

# 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: 09/30/2022

File No. 42216 Official Date Stamp:

**Received**

**OCT 06 2022**

Planning Department  
Hernando County, Florida

**APPLICANT NAME:** Oak Development Group LLC

Address: 1025 58th Street North

City: St. Petersburg State: FL Zip: 33703

Phone: (727) 560-7827 Email: CASEY@OAKDG.COM

Property owner's name: (if not the applicant) Lesa Bruger, Trustee

**REPRESENTATIVE/CONTACT NAME:** Jacob T. Cremer & Cynthia D. Spidell

Company Name: Stearns Weaver Miller

Address: PO Box 3299

City: Tampa State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: (813)223-4800 Email: jcremer@stearnsweaver.com, cspidell@stearnsweaver.com &

ewalden@stearnsweaver.com

**HOME OWNERS ASSOCIATION:**  Yes  No (if applicable provide name) \_\_\_\_\_

Contact Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

### PROPERTY INFORMATION:

1. PARCEL(S) **KEY** NUMBER(S): 00344657

2. SECTION 20, TOWNSHIP 22 South, RANGE 18 East

3. Current zoning classification: AG

4. Desired zoning classification: PDP (SF) and PDP (SU)

5. Size of area covered by application: 40.4 Acres

6. Highway and street boundaries: Southwest corner of Seely Land and Quivira Road

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: TBD)

### PROPERTY OWNER AFFIDIVAT

I, Lesa Bruger, Trustee, 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**

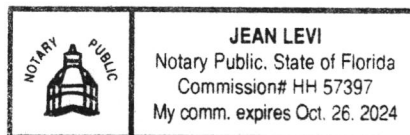
I am the owner of the property and am authorizing (applicant): Oak Development Group LLC  
and (representative, if applicable): Jacob T. Cremer and Cynthia D. Spidell - Stearns Weaver Miller  
to submit an application for the described property.

Lesa Bruger, trustee  
Signature of Property Owner  
LESA BRUGER, Trustee

### STATE OF FLORIDA COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 5 day of October, 2022, by \_\_\_\_\_ who is personally known to me or produced DL as identification.

Jean Levi  
Signature of Notary Public



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

Notary Seal/Stamp

# REZONING APPLICATION NARRATIVE

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## BRUGER PROPERTY OAK DEVELOPMENT GROUP, LLC

**Submitted by:**

**Jacob T. Cremer, Esquire  
Cynthia D. Spidell, AICP  
Stearns Weaver Miller  
401 East Jackson Street, Suite 2100  
Tampa, Florida 33602  
(813) 222-5051**

