

HERNANDO COUNTY ZONING AMENDMENT PETITION

File No. H253 Official Date Stamp:



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: 06/27/2022

APPLICANT NAME: DemiSar Properties, LLC

Address: 3516 Saddle Back Ln.

City: Lutz State: FL Zip: 33548

Phone: (813) 501-3827 Email: adam@demisar.com

Property owner's name: (if not the applicant) Larry J Davis

REPRESENTATIVE/CONTACT NAME: Landis Evans + Partners, Inc. Employees (Attn: Bruce Landis, P.E., AICP)

Company Name: Landis Evans + Partners, Inc.

Address: 3810 Northdale Blvd., Suite 100

City: Tampa State: FL Zip: 33624

Phone: (813) 949-7449 Email: landis@landisevans.com

HOME OWNERS ASSOCIATION: ☐ Yes ☒ No (if applicable provide name) N/A

Contact Name: N/A

Address: N/A City: N/A State: N/A Zip: N/A

PROPERTY INFORMATION:

1. PARCEL(S) **KEY** NUMBER(S): 01006592
2. SECTION 25, TOWNSHIP 22S, RANGE 18E
3. Current zoning classification: R-1A
4. Desired zoning classification: PDP (General Commercial)
5. Size of area covered by application: 1.40 AC
6. Highway and street boundaries: State Road 50
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, Larry J Davis, 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): DemiSar Properties, LLC
and (representative, if applicable): Landis Evans + Partners, Inc. Employees
to submit an application for the described property.

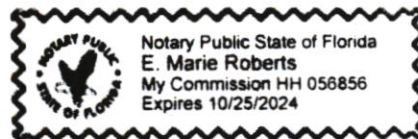
Larry Joe Davis
Signature of Property Owner

STATE OF FLORIDA

COUNTY OF HERNANDO PINELLAS

The foregoing instrument was acknowledged before me this 28 day of June, 20 22, by Larry Joe Davis who is personally known to me or produced FLDRHC as identification.

E. Marie Roberts
Signature of Notary Public



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

Notary Seal/Stamp

Expert Witness List – If Needed

1. Bruce W. Landis, P.E., AICP
2. Dallas Evans, P.E., AICP
3. Theo Petritsch, P.E., PTOE
4. Bruce McArthur, P.E.

August 17, 2022

RE: Zoning Case: H-22-53 – Cortez Commercial Planned Development Project (HC)
Narrative Description of the Request
Alternate Key No. 01006592, DemiSar Properties, LLC

The following is intended to serve as the narrative description of the request to rezone the above referenced property from a R-1A Residential District to a Planned Development Project (Highway Commercial) District.

1. Proposal

- a. **Proposed land uses and their specific acreage** – The Applicant requests approval for those permitted uses included in the Planned Development Project (Highway Commercial) District, specifically detailed below.

Requested Uses:

- All permitted uses from the C-2 Highway Commercial District:
 - Any use permitted in a C-1 General Commercial District
 - Drive-in restaurants
 - Automotive dealer establishments, including the principal selling of used cars
 - Tire and automotive accessory establishments
 - Automotive specialty establishments
 - Automotive and truck rental establishments
 - Automobile dealer establishments for the principal selling of new cars with service establishments including body shops
 - Automobile and truck repair establishments excluding body shops
 - Veterinarian and animal clinics or hospital service establishment
 - Alcoholic beverage dispensation
 - Publishing and printing service establishments
 - Domestic rental establishments
 - Crematories
 - Public transportation terminals for buses and taxis only
 - Light construction service establishments
 - Retail plant nurseries
 - Mini-warehouses
 - One (1) single-family dwelling unit (minimum of six hundred (600) square feet) per commercial parcel in conjunction with the operation of a business on the premises; such single-family dwelling unit shall be an integral part of the principal business structure and located behind or

above that portion of the business structure devoted to service to the public

- Boat sales and service with or without outside display
- Light farm equipment and supply establishments
- Light landscaping service establishments
- Automobile service establishments
- Permitted uses in OP (Office-Professional) District:
 - Charitable organizations

The proposed District may consist of these uses and the supporting infrastructure such as stormwater facilities and buffering.

