MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES, FDOT DESIGN PLANS AND HERNANDO COUNTY FACILITY DESIGN GUIDELINE REQUIREMENTS.

1. STATEMENT OF INTENT:
THE OWNER IS DESIROUS OF BUILDING 75 X 132', 8 BAY TIRE SHOP ON A 1.2 AC. PARCEL. THIS PROJECT WOULD NEED TO MEET ALL . CRITERIA FROM HERNANDO COUNTY AND SWFWMD.

SITE ADDRESS: ADJACENT TO TOPICS RV PARK ON COUNTY LINE ROAD WEST OF LINDEN DRIVE, SPRING HILL, FLORIDA

SITE TOTAL AREA: 1.2 ACRES
R/W TAKING: 0.18 ACRES
TOTAL ACREAGE: 1.02 ACRES

EXISTING USE: VACANT

2. PROPOSED BUILDING DATA:
9,896 OF 8 BAY TIRE SHOP

CURRENT ZONING: CPDP

REQUESTED ZONING: PDP (GHC) W/ SPECIAL EXCEPTION: C-2 USE OUTSIDE STORAGE

3. PARKING CALCULATIONS
AUTOMOTIVE TIRE & REPAIR
3 SPACES PER BAY
8 BAYS X 3 = 24 SPACES REQUIRED
24 SPACES REQUIRED W/ 1 BEING HANDICAP
28 SPACES PROVIDED W/ 2 BEING HANDICAP

4. PERIMETER SETBACKS:
FRONT: 75' (DEVIATION FROM 125' PYTHIA REVERSE FRONTAGE ROAD IN REAR)
SIDES: 35'(WEST) & 20' (EAST)
REAR: 25' (REQUESTED FROM 35')

5. ON-SITE AREA CALCULATIONS:

| | | |
|---|---|---|
| EXISTING PERVIOUS: | 44,431.200 SF | (1.0200 AC) |
| PROPOSED PERVIOUS: | 7,902.616 SF | (0.1814 AC) |
| PROPOSED TIRE SHOP: | 9,896.000 SF | (0.2272 AC) |
| PROPOSED IMPERVIOUS: | 26,632.584 SF | (0.6114 AC) |

TIRES UNLIMITED
COUNTY LINE ROAD

ZONING EXHIBIT

PROCIVIL 360
CIVIL ENGINEERING/RESIDENTIAL & COMMERCIAL
SITE DEVELOPMENT / PLANNING & ZONING /
PERMITTING / CONSTRUCTION SERVICES
17 SOUTH MAIN STREET BROOKSVILLE, FL 34601 PHONE: (352) 593-4295
WWW.PROCIVIL360.COM

DIGITAL/ELECTRONIC SIGNATURE NOTE

LARRY G. BOONE
P.E. NO. 73317
STATE OF FLORIDA
EXAMINED AND APPROVED
DATE

FIRE/JURIS KEY
FAD
SCALE
AS SHOWN
DATE
SCALE: 33
TYP: 23.5
GAUGE: 14 E
JOB NUMBER
23005

SHEET NO.
1 OF 1

User Name: gsall Plot Date: Jun 02, 2023 - 11:31am Drawing Name: W:\PROCIVIL\2023 Projects\PRO23005 - Tires Unlimited Proposal\23005ZONING.dwg

# HERNANDO COUNTY ZONING AMENDMENT PETITION

File No. 172334 Official Date Stamp:

Received
JUN 07 2023
Planning Department
Hernando County, Florida

Application to Change a Zoning Classification

**Application request** *(check one)*:
Rezoning ☐ Standard ☑ PDP
Master Plan ☐ New ☐ Revised
PSFOD ☐ Communication Tower ☐ Other
**PRINT OR TYPE ALL INFORMATION**

Date: 6/7/2023

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*Signature of Property Owner*

*STATE OF FLORIDA*
*COUNTY OF HERNANDO*

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Signature of Notary Public

FRANK DICARO, JR.
MY COMMISSION # HH 260877
EXPIRES: August 6, 2026

*Notary Seal/Stamp*

Effective Date: 11/8/16 Last Revision: 11/8/16

# NARRATIVE
FOR
## Tires Unlimited
ZONING / MASTER PLAN APPROVAL
June 2, 2023

Received
JUN 07 2023
Planning Department
Hernando County, Florida

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# NARRATIVE
FOR
## Tires Unlimited
ZONING / MASTER PLAN APPROVAL
June 2, 2023

**FLOOD ZONE:** Per FEMA Flood Zone Map 12053C 0317D, the majority of the site is Zone X (majority of the site) with the one area Zone AE (County DRA). The base flood elevation is determined in the Squirrel Prairie Flood Plain study. (AKA Pithlachascotee/Bear Creek).

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**ACCESS ANALYSIS**: No access analysis will be required for this project, less than 50 peak hour trips.

Meeting: 10/09/2023
Department: Planning
Prepared By: Robin Reinhart
Initiator: Michelle Miller
DOC ID: 12908
Legal Request Number:
Bid/Contract Number:

## TITLE

PSFOD (Public Service Facility Overlay District) Revision Submitted by American Tower Corporation (H2337)

## BRIEF OVERVIEW

**Request:**

Revision to a PSFOD (Public Service Facility Overlay District) for a Communication Tower

**General Location:**

East side of Lockhart Road, west of I-75 and south of the Trilby Crossing Subdivision

## FINANCIAL IMPACT

A matter of policy. There is no financial impact.

## LEGAL NOTE

The Planning and Zoning Commission has jurisdiction to make a recommendation on the subject application. The Applicable Criteria for a Zoning District Amendment are contained in Appendix A, (Zoning Code) Article VI. The applicable Public Service Facility (PSF) Overlay District Standards are contained in Article IV, Section 11. The Zoning District Amendment must be consistent with the Comprehensive Plan.

## RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Revision to a Public Service Facility Overlay District for a Communication Tower with performance conditions.

## REVIEW PROCESS

| | | |
|---|---|---|
| Omar DePablo | Approved | 09/28/2023 12:00 PM |
| Michelle Miller | Approved | 09/29/2023 2:15 PM |
| Kyle Benda | Approved | 09/29/2023 9:29 PM |

| | |
|---|---|
| **RESULT:** | **ADOPTED** |
| **MOVER:** | W. Steven Hickey |
| **SECONDER:** | Nicholas Holmes |
| **AYES:** | McDonald, Hickey, Arflack, Holmes and Whiting |
| **ABSENT:** | Birren |

# STAFF REPORT

| | |
|---|---|
| **HEARINGS:** | Planning & Zoning Commission: October 9, 2023<br>Board of County Commissioners: November 14, 2023 |
| **APPLICANT:** | American Tower Corporation |
| **FILE NUMBER:** | H-23-37 |
| **REQUEST:** | Revision to a PSFOD (Public Service Facility Overlay District) for a Communication Tower |
| **GENERAL LOCATION:** | East side of Lockhart Road, west of I-75 and south of the Trilby Crossing Subdivision |
| **PARCEL KEY NUMBER:** | 541364 |

## APPLICANT'S REQUEST

The petitioner is requesting a revision to a Public Service Facility Overlay District for a Communication Tower to bring the existing 280' guyed tower into conformance. The tower was approved on May 2, 1995 (H-95-09) and at the time was approved for 250'; however, was constructed at 280'. During the Fall of 2022, several wireless providers submitted building permit applications to collocate their antennas and ground equipment at the subject location. At such time it was discovered that the original BCC zoning approval was for 250' and the tower height constructed, permitted and CO'd exceeded the approved height of 250'. Additionally, The FAA recently issued a Determination of No Hazard for 289', which exceeds the existing constructed height.

## SITE CHARACTERISTICS

| | | |
|---|---|---|
| **Site Size:** | 5.94-acre PSFOD portion of a 132.70 acre parent parcel | |
| **Surrounding Zoning & Land Uses:** | North: | PDP(SF); Single Family |
| | South: | PDP(GC); Commercial |
| | East: | I-75 |
| | West: | AG; Utilities |
| **Current Zoning:** | AG (Agricultural) | |
| **Future Land Use Map Designation:** | I-75 Planned Development District | |

## LAND USE REVIEW

The requested revision to the PSFOD (Public Service Facility Overlay District) will not change the existing conditions of the tower but will instead bring an existing tower into conformance with the County's performance conditions.

## COMPREHENSIVE PLAN REVIEW

The petitioner's request for a 280' high guyed communication tower and associated operational equipment is located within a I-75 Planned Development District on the adopted Future Land Use Map. Communication towers are considered public service facility uses and/or structures which are allowable in any future land use category.

## FINDINGS OF FACT

The request for a Revision to a Public Service Facility Overlay District for a Communication Tower is appropriate based on the following conclusions:

The Public Service Facility Overlay District for a Communication Tower 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 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

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Revision to a Public Service Facility Overlay District for a Communication Tower 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.

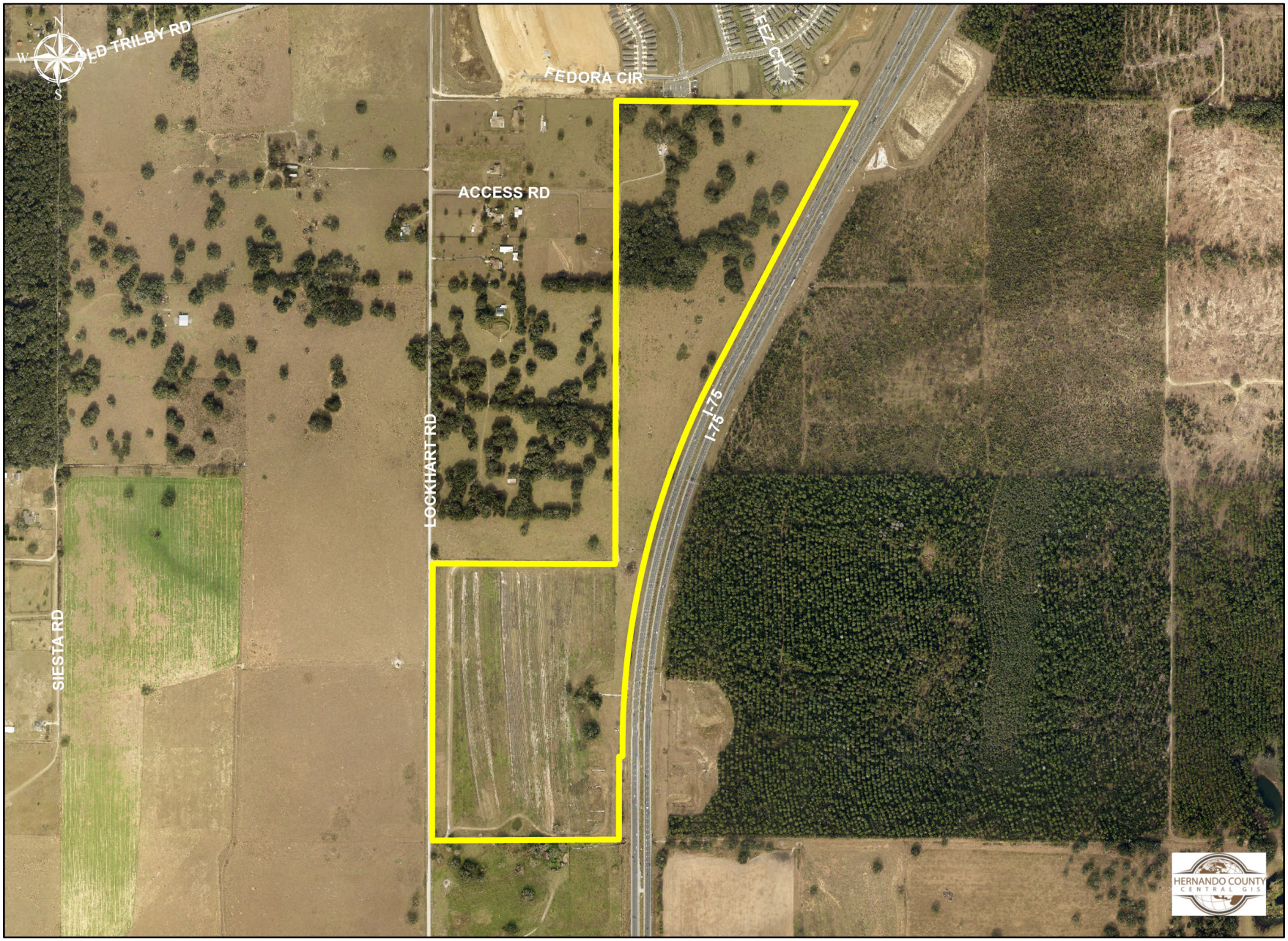
2. The tower is approved up to a maximum of 289' in height.

