

STAFF REPORT

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

APPLICANT: Salon Halo on behalf of Viking Realty. Inc

FILE NUMBER: H-24-37

REQUEST: Rezoning from PDP(SF)/Planned Development Project (Single family) to PDP(OP)/Planned Development Project (Office Professional)

GENERAL LOCATION: Northside of Spring Hill Drive between Ainsworth Avenue and Comerwood Drive

PARCEL KEY NUMBER(S): 450988

APPLICANT'S REQUEST

The petitioner is requesting a rezoning from PDP(SF)/Planned Development Project (Single Family) to PDP(OP)/Planned Development Project (Office Professional) in order to utilize an existing 4,595 square foot home for a personal service establishment. The home will be renovated to accommodate a Hair Salon and related personal service activities. Parking is proposed along the east side of the property with entrance access from Ainsworth Avenue and exit from Comerwood Drive. No Deviations are being requested.

SITE CHARACTERISTICS

Site Size: 0.57 acres

**Surrounding Zoning;
Land Uses:** North: PDP(SF); Single Family
South: PDP(SF); Single Family
East: PDP(SU); Place of Public Assembly
West: PDP(SF); Single Family

Current Zoning: PDP(SF)/Planned Development Project (Single Family)

**Future Land Use
Map Designation:** Residential

UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) currently provides water service to this parcel. Sewer service is not available to this parcel. HCUD has no objection to the request, subject to the Health Department approval of an appropriate new Onsite Sewage Treatment and Disposal System for the project.

Comments: Water service will need to convert to a commercial account, to include a backflow prevention assembly, once remodel is complete.

ENGINEERING REVIEW

The subject site is located on the Northside of Spring Hill Drive between Ainsworth Avenue and Comerwood Drive. The petitioner is proposing access from Comerwood Drive with a 12' one way drive isle circling the front of the building for exit on to Ainsworth Avenue. The County Engineer has reviewed the petitioner's request and provided the following comments: The Driveway Connections will need to meet Hernando County standards.

- The parking spaces, drive aisles, signage and pavement markings will need to meet Hernando County standards.
- Widen the sidewalk along the proposed driveway to 6-feet per Florida Greenbook.
- Improve the driveway at Comerwood Drive to Commercial standards. Refer to Hernando County Facility Design Guideline IV-25
- Demonstrate traffic operations of the circular drive.

LAND USE REVIEW

Existing Building Setbacks

| | |
|-----------------------------|--------|
| North (Residential): | 17.70' |
| South (Spring Hill Drive): | 25' |
| East (Comerwood Drive): | 96.6' |
| West (Ainsworth Avenue): | 44.8' |

Screening

The petitioner has an existing 6' vinyl fence, and 5' vegetative buffer along parking lot on the northside of the property line.

Parking

The petitioner is proposing parking along the east side of the property with the main access from Comerwood Drive. The site is expected to generate less than 16 peak hour trips based on the presented use. The petitioner proposes 20 parking spaces including the required handicapped parking space which meets the required parking space for the use.

COMPREHENSIVE PLAN REVIEW

The subject property is located within the Residential land use classification on the adopted Future Land Use Map. The area is characterized by residential and commercial uses. Office Professional uses are permitted in the Residential land use designation.

Residential Category

Objective 1.04B: The Residential Category allows primarily single-family, duplex, resort, and multi-family housing and associated

ancillary uses such as recreational and institutional, office and certain commercial uses may be allowed subject to the locational criteria and performance standards of this Plan. Residential density shall not exceed 22 dwelling units per gross acre.

Strategy 1.04B(1): Commercial and institutional uses within the Residential Category are generally associated with medium and high-density residential development and may include neighborhood commercial, office professional, recreational, schools, and hospitals. Minor public facilities that do not unduly disturb the peaceful enjoyment of residential uses may also be allowed.

Comment: The proposed office professional use is permitted in the Residential land use designation and is appropriate at this location subject to appropriate performance conditions.

FINDING OF FACTS

Rezoning from PDP(SF)/Planned Development Project (Single family) to PDP(OP)/Planned Development Project (Office Professional) is appropriate based on the following

The proposed use is consistent with the County's adopted Comprehensive Plan and compatible with the surrounding area subject to appropriate performance conditions.

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.

STAFF RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from PDP(SF)/Planned Development Project (Single family) to PDP(OP)/Planned Development Project (Office Professional) with the following 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. Minimum Building Setbacks
 - North: 17.70'
 - South (Spring Hill Drive): 25'
 - East (Comerwood Drive) 96.6'
 - West (Ainsworth Avenue): 44
3. The petitioner shall meet the minimum commercial buffer requirements of the County's LDRs.
4. All lighting shall be full cut-off fixtures to prevent any light spillage into neighboring parcels.
5. The parking spaces, drive aisles, signage and pavement markings will need to meet Hernando County standards
6. The petitioner shall increase the width of the sidewalk along the proposed driveway to 6 feet per Florida Greenbook.
7. The petitioner shall improve the driveway at Comerwood Drive to Commercial standards. Refer to Hernando County Facility Design Guideline IV-25
8. The petitioner shall demonstrate traffic operations of the circular drive.
9. The petitioner shall obtain Health Department approval for an appropriate new Onsite Sewage Treatment and Disposal System for the project. Shall be required.
10. Water service shall be required to convert to a commercial account, to include a backflow prevention assembly, once remodel is complete.
11. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for required plantings and buffers, as applicable.
12. A comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified professional at the construction plan stage of development. The petitioner is required to comply with all applicable FWC regulations and permitting.
13. The petitioner shall provide a revised plan in compliance with all of the performance conditions within thirty (30) calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

PLANNING AND ZONING RECOMMENDATION

At their regular meeting on September 9, 2024, the Planning and Zoning Commission voted 4-1 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from PDP(SF)/ Planned Development Project (Single family) to PDP(OP)/ Planned Development Project (Office Professional) with the following **modified** 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. Minimum Building Setbacks
 - North: 17.70'
 - South (Spring Hill Drive): 25'
 - ~~WEST~~ East (Comerwood Drive): 96.6'
 - ~~EAST~~ West (Ainsworth Avenue): 44'
3. The petitioner shall meet the minimum commercial buffer requirements of the County's LDRs.
4. All lighting shall be full cut-off fixtures to prevent any light spillage into neighboring parcels.
5. The parking spaces, drive aisles, signage and pavement markings will need to meet Hernando County standards
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