No Special Exception Uses from the C-2, O/P, nor C-4 districts are being requested.

- b. **Proposed density level of residential uses** – N/A, no residential uses are proposed.
- c. **Proposed square footage of development and building height(s) of commercial uses** – A maximum Floor Area Ratio (F.A.R.) of 0.35 is proposed across the property. Building heights shall not exceed a maximum of 60 feet (no building within 100 feet of any single-family residential district property line shall be more than 20 feet in height). Development is subject to the Residential Protection Standards in the Hernando County Zoning Code, Appendix A, Article VIII, Section 6.
- d. **Proposed deviations from code** – The requirement for a developer to provide a frontage road segment on the property creates an undue burden, renders future development economically infeasible on this parcel of land, and is not in keeping with the existing development pattern. The Applicant requests deviation from Section 24-2 and Article VIII Section 1 of the Hernando County Code of Ordinances to allow a waiver from the requirement for a frontage road segment and a reduced front yard setback. In lieu of Section 24-2, we anticipate internal project connectivity/drives and associated cross-connections to the adjoining properties on the east and west of the District that will meet the intent of the frontage road requirement. Article VIII Section 1 accommodates the potential need for a frontage road by mandating a 125-foot front yard setback on the corridor. Thus, the Applicant requests that the front yard requirement be reduced from 125 feet to 75 feet. A 75-foot front yard establishes a building setback that fosters future development and is in keeping with existing development pattern. Please refer to Figure 1 for an illustration of the District and the existing development pattern of the corridor.