3. All other performance conditions of H-95-09 shall be in full force and effect.

# H-23-37

Photo date: 2023

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# Hernando County Comprehensive Plan Map

Existing Future Land Use: H-23-37

Version Date: 12/09/2022

H-23-37

FLU Riverine District

Regional Commercial

**FLU**

- CITY
- COMMERCIAL
- CONSERVATION
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NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

0 0.1 0.2 0.4 0.6 0.8 Miles

N W E S

Date of mapping: 07/24/2023

HERNANDO COUNTY CENTRAL GIS

# H-23-37

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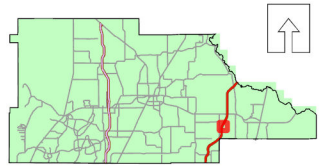
HERNANDO COUNTY
CENTRAL GIS

Zoning:

| | |
|---|---|
| AC | PDP(HC) |
| AG | PDP(HHC) |
| AR | PDP(HID) |
| AR1 | PDP(IND) |
| AR2 | PDP(LI) |
| C1 | PDP(MF) |
| C2 | PDP(MH) |
| C3 | PDP(NC) |
| C4 | PDP(OP) |
| CITY | PDP(PSF) |
| CM1 | PDP(REC) |
| CM2 | PDP(RR) |
| CPDP | PDP(RUR) |
| CV | PDP(SF) |
| I1 | PDP(SU) |
| I2 | R1A |
| M | R1B |
| OP | R1C |
| PDP(AF) | R1MH |
| PDP(CM) | R2 |
| PDP(CP) | R2.5 |
| PDP(GC) | R3 |
| PDP(GHC) | RC |
| | RM |

City Zoning Pending



Hernando County Planning Department
Project date: 07/24/2023

0 0.07 0.15 0.3 0.45 0.6 Miles

# HERNANDO COUNTY ZONING AMENDMENT PETITION

File No. H-23-37 Official Date Stamp:

Received
JUN 7 2023
Planning Department
Hernando County, Florida

Application to Change a Zoning Classification

**Application request** *(check one)*:
Rezoning ☐ Standard ☐ PDP
Master Plan ☐ New ☐ Revised
PSFOD ☑ Communication Tower ☐ Other
**PRINT OR TYPE ALL INFORMATION**

Date: 6/6/2023

**APPLICANT NAME:** AMERICAN TOWER CORPORATION
Address: 10 Presidential Way
City: Woburn State: MA Zip: 01801
Phone: 781-926-4593 Email: avery.dandreta@americantower.com
**Property owner's name:** *(if not the applicant)* Jack Melton Family Inc.

**REPRESENTATIVE/CONTACT NAME:** Deborah L Martohue
Company Name: Martohue Land Use Law PA
Address: 1036 23rd Ave N
City: Saint Petersburg State: FL Zip: 33704
Phone: 727-256-1211 Email: dmartohuelaw@outlook.com

**HOME OWNERS ASSOCIATION:** ☐ Yes ☑ No *(if applicable provide name)*
Contact Name:
Address: City: State: Zip:

**PROPERTY INFORMATION:**

1. PARCEL(S) **KEY** NUMBER(S): Key# 00541364 Parcel# R07 423 21 0000 0040 0010
2. SECTION 07, TOWNSHIP 23, RANGE 21
3. Current zoning classification: PSOFD Communications Tower height 250' per BC050295 RES File# H-95-9
4. Desired zoning classification: PSOFD Communications Tower 280'
5. Size of area covered by application: Parent Tract 132.70 acres
6. Highway and street boundaries: Lockhart Road (West Boundary), Field of Dreams Ln (East Boundary)
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☑ No
8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☑ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☑ No (Time needed: )

**PROPERTY OWNER AFFIDIVAT**

I, Rebecca M. Worrell, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (**check one**):

☐ I am the owner of the property and am making this application **OR**
☑ I am the owner of the property and am authorizing *(applicant)*: American Tower Corporation and *(representative, if applicable)*: Deborah L. Martohue, Esq., AICP/ Martohue Land Use Law PA to submit an application for the described property.

Rebecca M Worrell
*Signature of Property Owner*

*STATE OF FLORIDA*
*COUNTY OF HERNANDO*
The foregoing instrument was acknowledged before me this 6 day of June, 2023, by Rebecca M. Worrell who is personally known to me or produced as identification.

Doris S Melton
Signature of Notary Public

DORIS S. MELTON
MY COMMISSION # HH 164146
EXPIRES: September 10, 2025
Bonded Thru Notary Public Underwriters

*Notary Seal/Stamp*

Effective Date: 11/8/16 Last Revision: 11/8/16

MARTOHUE
LAND USE LAW P.A.

Deborah L. Martohue, Esq., AICP
Martohue Land Use Law, P.A.
1036 23rd Avenue N
St. Petersburg, Florida 33704
Telephone: 727.256.1211
dmartohuelaw@outlook.com

June 7, 2023

Received
JUN 07 2023
Planning Department
Hernando County, Florida

**VIA HAND DELIVERY**
Michelle L. Miller, M.S.
Planning Administrator
Planning & Zoning Division
Development Services Department
Hernando County
1653 Blaise Drive
Brooksville, FL 34601

RE: Zoning Amendment Petition for PSOFD to permit a 280' Communications Tower
Project Name: ATC Lockhart RD Communications Tower
Property Location: 21628 Lockhart Road, Dade City, FL
Key # 00541364
Folio # R07 423 21 0000 0040 0010
Section-Township-Range: 07-23S-21E
Applicant: American Tower Corporation
Existing Zoning: PSFOD 250' Communications Tower
Existing Use: 280' Guyed Communications Tower
Proposed Zoning: PSFOD 280' Communications Tower
Property Owner: Jack Melton Family Inc.
Authorized Agent: Martohue Land Use Law PA
Deborah L Martohue, Esq. AICP

Dear Ms. Miller:

This law firm represents American Tower Corporation ("ATC" or "Applicant"), the Applicant in the above captioned application. The Applicant is seeking approval of an amendment to the current PSFOD Communications zoning approved May 2, 1995 by the BOCC for a 250' Communications Tower to PSFOD for a 280' Communications Tower to render the existing 280' Guyed Communications Tower conforming. The existing Communications Tower is located on a 132.70 acre Parent Tract parcel zoned PSFOD. The following documents are being submitted that comprise the Application:

1. Fee Calculation Worksheet and Fee Check #327286;
2. Application for a Zoning Amendment including Property Owner Affidavit to Authorize Agent;
3. Proof of Ownership in the form of a Deed and PAO Property Card;
4. Project Narrative and Description of the Request;

5. Map and List of Adjacent Property Owners from Hernando Property Appraiser's Office;
6. FAA Determination of No Hazard;
7. Original BCC Decision dated May 2, 1995 assigned File # H-95-9;
8. November 1997 CO associated with Building Permit # 1030321; and
9. As-Built Survey dated 10/16/1999 prepared by Putnam Engineering and certified to American Tower L.P.

Collectively the above constitutes the "Application". Should you have any questions, please contact me at dmartohuelaw@outlook.com or call 727.256.1211.

Sincerely,

Deborah L. Martohue, Esq., AICP

Enclosures: As listed above including Fee Check #327286

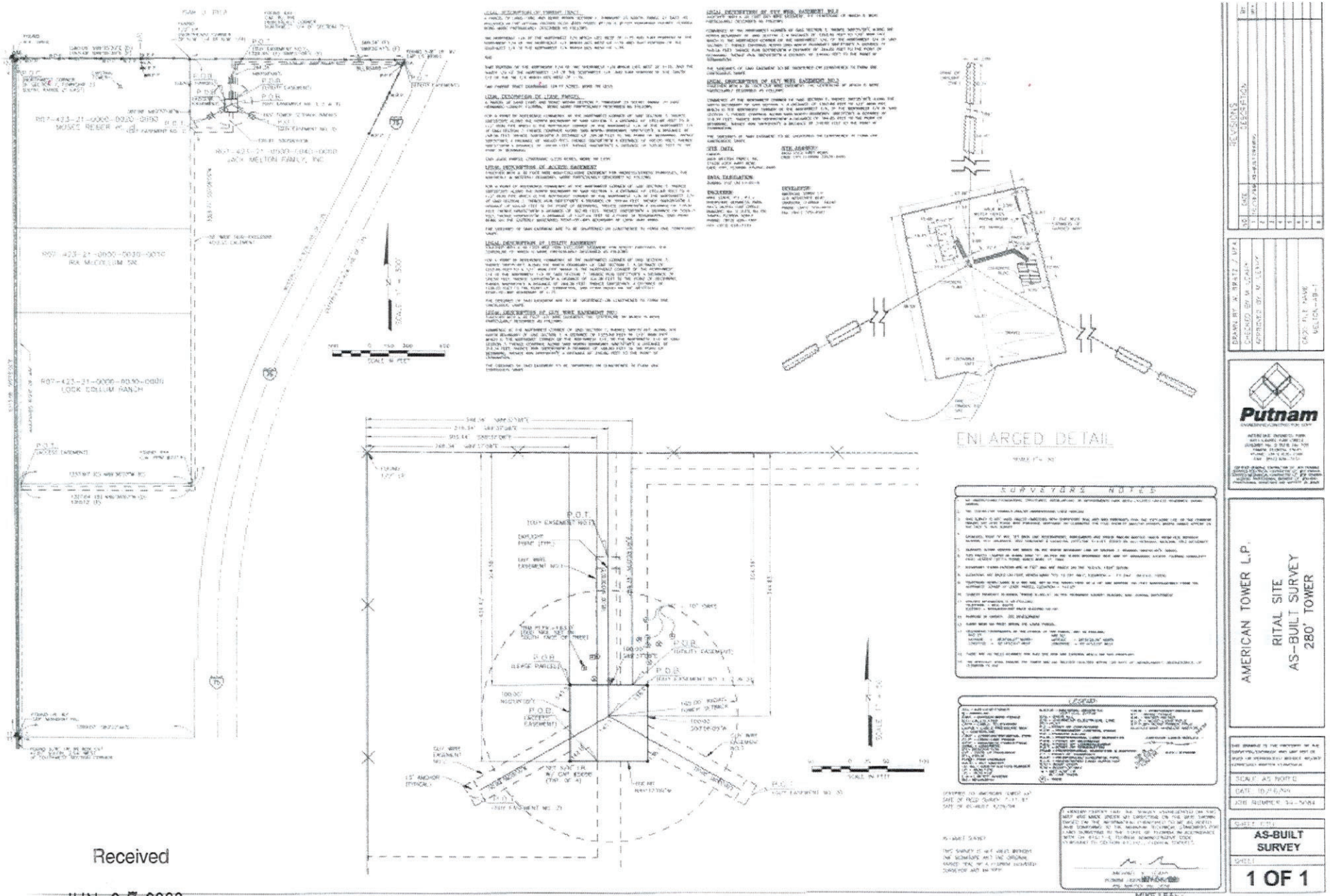
## PROJECT NARRATIVE & DESCRIPTION OF ZONING REQUEST

The subject 132.70-acre Parent Tract Property is owned by Jack Melton Family Inc. and is zoned PSFOD for a 250' Communications Tower. The PSFOD zoning for the Communications Tower was approved by the Hernando BCC on May 2, 1995. (See attached BCC Decision dated 050295 assigned File No.: H-95-9). A portion of the subject Property is leased and managed by ATC for an existing 280' Guyed Communications Tower and associated ground equipment within a secured equipment compound. The existing wireless provider tenants are Verizon, T-Mobile and Alltel. The Communications Tower was permitted in the Fall of 1997 by OPM-USA and Putnam Engineering/Construction (1997 Permit No.: 1030321). Said permit application included amongst other items, a narrative, soils, and flood information as well as a SWFWMD Environmental Resource Noticed General Permit # 4717125.00. The Communications Tower has been in continuous use since its November 1997 CO associated with Building Permit # 1030321. While the BCC approved a 250' Communications Tower, the original tower-owner, OPM-USA and its engineer and construction contractor, Putnam Engineering, constructed a 280' Guyed Communications Tower that did receive a CO from Hernando County. All of this occurred prior to acquisition of this tower asset by ATC on or around Fall 1999. See As-Built Survey dated 10/16/1999 prepared by Putnam Engineering and certified to American Tower L.P.

During the Fall of 2022, several wireless providers submitted building permit applications to collocate their antennas and ground equipment at the subject location. All were denied when it was discovered that the original BCC zoning approval was for 250' and the tower height constructed, permitted and CO'd exceeded the approved height of 250 feet. The Applicant, ATC, conferred with Hernando County Staff seeking advice and direction as to how to remedy the non-conformity. Staff obtained a legal opinion from the County Attorney's office stating that the process to remedy the non-conformity is to seek a zoning amendment to PSFOD for a Communications Tower at the existing constructed height. Thus, ATC is seeking zoning approval for 280' height. The FAA recently issued a Determination of No Hazard dated 03/09/2023 for a 289' AGL Height which exceeds the existing constructed height.

