



# Hernando County

## Planning & Zoning Commission

### Regular Meeting

### Minutes

---

March 10, 2025

---

### CALL TO ORDER

The public meeting was called to order at 9:10 AM on Monday, March 10, 2025, in the John Law Ayers Room, Government Center, Brooksville, Florida. This meeting was advertised in the Hernando Sun newspaper and the Agenda Packet was available online at [www.hernandocounty.us](http://www.hernandocounty.us).

<b><u>Attendee Name</u></b>	<b><u>Title</u></b>
Kathryn Birren	Chairwoman
Axl David	Vice Chairman
Nicholas Holmes	Regular Member
Jonathan McDonald	Regular Member
Justin Noe	Regular Member
Mike Fulford	Alternate Member, Non Voting
James Lipsey	Ex Officio Non Voting Member (School District Representative)
Victoria Anderson	Assistant County Attorney
Omar DePablo	Development Services Director
Kay Griffith	Planning Manager
Michelle Miller	Planner III
Scott Herring	Public Works Director/County Engineer
Scott Rimby	Utilities Development Services Supervisor
Danielle Nigro	Agenda Coordinator

### Invocation

### Pledge of Allegiance

### Poll Commission for Ex Parte Communications

Member David and Alternate Member Fulford announced that they had had no ex parte communications concerning the quasi-judicial petitions being considered at this meeting.

Chairwoman Birren and Members Holmes, McDonald, and Noe announced they had had ex parte communications concerning the quasi-judicial petitions being considered at this meeting.

### County Attorney Statement

Assistant County Attorney Anderson provided the standard admonition that the Planning and Zoning Commission decisions were to be based only on the evidence presented in the quasi-judicial proceedings.

**Administering of the Oath****STAFF ANNOUNCEMENTS**

Development Services Director Omar DePablo announced that Agenda Item No. 15607 [Rezoning Petition Submitted by Hemchan Rohit and Khamella Rohit (H2480)] had been requested to be postponed by staff.

**Rezoning Petition Submitted by Hemchan Rohit and Khamella Rohit (H2480)****Motion**

To postpone to a date certain of April 14, 2025.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Jonathan McDonald
<b>SECONDER:</b>	Nicholas Holmes
<b>AYES:</b>	Birren, David, Holmes, McDonald and Noe
<b>NON VOTING:</b>	Fulford

**APPROVAL/MODIFICATION OF AGENDA****Motion**

To approve the agenda.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Nicholas Holmes
<b>SECONDER:</b>	Justin Noe
<b>AYES:</b>	Birren, David, Holmes, McDonald and Noe
<b>NON VOTING:</b>	Fulford

**ADOPTION OF INFORMATION PACKETS INTO EVIDENCE****Motion**

To adopt the information packets into evidence with changes.

(Note: Changes to the agenda packet that was submitted to the P&Z included written information regarding cases to be considered and citizen correspondence which needed to be accepted into evidence for the hearing.)

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Nicholas Holmes
<b>SECONDER:</b>	Justin Noe
<b>AYES:</b>	Birren, David, Holmes, McDonald and Noe
<b>NON VOTING:</b>	Fulford

**PUBLIC HEARINGS****UNIFIED AGENDA****CP 1468310 Scott & Sons Subdivision****Special Exception Use Permit Petition Submitted by TransAtlantic Properties, Inc. (SE2413)****Motion**

To approve the Unified Agenda.

**RESULT: ADOPTED****MOVER: Axl David****SECONDER: Justin Noe****AYES: Birren, David, Holmes, McDonald and Noe****NON VOTING: Fulford****STANDARD AGENDA****Rezoning Petition Submitted by Joshua Whitney (H2438)**

The Board accepted public input on this matter.

Member McDonald temporarily left the meeting and returned shortly thereafter.

**Motion**

To deny.

**RESULT: ADOPTED****MOVER: Nicholas Holmes****SECONDER: Justin Noe****AYES: Birren, David, Holmes, McDonald and Noe****NON VOTING: Fulford****RECESS/RECONVENE**

The board recessed at 11:00 a.m. and reconvened at 11:15 a.m.

**Rezoning Petition Submitted by Rick Blount & Company (H2479)**

The Board accepted public input on this matter.

**Motion**

To approve the staff recommendation with modifications.

(Note: The motion pertained to Modified Performance Condition Nos. 8 and 9 as approved by

the Planning Department.)

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Axl David
<b>SECONDER:</b>	Justin Noe
<b>AYES:</b>	Birren, David, Holmes, McDonald and Noe
<b>NON VOTING:</b>	Fulford

### **Rezoning Petition Submitted by Hemchan Rohit and Khamella Rohit (H2480)**

This Item was pulled and voted on during staff announcements.

### **Reestablish Master Plan Petition Submitted by Rivard Development, LLC (H2510)**

Member David temporarily left the meeting and returned shortly thereafter.

The Board accepted public input on this matter.

Member McDonald temporarily left the meeting and returned shortly thereafter.

#### **Motion**

To approve the staff recommendation with modifications.

(Note: The motion pertained to Modified Performance Condition No. 19a as approved by the Planning Department.)

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Nicholas Holmes
<b>SECONDER:</b>	Justin Noe
<b>AYES:</b>	Birren, David, Holmes, McDonald and Noe
<b>NON VOTING:</b>	Fulford

## **COMMISSIONERS AND STAFF COMMENTS**

The Commission and Staff commented on various items.

Member McDonald left the meeting.

## **ADJOURNMENT**

The meeting was adjourned at 1:15 p.m.

## **UPCOMING MEETINGS**

The next regular meeting of the Planning and Zoning Commission is scheduled for Monday, April 14, 2025, beginning at 9:00 AM, in the Commission Chambers



## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 03/10/2025  
Department: Planning  
Prepared By: Danielle Nigro  
Initiator: Omar DePablo  
DOC ID: 15607  
Legal Request Number:  
Bid/Contract Number:

#### **TITLE**

Rezoning Petition Submitted by Hemchan Rohit and Khamella Rohit (H2480)

#### **BRIEF OVERVIEW**

##### **Request:**

Rezoning from R-1C (Residential) to PDP(HHC)/Planned Development Project (Heavy Highway Commercial)

##### **General Location:**

East side of Commercial Way, approximately 425' north of Zebrafinch Avenue

#### **FINANCIAL IMPACT**

A matter of policy. There is no financial impact.

#### **LEGAL NOTE**

The Planning and Zoning Commission has jurisdiction to make a recommendation on the subject application. The Applicable Criteria for a Zoning District Amendment are contained in Appendix A, (Zoning Code) Article VI. The Applicable Criteria for Planned Development Projects are contained in Appendix A, (Zoning Code) Article VIII. The Zoning District Amendment to the Planned Development District and applicable PDP master plan must be consistent with the Comprehensive Plan.

The notice requirements of Appx. A, Art. VI, Sec. 7 of the Hernando County Code have been complied with.

#### **RECOMMENDATION**

Staff recommends a postponement of the petitioners request to a future hearing date, to be determined upon receipt of requisite information, in accordance with the attachments hereto. It was determined upon final review of the application materials, and after advertising was completed, that additional information was needed to make a proper recommendation on the item.

#### **REVIEW PROCESS**

Michelle Miller	Approved	03/03/2025 3:11 PM
Omar DePablo	Approved	03/03/2025 3:18 PM
Toni Brady	Approved	03/04/2025 9:21 AM
Victoria Anderson	Approved	03/04/2025 12:01 PM
Danielle Nigro	Approved	03/04/2025 12:02 PM

**RESULT: ADOPTED**

**MOVER:** Jonathan McDonald

**SECONDER:** Nicholas Holmes

**AYES:** Birren, David, Holmes, McDonald and Noe

**NON VOTING** Fulford

# 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: \_\_\_\_\_

File No. 03/25 Official Date Stamp:

**RECEIVED**  
**DEC 05 2024**  
 Hernando County Development Services  
 Zoning Division  
**H-24-80**

**APPLICANT NAME:** Hemchan Rohit + Khamella Rohit  
 Address: 5069 Juliet Ct.  
 City: Spring Hill FL State: FL Zip: 34606  
 Phone: (352)263-5910 Email: MNVHAULING@gmail.com

Property owner's name: (if not the applicant) \_\_\_\_\_

**REPRESENTATIVE/CONTACT NAME:** Hemchan Rohit  
 Company Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**HOME OWNERS ASSOCIATION:**  Yes  No (if applicable provide name) \_\_\_\_\_  
 Contact Name: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**PROPERTY INFORMATION:**  
 1. PARCEL(S) **KEY NUMBER(S):** 633470  
 2. SECTION \_\_\_\_\_ TOWNSHIP \_\_\_\_\_, RANGE \_\_\_\_\_  
 3. Current zoning classification: ROI RIC No  
 4. Desired zoning classification: PDP HHC  
 5. Size of area covered by application: .74 ACRE  
 6. Highway and street boundaries: \_\_\_\_\_  
 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, Hemchan Rohit, 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.

Hemchan Rohit / Khamella Rohit

Signature of Property Owner

## STATE OF FLORIDA

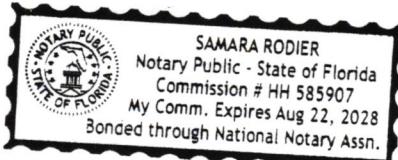
## COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of December, 2021, by Khamella + Hemchan Rohit who is personally known to me or produced FL DL as identification.

Samara Roderie

Signature of Notary Public

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



Notary Seal/Stamp

**Applicant:** Hemchan Rohit

**Property Address:** Commercial Way

**Parcel Number(s):** 633470

**Current Zoning:** Residential (R-01)

**Proposed Zoning:** PDP HHC

## Introduction

I am respectfully submitting this narrative in support of a request to rezone the subject property located at Commercial Way from its current zoning classification of R01 to PDP Heavy Highway Commercial (HHC). This request is made in recognition of the evolving nature of the surrounding area, current market trends, and the need to promote economic development in a manner that benefits both the community and property owners.

## Proposal/Site Characteristics

The subject property consists of 0.74 acres and is currently improved with a vacant lot. The property is located within a dynamic and growing area that is increasingly transitioning from primarily residential uses to a more mixed-use and commercial character. Adjacent and nearby properties to the east, west, and north have been developed or are zoned for commercial uses, making the property well-suited for this requested change in zoning.

This rezone request would be to allow parking of 8 commercial vehicles and to provide related services on the property. The lot will serve as a parking area for commercial vehicles, including dump trucks and tractor trailers. Most of the trucks will operate five days a week and regular servicing will be required. This will include oil changes and any necessary part replacements. Additionally, i will be storing tools and essential equipment for servicing the trucks on-site. An office will be added, equipped with a bathroom and running water. The proposed factory home will be considered as the office, with the dimensions as 12 x 52ft. There will also be asphalt milling applied to the area designated for parking commercial vehicles.

Deviations from the code will include the land size being less than 5 acres. To justify the land size being less than 5 acres, the purpose of the land usage will not require more than 1 acre. Per the specifications of the site plan, there is adequate lot space.

Regarding the traffic and transportation considerations, the property is well-served by existing transportation infrastructure, including access to major roads that provide efficient connectivity to other commercial, residential, and industrial areas within the City. I will work closely with the City's transportation and planning departments to ensure that the proposed development does not negatively impact traffic flow or public safety.

## **Environmental Considerations**

The subject property is not located within any designated floodplains, wetlands, or other environmentally sensitive areas. Any development on the property will comply with all applicable environmental regulations and best practices, including stormwater management and erosion control measures. I am committed to ensuring that the development will be sustainable, with consideration given to minimizing the environmental footprint of the project.

## **Site plan Discussion**

- 1. Building (proposed factory home) : 12x52ft**
- 2. A driveway will be added from the property eastbound to US-19**
- 3. There is no need for any internal access roads.**
- 4. No wetlands, flora and fauna**
- 5. Parcel Key #633470 – Dimensions 75ft width x 383.01ft length**
- 6. There is no flood plain.**
- 7. There are 2 drainage retention areas, one south of the property and one east of the property.**
- 8. Building (proposed factory home) will be setback 76ft.**
- 9. Parking will be setback 129ft**
- 10. Individual lot set back 28655.7 square feet.**
- 11. Building square footage: 624 square feet.**
- 12-16: N/A**

## Impacts to public Facilities

The property is located in an area where residential uses are gradually giving way to commercial development, particularly along a major highway, a principal commercial corridor. Immediately surrounding the site, there are many other vacant lots with nearby commercial developments. The area has seen a significant amount of development and urbanization in recent years, and current market conditions show a demand for commercial services and spaces to meet the growing needs of the local population.

To the south of the subject property, the zoning districts are primarily residential, while to the east, west and along US-19 the zoning consists of commercial and mixed-use properties. This juxtaposition of land uses presents an opportunity to transition the subject property to a commercial zoning district to align with the surrounding area's character and future growth trajectory.

In addition to development plans, the rezoning is expected to:

- **Increase local economic activity:** By allowing for commercial uses on the property, the proposal will bring new jobs, businesses, and services to the area, enhancing the economic base.
- **Support public infrastructure:** Commercial developments tend to generate higher tax revenues, which can be reinvested into local infrastructure, public amenities, and community services.

The City's Comprehensive Plan identifies the area surrounding the subject property as an appropriate location for mixed-use and commercial development. The rezoning request aligns with the goals and policies set forth in the plan, including promoting economic development, supporting infrastructure investment, and enhancing the City's commercial tax base. Furthermore, the Comprehensive Plan encourages the development of commercial nodes along major transportation corridors, and the subject property is located near US-19 Commercial Way, which are well-suited for the proposed commercial use. The proposed rezoning will also help create a seamless transition between residential and commercial uses, consistent with the broader vision for the area.

## **Conclusion**

In conclusion, the request to rezone the subject property from Residential (R-01) to Commercial (PDP HHC) represents a logical and beneficial step in the evolution of this area. The surrounding neighborhood is transitioning toward more mixed-use and commercial development, and the subject property's rezoning will contribute to this trend while also providing new economic opportunities for the City.

I am committed to working with City staff, neighbors, and other stakeholders to ensure that the proposed development is compatible with the surrounding community and enhances the overall character of the area. I respectfully request that the Planning Commission and City Council approve this rezoning request to support responsible growth and development in the city.

## **Contact Information:**

Hemchan Rohit

(352) 263-5970

5069 Juliet Ct. Spring Hill FL 34606

## STAFF REPORT

---

**HEARINGS:** Planning & Zoning Commission: March 10, 2025  
Board of County Commissioners: May 6, 2025

**APPLICANT:** Hemchan Rohit and Khamella Rohit

**FILE NUMBER:** H-24-80

**REQUEST:** Rezoning from R-1C (Residential) to PDP(HHC)/Planned Development Project (Heavy Highway Commercial)

**GENERAL LOCATION:** East side of Commercial Way, approximately 425' north of Zebrafinch Avenue

**PARCEL KEY NUMBER:** 633470

---

Upon conducting the final review of the requested rezoning of parcel key 633470 (located on Commercial Way, Royal Highlands Unit 1-B, Block 62, Lot 13), it has been noted that there are some concerns regarding the desired zoning district and site survey provided. Please see below:

- The desired zoning district shall be modified from PDP (HHC)/Planned Development Project (Heavy Highway Commercial) to PDP (HC) for with specific C4 use to allow for parking and service of up to 8 light and heavy commercial vehicles.
- The survey provided does not provide a frontage road and sidewalk as required by DPW/Department of Public Works Comments and will need to be modified. Please see DPW comments below:
  - Parcel is in the Chassahowitzka Watershed.
  - A Frontage Road is required as this project is adjacent to Commercial Way (US 19), per Ordinance.
  - Frontage Roads require a sidewalk along one side.
  - The driveway connections will need to meet current County standards.
  - The use of imperious material for the parking area will require an environmental resource permit from the Southwest Florida Water Management District, with appropriate drainage calculations.
  - If any gates are to be used, gates must be set-back 1.5-times the largest vehicle proposed for use on the property. Refer to Hernando County Facility Design Guideline V-18.

- FDOT Access management permit required. FDOT drainage permit may be required.
- Please be aware that the DPW Frontage Road requirement may affect the placement of the septic drainage field
- Per Planning review, modification of survey will also need to include the following:
  - Mechanism or structure for containment of oil.
  - As property lines to the sides and rear abut residential zoned parcels, commercial 5' buffer requirement on boundaries can be bypassed altogether by installation of opaque fence (i.e. chain with slat). This can be achieved by asking for a buffer deviation from 5' to 0'.
  - Placement of fence and/or buffer needs to be listed on master
  - Parking spaces need to show width, length and setbacks from parking also needs to include to sides in addition to the rear and front.
  - "Factory Home" cannot be utilized on commercially zoned parcel. Please update on Master Plan to show listing as "Commercial Modular Office" as this structure will meet commercial requirements for both municipal code and Florida state statute.
  - Please provide proposed square footage, dimensions and setbacks for all structures.

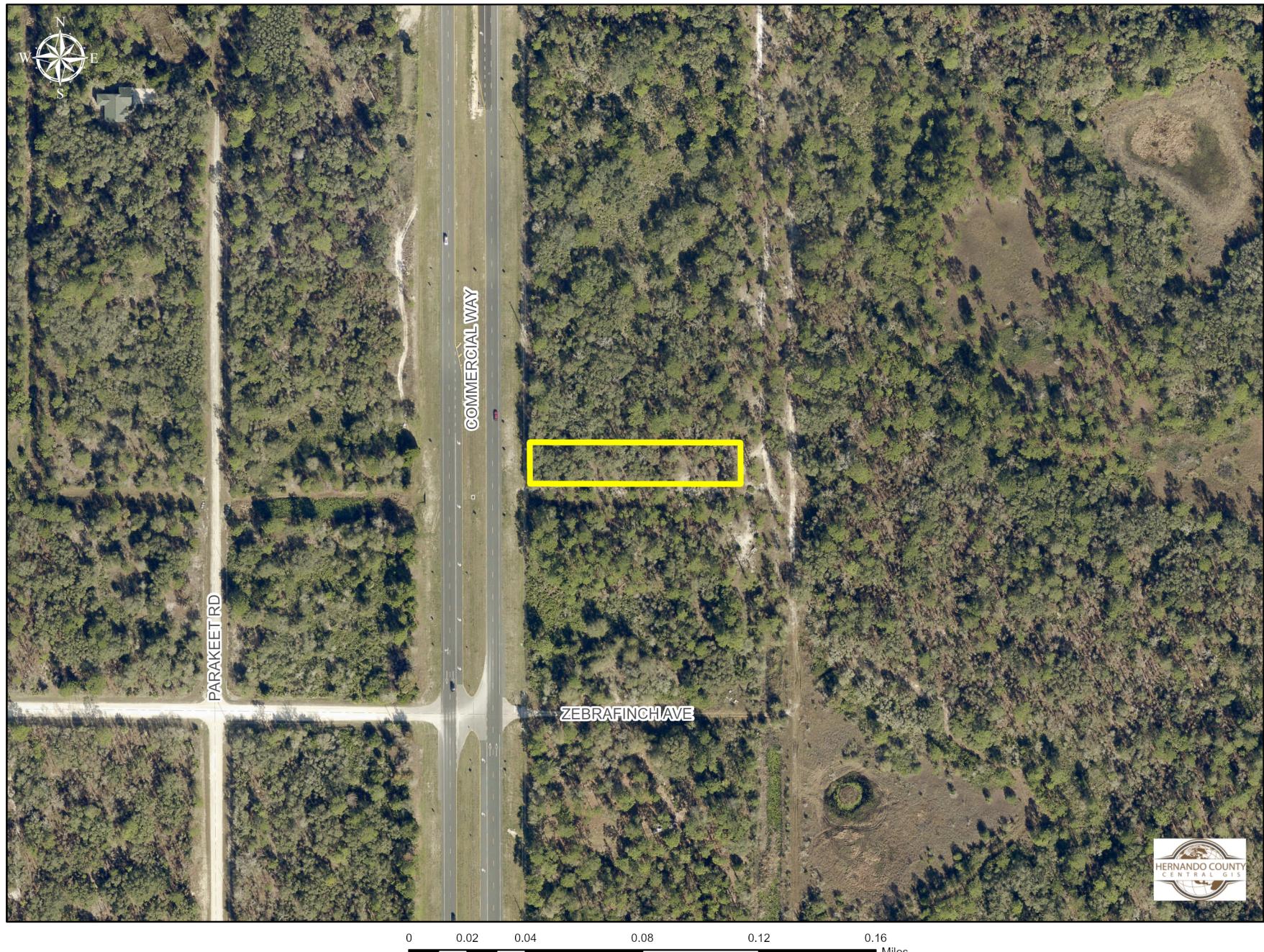
This application shall be continued to a date not specified until such time that these items have been considered by the petitioner and an updated application, narrative and master plan have been submitted for review.



# H-24-80

Photo date: 2023

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



0 0.02 0.04 0.08 0.12 0.16 Miles

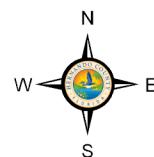
# Hernando County Comprehensive Plan Map

Existing Future Land Use: H-24-80

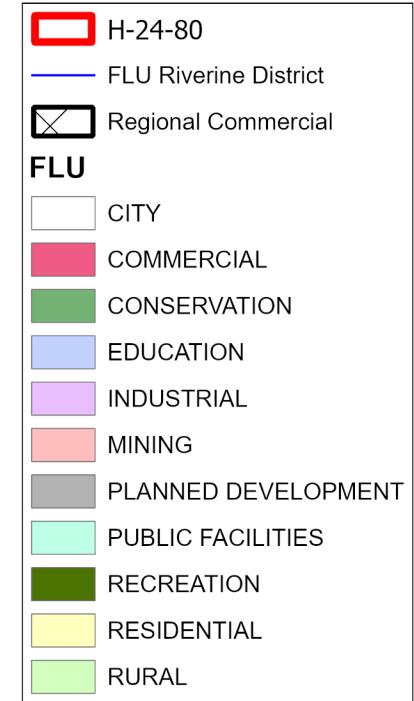
Version Date: 12/09/2022



0 0.02 0.04 0.08 0.12 0.16 Miles



Date of mapping: 01/10/2025



## Future Land Use Map

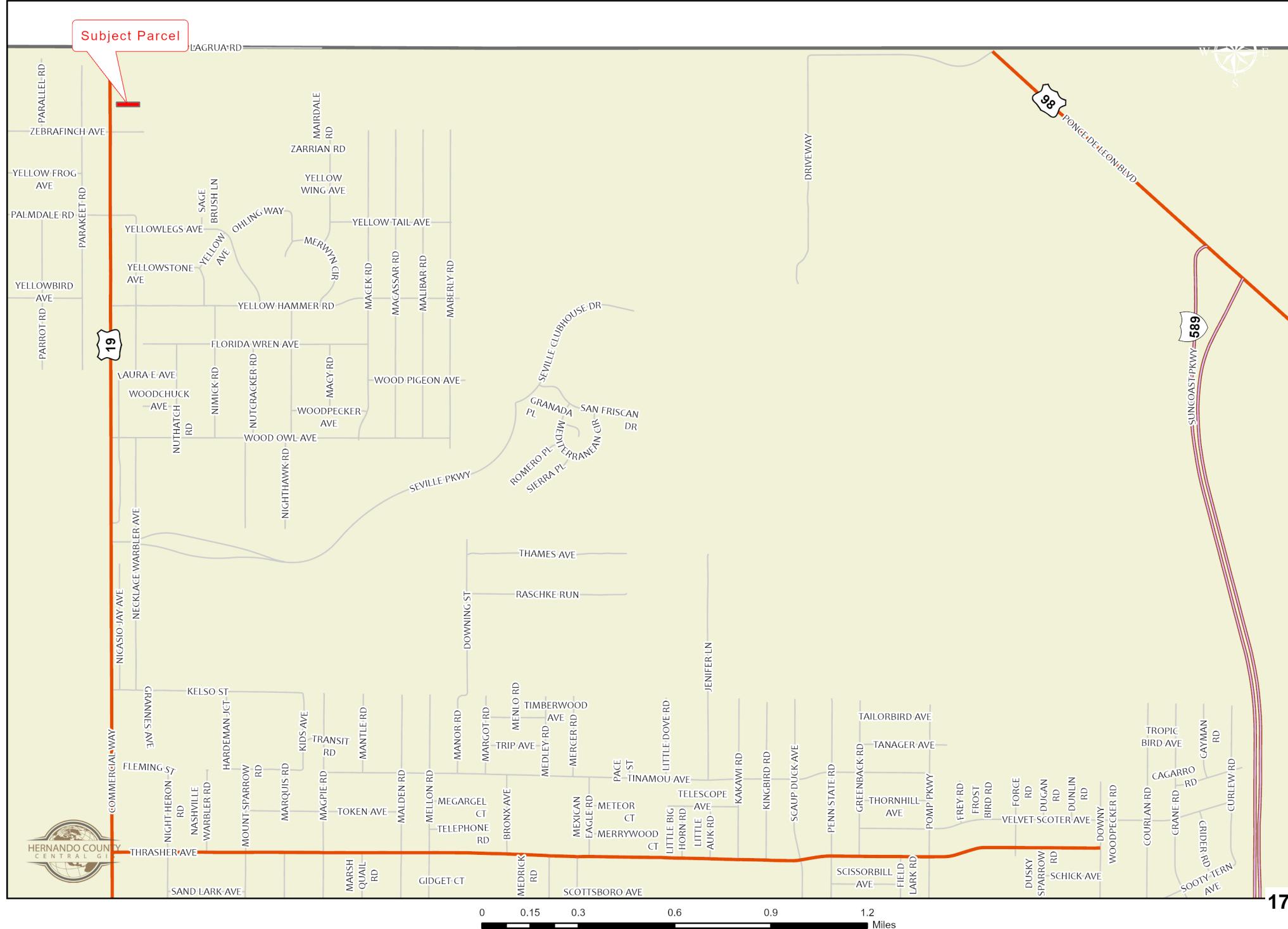
PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.



# H-24-80 AREA MAP

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# H-24-80

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



Zoning:	
AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
OP	PDP(PSF)
CITY	PDP(REC)
CM1	PDP(RR)
CM2	PDP(RUR)
CPDP	PDP(SF)
CV	PDP(SU)
I1	R1A
I2	R1B
M	R1C
R1C	R1MH
PDP(AF)	R2
PDP(CM)	R2.5
PDP(CP)	R3
PDP(GC)	RC
PDP(GHC)	RM





## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 03/10/2025  
Department: P&Z Agenda Item  
Prepared By: Carrie Cline  
Initiator: Omar DePablo  
DOC ID: 15574  
Legal Request Number:  
Bid/Contract Number:

---

#### **TITLE**

CP 1468310 Scott & Sons Subdivision

#### **BRIEF OVERVIEW**

Conditional Plat for Scott & Sons Subdivision

#### **FINANCIAL IMPACT**

No Financial Impact

#### **LEGAL NOTE**

The Planning and Zoning Commission has the authority to review this item in accordance with Chapter 26 (Subdivision Regulations), Article II (Procedures for County review and approval), Section 26-21 (procedure for conditional approval of a conditional plat) of the Hernando County Code of Ordinances.

