

Jessica L Wright

From: Jeffrey Rogers
Sent: Thursday, November 2, 2023 10:32 PM
To: Jessica L Wright
Cc: Toni Brady; Colleen V. Conko
Subject: FW: ***TIME SENSITIVE / URGENT*** Serious Noticing Flaw in BOCC and Planning Department Documents Regarding Rezoning and Comp Plan Amendments - Please respond ASAP. Thank you.

Please include in the agenda

Jeffrey Rogers, P.E.
County Administrator
Hernando County
15470 Flight Path Drive
Brooksville, FL 34604
(352)754-4841
jrogers@hernandocounty.us

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From: John Allocco <JAllocco@co.hernando.fl.us>
Sent: Thursday, October 19, 2023 8:51 PM
To: Jeffrey Rogers <JRogers@co.hernando.fl.us>; Jon Jouben <JJouben@co.hernando.fl.us>; Michelle Miller <MLMiller@co.hernando.fl.us>; Chris Linsbeck <CLinsbeck@co.hernando.fl.us>; Toni Brady <TBrady@co.hernando.fl.us>
Subject: Fwd: ***TIME SENSITIVE / URGENT*** Serious Noticing Flaw in BOCC and Planning Department Documents Regarding Rezoning and Comp Plan Amendments - Please respond ASAP. Thank you.

Please see the email from Forrest Bennett.

John Allocco
Chairman
Hernando County Board of Commissioners

From: Forrest Bennett <fbennett12345@gmail.com>
Sent: Thursday, October 19, 2023 4:37:46 PM
To: John Allocco <JAllocco@co.hernando.fl.us>
Cc: Forrest Bennett <fbennett12345@gmail.com>
Subject: ***TIME SENSITIVE / URGENT*** Serious Noticing Flaw in BOCC and Planning Department Documents Regarding Rezoning and Comp Plan Amendments - Please respond ASAP. Thank you.

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Commissioner John Allocco
Chairman
Hernando County BOCC

Commission Chairman Allocco,

The community and I are in need of your Immediate Attention please to a Serious Noticing Flaw regarding major and damaging rezoning and comprehensive plan changes scheduled for your land use change hearings on November 7. The project by Raysor Ventures LLC would place a Heavy Commercial C4 zoning district directly adjacent to the main entrance to the SWFWMD Weekiwachee Preserve, a bear habitat, a Church, a long-established Senior Citizens Retirement Community and next to the West Hernando Christian School on Osowaw Boulevard. This is regarding P&Z Rezoning file number: H-23-36 and Comprehensive Land Use Amendment file number: CPAM 23-02.

For approximately a month, yellow P&Z rezoning and CPAM signs on the site announced that the legally binding vote to approve or deny these two major changes in land use would be held before the Hernando County Commission on November 14. These signs were partially hidden on Osowaw where traffic speeds by at 50 MPH and just noticed by the surrounding communities on October 3rd and have created quite a bit of concern. Parents of school kids, church members, seniors, and affected Nature Coast residents who use Osowaw as their main egress and ingress road have been planning to attend the November 14th BOCC vote. Now, less than a month before the vote, the window of time has suddenly and unlawfully been reduced by 25% with mailed notice to just a few dozen seniors, many of whom are snowbirds and have not quite arrived yet or received forwarded mail.

I was alerted to the date change just yesterday when I was contacted by a worried year-round resident (and Board Member) of the adjacent Forest Glenn Senior Community who was one of only a few dozen residents within a 500-foot radius (much of the surrounding land within 500 feet is SWFWMD or Church property) and therefore received the legally required notice and was shocked to see a surprise change in the BOCC vote date to a week earlier, on November 7th. A copy of that mailed notice is below. Until yesterday, residents whose property values, community pride, environment, and quality of life will be negatively affected in Forest Glenn, Aripeka, Weeki Wachee, Spring Hill, and Hernando Beach were organizing around attending the advertised November 14th BOCC vote date. We want to protect our future desirability as an upscale community, residential property rights, and the WW Preserve.

The sudden date change to November 7th cannot happen because of the improper notice. In addition, your own rules require a public inquiry workshop (see the public inquiry workshop language from your code below) and folks have changed their plans to attend the still advertised (on the county signs and website) November 14th BOCC vote date.