As stated previously, the Communications Tower is existing and has been in continuous use since immediately after construction in late Fall 1997. ATC was not involved in obtaining the 1995 zoning approval or the 1997 building permit and was not involved in the construction of the Communications Tower. The Owner/Lessor, Jack Melton Family, Inc., also was not involved in the permitting or construction of the Communications Tower except to consent and authorize OPM-USA and Putnam Engineering/Construction to seek and obtain all necessary approvals and permits. ATC acquired the Communications Tower asset in late Fall 1999 and thus, ATC did not cause the non-conformity sought to be remedied by the subject Zoning Amendment application. The Communications Tower is unmanned and has zero impacts on public services and facilities. The subject 132.70-acre Parent Parcel remains almost entirely improved ag pasture lands similar to the lands within the immediate vicinity. A Communications Tower also produces no nuisances such as odor, dust, noise or hazardous waste.

Therefore, since the Communications Tower has been in existence at the height of 280' for nearly 24 years and the subject Property and the surrounding area has remained largely the same in terms of development during this time period, ATC respectfully requests the County approve the zoning amendment to maintain the PSFOD zoning classification that increases the allowable communications tower height to 280' to eliminate the existing non-conformity and allow wireless provider collocations moving forward. Such collocations not only improve service in the area by wireless competitors but also reduce future tower proliferation.




Received
JUN 07 2023
Planning Department
Hernando County, Florida

Meeting: 10/09/2023
Department: Planning
Prepared By: Robin Reinhart
Initiator: Michelle Miller
DOC ID: 12910
Legal Request Number:
Bid/Contract Number:

## TITLE
Comprehensive Plan Amendment Petition Submitted by Raysor Ventures, LLC (CPAM2302)

## BRIEF OVERVIEW
**Request:**
Small Scale Comprehensive Plan Amendment to Change the Future Land Use Map on 13.6 acres from Residential to Commercial

**General Location:**
South side of Osowaw Boulevard, approximately 1,165' east of Buccaneer Boulevard

## FINANCIAL IMPACT
A matter of policy. There is no financial impact.

## LEGAL NOTE
The Planning and Zoning Commission has the ability to conduct a public hearing pursuant to Appendix A, Article V, Section 5 of the Hernando County Code of Ordinances. Comprehensive Plan Amendments must be internally consistent with the Comprehensive Plan and comply with applicable Florida Statutes and Rules.

## RECOMMENDATION
It is recommended that the Planning and Zoning Commission review the proposed amendment and determine whether to recommend approval to the Local Planning Agency and BOCC as a small-scale amendment.

## REVIEW PROCESS

| | | | |
|---|---|---|---|
| Omar DePablo | Escalated | 10/03/2023 | 5:18 PM |
| Michelle Miller | Approved | 10/06/2023 | 2:57 PM |
| Michelle Miller | Approved | 10/06/2023 | 2:57 PM |
| Kyle Benda | Approved | 10/06/2023 | 9:20 PM |

**RESULT:** **ADOPTED**
**MOVER:** Nicholas Holmes
**SECONDER:** W. Steven Hickey
**AYES:** McDonald, Hickey, Arflack, Holmes and Whiting
**ABSENT:** Birren

# STAFF REPORT

| | |
|---|---|
| **HEARINGS:** | Planning & Zoning Commission: October 9, 2023<br>Local Planning Agency: November 14, 2023<br>Board of County Commissioners: November 14, 2023 |
| **APPLICANT:** | Raysor Ventures, LLC |
| **FILE NUMBER:** | CPAM2302 |
| **REQUEST:** | Small Scale Comprehensive Plan Amendment to Change the Future Land Use Map on 13.6 acres from Residential to Commercial |
| **GENERAL LOCATION:** | South side of Osowaw Boulevard, approximately 1,165' east of Buccaneer Boulevard |
| **PARCEL KEY NUMBERS:** | 1695419 |

## DESCRIPTION OF PROPOSED AMENDMENT

The proposed small scale Comprehensive Plan Amendment is to amend the Future Land Use Map from Residential to Commercial on a 13.6 acre tract (MOL) located on the south side of Osowaw Boulevard, approximately 1,165' east of Buccaneer Boulevard.

## DESCRIPTION OF PROPOSED PROJECT

This application is a companion application to a rezoning petition filed by the petitioner (H2336) that will enable the petitioner to construct an automotive collision center.

## BACKGROUND INFORMATION

### Site Characteristics

**Total Site Size:** 13.6 acres

**Surrounding Zoning:**
North: CV; SWFWMD
South: PDP(GC), (SU); Walmart Shopping Center
East: PDP(GC) (AG); Walmart Shopping Center, County Utilities
West: PDP(GHC), (MH); Mobile Home Park, Church

**Surrounding Land Use:** North: Conservation
South: Commercial
East: Commercial
West: Residential

**Current Zoning:** AG (Agricultural)

## IMPACTS OF PROPOSED AMENDMENT

According to the Hernando County Comprehensive Plan, this amendment from residential to commercial could generate a maximum of 207,345 square feet of nonresidential development based on a buildout of 0.35 Floor Area Ratio (FAR) for the parcel, in accordance with the Commercial Future Land Use category. However, the petitioner has indicated that 9.0 of the 13.6 acres are wetlands and will be rezoned conservation, leaving 4.6 acres of developable land. The maximum square footage possible of nonresidential development would be 70,131 square feet. The petitioner is proposing a build-out of 30,000 square feet, which is less than the maximum square footage allowed in the Commercial category.

## COMPREHENSIVE PLAN CONSISTENCY

**Future Land Use Map**

**Strategy 1.04A(6):** The Commercial Category provides for commercial uses including products and services along major corridors and at roadway intersections to serve residents and visitors on both a localized and regionalized basis. The Commercial Category recognizes existing commercial use corridors along U.S. Highway 19 and State Route 50 and existing and planned commercial nodes at intersections of arterial and/or collector roads. The Commercial Category includes small unmapped existing commercial properties. The Commercial Category also recognizes the ability to designate infill parcels for commercial use lying in proximity to and between, but not necessarily contiguous to, other existing commercially designated properties.

**Commercial Category**

**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.

**Strategy 1.04G(1):** Commercial development as envisioned on the Future Land Use Map is intended primarily for locations at major intersections and along major corridors where service to local and regional markets are enhanced by transportation patterns. New commercial zoning is directed to these mapped areas. Commercial areas that are not

mapped but are allowed under this Future Land Use Category include neighborhood commercial and specialty commercial uses as described in this Plan, commercial approved as part of mixed use developments, commercial designated by planned development districts, the infill development of existing commercial areas, commercial areas extending from designated commercial nodes, and pre-existing commercially developed and designated areas. Frontage roads and cross-access between commercial uses is required where needed in accordance with the provisions of this Plan and adopted land development regulations.

***Comments:*** The request for a Comprehensive Plan Amendment on the subject site is consistent with the Commercial future land use strategies. The subject site is recognized as an infill area for commercial development and is in an area with preexisting commercial zoning/development. The subject site is adjoining an existing large commercial node at the intersection of Spring Hill Drive and Us Hwy 19 (Commercial Way).

**Commercial Nodes**

**Strategy 1.04G(2):** Commercial development as mapped by the Future Land Use Map is intended to create and identify functional nodes that conveniently serve the supporting population without compromising the integrity of residential areas. Commercial nodes:

a. are located at the intersections of roads having collector status or greater;
b. recognize concentrations of existing commercial development;
c. are generally less than 100 acres in size within the Adjusted Urbanized Area of the County;
d. are generally less than 60 acres in size outside of or on the fringe of the Adjusted Urbanized Area of the County;
e. may be located in Centers or Corridors pursuant to the related strategies.

***Comments:*** The subject site located in a mixed use and transitional area. The proposed small-scale Comprehensive Plan Amendment will be an extension of the existing node and would not be adverse to the residential uses to the west by virtue of the limited developable area. Furthermore, the petitioner has indicated that the 9.0 acres deemed wetlands will be rezoned to Conservation in order to protect the integrity of the area.

**Land Use Compatibility**

**Strategy 1.10B(1):** Future Land Use Map amendments should be compatible with surrounding development and minimize impact to natural resources

without the need for mitigation measures that are extraordinary in scope or difficult to enforce.

***Comments:*** The proposed use is compatible with the surrounding development. The development of a Collison Center will not significantly impact the transportation network, environment or the residential (mobile home park) use to the west.

**FINDINGS**

The request for a Comprehensive Plan Amendment to amend the Future Land Use Map from Residential to Commercial on a 13.6-acre tract (MOL) is appropriate based on the following conclusions:

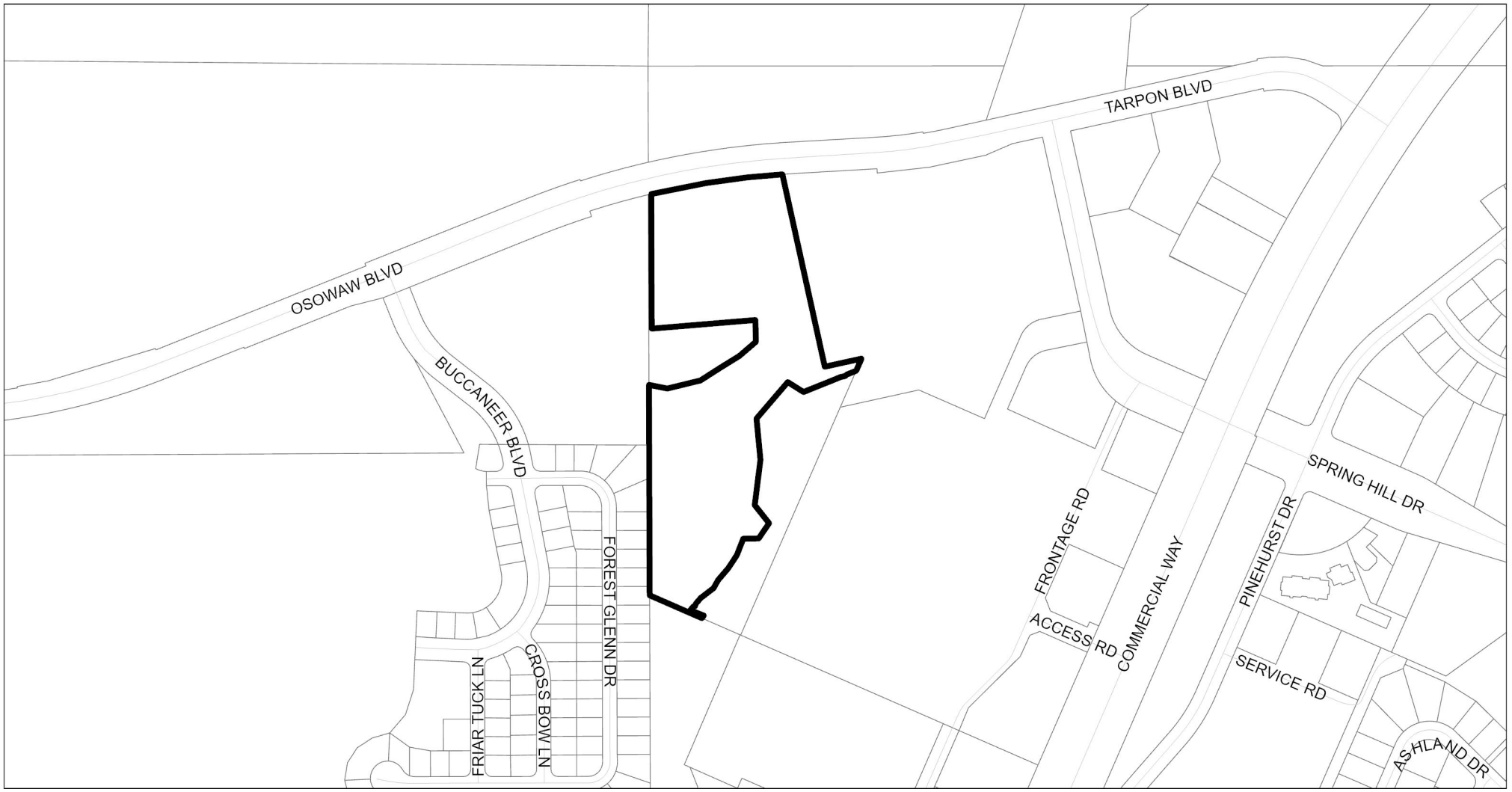
1. The request is consistent with the County's Comprehensive Plan Strategies for the location of commercial development.

2. The request is compatible with the area and surrounding development trends.

**STAFF RECOMMENDATION**

It is recommended that the Planning and Zoning Commission review the proposed amendment and determine whether to recommend approval to the Local Planning Agency and the Board of County Commissioners as a small-scale amendment.