#### **RECOMMENDATION**

Approve the Conditional Plat for Scott & Sons Subdivision

#### **REVIEW PROCESS**

Omar DePablo	Approved	02/19/2025 11:57 AM
Toni Brady	Approved	02/19/2025 2:19 PM
Victoria Anderson	Approved	02/19/2025 2:40 PM
Pamela Hare	Approved	02/19/2025 2:59 PM
Danielle Nigro	Approved	02/24/2025 7:35 AM

**RESULT: ADOPTED**

**MOVED: Axl David**

**SECONDER: Justin Noe**

**AYES: Birren, David, Holmes, McDonald and Noe**

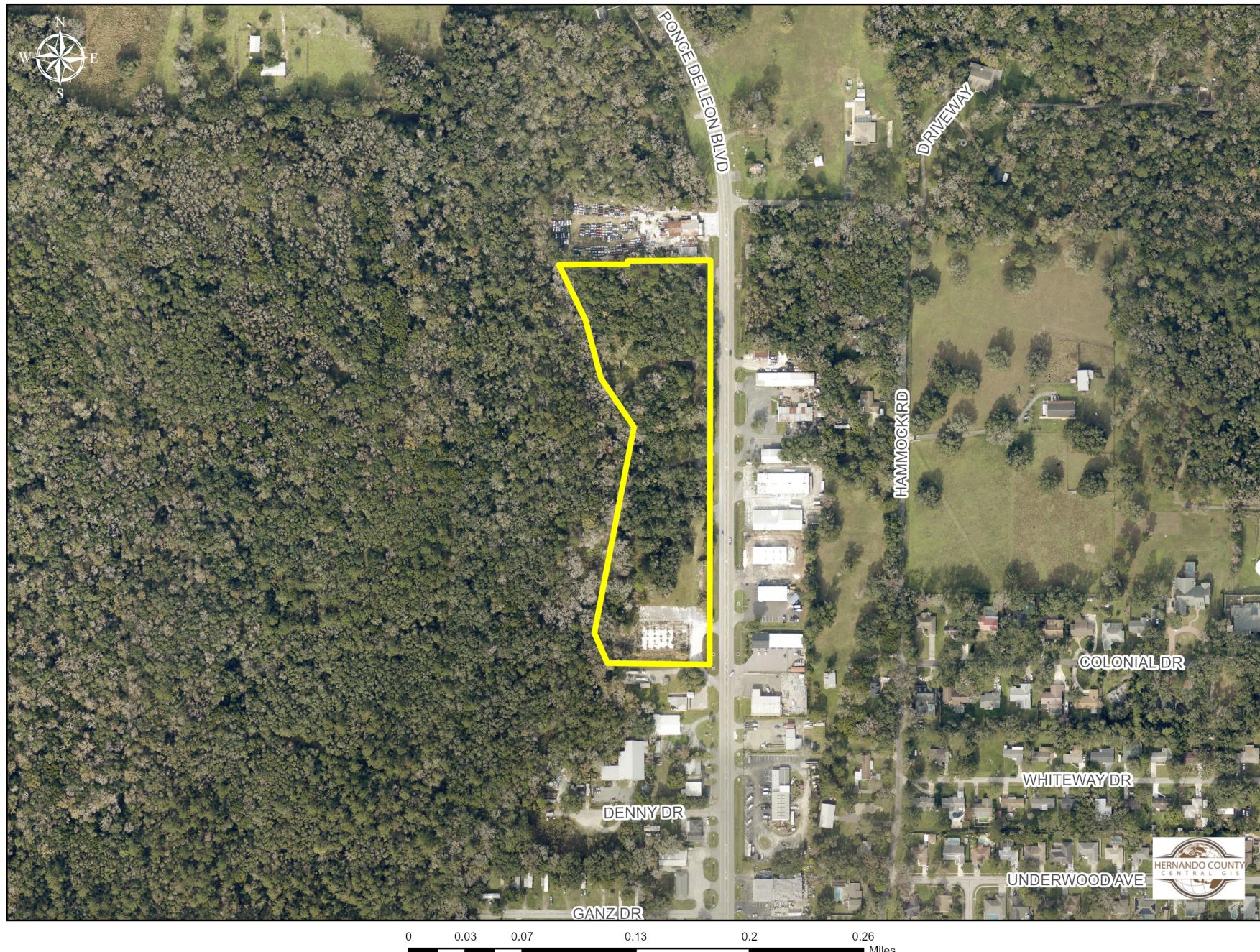
**NON VOTING: Fulford**



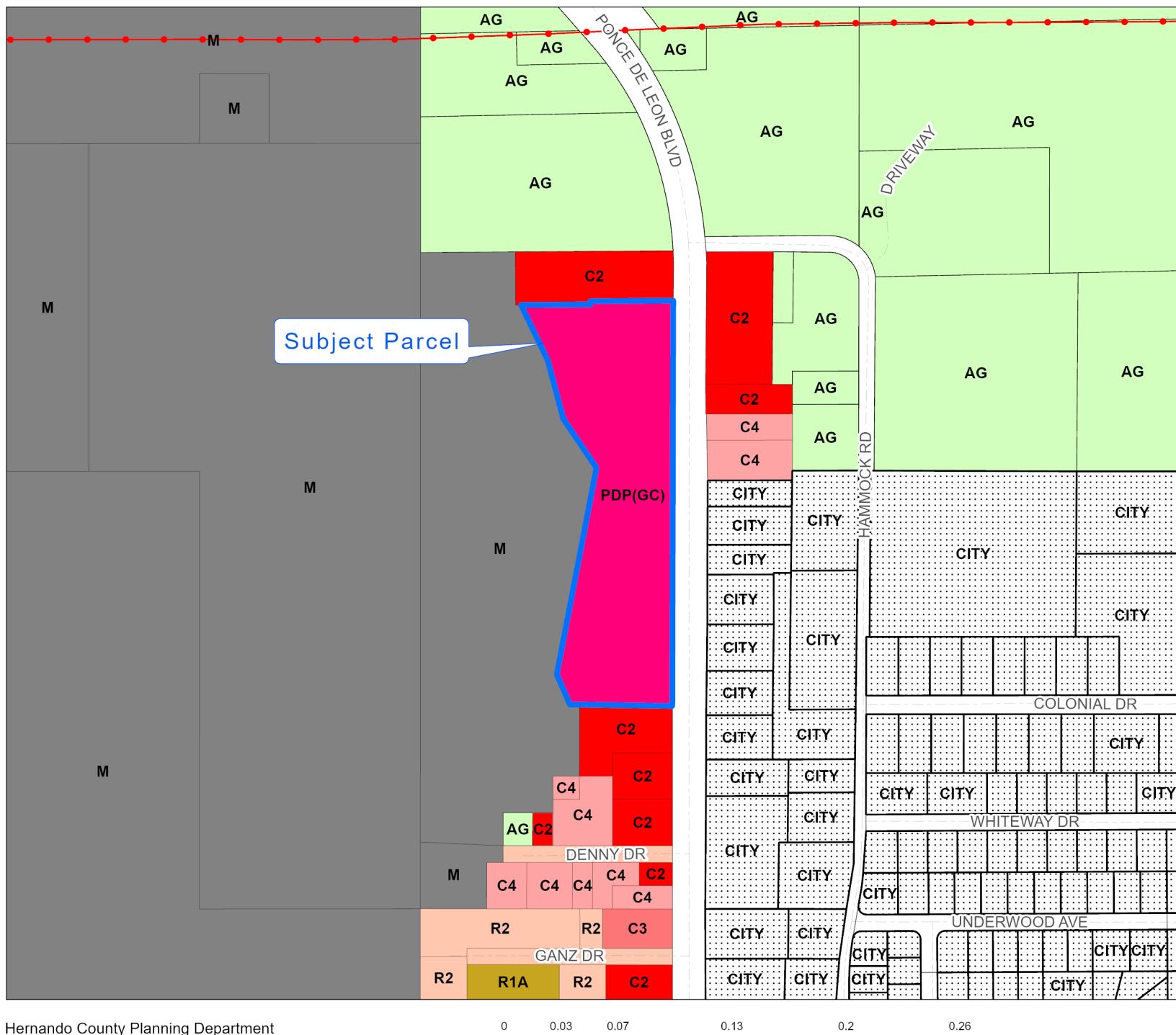
# CP 1468310

Photo date: 2023

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



Zoning:	
AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(PSF)
CM2	PDP(REC)
CPDP	PDP(RR)
CV	PDP(RUR)
I1	PDP(SF)
I2	PDP(SU)
M	PDP(T)
OP	PDP(AF)
PDP(GC)	PDP(CM)
PDP(GHC)	PDP(CP)
R1A	PDP(GC)
R1B	PDP(GHC)
R1C	
R2	
R2.5	
R3	
RC	
RM	

City Zoning Pending



## STAFF REPORT

---

**HEARINGS:** Planning & Zoning Commission: July 11, 2022  
Board of County Commissioners: August 9, 2022

**APPLICANT:** Scott & Sons Properties, LLC

**FILE NUMBER:** H-22-32

**REQUEST:** Rezoning from C-2/(Highway Commercial), R-1A/(Residential) and AG/(Agricultural) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for Outdoor Storage with Deviations

**GENERAL LOCATION:** West side of Ponce De Leon Boulevard, approximately 450' north of Denny Drive

**PARCEL KEY NUMBERS:** 351470

---

### APPLICANT'S REQUEST:

The petitioner is seeking a rezoning from C-2/(Highway Commercial) and AG/(Agricultural) to PDP(GC)/Planned Development Project (General Commercial) with a specific C-2 use for Outdoor Storage with deviations. The petitioner has proposed developing a small commercial subdivision consisting of eight (8) commercial lots varying from 0.67 acres to 1.36 acres. Each lot is designed to have a frontage of 140' except for Lot 1. Lot 1 is proposed to be smaller to sell it to the landowner to the south. The request for outdoor storage will allow flexibility for proposed lots and provide an opportunity for an RV, Boat and Car storage facility.

#### Deviations Requested:

As part of the request the petitioner is requesting the following deviations:

1. The petitioner is requesting a deviation from the required 25' buffer along US Hwy 98 to a 10' buffer. Buffer is proposed between the future pavement and the right-of-way of US Hwy 98.
2. Deviation from the required front setback of 125' to 75'.
3. Deviation from internal setbacks from 20' to 10'

**SITE CHARACTERISTICS:**

<b>Site Size:</b>	8.9 acres
<b>Surrounding Zoning &amp; Land Uses:</b>	North: Vacant Agricultural South: Existing heavy commercial uses East: City zoning; existing commercial uses West: Mining; currently vacant
<b>Current Zoning:</b>	C-2 and AG
<b>Future Land Use Map Designation:</b>	Commercial

**ENVIRONMENTAL REVIEW:**

<b>Soil Type:</b>	Blichton Loamy Fine Sand; Nobleton Fine Sand; Flemington Fine Sandy Loam
<b>Features/ Resources:</b>	The property does not contain Wellhead Protection Areas (WHPA), Special Protection Areas (SPA) or archaeological resources. Topographic contour lines show a conveyance off-site along the western property boundary according to County data resources. Mapping shows a Class 1 Wetland on the northwest corner of the property.
<b>Comments:</b>	The petitioner shall delineate and show the jurisdictional wetland line on future plans if wetlands are present.  A large ditch conveying historical runoff exists along the entire western boundary. This ditch conveys a large volume of runoff from the north to south direction and is part of the Peck Sink drainage study. This ditch is off-site and will not be disturbed by the development of this site; however, the petitioner has proposed a 20' easement along the west line of the project for storm water capture and conveyance. Development runoff will grade towards that easement where it will be intercepted and conveyed southerly to the proposed retention area.
<b>Habitat:</b>	Property is predominantly forested, mixed hardwood – coniferous according to FWC CLC mapping (Florida

Cooperative Land Cover Classification System that combines Florida Land Use Cover and Classification System with fish and wildlife data).

**Comment:** A comprehensive wildlife survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.

The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for required landscaping.

**Flood Zone:** X

**UTILITIES REVIEW:**

This property is located within the City of Brooksville Utility Department's (CBUD) first right to serve district.

**CITY OF BROOKSVILLE REVIEW:**

No comments received from the City of Brooksville.

**ENGINEERING REVIEW:**

The property is located on the west side of Ponce De Leon Boulevard, approximately 450' north of Denny Drive. The petitioner has proposed a 50' cross access easement adjacent to the west right-of-way of US Hwy 98, allowing all of the proposed lots to share the existing drive connections to US Hwy 98.

The County Engineer has reviewed the petitioner's request and has the following comments:

- Ponce De Leon (US Hwy 98) is an Arterial Roadway. Driveways are limited on this type of roadways. This development should utilize limited driveways and/or have a shared driveway.
- A Traffic Access Analysis may be required depending on the type of use. If required, any improvements identified will be the responsibility of the developer.
- The Traffic Access Analysis is required to include a queuing analysis and shall be inclusive of previous lot development(s).
- Turn Lanes may be required for this project.
- FDOT access management and drainage permit required.

- The petitioner must provide 30-feet of right-of-way for future widening of US Hwy 98 (4 lane undivided) roadway as shown on the adopted 2045 LRTP.
- This site is contacted by the adjacent floodplain associated with a stream system. Development must comply with Hernando County Facility Design Guideline and Southwest Florida Water Management District Environmental Resource Permitting Design Requirements.

## **LAND USE REVIEW:**

### **Setbacks:**

#### **Proposed Minimum Building Setbacks:**

Front: 75' (Deviation from 125')

Side: 20'

Rear: 35' (setback comprised of 15' to the proposed western easement plus the proposed 20' easement.)

#### **Internal Lot Setback:**

Side: 10' (Deviation from 20')

Rear: 15' against 20' western drainage easement

**Comments:** The petitioner has proposed a cross access easement to meet the interconnection requirement of the US Hwy 98 frontage road requirement and has requested a front setback deviation. The County Engineer has determined the proposed cross access easement will meet the intent of the frontage road interconnectivity requirement; therefore, the proposed 75' front building setback is justified.

### **Screening:**

Hernando County LDRs require that screening of outdoor storage from adjoining and contiguous properties by a wall, fence or other approved enclosures. Screening shall meet an eighty (80) percent opacity standard.

**Comments:** All lots utilizing outdoor storage shall be required to screen the outdoor storage areas with a 6' high opaque fence.

### **Buffers**

The Hernando County Land Development Regulations require that the buffer shall consist of a minimum five-foot landscaped separation distance. The multifamily or nonresidential use located on such lot shall be permanently screened from the adjoining and contiguous properties by a wall, fence, and/or approved enclosures. Such screening shall have a minimum height of five (5)

[feet] and a maximum height of eight (8) feet, or an evergreen hedge with a minimum height of five (5) feet at the time of planting.

The petitioner has proposed the following buffers for the subject development:

**South:** Minimum County LDR requirements

**North:** 5' buffer with 6' high fence

**West:** Area is non-buildable due to natural features. A 20' western easement with 6' high fence is proposed on the project side. Drainage Retention will also be fenced.

**East:** 10' landscape buffer (deviation from 20') between US Hwy 98 and the proposed 50' cross access easement

**Comments:** The petitioner has requested a deviation from the required 20' buffer against US Hwy 98. Due to the configuration of the projects lots, the proposed 10' US Hwy 98 buffer is appropriate.

**Lighting:**

County LDRs require lighting that enhances the visual impact of the project on the community and to specifically address lighting intensity levels and glare accordingly. Commercial buildings and projects shall be designed to provide safe, convenient and efficient lighting for pedestrians and vehicles.

**Parking:**

County Land Development Regulations (LDRs) require a minimum of 4.0 parking spaces per 1,000 square feet of commercial use. The petitioner has not indicated parking spaces at this time.

**Comments:** The petitioner shall meet the minimum parking requirements of the County LDRs.

**Landscaping**

The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials, and plantings for required landscaping.

**COMPREHENSIVE PLAN REVIEW:**

**Commercial Category**

**Objective 1.04G:**

**The Commercial Category allows primarily retail, office, and commercial service uses with an overall average gross floor area ratio of 0.35 but also includes limited industrial, recreational and**

**institutional uses. Residential and mixed uses may be allowed subject to locational criteria and performance standards.**

**U.S. Highway 98 North****Objective 1.08D:**

**U.S. Highway 98 north of Brooksville is recognized as an existing arterial that could potentially experience significant land use development within the planning horizon, primarily associated with existing Planned Development Districts and the potential for future transitions in existing mining areas.**

**Strategy 1.08D(1):**

Planning for U.S. Highway 98 North (and Cobb Road) should provide for the maintenance of transportation efficiency and functional integrity as a truck route by limiting the expansion of commercial development and new Commercial Future Land Use Categories. Long-term planning shall accommodate the future function of Cobb Road as the alternative designation of U.S. Highway 98.

**Comments:**

The proposed development would not be a significant generator of traffic and is consistent with the heavy commercial uses located along this stretch of US Hwy 98.

**Strategy 10.03B(1):**

The County shall require the identification and delineation of wetlands on plans for development pursuant to the standards of the Southwest Florida Water Management District, the Florida Department of Environmental Protection, and the Army Corps of Engineers.

**Strategy 10.03B(2):**

Hernando County shall only allow the alteration of Class I Wetlands consistent with the requirements of state and federal regulatory agencies. Alteration includes but is not limited to filling, draining, excavating or interruption of flow into or out of the wetland. Class I Wetlands meet at least one of the following criteria:

- a. Wetlands contiguous to or hydrologically connected with any natural surface water body

including, but not limited to rivers, creeks, lakes and tidal waters;

- b. Any wetland having a hydrological connection to the Floridan aquifer;
- c. Any wetland within or hydrologically connected to a lake littoral zone;
- d. Any contiguous extent of wetlands of forty (40) acres or more;
- e. Wetlands that serve as known nesting, resting or feeding areas of federal or state listed species.

**Strategy 10.03B(3):**

Projects having an overriding public benefit may encroach into Class I wetlands where there is no viable alternative provided that projects are designed to minimize disruption, provide continued wetland viability, and provide appropriate mitigation. Projects having an overriding public benefit include public roadways needed to serve the larger community and public utilities projects needed to serve the larger community or that are necessary to the health and safety of the community.

**Comments:**

The proposed use does not provide an overriding public benefit; therefore, no alterations of any Class I wetlands shall be allowed as a result of this rezoning. Prior to development, the petitioner shall delineate the wetland on the subject site, in accordance with regulatory agency requirement.

**Strategy 10.03B(8):**

A vegetated buffer averaging a minimum of twenty-five (25) feet in width and no narrower than fifteen (15) feet in width shall be maintained by development adjacent to Class I and/or Class II wetlands. No development is allowed in the buffer except for walkways or boardwalks used for access or recreation.

**Comments:**

If a Class I wetland is determined/delineated, the petitioner shall be required to provide a 25-foot wetland buffer in accordance with the Hernando County Land Development Regulations.

**FINDINGS OF FACT:**

A rezoning from C-2/(Highway Commercial) and AG/(Agricultural) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for Outdoor Storage with Deviations, is appropriate based on the following conclusion:

1. The petitioners requested US Hwy 98 buffer, front setback and internal setback deviations are justified with appropriate performance conditions and are not adverse to the public interest.
2. As part of the rezoning request the petitioner requested a waiver of the frontage road requirement. The County Engineer has indicated an interior access drive is a suitable alternative to the frontage road.
3. The request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all 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 C-2/(Highway Commercial) and AG/(Agricultural) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for Outdoor Storage with Deviations, and 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. A comprehensive wildlife survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.
3. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for required landscaping.
4. The petitioner shall be required to provide a jurisdictional wetland line on future plans if wetlands are present. Should any wetlands qualify as a Class I wetland the wetlands shall be preserved (not altered) and a minimum 25-foot buffer shall be retained around the wetland(s).
5. The petitioner shall contact the City of Brooksville to connect to water and sewer.
6. The required frontage road is waived for the subject property; the County Engineer has reviewed and has approved the requested waiver.
7. A FDOT (Florida Department of Transportation) driveway access permit or modification permit is required for the existing driveway access.
8. The petitioner shall provide 30-feet of right-of-way for the future widening of US Hwy 98 (4 lane undivided) roadway as shown on the adopted 2045 LRTP.
9. The driveway/driveways, parking and layout must meet the Land Development Regulations and Facility Design Guidelines.
10. This site contains small areas of floodplain along the west property line and in the southeast corner. Specific floodplain construction permitting is required if these areas if developed.
11. Minimum Building Setbacks:  
Front: 75' (Deviation from 125')  
Side: 20'  
Rear: 35'
- Internal Lot Setback:  
Side: 10' (Deviation from 20')

Rear: 15' against 20' western drainage easement

12. Buffers:

South: Minimum County LDR requirements

North: 5' buffer with 6' high fence

West: 20' western easement with 6' high fence on the project side.

Drainage Retention shall also be fenced.

East: 10' landscape buffer between US Hwy 98 and the proposed 50' cross access easement

13. Security lighting shall be shielded from the neighboring properties in accordance with the requirements of the land development regulations.

14. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

**P&Z RECOMMENDATION:**

On July 11, 2022, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt a Resolution approving the petitioner's request for a rezoning from C-2/(Highway Commercial) and AG/(Agricultural) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for Outdoor Storage with Deviations, and 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. A comprehensive wildlife survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.
3. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for required landscaping.
4. The petitioner shall be required to provide a jurisdictional wetland line on future plans if wetlands are present. Should any wetlands qualify as a Class I wetland the wetlands shall be preserved (not altered) and a minimum 25-foot buffer shall be retained around the wetland(s).
5. The petitioner shall contact the City of Brooksville to connect to water and sewer.
6. The required frontage road is waived for the subject property; the County Engineer has reviewed and has approved the requested waiver.
7. A FDOT (Florida Department of Transportation) driveway access permit or modification permit is required for the existing driveway access.
8. The petitioner shall provide 30 feet of right of way for the future widening of US Hwy 98 (4 lane undivided) roadway as shown on the adopted 2045 LRTP. Hernando County and the applicant shall determine appropriate language to be included on the plat for the reservation of 30 feet of additional right of way for US 98.

9. The driveway/driveways, parking and layout must meet the Land Development Regulations and Facility Design Guidelines.
10. This site contains small areas of floodplain along the west property line and in the southeast corner. Specific floodplain construction permitting is required if these areas if developed.
11. Minimum Building Setbacks:  
Front: 75' (Deviation from 125')  
Side: 20'  
Rear: 35'
- Internal Lot Setback:  
Side: 10' (Deviation from 20')  
Rear: 15' against 20' western drainage easement
12. Buffers:  
South: Minimum County LDR requirements  
North: 5' buffer with 6' high fence  
West: 20' western easement with 6' high fence on the project side.  
Drainage Retention shall also be fenced.  
East: 10' landscape buffer between US Hwy 98 and the proposed 50' cross access easement
13. Security lighting shall be shielded from the neighboring properties in accordance with the requirements of the land development regulations.
14. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

**NOTE:**

Subsequent to the July 11, 2022, hearing a scrivener's error was found as it related to the existing zoning on the subject site. It was determined that a small portion (0.24 AC) internal to the project was zoned R-1A/Residential and the zoning designation was omitted from the "Request". After review, it was determined that the omission did not alter the scope of the overall request and a new ad could be published prior to the Board of County Commissioners to correct the error.

**BCC ACTION:**

On August 9, 2022, the Board of County Commissioners voted 4-0 to adopt Resolution 2022-151 approving the petitioner's request for a rezoning from C-2/(Highway Commercial) and AG/(Agricultural) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for Outdoor Storage with Deviations, and the following unmodified 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. A comprehensive wildlife survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.
3. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for required landscaping.
4. The petitioner shall be required to provide a jurisdictional wetland line on future plans if wetlands are present. Should any wetlands qualify as a Class I wetland the wetlands shall be preserved (not altered) and a minimum 25-foot buffer shall be retained around the wetland(s).
5. The petitioner shall contact the City of Brooksville to connect to water and sewer.
6. The required frontage road is waived for the subject property; the County Engineer has reviewed and has approved the requested waiver.
7. A FDOT (Florida Department of Transportation) driveway access permit or modification permit is required for the existing driveway access.
8. Hernando County and the applicant shall determine appropriate language to be included on the plat for the reservation of 30 feet of additional right of way for US 98.
9. The driveway/driveways, parking and layout must meet the Land Development Regulations and Facility Design Guidelines.

10. This site contains small areas of floodplain along the west property line and in the southeast corner. Specific floodplain construction permitting is required if these areas if developed.
11. Minimum Building Setbacks:  
Front: 75' (Deviation from 125')  
Side: 20'  
Rear: 35'  
  
Internal Lot Setback:  
Side: 10' (Deviation from 20')  
Rear: 15' against 20' western drainage easement
12. Buffers:  
South: Minimum County LDR requirements  
North: 5' buffer with 6' high fence  
West: 20' western easement with 6' high fence on the project side.  
Drainage Retention shall also be fenced.  
East: 10' landscape buffer between US Hwy 98 and the proposed 50' cross access easement
13. Security lighting shall be shielded from the neighboring properties in accordance with the requirements of the land development regulations.
14. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

## STAFF REPORT

---

<b>HEARINGS:</b>	Planning & Zoning Commission: March 10, 2025
<b>APPLICANT:</b>	Scott & Sons Properties, LLC
<b>FILE NUMBER:</b>	1468310
<b>PURPOSE:</b>	Conditional Plat Approval for Scott & Sons Subdivision
<b>GENERAL LOCATION:</b>	West side of Ponce De Leon Boulevard, approximately 450' north of Denny Drive
<b>PARCEL KEY NUMBER:</b>	351470

---

The conditional plat for the Scott & Sons Subdivision is for 7 residential lots. It is located on the west side of Ponce De Leon Boulevard, approximately 450' north of Denny Drive. The conditional plat has been reviewed by various County agencies and found to be consistent with County standards. A certificate of concurrency has been issued for this conditional plat.

### STAFF RECOMMENDATION:

It is recommended that the Planning and Zoning Commission approve the conditional plat of the Canopy subdivision with the following performance conditions:

1. The conditional plat shall expire in two (2) years if no further approvals in the subdivision process are obtained.
2. The petitioner must meet the minimum requirements of Florida-Friendly Landscaping publications and the Florida Yards and Neighborhoods Program. For design techniques, principles, materials, and plantings for required landscaping.
3. A burrow survey and FWC permit are required to be provided to the County prior to tortoise relocation and site clearing/alteration. A limited site clearing permit for tortoise relocating can be obtained from Zoning. The after-action-report and FWC acceptance email is required prior to site clearing, or any site alteration. Eastern Indigo snake protection method notes need to be added to environmental plan notes on construction drawings.
4. The developer must conform to all Hernando County Facility Design Guidelines

5. The water and sewer utilities shown are not part of the conditional plat review. The utilities will not be reviewed during this review and will be reviewed during the construction drawing process.



## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 03/10/2025  
Department: Planning  
Prepared By: Danielle Nigro  
Initiator: Omar DePablo  
DOC ID: 15604  
Legal Request Number:  
Bid/Contract Number:

#### **TITLE**

Special Exception Use Permit Petition Submitted by TransAtlantic Properties, Inc. (SE2413)

#### **BRIEF OVERVIEW**

##### **Request:**

Special Exception Use Permit for Outdoor Storage

##### **General Location:**

South side of Jacqueline Road, approximately 890' east of Sunshine Grove Road

#### **FINANCIAL IMPACT**

A matter of policy. There is no financial impact.

#### **LEGAL NOTE**

The Planning and Zoning Commission has jurisdiction over the subject application; the Commission has the ability to approve special exceptions with appropriate conditions and safeguards or deny special exceptions not in harmony with the Land Development Regulations. The Applicable Criteria for a special exception are contained in Appendix A, (Zoning Code) Article V, Section 8. The Special Exception must be consistent with the Comprehensive Plan.

The notice requirements of Appx. A, Art. VI, Sec. 7 of the Hernando County Code have been complied with.

#### **RECOMMENDATION**

It is recommended that the Planning and Zoning Commission approve the petitioner's requested Special Exception Use Permit for outdoor storage of Recreational Vehicles, Commercial Vehicles, and boats.

#### **REVIEW PROCESS**

Omar DePablo	Approved	02/28/2025 10:03 AM
Toni Brady	Approved	03/03/2025 8:35 AM
Victoria Anderson	Approved	03/03/2025 12:01 PM
Danielle Nigro	Approved	03/03/2025 1:29 PM

**RESULT: ADOPTED**

**MOVER:** Axl David

**SECONDER:** Justin Noe

**AYES:** Birren, David, Holmes, McDonald and Noe

**NON VOTING:** Fulford

# HERNANDO COUNTY CONDITIONAL USE PERMIT OR SPECIAL EXCEPTION USE PERMIT PETITION



Application request (check one):

Conditional Use Permit  
 Special Exception Use Permit

PRINT OR TYPE ALL INFORMATION

Date: 11/4/2024

File No. \_\_\_\_\_ Official Date Stamp:

SE- 24- 13

Received

NOV 20 2024

Planning Department  
Hernando County, Florida

**APPLICANT NAME:** TRANSATLANTIC PROPERTIES INC.

Address: 13359 CHAMBORD ST

City: BROOKSVILLE

State: FLORIDA Zip: 34613

Phone: 352-596-4555 Email: tyler @ euroshine.com

Property owner's name: (if not the applicant) INGO VAN STYN

**REPRESENTATIVE/CONTACT NAME:** TYLER WOODWARD

Company Name: EUROSHINE

Address: 13359 CHAMBORD ST.

City: BROOKSVILLE

State: FLORIDA Zip: 34613

Phone: 352-596-4555 Email: TYLER @ EUROSHINE.COM

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

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

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

## PROPERTY INFORMATION:

1. PARCEL(S) KEY NUMBER(S): 01028701
2. SECTION \_\_\_\_\_, TOWNSHIP \_\_\_\_\_, RANGE \_\_\_\_\_
3. Current zoning classification: COMMERCIAL
4. Desired use: OUTDOOR STORAGE LOT NAMELY FOR RV'S, BOATS, AND OTHER VEHICLES
5. Size of area covered by application: 1.3 ACRES
6. Highway and street boundaries: JACQUELINE RD.
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, INGO VAN STYN, 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):

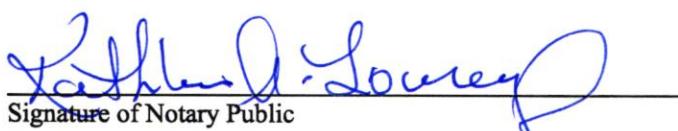
I am the owner of the property and am making this application OR  
 I am the owner of the property and am authorizing (applicant): TRANSATLANTIC PROPERTIES  
and (representative, if applicable): TYLER WOODWARD  
to submit an application for the described property.



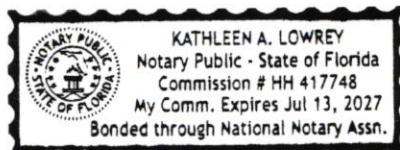
Signature of Property Owner

STATE OF FLORIDA  
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of November, 2024, by  
INGO VAN STYN who is personally known to me or produced \_\_\_\_\_ as identification.

  
Signature of Notary Public

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



Notary Seal/Stamp



13359 Chambord Street  
Brooksville, FL 34613

7<sup>th</sup> November, 2024

Transatlantic Properties/Euroshine

To whom it may concern:

RE: Special Exemption Use Application

We are reapplying for the Special Exemption Use permit that we were previously approved for. Due to the lingering effects of Covid at the initial start of the project, we were delayed in developing and obtaining building permits for the past several years. We are still seeking the Special Exemption Use Permit for developing our empty lot into an Outdoor Storage lot, namely for the storage of vehicles, boats, and recreational vehicles. We are proposing a variation of appropriately sized spaces for the associated storage use. Examples of these can be found in the suite plan attached to the application. We are not proposing any buildings for the site at this time. We are proposing a 30 ft setback from Jacqueline rd, as well as a fence that meets counties standards for screening, and solar powered motion sensor lights.

Ingo van Styn (owner)

Tyler Woodward (representative)

## STAFF REPORT

---

**HEARINGS:** Planning & Zoning Commission: March 10, 2025

**APPLICANT:** TransAtlantic Properties, Inc.

**FILE NUMBER:** SE-24-13

**PURPOSE:** Special Exception Use Permit for the Provision of Outdoor Storage

**GENERAL LOCATION:** South side of Jacqueline Road, approximately 890' east of Sunshine Grove Road

**PARCEL KEY NUMBER:** 1028701

---

### APPLICANT'S REQUEST:

The petitioner is requesting a Special Exception Use Permit to allow for outdoor storage. The subject parcel was rezoned in 2019 (H-19-45) to C-4 (Heavy Highway Commercial) and later, on June 14, 2021, the petitioner requested a Special Exception Use Permit for Outdoor Storage. Unfortunately, the use was not initiated and the Special Exception expired. The petitioner is proposing the previously approved use and has indicated utilizing the site for long term outdoor storage for RV's, commercial vehicles, and boats. The typical lots for storage will be a mixture of 10' X 30', 10' X 35' and 10' X 50' spaces. The site shall be limited to a total of 69 spaces.

### SITE CHARACTERISTICS:

**Site Size:** 1.30 Acres

**Surrounding Zoning/  
Land Uses:** North: AR-2; Single Family  
South: C-2, C-4; Construction Services  
East: AG; Single Family  
West: AG; Single Family

**Current Zoning:** C-4/(Heavy Highway Commercial)

**Future Land Use  
Map Designation:** X

### UTILITIES REVIEW:

The Hernando County Utilities Department has indicated it does not currently supply water or sewer service to this parcel. Water service is available to this parcel. There is

a sewer force main that runs along the north side of Jacqueline Road across from this parcel should a commercial connection be desired in the future. HCUD has no objection to the special exception request to allow an outdoor storage lot for boats, cars, and recreational vehicles.

### **ENGINEERING & TRANSPORTATION REVIEW:**

The subject site is located on the south side of Jacqueline Road, approximately 890' west of Sunshine Grove Road. The County Engineer has reviewed the request and indicated the following:

- A dedication of 15-feet of right of way along Jacqueline Road is required.
- Jacqueline Road is classified as a Collector Road and a sidewalk is required along one side of the frontage road. A request for a sidewalk waiver may be submitted in accordance with Hernando County Ordinance Appendix A, Article III Section 3 P 3.
- Any proposed gates are to be set back 1.5 times the largest vehicle proposed for use on the property. Refer to Hernando County Facility Design Guideline V-18.
- The use of impervious material for the parking area shall require an environmental resource permit from the Southwest Florida Water Management District, with appropriate drainage calculations.

### **LAND USE REVIEW:**

#### **Minimum Building Setbacks:**

- Front: 35'
- Side: 20'
- Rear: 35'

#### **Screening**

Hernando County LDRS requires screening of outdoor storage from adjoining and contiguous properties by a wall, fence or other approved enclosures. Screening shall meet an eighty (80) percent opacity standard. Such screening shall be located behind the building line and shall have a minimum height of five (5) feet and maximum of eight (8) feet. In this instance, the primary use is storage, and the entire site must be fenced.

#### **Buffers**

The buffer shall consist of a minimum five-foot landscaped separation distance. The nonresidential use located on such lot shall be permanently screened from the adjoining and contiguous properties by a wall, fence, and/or approved enclosures. Such screening shall have a minimum height of 5 feet, a maximum height of 8 feet, or an evergreen hedge with a minimum height of 5 feet at the time of planting.

**Comments:** The petitioner has indicated the property will provide the minimum buffer requirements of the County's LDRs.

**Lighting:**

County LDRs require lighting that enhances the visual impact of the project on the community and to specifically address lighting intensity levels and glare accordingly. Commercial buildings and projects shall be designed to provide safe, convenient, and efficient lighting for pedestrians and vehicles.

**Comments:** The petitioner has not indicated any provisions for lighting of the subject property. If approved, the petitioner shall be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring residential uses.

**COMPREHENSIVE PLAN REVIEW:**

The area is characterized by moderate to heavy commercial uses. The subject site is considered "specialty commercial" and is located within a preexisting commercially developed and designated area.

**Strategy 1.04G(11):** Specialty commercial areas are recognized but generally not depicted on the Future Land Use Map due to their small size and specialized function. The County will provide for land use regulations that recognize and encourage specialty commercial uses important to the traditional economic base, including Agricultural Commercial, Marine Commercial and Heavy Commercial uses.

**FINDINGS OF FACT:**

The requested Special Exception Use Permit for Outdoor storage for Commercial Vehicles, RV's (recreational Vehicles, and Boats, is appropriate based on consistency with the Comprehensive Plan and compatibility with the surrounding land uses.