*Original Submittal: October 5, 2022*

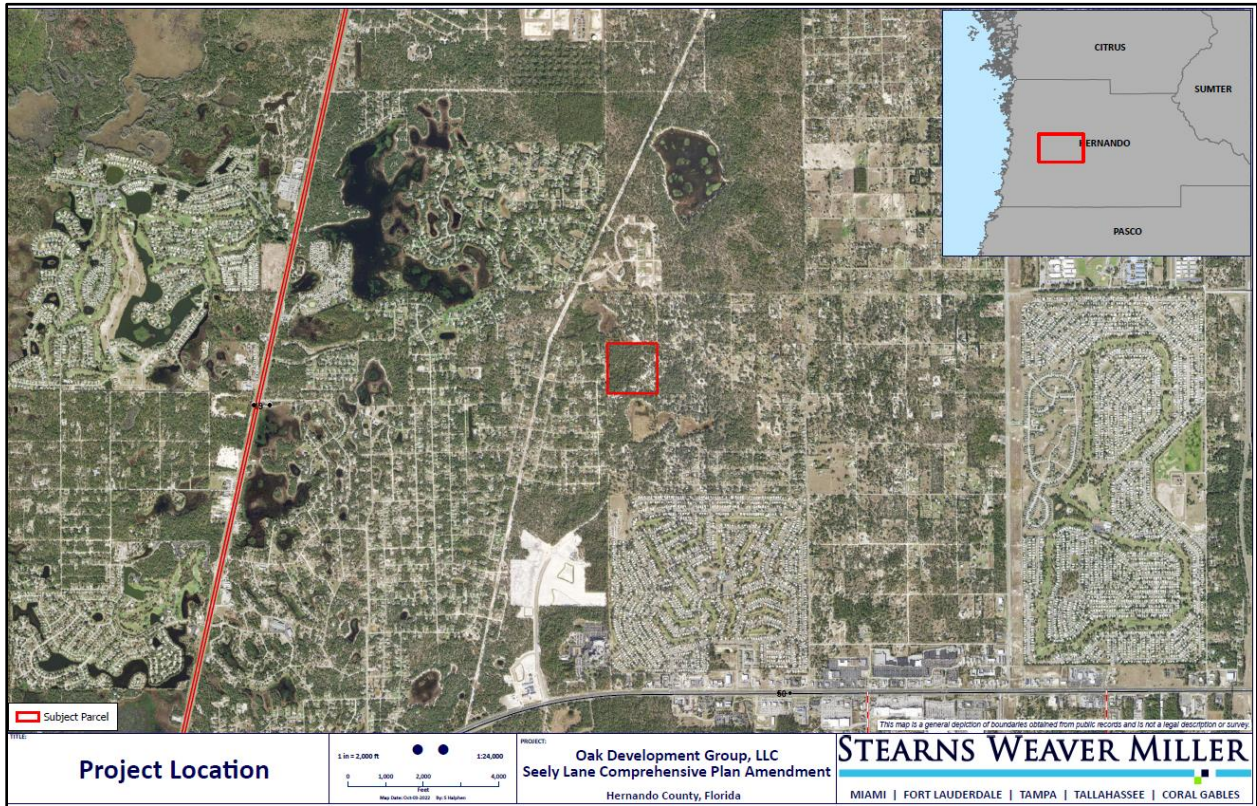
*REVISED: December 14, 2022*

**JUSTIFICATION REPORT**  
**PINE CONE REZONING FROM AG to PDP-SF & PDP-SU**

**I. Proposal**

**a. Statement of Proposed Land Use & Acreage.**

This rezoning application proposes to change the zoning from the Agricultural District (AG) to Planned Development - Single Family (PDP-SF) on approximately 40.4 acres on parcel key no. 00344657 (the “**Property**”) (**Exhibit A – Location Map**). This rezoning is in conjunction with a corresponding small scale comprehensive plan application for the Property. It should be noted that the area that is allocated to the existing cell tower as depicted on the Master Plan and attached boundary survey shall remain but is being included with this rezoning in order to maintain the option to remove the tower and develop as single family residential in accordance with the applicable conditions and site development standards shown on the Master Plan. The area subject to this rezoning is located on the south side of Seely Lane as set forth below:



**b. Statement of Density Level of Residential Uses.**

This rezoning proposes a maximum of 162 single family residential units on 40.4 acres for a gross density of 4.00 dwelling unit/gross acre. It should be noted that this gross density also includes the area that is currently shown as a communication tower. This rezoning also proposes a neighborhood park of 2.19 acres which is just above the 2.12 required per the County’s land development regulations (LDR’s) pursuant to Code of Ordinance Section 26-75. Pursuant to such LDR’s, the amount of acreage required is one (1) acre for the first fifty (50) units plus 1/100<sup>th</sup> of an acre for each dwelling unit over fifty (50) up to 250 dwelling units for a maximum of 3 acres. As this rezoning seeks 162 dwelling units, the calculation is as follows:

<b>Dwelling Units</b>	<b>Acreage</b>
First 50/162	1 acre
Next 112/162	1.12 acre
<b>Minimum Park Acreage:</b>	<b>2.12 acres</b>

The neighborhood park has been creatively located in the area between the residences and the communication tower to maximize its use as a buffer.

**c. Statement of Proposed Square Footage of Development and Building Heights of Commercial Uses**

No commercial uses are proposed. The single family residential lot layout and dimensional standards are located on the Master Plan (**Exhibit B**). It should be noted that there are only two minimum lot sizes proposed which are:

- 50’ width x 110’ length (50x110=5,500 total lot size)
- 70’ width x 110’ length (70x110=7,700 total lot size)

**d. Statement of Proposed Deviations from Code.**

The proposed rezoning is to PDP-SF with specific standards unique to this development. The proposed standards deviation from the Euclidian standards for the R1-A zoning district in the following ways:

<b>LDC Section</b>	<b>Description</b>	<b>LDC Requirement</b>	<b>Proposed Amount</b>	<b>Requested Deviation</b>
LDC App. A, Art. IV, Sec. 2, C: R-1A Residential District	Minimum Lot Area	6,000 square feet	5,500* square feet	(500) square feet
LDC App. A, Art. IV, Sec. 2, C: R-1A Residential District	Minimum Lot Width	60 feet	50* feet	(10) feet

LDC App. A, Art. IV, Sec. 2, C: R-1A Residential District	Minimum Front Yard	25 feet	20 feet	(5) feet
LDC App. A, Art. IV, Sec. 2, C: R-1A Residential District	Minimum Side Yard	10 feet	5 feet	(5) feet
LDC App. A, Art II, Sec. 3, General regulations for lots and yards	Double frontage and corner lots shall meet front yard regulations on all adjacent streets	2 Fronts	Request to have only one front: 20 feet on primary front yard and 10 feet on secondary front yard.	(15) feet for secondary front yard
*Note: Represents minimum requested for 50-foot lots which are restricted as to location per the Master Plan. Perimeter lots shall be a minimum of 70 feet wide with the exception of one small area along the eastern boundary south of the neighborhood park.				