# CPAM 23-02




HERNANDO COUNTY
CENTRAL GIS

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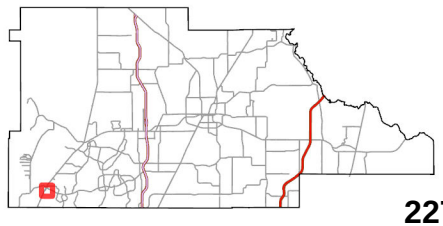
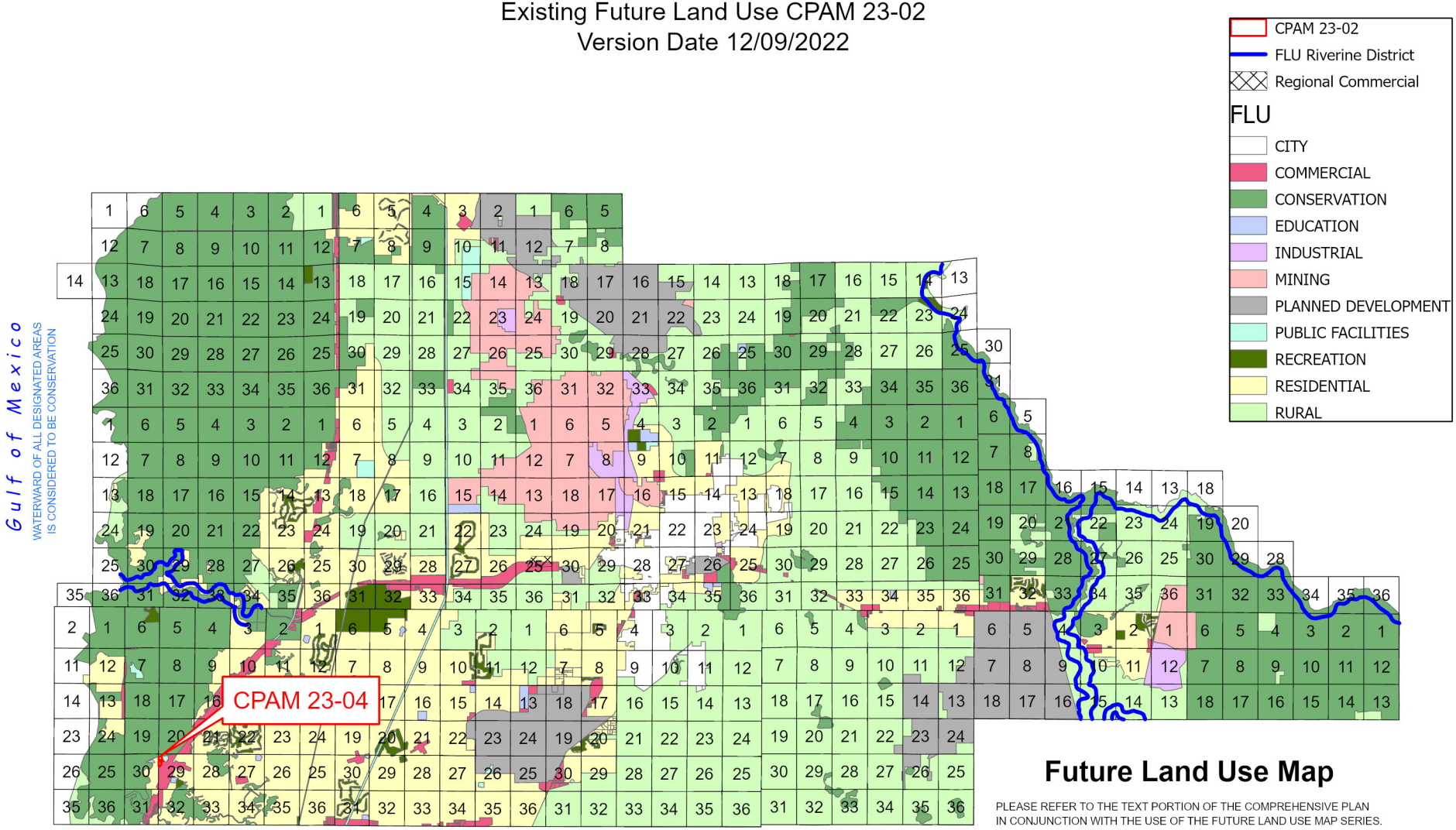




Date of mapping: 08/03/2023

# Hernando County Comprehensive Plan Map

Existing Future Land Use CPAM 23-02
Version Date 12/09/2022




## Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

0 1.5 3 6 9 12 Miles

HERNANDO COUNTY
CENTRAL GIS

Source: S:\Share\Planning\NewFLU\CompPlan2040\CPAM2302\CPAM2302_8x11_Existing.jpg
Project:S:\Share\Planning\Zoning\MaggieH_Workspace_S\Zoning\2023\CPAM\CPAM2302.aprx
Date of mapping: 08/03/2023

N
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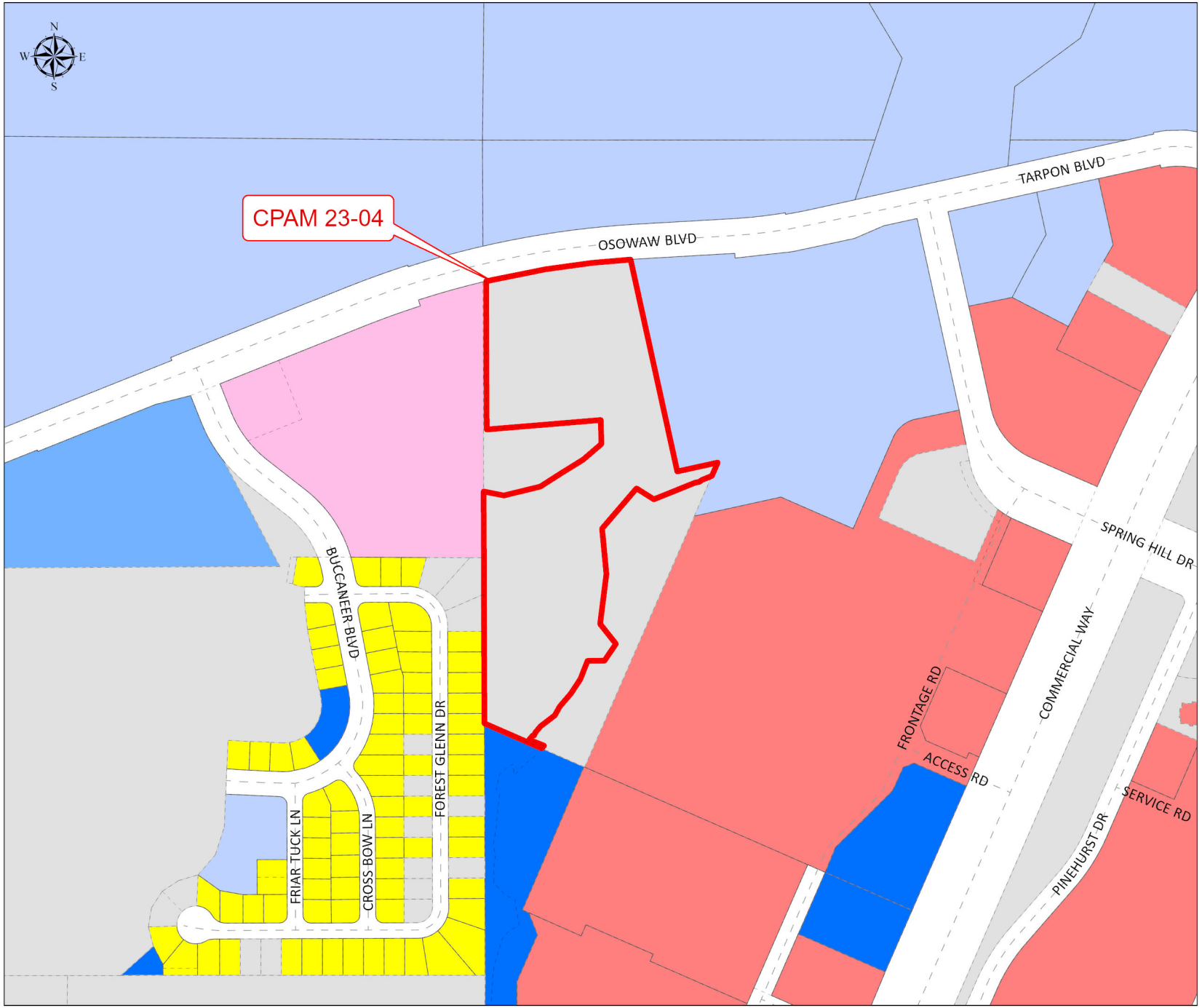
# CPAM 23-02 Existing Land Use

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

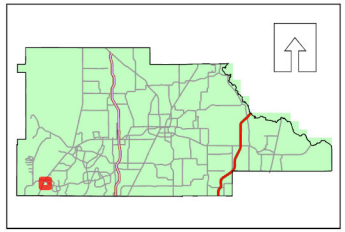



HERNANDO COUNTY
CENTRAL GIS

CPAM 23-02

## Existing Land Use

- Single Family
- Mobile Home
- Multi-Family
- Commercial
- Industrial
- Churches
- Institutional
- Education
- Drainage
- Recreation
- Undeveloped

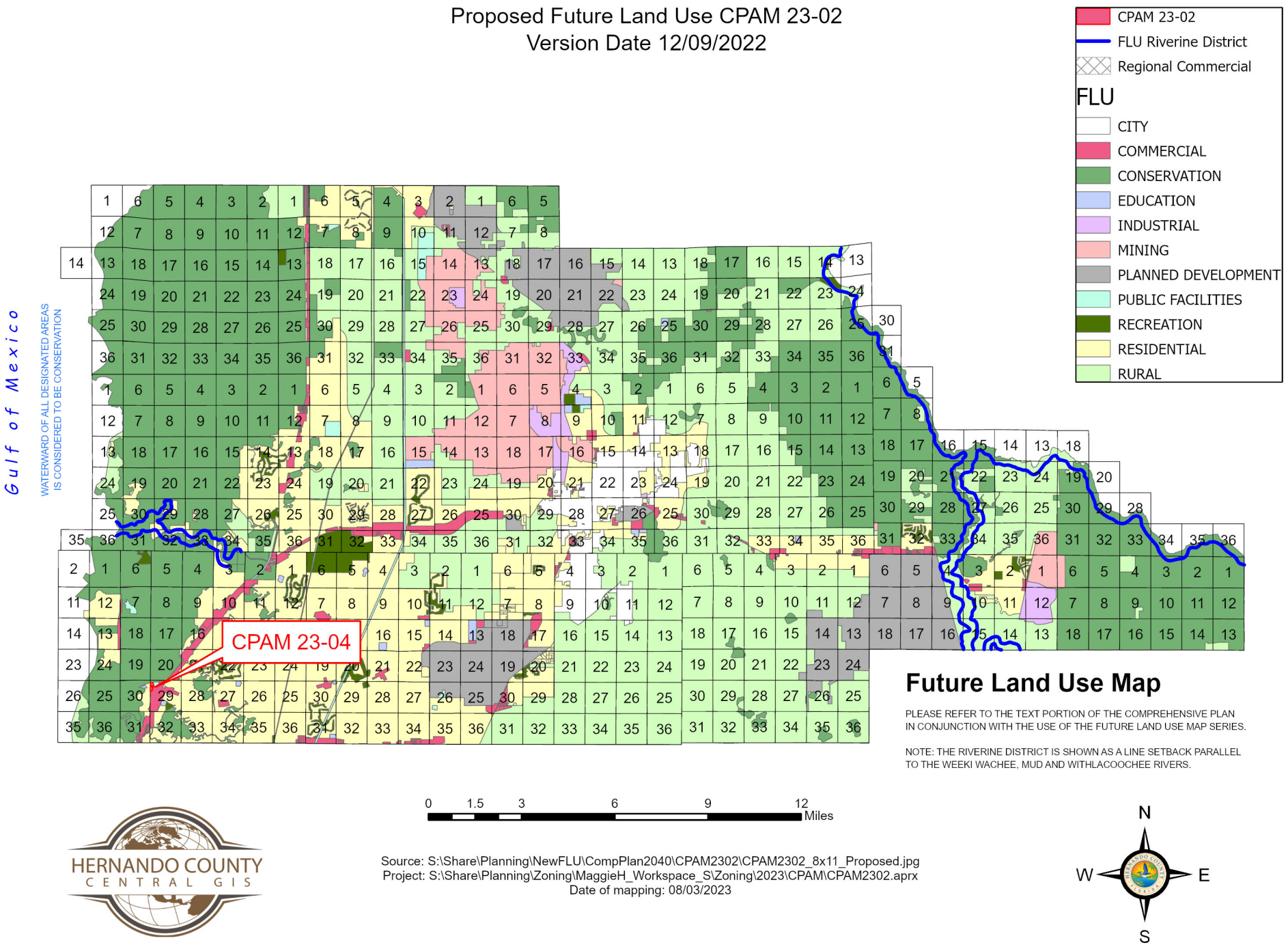


Hernando County Planning Department
Project date: 08/03/2023

0 330 660 1,320 1,980 2,640 3,300
Feet

# Hernando County Comprehensive Plan Map

Proposed Future Land Use CPAM 23-02
Version Date 12/09/2022




## Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

HERNANDO COUNTY
CENTRAL GIS

Source: S:\Share\Planning\NewFLU\CompPlan2040\CPAM2302\CPAM2302_8x11_Proposed.jpg
Project: S:\Share\Planning\Zoning\MaggieH_Workspace_S\Zoning\2023\CPAM\CPAM2302.aprx
Date of mapping: 08/03/2023