**NOTICE OF APPLICANT RESPONSIBILITY:**

*The special exception 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. Homeowners' 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.*

*The applicant, property owner, or developer is responsible for ensuring the performance conditions established herein are provided to all contractors performing work for this project. All applications submitted for development activity on this project are expected to comply with the performance conditions established herein.*

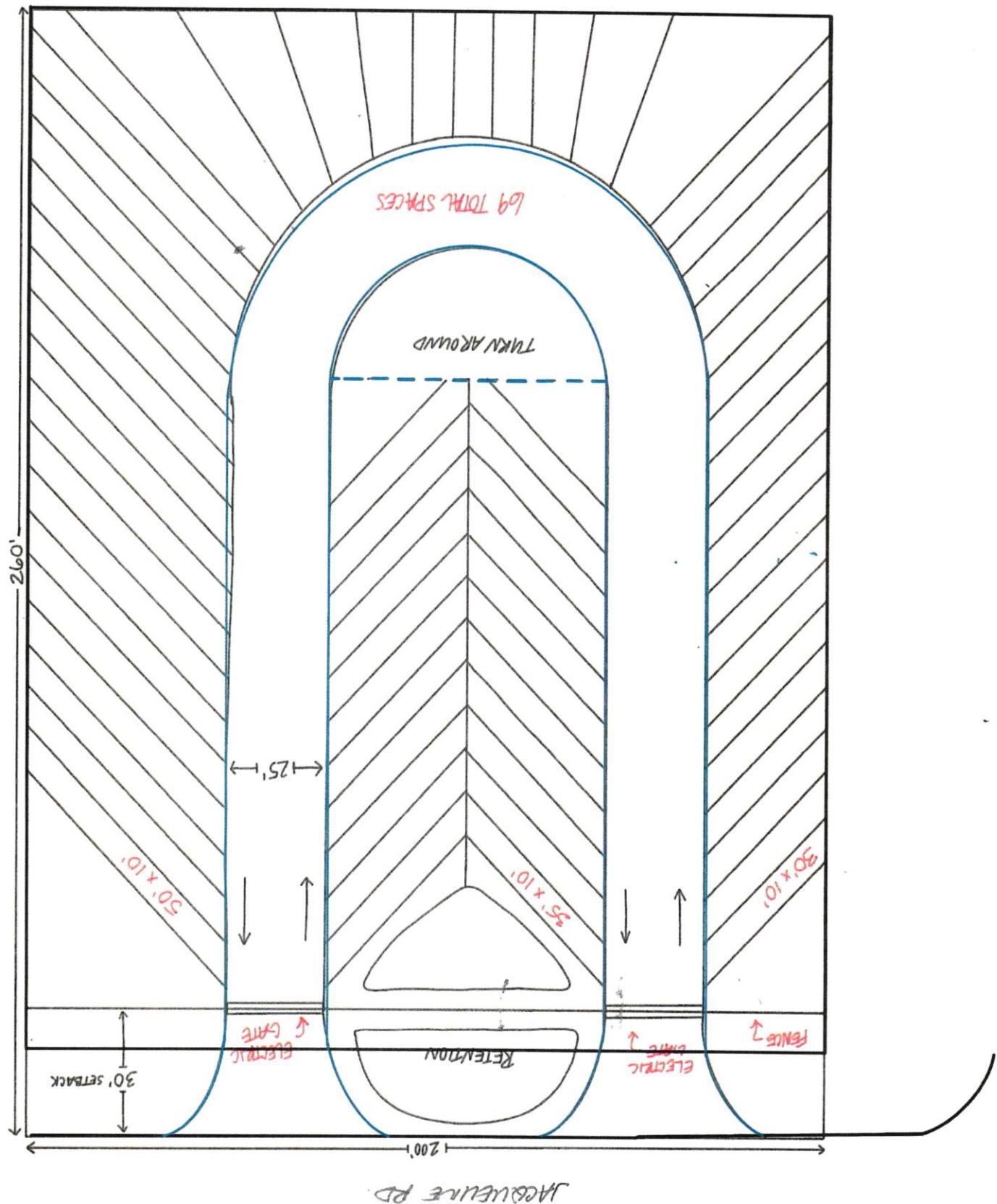
## STAFF RECOMMENDATIONS:

It is recommended that the Planning and Zoning Commission approve the petitioner's requested Special Exception Use Permit for outdoor storage of Recreational Vehicles, Commercial Vehicles, and boats.

1. The petitioner shall obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use or the property, and complete all applicable development review processes.
2. Minimum Building Setbacks:

Jacqueline Road'	35
West	20'
East:	20'
South:	35'
3. The petitioner shall be required to provide full cutoff fixtures and retain all light on-site to prevent any light spillage onto neighboring lots.
4. A Florida Fish and Wildlife Conservation Commission (FWC) permit shall be required prior to site alterations. The petitioner is required to comply with all applicable FWC regulations.
5. The petitioner shall screen the property with an opaque fence along the entire perimeter of the property in accordance with the Land Development Regulations. Landscaping shall be required along Jacqueline and shall have a minimum height of five (5) feet and maximum of eight (8) feet and meet an opacity standard of 80%. The remainder of the site shall meet the minimum requirements for landscaping of the LDR's.
6. When construction occurs on the site, silt fencing shall be installed on the interior of the buffers to ensure that buffers remain undisturbed.
7. No outside storage is allowed within the minimum building setback from an adjoining street
8. A dedication of 15-feet of right of way along Jaqueline Road is required.
9. The petitioner shall install a sidewalk to connect the building to the sidewalk along the entire frontage of a collector road.

10. Any proposed gates are to be installed in accordance with the Hernando County Facility Design Guidelines
11. The use of impervious material for the parking area shall require an environmental resource permit from the Southwest Florida Water Management District, with appropriate drainage calculations.



# SE-24-13

Photo date: 2023

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

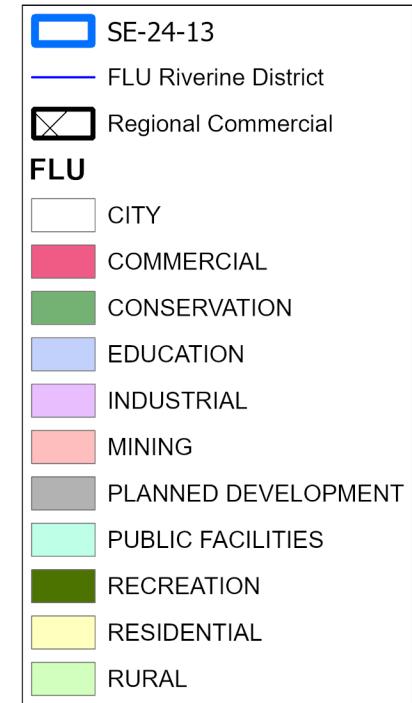
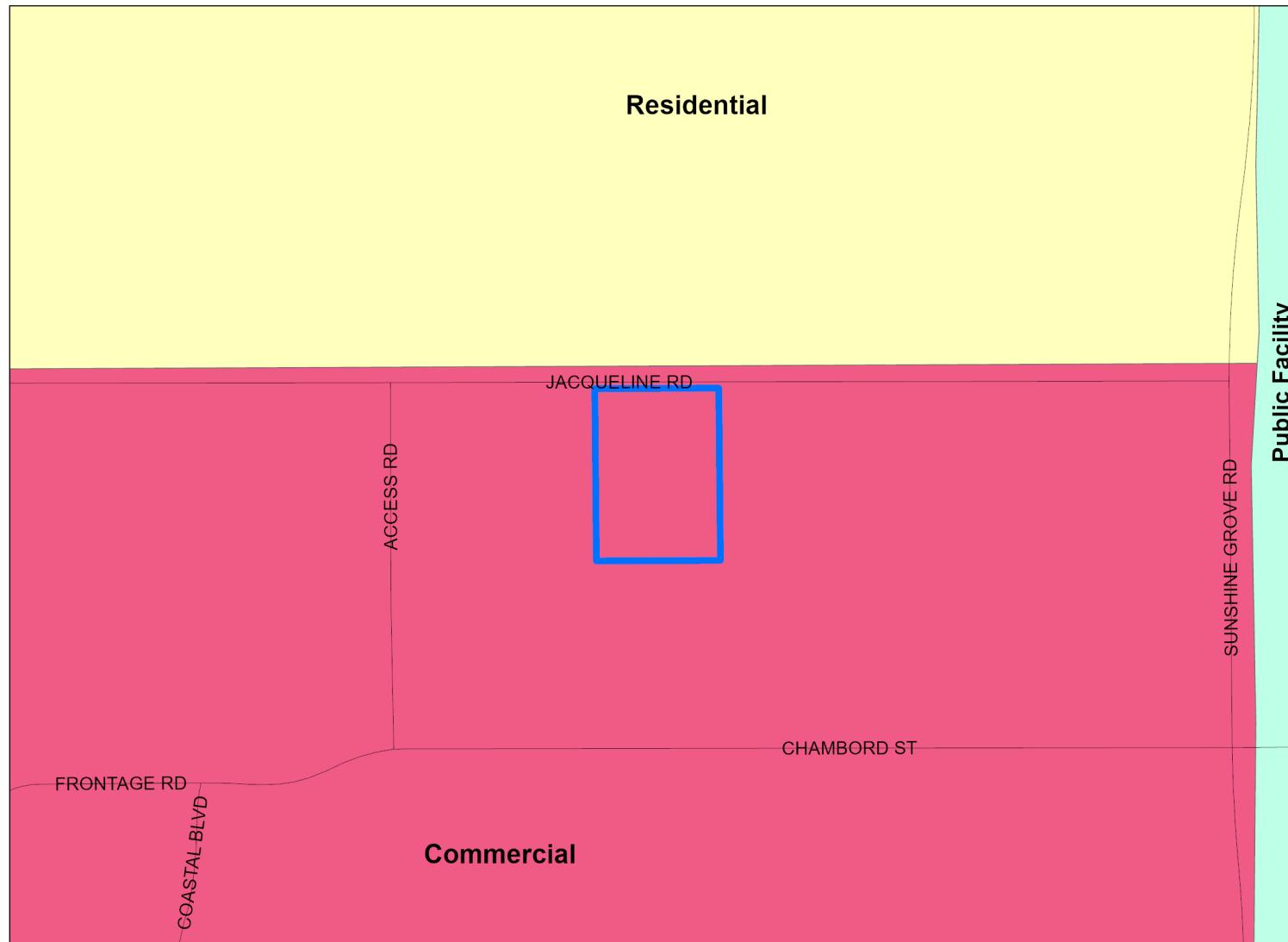


0 0.02 0.04 0.08 0.12 0.16 Miles

# Hernando County Comprehensive Plan Map

Existing Future Land Use: SE-24-13

Version Date: 12/09/2022



## Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

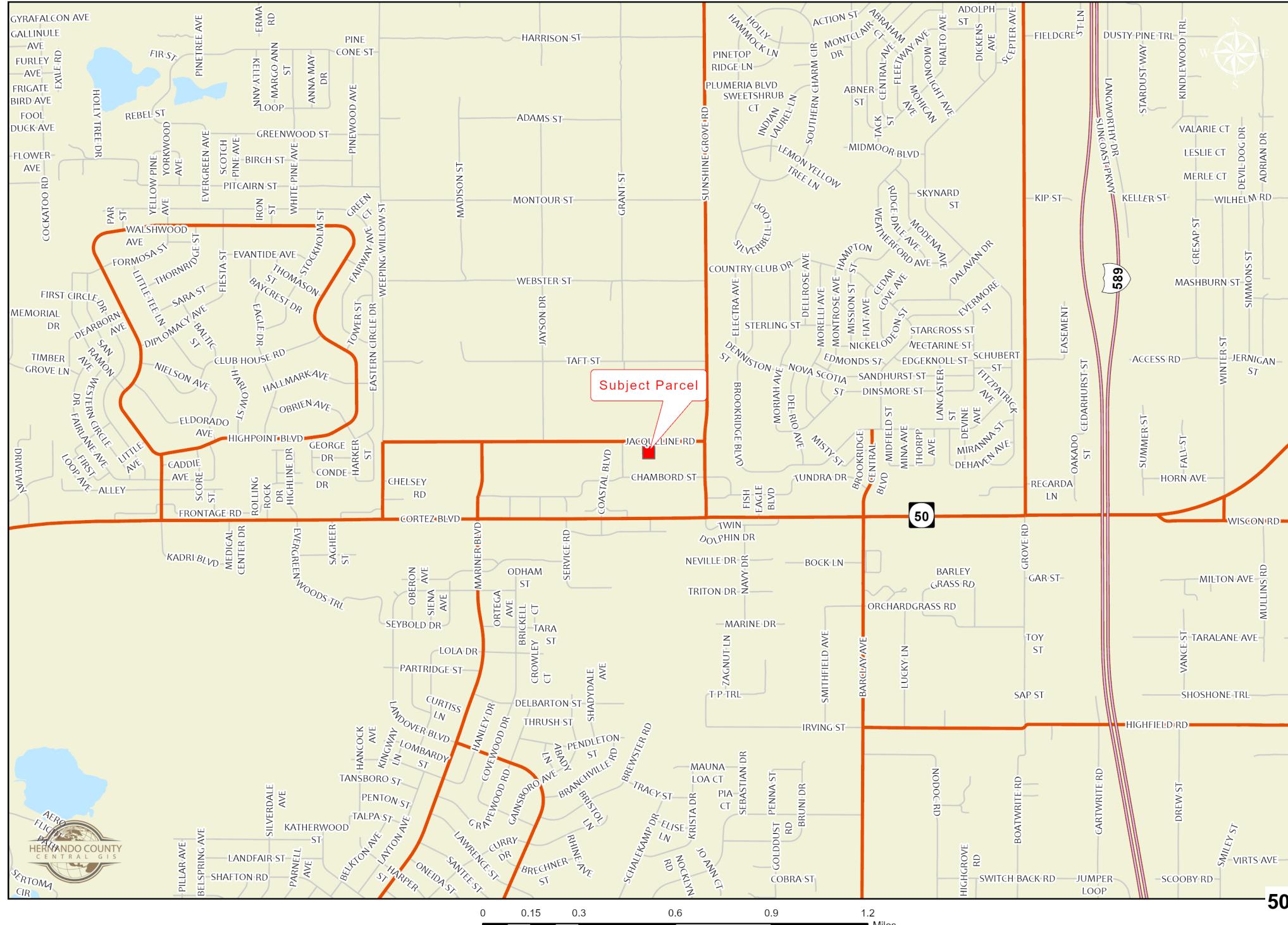
NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

Date of mapping: 01/07/2025



# SE-24-13 AREA MAP

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



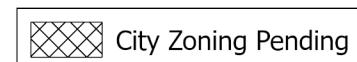
SE-24-13

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



## Zoning:

Zoning:	PDP(HC)
AC	PDP(HHC)
AG	PDP(HID)
AR	PDP(IND)
AR1	PDP(LI)
AR2	PDP(MF)
C1	PDP(MH)
C2	PDP(NC)
C3	PDP(OP)
C4	PDP(PSF)
CITY	PDP(REC)
CM1	PDP(RR)
CM2	PDP(RUR)
CPDP	PDP(SF)
CV	PDP(SU)
I1	R1A
I2	R1B
M	R1C
OP	R1MH
PDP(AF)	R2
PDP(CM)	R2.5
PDP(CP)	R3
PDP(GC)	RC
PDP(GHC)	RM





## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 03/10/2025  
Department: Planning  
Prepared By: Danielle Nigro  
Initiator: Omar DePablo  
DOC ID: 15605  
Legal Request Number:  
Bid/Contract Number:

#### **TITLE**

Rezoning Petition Submitted by Joshua Whitney (H2438)

#### **BRIEF OVERVIEW**

##### **Request:**

Rezoning from AR-2 (Agricultural Residential 2) to PDP(MF)/ Planned Development Project (Multifamily) with deviations

##### **General Location:**

Several parcels on the north side of Powell Road starting approximately 165' west of Orlando Avenue and ending approximately 1,350' from Silver Ridge Boulevard

#### **FINANCIAL IMPACT**

A matter of policy. There is no financial impact.

#### **LEGAL NOTE**

The Planning and Zoning Commission has jurisdiction to make a recommendation on the subject application. The Applicable Criteria for a Zoning District Amendment are contained in Appendix A, (Zoning Code) Article VI. The Applicable Criteria for Planned Development Projects are contained in Appendix A, (Zoning Code) Article VIII. The Zoning District Amendment to the Planned Development District and applicable PDP master plan must be consistent with the Comprehensive Plan.

The notice requirements of Appx. A, Art. VI, Sec. 7 of the Hernando County Code have been complied with.

#### **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 AR-2 (Agricultural Residential-2) to PDP(MF)/Planned Development Project (Multifamily) with deviations and performance conditions.

#### **REVIEW PROCESS**

Omar DePablo	Approved	02/28/2025 10:01 AM
Toni Brady	Approved	03/03/2025 8:38 AM
Victoria Anderson	Approved	03/03/2025 11:47 AM
Danielle Nigro	Approved	03/03/2025 11:59 AM

**AYES:** Birren, David, Holmes, McDonald and Noe

**NON VOTING** Fulford

# 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: June 18, 2024

File No. H-24-38 Official Date Stamp:

RECEIVED

By reinhart at 7:42 am, Aug 30, 2024

**APPLICANT NAME:** Joshua Whitney

Address: 1336 LAKE PARKER DR

City: ODESSA

State: FL

Zip: 33556

Phone: 813-917-9041

Email: Josh19663814@gmail.com

Property owner's name: (if not the applicant)

**REPRESENTATIVE/CONTACT NAME:** Donald R. Lacey, A.I.C.P.

Company Name: Coastal Engineering Associates, Inc..

Address: 966 Candlelight Boulevard

City: Brooksville

State: FL

Zip: 34601

Phone: (352) 848-3661

Email: dlacey@coastal-engineering.com

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

Contact Name: Richie Jones-President

Address: 15796 Oakcrest Circle

City: Brooksville

State: FL

Zip: 34604

### PROPERTY INFORMATION:

1. PARCEL(S) **KEY NUMBER(S):** 00193187, 00193374, 00193418, 00193613, 00193622, 00193757, 00377363, 01777599, 01778909, 01788337, 193196, 00193294, 01126052, 00193392
2. SECTION 12, TOWNSHIP 23 South, RANGE 18 East
3. Current zoning classification: AR2 and R-1A
4. Desired zoning classification: PDP (MF)
5. Size of area covered by application: +/- 20 ACRES
6. Highway and street boundaries: North side of Powell Road, east and west of Gloucester 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: \_\_\_\_\_)

### PROPERTY OWNER AFFIDAVIT

I, JOSHUA WHITNEY, OWNER

, 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): Coastal Engineering Associates, Inc

and (representative, if applicable): Donald R. Lacey, A.I.C.P and/or Cliff Manuel, P.E.

to submit an application for the described property.

*[Handwritten signature]*  
Signature of Property Owner

**STATE OF FLORIDA**

**COUNTY OF HERNANDO**

The foregoing instrument was acknowledged before me this 18th day of June, 2024, by  
Joshua Whitney who is personally known to me or produced \_\_\_\_\_ as identification.

*[Handwritten signature]*  
Signature of Notary Public



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

Notary Seal/Stamp

## ZONING AND MASTER PLAN APPLICATION

JOSHUA WHITNEY, CRAIG GRUBER, HAROLD WERDER

PARCEL KEYS: 00193374, 00193418, 00193613, 00193622, 00193187, 1777599, 1778909, 377363, 1788337, 193757, 193196, 193294, 1126052, 193392

### GENERAL LOCATION

The subject site consists of approximately 20 acres lying within section/township/range 12/23/18 and 11/23/18. The general location is the north side of Powell Road, east and west of Gloucester Road inclusive of Blocks 1, 12, 13, 24 and 25 of Brooksville Terrace and Lot 5, Block EE of Tangerine Estates. Please refer to Figure 1 for the general location of the property. Ownership is in the names of Whitney, Werder and Gruber.

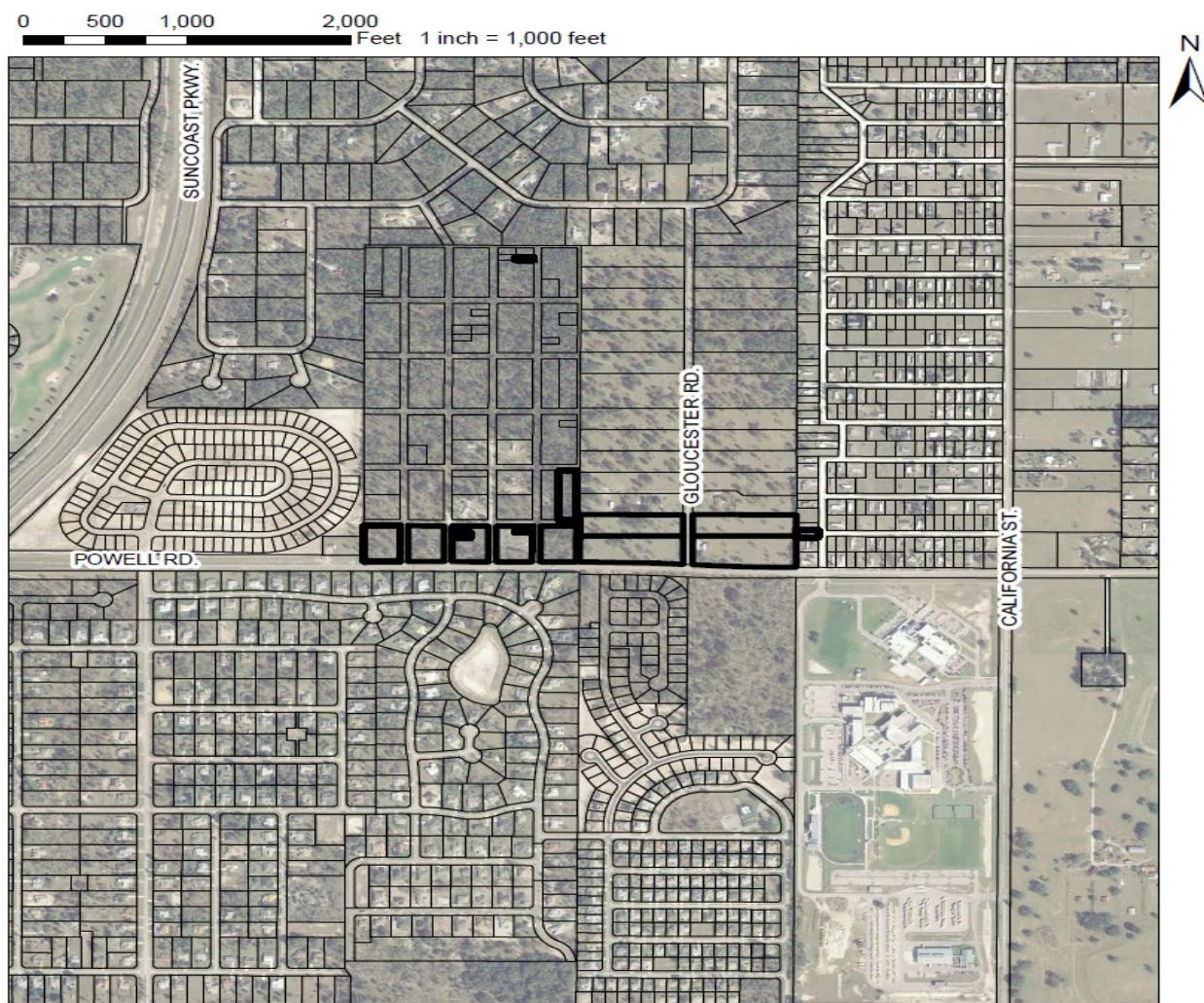


Figure 1 Whitney, Gruber, and Werder, Aerial, and General Location Map

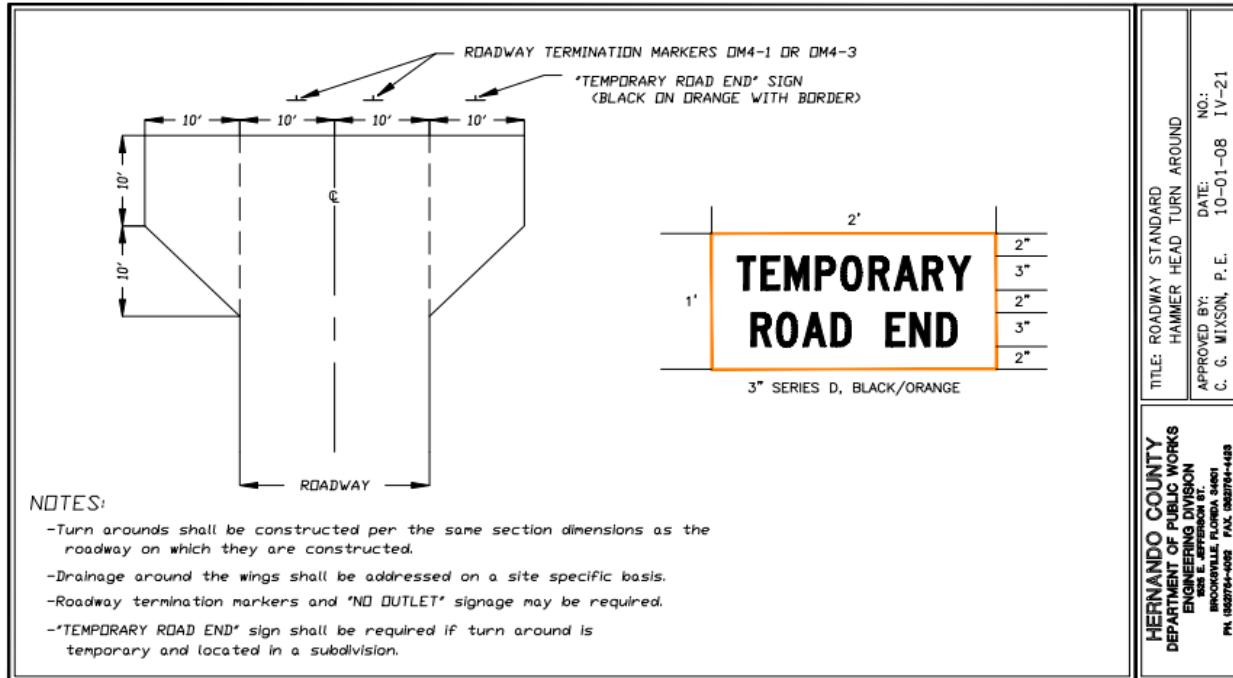
## REQUEST

The request is for approval of a master plan and zoning to change the current zoning from AR-2 (Agricultural Residential) to PDP/MF (Planned Development Project/Multifamily) to allow for the development of a 174 unit townhome community.

## PROJECT DESCRIPTION

The project is proposed as a 174 unit townhome project. Each unit will be sold fee simple on a separate lot with the units attached in groups of four (4) and six (6) units. The site consists of land on the east and west side of Gloucester Road, the entirety of Blocks 1,12, 13, 24 and 25 of Brooksville Terrace and a portion of Block 2. Blocks 12 and 13 of Brooksville Terrace include small outparcels (parcel keys 193294, 1126052, and 193392) that are not shown in the name of the applicant. However, these parcels have recorded documents (ORB 1572, PG 575; ORB 1572, PG 574; and ORB 1468, PG 1163) which indicate adverse possession by Harold Werder and are in the process of being corrected through a quiet title action.

Brooksville Terrace includes a series of rights of ways publicly dedicated by the recorded subdivision plat that run north/south and perpendicular to Powell Road: Lady Bug Drive, Leopard Lane, Habitat Drive, Carnival Lane, and Atlas Drive. These rights of way are not currently constructed to County standard and will be improved to meet the Hernando County Facility Guidelines to serve as local residential streets for the development. Currently, all of these rights of way intersect with Powell Road which functions as an east/west County collector roadway. The project proposes to conceptually eliminate all of these connection points with the exception of Habitat Drive which will serve as one (1) of the three (3) accesses for the project. The remaining connections will be eliminated by constructing "Hammer Head" turnarounds for residents and emergency vehicles. This same design will be used for all other proposed north south residential streets within the project. However, please note that the number of access points to Powell Road from Brooksville Terrace may be increased or the location modified at the time of conditional plat based upon a traffic study and the review of the County Engineer.



East/west access will be provided by improving Corral Road, which is also a publicly dedicated right of way by the Brooksville Terrace subdivision plat, to meet the Hernando County Facility Design Guidelines. This right of way will also be extended as a local residential street to intersect with Gloucester Road and continue east to connect with Orlando Avenue in alignment with Schaffer Street within the Tangerine Estates Subdivision. The connection with Orlando Avenue can be designed as either a "full" or "emergency" access. These connections form the other accesses for the project.

A thirty (30) foot landscape buffer will be provided along Powell Road and Tangerine Estates Subdivision to the east. A ten (10) foot landscape buffer will be provided along the improved Corral Road and the eastward extension of the roadway and to the west.

Recreation will be provided in accordance with Section 26.75 of the Hernando Code of Ordinances.

## CURRENT LAND USE

The current Future Land Use Map designation on the property is Residential (R). Refer to Figure 2 for the land use designation on the property.

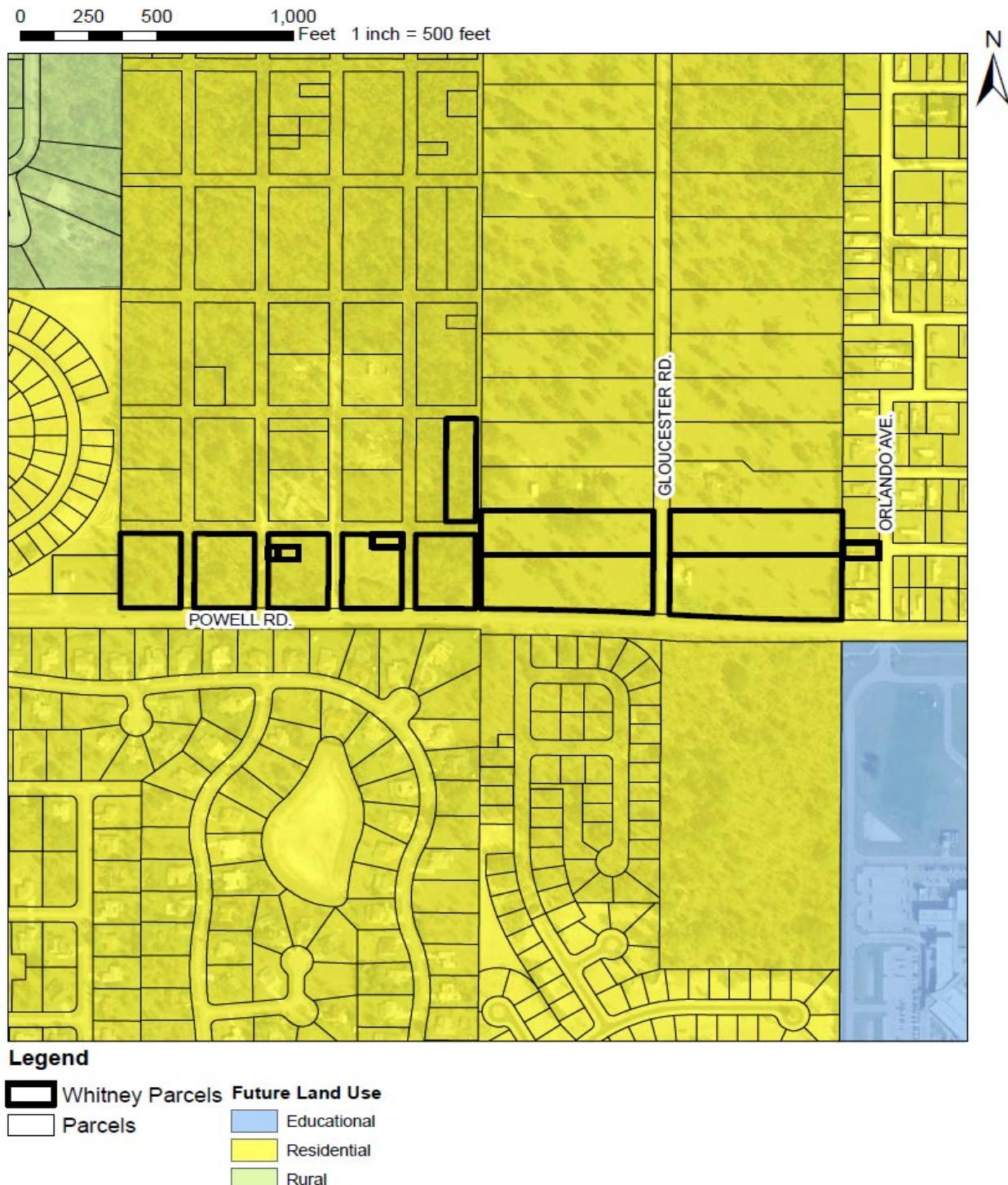


Figure 2 Whitney, Gruber, and Werder Future Land Use Map

## CURRENT ZONING

The current zoning on the property is Agricultural Residential 2 (AR-2). Refer to Figure 3 for the zoning designation on the property, with the exception of the lot in Tangerine Estates which is zoned R-1A.



