

HERNANDO COUNTY ZONING AMENDMENT PETITION



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: 05/24/2022

File No. 1411A 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 ☒ 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 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):

☒ 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):

to submit an application for the described property.

Continental 682 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, 20 22, 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



*Und. 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.

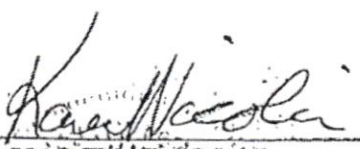
ACTION:

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.

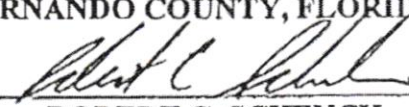
ADOPTED IN REGULAR SESSION THE 12th DAY OF OCTOBER, 2005

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

Attest:


KAREN NICOLAI

By:


ROBERT C. SCHENCK
CHAIRMAN

(SEAL)

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APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

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