Nearby neighbors and the Hernando Beach community have a significant interest in keeping the primary entrance to their community and Nature Preserve protected from property value (and tax base) damaging heavy commercial development that belongs in an Industrial Park and not in the sensitive location purchased cheaply in August 2023 and chosen solely to provide maximum profits to the Tampa land speculator/developer with a Major Rezoning and Comp Plan amendment. Further, it's in the best interest of the future of the county to protect the WW Nature Preserve from blight across from the main entrance and surrounded by a bear habitat on SWFWMD lands to the north (approximately 7,000 acres) and adjacent to the south to Aripeka (over 1,000 acres of bear habitat).

Heavy commercial uses at this site are not acceptable or compatible with surrounding land uses as per Municode, Comp Plan, and Planning and Zoning policies. Further, Hernando County ordinances require a community meeting with the developer in a rezoning attempt of this magnitude to raise our questions and voice our concerns.

Also concerning is that when you click on the video for the Planning and Zoning Commission meeting on the 9th of October when this same application was heard, you instead get the video and the agenda for a meeting of the Value Adjustment Board. Please also have this corrected so residents can view the previous discussion about the Raysor Ventures application. Also, the P&Z meeting was 10 days ago and there are no published minutes for the meeting. What is the standard for publishing official P&Z and other Advisory Board minutes? I know the minutes of the BOCC meetings are put up fairly promptly. Between the missing P&Z video and minutes, we have zero information on how the P&Z Commission came up with their inexplicable vote in favor of a major jump in Rezoning classifications and a Comp Plan Amendment to accommodate the Tampa

developer. Evidence of the botched P&Z video link to the VAB can be found here: <https://hernandocountyfl.legistar.com/MeetingDetail.aspx?ID=1066378&GUID=865C0AAC-2139-462B-AF50-0EB0B6BCB1DB&Search=>

For your convenience, the following documentation provides you with the appropriate Hernando County Municode, BOCC, and P&Z policy violations and regulations. Also included are photos of the two current Rezoning and CPAM signs advertising the November 14th BOCC vote date and a copy of the notice received this week by a few dozen seniors changing the date to November 7th, just 3 weeks away.

Chairman Allocco, Thank You in advance for your immediate attention to this issue. Please contact me directly as soon as possible to let me know that **this November 7 hearing before the BOCC will be continued until the next scheduled BOCC meeting on Tuesday, November 28th at the earliest and after a required public input meeting.** I promise that I will do my best to notify the community of the new information as they are well aware of the sudden and improper date change and are quite concerned as of this moment.

Sincerely -

Forrest Bennett

fbennett12345@gmail.com

352-596-2262

- Founder of the Nonprofit Nature Coast Action Team (NCAT) - Since 2010
- UF Certified Florida Master Naturalist in Coastal Systems
- Two-term (8-year) BOCC Appointed Member of the Environmentally Sensitive Lands Committee
- 24-year Full-time Resident of Hernando Beach and Hernando County business owner

Municode citations:

Appendix A

Article 1

Section 3 Definition of Public Notice:

Both mail and sign notice are "components of public notice" according to note (11)

(11)

Upon an applicant being advised by the planning department that the application is complete and sufficient, a public hearing shall be promptly scheduled at the next available planning and zoning commission meeting allowing sufficient time for public notice and advertising. At the request of the commission, the governing body or the applicant, any scheduled public hearing may be continued until a date certain (which date shall be set by the commission or the governing body, respectively, in their sole discretion). Notwithstanding the foregoing, the commission shall render a decision on the merits of the application within one hundred and eighty (180) days of the applicant being advised that the application is complete and sufficient. It shall be the responsibility of the applicant to ensure that its application is scheduled and acted upon in a timely fashion. Any application not acted on by the commission within said one hundred and eighty (180) day period shall be deemed abandoned and void, and such application shall be closed out by the planning department with no refunds of any fees paid by the applicant. Any applicant whose application is declared abandoned or void under this provision may re-file such application at a subsequent date, without prejudice, upon payment of all required fees and submitting a complete and sufficient application.