Figure 3 Whitney, Gruber, and Werder Zoning Map

## SURROUNDING ZONING AND LAND USE

	Property Description	Zoning	FLU
<b>North</b>	Single-family/vacant platted lands	AR-2 (Agricultural Residential)	Residential
<b>South</b>	Single-family Subdivisions (Deerfield Estates, Springwood Estates), Chocachatti K-8	PDP/SF (Planned Development Project Single Family) and Agricultural (AG)	Residential and Public Facility (Educational)
<b>East</b>	Single-family and mobile homes (Tangerine Estates)	Single Family (R-1A)	Residential
<b>West</b>	Single-family Subdivision (Silver Ridge)	PDP/SF (Planned Development Project Single Family) and Agricultural (AG)	Residential

## CONSISTENCY WITH THE COMPREHENSIVE PLAN

The project is consistent with the overall intent and purpose of the Hernando County 2040 Comprehensive Plan. More specifically, the request is consistent with the following Goals, Objectives, and Strategies from the 2040 Plan.

### FUTURE LAND USE ELEMENT

#### Growth Strategy Implementation

**Strategy 1.01A(5):** Proposed development orders will be reviewed for overall consistency with the general intent of the Comprehensive Plan growth strategies. Consistency with each individual goal, objective or strategy is not required.

*Analysis:* The project is consistent with the overall intent of the Comprehensive Plan as evidenced by the specific citations provided.

**GOAL 1.04 – Future Land Use Map** Land use designations are intended to protect community character, discourage urban sprawl, promote economic growth and promote compatibility between uses. The Future Land Use Map shall be the guiding mechanism that directs development through general category locations, descriptions, densities and intensities of future land use.

**Strategy 1.04A(3):** The **Residential Category** accommodates residential growth clustered in and around urbanized areas and those areas that maximize the efficient use of infrastructure contained in long range facilities plans of the County.

*Analysis:* The site is located in the Residential Land Use Category on the Future Land Use Map which is the guiding mechanism to direct future growth and maximize the efficient use of infrastructure.

## **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(2):** Future residential development will be planned to locate where the Residential Category predominates on the Future Land Use Map as determined by the availability of facilities and services, the need to accommodate future growth, the strategies to discourage the proliferation of urban sprawl, and the impacts to natural resources, including groundwater.

*Analysis:* The site is in the Future Land Use Category which is designed to accommodate future growth in areas that can be served effectively by services and infrastructure. The site will be developed with townhomes which are categorized by Hernando County as Multifamily and is allowed in the Residential Category.

## **Multi-Family Housing**

**Strategy 1.04B(4):** The Residential Category includes zoning for multi-family housing generally averaging 7.5 dwelling units per gross acre up to 22 dwelling units per gross acre in order to provide for a diversity of housing choices. Multifamily housing should be located within, or in close proximity to urban areas shown on the Adjusted Urbanized Area Map, or near shopping and employment centers or within Planned Development Projects.

*Analysis:* The site is located within the urbanized area and is close to employment centers at the Brooksville/Trampa Bay Regional Airport and Technology Center, services and shopping along State Road 50 and Spring Hill Drive. The development of the site is proposed as a Planned Development Project (PDP).

## **Land Use Compatibility**

Strategy 1.10B(1): Future Land Use Map amendments should be compatible with surrounding development and minimize impact to natural resources without the need for mitigation measures that are extraordinary in scope or difficult to enforce.

*Analysis:* The proposed use of the site for townhomes is compatible with the surrounding uses including a K-8 Public School, the adjoining collector roadway (Powell Road) and single family development in the area.

## **Planned Development Projects and Standards**

**Objective 1.10D:** Design criteria for Planned Development Projects (PDP) shall address as applicable building placement and height, parking, multi-modal circulation, drainage, landscaping, architectural standards, public space amenities, and energy efficiency. The PDP process allows flexibility in standards for projects that provide environmental protection, landscaping, increased open space, public facilities,

innovative design, public benefits, or features that promote quality community design and land use compatibility.

*Analysis:* The project is proposed as a planned development which will allow design flexibility in terms of access, circulation, building placement, setbacks, and buffers.

## **HOUSING ELEMENT**

### **Housing Provision**

**Objective 4.01A:** Hernando County shall encourage the provision of adequate and affordable housing opportunities to accommodate the expected population.

**Strategy 4.01A(1):** Designate residential areas on the Future Land Use Map sufficient to support the projected population growth, and to provide a housing supply that allows for operation of the real estate market. Provide a variety of housing types and markets to choose from.

**Strategy 4.01A(2):** Provide within the Residential Category on the Future Land Use Map, a range of densities, lot sizes, setbacks, and a variety of housing types in locations convenient to the needs of various segments of the population.

*Analysis:* The development of the site with townhomes is consistent with the Housing Element Objectives and Strategies to provide for a variety of housing types with a range of densities, lot sizes and setbacks as well as providing an affordable housing supply at various price points.

## **DIMENSIONAL STANDARDS**

### Perimeter Building Setbacks and Buffers:

Buffers: All buffers will be enhanced by existing vegetation, landscaping and/or a fence or wall.

North:	10 feet
South (Powell Road):	30 feet
East (Tangerine Estates):	20 Feet
West:	10 feet

Maximum Building Height: 45 feet or 3 stories

Number of Units and Density: 174 units (8.3 +- Dwelling units/acre)

Minimum Lot Size: 2,000 square feet

Minimum Lot Width: 20 feet

### Internal Building Setbacks:

Front:	25 feet
Side End Units:	5 feet
Sides Internal Units:	0 feet
Rear:	15 feet

## DEVIATION REQUESTS

*Appendix A, Article VIII (Planned Development Project), Section 1 (General Provisions for PDP'S)*

Powell Road setback: 35 feet (deviation from 75 feet)

*Appendix A, Article IV (Zoning District Regulations), Section 2 (Residential Districts) H (R-4 District)*

Lot Size: 2,000 square feet (deviation from 12,000 square feet)

Lot Width: 20 feet (deviation from 75 feet)

Minimum Street Frontage: 20 feet (deviation from 50 feet)

Internal Building Setbacks: Sides 0/5 feet (deviation from 10 feet)

Rear 15 feet (deviation from 20 feet)

*Justification:* Article VIII of Appendix A provides that the Planned Development District is intended for design flexibility and the governing body may allow deviations from the standard requirements in this regard. The project is proposed as a townhome development, the Code provides no standards or guidance for this product type, and the dimensional standard proposed as deviations are consistent with this product type. The perimeter setback deviation from Powell Road is a result of the small size and linear shape of the site making it difficult to provide a suitable area of development without this flexibility.

## SITE CHARACTERISTICS

### Topography

The site ranges in elevation from 65 MSL to 80 MSL. See Figure 4 for details.

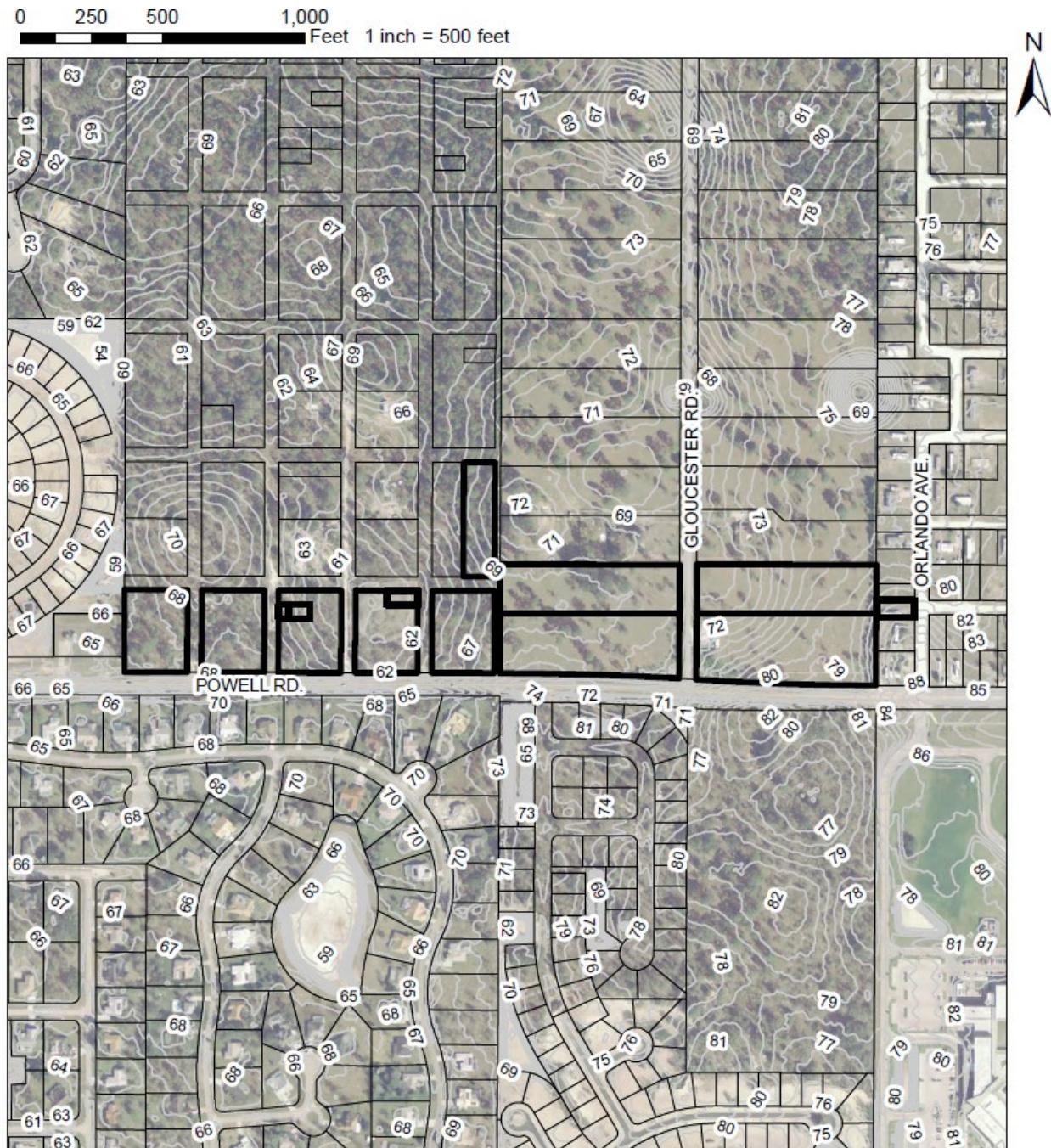
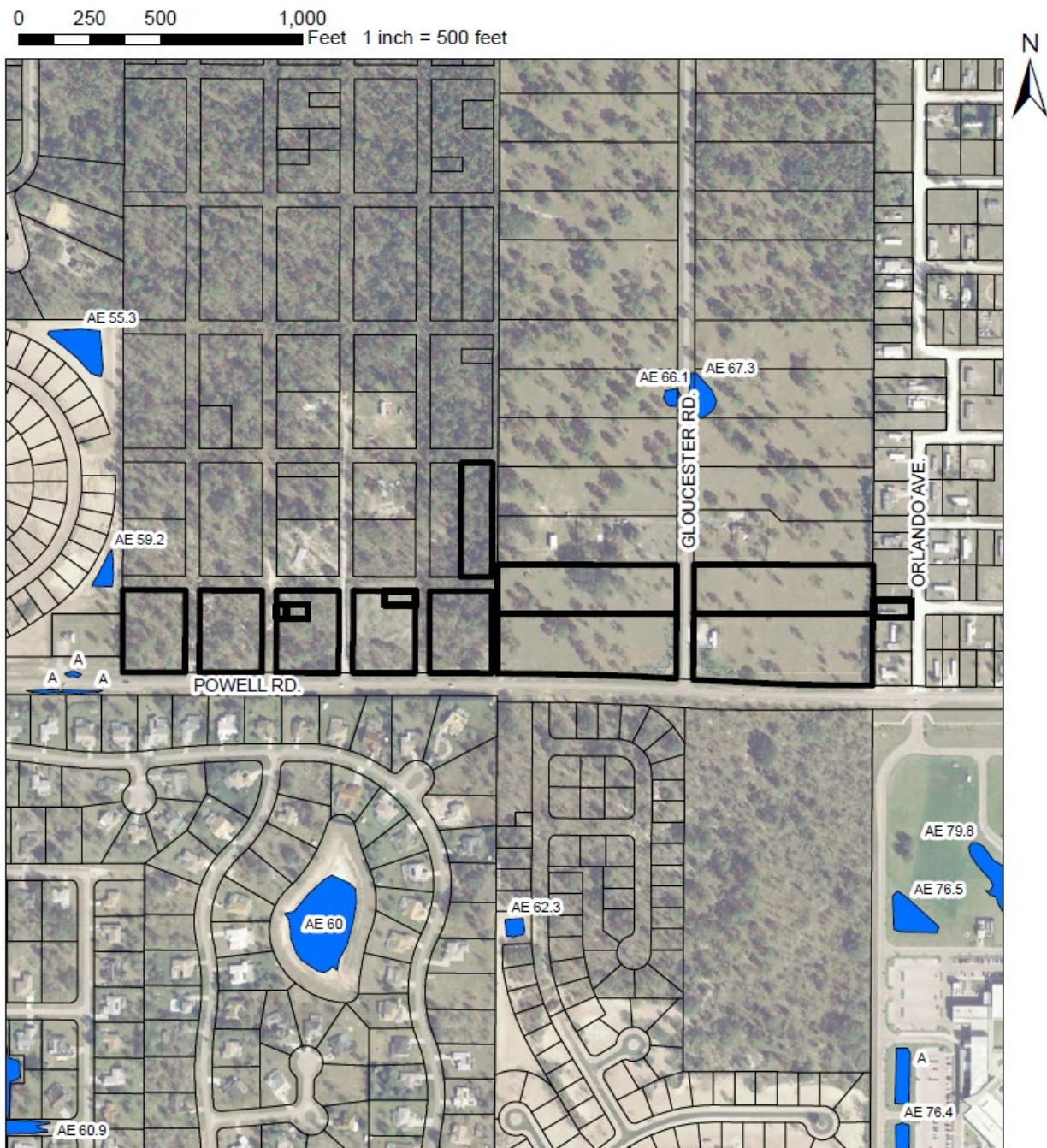


Figure 4 Whitney, Gruber, and Topographic Map

## Floodplain

The site is not located in a floodplain. See Figure 5 for details.



## Figure 5 Whitney, Gruber, and Floodplain Map

## Soils

The soil type NIS Candler Fine Sand, 0 to 5 % slopes which are well drained. See Figure 6 for details.

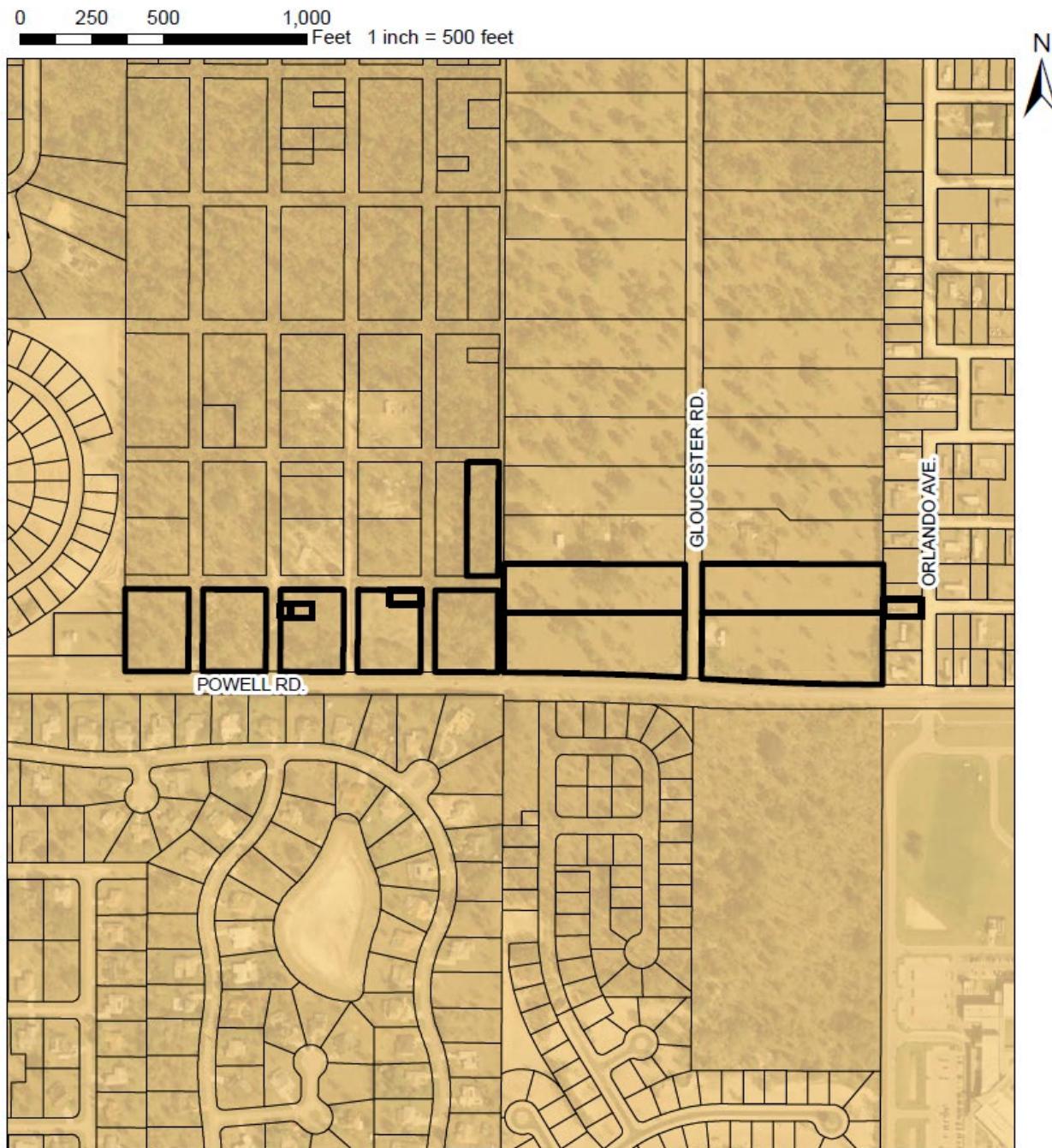


Figure 6 Whitney, Gruber, and Soils Map

## ENVIRONMENTAL

The site contains no significant environmental features.

## IMPACT TO PUBLIC FACILITIES

**Adequate Access:** The site has access to Powell Road, a two (2) lane collector roadway operating at an acceptable level of service. The project will have three (3) access points; (1) access to Gloucester Road which will provide access to Powell Road, (2) access to Powell Road from Habitat Drive which will be improved to County standards, (3) access to Orlando Avenue which can be designed as either a “full” or emergency connection. Gloucester at the intersection with Powell Road will be improved with a right turn lane for exiting traffic. Given the number of units proposed, the traffic impact of the project should be minor, and will be disbursed among the three (3) proposed access points. In addition, a traffic study will be required at the time of conditional plat.

However, please note that the number of access points to Powell Road from Brooksville Terrace may be increased or the location modified at the time of conditional plat based upon the traffic study and the review of the County Engineer.

**Water and Sewer:** The site will be served by Hernando County Utilities. The developer will make the necessary infrastructure improvements to provide service and conduct a utility capacity analysis as required.

**Solid Waste:** The site will be served by a solid waste collection agency as designated by the County.

**Schools:** The site is located in the Pine Grove Elementary School District, West Hernando Middle School District, and Nature Coast Technical High School District. Chocachatti K-8 is a magnet school. A finding of school capacity will be required at with conditional plat application.

**Police and Fire:** The site is served by the Hernando County Sheriff’s Office for police protection and Fire/Rescue Station 14.

**Drainage:** The site will comply with the requirements of Hernando County and the Southwest Florida Water Management District for stormwater and flood prevention.

**Recreation:** The Hernando County Parks and Recreation Department provides recreation service in the form of Community Parks, District Parks, and Preserves. The development will provide private amenities for project residents.

## STAFF REPORT

---

<b>HEARINGS:</b>	Planning & Zoning Commission: March 10, 2025 Board of County Commissioners: April 4, 2025
<b>APPLICANT:</b>	Joshua Whitney
<b>FILE NUMBER:</b>	H-24-38
<b>REQUEST:</b>	Rezoning from AR-2 (Agricultural Residential 2) to PDP(MF)/ Planned Development Project (Multifamily) with deviations
<b>GENERAL LOCATION:</b>	Several parcels on the north side of Powell Road starting approximately 165' west of Orlando Avenue and ending approximately 1,350' from Silver Ridge Boulevard
<b>PARCEL KEY NUMBER(S):</b>	193187, 193374, 193418, 193613, 193622, 193757, 377363, 1777599, 1778909, 1788337, 193196, 193294, 1126052, 193392

---

### APPLICANT'S REQUEST

The petitioner's current request is for a rezoning from AR-2 (Agricultural Residential-2) to PDP(MF)/ Planned Development Project (Multifamily) with deviations. The project will consist of a compilation of fourteen (14) parcels to develop a 174 unit "fee simple townhome community".

Townhomes will be developed with four (4) and six (6) units per building with a maximum height of 3 stories on 2,000 square foot lots. A thirty (30) foot landscape buffer will be provided along Powell Road and Tangerine Estates Subdivision to the east. A ten (10) foot landscape buffer will be provided along the improved Corral Road and the eastward extension of the roadway to the west. While the proposed development is adjacent to existing rural-residential and single family residential uses, it is designed in such a way to allow a transition between uses, with the 6-unit buildings along Powell Road and 4-unit buildings where adjacent to more rural uses/parcels. The total proposed gross density of the project is 8.7 du/acre, consistent with moderate density multifamily housing.

The proposed project includes a series of rights-of-ways publicly dedicated by the recorded subdivision plat that run north/south and perpendicular to Powell Road: Lady Bug Drive, Leopard Lane, Habitat Drive, Carnival Lane, and Atlas Drive. These rights-of-ways are not currently constructed to County standards and will be improved to meet the Hernando County Facility Guidelines to serve as local residential streets for the development. Currently, all of these rights-of-ways intersect with Powell Road which functions as an east/west County collector roadway. The project proposes to conceptually eliminate all of these connection points with the exception of Habitat Drive which will serve as one (1) of the three (3) accesses for the project. The remaining connections will be eliminated by

constructing “Hammer Head” turnarounds for residents and emergency vehicles. This same design will be used for all other proposed north south residential streets within the project.

### **Requested Deviations**

- The deviations requested are to allow for the townhome style development, as the Land Development Regulations do not currently have a zoning district for moderate-density multi-family attached units that are individually owned in this manner. The Planned Development District is intended for design flexibility and the governing body may allow deviations from the standard requirements in this regard. The dimensional standards proposed as deviations are consistent with this product type. Additionally, the perimeter setback deviation from Powell Road is a result of the small size and linear shape of the site to create a suitable development area for the proposed use. Powell Road setback: 30' (deviation from 75')
- Lot Size: 2,000 square feet (deviation from 12,000 square feet)
- Lot Width: 20' (deviation from 75')
- Minimum Street Frontage: 20' (deviation from 50 feet)
- Internal Building Setbacks: Sides 0' Internal/5' External (deviation from 10')
- Rear Setbacks: 15' (deviation from 20')
- Lot Coverage: 65% (deviation from 35%)

Staff has no objections to the deviations requested.

### **SITE CHARACTERISTICS**

**Site Size:** 20.0 Acres

**Surrounding Zoning;**

**Land Uses:**

North:	AR-2; Undeveloped, Single Family
South:	PDP(SF); Single Family
East:	R-1A; Undeveloped, Single Family
West:	PDP(SF); Single Family

**Current Zoning:** AR-2 (Agricultural Residential-2)

**Future Land Use**

**Map Designation:** Residential

### **ENVIRONMENTAL REVIEW**

**Soil Type:** Candler Fine Sand

**Hydrologic**

**Features:**

The subject property contains no wetlands or Special Protection Areas (SPA), according to County data resources.

<b>Protection Features:</b>	The property is located within a Class 2 Wellhead Protection Area (WHPA) according to County data resources.
<b>Comments:</b>	The proposed use is an allowable use in a Class 2 Wellhead Protection area.
<b>Habitat:</b>	Candler fine sand provides a habitat suitable for gopher tortoises. Given the presence of the candler fine soils, gopher tortoise habitat and several commensal species have a moderate potential for occurring on the project site including eastern indigo snake ( <i>Drymarchon corais</i> ), Florida mouse ( <i>Podomys floridanus</i> ), Florida pine snake ( <i>Pituophis melanoleucus mugitus</i> ), and gopher frog ( <i>Rana areolata</i> ). Since there is the potential for this listed Species of Special Concern to be present, the site should be inspected prior to construction, and a Florida Fish and Wildlife Conservation Commission permit may be required prior to site alterations.
<b>Comments:</b>	A comprehensive wildlife/gopher tortoise survey shall be conducted to identify any listed species present on the property. A Florida Fish and Wildlife Conservation Commission (FWC) permit may be required prior to site alterations. The petitioner is required to comply with all applicable FWC regulations.
<b>Water Quality:</b>	The proposed development is within the Weeki Wachee River Basin Management Action Plan (BMAP), and the Weeki Wachee Outstanding Florida Springs (OFS) Group.
<b>Comments:</b>	Implementation of Florida Friendly Landscaping™ principles, techniques, and materials designed to conserve water and reduce pollutant loading to Florida's waters is required. This will be addressed during the permitting phase of development.
<b>Flood Zone:</b>	The subject property is not in a flood zone.

## SCHOOL BOARD REVIEW

Preliminary capacity findings were not provided by the Hernando County School District.

The applicant must apply for and receive a Finding of School Capacity from the School District prior to the approval of the conditional plat or the functional equivalent. The

County will only issue a certificate of concurrency for schools upon the School District's written determination that adequate school capacity will be in place or under actual construction within three (3) years after the issuance of subdivision approval or site plan approval (or functional equivalent) for each level of school without mitigation, or with the execution of a legally binding proportionate share mitigation agreement between the applicant, the School District, and the County.

## **UTILITIES REVIEW**

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to these parcels. Water and sewer service are available to these parcels. HCUD has no objection to the request, subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction.

## **ENGINEERING REVIEW**

The County Engineer has reviewed the petitioner's request and provided the following comments:

- A Traffic Access Analysis is required to be submitted at the time of conditional plat. The Traffic Access Analysis will be required to consider the surrounding developments and impacts, demonstrating the concentration of traffic impacts and proposed improvements. These improvements shall be constructed at the developer's expense.
- Right-of-Way along Powell Road will be required. Right-of-Way shall be dedicated within 90 days of master plan approval. The amount of Right-of-Way required will be determined at this time.
- Powell Road is a Collector Roadway; multiple residential driveways are not permitted on Collector Roadways. The applicant shall be required to coordinate with the County Engineer and design the access management plan prior to submission of conditional plat.
- Orlando Avenue may be required to be paved (from Corral to Orlando Avenue at Powell Road) if utilized as an additional access. This improvement shall be evaluated at the time of conditional plat submission.

**Comments:** The County Engineer did not provide comments regarding the proposed access design plan for the development. This plan must be reviewed and approved prior to the approval of the Conditional Plat. Additionally, the developer shall be required to coordinate with the County Engineer prior to presentation of the master plan to the Board of County Commissioners to determine the right-of-way necessary for the expansion of Powell Road. The master plan must be revised to reflect the perimeter setback from Powell Road based on these ROW requirements.

## LAND USE REVIEW

### Project Perimeter Setbacks:

- North: 10'
- South (Powell Road): 30' (deviation from 75')
- East (Tangerine Estates): 20' (Deviation from 35')
- West: 10'

### Residential Design Standards

#### Townhome Building Setbacks:

- Front: 25'
- Side: 5' and 0' for internal townhome setbacks (deviation from 10')
- Rear: 15' (deviation from 20')

#### Townhome Proposed Design Criteria:

- Lot Size: 2,000 Sq. Ft. (deviation from 12,000 Sq Ft.)
- Lot Width: 20' (Deviation from 75')
- Lot Coverage: 65% (deviation from 35%)
- Building Height: 45' (Three-Story)

### Buffer

The Land Development Regulations require that a landscape buffer be placed between a Planned Development Project land use which is multifamily or non-residential and a land use, external to the PDP, which is residential, agricultural-residential or agricultural.

The buffer shall consist of a minimum five-foot landscaped separation distance. The multifamily or nonresidential use located on such lot shall be permanently screened from the adjoining and contiguous properties by a wall, fence, and/or approved enclosures. Such screening shall have a minimum height of five (5) feet and a maximum height of eight (8) feet, or an evergreen hedge with a minimum height of five (5) feet at the time of planting.

**Comments:** A 30' landscape buffer along Powell Road and a 20' where adjacent to the Tangerine Estates Subdivision to the east have been proposed. A 10' landscape buffer has been proposed along the improved Corral Road and the eastward extension of the roadway to the west. All required buffers will be enhanced by existing vegetation, landscaping and/or a fence or wall to reach a minimum 80' opacity. A cross-section demonstrating the buffer design and opacity shall be provided with the Conditional Plat.

## Access

To establish minimum access requirements to single family and multifamily subdivisions, the Board of County Commissioners adopted a policy requiring two (2) means of access for subdivisions. The policy serves to provide more than one-way in and one-way out for residents of a subdivision, alternate routes for emergency services, interconnection between subdivisions, a shortened drive time for residents to the entrance/exits, and access points for travel direction outside of the development. A minimum of two (2) access points must be provided to serve any new subdivision or development pod with more than 50 units.

Additionally, Hernando County Land Development Regulations require that new single family and multifamily developments with more than 50 units provide at least one treed roadway/access way for motor vehicles extending through the length or width (whichever is greater) of the development with a vegetative buffer at least 10' in width.

**Comments:** The project is unique in the sense that it has several existing platted right-of-way with direct access to Powell Road. The petitioner has indicated only utilizing two (2) of the four rights-of-way for development access and existing Gloucester Road. An additional access drive is proposed east to Scaffer Street. This access management plan is subject to review and approval by the County Engineer; revisions to this plan, in accordance with the County Engineer's review, may be made as long as no other changes to the project layout are made.