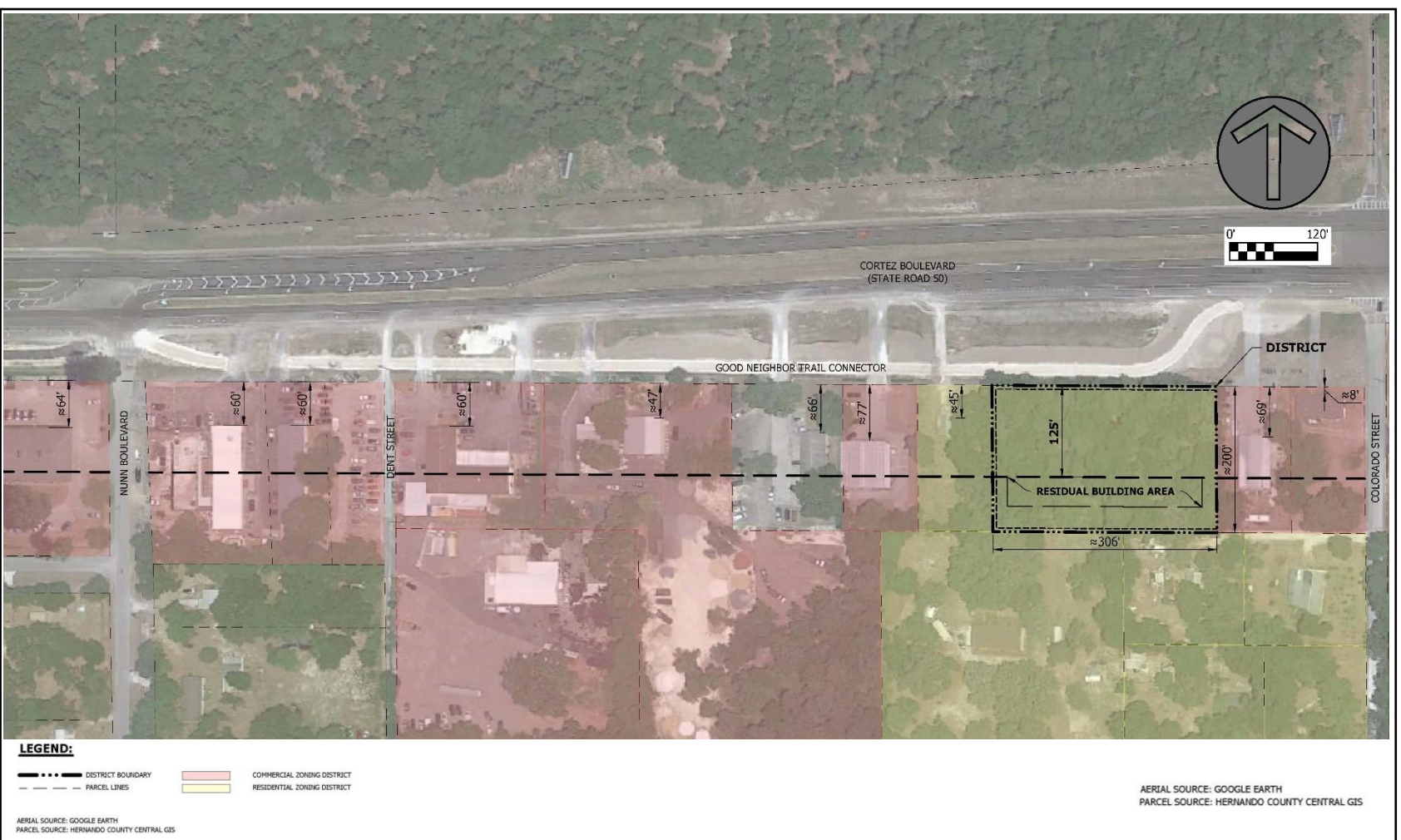


Figure 1: Illustration of the District and Existing Development Patterns

T:\1000 Projects\1782-22 Cortez Commercial\Permitting\Hernando County\Rezoning\2022-08-17 Modification to Request\H-22-53 Modified II Narrative Description of the Request.docx



2. Site Characteristics

- a. **Site size (acres)** – The site is 1.4 acres in size, per the Hernando County Property Appraiser Property Record Card.
- b. **Existing land uses and their specific acreage** – The site is currently vacant.
- c. **Known activities or uses on-site** – The site is currently vacant.

3. Environmental Considerations

- a. **Flood zone** – The site is located within Zone X, per FEMA FIRM Map 12053C0187D, dated 2/2/2012.
- b. **Drainage features** – The site currently drains southeast across the property via sheet flow.
- c. **Water features** – There are no water features on-site.
- d. **Habitats** – The site consists of woods and brush.
- e. **Conditions and impacts on natural features** – Typical land development is anticipated.

4. Site Plan Discussion in the Narrative

- a. **A description of the concept of the development plan** – The proposed District may consist of the requested uses which are allowed within the Planned Development Project (Highway Commercial) District and will include associated infrastructure/stormwater facilities. An access connection onto Cortez Boulevard (State Road 50) is proposed and subject to Hernando County and Florida Department of Transportation (FDOT) approval. The project is scheduled for an Access Connection Permit Pre-Application Meeting with FDOT on July 13th, 2022. Cross access connections to the adjoining properties on the east and west are anticipated.
- b. **Proposed buffer sizes and separation widths between proposed land uses** – N/A
- c. **Proposed Setbacks and Minimum Sizes for Individual Lots** – N/A
- d. **Impacts and Improvements to infrastructure** – Impacts/Improvements will be determined and mitigated during the development phases.
- e. **Proposed uses within pods** – N/A

5. Impacts to Public Facilities

- a. **Discussion of the impact on infrastructure...** - Facility/service demand calculations will be conducted, per code, at the development permitting phase. These will be used to analyze the project's impact to public infrastructure. If the proposed project generates 50 or more PM Peak Hour trips, then a traffic access analysis is required by the County as part of a development permit. A stormwater facility will be constructed to treat and attenuate stormwater. Impact fees are expected to address, if any, additional impacts of the development.
- b. **Discussion on any improvements proposed to the infrastructure to maintain and demonstrate adequate public facilities** – The impact of the development is expected to be minimal, as mitigating design features will be incorporated. Impact fees are expected to address, if any, additional impacts of the development.

6. Water and Sewer Services

- a. The Applicant plans to connect to existing public sewer and water facilities in the adjacent right of way. The Applicant will request commitment for service and will provide payment for connection fees and. The Applicant hereby acknowledges understanding of ordinance requirements and that the developer will comply with the