Appendix D:

Public inquiry workshop
(1)

Upon determination of need by the County staff based upon the number of public inquiries or the size and complexity of the proposed project, the applicant shall be required to conduct a public inquiry workshop prior to the scheduling of a public hearing on the application at a location convenient to the site in question and appropriate for public assembly in Hernando County as follows.

a.

The applicant shall provide sign notice by posting the property a minimum of ten (10) days prior to the scheduled workshop with a Public Inquiry Workshop notice sign as supplied by the planning department. The sign notice hereunder shall be in addition to all other notice provisions under this article.

b.

The applicant shall provide mail notice a minimum of ten (10) days prior to the scheduled Public Inquiry Workshop giving the time, place and purpose of the meeting to each property owner within one thousand (1,000) feet of the parcel covered by the application based on the mail list generated by the Property Appraiser's Office. The applicant shall provide the planning department a copy of the mail list and a notarized affidavit indicating that said notice was mailed. The mail notice hereunder shall be in addition to all other mail notice provisions under this article.

c.

The applicant shall provide a Citizen Sign-in sheet and executive summary explaining what information was provided to the public at the meeting to the planning department accompanied by a notarized affidavit indicating that the list is an official record of attendance at the meeting. The Citizen Sign-In sheet and executive summary will become a part of the official application file.

(2)

The applicant shall be responsible for all costs incurred in the notice procedure for the public inquiry workshop and the public hearing.

HERNANDO COUNTY, FLORIDA
NOTICE OF PUBLIC HEARING

Type: Rezoning File Number: H-23-
Request: Rezoning from Agricultural to Highway Commercial
with a Specific Heavy Highway Commercial
and Conservation

PLANNING AND ZONING COMMISSION:
Date: Oct 9, 2023 Time: 9:00 Am

BOARD OF COUNTY COMMISSIONERS:
Date: Nov 14, 2023 Time: 9:00 Am

Hearings are held at the Hernando County Government Center, 20 N. Main St., Room 160,
Brooksville, Florida. For more information contact the Hernando County Planning Dept. at 352-754-
Meeting Agendas are On-Line at: www.hernandocounty.us

HERNANDO COUNTY, FLORIDA
NOTICE OF PUBLIC HEARING

Type: CPAM File Number: CPAM 2302

Request: Small Scale Comprehensive Plan Amendment to Change the Future Land Use Map on 13.6 Acres from Residential to Commercial

PLANNING AND ZONING COMMISSION:
Date: Oct 9, 2023 Time: 9:00 Am

BOARD OF COUNTY COMMISSIONERS:
Date: Nov 14, 2023 Time: 9:00 Am

Hearings are held at the Hernando County Government Center, 20 N. Main St., Room 160, Brooksville, Florida. For more information contact the Hernando County Planning Dept. at 352-754-4057. Meeting Agendas are On-Line at: www.hernandocounty.us



**NOTICE OF PUBLIC HEARING
HERNANDO COUNTY, FLORIDA**

County records show you to be an owner of property within 500 feet of property that is being considered for a change in zoning classification and you are hereby notified that there will be two public hearings held by Hernando County. Any person wishing to be heard on this matter may either be present to speak on the issue at the hearings or may provide written comments to this office. Written comments will become part of the public record.

APPLICANT: Raysor Ventures, LLC **FILE NUMBER:** H-23-36

PURPOSE: 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

PARCEL KEY NUMBER: 1695419

2nd HEARING: Hernando County Board of County Commissioners
DATE AMENDED: November 7, 2023 at 9:00 am - **The meeting starts at 9:00 AM and the cases will be heard thereafter in the order established when the Board agenda is published.**

All hearings are held in the John Law Ayers County Commission Chambers, which is located in the Hernando County Government Center, 20 North Main Street, Room 160, Brooksville, Florida. You are further advised that if a person decides to seek review of any decision made by the board with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the review is to be based.

If you should have any additional questions regarding this issue, please contact the Planning Department at planning@hernandocounty.us, 352-754-4057, or in writing at: Hernando County Planning Department, 1653 Blaise Drive, Brooksville, Florida 34601. Furthermore, information regarding this application may be obtained from the County's website at www.hernandocounty.us - follow the Board Agendas and Minutes link to the specified public hearing.

In accordance with the Americans with Disabilities Act, persons with disabilities needing an accommodation to participate in this proceeding should contact Jessica Wright, Hernando