## Neighborhood Park

All developments with 50 dwelling units or more shall provide and maintain a neighborhood park system for use by the residents of the subdivision in accordance with the requirements of the LDRs. The proposed phase contains more than 50 dwelling units. Neighborhood parks may count towards the minimum open space requirements. The amount of land provided and maintained as a neighborhood park shall be 1.0 acre for the first 50 dwelling units plus 1/100th of an acre for each dwelling unit over 50 up to 250 dwelling units, for a maximum of 3.0 acres. If approved, the development must meet the minimum neighborhood park requirements as required by the County's LDRs. Individual single family and multifamily pods that exceed 50 dwelling units must provide a neighborhood park.

**Comments:** The petitioner has indicated the development will meet the minimum standards of Section 26.75 (Neighborhood Park) as required by the Hernando Code of Ordinances. However, on the proposed master plan, the neighborhood park acreage is combined with the internal landscaping with no clear delineation of the park location. If the master plan is approved, the petitioner shall coordinate with the planning staff the location of the neighborhood park within the development in

accordance with County standards. Due to the size and scale of the site, staff would consider the park acreage to be split between two pocket parks, at a minimum of one acre each, with bicycle and pedestrian access between the parks and residential units. This layout must be included on the conditional plat.

### **Landscape**

The petitioner shall meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping.

## **COMPREHENSIVE PLAN REVIEW**

The subject site is located within the Residential and Commercial Land Use designation on the County's Adopted Comprehensive Plan. The area is primarily characterized by undeveloped parcels, residential uses and schools.

### **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.

**Strategy 1.04B(2):** Future residential development will be planned to locate where the Residential Category predominates on the Future Land Use Map as determined by the availability of facilities and services, the need to accommodate future growth, the strategies to discourage the proliferation of urban sprawl, and the impacts to natural resources, including groundwater.

***Comments:*** The petitioner's request is consistent with the Comprehensive Plan and compatible with the surrounding area with appropriate performance conditions.

## Multi-Family Housing

### Strategy 1.04B(4):

The Residential Category includes zoning for multi-family housing generally averaging 7.5 dwelling units per gross acre up to 22 dwelling units per gross acre in order to provide for a diversity of housing choices. Multifamily housing should be located within, or in close proximity to urban areas shown on the Adjusted Urbanized Area Map, or near shopping and employment centers or within Planned Development Projects.

#### **Comments:**

The petitioner has indicated the proposed development will have a maximum of 174 units (8.4 du/ac). The total proposed gross density of the project is 8.7 du/acre, consistent with moderate density multifamily housing

### Strategy 1.04B(5):

High density zonings are intended for locations in the more intensely developed sections of the County. New residential development of high density housing shall utilize the Planned Development Project (PDP) process. Regulatory criteria shall include standards that evaluate and address suitability of the location including:

- a. proximity to existing or designated commercial areas, corridors, or employment centers;
- b. direct or limited local access to arterial or collector roadways;
- c. availability of appropriate infrastructure and services capacity at the site including police, fire, emergency medical services, potable water utility supply, sewer utility supply, and primary and secondary school facilities;
- d. protection of high quality environmentally sensitive resources or historic and archaeological resources;
- e. the character and density of existing and approved residential development in the surrounding area.

#### **Comments:**

The proposed development provides access to a collector road, is located near schools and an employment centers (Brooksville Tampa Bay Regional Airport).

### Strategy 1.04B(6):

Multi-family development may be allowed in the Commercial Category pursuant to a Planned Development Project (PDP) Master Plan and related strategies to accommodate infill and/or mixed-use development.

Strategy 1.04B(7): All multi-family developments shall be located such that the integrity of nearby established single family neighborhoods is preserved: a. multifamily development may serve as a density transition located on the periphery of single-family neighborhoods and connecting to higher intensity uses; b. multifamily developments at a density incompatible with surrounding land uses should not access arterial or collector roadway systems through established single-family neighborhoods.

### Planned Development Projects and Standards

Objective 1.10C: Planned Development Project (PDP) zoning introduces flexibility to the land development process. The PDP is developed as a zoning district that may include multiple land uses and provides for the mitigation of impacts through performance standards. The PDP process may be used in any Future Land Use Category.

Strategy 1.10C(1): A Planned Development Project (PDP) is designed as an integral unit with one or more land uses utilizing a Master Plan to illustrate and describe the site layout and characteristics including, but not limited to, uses and use restrictions, density and intensity, site and building layout and design, site coverage and designated open space, construction and phasing plans, and other detailed information about the project.

**Comments:** All of the deviations are a direct result of the townhome request. The Planned Development District is intended for design flexibility and the governing body may allow deviations from the standard requirements in this regard. The project is proposed as a townhome development, the Code provides no standards or guidance for this product type, and the dimensional standard proposed as deviations are consistent with this product type. The perimeter setback deviation from Powell Road is a result of the small size and linear shape of the site making it difficult to provide a suitable area of development without this flexibility.

### FINDING OF FACTS

The request for a rezoning from AR-2 (Agricultural Residential-2) to PDP(MF)/ Planned Development Project (Multifamily) with deviations is appropriate based on the following:

1. The request is consistent with the Comprehensive Plan Strategies for the location of a multifamily development.
2. The request is compatible with surrounding development and designation of

the surrounding area with 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.*

*The applicant, property owner, or developer is responsible for ensuring the performance conditions established herein are provided to all contractors performing work for this project. All applications submitted for development activity on this project are expected to comply with the performance conditions established herein*

### **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 AR-2 (Agricultural Residential-2) to PDP(MF)/Planned Development Project (Multifamily) with deviations, with the following performance conditions:

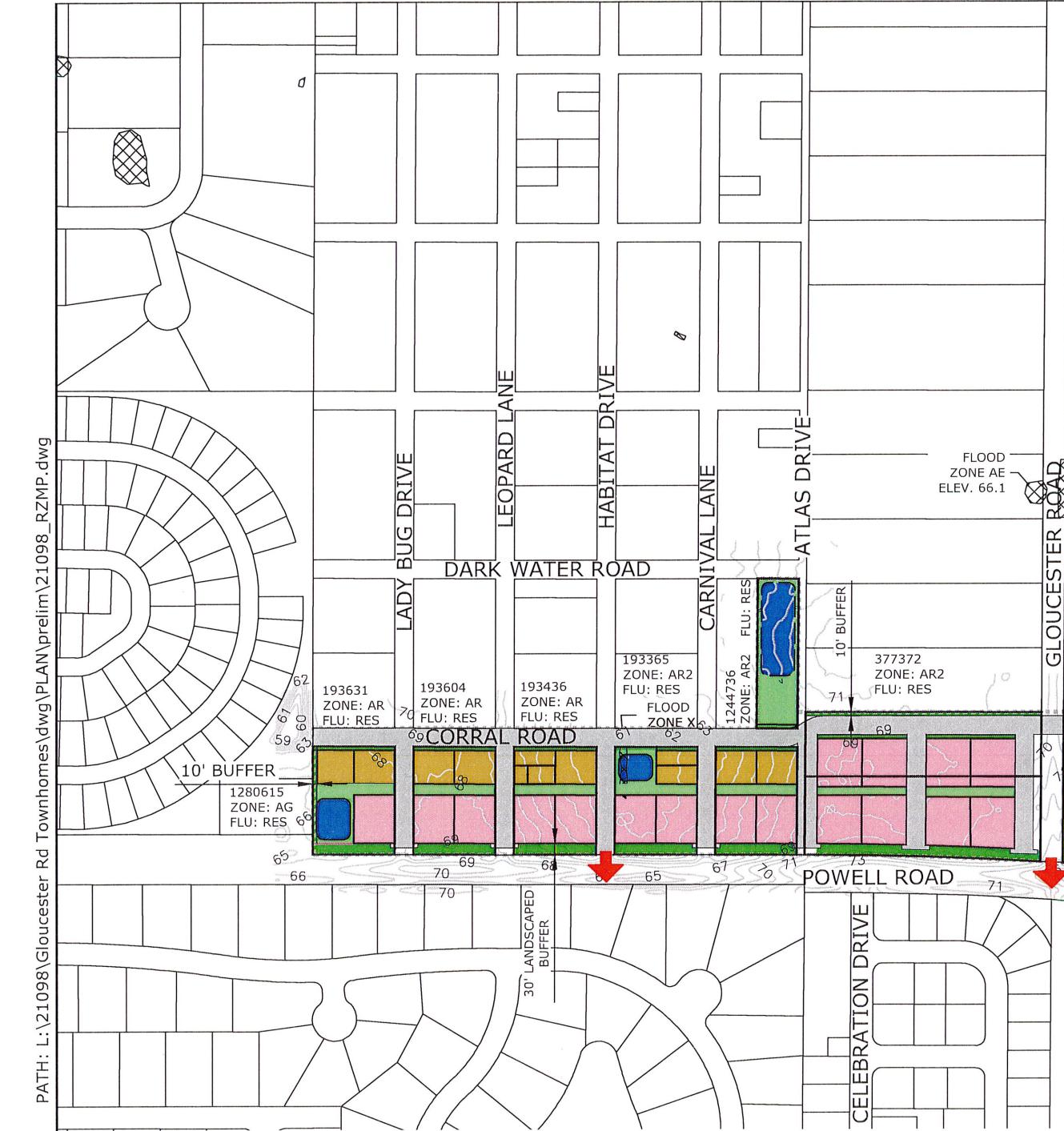
1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The petitioner shall provide a comprehensive floral/faunal (wildlife) survey prepared by a qualified professional to identify any listed species present prior to any clearing or development occurring on the property. Furthermore, copies of any required FWC permits shall be provided prior to clearing or development.
3. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials, and plantings for required landscaping. Retention of large native trees and stands should be maintained to the extent possible.
4. The Builder/Developer shall provide new residential property owners with Florida-Friendly Landscaping™ Program materials and encourage use of the principles, techniques, and landscaping recommendations. Information on the County's

Fertilizer Ordinance and fertilizer use shall be included. Educational materials are available through the Hernando County Utilities Department.

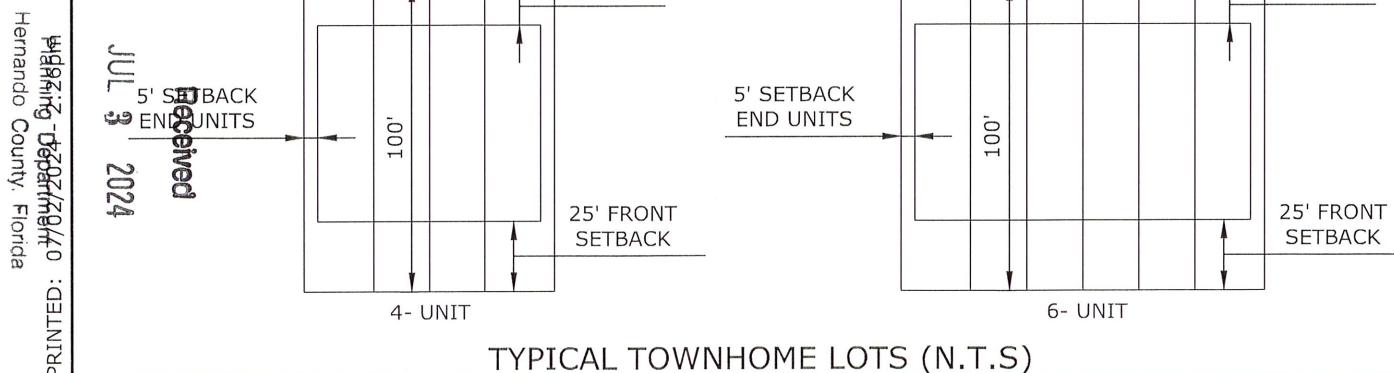
5. The petitioner shall provide the minimum required natural vegetation in accordance with the Hernando County Land Development Regulations.
6. The petitioner shall provide a water and sewer capacity analysis at the time of conditional plat review and connect to the central water and sewer systems at time of vertical construction.
7. A formal application for School Concurrency Analysis shall be submitted to the School District no less than thirty (30) days prior to submission for approval of a site plan, conditional plat, or functional equivalent. Should the School District then find sufficient capacity neither exists, nor is anticipated to exist within three (3) years from the issuance of such approval, the School District will require, as a condition of any such approval, a Capacity Improvement Agreement or a Proportionate Share Mitigation Agreement with the School Board, to offset the demand for public school facilities created by the proposed development.
8. A Traffic Access Analysis is required to be submitted at the time of conditional plat. The Traffic Access Analysis will be required to consider the surrounding developments and impacts, demonstrating the concentration of traffic impacts and proposed improvements. These improvements shall be constructed at the developer's expense.
9. Right-of-Way along Powell Road shall be required. Right-of-Way shall be dedicated within 90 days of master plan approval.
10. Powell Road is a Collector Roadway. Multiple residential driveways shall not be permitted. The applicant shall be required to coordinate with the County Engineer and design the access management plan prior to submission of conditional plat.
11. Orlando Avenue may be required to be paved (from Corral to Orlando Avenue at Powell Road) if utilized as an additional access. This improvement shall be evaluated at the time of conditional plat submission.
12. The master plan must be revised to reflect the perimeter setback from Powell Road based on ROW dedication requirements identified by the County Engineer.
13. A sidewalk is required along the entire frontage of Powell Road (Collector Roadway).
14. Perimeter Setbacks:  
North: 10'  
South (Powell Road): 30' (Deviation from 75')

East (Tangerine Estates): 20' (Deviation from 35')  
West: 10'

15. Townhome Building Setbacks:
  - Front: 25'
  - Side: 5'0" for internal townhome setbacks (deviation from 10')
  - Rear: 15' (deviation from 20')
16. Minimum Design Criteria:
  - Lot Size: 2,000 Sq. Ft. (deviation from 12,000 Sq Ft.)
  - Lot Width: 20' (Deviation from 75')
  - Lot Coverage: 65% (deviation from 35%)
  - Building Height: 45' (Three-Story)
17. A 30' landscape buffer along Powell Road and a 20' where adjacent to the Tangerine Estates Subdivision to the east have been proposed. A 10' landscape buffer has been proposed along the improved Corral Road and the eastward extension of the roadway to the west. All required buffers will be enhanced by existing vegetation, landscaping and/or a fence or wall to reach a minimum of 80' opacity. A cross-section demonstrating the buffer design and opacity shall be provided with the Conditional Plat.
18. The petitioner shall be required to represent the location of the neighborhood park within the development. Due to the size and scale of the site, this park acreage may be split between two pocket parks, at a minimum of one acre each, with bicycle and pedestrian access between the parks and residential units. This layout must be included on the conditional plat.
19. The access management plan is subject to review and approval by the County Engineer; revisions to this plan, in accordance with the County Engineer's review, may be made as long as no other changes to the project layout are made.
20. The development shall be limited to 175 units.
21. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.



PRINTED: 07/03/2024 10:44 AM - 2024-07-03 10:44:00  
Hernando County, Florida  
PRINTED BY: JA



TYPICAL TOWNHOME LOTS (N.T.S.)

Received  
JUL 03 2024

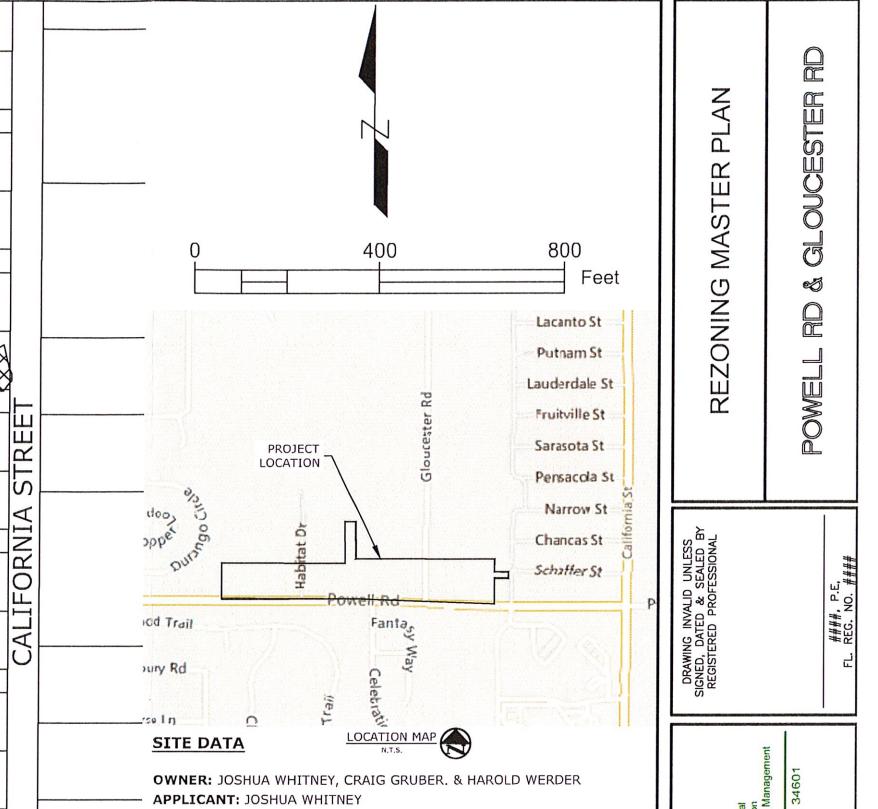
Planning Department  
Hernando County, Florida

ROADWAYS: ±6.41 AC. TOTAL ROADS WITHIN PROJECT.  
PUBLICLY OWNED ROADWAYS WITHIN PROJECT CONSIST OF  
±3.50 AC.

LAND USE TABLE			
DATE	REV. BY REV. NO.	REVISION	REVISION
RESIDENTIAL TOWNHOMES	10.23	174	N/A
RECREATION & INTERNAL LANDSCAPING	3.08	2.24 AC. REQUIRED	N/A
DRAINAGE	1.27	N/A	N/A
BUFFERS, & OPEN SPACE	6.16	N/A	N/A
TOTAL AREA	±20.74	174	APPROX. 8.39 UNITS/ACRE

1

JOB No.: 21098



**POWELL RD & GLOUCESTER RD**

**REZONING MASTER PLAN**

**Coastal**

**Engineering**  
**Surveying**  
**Environmental**  
**Construction Management**  
Engineering associates, Inc.  
966 Candida Boulevard - Brooksville - Florida 34601  
(352) 756-9423 - Fax (352) 759-8359  
EB-00000142

**OWNER:** JOSHUA WHITNEY, CRAIG GRUBER, & HAROLD WERDER  
**APPLICANT:** JOSHUA WHITNEY  
**PARCEL KEY NO:** 193374, 193418, 193613, 193622, 193187, 1777599, 1778909, 377363, 1788337, 193196, 1126052, 193393 & 193757  
**SECTION/TOWNSHIP/RANGE:** 12/23S/18E  
**CURRENT ZONING:** AR2  
**PROPOSED ZONING:** PDP-MF  
**AREA =** ±20.74 ACRES  
**PROPOSED No. OF LOTS =** 174

**PERIMETER BUILDING SETBACKS:**  
NORTH: 10'  
SOUTH (POWELL RD.): 30'  
EAST (TANGERINE ESTATES): 20'  
WEST: 10'

**INTERNAL BUILDING SETBACKS:**  
FRONT: 25'  
SIDE (END UNITS): 5'  
SIDE (INTERNAL UNITS): 0'  
REAR: 15'  
MINIMUM LOT SIZE: 2000 SF  
MAXIMUM BUILDING HEIGHT: 45' OR 3 STORIES

**BUFFERS:**  
30' LANDSCAPED BUFFER ALONG POWELL RD. AND 20' LANDSCAPED BUFFER ALONG EAST SIDE ADJACENT TO TANGERINE ESTATES.  
10' BUFFER ALONG IMPROVED CORRAL RD. ON THE NORTH SIDE OF THE PROJECT AND ALONG WESTERN BOUNDARY.

**FEMA FLOODPLAIN:**  
THE PROJECT IS LOCATED ON FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL 12053C0327D, EFFECTIVE DATE OF 2/21/2012. ACCORDING TO THE FIRM PANEL, THE PROJECT AREA LIES WITHIN ZONE "X" AN AREA OF MINIMAL FLOODING.

**GENERAL NOTES:**

1. THIS IS A PLANNING DOCUMENT AND IS NOT TO BE CONSIDERED A FINAL DESIGN OR CONSTRUCTION PLAN; ALSO, NOT INTENDED FOR RECORDATION IN PUBLIC RECORDS. DRAINAGE AND UTILITY EASEMENTS WILL BE INCLUDED IN THE FINAL CONSTRUCTION PLANS AND SHALL MEET THE REQUIREMENTS OF HERNANDO COUNTY AND ANY AGENCIES HAVING JURISDICTION RELATED TO THIS PROJECT.
2. DRAINAGE RETENTION AREA(S) ARE CONCEPTUALLY LOCATED, THE ACTUAL SIZE AND LOCATION WILL BE DETERMINED WITH THE FINAL ENGINEERING DESIGN.

WHEN PRINTED TO SCALE, DRAWING SIZE SHALL BE 11" x 17"

SHEET

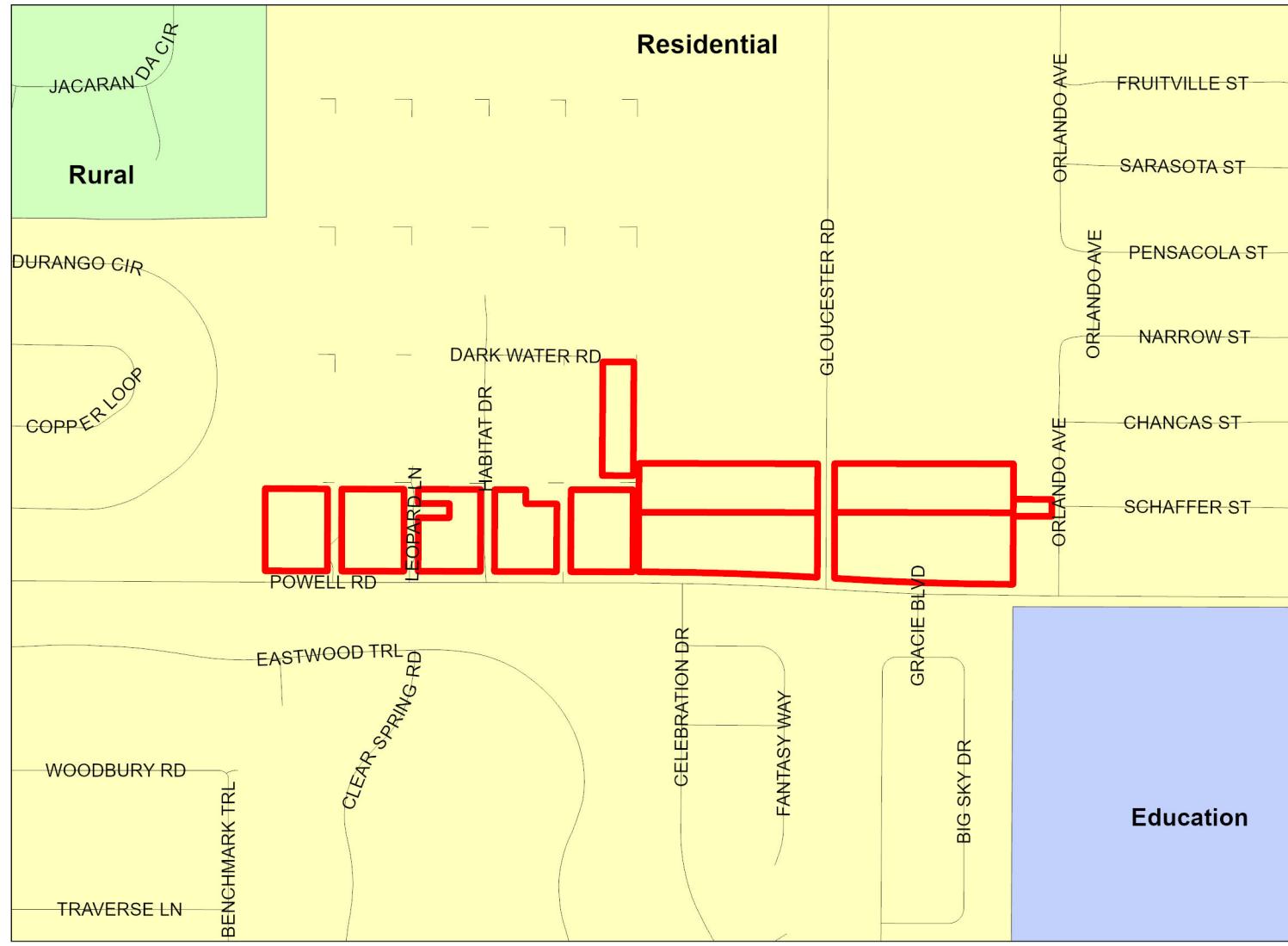
1

Page 79

# Hernando County Comprehensive Plan Map

Existing Future Land Use: H-24-38

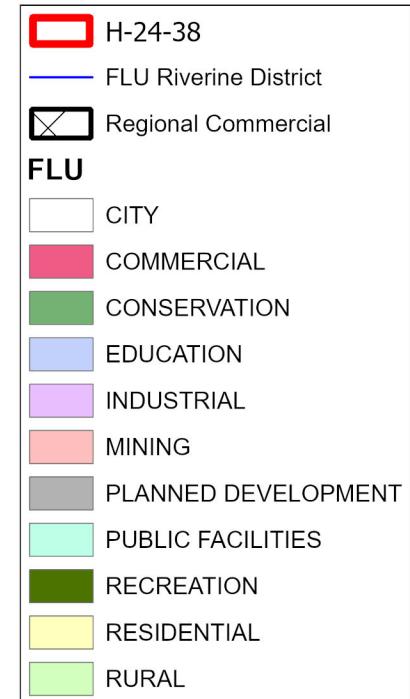
Version Date: 12/09/2022



0 0.04 0.09 0.18 0.27 0.36 Miles



Date of mapping: 08/19/2024



## Future Land Use Map

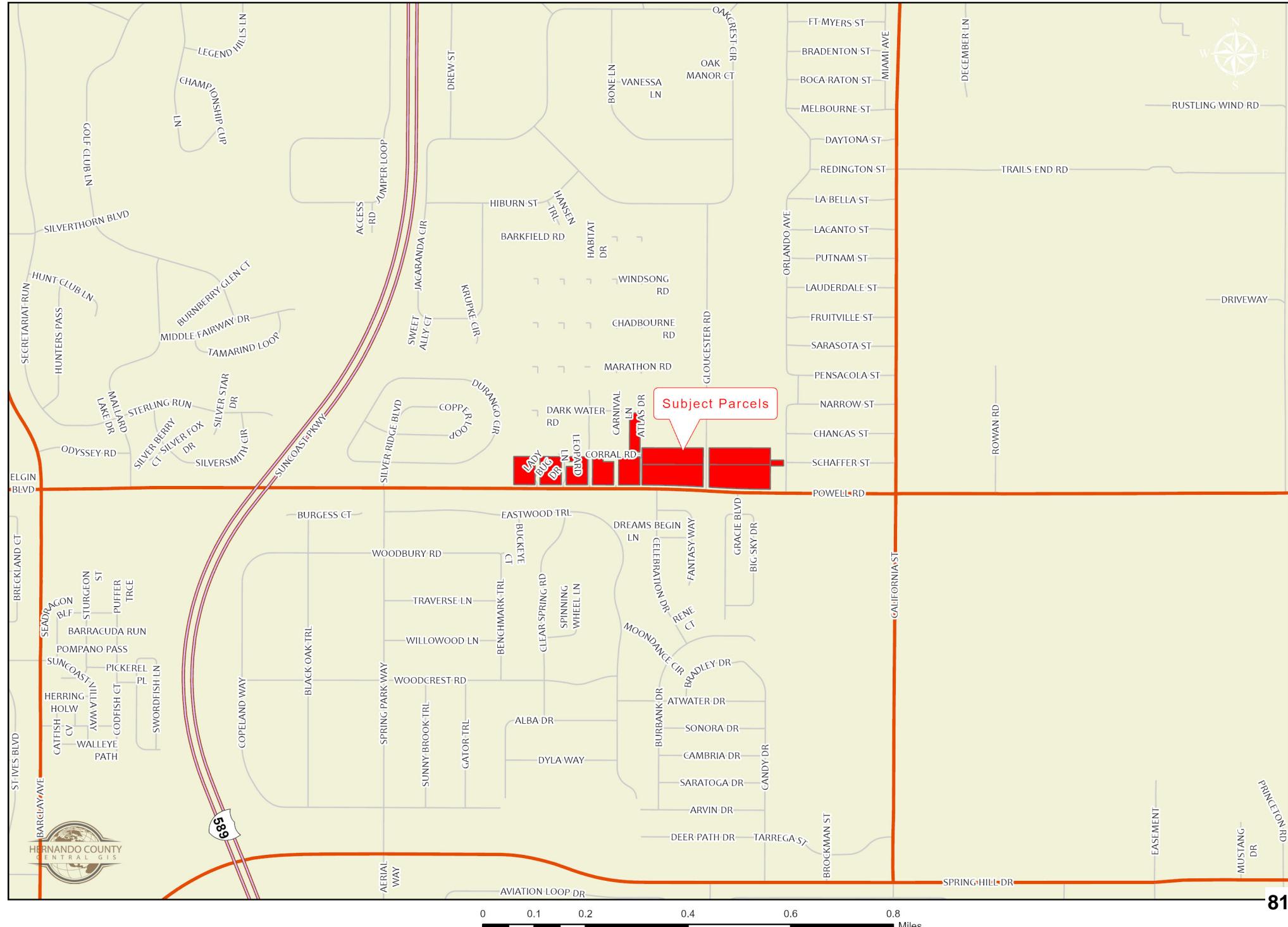
PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.



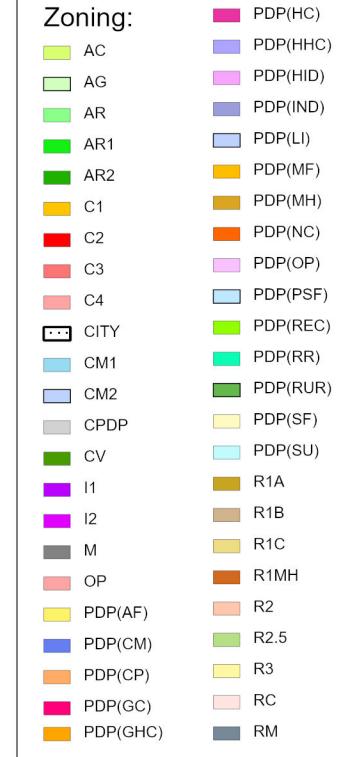
## H-24-38 AREA MAP

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# H-24-38

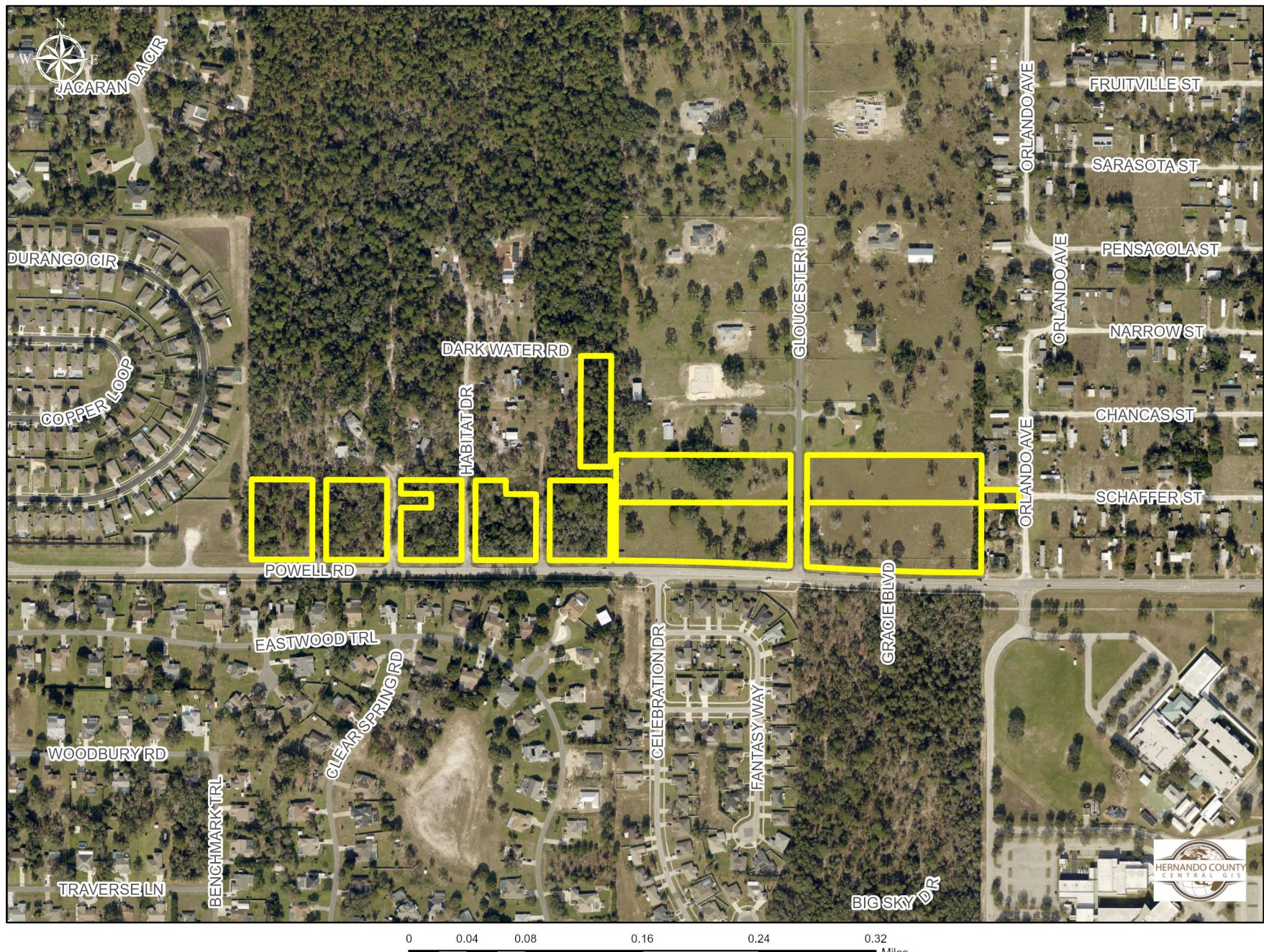
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# H-24-38

Photo date: 2023

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.





## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 03/10/2025  
Department: Planning  
Prepared By: Danielle Nigro  
Initiator: Omar DePablo  
DOC ID: 15606  
Legal Request Number:  
Bid/Contract Number:

#### **TITLE**

Rezoning Petition Submitted by Rick Blount & Company (H2479)

#### **BRIEF OVERVIEW**

##### **Request:**

Rezoning from CPDP Combined Planned Development Project and C-2 (Highway Commercial) to PDP(HC)/Planned Development Project (Highway Commercial) with a Specific C-4 use with Deviations

##### **General Location:**

East side of Broad Street, approximately 1,450' south of Oliver Street

#### **FINANCIAL IMPACT**

A matter of policy. There is no financial impact.

#### **LEGAL NOTE**

The Planning and Zoning Commission has jurisdiction to make a recommendation on the subject application. The Applicable Criteria for a Zoning District Amendment are contained in Appendix A, (Zoning Code) Article VI. The Applicable Criteria for Planned Development Projects are contained in Appendix A, (Zoning Code) Article VIII. The Zoning District Amendment to the Planned Development District and applicable PDP master plan must be consistent with the Comprehensive Plan.

The notice requirements of Appx. A, Art. VI, Sec. 7 of the Hernando County Code have been complied with.

#### **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 CPDP Combined Planned Development Project and C-2 (Highway Commercial) to PDP(HC)/Planned Development Project (Highway Commercial) with a Specific C-4 use with Deviations and performance conditions.

#### **REVIEW PROCESS**

Omar DePablo	Approved	03/03/2025	1:29 PM
Toni Brady	Approved	03/03/2025	1:46 PM
Victoria Anderson	Approved	03/03/2025	4:51 PM
Danielle Nigro	Approved	03/04/2025	7:32 AM

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Axl David

**SECONDER:** Justin Noe

**AYES:** Birren, David, Holmes, McDonald and Noe

**NON VOTING** Fulford



# 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: October 30, 2024

File No. \_\_\_\_\_ Official Date Stamp: \_\_\_\_\_

Received

DEC 04 2024

Planning Department  
Hernando County, Florida

**APPLICANT NAME:** Rick Blount & Company, Inc.

Address: 842 Pinckney Lane

City: The Villages

State: FL

Zip: 32162

Phone: 352-223-2023 Email: rick@blountdevelopmentgroup.com

**Property owner's name:** (if not the applicant) Gleason, Robert C./TH Family Investment Partnership I, Inc.

**REPRESENTATIVE/CONTACT NAME:** Donald Lacey

Company Name: Coastal Engineering Associates, Inc.

Address: 966 Candlelight Boulevard

City: Brooksville

State: FL

Zip: 34601

Phone: 352-796-9423 Email: permits@coastal-engineering.com

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

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

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip: \_\_\_\_\_

### PROPERTY INFORMATION:

1. PARCEL(S) **KEY NUMBER(S):** 00380527, 00201105
2. SECTION 4, TOWNSHIP 23S, RANGE 19E
3. Current zoning classification: CPDP & C2
4. Desired zoning classification: CPDP/BC Planned Development Project Highway Commercial
5. Size of area covered by application: 14.90
6. Highway and street boundaries: Broad Street (US41) & Oliver Street, Hernando County, FL
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, TH Family Investment Partnership I, Inc., 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): Rick Blount & Company, Inc.  
and (representative, if applicable): Coastal Engineering Associates, Inc.  
to submit an application for the described property.

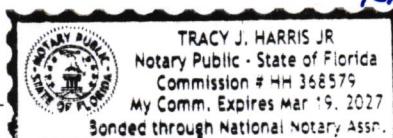
Signature of Property Owner

### STATE OF FLORIDA

### COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 4th day of November, 2024, by  
Jordan White who is personally known to me or produced Known to me as identification.

Signature of Notary Public



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

**PRINT FORM**

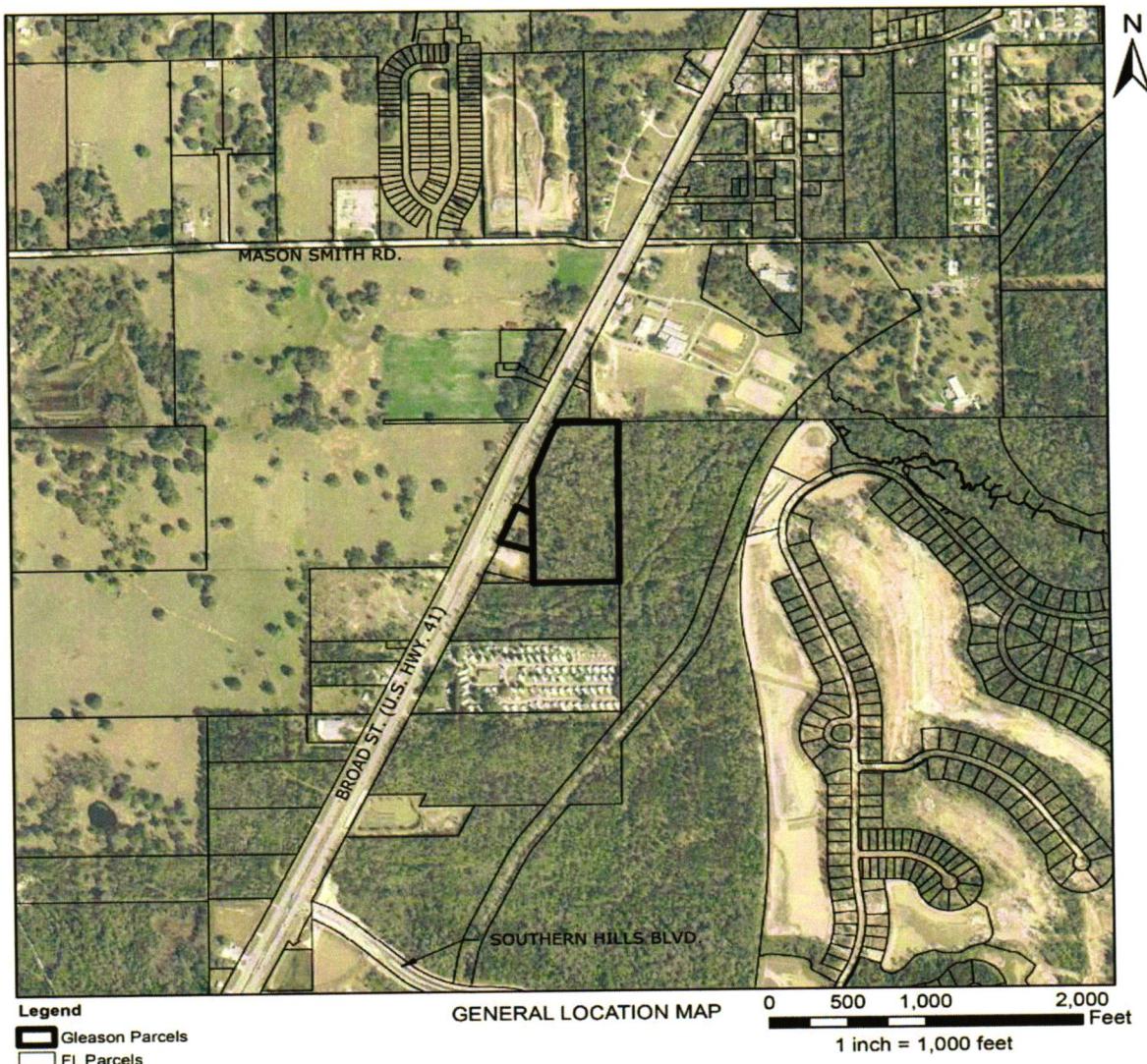
**CLEAR FORM**

*Notary Seal/Stamp*

**Gleason Property**  
**Parcel Keys 00380527, 00201105**

**General**

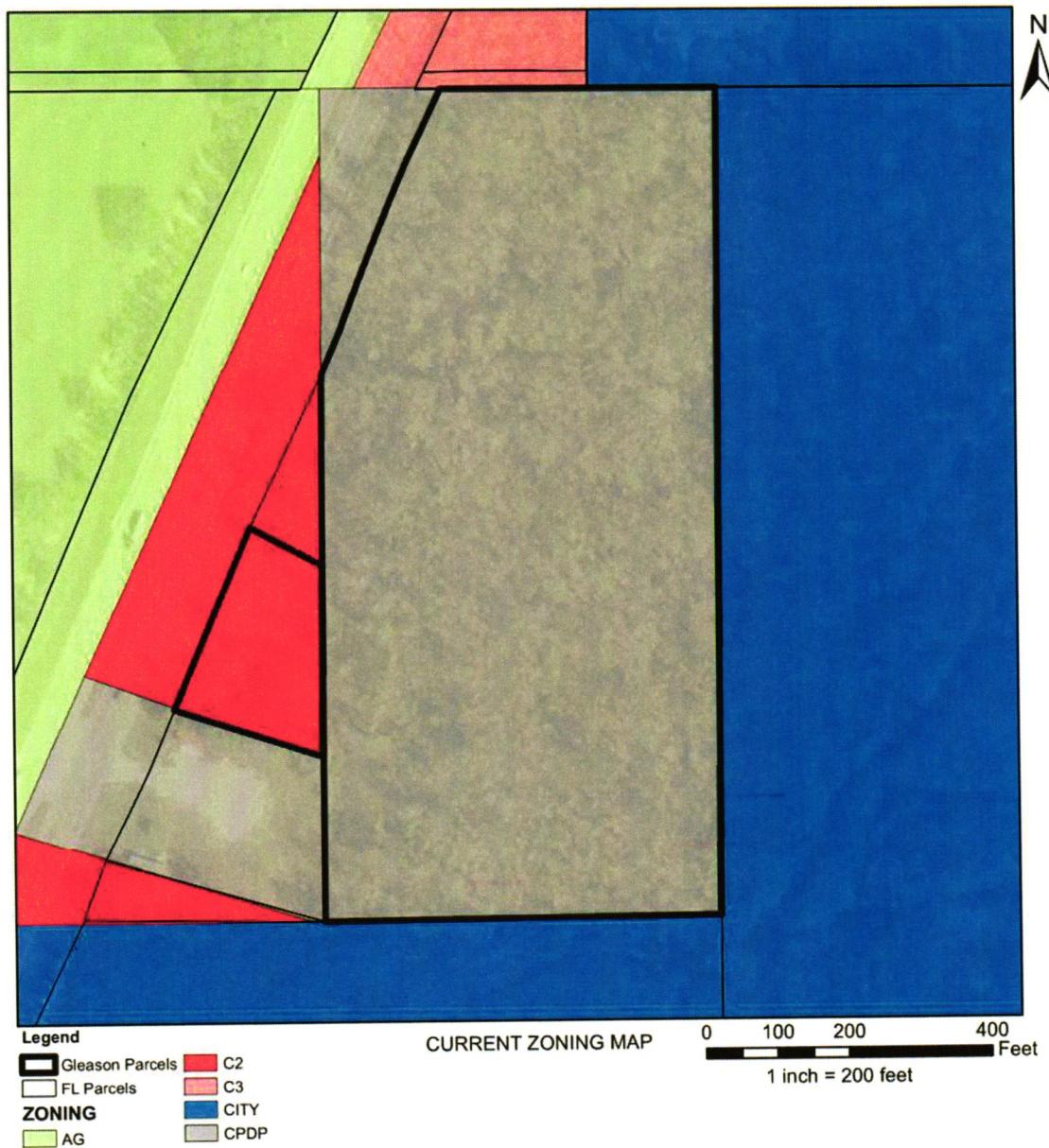
The subject site consists of approximately 15 acres and is located on the east side of US 41 (Broad Street), south of the fairgrounds. The property is identified by the Hernando County Property Appraiser as Parcel Keys 00380527 and 00201105. See Figure 1 for the site aerial and property location.



**Figure 1-General Location Aerial**

## Current Zoning and Land Use

The current zoning on the site is CPDP (Combined Planned Development) and C-2 (Highway Commercial). Please refer to Figure 2 for the current zoning on the site.



**Figure 2-Current Zoning**

The current land use designation on the site is Commercial. Please refer to Figure 3 for the current land use designation on the site.

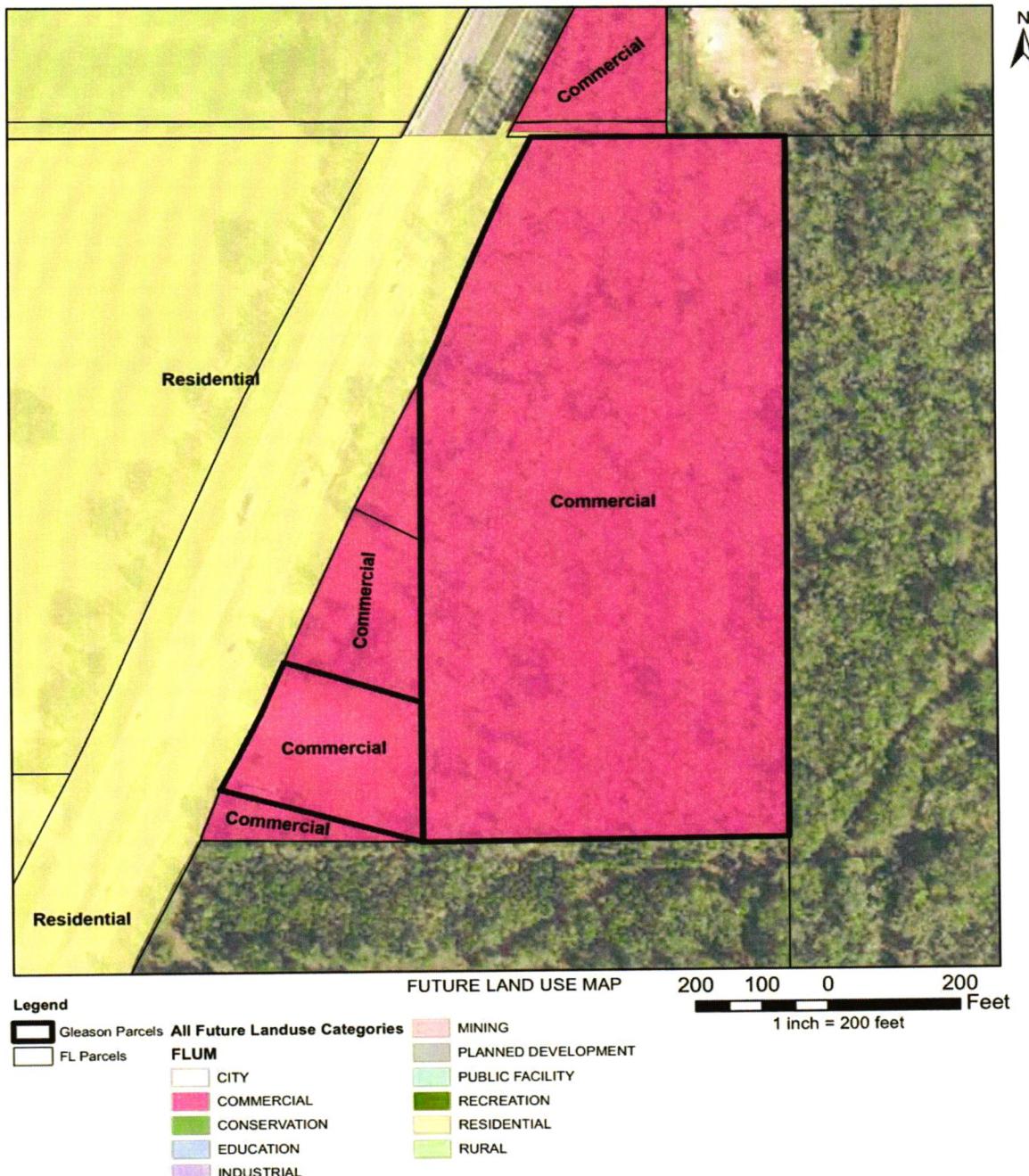


Figure 3-Current Land Use

The surrounding zoning, land use and property use is depicted by the following table.

Direction	Zoning	Future Land Use	Property Use
North	C-3; City of Brooksville	Commercial; City of Brooksville	Hernando County Fairgrounds
South	City of Brooksville	City of Brooksville	Vacant; RV Park
East	City of Brooksville	City of Brooksville	Vacant; Southern Hills
West	C-2, CPDP, Agricultural	Commercial and Residential west of Broad Street	Vacant

## **Request**

The request is to change the present zoning from Combined Planned Development Project (CPDP) and C-2 (Highway Commercial) to Planned Development Project Highway Commercial (PDP/HC) to allow a self-storage facility and flex space for small businesses, associated storage and offices. With the property's frontage along a six-laned US 41 and proximity to the City of Brooksville, the proposed commercial land uses are logical, consistent with the comprehensive plan and compatible with area zoning.

As shown on the submitted zoning master plan, there are proposed building areas on the north and south ends of the site, separated by an expanse set aside for floodplain management, project site drainage and wetland/karst feature protection. Direct access to US 41 is proposed for each of the building areas and connection between the two is problematic due to environmental factors. The north parcel, being smaller would make an excellent site for a multi-story mini-storage facility, The southern parcel is large enough for a campus of commercial flex buildings to be developed in an architecturally attractive fashion. These buildings could provide small local businesses with space for operation, offices and storage.

## **Consistency with the Comprehensive Plan**

The request is consistent with the following Goals, Objectives and Policies of the Hernando County 2040 Plan.

### **Commercial Category**

*Objective 1.04G:* The Commercial Category allows primarily retail, office, and commercial service uses with an overall average gross floor area ratio of 0.35 but also includes limited

industrial, recreational and institutional uses. Residential and mixed uses may be allowed subject to locational criteria and performance standards.

*Strategy 1.04G(1):* Commercial development as envisioned on the Future Land Use Map is intended primarily for locations at major intersections and along major corridors where service to local and regional markets are enhanced by transportation patterns. New commercial zoning is directed to these mapped areas. Commercial areas that are not mapped but are allowed under this Future Land Use Category include neighborhood commercial and specialty commercial uses as described in this Plan, commercial approved as part of mixed use developments, commercial designated by planned development districts, the infill development of existing commercial areas, commercial areas extending from designated commercial nodes, and pre-existing commercially developed and designated areas. Frontage roads and cross-access between commercial uses is required where needed in accordance with the provisions of this Plan and adopted land development regulations.

*Strategy 1.04G(8):* When evaluating unmapped commercial properties proposed for potential infill the following factors should be considered:

- a. the property should be on an arterial or collector road and provide for a frontage road, or cross access;
- b. the property should lie between commercially zoned properties on the same side of the road and be in close proximity to built commercial uses on the same side of the road such that commercial use of the intervening property is the most logical land use;
- c. the depth of the infill commercial development and/or zoning shall be commensurate with the depth of existing commercial zoning on the proximate parcels which define the infill area;
- d. the traffic impacts of additional commercial development on the affected roadways;
- e. the suitability of the property for commercial development while meeting all applicable environmental and site plan requirements;
- f. the property does not create new strip commercial areas;
- g. the proposed use is compatible with adjacent and surrounding land uses.

Analysis:

The site is located in the Commercial Land Use Category, is adjacent to existing C-3 and C-2 zoning along the Broad Street/US 41 corridor and is adjacent to the Hernando County Fairgrounds which hosts numerous events and intensive activities throughout the year.

Commercial development Strategies 1.04G(1) and 1.04G(8) also provide that commercial areas are permitted along major corridors, as the infill of existing commercial zoning/development, and as pre-existing commercially designated or zoned areas meeting the performance criteria of 1.04G(8). The site meets the performance criteria in that it is located on an arterial roadway, lies adjacent to existing designated commercial property, is suitable for commercial development, is commensurate with the depth of adjacent nonresidential development (Fairgrounds), is compatible with adjacent uses, does not create a new strip commercial area and is located in the Commercial Category.

## **Dimensional Standards and Buffers**

### Setbacks

Perimeter Setbacks per Section 1, Article VIII and Section 3, Article V of the Code pertaining to commercial uses

Side: 20 feet

Rear: 35 feet

Setback from US 41: 75 feet (deviation from 125 feet)

Distance between Buildings: 15 feet

### Maximum Floor Area

Self-Storage: 120,000 sq. ft.

Flex Space: 120,000 sq. ft.

### Building Height:

Self-Storage: 3 Stories or 45 ft. (Article IV, Section 3.D (8) of Appendix A allows up to 65 feet)

Flex Space: 1 story

Buffers - A 20 foot buffer using existing vegetation, enhanced where necessary to achieve 80% opacity is proposed along the east and south boundaries of the development areas.

A landscape buffer, 20 feet in width is proposed along US 41 adjacent to the southern development area (key 201105), as shown on the proposed zoning master plan.

A landscape buffer, 35 feet in width is proposed along US 41 adjacent to the northern development area (proposed self-storage), as shown on the proposed zoning master plan.

## **Commercial Uses**

The applicant requests a Highway Commercial Designation which allow all permitted uses in the C-1 District and C-2 Districts and any special exception uses from the C-2 District and permitted or special exception uses from the C-4 District as designated in the narrative and on the master plan. The additional uses will allow the development to create adequate flex, storage and office space for small businesses.

### Additional C-2 Special Exception Uses

- Light Wholesale and Storage Establishments
- Welding Shops

### Permitted from the C-4 District

- Cabinet Shops
- Domestic and Business Servicer Establishments
- Construction Service Establishment

## **Deviations Requested**

The applicant requests the following deviations:

*A reduction in the buffer from US 41 for parcel key 201105 from 35 feet to 20 feet*

*Justification:* Parcel key 201105 has approximately 250 feet of frontage along US 41 with depths that range from approximately 115 feet to 220 feet. Much of this area will be used for access and retention; however, the property depth is not suitable for a 35 foot buffer without severely limiting any building footprint that may be available. The self-storage development area will comply with the required 35 foot buffer.

*A reduction in the setback from US 41 from 125 feet to 75 feet.*

*Justification:* Parcel key 201105 has approximately 250 feet of frontage along US 41 with depths that range from approximately 115 feet to 220 feet. Much of this area will be used for access and retention; however, the property depth is not suitable for a 125 foot setback without severely limiting any building footprint that may be available.

With parcel key 380527, the depth of the parcel with frontage along US 41 ranges from 400 to 500 feet with much of the area being relegated to environmental protection, floodplain and natural drainage. Imposition of the 125 foot setback would again severely limit the available building footprint.

*Frontage Road Waiver:* Article I, Section 24.2 of Chapter 24 generally requires the developers of properties adjacent to arterial highways (US 41 in this instance) to provide a frontage Road based upon need and demand by the County.

*Justification:* Section 24.2 provides that the Board of County Commissioners may waive the frontage road requirement provided a determination is made by the enforcing agency (County Engineer) that a frontage road is not viable. Reasons supporting the waiver of the frontage road requirement include:

- Section 24.2 also provides that generally a frontage road link is roughly 1320 feet. In this case, parcel key 201105 is of insufficient size (1 acre), depth and length (approximately 265 feet) to provide for a frontage road.
- The adjoining parcel (parcel key 380527) does not provide for a logical frontage road link to the north (Hernando County Fairgrounds) or to commercial development either existing or planned to the south (Liberty Landing and an existing RV Park).
- A very small triangular parcel (Key # 201114) with depth from US 41 ranging from 0' - 100' separates the US 41 frontage of 201115 from 380527. This parcel is not owned by the applicant and there is not adequate space on this parcel to accommodate a frontage road.
- Western portions of parcel key 380527 in close proximity to US 41 are environmentally sensitive (wetlands, karst, floodplain), severely limiting the potential for constructing a frontage road.

## Site Characteristics

### Topography

Topography ranges from a high of 103 feet NAVD in the southeastern boundary of the property to 78 feet NAVD in the center. With higher elevations surrounding the subject site to the north, east and south, The lower elevations of the subject property receive a significant amount of stormwater. The topography on the site is indicated by Figure 4.

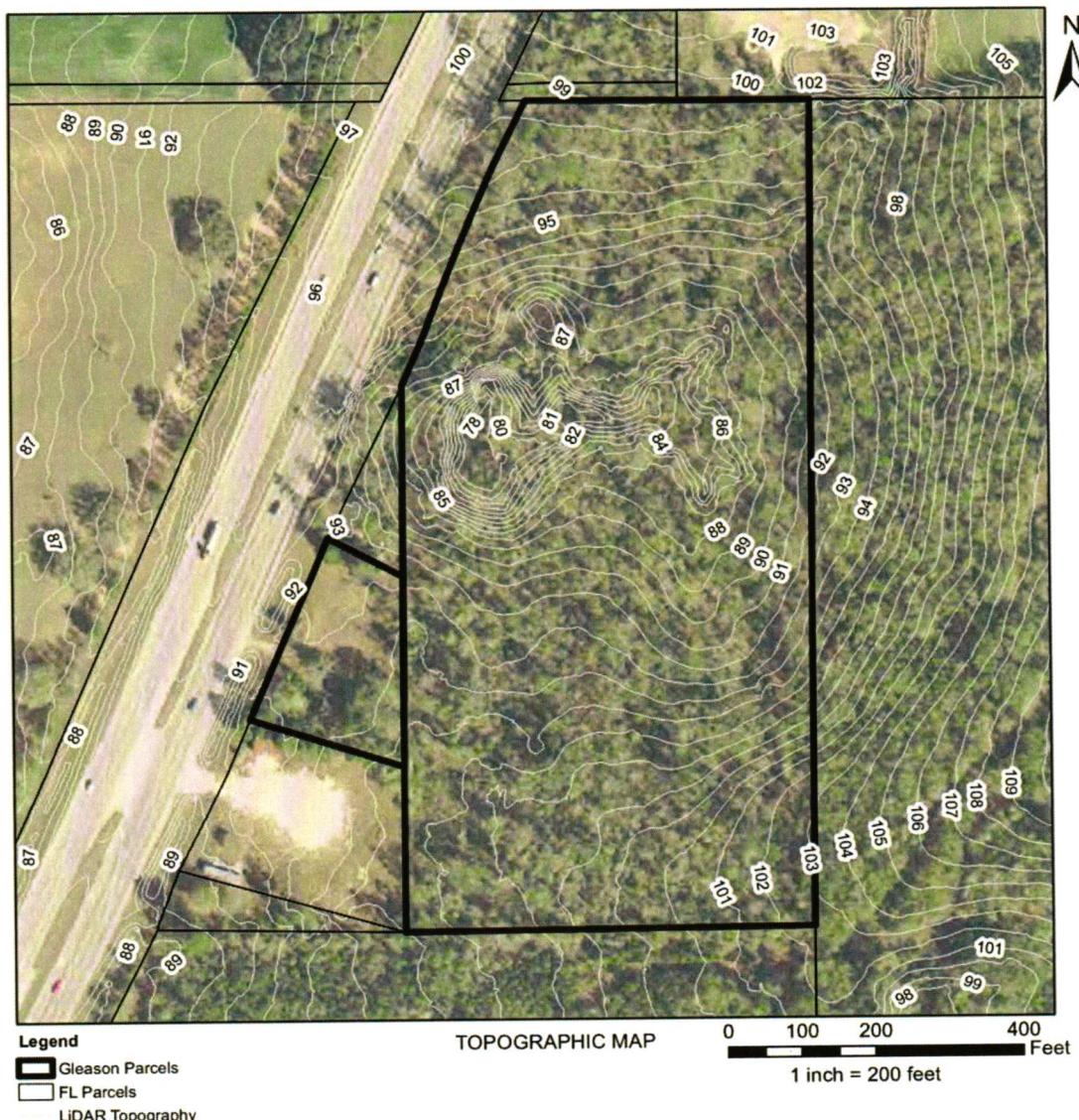


Figure 4-Topography

Floodplain

A small portion of the site is located in flood zone A. The floodplain on the site is indicated by Figure 5.