# CPAM 23-02

Photo date: 2023

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

0 245 490 980 1,470 1,960

Feet

# HERNANDO COUNTY COMPREHENSIVE PLAN AMENDMENT PETITION (CPAM)

File No. _____ Official Date Stamp:

CPAM-23-02

Received

JUN 07 2023

Planning Department
Hernando County, Florida

**Application request** *(check one)*:

- ☑ **Small Scale – Map Only (10 acres or less)**
- ☐ **Large Scale Text Amendment (More than 10 acres)**
- ☐ **Large Scale Map Amendment (More than 10 acres)**

**PRINT OR TYPE ALL INFORMATION**

Date: 6/2/2023

**APPLICANT NAME:** Raysor Ventures, LLC

Address: 19046 Bruce B. Downs Boulevard, #308
City: Tampa State: FL Zip: 33647
Phone: (813) 535-6662 Email: michael@fwdplanning.com
**Property owner's name:** *(if not the applicant)* Huntley Holdings, LLC

**REPRESENTATIVE/CONTACT NAME:** Justyna Gale, Vice President of Planning

Company Name: Forward Planning & Design, LLC
Address: 19046 Bruce B. Downs Boulevard, #308
City: Tampa State: FL Zip: 33647
Phone: 352-514-6158 Email: justyna@fwdplanning.com

**HOME OWNERS ASSOCIATION:** ☐ Yes ☑ No *(if applicable provide name)* _____

Contact Name: _____
Address: _____ City: _____ State: _____ Zip: _____

**PROPERTY INFORMATION:**

1. PARCEL(S) **KEY** NUMBER(S): R29 223 17 2608 0000 0031 1695419
2. SECTION 29, TOWNSHIP 23, RANGE 17
3. Size of area covered by application: 13.6 acres
4. Future Land Use Map Classification (if applicable): Residential
5. Desired Map Classification: Commercial and Conservation
6. Desired Text Amendment: N/A
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☑ No
8. Will expert witness(es) be utilized during the public hearings? ☑ Yes ☐ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☑ No (Time needed: _____)

**PROPERTY OWNER AFFIDIVAT**

I, Michael D. Raysor, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (**check one**):

- ☐ I am the owner of the property and am making this application **OR**
- ☑ I am the owner of the property and am authorizing *(applicant)*: Michael D. Raysor and *(representative, if applicable)*: Justyna Gale, Vice President of Planning to submit an application for the described property.

*Signature of Property Owner*

***STATE OF FLORIDA***
***COUNTY OF ~~HERNANDO~~ HILLSBOROUGH***

The foregoing instrument was acknowledged before me this 3rd day of June, 2023, by Michael D. Raysor who is personally known to me or produced FLDL- as identification.

Signature of Notary Public

SIMPLE DALSANIA
Notary Public - State of Florida
Commission # HH 147983
My Comm. Expires Sep 13, 2025
Bonded through National Notary Assn.

*Notary Seal/Stamp*

Effective Date: 11/8/16 Last Revision: 6/2/17

Forward
Planning & Design

Received
JUN 07 2023
Planning Department
Hernando County, Florida

# Small Scale Comprehensive Plan Amendment Narrative
## Osowaw Parcel Future Land Use (FLU) Designation - Commercial and Conservation

**Introduction**

The Applicant, Raysor Ventures, LLC, is requesting a Small-Scale Comprehensive Plan Amendment from Residential Future Land Use (FLU) Designation to Commercial FLU designation on approximately 4.6 acres and Conservation FLU designation on 9.0 acres. The Subject Parcel is a total of 13.6 acres located adjacent to and south of Osowaw Boulevard and west of Commercial Way (US Hwy. 19).

A Pre-Application meeting was held with Omar DePablo on May 24, 2023.

**Site Information**

**Table 1: Existing Site Information**

| | |
|---|---|
| **Parcel Key:** | 01695419 |
| **Parcel #:** | R29 223 17 2608 0000 0031 |
| **Gross Acreage:** | 13.6 acres |
| **Estimated Wetlands:** | ±9.0 acres |
| **Net Developable Area:** | ±4.6 acres |
| **Future Land Use Category:** | Residential |
| **Proposed Future Land Use Category:** | Commercial and Conservation |
| **Existing Zoning:** | Agricultural (AG) |
| **Proposed Zoning** | PDP (GC) with specific C-2 use and CV |
| **Special Overlay District:** | None |

**Site Conditions and Public Facilities**

The subject Parcel is currently vacant. It is located to the south of Osowaw Boulevard. Osowaw Boulevard is a paved two-lane Collector without sidewalks with approximately 112' Right-of-Way (ROW).

Utility service will be connected to Hernando County facilities located in the Osowaw Blvd. right-of -way. The utility lines include a 6" sanitary sewer force main and 8" potable water main. No significant impacts to infrastructure are anticipated and will be fully evaluated at the building permit review stage.

The Parcel is relatively flat with less than 5 feet of change in elevation. The wetlands have been delineated by Flatwoods Environmental Consulting Group. The wetlands are on approximately 9 acres of the property located on the western and southern portion of the site with associated Floodplain Zone "AE". There is no reported sinkhole activity on-site according to Hernando County Central GIS.

## Existing and Proposed Future Land Use

The current Future Land Use Designation is Residential. The Residential Category allows primarily single-family, duplex, resort and multi-family housing and associated ancillary uses such as recreational and institutional. The Gross Residential Density shall not exceed 22 DU/Ac. The Residential Category includes zoning for multi-family housing generally averaging between 7.5 to 22 dwelling units an acre to provide a diversity of housing choices.

This application requests a Small-Scale Comprehensive amendment from Residential FLU Designation to Commercial FLU Designation on the upland acreage (4.6 acres) and Conservation designation on the wetland acreage (9 acres).

## Compatibility with Adjacent Future Land Use Designations

The proposed Commercial FLU designation and Conservation FLU designation are compatible with the Future Land Use and Zoning of the surrounding Parcels. The proposed amendment to Commercial designation on 4.6 acres is compatible to the adjacent commercial and nonresidential uses. The proposed amendment to Conservation designation on the remainder 9 acres is adjacent to the residential mobile homes to the west.

The adjacent Parcels located to the east and south along Commercial Way have Commercial FLU designation and are zoned PDP (General Commercial). The adjacent site is a shopping center that is anchored by several tenants including Walmart, JC Penny, Best Buy, Pet Smart, Aldi, and several other retailers. The Hernando County Sewage Processing Plant is also located to the east of the subject Parcel.

The Parcels to the west have Residential FLU designation and are zoned PDP (GHC) and PDP (MH). There is a Church and the Forest Glen Retirement Village manufactured home community located to the west. The area located to the north of Osowaw Blvd. is Conservation and is the Weekiwachee Preserve.

**Table 2: Adjacent Future Land Use, Zoning, and Existing Uses**

| Direction | FLU Category | Zoning District | Existing Use |
|---|---|---|---|
| **North** | Conservation | Conservation | Weekiwachee Preserve |
| **East** | Commercial | PDP (GC) and Public Service Facility (PSF) | Shopping Center and Hernando County Sewage Processing |
| **South** | Commercial | PDP (GC) | Shopping Center |
| **West** | Residential | PDP (GHC), PDP (MH) | Church and Mobile Home Park |

**Consistency with the Comprehensive Plan**

The proposed amendment to Commercial FLU Designation on approximately 4.6 acres of uplands is consistent with the Comprehensive Plan's Strategy as follows:

**Commercial Nodes Strategy 1.04G(2):** Commercial development as mapped by the Future Land Use Map is intended to create and identify functional nodes that conveniently serve the supporting population without compromising the integrity of residential areas.

**Commercial nodes:**

A. Are located at the intersections of roads having collector status or greater;
   - *The proposed amendment to COM designation is located on Osowaw Boulevard, a paved two-lane Collector with approximately 112' Right-of-Way (ROW).*

B. Recognize concentrations of existing commercial development;
   - *There is an existing Commercial development located to the east and south of the subject site. The Parcel located to the west is a church that is zoned PDP(GHC). The adjacent Parcel to the east on Osowaw Blvd. is a Sewage Processing Plant.*

C. Are generally less than 100 acres in size within the Adjusted Urbanized Area of the County;
   - *The portion of the Parcel requesting a FLU amendment is approximately 4.6 acres. The remainder of the Parcel will be amended to a Conservation FLU designation to protect the existing wetlands.*

D. Are generally less than 60 acres in size outside of or on the fringe of the Adjusted Urbanized Area of the County;
   - *The portion of the Parcel requesting a FLU amendment is approximately 4.6 acres. The remainder of the Parcel will be amended to a Conservation FLU designation to protect the existing wetlands.*

**Strategy 1.04G(3):** When reviewing requests to designate new commercial areas or zonings apart from nodes depicted on the Future Land Use Map, the County will be guided by the commercial node strategies provided herein and the need to provide for a range of commercial uses.

- *The subject Parcel is adjacent to commercial development and within the Commercial Node. The proposed amendment to Commercial designation on 4.6 acres is compatible to the adjacent commercial and nonresidential uses. The proposed amendment to Conservation designation on the remainder 9 acres is adjacent to the residential mobile homes to the west.*

**Strategy 1.04G(4):** Development in commercial nodes shall provide for extension of the County's frontage road network on arterial roadways in accordance with adopted land development regulations. Proposed commercial development may only extend outward from a commercial node where there is a frontage road or cross-access connected to the proposed development in order to encourage compact commercial development and maintain the function of adjacent roadways, especially arterials and collectors. Commercial development shall provide for multi-modal interconnection between commercial activities and adjacent residential areas.

- *The proposed amendment to COM designation is located on Osowaw Boulevard, a paved two-lane Collector and adjacent to a commercial shopping center and sewage treatment plant. The subject site is constrained by wetlands making it difficult to provide cross-action connections. However, interconnections will be evaluated during the site plan review process.*

**Commercial Strip Development Strategy 1.04G(6):** The existing areas of strip commercial development depicted on the Future Land Use Map include U.S. Highway 19 from County Line Road north to SR-50 and the SR-50 corridor from Oak Hill Hospital to Colorado Street.

**Strategy 1.04G(7):** A scattered unplanned commercial development pattern shall be discouraged. A development pattern of strip commercial is not desirable, and the creation of new strip commercial areas is not allowed with the exception of infill development that reduces the need for additional curb cuts and provides for a frontage road, or cross access. Other than infill, the establishment of new commercial areas or expansion of existing commercial areas is expected through the use of commercial nodes or mixed-use projects using the planned development review process that support the commercial component and minimize curb cuts.

- *The proposed COM FLU designation does not promote strip commercial development. The proposed amendment to COM is within an established commercial node located on Osowaw Blvd (collector road). The amendment on the Parcel is in close proximity and adjacent to existing commercial uses on U.S. Highway 19. It is compatible with the surrounding uses and Future Land Use designations of Commercial. Proposed is an amendment to Conservation on the remainder of 9 acres of wetlands. The Conservation designation is compatible with and adjacent to the residential mobile home park located to the southwest.*

**Strategy 1.04G(8):** When evaluating unmapped commercial properties proposed for potential infill the following factors should be considered:

A. The property should be on an arterial or collector road and provide for a frontage road, or cross access;
   - *The property is located on Osowaw Blvd. which is a designated as a two-lane collector roadway.*

B. The property should lie between commercially zoned properties on the same side of the road and be in close proximity to built commercial uses on the same side of the road such that commercial use of the intervening property is the most logical land use;
   - *There is an existing shopping center and commercial outparcel zoned PDP(CG) located to the east of the subject site on US Hwy 19. There is an existing Sewage Treatment Plant located to the east on Osowaw Blvd and a Church that is zoned PDP (GHC) located to the west of the subject site.*

C. The depth of the infill commercial development and/or zoning shall be commensurate with the depth of existing commercial zoning on the proximate parcels which define the infill area;
   - *The depth of the infill commercial development is consistent with the depth of the adjacent non-residential development located to the east and west of the site.*

D. The traffic impacts of additional commercial development on the affected roadways;
   - *A traffic impact study will be provided during the site development review process and studied for the specific permitted use and associated impacts on the roadways.*

E. The suitability of the property for commercial development while meeting all applicable environmental and site plan requirements;
   - *Proposed is an amendment from Residential to Conservation on 9 acres of wetlands which have been delineated on the subject site. The Conservation FLU designation will protect/conserve the wetland and environmental areas.*

F. The property does not create new strip commercial areas;
   - *The subject property is surrounded by non-residential uses and is located in a commercial node. The proposed amendment to COM and CV does not create new strip commercial areas.*

G. The proposed use is compatible with adjacent and surrounding land uses.
   - *The proposed COM is compatible with the surrounding commercial and non-residential uses to the east, west and south and the proposed CV is compatible with the adjacent mobile home park located to the southwest.*

# AERIAL MAP

Forward Planning & Design

N

0 150 300 600 Feet

## TITLE
Rezoning Petition Submitted by Raysor Ventures, LLC (H2336)

## BRIEF OVERVIEW
**Request:**
Rezoning from AG (Agricultural) to PDP(HC)/Planned Development Project (Highway Commercial) with a specific C-4 (Heavy Highway Commercial) use and CV (Conservation)

**General Location:**
South side of Osowaw Boulevard, approximately 1,165' east of Buccaneer Boulevard

## FINANCIAL IMPACT
A matter of policy. There is no financial impact.

## LEGAL NOTE
A matter of policy. The Planning and Zoning Commission has jurisdiction to make a recommendation on the subject application. The Applicable Criteria for a Zoning District Amendment are contained in Appendix A, (Zoning Code) Article VI. The Applicable Criteria for Planned Development Projects are contained in Appendix A, (Zoning Code) Article VIII. The Zoning District Amendment to the Planned Development District and applicable PDP master plan must be consistent with the Comprehensive Plan. There is no financial impact.

