

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: September 9, 2024  
Board of County Commissioners: October 22, 2024

**APPLICANT:** Florida Tropics Realty, Inc.

**FILE NUMBER:** H-24-36

**REQUEST:** Rezoning from AG (Agricultural) to PDP(GC)/Planned Development Project (General Commercial) with Deviations

**GENERAL**

**LOCATION:** East of US HWY 19 (Commercial Way), approximately half a mile north of SR 50 (Cortez Blvd)

**PARCEL KEY NUMBER(S):** 654795

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### 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.*

### BOCC ACTION:

On October 22, 2024, the Board of County Commissioners voted 5-0 to adopt a Resolution approving the petitioner's request for a rezoning from AG(Agricultural) to PDP(GC)/Planned Development Project (General Commercial) 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 of the property, and complete all applicable development review processes.
2. The petitioner shall provide a 5' buffer around the property and a 10' buffer (deviation from 20') along Commercial Way (US Hwy 19).
3. Minimum Building Setbacks:

- North (Grand Park Drive): 25'
  - South: 20'
  - East: 35'
  - West (Commercial Way/US Hwy 19): 75' (Deviation from 125')
4. All onsite lighting must 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 provide a wildlife survey to include a gopher tortoise survey, prepared by a qualified professional prior to any development occurring on the property. Furthermore, copies of any required permits shall be provided prior to the issuance of development permits by Hernando County.
  6. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for required landscaping.
  7. 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.
  8. All driveways to the subject development shall meet County Commercial Driveway Standards.
  9. A Frontage Road is required for parcels along Commercial Way (US Hwy 19), this project shall have a reverse frontage road available in future.
  10. The Parking Spaces, Drive Aisles, signage and pavement markings shall meet Hernando County standards.
  11. The petitioner shall coordinate the proposed driveway location with the County Engineer.
  12. FDOT Access Management Permit shall be required. A FDOT drainage permit may also be required.
  13. The developer shall provide a utility capacity analysis at the time of development and connect to water and sewer at the time of vertical construction; otherwise, the development shall be required to obtain Health Department approval of an appropriate Onsite Sewage Treatment and Disposal System for the development.
  14. The petitioner shall provide a revised plan in compliance with all performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.