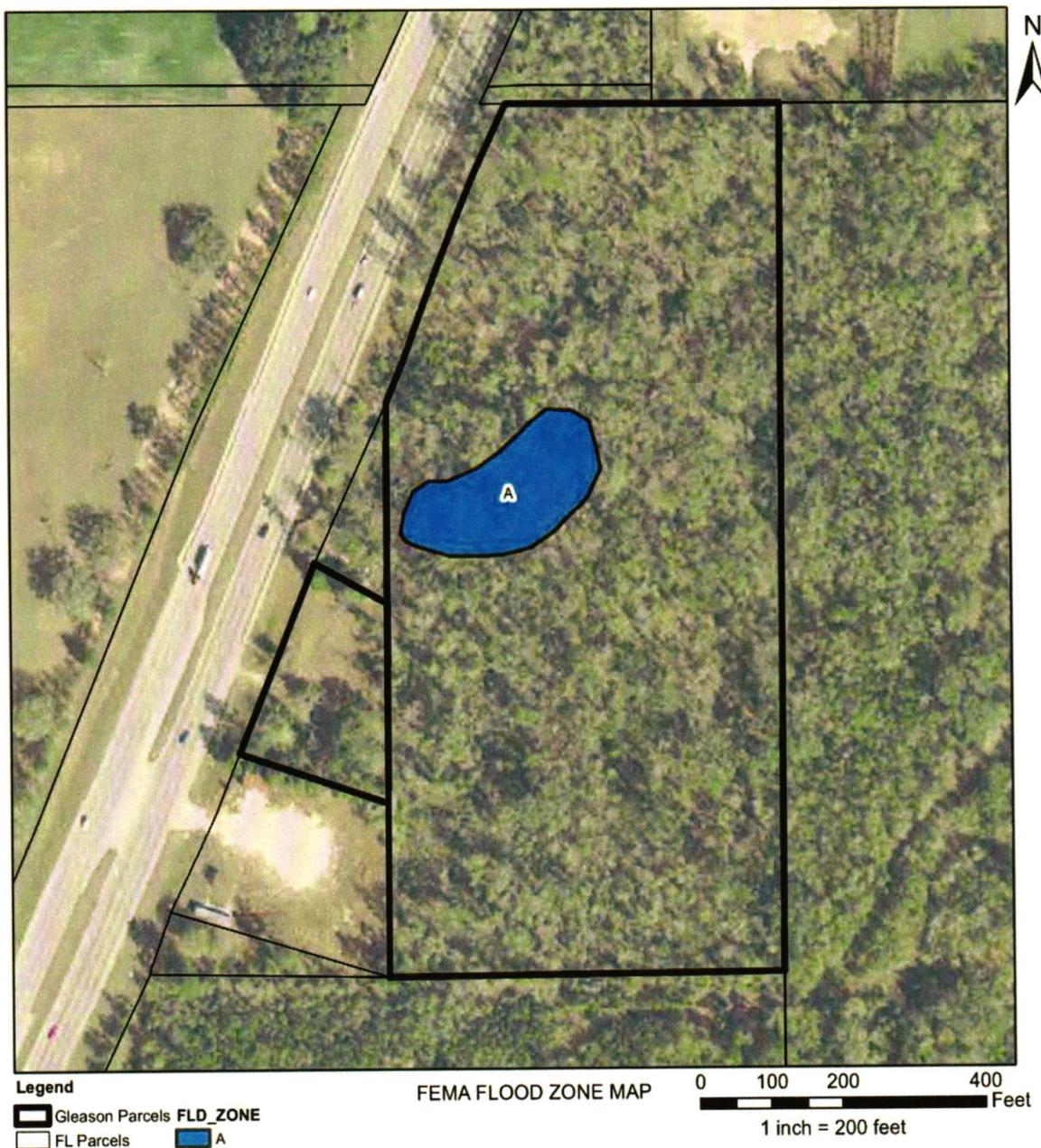


Figure 5-Floodplain

## Soils

The site consists of Blichton Loamy Fine Sand (0-2% slopes and 2.5% slopes), Flemington Fine Sandy Loam (0-2% slopes) and Nobleton Fine Sand (0-5% slopes) as indicated by Figure 6.

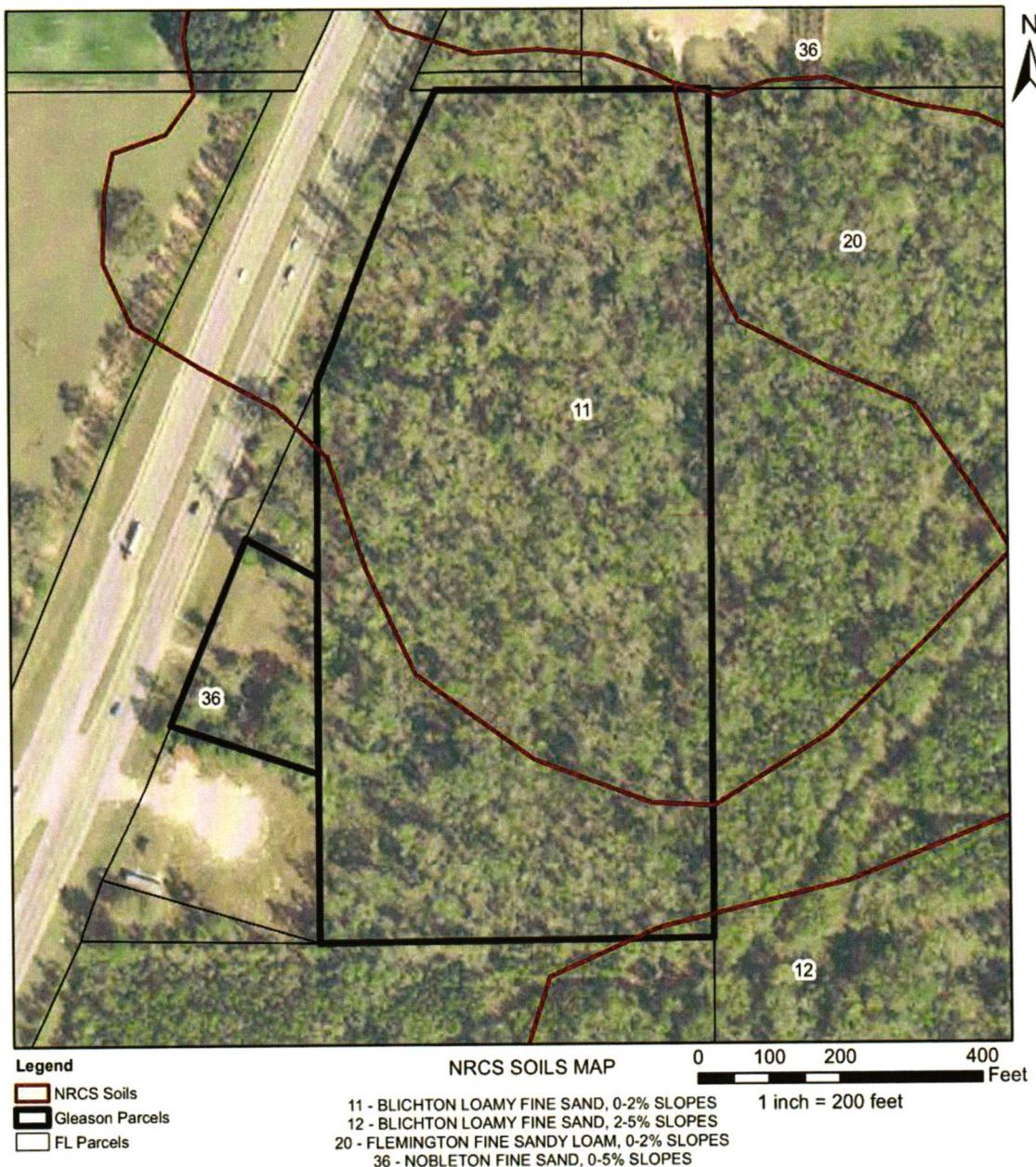


Figure 6-Soils

## Environmental

A preliminary environmental site visit was conducted on November 27, 2024. The results of the site visit are below:

- The subject property has poorly drained soils and a perched water table.
- Jurisdictional wetlands, including forested freshwater wetland flow ways, seepage slopes, and other freshwater forested wetlands are present. The wetlands appear to be located centrally on the property and the flow ways drain into the property from the northeast and east. These are generally depicted on the proposed zoning master plan.
- Karst feature(s) associated with the wetland areas will be designated as open space as depicted on the master plan.
- Large trees (18- inch DBH and greater) are present.
- Groundcover vegetation is primarily leaf litter and pine straw.
- No state or federally protected species were detected.

Proposed tree removal will be provided on construction plans and landscape plans, in conjunction with development of the site. Regulated trees and specimen trees will be indicated and regulated in accordance with the County's land development regulations. A biologic survey will be provided at the time of preliminary subdivision plat review. All federal, state and local permitting requirements will be complied with.

## Adequate Access

The site has access from US 41 (Broad Street), a six lane arterial street with a good level of service. A transportation analysis will be provided as required by the County Engineer at the time of site development and/or conditional subdivision plat review.

## Public Facilities

Water and Sewer: The site will be served by the City of Brooksville Utilities, which has potable water and sewer facilities in close proximity. The developer will conduct a utility capacity analysis as required at the time of conditional subdivision plat.

Solid Waste: The site will be served by the City of Brooksville.

Police and Fire: The site is served by the Hernando County Sheriff's Office for police protection and the City of Brooksville for fire/rescue service.

Drainage: The site will comply with the requirements of the Southwest Florida Water Management District for stormwater and flood prevention.

## **Concurrency**

A Certificate of Concurrency from the City will be required at the time of preliminary subdivision review. The following facilities will be reviewed for adequate capacity:

- Potable Water
- Sanitary Sewer
- Drainage
- Parks
- Solid Waste Disposal
- Transportation (roadways)

At this time, it is anticipated that adequate capacity will be available to support the project.

## STAFF REPORT

---

**HEARINGS:** Planning & Zoning Commission: March 10, 2025  
Board of County Commissioners: May 6, 2025

**APPLICANT:** Rick Blount & Company, Inc

**FILE NUMBER:** H-24-79

**REQUEST:** Rezoning from CPDP Combined Planned Development Project and C-2(Highway Commercial) to PDP(HC)/Planned Development Project (Highway Commercial) with a Specific C-4 use with Deviations

**GENERAL LOCATION:** East side of Broad Street, approximately 1,450' south of Oliver Street

**PARCEL KEY NUMBERS:** 380527, 201105

---

### APPLICANT'S REQUEST

The petitioner is requesting a rezoning from rezoning from CPDP Combined Planned Development Project and C-2 (Highway Commercial) to PDP(HC)/Planned Development Project (Highway Commercial) with a specific C-4 use with deviations. The petitioner is proposing a 120,000 square foot 3-story self-storage facility (permitted use in the C-2/PDP(HC) zoning district), and 120,000 square feet of flex space (units with office/showroom along the front and warehouse/shop to the rear). Additionally, the petitioner is requesting the following C-4 (Heavy Highway Commercial) uses and deviations:

#### **Requested C-4 Uses:**

- Welding Shop
- Light Wholesale and Storage Establishments
- Cabinet Shop
- Domestic and Business Service Establishment
- Construction Service Establishment

#### **Requested Deviations:**

The petitioner has requested the following deviations:

- Building Setbacks: Broad Street: 75' (deviation from 125')
- Buffers: Broad Street: 20' (deviation from 35')
- Frontage Road: Waiver of the frontage road due to subject site and adjoining parcel limitations

## SITE CHARACTERISTICS

<b>Site Size:</b>	14.9 acres
<b>Surrounding Zoning:</b>	
<b>Land Uses:</b>	North: C-3, City of Brooksville; Fair Grounds South: City of Brooksville; RV Park East: City of Brooksville; Southern Hills West: C-2, CPDP; Vacant
<b>Current Zoning:</b>	CPDP & C-2(Commercial 2)
<b>Future Land Use Map Designation:</b>	Commercial
<b>Flood Zone:</b>	X; with a portion along US Hwy 41 within the 100 year floodplain

## ENVIRONMENTAL REVIEW

<b>Soil Type:</b>	Kendrick Fine Sand, Sparr Fine Sand, Arredondo Fine Sand, Nobleton Fine Sand, Micanopy Loamy Fine Sand, Flemington Fine Sand, Floridana Variant Loamy Fine Sand
<b>Habitat:</b>	Candler fine sand provides a habitat suitable for gopher tortoises. Given the presence of the Candler fine soils, gopher tortoise habitat and several commensal species have a moderate potential for occurring on the project site including eastern indigo snake ( <i>Drymarchon corais</i> ), Florida mouse ( <i>Peromyscus floridanus</i> ), Florida pine snake ( <i>Pituophis melanoleucus mugitus</i> ), and gopher frog ( <i>Rana areolata</i> ). Since there is the potential for this listed Species of Special Concern to be present, the site should be inspected prior to construction, and a Florida Fish and Wildlife Conservation Commission permit may be required prior to site alterations.
<b>Comments:</b>	A comprehensive wildlife survey shall be conducted in order to identify the listed species present on the property. The listed species present on-site may require a Florida Fish and Wildlife Conservation Commission (FWC) permit prior to site alterations. The petitioner is required to comply with all applicable FWC regulations.
<b>Protection Features:</b>	The subject property contains no Well Head Protection Area (WHPA), according to County data resources.
<b>Hydrologic</b>	

**Features:** The subject property contains no wetlands or Special Protection Areas (SPA), according to County data resources.

**Water**

**Quality:** This project is located within the Weeki Wachee Priority Focus Area identified by FDEP as contributing nutrients to the Weeki Wachee Riverine System.

**Comments:** The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, plantings, and for required buffers, as applicable.

## UTILITIES REVIEW

Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. This parcel is located within the City of Brooksville Utility Department's (CBUD) first right to serve district.

**Comments:** The petitioner shall reach out to the City of Brooksville for utilities systems at time of vertical construction.

## ENGINEERING REVIEW

The subject site is located at the east side of Broad Street, approximately 1450' south of Oliver Street. The County Engineer has reviewed the petitioner's request and provided the following comments:

- Project lies in the Peck Sink watershed, Include the Governing board approved Watershed model and Base Flood Elevations, which is available from the SFWMD.
- This project abuts Broad Street (US Hwy 41), which requires a Frontage Road with sidewalk to be installed per Ordinance. The applicant has requested a waiver of the Frontage Road requirement, which is approved by the Department of Public Works, per the reasons stated in narrative.
- A Traffic Access Analysis is required. Any improvements identified by the Traffic Access Analysis will be responsibility of the developer to install.
- FDOT Access management permit required. FDOT drainage permits may be required.

## LAND USE REVIEW

### **Setbacks**

#### Minimum Building Setbacks

- Broad Street 75' (deviation from 125')
- North: 20'
- East: 35'
- South: 20'

### **Screening**

Hernando County LDRs require screening of outdoor storage from adjoining and contiguous properties by a wall, fence or other approved enclosures. Screening shall meet an eighty (80) percent opacity standard. Such screening shall be located behind the building line and shall have a minimum height of five (5) feet and maximum of eight (8) feet. In this instance, the primary use is storage, and the entire site must be fenced.

### **Proposed Project Buffers:**

- North: 20' undisturbed vegetated buffer (80% opacity)
- South: 20' undisturbed vegetated buffer (80% opacity)
- East: 20' undisturbed vegetated buffer (80% opacity)
- West: 20' (deviation from 35') undisturbed vegetated buffer (80% opacity)

\*All buffers are to remain undisturbed, enhanced with plantings when needed to reach 80% opacity. Clearing of the buffers is not permitted. Silt fencing is to be placed inside the buffer, facing interior of the property.

### **Lighting:**

County LDRs require lighting that enhances the visual impact of the project on the community and to specifically address lighting intensity levels and glare accordingly. Commercial buildings and projects shall be designed to provide safe, convenient, and efficient lighting for pedestrians and vehicles.

**Comments:** The petitioner has not indicated lighting provisions for subject property. If approved, the petitioner shall be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring residential uses.

## COMPREHENSIVE PLAN REVIEW:

The subject site is located within the Commercial Land use designation on the County's adopted Comprehensive Plan. The area is characterized by a mix of uses. Existing to the north City of Brooksville Fair Grounds, to the South and East City of Brooksville, and Combined Pla to the west.

### Future Land Use Map

**Strategy 1.04A(6):** The Commercial Category provides for commercial uses including products and services along major corridors and at roadway intersections to serve residents and visitors on both a localized and regionalized basis. The Commercial Category recognizes existing commercial use corridors along US Highway 19 and State Route 50 and existing and planned commercial nodes at intersections of arterial and/or collector roads. The Commercial Category includes small unmapped existing commercial properties. The Commercial Category also recognizes the ability to designate infill parcels for commercial use lying in proximity to and between, but not necessarily contiguous to, other existing commercially designated properties.

### Commercial Category.

**Objective 1.04G:** The Commercial Category allows primarily retail, office, and commercial service uses with an overall average gross floor area ratio of 0.35 but also includes limited industrial, recreational, and institutional uses. Residential and mixed uses may be allowed subject to locational criteria and performance standards.

**Strategy 1.04G(1):** Commercial development as envisioned on the Future Land Use Map is intended primarily for locations at major intersections and along major corridors where service to local and regional markets are enhanced by transportation patterns. New commercial zoning is directed to these mapped areas. Commercial areas that are not mapped but are allowed under this Future Land Use Category include neighborhood commercial and specialty commercial uses as described in this Plan, commercial approved as part of mixed-use developments, commercial designated by planned development districts, the infill development of existing commercial areas, commercial areas extending from designated commercial nodes, and pre-existing commercially developed and designated areas. Frontage roads and cross- access between commercial uses is required where needed in accordance with the provisions of this Plan and adopted land development regulations.

**Comments:** The subject site is located adjacent to a major commercial corridor and along an arterial roadway. The proposed use is consistent with the Commercial Land Use strategies.

### Land Use Compatibility

**Strategy 1.10B(1):** Future Land Use Map amendments should be compatible with surrounding development and minimize impact to natural resources without the need for mitigation measures that are extraordinary in scope or difficult to enforce.

**Comments:** The proposed use is compatible with the surrounding development trends and is appropriate subject to performance conditions.

## FINDINGS OF FACT:

A rezoning from CPDP (Combined Planned Development Project) to PDP(HC) Planned Development Project Highway Commercial with a Specific C-2 use for Self-Storage and flex space with Deviations is appropriate based on the following:

1. The request is compatible with surrounding development and is consistent with the Commercial land Use designation.
2. The petitioner requested a waiver of the frontage road and proposes connecting to an existing access drive to the north. The County Engineer has indicated the request is justified; however, the petitioner will need to coordinate with the County Engineer for the submission of the waiver.

## 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.*

*The applicant, property owner, or developer is responsible for ensuring the performance conditions established herein are provided to all contractors performing work for this project. All applications submitted for development activity on this project are expected to comply with the performance conditions established herein.*

## 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 CPDP (Combined Planned Development Project) to PDP(HC)/Planned Development

Project (Highway Commercial) with a Specific C-2 use for Mini Storage and Flex space with Deviations with the following performance conditions.

1. The petitioner shall 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. The petitioner shall meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping.
3. The petitioner shall provide full cutoff fixtures and retain all light on site to prevent any light spillage onto neighboring residential parcels.
4. The petitioner has requested a waiver of the frontage road ordinance along Broad Street (US Hwy 41).
5. The development shall provide a sidewalk (pedestrian connectivity) from the building to the sidewalk along Broad Street/ US Hwy 41.
6. FDOT access management drainage permit shall be required.
7. The petitioner shall coordinate with the City of Brooksville for utilities systems at time of vertical construction
8. Minimum Building Setbacks
  - Broad Street: 75' (deviation from 125')
  - East: 35'
  - North: 20'
  - South: 20'
9. Minimum Buffers:
  - North: 20' undisturbed vegetated buffer (80% opacity)
  - South: 20' undisturbed vegetated buffer (80% opacity)
  - East: 20' undisturbed vegetated buffer (80% opacity)
  - West: 20' (deviation from 35') undisturbed vegetated buffer (80% opacity)

\*No land disturbing activities are permitted in the buffers, with the exception of the removal of invasive species or dead trees. All buffers are to remain undisturbed, enhanced with plantings when needed, to reach 80% opacity. Clearing of the buffers is not permitted.
10. The petitioner shall screen the parcel with an opaque fence, wall or opaque

landscaping at a height that will effectively screen the storage from adjoining streets and properties.

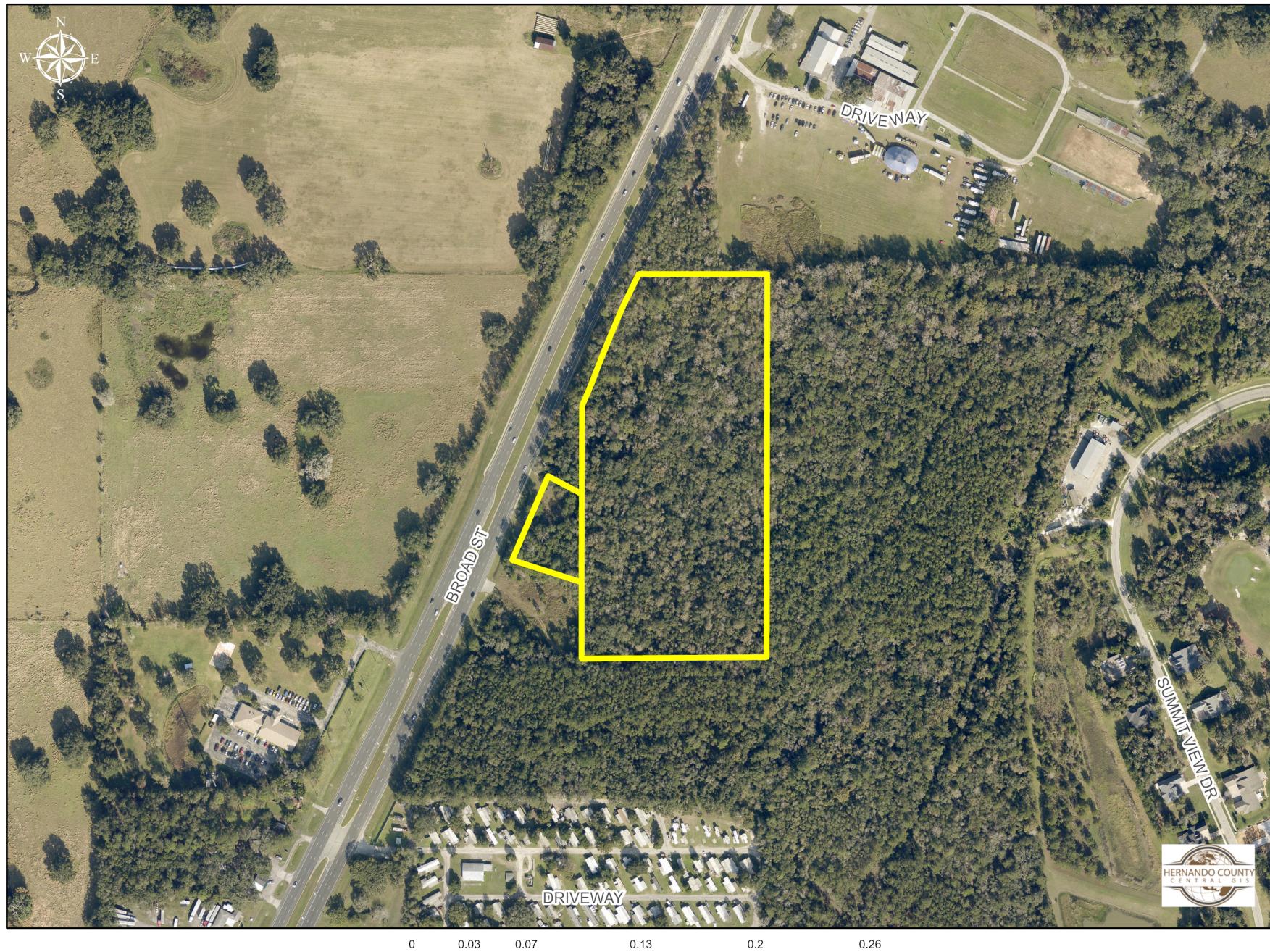
11. The petitioner shall be required to do a Traffic Analysis at the time of development. Any improvements identified by the Traffic Access Analysis shall be the responsibility of the developer.
12. Permitted C-4 Uses:
  - Welding Shop
  - Light Wholesale and Storage Establishments
  - Cabinet Shop
  - Domestic and Business Service Establishment
  - Construction Service Establishment
13. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.



# H-24-79

Photo date: 2023

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

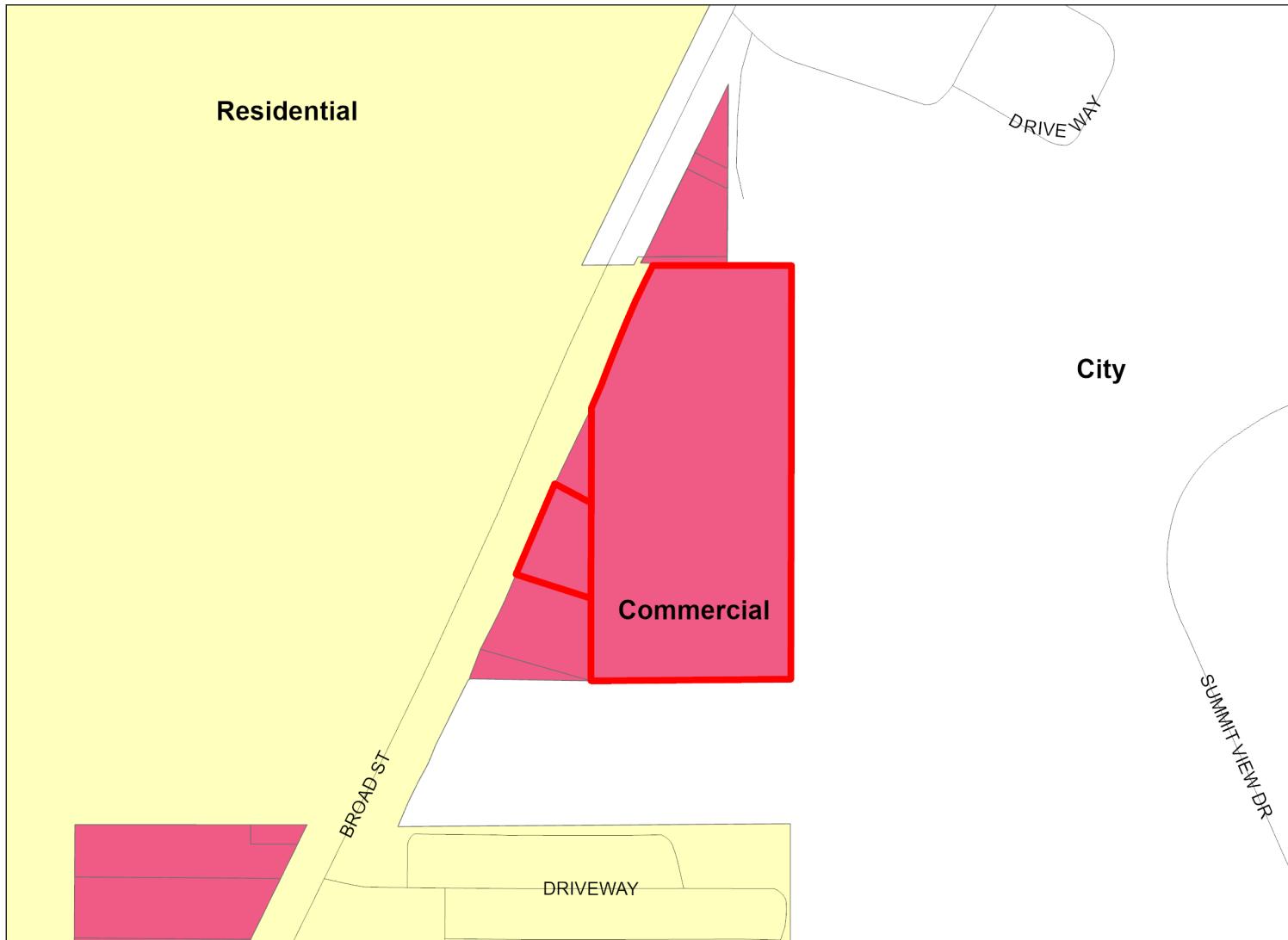


0 0.03 0.07 0.13 0.2 0.26 Miles

# Hernando County Comprehensive Plan Map

Existing Future Land Use: H-24-79

Version Date: 12/09/2022



## Future Land Use Map

PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

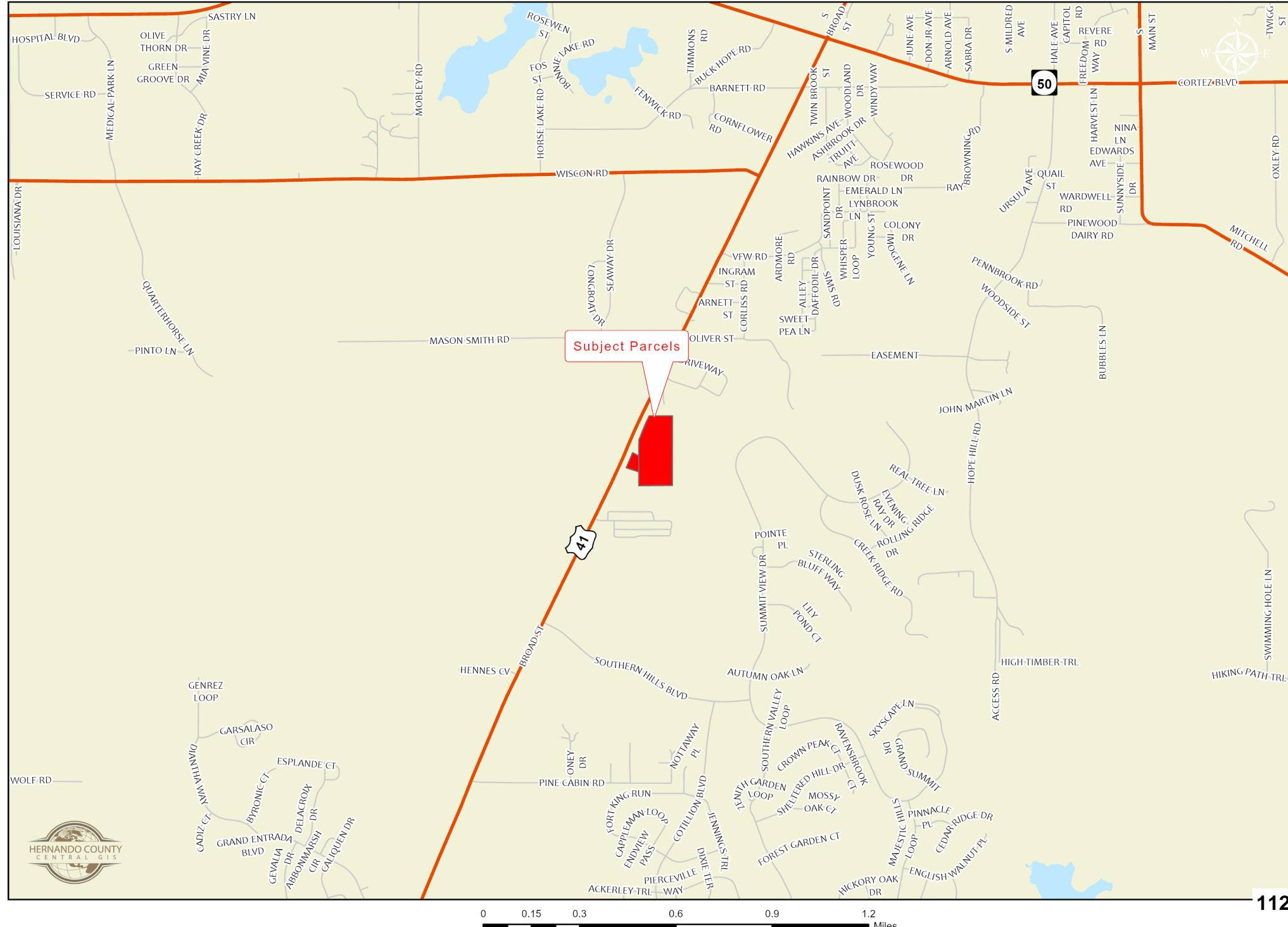
NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.