## RECOMMENDATION
It is recommended 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 PDP(GC)/Planned Development Project (General Commercial) to include a specific C-2 use for an Automobile Service Establishment and with performance conditions.

## REVIEW PROCESS

| | | | |
|---|---|---|---|
| Omar DePablo | Escalated | 10/03/2023 | 5:18 PM |
| Michelle Miller | Approved | 10/06/2023 | 2:57 PM |
| Michelle Miller | Approved | 10/06/2023 | 2:57 PM |
| Kyle Benda | Approved | 10/06/2023 | 9:20 PM |

**RESULT:** **ADOPTED**
**MOVER:** Nicholas Holmes
**SECONDER:** Donald Whiting
**AYES:** McDonald, Hickey, Arflack, Holmes and Whiting
**ABSENT:** Birren

# STAFF REPORT

**HEARINGS:** Planning & Zoning Commission: October 9, 2023
Board of County Commissioners: November 14, 2023

**APPLICANT:** Raysor Ventures, LLC

**FILE NUMBER:** H-23-36

**REQUEST:** Rezoning from AG (Agricultural) to PDP(HC)/Planned Development Project (Highway Commercial) with a specific C-4 (Heavy Highway Commercial) use and CV (Conservation) with Outdoor Storage

**GENERAL LOCATION:** South side of Osowaw Boulevard, approximately 1,165' east of Buccaneer Boulevard

**PARCEL KEY NUMBERS:** 1695419

## APPLICANT'S REQUEST:

The petitioner is requesting a rezoning from AG (Agricultural) to PDP(HC)/Planned Development Project (Highway Commercial) with a specific C-4 (Heavy Highway Commercial) use and CV (Conservation) with Outdoor Storage in order to develop a 30,000 square foot automotive collision center on a 4.6 acre portion of the subject site. The petitioner has indicated that although the site is 13.6 acres, 9.0 acres of the overall site are wetlands and will be designated conservation. The development will preserve on-site wetlands with no impacts proposed.

The subject site is in the Residential Future Land Use Designation and has a companion application for a Comprehensive Plan Amendment (CPAM2302)

## SITE CHARACTERISTICS:

**Total Site Size:** 13.6 acres

**Surrounding Zoning:** North: CV; SWFWMD
South: PDP(GC), (SU); Walmart Shopping Center
East: PDP(GC) (AG); Walmart Shopping Center, County Utilities
West: PDP(GHC), (MH); Mobile Home Park, Church

**Current Zoning:** AG (Agricultural)

**Future Land Use Map Designation:** Residential

**Flood Zone:** C; An area of Flood Zone "AE, (30.0)" is located on the site.

**ENVIRONMENTAL REVIEW:**

**Soil Type:** Tavares Fine Sand, Myakka Fine Sand

***Comments:*** A faunal (wildlife) survey shall be prepared by a qualified professional at the time of conditional plat. The petitioner is required to comply with all applicable FWC regulations and permitting.

**Water Quality Review:** The proposed development is within the Weeki Wachee River Basin Management Action Plan, the Weeki Wachee Primary Focus Area (PFA), and the Weeki Wachee Outstanding Florida Springs (OFS) Group.

***Comments:*** The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for required plantings and buffers, as applicable.

**Protection Features:** There are no protection features (Wellhead Protection Areas (WHPAs) present on this parcel.

**Hydrologic Features:** There is a Class 3 wetland along the northeast portion of the site; however, there are no Special Protection Areas (SPAs) present on this parcel.

***Comments:*** Drainage should be designed to prevent runoff from going into the wetlands.

**UTILITIES REVIEW:**

Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. There is an existing 12-inch water main that runs along the north side of Osowaw Boulevard. There is an existing 10-inch sewer force main that runs along the north side of Osowaw Boulevard, and an existing

4-inch sewer force main that runs on the south side of Osowaw Boulevard approximately 270 feet to the west of the parcel. HCUD has no objection to the request, subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction.

**ENGINEERING REVIEW:**

The subject property is located on the south side of Osowaw Boulevard, approximately 1,165' east of Buccaneer Boulevard. The petitioner proposes a single access to Osowaw Boulevard. The County Engineer has reviewed the request and indicated the following:

- This site is adjacent to the "Nature Coast Commons" project and across the discharge path of the outfall from that project. The discharge flow path must be addressed in any development of the site. Development was after the detailed watershed study.
- A Traffic Access Analysis is required and should include queuing analysis. Any improvements identified by the Traffic Analysis will be the responsibility of the developer to install.
- Development of the site will require a sidewalk to be constructed along Osowaw Boulevard for the entire length of the parcel.

**LAND USE REVIEW:**

**Proposed Setbacks:**

| | |
|---|---|
| Front: | 35' |
| Side: | 20' |
| Rear: | 35' |

**Lighting**

County LDRs 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 should be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring properties.

**Buffers**

A buffer shall be required between a Planned Development Project land use which is multifamily or non-residential and a land use, external to the PDP, which is residential, agricultural/residential or agricultural.

The minimum commercial buffer shall consist of a 5' landscaped separation distance. The multifamily or nonresidential use located on such lot shall be permanently screened from the adjoining and contiguous properties by a wall, fence, and/or approved enclosures. Such screening shall have a minimum height of five (5) [feet] and a maximum height of eight (8) feet, or an evergreen hedge with a minimum height of five (5) feet at the time of planting.

***Comments:*** The petitioner is proposing a 15' buffer along the perimeter of the property. If approved, the petitioner shall provide the buffer as indicated and meet the minimum buffer/landscape commercial requirements for the reminder of the commercial development.

**Screening:**

Hernando County LDRS 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.

**Landscape**

The petitioner must 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.

## COMPREHENSIVE PLAN REVIEW:

The petitioner has filed a companion Small-Scale Comprehensive Plan Amendment to change the Future Land Use from Residential to Commercial on the subject site.

**Future Land Use Map**

**Strategy 1.04A(6):** The Commercial Category provides for commercial uses including products and services along major corridors and at roadway intersections to serve residents and visitors on both a localized and regionalized basis. The Commercial Category recognizes existing commercial use corridors along U.S. Highway 19 and State Route 50 and existing and planned commercial nodes at intersections of arterial and/or collector roads. The Commercial Category includes small unmapped existing commercial properties. The Commercial Category also recognizes the ability to designate infill parcels for commercial use lying in proximity to and between, but not necessarily contiguous to, other existing commercially designated properties.

**Commercial Category**

**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.

**Strategy 1.04G(1):** Commercial development as envisioned on the Future Land Use Map is intended primarily for locations at major intersections and along major corridors where service to local and regional markets are enhanced by transportation patterns. New commercial zoning is directed to these mapped areas. Commercial areas that are not mapped but are allowed under this Future Land Use Category include neighborhood commercial and specialty commercial uses as described in this Plan, commercial approved as part of mixed use developments, commercial designated by planned development districts, the infill development of existing commercial areas, commercial areas extending from designated commercial nodes, and pre-existing commercially developed and designated areas. Frontage roads and cross-access between commercial uses is required where needed in accordance with the provisions of this Plan and adopted land development regulations.

***Comments:*** The request for a Comprehensive Plan Amendment on the subject site is consistent with the Commercial future land use strategies. The subject site is located adjacent to a major intersection and a commercial node.

**Commercial Nodes**

**Strategy 1.04G(2):** Commercial development as mapped by the Future Land Use Map is intended to create and identify functional nodes that conveniently serve the supporting population without compromising the integrity of residential areas. Commercial nodes:

a. are located at the intersections of roads having collector status or greater;
b. recognize concentrations of existing commercial development;
c. are generally less than 100 acres in size within the Adjusted Urbanized Area of the County;

d. are generally less than 60 acres in size outside of or on the fringe of the Adjusted Urbanized Area of the County;
e. may be located in Centers or Corridors pursuant to the related strategies.

***Comments:*** The subject site is currently in the residential land use classification; however, it is located in a mixed use area currently under transition. The proposed small-scale Comprehensive Plan Amendment is consistent with the Strategy to locate new commercial development in a node.

**Land Use Compatibility**

**Strategy 1.10B(1):** Future Land Use Map amendments should be compatible with surrounding development and minimize impact to natural resources without the need for mitigation measures that are extraordinary in scope or difficult to enforce.

***Comments:*** The proposed use is compatible with the surrounding development trends. The development of an automotive collision center with outdoor storage is appropriate subject to appropriate performance conditions.

**FINDINGS OF FACT:**

A rezoning from AG (Agricultural) to PDP(HC)/Planned Development Project (Highway Commercial) with a specific C-4 (Heavy Highway Commercial) use and CV (Conservation) with Outdoor Storage appropriate based on the following:

1. The request is consistent with the Comprehensive Plan Strategies for the location of commercial development.

2. The request is compatible with surrounding development and designation of the surrounding area as Residential on the Future Land Use Map.

3. The companion small-scale Comprehensive Plan Amendment (CPAM2302) requesting a change in the future land use from residential to commercial is consistent with the Comprehensive Plan.

**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. Homeowners 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 RECOMMENDATIONS:**

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a Resolution approving the petitioner's request for a rezoning from AG (Agricultural) to PDP(HC)/Planned Development Project (Highway Commercial) with a specific C-4 (Heavy Highway Commercial) use and CV (Conservation) with 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. Minimum Setbacks:
   Front: 35'
   Side: 20'
   Rear: 35'

3. The petitioner shall provide a 15' buffer along the perimeter of the property and meet the minimum buffer/landscape commercial requirements for the remainder of the commercial development.

5. The petitioner shall be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring residential parcels.

6. Security lighting shall be shielded from the neighboring residential use to the south.

7. The discharge flow path for the proposed development shall be addressed with the County Engineer at time of development.

8. A Traffic Access Analysis is required and should include queuing analysis. Any improvements identified by the Traffic Analysis will be the responsibility of the developer to install.

9. A sidewalk shall be required along Osowaw Boulevard for the entire length of the parcel.

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

11. The developer shall provide a water and sewer capacity analysis and connect to central water and sewer systems at the time of vertical construction.

