

HERNANDO COUNTY ZONING AMENDMENT PETITION

File No. H-22-87 Official Date Stamp:



Application to Change a Zoning Classification

Application request (check one):

- Rezoning [ ] Standard [ ] PDP
Master Plan [ ] New [x] Revised
PSFOD [ ] Communication Tower [ ] Other
PRINT OR TYPE ALL INFORMATION

Received stamp: DEC 07 2022, Planning Department, Hernando County, Florida

Date: 12/7/2022

APPLICANT NAME: Legacy WMD, LLC

Address: 20139 Bowman Road
City: Spring Hill State: FL Zip: 34610
Phone: 352-442-3409 Email: springhillwell@yahoo.com
Property owner's name: (if not the applicant)

REPRESENTATIVE/CONTACT NAME: Alan K. Garman

Company Name: ProCivil360, LLC
Address: 12 South Main Street
City: Brooksville State: FL Zip: 34601
Phone: 352-593-4255 Email: permitting@procivil360.com

HOME OWNERS ASSOCIATION: [ ] Yes [x] No (if applicable provide name)

Contact Name:
Address: City: State: Zip:

PROPERTY INFORMATION:

- 1. PARCEL(S) KEY NUMBER(S): 1725388, 1725397, 1725404, 1725413, 1725422
2. SECTION 10, TOWNSHIP 23, RANGE 18
3. Current zoning classification: PDP (SF)
4. Desired zoning classification: same
5. Size of area covered by application: 20 ac
6. Highway and street boundaries: Zeth Court (South), San Antonio Road (North)
7. Has a public hearing been held on this property within the past twelve months? [ ] Yes [x] No
8. Will expert witness(es) be utilized during the public hearings? [ ] Yes [x] No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? [ ] Yes [x] No (Time needed: )

PROPERTY OWNER AFFIDIVAT

I, Tracey Kuka, 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
[x] I am the owner of the property and am authorizing (applicant): ProCivil360, LLC
and (representative, if applicable): ProCivil360, LLC
to submit an application for the described property.

Signature of Property Owner: Tracey Kuka

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 7th day of December, 2022, by Tracey Kuka who is personally known to me or produced FL DL as identification.

Signature of Notary Public: Lida Urigo



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

PRINT FORM

CLEAR FORM

Notary Seal/Stamp

## ZONING NARRATIVE

(Revised 1/13/23)

FOR

### SILVER FALLS MASTER PLAN REVISION

Received

JAN 13 2023

Planning Department  
Hernando County, Florida

This is an existing development in Hernando County. It lies south of San Antonio Road, north of Zeth Court, west of Barclay Ave., and east of Sterling Hills. It is located in Section 10, Township 23S, Range 18 E, Hernando County, Florida.

The development was constructed in 2010-2011, but the platted lots have remained vacant, under one ownership since that time. No homes have been built. Other amenities have been developed in the common areas. The retention area / park has a very nice waterfall and gazebo for family outings. The entrance is secure and heavily landscaped. The previous family ownership used this as a retreat of sorts.

A different family has purchased the development and seek to begin building their homes and additional private amenities. This application is not for any re-zoning of the land; it is only to revise the master plan in terms of buffers and setbacks.

The existing zoning is PDP Res. **Once again, there is no proposed change to the zoning.** This PDP classification entitled the developer/owner at the time to control his internal setbacks with the previous master plan, but not the perimeter setbacks. The internal setbacks were 50' from the street rights-of-way and 20' side lines. These will remain the same with this revised master plan. Perimeter setbacks are shown on the master plan. These as well will remain unchanged.

South (Zeth Court)	50'
North (San Antonio Road)	50'
West (Sterling Hill)	20'
East (Unplatted AG land)	35'

The proposed revisions are clouded on the submitted master plan. The changes are with the buffers and restricted access easements placed on the plat. PDP regulations call for a minimum of a five (5) foot buffer around the perimeter of the Project. We do not remember the reasoning for the extensive buffers on this project, but would like to change those to the 5' buffers.

As previously stated, the development has been there quite awhile. The perimeter areas have been allowed to grow over those years. To the **west** is residential, and a large common area. There should be no need for an extensive buffer against the west side, since both uses are residential.

To the **east** is unplatted AG land with a Res land use. With the way our County is growing, that AG zoning should not be expected to last long. Someone will want to construct homes there, which would be a similar land use as this development. We have however, maintained the

thirty five (35) foot setback from the east boundary. Once again, this vegetation has been allowed to regenerate since the construction of the development. A five (5) foot buffer should be sufficient to meet the opacity requirements.

Buffers against Zeth Court and San Antonio Road were previously approved as twenty(20) foot buffers. We desire to revise both to five(5) feet which meets the PDP code and will still serve as the restricted access easement.

**Restricted Access Easements:** While thinking this was a good idea in the development of the original project, the idea of this easement on the north side against San Antonio Road needs some re-thinking. Since access to Lots 3 and 4 is through an access easement, it is small. What we are proposing is to maintain this easement, with a five(5) foot width instead of twenty(20) feet. The master plan would carry a caveat which allows the owner of that specific lot to access San Antonio Road with the proper County right-of-way use permit. The location of such cannot be defined on the master plan but should be allowed for personal use. The future owners of these lots may have larger vehicles such as boats or RV's which they may want to bring in through the rear of their proposed homes. This would provide that opportunity. The entire north line is 666' more or less. Allowing access for each of these lots should not impede any traffic on San Antonio; especially since it is for personal use only. The remainder of the development, the other three lots, will not be utilizing those driveway connections.

The restricted access easement along Zeth Court, would remain as is, with the exception it would only be five (5) feet in width instead of twenty(20) feet. The new Owners would like everyone to access the development through the gate, so this should work just fine. As stated previously, the entrance is heavily landscaped. There is no need for the twenty-foot buffer in this area.

**Summary: We would like to:**

1. Reduce all perimeter buffers to meet County code
2. Reduce the restrictive access easement along Zeth Court from 20' to 5'
3. Reduce the landscape buffer along Zeth Court from 20' to 5'
4. Reduce the restrictive access easement along San Antonio from 20' to 5'
5. Reduce the landscape buffer along San Antonio from 20' to 5'
6. Allow two access points to San Antonio for Lots 3 and 4 exclusively.