Date of mapping: 01/10/2025



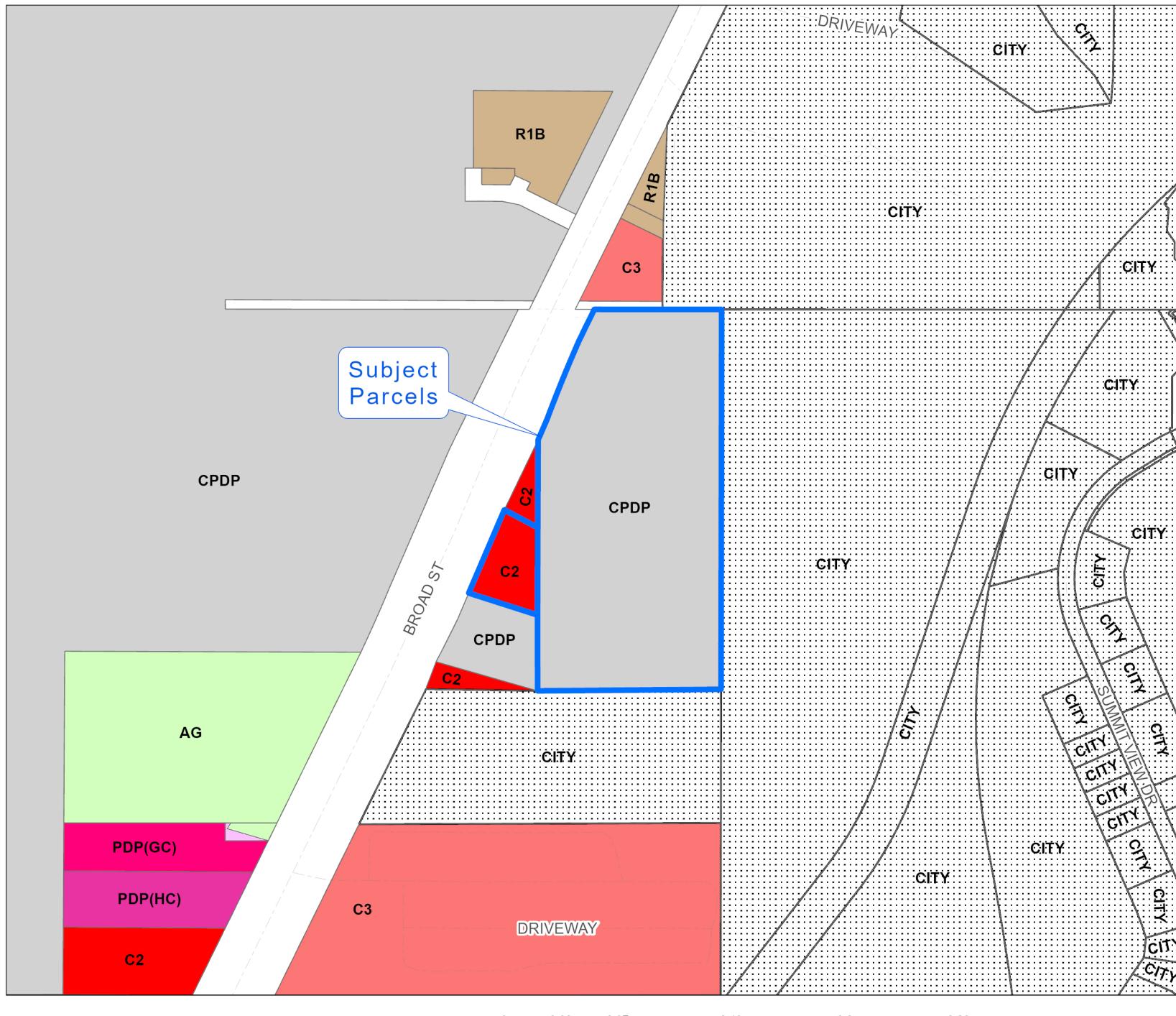
# H-24-79 AREA MAP

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



H-24-79

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



## Zoning:

Zoning:	PDP(HC)
AC	PDP(HHC)
AG	PDP(HID)
AR	PDP(IND)
AR1	PDP(LI)
AR2	PDP(MF)
C1	PDP(MH)
C2	PDP(NC)
C3	PDP(OP)
C4	PDP(PSF)
CITY	PDP(REC)
CM1	PDP(RR)
CM2	PDP(RUR)
CPDP	PDP(SF)
CV	PDP(SU)
I1	R1A
I2	R1B
M	R1C
OP	R1MH
PDP(AF)	R2
PDP(CM)	R2.5
PDP(CP)	R3
PDP(GC)	RC
PDP(GHC)	RM





## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 03/10/2025  
Department: Planning  
Prepared By: Danielle Nigro  
Initiator: Omar DePablo  
DOC ID: 15608  
Legal Request Number:  
Bid/Contract Number:

#### **TITLE**

Reestablish Master Plan Petition Submitted by Rivard Development, LLC (H2510)

#### **BRIEF OVERVIEW**

##### **Request:**

Reestablishment of a Master Plan on Property zoned CPDP/Combined Planned Development Project

##### **General Location:**

Northern terminus of Old Oak Trail, northern terminus of Dog Leg Court, eastern terminus of Rivard Boulevard, and the eastern terminus of Clearview Drive

#### **FINANCIAL IMPACT**

A matter of policy. There is no financial impact.

#### **LEGAL NOTE**

The Planning and Zoning Commission has jurisdiction to make a recommendation on the subject application. The Applicable Criteria for Planned Development Projects are contained in Appendix A, (Zoning Code) Article VIII. The Planned Development Project master plan must be consistent with the Comprehensive Plan.

The notice requirements of Appx. A, Art. VI, Sec. 7 of the Hernando County Code have been complied with.

#### **RECOMMENDATION**

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a Resolution approving the petitioner's request to Reestablish a Master Plan on property zoned CPDP/Combined Planned Development Project with previously approved performance conditions.

#### **REVIEW PROCESS**

Omar DePablo	Approved	02/28/2025 4:08 PM
Toni Brady	Approved	03/03/2025 8:27 AM
Victoria Anderson	Approved	03/03/2025 12:00 PM
Danielle Nigro	Approved	03/03/2025 12:01 PM

**RESULT: ADOPTED**

**MOVED:** Nicholas Holmes

**SECONDER:** Justin Noe

**AYES:** Birren, David, Holmes, McDonald and Noe

**NON VOTING:** Fulford



# HERNANDO COUNTY ZONING AMENDMENT PETITION



## Application to Change a Zoning Classification

File No. \_\_\_\_\_ Official Date Stamp:

### Application request (check one):

Rezoning  Standard  PDP  
Master Plan  New  Revised  
PSFOD  Communication Tower  Other  
**PRINT OR TYPE ALL INFORMATION**

Date: 2/19/2025

### APPLICANT NAME: Rivard Development, LLC

Address: 6601 Memorial Hwy, Ste. 223  
City: Tampa  
Phone: 813-513-4362 Email: paul@costahomesinc.com

State: FL Zip: 33615

Property owner's name: (if not the applicant)

### REPRESENTATIVE/CONTACT NAME:

Company Name: Kyle J. Benda, Esq.  
Address: 270 N. Broad St.  
City: Brooksville  
Phone: 352-232-5757 Email: kyle@bendalawfirm.com

State: FL Zip: 34601

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

Contact Name: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

### PROPERTY INFORMATION:

1. PARCEL(S) KEY NUMBER(S): 383374
2. SECTION 20 \_\_\_\_\_, TOWNSHIP 23 South \_\_\_\_\_, RANGE 19 East
3. Current zoning classification: CPDP
4. Desired zoning classification: Reactivate Master Plan
5. Size of area covered by application: 63.7 acres
6. Highway and street boundaries: Old Oak Trail, Dog Leg Court, Rivard Boulevard, and Clearview Drive
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, Paul Bakkalapulo, 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): Kyle J. Benda, Esq.  
and (representative, if applicable): Chris Glover  
to submit an application for the described property.

Signature of Property Owner

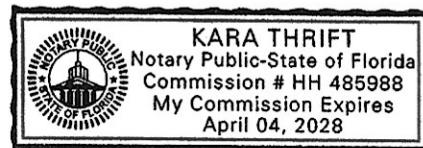
### STATE OF FLORIDA

### COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 19 day of FEBRILARY, 2025, by  
PAUL BAKKALAPULO who is personally known to me or produced \_\_\_\_\_ as identification.

Signature of Notary Public

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



Notary Seal/Stamp

## **MASTER PLAN REACTIVATION NARRATIVE – H-19-09**

The subject property is approximately 63.7 acres of unimproved land located at the the norther terminus of Old Oak Trail, the northern terminus of Dog Leg Court, the eastern terminus of Rivard Boulevard, and the eastern terminus of Clearview Drive, also referred to as Hernando County Property Appraiser Key Number 383374. The parcel is currently zoned Combined Planned Development Project, with deviations (“CPDP”). The original Master Plan and rezoning for the property was approved on April 12, 2006 in H-05-127. The Master Plan was subsequently revised in 2019 by H-19-09 by Resolution 2019-104 on July 16, 2019.

This application seeks to reactivate the Master Plan in H-19-09 with no changes to that prior approval. Pursuant to Appendix A, Article VIII, “[t]he intensity/density is retained under the zoning approval, and the applicants seeks to reactivate the Master Plan and retain those vested rights in the property approved by H-19-09.

A copy of the original narrative, site plan, resolution of approval, and conditions are attached to this narrative.

In conclusion, the applicant seeks to develop the subject property pursuant to the previously approved Master Plan Revision, along with all vested entitlements in that approval.

## **RESOLUTION NUMBER 2019- 104**

**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 July 16, 2019, 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:** Rivard Development LLC

**FILE NUMBER:** H-19-09

**REQUEST:** Master Plan Revision on property zoned CPDP/Combined Planned Development Project, with deviations

**GENERAL LOCATION:** Northern terminus of Old Oak Trail, northern terminus of Dog Leg Court, eastern terminus of Rivard Boulevard, and the eastern terminus of Clearview Drive

**PARCEL KEY NUMBERS:** 00383374

**REQUEST:** Master Plan Revision on property zoned CPDP/Combined Planned Development Project, with deviations; as enumerated in the BOCC Action (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. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all performance conditions set forth in the BOCC Action.

**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 request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all performance conditions set forth in the BOCC Action.

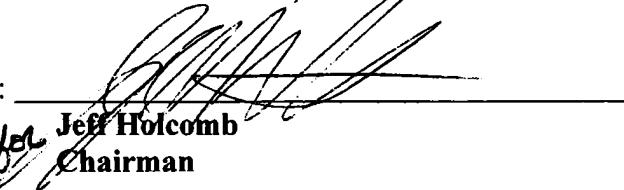
**ACTION:**

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 request for a Master Plan Revision on property zoned CPDP/Combined Planned Development Project, with deviations; with deviations; as set forth in the BOCC Action which is incorporated herein by reference and made a part hereof. Any requests, uses, variances or exceptions that were requested in connection with this application but not specifically approved herein are hereby deemed DENIED.

**ADOPTED IN REGULAR SESSION THE 16th DAY OF JULY 2019.**

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

Attest: Susan Buey, Deputy Clerk  
Douglas A. Chorvat, Jr.  
Clerk of Circuit Court & Comptroller

By:   
*fel* Jeff Holcomb  
Chairman

(SEAL)



Approved as to Form and  
Legal Sufficiency

By:   
*John Kornblow*

**BOCC ACTION:**

On July 16, 2019, the Board of County Commissioners voted 4-0 to adopt Resolution 2019-104, approving the petitioner's request to revise a Master Plan on property zoned CPDP/Combined Planned Development Project, with deviations, and with the following unmodified 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. A preliminary floral and fauna (plant and wildlife) survey shall be conducted to determine if any listed species are present. If listed species are present, the petitioner would be required to comply with all applicable Fish and Wildlife Conservation Commission (FWC) regulations.
3. The development of common areas and landscape plans must comply with the Florida-Friendly Landscaping™ principles.
4. At the time of preliminary plat, the developer will be required to update the Master Drainage Plan for the development, including providing any joint use documents with properties outside the current phase. Locations for any proposed drainage facilities should also be provided.
5. All lots, excluding the rear setback area, and roads shall be elevated at or above the regulatory 100-year flood elevation in accordance with the requirements of the Squirrel Prairie basin study and the adopted regulatory floodplain maps. All future development plans shall show the regulatory floodplain consistent with these documents.
6. The petitioner shall ensure that the post-development volumes and rate of drainage flow shall not exceed the volume and rate of pre-development for a 100-year storm event.
7. The petitioner shall design storage structures to the 100-year storm event.
8. A traffic analysis is required at the time of conditional plat, to include a traffic signal warrant study. The developer will be responsible for the cost of the traffic signal if warranted, the amount of which will be escrowed prior to final plat approval.
9. The petitioner shall provide a stub-out to the south.
10. The roads within the subdivision shall be private.

11. The petitioner shall grant an Avigation Easement to Hernando County for airport operations.
12. The developer shall provide new property owners with written program materials and owners shall be encouraged to utilize the Florida-Friendly Landscaping™ program best management practices.
13. The petitioner shall preserve the minimum seven percent (7%) natural vegetation as required by the County's LDRs. If approved, the petitioner must provide a minimum of natural vegetation. The required natural vegetation may be included as part of the required open space.
14. The property must apply for and receive a Finding of School Capacity from the School District prior to the approval of the conditional plat or the functional equivalent. The County will only issue a certificate of concurrency for schools upon the School District's written determination that adequate school capacity will be in place or under actual construction within three (3) years after the issuance of subdivision approval or site plan approval (or functional equivalent) for each level of school without mitigation, or with the execution of a legally binding proportionate share mitigation agreement between the applicant, the School District and the County.
15. The petitioner shall submit a fire protection plan with the Conditional Plat in accordance with Hernando County LDRs.
16. The total number of units is limited to 240.
17. The minimum lot sizes are 7,700 ft<sup>2</sup> and 5,500 ft<sup>2</sup>.
18. There shall be an appropriate transition of lot sizes from the existing Trails of Rivard Phase 1 to the currently proposed Phase 2, with Lot sizes along Rivard Boulevard to the golf-court crossing, along Old Oak Trail, Brassey Drive, Dog Leg Court; and Clearview Drive to its intersection with Pine Lake Drive shall be a minimum of 7,700 ft<sup>2</sup>. This lot size applies to homes constructed on either side of each of these roadways. Lot sizes along Pine Lake Drive and Wind Tree Court shall be a minimum of 5,500 ft<sup>2</sup>.
19. Minimum Building Setbacks are as Follows:
  - a. 5,500 ft<sup>2</sup> Lots:  
Front: 25'  
Side: 5' (Reduction from 10')  
Rear: 15'

b. 7,700 ft<sup>2</sup> Lots:  
Front: 25'  
Side: 7.5' (Reduction from 10')  
Rear: 15'

20. Minimum Perimeter Setback shall be 25'. No buildings shall be located within this setback.
21. There shall be a twenty-foot (20') natural vegetated buffer along the south and east boundaries where the proposed development is adjacent to existing subdivisions.
22. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.



Mailing Address  
PO Box 795  
Aripeka, FL 34679

Received

Street Address:  
12529 Spring Hill Drive  
Spring Hill, FL 34609  
Phone: 352-683-9566  
Fax: 352-683-9567

FEB 13 2019

Planning Department  
Hernando County, Florida

AA - #26003438 - EB - #27060 - LB - #8264

- Architecture

- Building Engineering

- Civil Engineering

- Land Planning

- Structural Engineering

- Surveying

- Transportation

## MASTER PLAN REVISION AND MODIFICATION TO LOT SIZE

**Location:** The Property is located on the east side of US Highway 41, approximately 1 ½ miles north of Ayers Road. The Property is identified by the Hernando County Property Appraiser as the following parcel, (key #383374). The combined site is 63.90 Acres more or less, a sketch and description of the parcel has been provided for clarity.

**Current Zoning:** The Property is currently zoned CPDP (SF) we are proposing to revise the previously approved single family residential lot sizes 5500 SF and 7700 SF to 4800 SF and 6000. The current zoning, surrounding zonings and approved density is consistent with this revision of change in lot size and density.

### **Surrounding Zoning\ Land use:**

North: AG Residential

South: AG Residential

East: AG Residential

West: CPDP (SF) (REC) Partially Developed residential and Golf Course.

**Future Land use:** Residential and Golf Course with public use park area 10.22 acres based on the density and land area exceeds the Hernando County requirement.

**Proposed Zoning:** This application is to renew the previously expired master plan and the proposed lot sizes planned for this phase, consistent with the previously approved master plan revision H-90-26 May 8, 1990 and H-05-127 on April 12, 2006. The owner is requesting the approval of 299 lots in this phase. The proposed revisions are also consistent with the 2040 Future land use for residential in this area and the comprehensive plan dated November 15, 2018 HC Ordinance #ORD-2018-16.



Mailing Address  
PO Box 795  
Aripeka, FL 34679

Received

Street Address:  
12529 Spring Hill Drive  
Spring Hill, FL 34609

Phone: 352-683-9566  
Fax: 352-683-9567

FEB 13 2019

Planning Department  
Hernando County, Florida

- Architecture
- Building Engineering
- Civil Engineering
- Land Planning
- Structural Engineering
- Surveying
- Transportation

**Utilities:** There are adequate water and sewer facilities in this the area to serve the project. Water and sewer services shall be provided by Hernando County Utilities. Rivard has been previously master planned for sewer and water service, the existing systems in place have the required compacity for the lots proposed in this revision.

**Soils:** The on-site soils types are Flemington fine sands, blichton loamy fine sands, Nobelton fine sands, Kendrick Fine sands and Micanopy loamy fine sands. The vegetative cover on the subject property is predominantly comprising of hardwood coniferous forest with small areas of improved pasture.

**Flood Zone:** The property is located in flood zone C, Panel No: 12053C0331D, Dated February 2, 2012. There are several areas that are indicated as flood prone as identified by the Squirrel Prairie Study. The lot design shall use the golf courses and open spaces as previously master planned to accommodate drainage. The parcels and conveyance were master planned and constructed with the earlier phases, minor revisions and additions for internal infrastructure were incorporated.

**Drainage:** The engineer has reviewed the Squirrel Prairie Flood plain study and has designed around the low flood plain areas. The proposed development plans will address the Squirrel Prairie study and the engineer may provide proposed revisions to the study as reviewed and modeled by the engineer. Rivard Phase 1 was permitted for master drainage with the golf course, phase 2 will also be planned and permitted for master drainage.

#### **Open Space Area:**

10.22 acres +/- Neighborhood Park, Neighborhood Park per sec. 26-75 Hernando Code Of Ordinances: One acre for the first fifty lots and one-one hundredth of an acre for each additional lot (dwelling Unit).

63.09 acres 0.05 (5%) \* 63.9 = 3.19 acres required as calculated per ordinance 2008-02



Mailing Address  
PO Box 795  
Aripeka, FL 34679

Received

Street Address:  
12529 Spring Hill Drive  
Spring Hill, FL 34609

FEB 13 2019

Phone: 352-683-9566  
Fax: 352-683-9567

Planning Department  
Hernando County, Florida

**Perimeter Setbacks: 25'**

**Internal Setbacks:**

- Architecture 4,800 SF lots

Front – 25'

Side – 5'

Rear – 15'

- Civil Engineering 6,000 SF lots

Front – 25'

Side – 7.5'

Rear – 15'

**Buffers:** The project area will incorporate natural existing buffers previously approved and the design includes for 10.22 acres of open space inclusive to the project which exceeds Hernando County's requirement for neighborhood park requirements.

**Previously approved Density:**

Units Proposed: 240

Acres: 63.90

3.75 Units per acre

**Proposed Density:**

Units Proposed: 325

Acres: 63.90

5.09 Units per acre



AA - #26003438 ~ EB - #27060 ~ LB - #8264

Mailing Address  
PO Box 795  
Aripeka, FL 34679

Received

Street Address:  
12529 Spring Hill Drive  
Spring Hill, FL 34609

FEB 13 2019

Phone: 352-683-9566  
Fax: 352-683-9567

Planning Department  
Hernando County, Florida

**Access:** The project shall have access via existing private roads in the Rivard Subdivision. Access is limited to the main front entrance due to the single access point from US Highway 41 and single permitted CSX access.

- Architecture
- Building Engineering
- Civil Engineering
- Land Planning
- Structural Engineering
- Surveying
- Transportation

#### **Solid Waste:**

As with every development the County is concerned with the potential of waste generation and this has been evaluated for this proposed portion of the development based on current data available which indicates that approximately 4.75 pounds of waste is generated per day per unit. A unit consists of approximately 2.46 persons. Therefor, based on the total of single family units for this proposed master plan three hundred twenty five 325 approximately 1,534 pounds of waste will be generated per day upon build out of the development. Ref, US Census

#### **Traffic and Roadway:**

The project shall be accessed using the collector roadway, US Highway 41 via Rivard Blvd east to the parcel. The internal roadway network is proposed to have a right of way of 50 feet with 20 feet asphalt roadways. The roadway layout is loop with cul de sacs to provide for safe turn around at roadway terminations. The roadway network shall be privately maintained by the homeowners associations.

#### **Schools:**

The development is proposed to be three hundred twenty five (325) single family home sites. As indicated an average residential unit has 2.46 persons, with 14.9% of the persons within those households of school age, it could be reasonably estimated that 119 school aged children shall reside within the proposed development at build out. Ref, US Census.

## STAFF REPORT

---

**HEARINGS:** Planning & Zoning Commission: March 10, 2025  
Board of County Commissioners: April 3, 2025

**APPLICANT:** Rivard Development, LLC

**FILE NUMBER:** H-25-10

**REQUEST:** Reestablishment of a Master Plan on Property zoned  
CPDP/Combined Planned Development Project

**GENERAL LOCATION:** Northern terminus of Old Oak Trail, northern terminus of Dog Leg Court, eastern terminus of Rivard Boulevard, and the eastern terminus of Clearview Drive.

**PARCEL KEY**

**NUMBER:** 383374

---

### APPLICANT'S REQUEST:

On July 16, 2019, the Board of County Commissioner's approved a Master Plan Revision for the 63.7 acre phase of the existing Rivard subdivision (Resolution 2019-104). Since approval, no construction has been initiated. County LDRs indicate any approved project that does not obtain approval for vertical construction within two (2) years shall become null and void. Article VIII, Appendix A (Zoning), states that the density/intensity is retained under the previous zoning approval.

The petitioners current request is to reestablish the previously approved Master Plan on the subject site zoned CPDP/Combined Planned Development Project. The petitioner has indicated they seek no changes to the development or changes to the previously approved performance conditions.

<b>Previously Approved Entitlements (240 Lots)</b>		
	5,500 Sq Ft Lots	7,700 Sq Ft Lots
Front Setbacks	25'	25'
Side Setbacks	5'	7.5'
Rear Setbacks	15'	15'
Perimeter Setback	25'	25'

**SITE CHARACTERISTICS:**

<b>Site Size:</b>	63.7 acres
<b>Surrounding Zoning; Land Uses:</b>	<p>North: PDP(MH)/Planned Development Project Manufactured Housing</p> <p>South: CPDP/Combined Planned Development Project Mobile Home, AG/(Agricultural); Undeveloped</p> <p>East: Airport PDD/Planned Development District; Undeveloped</p> <p>West: PDP(SF) and PDP(SU)/Planned Development Project Single Family and Special Use; Existing Trails at Rivard Community</p>
<b>Current Zoning:</b>	CPDP/Combined Planned Development Project
<b>Future Land Use Map Designation:</b>	Residential, Recreational, and Rural
<b>Flood Zone:</b>	X; area subject to minimal flooding (Squirrel Prairie Basin Study is more up to date and accurate; information in that study supersedes the flood zone mapping)
<b>Comments:</b>	This property is located within the Squirrel Prairie Watershed. The floodplain has been delineated in the Floodplain Justification Report dated August 9, 2016, by Applied Science and Hydro Solutions for Hernando County and SWFWMD. The petitioner will be required to meet all of the requirements of the study.

**ENVIRONMENTAL REVIEW:**

<b>Soil Type:</b>	Blitchton Loamy Fine Sand, Micanopy Loamy Fine Sand, Nobleton Fine Sand
<b>Hydrologic Features:</b>	The property does not contain any Wellhead Protection Areas (WHAs) but contains a few small class 3 wetlands according to County data resources.
<b>Protection Features:</b>	The property does not contain any Special Protection Areas (SPAs), according to County data sources.

**Habitat:** Tree plantation (hardwood coniferous mixed) with a smaller area of improved pasture, shown as herbaceous, according to FLUCCS (Florida Land Use Cover and Classification System) mapping. Site contains majestic and specimen trees.

**Comments:** The proposed Master Plan shows the small class 3 wetland areas filled for development or incorporated into the stormwater design. Jurisdictional wetland lines shall be delineated on any future plans and construction drawings. Any removal, alteration, or encroachment of these wetlands shall comply with state and federal wetland permitting and mitigation procedures.

Geotechnical subsurface testing and reporting in accordance with the County's Facility Design Guidelines shall be conducted for all drainage retention areas (DRAs) within the project area.

The development of common areas and landscape plans must comply with the Florida-Friendly Landscaping™ principles. The developer shall provide new property owners with written program materials and owners shall be encouraged to utilize Florida-Friendly Landscaping™ program's best management practices.

A comprehensive floral and faunal survey shall be updated in order to identify any listed species present on the undeveloped portion of the property. The petitioner is required to comply with all applicable Florida Fish and Wildlife Conservation Commission (FWC) regulations.

#### **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. Homeowners 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 RECOMMENDATIONS:**

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a Resolution approving the petitioner's request to Reestablish a Master Plan on property zoned CPDP/Combined Planned Development Project with the following previously approved 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 or the property, and complete all applicable development review processes.
2. A preliminary floral and fauna (plant and wildlife) survey shall be conducted to determine if any listed species are present. If listed species are present, the petitioner would be required to comply with all applicable Fish and Wildlife Conservation Commission (FWC) regulations.
3. The development of common areas and landscape plans must comply with the Florida-Friendly Landscaping™ principles.
4. At the time of preliminary plat, the developer will be required to update the Master Drainage Plan for the development, including providing any joint use documents with properties outside the current phase. Locations for any proposed drainage facilities should also be provided.
5. All lots, excluding the rear setback area, and roads shall be elevated at or above the regulatory 100 year flood elevation in accordance with the requirements of the Squirrel Prairie basin study and the adopted regulatory floodplain maps. All future development plans shall show the regulatory floodplain consistent with these documents.
6. The petitioner shall ensure that the post-development volumes and rate of drainage flow shall not exceed the volume and rate of pre-development for a 100-year storm event.
7. The petitioner shall design storage structures to the 100-year storm event.
8. A traffic analysis is required at the time of conditional plat, to include a traffic signal warrant study. The developer will be responsible for the cost of the traffic signal if warranted, the amount of which will be escrowed prior to final plat approval.
9. The petitioner shall provide a stub-out to the south.

10. The roads within the subdivision shall be private.
11. The petitioner shall grant an Avigation Easement to Hernando County for airport operations.
12. The developer shall provide new property owners with written program materials and owners shall be encouraged to utilize the Florida-Friendly Landscaping™ program best management practices.
13. The petitioner shall preserve the minimum seven percent (7%) natural vegetation as required by the County's LDRs. If approved, the petitioner must provide a minimum of natural vegetation. The required natural vegetation may be included as part of the required open space.
14. The property must apply for and receive a Finding of School Capacity from the School District prior to the approval of the conditional plat or the functional equivalent. The County will only issue a certificate of concurrency for schools upon the School District's written determination that adequate school capacity will be in place or under actual construction within three (3) years after the issuance of subdivision approval or site plan approval (or functional equivalent) for each level of school without mitigation, or with the execution of a legally binding proportionate share mitigation agreement between the applicant, the School District and the County.
15. The petitioner shall submit a fire protection plan with the Conditional Plat in accordance with Hernando County LDRs.
16. The total number of units is limited to 240.
17. The minimum lot sizes are 7,700 Sq. Ft. and 5,500 Sq. Ft..
18. There shall be an appropriate transition of lot sizes from the existing Trails of Rivard Phase 1 to the currently proposed Phase 2, with Lot sizes along Rivard Boulevard to the golf-court crossing, along Old Oak Trail, Brassey Drive, Dog Leg Court; and Clearview Drive to its intersection with Pine Lake Drive shall be a minimum of 7,700 ft<sup>2</sup>. This lot size applies to homes constructed on either side of each of these roadways. Lot sizes along Pine Lake Drive and Wind Tree Court shall be a minimum of 5,500 ft<sup>2</sup>.
19. Minimum Building Setbacks are as Follows:
  - a. Lot Size: 5,500 Sq. Ft.  
Front: 25'  
Side: 5'  
Rear: 15'

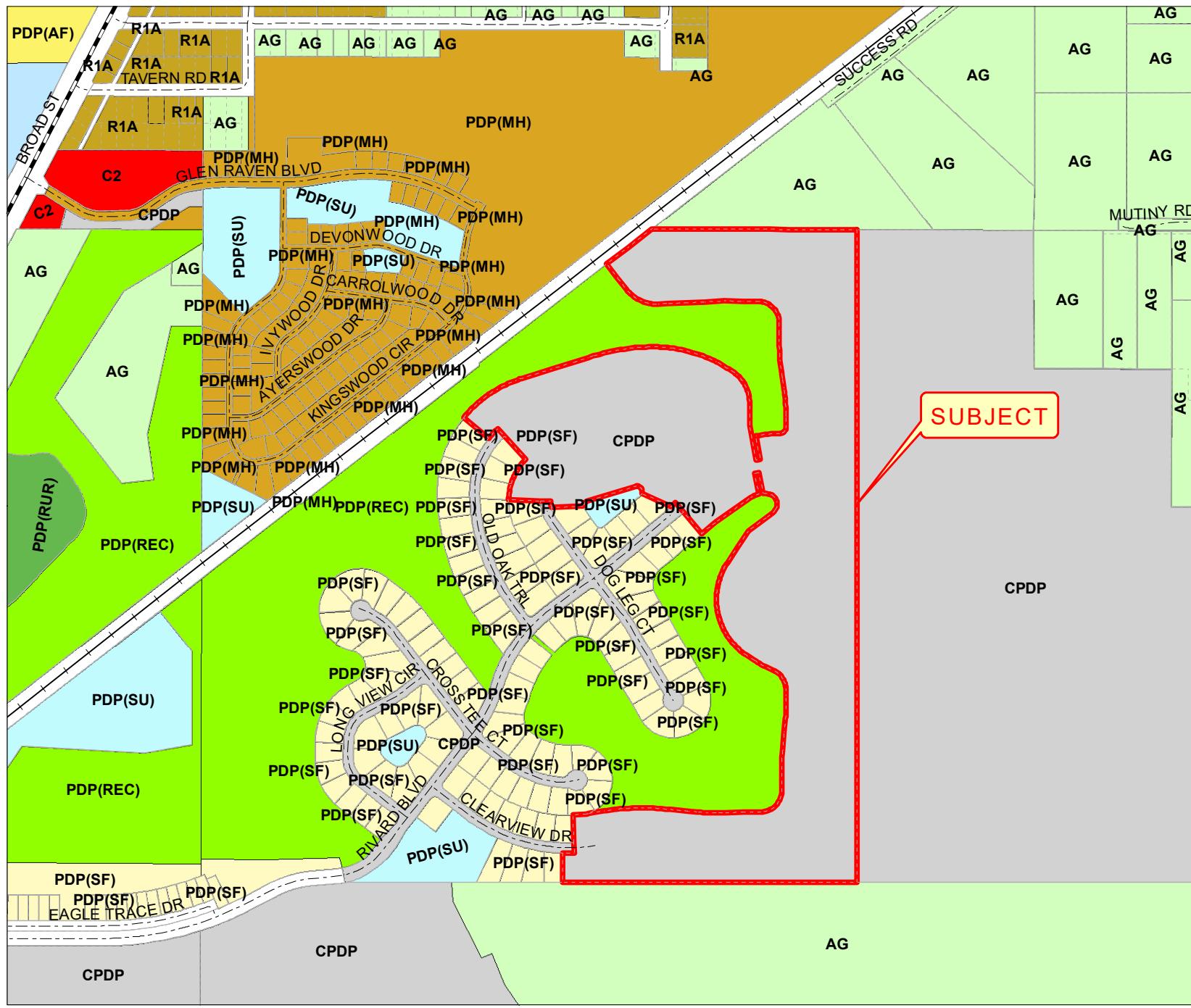
b.      Lot Size:      7,700 Sq. Ft.  
            Front:      25'  
            Side:      7.5'  
            Rear:      15'

20.     Minimum Perimeter Setback shall be 25'. No buildings shall be located within this setback.
21.     There shall be a twenty-foot (20') natural vegetated buffer along the south and east boundaries where the proposed development is adjacent to existing subdivisions.
22.     The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.



H-25-10

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



## Zoning:

Zoning:	
AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

## Legend