12. Areas designated as wetlands and/or floodplain shall be zoned CV (Conservation) and delignated on all future plans.

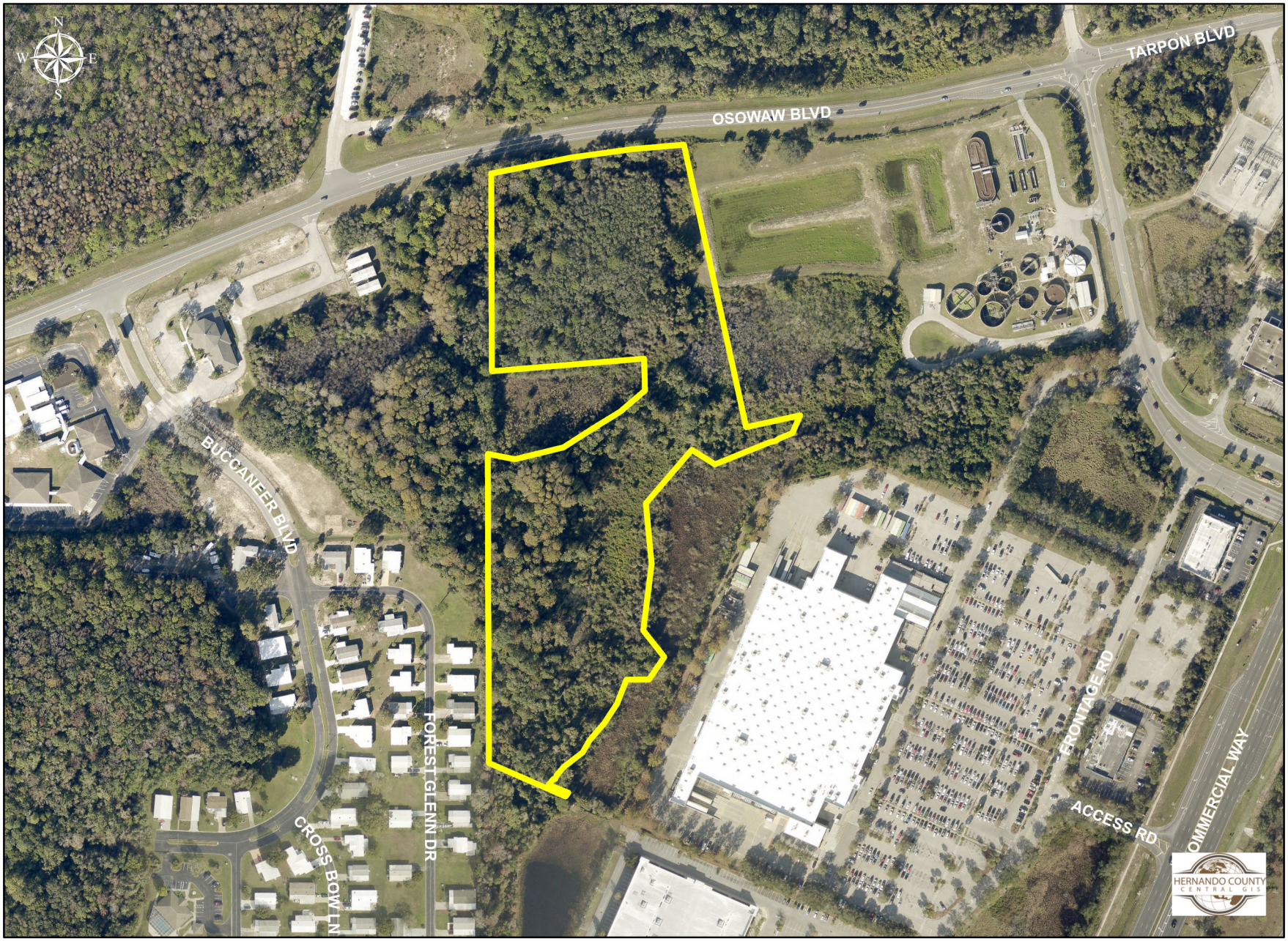
13. A faunal (wildlife) survey shall be prepared by a qualified professional at the time of conditional plat.

14. The petitioner shall provide a revised plan in compliance with all of the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

# H-23-36

Photo date: 2023

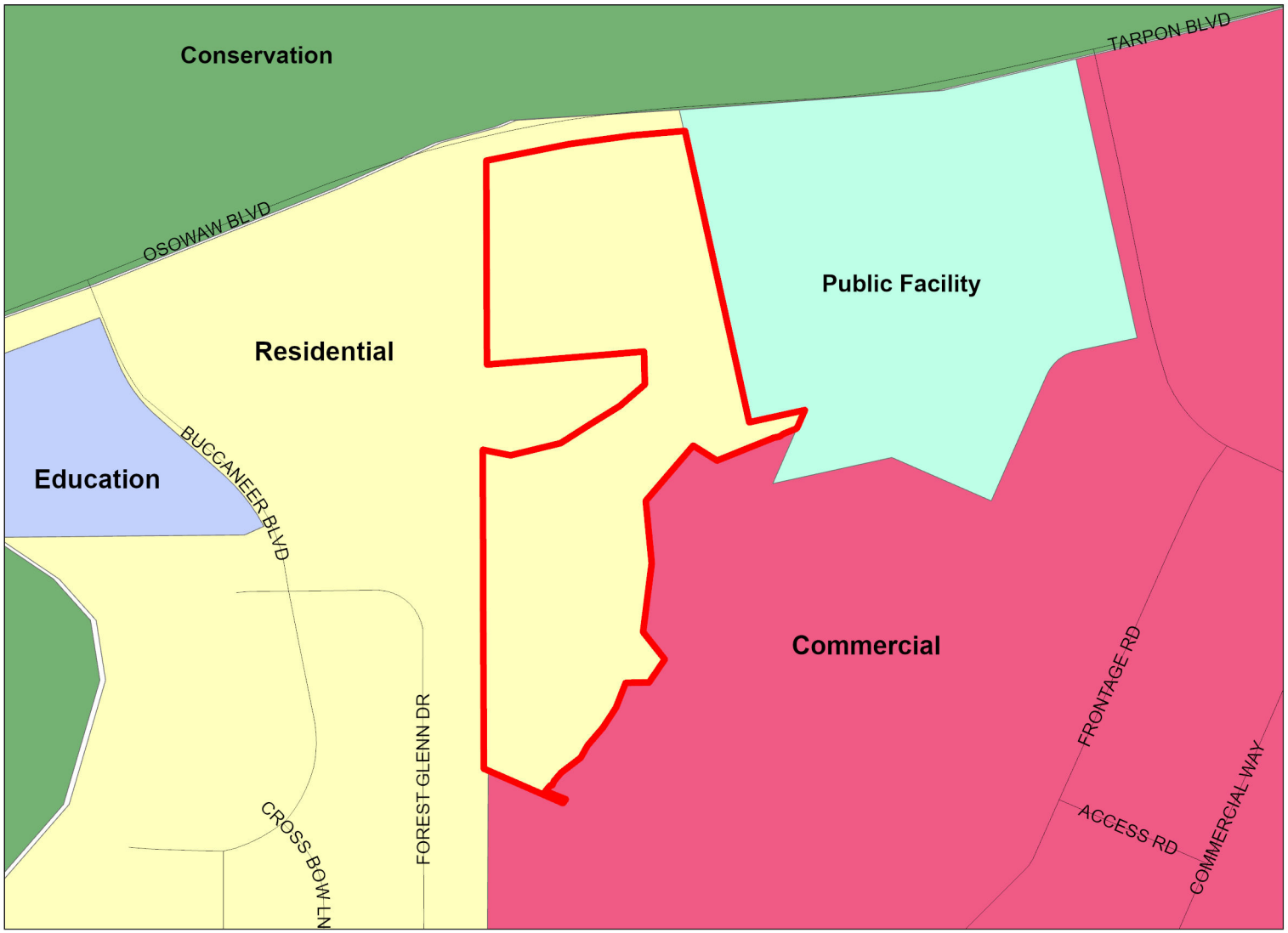
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# Hernando County Comprehensive Plan Map

Existing Future Land Use: H-23-36

Version Date: 12/09/2022




H-23-36

FLU Riverine District

Regional Commercial

**FLU**

- CITY
- COMMERCIAL
- CONSERVATION
- EDUCATION
- INDUSTRIAL
- MINING
- PLANNED DEVELOPMENT
- PUBLIC FACILITIES
- RECREATION
- RESIDENTIAL
- RURAL

## Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

0 0.03 0.06 0.12 0.18 0.24 Miles

N W E S

Date of mapping: 07/21/2023

HERNANDO COUNTY CENTRAL GIS

# H-23-36

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

CV
CV
CV
CV
PDP(SU)
CV
TARPON BLVD
OSOWAW BLVD
PDP(GHC)
AG
PDP(GHC)
AG
PDP(GHC)
BUCCANEER BLVD
PDP(GHC)
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# HERNANDO COUNTY ZONING AMENDMENT PETITION

File No. H-23-316 Official Date Stamp:

Received
JUN 07 2023
Planning Department
Hernando County, Florida

Application to Change a Zoning Classification

**Application request** *(check one)*:
Rezoning ☐ Standard ☑ PDP
Master Plan ☐ New ☐ Revised
PSFOD ☐ Communication Tower ☐ Other
**PRINT OR TYPE ALL INFORMATION**

Date: 6/2/2023

**APPLICANT NAME:** Raysor Ventures, LLC
Address: 19046 Bruce B. Downs Boulevard, #308
City: Tampa State: FL Zip: 33647
Phone: (813) 535-6662 Email: michael@fwdplanning.com
**Property owner's name:** *(if not the applicant)* Huntley Holdings, LLC

**REPRESENTATIVE/CONTACT NAME:** Justyna Gale, Vice President of Planning
Company Name: Forward Planning & Design, LLC
Address: 19046 Bruce B. Downs Boulevard, #308
City: Tampa State: FL Zip: 33647
Phone: (352) 514-6158 Email: justyna@fwdplanning.com

**HOME OWNERS ASSOCIATION:** ☐ Yes ☑ No *(if applicable provide name)*
Contact Name:
Address: City: State: Zip:

**PROPERTY INFORMATION:**

1. PARCEL(S) **KEY** NUMBER(S): R29 223 17 2608 0000 0031
2. SECTION 29, TOWNSHIP 23, RANGE 17
3. Current zoning classification: Agricultural (AG)
4. Desired zoning classification: Planned Development Project (General Commercial) and Conservation
5. Size of area covered by application: 13.6 acres
6. Highway and street boundaries: Osowaw Blvd.
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☑ No
8. Will expert witness(es) be utilized during the public hearings? ☑ Yes ☐ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☑ No (Time needed: )

**PROPERTY OWNER AFFIDIVAT**

I, Michael D. Raysor, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (**check one**):

☐ I am the owner of the property and am making this application **OR**

☑ I am the owner of the property and am authorizing *(applicant)*: Raysor Ventures, LLC and *(representative, if applicable)*: Justyna Gale, Vice President of Planning to submit an application for the described property.

*Signature of Property Owner*

***STATE OF FLORIDA***
***COUNTY OF ~~HERNANDO~~ HILLSBOROUGH***
The foregoing instrument was acknowledged before me this 3rd day of June, 2023, by ***Michael D. Raysor*** who is personally known to me or produced FL DL as identification.

Signature of Notary Public

SIMPLE DALSANIA
Notary Public - State of Florida
Commission # HH 147983
My Comm. Expires Sep 13, 2025
Bonded through National Notary Assn.

*Notary Seal/Stamp*

Effective Date: 11/8/16 Last Revision: 11/8/16

Forward
Planning & Design

Received
JUN 07 2023
Planning Department
Hernando County, Florida

# Osowaw Parcel PDP (General Commercial) and Conservation Amendment Narrative

## 1.0 Introduction

The Applicant, Raysor Ventures, LLC, is requesting a rezoning amendment from Agricultural (AG) to Planned Development Project District- General Commercial (PDP(GC)) and Conservation (CV) Zoning District on approximately 13.6 acres of land located adjacent to and south of Osowaw Boulevard and west of Commercial Way (US Hwy. 19). This application requests approval of a Planned Development Project District (General Commercial) on approximately 4.6 upland acres with a specific C-2 use for Collision Center and Outdoor Storage, and Conservation Zoning District over the wetland areas, approximately 9.0 acres. There will be a concurrent Small Scale Comprehensive Plan Amendment from Residential to Commercial on 4.6 acres and Conservation on 9.0 acres being processed concurrently.

A Pre-Application meeting was held with Omar DePablo on May 24, 2023.

## 2.0 Existing Conditions

**Table 1: Existing Site Information**

| | |
|---|---|
| **Parcel Key:** | 01695419 |
| **Parcel #:** | R29 223 17 2608 0000 0031 |
| **Gross Acreage:** | 13.6 acres |
| **Estimated Wetlands:** | ±9.0 acres |
| **Net Developable Area:** | ±4.6 acres |
| **Future Land Use Category:** | Residential |
| **Proposed Future Land Use Category:** | Commercial and Conservation |
| **Existing Zoning:** | Agricultural (AG) |
| **Proposed Zoning** | PDP (GC) with specific C-2 use and CV |
| **Special Overlay District:** | None |

### 2.1 Existing Future Land Use

The current Future Land Use Designation is Residential. The Residential Category allows primarily single-family, duplex, resort and multi-family housing and associated ancillary uses such as recreational and institutional. The Gross Residential Density shall not exceed 22 DU/Ac. The Residential Category includes zoning for multi-family housing generally averaging between 7.5 to 22 dwelling units an acre to provide a diversity of housing choices.

This application requests a Small-Scale Comprehensive amendment from Residential to Commercial on the upland acreage and Conservation on the wetland acreage.

### 2.2 Existing Zoning

Currently, the Zoning designation for the subject site is Agricultural (AG) District. The AG District is designed to promote and encourage the conservation and utilization of agricultural land, as well as the preservation of the open character land. The AG District only allows for low-density single-family residential and does not permit multi-family/ townhome development.

This application requests a rezoning amendment from AG District to Planned Development Project District - General Commercial [PDP (GC)] with a specific C-2 use for Collision Center and Outdoor Storage.

### 2.3 Existing Site Conditions

The project Parcel is currently vacant. It is located to the south of Osowaw Boulevard. Osowaw Boulevard is a paved two-lane collector without sidewalks with approximately 112' Right-of-Way (ROW).

