

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: June 9, 2025  
Board of County Commissioners: August 5, 2025

**APPLICANT:** Alton B. Wingate

**FILE NUMBER:** H-25-05

**REQUEST:** Rezoning from AG (Agricultural) to PDP(GC) Planned Development Project (General Commercial) with a Special Exception Use for an Educational Facility with Deviations

**GENERAL LOCATION:** Northwest corner of Citrus Way and Ponce De Leon Boulevard

**PARCEL KEY NUMBER:** 332367

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### APPLICANT'S REQUEST

The petitioner is requesting a rezoning of the subject property from AG (Agricultural) to PDP(GC) Planned Development Project (General Commercial) with a Special Exception Use for an educational facility. The facility would serve K-8 grades, with a maximum enrollment of 30 students.

There are no proposed changes to the external building footprint. The petitioner is proposing interior cosmetic changes such as floor coverings, paint, and the addition of a privacy fence in the rear of the property.

### SITE CHARACTERISTICS

**Site Size:** 0.40 acres

**Surrounding Zoning & Land Uses:**

North: AG (Agriculture); Single Family  
South: AG (Agriculture); Undeveloped  
East: AG (Agriculture); Single Family  
West: PDP(GC) Planned Development Project (General Commercial with C2 use)

**Current Zoning:** AG (Agriculture)

**Future Land Use Map Designation:** Commercial

**ENVIRONMENTAL REVIEW**

The petitioner shall be required to comply with all applicable Southwest Florida Water Management District, Florida Fish and Wildlife Conservation Commission, and Florida Department of Environmental Protection permitting requirements at the time of commercial remodel permit application.

**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. HCUD has no objection to the zoning change from AG(Agriculture) to PDP(GC) Planned Development Project (General Commercial). HCUD also has no objection to the Special Exception for a small private school on parcel.

**Comment:** The parcel shall be subject to Health Department approval of any upgrades that may be required for the existing onsite sewage treatment and disposal system.

**ENGINEERING REVIEW:**

The subject property is located on the northwest corner of Citrus Way and Ponce De Leon Boulevard. The petitioner has indicated using the existing driveway to Citrus Way with no proposed changes. The County Engineering Department has reviewed the petitioner's request and provided the following comments:

- Provide the Trip Generation information to the Department of Public Works prior to the submission of the commercial remodel permit to determine the need for a Traffic Access Analysis.
- Citrus Way is a Collector Radway; therefore, as sidewalk is required.
- Improve driveway apron to commercial standards in accordance with the Hernando County Facility Design Guidelines.
- Driveway apron work in the right of way requires a Right of Way use permit.
- The petitioner must demonstrate access to the site park and parking. This shall be demonstrated in a revised master plan.
- US-98 (Ponce De Leon Boulevard) is with the jurisdiction of FDOT/Florida Dept. of Transportation. Access Management, Right-of-Way use, and Drainage permit(s) are required from FDOT/Florida Dept. of Transportation prior to the submission of the building remodel permit application to Hernando County.
- FDOT/Florida Dept. of Transportation may require a sidewalk along US-98 (Ponce De Leon). Confirmation with FDOT is required prior to the submission of the building remodel permit application to Hernando County.

**LAND USE REVIEW**

The petitioner proposes to convert the existing Cannery building to a private Educational Facility. The facility would serve K-8 grades with a maximum enrollment of 30 students. There are no proposed structural changes to the exterior of the building.

**Historic Preservation**

Staff has been in contact with the Florida Division of Historical Resources (FDHR) for the requirements regarding the proposed rezoning to the historic site. The finding is pending a response from FDHR.

**Building Setbacks**

Existing Commercial Building Setbacks:

- Front (Citrus Way): 52.4' (Deviation from 75')
- Side: 15.66' (Deviation from 20')
- Rear: 35'
- Side (US-98): 36.13' (Deviation from 125')

**Comments:** The existing building existed prior to current Land Development Regulations, therefore the exiting setbacks are being memorialized herein through deviations. The petitioner has indicated that there will be no changes to the building footprint through this rezoning.

**Buffers:**

The buffer shall consist of a minimum five-foot 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.

**Landscaping:**

The petitioner shall meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for required landscaping.

**Lighting:**

The petitioner has not indicated any provisions for lighting of the subject property. If approved, the petitioner shall meet the minimum requirements of county LDRs and shall provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring parcels.

**Parking:**

County Land Development Regulations (LDRs) require a minimum of 1.0 parking space per staff and three (3) spaces for visitor parking.

**Comment:** The petitioner shall meet the minimum parking requirements of the County LDRs.

**COMPREHENSIVE PLAN REVIEW**

The subject property is located within the Commercial Land use classification on the adopted Future Land Use Map.

**Future Land Use Map, 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 subject site is within an existing commercial future land use designation and directly fronts a major arterial roadway. The intended use is for an educational facility and is consistent with the Comprehensive Plan.

**FINDINGS OF FACT**

A rezoning from AG (Agricultural) to Planned Development Project (General Commercial) with a Special Exception for an educational facility with deviations is appropriate based on the following:

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 AG(Agricultural) to PDP(GC)/Planned Development Project (General Commercial) with a Special Exception for an Educational Facility with deviations and the following performance conditions:

1. The petitioner shall 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 provide a 5' buffer around the property abutting adjacent parcels to meet the requirements of current County LDRs
3. Minimum Commercial Building Setbacks:

Front (Citrus Way):	52.4'	(Deviation from 75')
Side:	15.66'	(Deviation from 20')
Rear:	35'	(No Deviation)
Side (US 98):	36.13'	(Deviation from 125')
4. The petitioner has not indicated that there shall be external security lighting. Should there be lighting, all onsite lighting shall provide full cutoff fixtures and retain all light on site to prevent any light spillage onto neighboring properties. Security lighting shall be shielded from the neighboring residential use.
5. The petitioner shall meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for required landscaping.
6. A Traffic analysis is required at the time of development. Any improvements identified by the Traffic Access Analysis shall be the responsibility of the developer.
7. A sidewalk is required along Citrus Way, which is a Collector Roadway.
8. Any driveway apron must be improved to meet County Commercial Driveway Standards.
9. Driveway apron work in the right-of-way requires a Right -of-Way use permit.
10. The petitioner shall demonstrate access to the site and parking

11. The petitioner shall coordinate with the Florida Department of Transportation and obtain all appropriate permits, including access management right of way use, and drainage, for US Highway 98 (Ponce De Leon Boulevard)
12. The petitioner shall coordinate with the Florida Department of Transportation for any sidewalk construction requirements along US-98 (Ponce De Leon Boulevard)
13. FDOT may require a sidewalk along US-98(Ponce De Leon Boulevard)
14. The petitioner shall be required to comply with all applicable Southwest Florida Water Management District, Florida Fish and Wildlife Conservation Commission, and Florida Department of Environmental Protection permitting requirements.
15. The parcel shall be subject to the Health Department approval of any upgrades that may be required for the existing onsite sewage treatment and disposal system.
16. The petitioner shall apply for a commercial remodel permit to include all site development requirements, prior to utilizing the site as a school.

**Planning and Zoning Commission:**

On June 9, 2025, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners recommend the petitioners request for a rezoning from AG(Agricultural) to PDP(GC)/Planned Development Project (General Commercial) with a Special Exception for an Educational Facility.

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