The R1-A Euclidean zoning district is designed primarily to permit the continued development of established residential areas which include a mixture of conventional single family dwellings and mobile homes and is therefore, not intended to be utilized extensively for future development.. *See* App. A, Article IV, Sec. 1(3). The proposed density is 4 du/ga (162 units/40.4 acres). Clustering density to provide perimeter buffers, wider entrances at the access points to accommodate treed boulevards, and neighborhood parks, all require smaller lots and reduced setbacks. However, the proposed PDP(SF) is appropriately buffered and screened to ensure compatibility with the surrounding neighborhoods.

As described in section III.B below, a 20’ landscape buffer has been shown on the Master Plan along the perimeter of the residential portion of the project. Additionally, the 70’ lots are shown along the perimeter with the exception of one small area.

This development is located in the adjusted urbanized area and will allow for an efficient use of public facilities and services.

## II. Site Characteristics

- a. **Site Size:** The site subject to this rezoning per the attached Sketch & Description is 40.4) (**Exhibit C**)
- b. **Existing Land uses and their specific acreage:** N/A. the lot is currently vacant:



- c. **Known activities or uses on-site:** There are no known activities or uses currently on the site.

## III. Environmental Considerations.

Environmental considerations such as flood zone, drainage features, and water features have been noted on the Master Plan as applicable. An environmental assessment was conducted for the site (**Exhibit D**). The applicant will follow the recommendations outlined in the report and will comply with all applicable environmental permitting regulations.

## Site Plan Discussion.

- a. **Description of the concept of the development plan.**  
As can be seen on the attached Master Plan, the County's latest development guidelines have been incorporated into the design. Larger lots have been strategically placed along the perimeter and the 50' lots are interior.

b. **Proposed buffer sizes and separation widths between proposed land uses.**

A 20' landscape perimeter buffer has been shown on the Master Plan along the residential portion of the project. Additionally, as depicted on the Master Plan, the applicant/developer is committed to placing larger lots (minimum 70' wide) along the perimeter with the exception of a few lots just south of the neighborhood park. It should be noted that the stormwater pond locations and neighborhood park are proposed to be strategically located around the outer portions of the project to maximize perimeter buffering opportunities.

c. **Proposed setbacks and minimum sizes for individual lots.**

The master plan contains the various lot sizes proposed for the project and includes all applicable setbacks on the lot layout.

d. **Proposed uses within pods.**

This rezoning proposes single family residential and a potential recreational amenity center within the neighborhood park.

**IV. Public Facilities Impact Analysis.**

- a. **Water & Wastewater Analysis.** The following charts outline the potential impacts on water and wastewater:

Potable Water Impacts	
Zoning District	Proposed Density EDU
Planned Development - Single Family*	167
Average Daily Demand	65,130 gallons per day
Maximum Daily Demand	97,695 gallons per day (67.8 gallons per minute)
Required Fire Flow	1000 gallons per minute
Required Fire Flow + Maximum Daily Demand	1067.8 gallons per minute
<p>*Analysis based on PDP (Single Family) Zoning District of 167 equivalent dwelling units as the Zoning Application to be considered concurrently with the CPAS application. (167 EDU = 162 single family homes + Amenity Center assumed @ 5 homes)</p>	
Sanitary Sewer Impacts	
Average Daily Flow	33,400 gallons per day
Peak Hourly Flow	69.58 gallons per minute

- b. **Schools.** School concurrency applies to residential development and thus shall apply to this project. The applicant will work with the school board to complete a school capacity application and shall comply with applicable school concurrency requirements in conjunction with development of the property.
- c. **Parks.** In accordance with Strategy 7.01B(4) of the Hernando County Comprehensive Plan, a project in excess of 1000 new residential units will require an analysis of the proximity and accessibility of a district or community park by the proposed development to determine whether additional facilities are needed. As this project is a maximum of 162 dwelling units, an additional park analysis is not required.

**V. Water and Sewer Services.**

It is understood that the county subdivision regulations require the dedication of sewer and water systems to the County. It is also understood that such regulations provide



for obtaining water and sewer service from the county, payment of connection fees, and commitments for service.

As part of the zoning and permitting process, the applicant will work with the County and enter into applicable water and sewer agreements. It is also acknowledged that the developer must request water and sewer service from the County.

**VI. Senior, Age-Restricted or Affordable Housing.**

N/A. None of these items are proposed.

**Exhibit List**

*Listed here but attached to the initial narrative submittal*

Exhibit A – Location Map

Exhibit B – Master Plan

Exhibit C – Boundary Survey

Exhibit D – Environmental Assessment