

HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):

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

Date: 05/24/2022

File No. H11AA Official Date Stamp:
Received
JUN 01 2022
Planning Department
Hernando County, Florida

APPLICANT NAME: Continental 682 Fund LLC

Address: W134 N8675 Executive Pkwy
City: Menomonee Falls State: WI Zip: 53051
Phone: 262-532-9352 Email:
Property owner's name: (if not the applicant)

REPRESENTATIVE/CONTACT NAME: Gwyn Wheeler

Company Name: Continental Properties Company
Address: W134 N8675 Executive Pkwy
City: Menomonee Falls State: WI Zip: 53051
Phone: 262-532-9352 Email: gwheeler@cproperties.com

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

Contact Name:
Address: City: State: Zip:

PROPERTY INFORMATION:

- 1. PARCEL(S) KEY NUMBER(S): 1664434
2. SECTION 35, TOWNSHIP 23S, RANGE 18E
3. Current zoning classification: PDP
4. Desired zoning classification: PDP
5. Size of area covered by application: 35 +/- acres
6. Highway and street boundaries: Suncoast Parkway and Trillium Blvd
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 AFFIDAVIT

I, Gwyn Wheeler, 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):

- [x] I am the owner of the property and am making this application OR
[] I am the owner of the property and am authorizing (applicant):

and (representative, if applicable): Continental 620 Fund LLC, BY: Continental Properties Company, Inc.

BY:

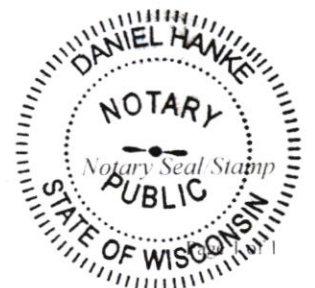
Signature of Property Owner

STATE OF FLORIDA WISCONSIN
COUNTY OF HERNANDO WAUKESHA

The foregoing instrument was acknowledged before me this 26th day of May, 2022, by who is personally known to me or produced as identification.