The Parcel is relatively flat with less than 5 foot of change in elevation. Wetlands are located on approximately 9 acres of the southern and western portions of the site with associated Floodplain Zone "AE". There is no reported sinkhole activity on-site according to Hernando County Central GIS.

### 2.4 Adjacent Future Land Use and Zoning

The proposed Planned Development Project District General Commercial [PDP (CG)] and Conservation Zoning District is compatible with the Future Land Use and Zoning of the surrounding Parcels.

The adjacent Parcels located to the east and south along Commercial Way are zoned PDP (General Commercial). The adjacent site is a shopping center that is anchored by several tenants including Walmart, JC Penny, Best Buy, Pet Smart, Aldi, and several other retailers. The Hernando County Sewage Processing Plant is also located to the east of the subject Parcel.

The Parcels to the west are zoned PDP (GHC) and PDP (MH). There is a Church and the Forest Glen Retirement Village manufactured home community located to the west. The area located to the north is Conservation and is the Weekiwachee Preserve.

**Table 2: Adjacent Future Land Use, Zoning, and Existing Uses**

| Direction | FLU Category | Zoning District | Existing Use |
|---|---|---|---|
| **North** | Conservation | Conservation | Weekiwachee Preserve |
| **East** | Commercial | PDP (GC) and Public Service Facility (PSF) | Shopping Center and Hernando County Sewage Processing |
| **South** | Commercial | PDP (GC) | Shopping Center |
| **West** | Residential | PDP (GHC), PDP (MH) | Church and Mobile Home Park |

## 3.0 Proposed Development

### 3.1 Overview

This application requests a rezoning amendment from the AG District to Planned Development General Commercial District [PDP (GC)] with a specific C-2 use for Collision Center and Outdoor Storage for approximately 4.6 upland acres, and Conservation on approximately 9 acres of wetlands. The total site is approximately 13.6 acres with an estimate of 9 acres of wetlands located on the southern and western portions of the Parcel. This proposed development will provide for an enhanced 15' landscape buffer around the perimeter of the upland portion of the Parcel.

### 3.2 Consistency with the Comprehensive Plan

The proposed amendment to PDP(GC) is consistent with the Comprehensive Plan's Strategy 1.04B(5) as follows:

(a) The site is located close to the commercial shopping center to the east along Commercial Way/US 19. The proposed PDP (GC) and Conservation Zoning are also a good transitional use from the Commercial to the east, and the church and mobile home park located to the west of the project site. No building within 100 feet of any single-family district residential district property line shall be more than 20 feet in height. The proposed commercial building will also be buffered by the wetlands and stormwater ponds from the residential property to the west.

(b) The site is located on and has direct access to Osowaw Boulevard which is a collector roadway.

(c) The site is located in an area with appropriate infrastructure and services capacity including police, fire, emergency medical services, potable water utility supply, sewer utility supply, and school facilities.

(d) The proposed development will preserve on-site wetlands with no impacts proposed. The development will also preserve environmental and archaeological resources found on the site. All of the wetlands are proposed to have a Future Land Use designation of Conservation.

(e) A PDP(CG) and Conservations zoning will provide a good transitional use from the Commercial located to the east and will be buffered from the adjacent mobile home park development to the west.

### 3.3 Development Standards

The application package provides a PDP (CG) and Conservation Zoning District Master Plan. The stormwater ponds will be designed along the west project boundary to act as an additional buffer to the adjacent residential neighborhood to west. The upland perimeter landscape buffers will be enhanced and widened to 15', which is beyond the required buffer per Hernando County standards.

The proposed development standards will comply with PDP (General Commercial) standards and are summarized below in Table 4.

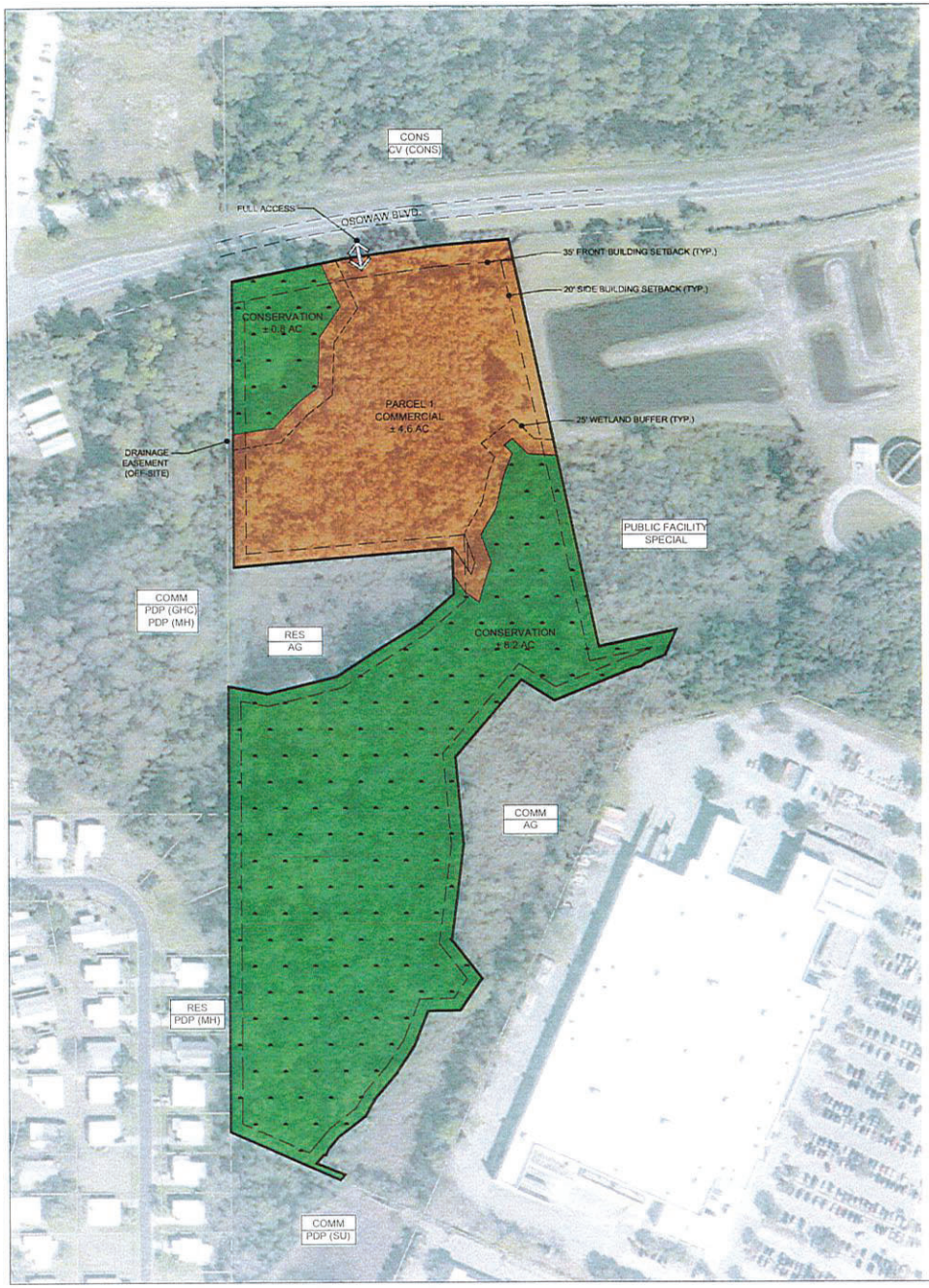
**Table 4: Development Standards**

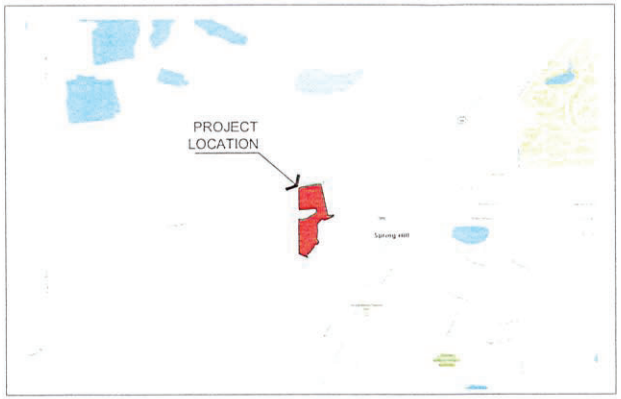
| | |
|---|---|
| Front Yard Setback/ Front Building Setback | 35' |
| Side Yard Setback/ Side Building Setback | 20' |
| Rear Yard Setback/ Rear Building Setback | 35' |
| Perimeter Landscape Buffers | 15' |
| Maximum Building Height* | 60' |
| Maximum Building Coverage | 45% |

*No building within 100 feet of any single-family district residential district property line shall be more than 20 feet in height.

### 3.4 Utilities/Infrastructure

Utility service will be connected to Hernando County facilities located in the Osowaw Blvd. right-of -way. The utility lines include a 6" sanitary sewer force main and 8" potable water main. No significant impacts to infrastructure are anticipated and will be fully evaluated at the building permit review stage.




SITE DATA

| | |
|---|---|
| PARCEL KEY | 01695419 |
| PARCEL # | R29 223 17 2608 0000 0031 |
| FUTURE LAND USE | RESIDENTIAL |
| PROPOSED FUTURE LAND USE | COMMERCIAL<br>CONSERVATION |
| CURRENT ZONING | AGRICULTURAL (AG) |
| PROPOSED ZONING | PLANNED DEVELOPMENT PROJECT- GENERAL COMMERCIAL (PDP-GC) WITH SPECIFIC C2 USE*, (CV) CONSERVATION |
| FLOOD INFORMATION | FLOOD ZONES AE AND X (PANEL 12053C0284E) |

*SPECIFIC USE TO INCLUDE AUTOMOBILE COLLISION CENTER AND OUTDOOR STORAGE

NOTES:

THIS PDP-MF MASTER PLAN IS BASED ON A CONCEPTUAL PLAN THAT IS SUBJECT TO CHANGE PENDING FINAL ENGINEERING DESIGN, PERMITTING, AND REGULATORY AGENCY APPROVALS.
WETLANDS SHOWN ON THIS MASTER PLAN HAVE BEEN ESTIMATED IN A DESKTOP EVALUATION AND ARE SUBJECT TO CHANGE PENDING A JURISDICTIONAL DELINEATION.
PROJECT ACCESS POINT ALLOWS A TREE-LINED ENTRANCE AND IS CONSISTENT WITH SECTION 10-21(a)(3) LANDSCAPE.
OUTDOOR STORAGE AREAS MAY CONTAIN BOTH COVERED AND UN-COVERED SPACES

DEVELOPMENT INFORMATION

| DESCRIPTION | ACRES | SQUARE FT. |
|---|---|---|
| TOTAL SITE AREA | 13.6 | |
| ESTIMATED WETLANDS | 4.6 | |
| ESTIMATED NET DEVELOPABLE AREA | 9.0 | |
| ESTIMATED OPEN SPACE | 10% | |
| ESTIMATED COMMERCIAL SF (PARCEL1) | | 30,000 |
| ESTIMATED OUTDOOR STORAGE (PARCEL1) | 1 AC (MAX) | |

DEVELOPMENT STANDARDS AND SETBACKS

| DESCRIPTION | FEET |
|---|---|
| FRONT YARD SETBACK/ FRONT BUILDING SETBACK | 35' |
| SIDE YARD SETBACK/ SIDE BUILDING SETBACK | 20' |
| REAR YARD SETBACK/ REAR BUILDING SETBACK | 35' |
| MAXIMUM BUILDING HEIGHT | 60' |
| PERIMETER LANDSCAPE BUFFER (UPLAND AREAS) | 15' |

TITLE

# OSOWAW PARCEL
MASTER PLAN

LOCATION

HERNANDO COUNTY, FLORIDA

PREPARED FOR

RV RAYSOR Ventures LLC
15046 BRUCE B. DOWNS BOULEVARD | #308
TAMPA | FLORIDA | 33647 | (813) 625-1670

SITE DATA

TOTAL SITE = ± 13.6 AC
UPLAND = ± 4.6 AC
WETLAND = ± 9.0 AC

Received
JUN 07 2023
Planning Department
Hernando County, Florida

CONCEPT PLAN DISCLAIMER

THIS PLAN IS CONCEPTUAL AND WAS CREATED USING VARIOUS AVAILABLE INFORMATION SOURCES. THE FINAL YIELD AND LOCATION OF DESIGN ELEMENTS SHOWN ON THIS PLAN MAY CHANGE WITH FINAL ENGINEERING AND THROUGHOUT THE APPROVAL PROCESS. FORWARD PLANNING AND DESIGN DOES NOT WARRANT THIS PLAN.

PREPARED BY

NORTH

Forward Planning & Design

0 100' 200' 300'
SCALE:

DATE: 06/06/23