

STAFF REPORT

HEARINGS: Planning & Zoning Commission: February 12, 2024
Board of County Commissioners: March 12, 2024

APPLICANT: Steven Nguyen Quach

FILE NUMBER: H-23-68

REQUEST: Rezoning from PDP(OP)/Planned Development Project (Office Professional) to R-1C (Residential)

GENERAL LOCATION: North side of Spring Hill Drive, approximately 300' south of St. Ives Blvd.

PARCEL KEY NUMBER: 643218

APPLICANT'S REQUEST:

On April 10, 2018, the Board of County Commissioners approved a rezoning from PDP(SF)/Planned Development Project (Single Family) to PDP(OP)/Planned Development Project (Office Professional) to allow for professional office uses. However, the subject site was recently sold and the current owner chooses to revert the use back to a residential use. The petitioner has indicated no changes to the home.

SITE CHARACTERISTICS:

Site Size: 0.22 acres

Surrounding Zoning; Land Uses:

North:	PDP(SF): Single Family
South:	PDP(GHC), (OP), (SF): Commercial, Office Professional and Single Family
East:	PDP(SF): Assisted Living Facility, Single Family
West:	PDP(SF) Single Family

Current Zoning: PDP(OP)/Planned Development Project (Office Professional)

Future Land Use Map Designation: Residential

Flood Zone: C
UTILITIES REVIEW:

The Hernando County Utilities Department currently provides water service to this parcel. Sewer service is not available to this parcel.

ENGINEERING & TRANSPORTATION REVIEW:

The parcel is located on the north side of Spring Hill Drive, approximately 300' south of St. Ives Boulevard. The petitioner has indicated that access will be by the existing single driveway to Spring Hill Drive. The County Engineer has reviewed the request and indicated no engineering related concerns with the petitioner's request.

LAND USE REVIEW:

Current Building Setbacks:
Spring Hill Drive: 33'
Side: 19.5'
Rear: 27'

COMPREHENSIVE PLAN REVIEW:

The area is characterized by office, commercial and residential uses along Spring Hill Drive. The subject property is located within the Residential land use classification on the adopted Future Land Use Map.

FINDING OF FACTS:

A rezoning from PDP(OP)/ Planned Development Project (Office Professional) to R-1A (Residential) is inappropriate as stipulated below:

1. Staff recommends reverting the subject site back to its PDP(SF)/Planned Development Project (Single Family) designation in order to make the zoning compatible with the surrounding area.
2. PDP(SF)/Planned Development Project (Single Family) 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. 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 RECOMMENDATION:

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the rezoning from PDP(OP)/Planned Development Project (Office Professional) to PDP(SF)/Planned Development Project (Single Family) with the following performance condition:

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.