Daniel Hanke
Signature of Notary Public Daniel Hanke

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

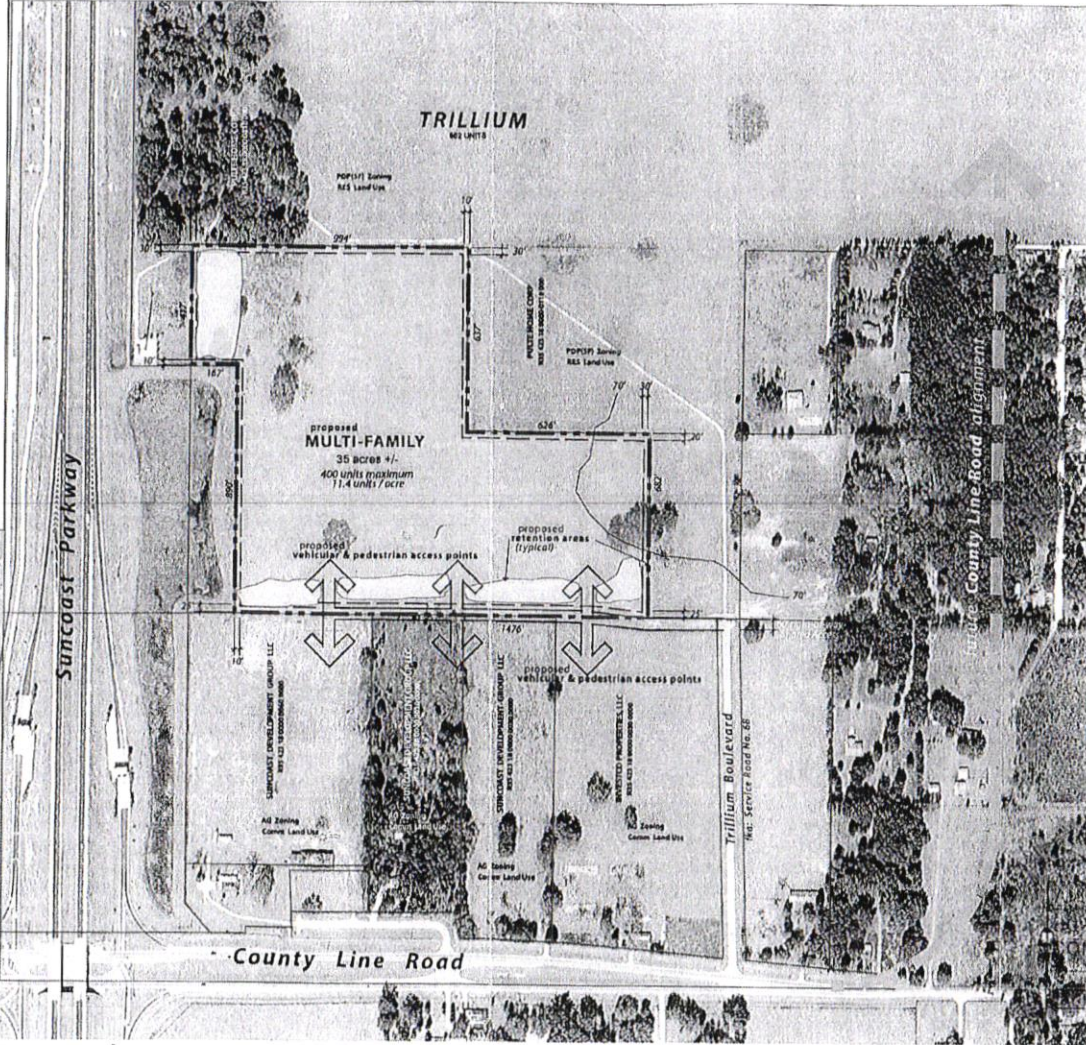


DDC ACTION:

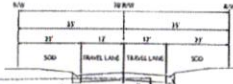
The Board of County Commissioners vote 4-1 to adopt Resolution 2005-087 approving the petitioner's request to waive from Agricultural to PDP (pdp) Planned Development Project (PDP) zoning with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and meet all applicable land development regulations for either construction or use of the property and complete all applicable development review processes.
2. The housing products are approved as follows:
Single story multi-unit buildings
2-3 story multi-unit buildings
3. The housing products shall be grouped together in pods.
4. Perimeter setbacks are as follows:
From the Parkway: 80'
From the north: 30'
From the south: 30'
From the east: 30'
From the west: 10'
5. If two- or three-story buildings are constructed along property lines adjacent to single family, there shall be a 20' landscaped buffer with a 6' solid wall or fence, and trees planted one every 25'. Single story buildings are constructed, only the landscape buffer will be required.
6. The development shall be served by central water and sewer.
7. The petitioner shall enter into a developer's agreement which will require them to pay their proportionate fair share of all infrastructure improvements to mitigate impacts associated with development of the project.
8. Prior to any development on the site, the petitioner shall be required to prepare an unincorporated access plan analyzing the roadway capacity needed and the network required to serve the site. Additionally, the plan will include the street and access management relating to the adjacent commercial/office development, as well as the pedestrian facilities through this site and interconnecting to the commercial/office.
9. The petitioner shall work with the county to design their access so that it can be aligned with the future County Line Road.
10. The petitioner shall provide a revised plan in compliance with all of the performance conditions within 30 calendar days of DDC approval. A \$200.00 late submission fee will be required in the event the plan is not submitted within the specified time frame. Failure to submit the revised plan within 30 business days from DDC approval will result in the zoning becoming null and void.
11. The petitioner shall provide a roadway with a minimum 60' R/W as required by the County Engineer, constructed to County standards, between this project and the commercial project to the south.
12. A maximum of 400 multi-family dwelling units are allowed.

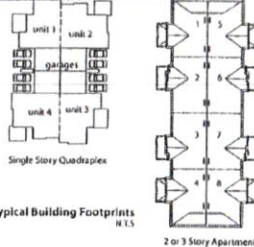
NOTE: ALL DDC ACTION ITEMS MUST BE COMPLETED WITHIN THE SPECIFIED TIME FRAME. APPROVAL MUST BE CONSISTENT WITH THE APPROVED MASTER PLAN, DEVELOPER'S NARRATIVE, DEVELOPER'S REPRESENTATIONS ON THE RECORD, AND THE APPROVAL, CONDITIONS BY THE DDC.



LEGAL DESCRIPTION:
EAST 1/2 OF NORTHWEST 1/4 OF SOUTHWEST 1/4 AND WEST 1/2 OF WEST 1/2 OF NORTHWEST 1/4 OF SOUTHWEST 1/4 AND EAST 1/2 OF SOUTHWEST 1/4 OF NORTHWEST 1/4 AND WEST 1/2 OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF NORTHWEST 1/4 OF SOUTHWEST 1/4, SECTION 35, TOWNSHIP 23S RANGE 18E.



Received
Typical Road Cross-Section
NOV 01 2005
Hernando County
Planning Department



GENERAL NOTES

1. This Master Development Plan relies upon publicly available data for information regarding project boundary, watersheds, topography, adjacent zoning and land use, roadway locations and adjacent property owners.
2. This Master Development Plan illustrates anticipated shared access points along proposed east-west road and expected building types, both of which are subject to change. Detailed building layout, parking, internal project circulation, landscaping, etc. will be provided on future site plan submissions.
3. This Master Development Plan has been prepared in cooperation with development of the adjacent southern parcels to better coordinate site plans for the northern quadrant of a General Commercial Node as defined by the Hernando County Comprehensive Ordinance.

REVISED MASTER PLAN
HEARING DATE: 10-12-05
COMMENTS:

See PD-514 for specific conditions of approval
FILED BY: cam
NOV 10 2005



designed	dlc	the signature of the county engineer, either in this space or on a separate sheet, indicates that all required permits have been obtained and that construction is authorized as shown.
drawn	gh/lls	
checked	cl	
date		

FLORIDA DESIGN CONSULTANTS, INC.
Engineers, Environmentalists, Surveyors & Planners

prepared for:
Michael Cavalaris
Investco Properties, LLC
P.O. Box 612
Palm Harbor, FL 34682

sheet description:
The Crossings at Trillium
Master Development Plan

NOV 10 2005	2005-0039
job number	1
sheet	1
DATE	08/01/05

job number	2005-0039	sheet	1
DATE	08/01/05	of	1

*Revised Site***RESOLUTION NUMBER 2005-287**

WHEREAS, Hernando County has adopted zoning regulations pursuant to Chapter 163 and Section 125.01(1), *Fla. Stat.*, which authorize the County to regulate the use of land in the unincorporated areas of Hernando County, Florida, and take action on the request herein; and,

WHEREAS, the Hernando County Board of County Commissioners (BOCC) conducted a duly advertised public hearing on October 12, 2005, to consider the requested changes in zoning on the specified parcel(s) in Hernando County, Florida, as more fully described below.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA AS FOLLOWS:

APPLICANT: Michael Cavalaris (FKA Terry E. Whaley, Sr.) **FILE NUMBER:** H-05-91

PURPOSE: Rezoning from (AG) Agricultural to PDP(MF)/Planned Development Project (Multifamily).

GENERAL

LOCATION: Approximately 1,200' north of County Line Road, east side of Suncoast Parkway.

LEGAL

DESCRIPTION: A portion of Section 35, Township 23 South, Range 18 East, Hernando County, FL (legal description is lengthy; on file in the Planning Department).

REQUEST: Rezoning from (AG) Agricultural to PDP(MF)/Planned Development Project (Multifamily); and subject to performance condition(s) as enumerated in the BOCC Meeting Results Memorandum (which is incorporated herein by reference and made a part hereof). The representations contained in the Applicant's rezoning application are incorporated herein by reference and made a part hereof and are relied upon by the County to be true and correct. For purposes herein, it is presumed that all requisite notice and advertising requirements have been satisfied.

**FINDINGS
OF FACT:**

ALL of the facts and conditions set forth in the County's staff memoranda and presented to the BOCC in connection with the public hearing in this matter are incorporated herein by reference and made a material part of this Resolution as integral to the BOCC's action. The BOCC finds that the testimony and record supporting approval of the request to be credible and to constitute competent substantial evidence. In further support thereof, the BOCC makes the following specific findings of fact:

1. Approval of the rezoning to PDP(MF), not to exceed the intensity proposed, would be compatible with the surrounding neighborhood with performance conditions.
2. The transportation impacts resulting from rezoning the subject property as approved herein will require off-site transportation improvements and mitigation acceptable to the County as a prerequisite for development to proceed; or development shall wait until transportation concurrency is available along the affected corridor. The failure of the parties to agree on the off-site transportation improvements and mitigation, absent the availability of transportation concurrency, will cause the County to withhold subsequent development approvals including, but not limited to, the issuance of building permits.
3. Based upon the foregoing, the proposed rezoning would be consistent with the County's adopted Comprehensive Plan subject to compliance with all performance conditions herein.

CONCLUSIONS OF LAW:

The BOCC is authorized to act on this matter pursuant to Chapters 125 and 163, *Fla. Stat.* Accordingly, after public hearing and testimony, being fully advised in the record, and based upon competent substantial evidence, the BOCC makes the following specific conclusions of law:


1. The proposed rezoning is consistent with the County's adopted Comprehensive Plan subject to compliance with all performance conditions set forth in the BOCC Meeting Results Memorandum.

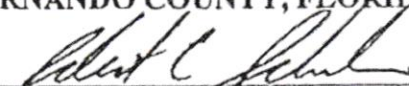
ACTION:

After notice and public hearing, based upon the record in this matter and ALL of the findings of fact and conclusions of law above, the BOCC hereby APPROVES the Rezoning from (AG) Agricultural to PDP(MF)/Planned Development Project (Multifamily); subject to all conditions set forth in the BOCC Meeting Results Memorandum which is incorporated herein by reference and made a part hereof. Any requests, uses, variances or exceptions not specifically approved herein are hereby deemed DENIED.

ADOPTED IN REGULAR SESSION THE 12th DAY OF OCTOBER, 2005

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest: 
KAREN NICOLAI

By: 
**ROBERT C. SCHENCK
CHAIRMAN**

(SEAL)

R:\RESOLUTIONS\whalb914res

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY