



Hernando County Planning & Zoning Commission

Regular Meeting

Minutes

July 10, 2023

CALL TO ORDER

The public meeting was called to order at 9:00 a.m. on Monday, July 10, 2023, 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.

<u>Attendee Name</u>	<u>Title</u>
Jonathan McDonald	Chairman
W. Steve Hickey	Vice Chairman
Kathryn Birren	Regular Member
Nicholas Holmes	Alternate Member
Donald Whiting	Alternate Member
James Lipsey	Ex Officio Non-voting Member (School Board Rep.)
Kyle Benda	Assistant County Attorney
Michelle Miller	Planning Administrator
Omar Depablo	Senior Planner
Robin Reinhart	Agenda Coordinator

Members Gregory Arflack and Mike Fulford were not present at the meeting.

Invocation

Pledge of Allegiance

Poll Commission for Ex Parte Communications

Chairman McDonald, Vice Chairman Hickey, and Members Birren, Holmes, and Whiting announced that they had had no ex parte communications concerning the quasi-judicial petitions being considered at this meeting.

County Attorney Statement

Assistant County Attorney Kyle Benda 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

Planning Administrator Michelle Miller announced that representatives of the School Board and Department of Public Works would not be in attendance at the meeting.

APPROVAL/MODIFICATION OF AGENDA

Motion

To approve the Agenda.

RESULT:	ADOPTED
MOVER:	W. Steven Hickey
SECONDER:	Nicholas Holmes
AYES:	McDonald, Hickey, Birren, Holmes and Whiting
ABSENT:	Arflack and Fulford

ADOPTION OF INFORMATION PACKETS INTO EVIDENCE

Motion

To adopt the packets into evidence.

RESULT:	ADOPTED
MOVER:	W. Steven Hickey
SECONDER:	Kathryn Birren
AYES:	McDonald, Hickey, Birren, Holmes and Whiting
ABSENT:	Arflack and Fulford

PUBLIC HEARINGS

UNIFIED AGENDA

Conditional Use Permit Petition Submitted by Normand Masse (CU2306)

This item was pulled and moved to the Standard Agenda.

CP 1448356 Leyland Preserve Conditional Plat

CP 1436723 Pine Cone Street

Motion

To approve the Unified Agenda and move Item No. 12438 [Conditional Use Permit Petition Submitted by Normand Masse (CU2306)] to the Standard Agenda.

RESULT:	ADOPTED
MOVER:	Donald Whiting
SECONDER:	W. Steven Hickey
AYES:	McDonald, Hickey, Birren, Holmes and Whiting
ABSENT:	Arflack and Fulford

STANDARD AGENDA

Conditional Use Permit Petition Submitted by Normand Masse (CU2306)

The Board accepted public input on this matter.

Motion

To approve the staff recommendation.

RESULT:	ADOPTED
MOVER:	Donald Whiting
SECONDER:	W. Steven Hickey
AYES:	McDonald, Hickey, Birren, Holmes and Whiting
ABSENT:	Arflack and Fulford

Rezoning Petition Submitted by Aaron and Nicole Gibson (H2314)

There was no public input.

Motion

To approve the staff recommendation.

RESULT:	ADOPTED
MOVER:	W. Steven Hickey
SECONDER:	Nicholas Holmes
AYES:	Hickey, McDonald, Birren, Holmes and Whiting

Rezoning Petition Submitted by Home Builders (H2301)

The Board accepted public input on this matter.

Motion

To deny.

RESULT:	ADOPTED
MOVER:	Nicholas Holmes
SECONDER:	W. Steven Hickey
AYES:	Hickey, McDonald, Birren, Holmes and Whiting

RECESS/RECONVENE

The Board recessed at 10:05 a.m. and reconvened at 10:15 a.m.

Rezoning Petition Submitted by Josphe Cotroneo (H2316)

The Board accepted public input on this matter.

Motion

To approve the staff recommendation.

RESULT:	ADOPTED
MOVER:	W. Steven Hickey
SECONDER:	Donald Whiting
AYES:	McDonald, Hickey, Birren, Holmes and Whiting
ABSENT:	Arflack and Fulford

Rezoning Petition Submitted by Carlo Zarcone (H2315)

The Board accepted public input on this matter.

Motion

To approve the staff recommendation, with including the addition of a public inquiry workshop.

RESULT:	ADOPTED
MOVER:	Kathryn Birren
SECONDER:	Donald Whiting
AYES:	McDonald, Hickey, Birren, Holmes and Whiting
ABSENT:	Arflack and Fulford

RECESS/RECONVENE

The Board recessed at 11:05 a.m. and reconvened at 11:10 a.m.

Presentation on Proposed Tiny Home Community Regulations

Chairman McDonald passed the gavel to Vice Chairman Hickey and temporarily left the meeting, and upon returning shortly thereafter, he resumed the Chairmanship.

COMMISSIONERS AND STAFF ISSUES

There were no issues to discuss.

ADJOURNMENT

The meeting was adjourned at 11:50 a.m.

UPCOMING MEETINGS

The next regular meeting of the Planning and Zoning Commission is scheduled for Monday, August 14, 2023, beginning at 9:00 AM, in the Commission Chambers.



Planning & Zoning Commission

Meeting: 07/10/2023
Department: Planning
Prepared By: Alaina Kidd
Initiator: Aaron Pool
DOC ID: 12449
Legal Request Number:
Bid/Contract Number:

AGENDA ITEM

TITLE

CP 1448356 Leyland Preserve Conditional Plat

BRIEF OVERVIEW

Conditional Plat approval for Leyland Preserve

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

Leyland Preserve Subdivision with performance conditions.

REVIEW PROCESS

Table with 4 columns: Name, Status, Date, Time. Rows include Alaina Kidd, Omar DePablo, Michelle Miller, Aaron Pool, and Kyle Benda.

RESULT: ADOPTED
MOVER: Donald Whiting
SECONDER: W. Steven Hickey
AYES: McDonald, Hickey, Birren, Holmes and Whiting
ABSENT: Arflack and Fulford

STAFF REPORT

HEARINGS: Planning & Zoning Commission: July 10, 2023

APPLICANT: Meritage Homes of Florida INC

FILE NUMBER: 1448356

PURPOSE: Conditional Plat Approval for Leyland Preserve
GENERAL

LOCATION: North side of Wiscon Road, approximately 1600' east of Quarterhorse Lane

PARCEL KEY
NUMBER: 1212440,360488 and 748739

The conditional plat for the Leyland Preserve subdivision is for One hundred thirty-six (136) single family residential lots on approximately 42.8 +/- acres of undeveloped land, located on the north side of Wiscon Road, approximately 1600' east of Quarterhorse Lane.

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 Whiting Estates 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 developer must conform to all Hernando County Facility Design Guidelines.
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 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.



DATE	REVISION	COMMENTS
04/26/2023	REVISED PER COUNTY COMMENTS	
08/16/2023	REVISED PER COUNTY COMMENTS	

CONSTRUCTION PLAN REVISIONS

CLIENT: MERITAGE HOMES

CONDITIONAL PLAT

LEYLAND PRESERVE

CONSTRUCTION PLAN REVISIONS

CLIENT: MERITAGE HOMES

CONDITIONAL PLAT

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CONDITIONAL PLAT

LEYLAND PRESERVE

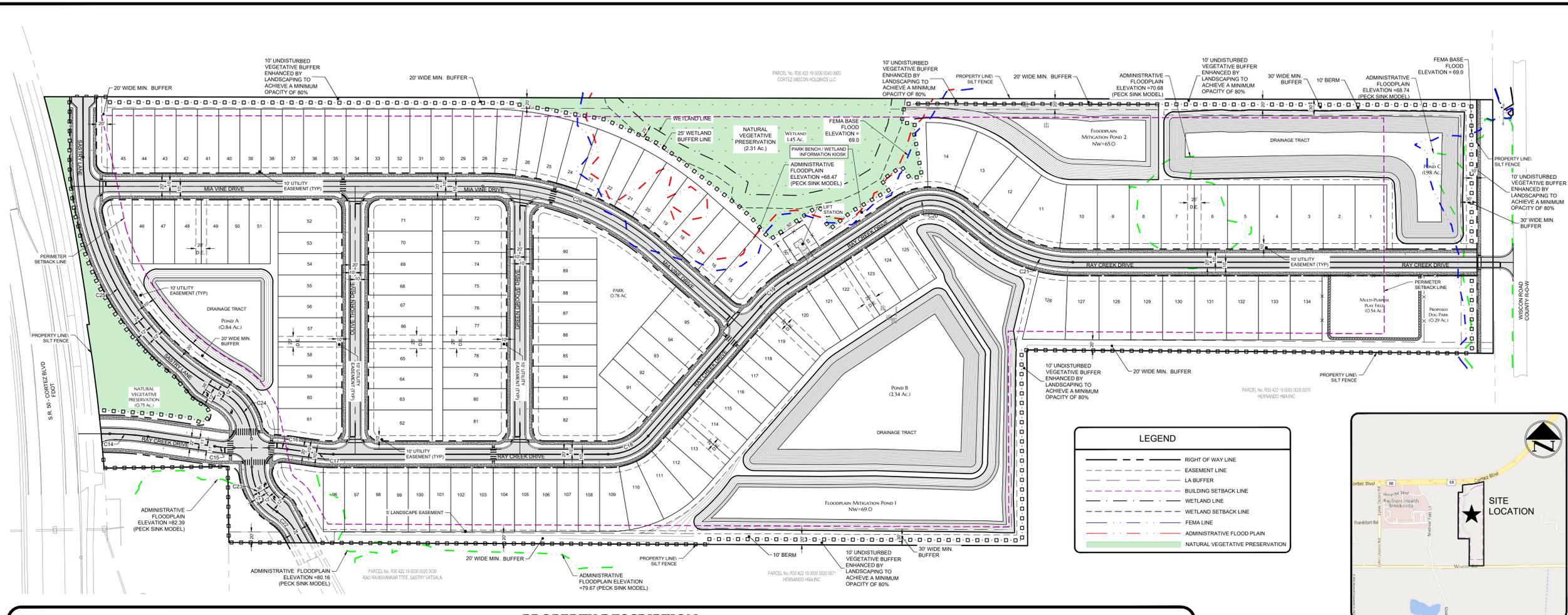
CONSTRUCTION PLAN REVISIONS

CLIENT: MERITAGE HOMES

CONDITIONAL PLAT

LEYLAND PRESERVE

CONSTRUCTION PLAN REVISIONS



PROPERTY DESCRIPTION

LEGAL DESCRIPTION PROVIDED BY: "DC JOHNSON ASSOCIATES"

DESCRIPTION:

PARCEL A1: COMMENCE AT THE SOUTHWEST CORNER OF THE EAST 3/4 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, RUN THENCE N.1°16'48"E 927.71 FEET ALONG THE WEST BOUNDARY OF SAID EAST 3/4 OF THE WEST 1/2 OF THE SOUTHEAST 1/4, A DISTANCE OF 927.71 FEET, RUN THENCE S.89°20'00"E EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 30, A DISTANCE OF 835.92 FEET, RUN THENCE N.1°06'16"E EAST A DISTANCE OF 430.02 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE N.1°06'16"E EAST A DISTANCE OF 1301.60 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 50, SAID POINT BEING ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 2716.26 FEET, THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH AN ANGLE OF 8°48'29", AN ARC DISTANCE OF 417.57 FEET, SUBTENDED BY A CHORD BEARING OF N.85°40'46"E, AND A CHORD DISTANCE OF 417.16 FEET, THENCE DEPARTING SAID RIGHT OF WAY LINE, RUN THENCE S.1°01'06"W WEST A DISTANCE OF 1337.85 FEET, RUN THENCE N.89°20'00"W WEST A DISTANCE OF 417.31 FEET TO THE POINT OF BEGINNING, (WEST PARCEL). AND BEING SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE WEST 16.00 FEET THEREOF.

LESS AND EXCEPT THE FOLLOWING PART "A" AND PART "B" AS DEEDED TO THE STATE OF FLORIDA RECORDED IN BOOK 1013, PAGE 1507:

PART "A" A PARCEL OF LAND BEING A PORTION OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND 1" IRON PIPE MARKING THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 30, THENCE N.00°06'28"W, ALONG THE EAST LINE OF SAID NORTHEAST 1/4, FOR 45.14 FEET TO A POINT ON THE CENTERLINE OF SURVEY OF STATE ROAD NO. 50, SAID POINT BEING ON THE ARC OF A NON-TANGENT CURVE (A RADIAL LINE BEARS N.33°05'53"W, TO THE CENTER OF SAID CURVE); THENCE ALONG SAID CENTERLINE OF SURVEY, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE CONCAVE NORTHERLY, HAVING FOR ITS ELEMENTS A RADIUS OF 2864.79 FEET, A CENTRAL ANGLE OF 31°54'44", AN ARC LENGTH OF 1595.61 FEET, AND A CHORD BEARING AND DISTANCE OF S.72°51'29"W, FOR 1575.07 FEET; THENCE S.00°04'41"W, FOR 50.01 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50, AND SAID POINT ALSO BEING ON THE ARC OF A NON-TANGENT CURVE (A RADIAL LINE BEARS N.01°09'51"W, TO THE CENTER OF SAID CURVE); THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, EASTERLY ALONG THE ARC OF SAID CURVE CONCAVE NORTHERLY, HAVING FOR ITS ELEMENTS A RADIUS OF 2914.79 FEET, A CENTRAL ANGLE OF 01°42'14", AN ARC LENGTH OF 86.69 FEET, AND A CHORD BEARING AND DISTANCE OF N.87°59'02"E, FOR 86.68 FEET; THENCE S.00°45'43"E, FOR 26.97 FEET; THENCE S.89°14'17"W, FOR 87.03 FEET; THENCE N.00°04'41"E, FOR 25.07 FEET TO THE POINT OF BEGINNING.

PART "B" A PARCEL OF LAND BEING A PORTION OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND 1" IRON PIPE MARKING THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 30, THENCE N.00°06'28"W, ALONG THE EAST LINE OF SAID NORTHEAST 1/4, FOR 45.14 FEET TO A POINT ON THE CENTERLINE OF SURVEY OF STATE ROAD NO. 50, SAID POINT BEING ON THE ARC OF A NON-TANGENT CURVE (A RADIAL LINE BEARS N.33°05'53"W, TO THE CENTER OF SAID CURVE); THENCE ALONG SAID CENTERLINE OF SURVEY, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE CONCAVE NORTHERLY, HAVING FOR ITS ELEMENTS A RADIUS OF 2864.79 FEET, A CENTRAL ANGLE OF 31°54'44", AN ARC LENGTH OF 1595.61 FEET, AND A CHORD BEARING AND DISTANCE OF S.72°51'29"W, FOR 1575.07 FEET; THENCE S.00°04'41"W, FOR 50.01 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50, AND SAID POINT ALSO BEING ON THE ARC OF A NON-TANGENT CURVE (A RADIAL LINE BEARS N.02°52'05"W, TO THE CENTER OF SAID CURVE); THENCE EASTERLY ALONG SAID SOUTH RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE CONCAVE NORTHERLY, HAVING FOR ITS ELEMENTS A RADIUS OF 2914.79 FEET, A CENTRAL ANGLE OF 01°08'50", AN ARC LENGTH OF 58.37 FEET, AND A CHORD BEARING AND DISTANCE OF N.86°33'30"E, FOR 58.37 FEET; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE, S.00°45'43"E, FOR 232.70 FEET; THENCE S.89°14'17"W, FOR 148.31 FEET; THENCE N.00°04'41"E, FOR 203.02 FEET TO THE POINT OF BEGINNING.

AND

PARCEL A2: COMMENCE AT THE SOUTHWEST CORNER OF THE EAST 3/4 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, RUN THENCE N.1°16'48"E EAST ALONG THE WEST LINE OF SAID EAST 3/4 OF THE WEST 1/2 OF THE SOUTHEAST 1/4, A DISTANCE OF 927.71 FEET, RUN THENCE S.89°20'00"E EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 30, A DISTANCE OF 835.92 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE S.89°20'00"E EAST A DISTANCE OF 803.07 FEET, RUN THENCE N.0°55'57"E EAST A DISTANCE OF 6.00 FEET, RUN THENCE S.89°20'00"E EAST A DISTANCE OF 32.85 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 30, RUN THENCE N.0°55'57"E ALONG THE EAST LINE OF SAID WEST 1/2 OF THE SOUTHEAST 1/4 A DISTANCE OF 424.02 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE N.0°55'57"E EAST ALONG SAID LINE A DISTANCE OF 1440.84 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 50, SAID POINT BEING ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 2716.26 FEET, THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH AN ANGLE OF 9°02'42", AN ARC DISTANCE OF 428.80 FEET, SUBTENDED BY A CHORD BEARING OF S.76°45'10"W, AND A CHORD DISTANCE OF 428.36 FEET, THENCE DEPARTING SAID RIGHT OF WAY LINE RUN THENCE S.1°01'06"W WEST A DISTANCE OF 1337.85 FEET, RUN THENCE S.89°20'00"E EAST A DISTANCE OF 417.31 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT ANY PORTION THEREOF LYING WITHIN THAT PORTION DEEDED TO THE STATE OF FLORIDA AS RECORDED IN BOOK 983, PAGE 1069, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING A PORTION OF THE EAST 1/2 OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND 1" IRON PIPE MARKING THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 30, THENCE N.00°06'28"W, ALONG THE EAST LINE OF SAID NORTHEAST 1/4, FOR 45.14 FEET TO A POINT ON THE CENTERLINE OF SURVEY OF STATE ROAD NO. 50, SAID POINT BEING ON THE ARC OF A NON-TANGENT CURVE (A RADIAL LINE BEARS N.33°05'53"W, TO THE CENTER OF SAID CURVE); THENCE ALONG SAID CENTERLINE OF SURVEY, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE CONCAVE NORTHERLY, HAVING FOR ITS ELEMENTS A RADIUS OF 2864.79 FEET, A CENTRAL ANGLE OF 31°54'44", AN ARC LENGTH OF 1595.61 FEET, AND A CHORD BEARING AND DISTANCE OF S.72°51'29"W, FOR 1575.07 FEET; THENCE S.00°04'41"W, FOR 50.01 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50, AND SAID POINT ALSO BEING ON THE ARC OF A NON-TANGENT CURVE (A RADIAL LINE BEARS N.02°52'05"W, TO THE CENTER OF SAID CURVE); THENCE EASTERLY ALONG SAID SOUTH RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE CONCAVE NORTHERLY, HAVING FOR ITS ELEMENTS A RADIUS OF 2914.79 FEET, A CENTRAL ANGLE OF 01°08'50", AN ARC LENGTH OF 58.37 FEET, AND A CHORD BEARING AND DISTANCE OF N.86°33'30"E, FOR 58.37 FEET; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE, S.00°45'43"E, FOR 232.70 FEET; THENCE S.89°14'17"W, FOR 148.31 FEET; THENCE N.00°04'41"E, FOR 203.02 FEET TO THE POINT OF BEGINNING.

AND

PARCEL B1: BEGIN AT THE S.W. CORNER OF THE EAST 3/4 OF THE WEST 1/2 OF THE SE 1/4 OF SECTION 30, TOWNSHIP 22S, RANGE 19E, RUN THENCE N.1°16'48"E 927.71 FEET ALONG THE WEST BOUNDARY OF SAID EAST 3/4 OF THE WEST 1/2 OF THE SE 1/4, THENCE S.89°20'00"E PARALLEL TO THE SOUTH BOUNDARY OF SECTION 30, 1638.99 FEET, THENCE N.0°55'57"E, 6.00 FEET, THENCE S.89°20'00"E, 32.85 FEET TO THE EAST BOUNDARY OF THE WEST 1/2 OF THE SE 1/4, THENCE S.0°55'57"W, 933.67 FEET TO THE S.E. CORNER OF THE WEST 1/2 OF THE SE 1/4 OF SECTION 30, 1677.50 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT: COMMENCING AT THE SW CORNER OF THE SE 1/4 OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, AND THENCE GO S89°15'00"E, ALONG SECTION LINE A DISTANCE OF 395.36 FEET; THENCE GO N.01°16'48"E, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING, CONTINUE THENCE N.01°16'48"E, A DISTANCE OF 906.30 FEET; THENCE GO S.89°20'00"E, A DISTANCE OF 481.00 FEET; THENCE GO S.01°16'48"W, A DISTANCE OF 906.45 FEET; THENCE GO N.89°15'00"W, A DISTANCE OF 481.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, AND THENCE GO S.89°15'00"E, ALONG SECTION LINE A DISTANCE OF 876.36 FEET; THENCE GO N.01°16'48"E, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING, CONTINUE THENCE N.01°16'48"E, A DISTANCE OF 906.45 FEET; THENCE GO S.89°20'00"E, A DISTANCE OF 481.00 FEET; THENCE GO S.01°16'48"W A DISTANCE OF 907.49 FEET; THENCE GO N.89°15'00"W, A DISTANCE OF 481.00 FEET TO THE POINT OF BEGINNING.

AND LESS AND EXCEPT: A PARCEL OF LAND IN THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 19 EAST, BEING A PORTION OF THOSE LANDS DESCRIBED IN O.R. BOOK 430, PAGE 1074, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 30, THENCE S.89°43'01"W, ALONG THE SOUTH LINE OF SAID SECTION 30, 670.88 FEET TO THE POINT OF BEGINNING; THENCE S.89°43'01"W, FOR 414.79 FEET TO THE WEST LINE OF SAID PARCEL; THENCE N.00°29'14"W, ALONG SAID WEST LINE FOR 49.90 FEET; THENCE N.89°42'44"E, FOR 414.97 FEET TO THE EAST LINE OF SAID PARCEL; THENCE S.00°16'53"E, FOR 49.94 FEET TO THE POINT OF BEGINNING.

PARCEL 2: THE EAST 60.00 FEET OF THE FOLLOWING DESCRIBED TRACT OF LAND: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, AND THENCE GO SOUTH 89°15'00" EAST, ALONG SECTION LINE, A DISTANCE OF 876.36 FEET; THENCE GO NORTH 01°16'48" EAST A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING; CONTINUE THENCE NORTH 01°16'48" EAST A DISTANCE OF 906.45 FEET; THENCE GO SOUTH 89°20'00" EAST, A DISTANCE OF 481.00 FEET; THENCE GO SOUTH 01°16'48" WEST A DISTANCE OF 907.49 FEET; THENCE GO NORTH 89°15'00" WEST A DISTANCE OF 481.00 FEET TO THE POINT OF BEGINNING.

ALL LYING AND BEING SITUATE IN HERNANDO COUNTY, FLORIDA.

COMMENCE AT THE SOUTHWEST CORNER OF THE EAST 3/4 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, RUN THENCE N.1°16'48"E EAST ALONG THE WEST LINE OF SAID EAST 3/4 OF THE WEST 1/2 OF THE SOUTHEAST 1/4, A DISTANCE OF 927.71 FEET, RUN THENCE S.89°20'00"E EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 30, A DISTANCE OF 1638.99 FEET, RUN THENCE N.0°55'57"E, A DISTANCE OF 6.00 FEET, RUN THENCE S.89°20'00"E EAST A DISTANCE OF 32.85 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 30, RUN THENCE N.0°55'57"E ALONG THE EAST LINE OF SAID WEST 1/2 OF THE SOUTHEAST 1/4 A DISTANCE OF 424.02 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE N.0°55'57"E EAST ALONG SAID LINE A DISTANCE OF 1440.84 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 50, SAID POINT BEING ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 2716.26 FEET, THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH AN ANGLE OF 9°02'42", AN ARC DISTANCE OF 428.80 FEET, SUBTENDED BY A CHORD BEARING OF S.76°45'10"W, AND A CHORD DISTANCE OF 428.36 FEET, THENCE DEPARTING SAID RIGHT OF WAY LINE RUN THENCE S.1°01'06"W WEST A DISTANCE OF 1337.85 FEET, RUN THENCE S.89°20'00"E EAST A DISTANCE OF 417.31 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT ANY PORTION THEREOF LYING WITHIN THAT PORTION DEEDED TO THE STATE OF FLORIDA AS RECORDED IN BOOK 983, PAGE 1069, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING A PORTION OF THE EAST 1/2 OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND 1" IRON PIPE MARKING THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 30, THENCE N.00°06'28"W, ALONG THE EAST LINE OF SAID NORTHEAST 1/4, FOR 45.14 FEET TO A POINT ON THE CENTERLINE OF SURVEY OF STATE ROAD NO. 50, SAID POINT BEING ON THE ARC OF A NON-TANGENT CURVE (A RADIAL LINE BEARS N.33°05'53"W, TO THE CENTER OF SAID CURVE); THENCE ALONG SAID CENTERLINE OF SURVEY, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE CONCAVE NORTHERLY, HAVING FOR ITS ELEMENTS A RADIUS OF 2864.79 FEET, A CENTRAL ANGLE OF 31°54'44", AN ARC LENGTH OF 1595.61 FEET, AND A CHORD BEARING AND DISTANCE OF S.72°51'29"W, FOR 1575.07 FEET; THENCE S.00°04'41"W, FOR 50.01 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 50, AND SAID POINT ALSO BEING ON THE ARC OF A NON-TANGENT CURVE (A RADIAL LINE BEARS N.02°52'05"W, TO THE CENTER OF SAID CURVE); THENCE EASTERLY ALONG SAID SOUTH RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE CONCAVE NORTHERLY, HAVING FOR ITS ELEMENTS A RADIUS OF 2914.79 FEET, A CENTRAL ANGLE OF 01°08'50", AN ARC LENGTH OF 58.37 FEET, AND A CHORD BEARING AND DISTANCE OF N.86°33'30"E, FOR 58.37 FEET; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE, S.00°45'43"E, FOR 232.70 FEET; THENCE S.89°14'17"W, FOR 148.31 FEET; THENCE N.00°04'41"E, FOR 203.02 FEET TO THE POINT OF BEGINNING.

AND

PARCEL B2: COMMENCE AT THE SOUTHWEST CORNER OF THE EAST 3/4 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, RUN THENCE N.1°16'48"E EAST ALONG THE WEST LINE OF SAID EAST 3/4 OF THE WEST 1/2 OF THE SOUTHEAST 1/4, A DISTANCE OF 927.71 FEET, RUN THENCE S.89°20'00"E EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 30, A DISTANCE OF 835.92 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE S.89°20'00"E EAST A DISTANCE OF 803.07 FEET, RUN THENCE N.0°55'57"E EAST A DISTANCE OF 6.00 FEET, RUN THENCE S.89°20'00"E EAST A DISTANCE OF 32.85 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 30, RUN THENCE N.0°55'57"E ALONG THE EAST LINE OF SAID WEST 1/2 OF THE SOUTHEAST 1/4 A DISTANCE OF 424.02 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE N.0°55'57"E EAST ALONG SAID LINE A DISTANCE OF 1440.84 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 50, SAID POINT BEING ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 2716.26 FEET, THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH AN ANGLE OF 9°02'42", AN ARC DISTANCE OF 428.80 FEET, SUBTENDED BY A CHORD BEARING OF S.76°45'10"W, AND A CHORD DISTANCE OF 428.36 FEET, THENCE DEPARTING SAID RIGHT OF WAY LINE RUN THENCE S.1°01'06"W WEST A DISTANCE OF 1337.85 FEET, RUN THENCE S.89°20'00"E EAST A DISTANCE OF 417.31 FEET TO THE POINT OF BEGINNING, (WEST PARCEL).

T:\Projects\16-01_Triples CD\Drawings\16-01-02_Construction Plans\Curren Plans\16010203_1-CP.dwg
04/26/2023 10:17:07 P.M. PLOTTED BY: ves.dunning



ERIC S. DUNNING
FLORIDA LICENSED PROFESSIONAL ENGINEER
REGISTRATION NUMBER 67678

PROJECT No. 176-01-02

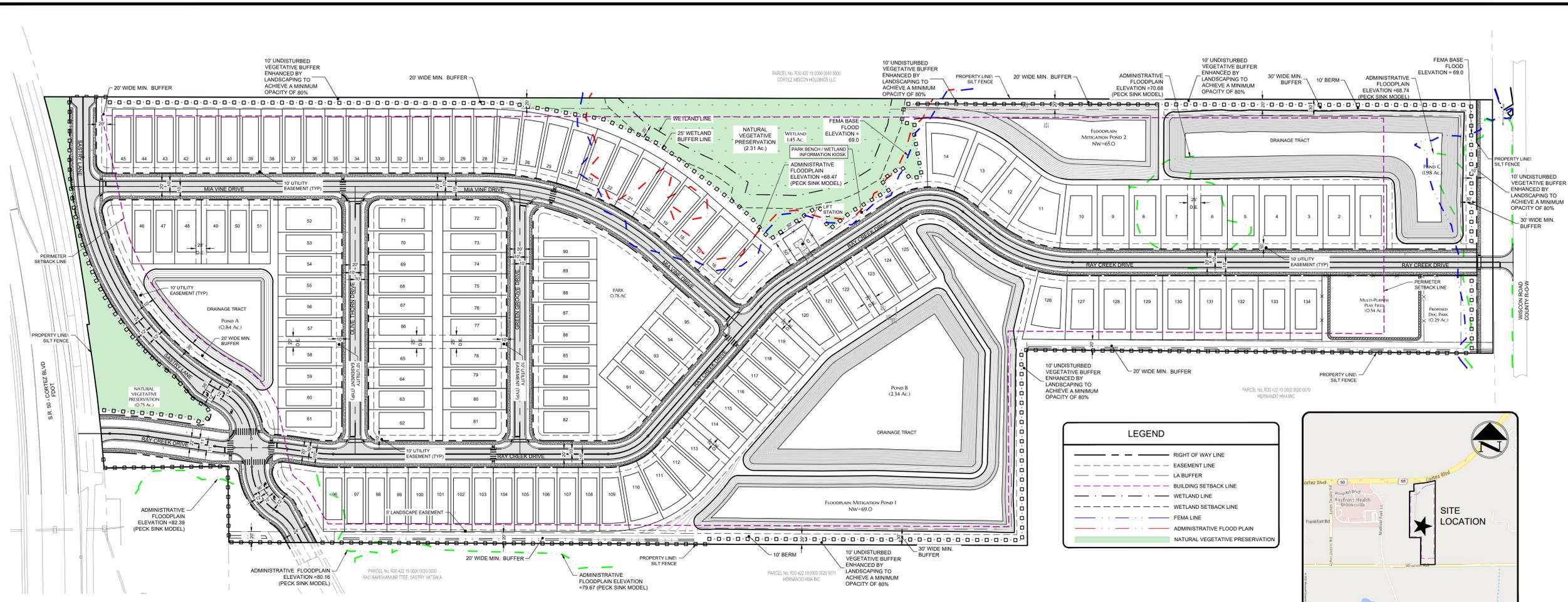
SHEET C 3.1



DATE	REVISIONS
01/15/2023	REVISED PER COUNTY COMMENTS
08/15/2023	REVISED PER COUNTY COMMENTS

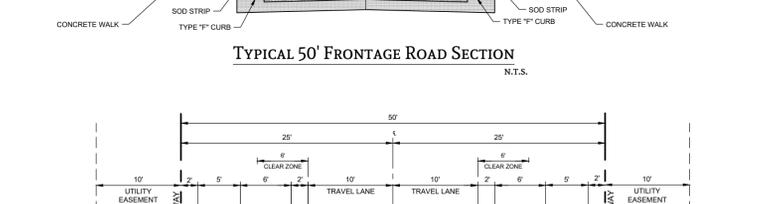
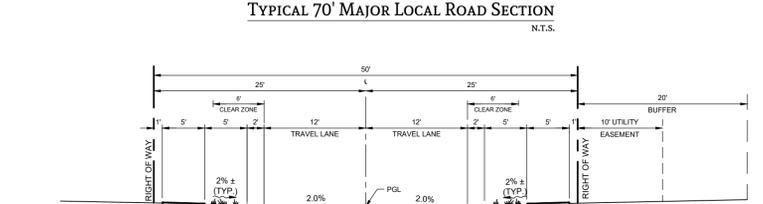
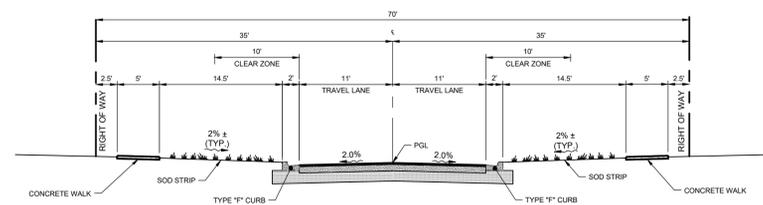
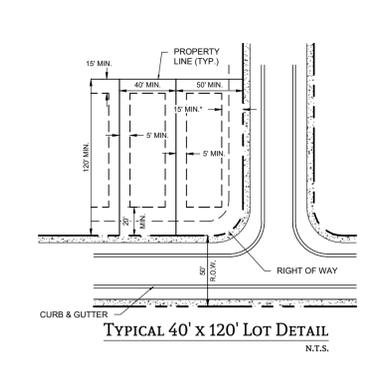
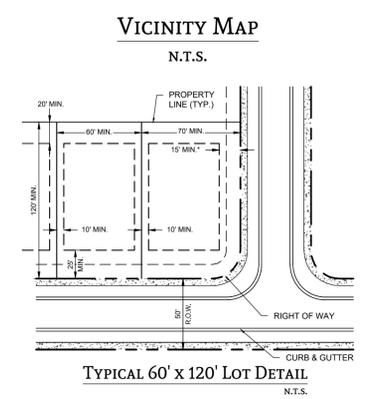
CONSTRUCTION PLAN REVISIONS

LEYLAND PRESERVE
CLIENT: MERITAGE HOMES
CONDITIONAL PLAT



LEGEND

- RIGHT OF WAY LINE
- EASEMENT LINE
- LA BUFFER
- BUILDING SETBACK LINE
- WETLAND LINE
- WETLAND SETBACK LINE
- FEMA LINE
- ADMINISTRATIVE FLOOD PLAIN
- NATURAL VEGETATIVE PRESERVATION



- BUFFERS:**
- THE BUFFER TRACTS INDICATED ON THE PLAN WILL CONSIST OF NATURAL VEGETATION WHERE POSSIBLE ENHANCED TO ACHIEVE A MINIMUM OPACITY OF 80% WHERE NEEDED. WHERE SITE GRADING REQUIRES THE REMOVAL OF NATURAL VEGETATION ENHANCED LANDSCAPING WILL BE PROVIDED TO MEET OPACITY CONSISTENT WITH COUNTY STANDARDS.
- FLOOD PLAIN:**
- THE PROJECT IS SITE ZONE 'X' & 'AH' PER FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL 129530191D EFFECTIVE FEBRUARY 2ND, 2012.
- FIRE PROTECTION:**
- FIRE HYDRANTS WILL BE PLACED THROUGHOUT THE COMMUNITY AT A MINIMUM OF 200' CURB LINE DISTANCE INTERVALS WHICH IS CONSISTENT WITH COUNTY STANDARDS. THE POTABLE WATER SYSTEM WILL BE DESIGNED TO PROVIDE A MINIMUM OF 1,000 GPM FOR USE IN FIREFIGHTING AS REQUIRED BY NFPA GUIDELINES AS REQUIRED BY HERNANDO COUNTY.
- GENERAL NOTES:**
- THE PROJECT IS NOT LOCATED WITHIN AN OVERLAY DISTRICT.
 - POTABLE WATER PROVIDED BY THE CITY OF BROOKSVILLE.
 - SANITARY SEWER DISPOSAL PROVIDED BY THE CITY OF BROOKSVILLE.
 - PROJECT WILL CONSIST OF A MAXIMUM OF 136 SINGLE FAMILY UNITS.
 - 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.
 - DRAINAGE RETENTION AREAS ARE CONCEPTUALLY LOCATED. THE ACTUAL SIZE AND LOCATION WILL BE DETERMINED WITH FINAL ENGINEERING DESIGN.
 - ALL STREETS AND LOTS ARE ABOVE THE 100 YEAR FLOODPLAIN.

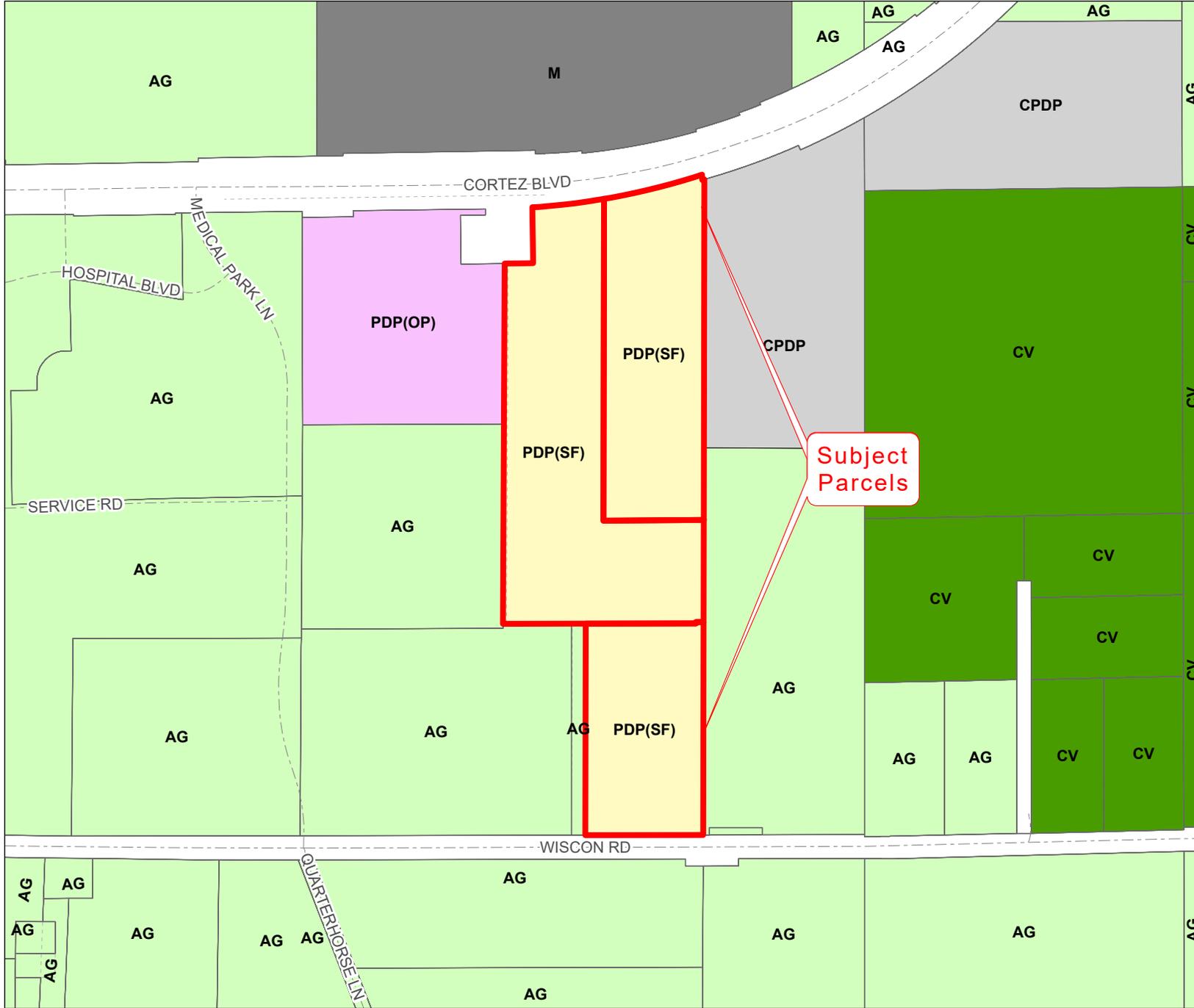
SITE DATA TABLE

PROJECT LOCATION	CITY OF BROOKSVILLE HERNANDO COUNTY, FLORIDA
TOTAL PROJECT AREA	42.79 AC±
WETLANDS	1.68-ACRES±
UPLANDS	40.9-ACRES±
SINGLE FAMILY DETACHED	134 (3.13 DU/AC.)
40' x 120' LOTS MIN. LOT AREA 4,800 SF	111
60' x 120' LOTS MIN. LOT AREA 7,200 SF	23
PAVED ROADS	132,594 SQ FT±
NATURAL VEGETATION REQUIRED	3.00 AC.
NATURAL VEGETATION PROVIDED	3.06 AC.
*PARK / AMENITY	* 3.92 AC.
BUFFERS	2.69 AC.
BUFFERS	2.69 AC.
PERIMETER BUILDING SETBACKS	
FROM CORTEZ BOULEVARD	95'
FROM FRONTAGE ROAD	35'
FROM EAST/WEST PROPERTY LINES	35'
FROM WISCON ROAD	205'

NOTE:
*AMENITIES WILL BE PROVIDED FOR WETLAND A, THEREFORE WETLAND A IS INCLUDED IN PARK/AMENITY CALCULATIONS.

CP 1448356

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.

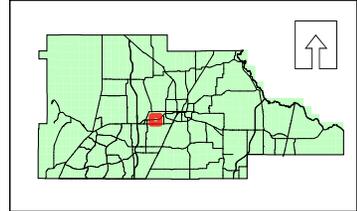


Subject
Parcels

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

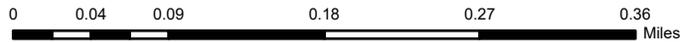
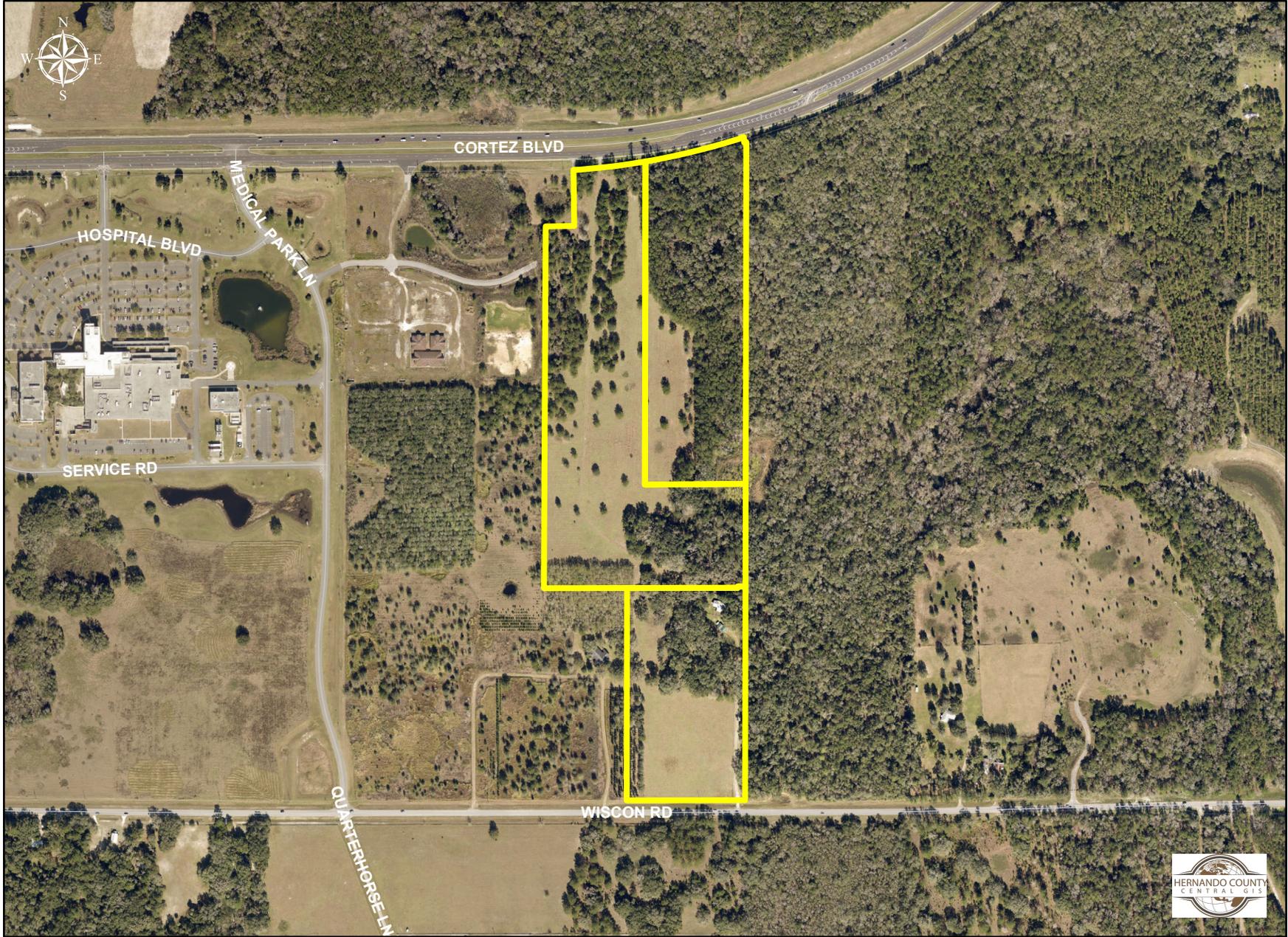
City Zoning Pending



CP 1448356

Photo date: 2020

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.



STAFF REPORT

HEARINGS: Planning & Zoning Commission: May 9, 2022
Board of County Commissioners: June 14, 2022

APPLICANT: Meritage Homes of Florida, Inc.

FILE NUMBER: H-22-20

REQUEST: Rezoning from PDP(MF)/Planned Development Project (Multifamily) and AG/(Agricultural) to PDP(SF)/Planned Development Project (Single-Family) with Deviations

GENERAL

LOCATION: North side of Wiscon Road, approximately 1600' east of Quarterhorse Lane

PARCEL KEY

NUMBERS: 1212440, 360488 and 748739

APPLICANT'S REQUEST:

On May 10, 2006, the Board of County Commissioners approved a rezoning to PDP(MF)/Planned Development Project (Multifamily) for the development of a 288-unit multifamily community on Parcel Keys 1212440 and 360488. Since the approval no development has occurred on the site.

The petitioner's current request is to incorporate Parcel Key 748739 into the proposal and rezone the combined site from PDP(MF)/Planned Development Project (Multifamily) and AG/(Agricultural) to PDP(SF)/Planned Development Project (Single-Family) to develop a single-family subdivision with 136 units. This request reflects a 53% reduction in the total number of units for the site. Additionally, the proposal is designed to provide protection for critical environmental features and an appropriate transition to the rural parcels to the south.

The following deviations are requested with this application:

- Lot Width: 40' (Deviation from 60')
- Lot Size: 4,800 square feet (Deviation from 6000)

Minimum Setbacks (40' lots):

- Front: 20' (deviation from 25')
- Rear: 15' (deviation from 20')
- Side (Internal): 5' (deviation from 10')
- Side (Corner Lot): 15' (deviation from 20'; also requested for 60' lots)

A corresponding small-scale comprehensive plan amendment (CPAM-22-03) has been submitted to change the Future Land Use on 38 acres of the subject site from Rural to Residential.

SITE CHARACTERISTICS:

Site Size: 42.8 acres

Surrounding Zoning & Land Uses:

North: Mining; Undeveloped
South: AG; agricultural and residential uses
East: AG/CPDP; Undeveloped
West: PDP(OP); Bravera Hospital; Vacant Office Complex

Current Zoning: PDP(MF)/Planned Development Project (Multifamily)

Future Land Use Map Designation: Rural and Residential (corresponding CPAM2203 pending to change the FLUM for entire site to Residential)

ENVIRONMENTAL REVIEW:

Soil Type: Kendrick Fine Sand/0-5% slopes, Micanopy Loamy Fine Sand /2-5% slopes, Nobleton Fine Sand/0-5% slopes, Homosassa Mucky Fine Sandy Loam

Features/Resources: The larger wetland is shown as class 3 (Comp plan). There are no WHPAs, or SPAs according to County data resources. A Phase 1 Cultural Resource Assessment (CRAS) has been conducted for the archaeological/historical sites. The assessment did not find significant resources and does not recommend listing them as eligible NRHP sites.

Habitat: Properties are partially forested with some residential development and shown as rural open, low density residential, mixed hardwood-coniferous, and marsh according to FWC CLC (Florida Cooperative Land Cover Classification System that includes Florida Land Use Cover and Classification System). Kendrick Fine Sand has habitat suitable for gopher tortoise.

Comment: The petitioner is required to comply with all applicable FWC regulations and permitting.

Flood Zone: AH

Comments: The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for required plantings and buffers, as applicable.

The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ Program information and encourage the use of the principles, techniques, and landscaping recommendations. Information on the County’s Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.

SCHOOL DISTRICT REVIEW:

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:

These parcels are located within the City of Brooksville Utility Department’s (CBUD) first right to serve district and the developer will need to coordinate with the CBUD for any utility related improvements.

CITY OF BROOKSVILLE REVIEW:

No comments received from the City of Brooksville.

ENGINEERING REVIEW:

The subject site is located between Wiscon Road and Cortez Boulevard, east of Quarterhorse Lane. The petitioner has proposed two access points into the development and a frontage road that parallels Cortez Boulevard. The County Engineer has reviewed the petitioner’s request and has the following comments:

- This project generates more than 50 PM Peak Hour Trips. A Traffic Access Analysis is required. Please refer to Hernando County Facility Design Guideline IV-18. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer. The Traffic Access Analysis to include a queuing analysis.
- A Frontage Road is required along the entire length of frontage along Cortez Blvd. Per ordinance; the frontage road is shown on the submitted master plan and satisfies this requirement
- The roads and driveways will need to meet County standards.
- Right of way may be required along Wiscon Road.
- FDOT access management and drainage permitting is required.
- Applicant shall contact FDOT for any right of way required along S.R.50/Cortez Blvd.
- This site contains four areas of 1% annual chance floodplain.
- This project must also meet the storm drainage design requirements of South West Florida Water Management District and Hernando County Facility Design Guidelines.

LAND USE REVIEW:

Setbacks, Buffers, Lot Sizes and Lot Layout:

The petitioner is proposing the following lot widths and sizes:

- Lot Widths: 40' (Deviation from 60'), 60'
- Lot Sizes: 4,800 square feet (Deviation from 6,000) and 6,000 square feet

Additionally, the petitioner is proposing the following setbacks for individual lots within the subject site:

Setback	Lot Sizes	
	40*120	60*120
Front:	20 ft. (Deviation from 25 ft.)	25 ft.
Rear:	15 ft. (Deviation from 20 ft.)	20 ft.
Side (Internal):	5 ft. (Deviation from 10 ft.)	10 ft.
Side (Corner Lot):	15 ft. (Deviation from 20 ft.)	15 ft. (Deviation from 20 ft.)
Number of Lots/Location:	112 – North side of property	24 – South and east side of the property

Perimeter setbacks are proposed as follows:

- From Cortez Boulevard: 95'
- From Frontage Road: 35'
- From East/West Property Lines: 35'
- From Wiscon Road: 205'

Buffers

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

- Western Boundary: 20'
- Eastern Boundary: 20'
- Wiscon Road (Southern Boundary): 30'
- Between frontage road and lots (Northern side) 20'

Additionally, the petitioner is designating a tree preservation area along Cortez Boulevard with width subject to flexibility based on the design of the frontage road.

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. If approved, individual single family and multifamily pods that exceed 50 units must meet the two (2) means of access per pod.

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 petitioner has proposed a treed boulevard entrance from Cortez Boulevard and a second access from Wiscon Road. If the master plan is approved, the petitioner shall be required to provide the access points as proposed.

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 proposed 1.86 acres of neighborhood park to be centrally located within the development. If the master plan is approved, the petitioner shall ensure that the park is accessible through vehicular, pedestrian and bicycle means.

Natural Vegetation:

Projects greater than twenty (20) acres shall designate an area of at least seven percent (7%) of the total project area as preserved natural vegetation and no construction activity can occur in this area. Preserved natural vegetation areas must be a minimum of twenty thousand (20,000) square feet. If approved, the petitioner must provide a minimum of seven percent (7%) natural vegetation. Preserved natural vegetation and/or planted native vegetation may be used to meet all or part of the requirement for open space if it is a minimum of fifteen (15) feet in width.

Comments: If the master plan is approved, the petitioner shall be required to set aside three (3) acres for the preservation of natural vegetation. This open space shall be consistent with the proposed master plan as submitted with the application. As the buffers are proposed to be greater than 15' in width, they can be counted toward this minimum acreage.

Fire Protection Plan:

Hernando County LDRs require that a fire protection plan be completed for residential developments with lot sizes less than 60' in width.

Comments: If approved, the petitioner shall submit a fire protection plan with the Conditional Plat in accordance with Hernando County LDRs.

COMPREHENSIVE PLAN REVIEW:

Approximately 4.5 acres of the subject site is currently within the Residential Future Land Use Classification. The remaining acreage is the subject of a corresponding small-scale Comprehensive Plan Amendment (CPAM-22-03) that will change the future land use from Rural to Residential.

Future Land Use Map

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.

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.

Single-Family Housing

Strategy 1.04B(3): The Residential Category will include zoning for single-family housing, generally averaging a density of 2.5 dwelling units per gross acre to 6.0 dwelling units per gross acre comprised of varying lot sizes and dwelling unit types such as senior housing, villa housing, single family detached housing, and zero lot line housing.

Land Use Compatibility

Objective 1.10B: The County shall establish standards by which land use compatibility is evaluated in the review of proposals for Future Land Use Map amendments, zoning changes, and other land development applications.

Strategy 1.10B(2): Zoning changes should be compatible with surrounding development and minimize impact to natural resources. Impacts may be mitigated through design of building placement, buffers, noise reduction, setbacks and other appropriate planning techniques or performance measures.

Strategy 1.10B(3): Protect existing and future residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the surrounding residential area.

Comments: If the associated Comprehensive Plan Amendment (CPAM-22-03) is approved, the entire property will be located in the Residential Future Land Use classification. However, the petitioner has not adequately addressed the compatibility concerns related to lot sizes on the proposed master plan. The lot sizes should transition from the 60' lots along the perimeter of the site into the 40' lots internal to the site. This may cause the petitioner to adjust the distribution of lots by size. The petitioner shall be limited to 136 dwelling units; a more comprehensive lot layout shall be required at the time of conditional plat.

FINDINGS OF FACT:

The request for Rezoning from PDP(MF)/Planned Development Project (Multifamily) and AG/(Agricultural) to PDP(SF)/Planned Development Project (Single-Family) with deviations is appropriate based on the following conclusions:

1. the proposed use is consistent with the County’s adopted Comprehensive Plan and compatible with the surrounding area, and
2. the requested use is not adverse to the public interest.

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 approval of the petitioner's request for Rezoning from PDP(MF)/Planned Development Project (Multifamily) and AG/(Agricultural) to PDP(SF)/Planned Development Project (Single-Family) with deviations, and 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. A comprehensive floral and faunal 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 and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping.
4. The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ (FFL) Program information and include FFL language in the HOAs covenants and restrictions. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.
5. Geotechnical subsurface testing and reporting in accordance with Hernando County's Facility Design Guidelines shall be conducted, including all proposed drainage retention areas within the project to test for subsurface karst features.
6. At the time of construction drawings, the petitioner shall provide Cultural Resource Assessment (CRAS) report(s) and State Division of Historical Resources letter of determination.
7. Invasive plant species shall be identified during the construction plan review and removed during the development process.
8. The petitioner shall provide jurisdictional wetland lines on future plans and plats.
9. The developer shall coordinate with the City of Brooksville for utility service and required improvements.

10. The petitioner 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.
11. A Traffic Access Analysis is required. Any improvements identified by the Traffic Access Analysis shall be the responsibility of the developer. This Traffic Access Analysis shall also include a queuing analysis for the development.
12. The frontage road as shown on the master plan shall be provided.
13. FDOT access management and drainage permitting shall be required.
14. At the time of development, the petitioner shall coordinate with FDOT for any right of way required along SR 50/Cortez Boulevard.
15. At the time of development, right of way may be required along Wiscon Road as determined by the County Engineer.
16. This project must meet the storm drainage design requirements of South West Florida Water Management District and Hernando County Facility Design Guidelines.
17. Minimum Lot Widths: 40' (Deviation from 60') and 60'
18. Minimum Lot Sizes: 4,800 square feet (deviation from 6,000 square feet); 6000 square feet
19. The petitioner shall design the development whereby the 40' lots will be centrally located within the development. The lots shall transition to 60' lots along the perimeter and to the southeast where adjacent to the Rural land use classification. A comprehensive lot layout shall be required at the time of conditional plat.
20. Minimum Setbacks (40' lots):
 - Front: 20 ft. (deviation from 25 ft.)
 - Rear: 15 ft. (deviation from 20 ft.)
 - Side (Internal): 5 ft. (deviation from 10 ft.)
 - Side (Corner Lot): 15 ft. (deviation from 20 ft.)

21. Minimum Setbacks (60' lots):

- Front: 25 ft.
- Rear: 20 ft.
- Side (Internal) 10 ft.
- Side (Corner): 15 ft. (deviation from 20 ft.)

22. Perimeter Setbacks:

- From Cortez Boulevard: 95 ft.
- From Frontage Road: 35 ft.
- From East/West Property Lines: 35 ft.
- From Wiscon Road: 205 ft.

23. Buffers:

- Western Boundary: 20 ft.
- Eastern Boundary: 20 ft.
- Wiscon Road (Southern Boundary): 30 ft.
- Between frontage road and lots (Northern side): 20 ft.

These buffers shall be enhanced by landscaping to achieve a minimum opacity of 80% and shall be placed in a separate tract owned and maintained by the HOA.

24. The petitioner shall provide two access points into the development – one from Wiscon Road and the other from Cortez Boulevard. The entrance from Cortez Boulevard shall be designed as a treed boulevard entrance into the development in accordance with the Hernando County Land Development Regulations.

25. The petitioner shall provide the minimum neighborhood acreage as required by the County’s Land Development Regulations and ensure that this park is pedestrian-accessible for all residents within the development.

26. The petitioner shall preserve the minimum seven percent (7%) natural vegetation as required by the County’s Land Development Regulations. The required natural vegetation may be included as part of the required open space.

27. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.

28. The developer shall provide utility placement details showing the locations of all utilities on the conditional plat for lots with side setback deviations of 5 feet.

29. 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 May 9, 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 PDP(MF)/Planned Development Project (Multifamily) and AG/(Agricultural) to PDP(SF)/Planned Development Project (Single-Family) with deviations, and 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. A comprehensive floral and faunal 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 and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping.
4. The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ (FFL) Program information and include FFL language in the HOAs covenants and restrictions. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.
5. Geotechnical subsurface testing and reporting in accordance with Hernando County's Facility Design Guidelines shall be conducted, including all proposed drainage retention areas within the project to test for subsurface karst features.
6. At the time of construction drawings, the petitioner shall provide Cultural Resource Assessment (CRAS) report(s) and State Division of Historical Resources letter of determination.
7. Invasive plant species shall be identified during the construction plan review and removed during the development process.
8. The petitioner shall provide jurisdictional wetland lines on future plans and plats.
9. The developer shall coordinate with the City of Brooksville for utility service and required improvements.

10. The petitioner 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.
11. A Traffic Access Analysis is required. Any improvements identified by the Traffic Access Analysis shall be the responsibility of the developer. This Traffic Access Analysis shall also include a queuing analysis for the development.
12. The frontage road as shown on the master plan shall be provided.
13. FDOT access management and drainage permitting shall be required.
14. At the time of development, the petitioner shall coordinate with FDOT for any right of way required along SR 50/Cortez Boulevard.
15. At the time of development, right of way may be required along Wiscon Road as determined by the County Engineer.
16. This project must meet the storm drainage design requirements of South West Florida Water Management District and Hernando County Facility Design Guidelines.
17. Minimum Lot Widths: 40' (Deviation from 60') and 60'
18. Minimum Lot Sizes: 4,800 square feet (deviation from 6,000 square feet); 6000 square feet
19. The petitioner shall design the development whereby the 40' lots will be centrally located within the development. The lots shall transition to 60' lots along the perimeter and to the southeast where adjacent to the Rural land use classification. A comprehensive lot layout shall be required at the time of conditional plat.
20. Minimum Setbacks (40' lots):
 - Front: 20 ft. (deviation from 25 ft.)
 - Rear: 15 ft. (deviation from 20 ft.)
 - Side (Internal): 5 ft. (deviation from 10 ft.)
 - Side (Corner Lot): 15 ft. (deviation from 20 ft.)

- 21. Minimum Setbacks (60' lots):
 - Front: 25 ft.
 - Rear: 20 ft.
 - Side (Internal) 10 ft.
 - Side (Corner): 15 ft. (deviation from 20 ft.)

- 22. Perimeter Setbacks:
 - From Cortez Boulevard: 95 ft.
 - From Frontage Road: 35 ft.
 - From East/West Property Lines: 35 ft.
 - From Wiscon Road: 205 ft.

- 23. Buffers:
 - Western Boundary: 20 ft.
 - Eastern Boundary: 20 ft.
 - Wiscon Road (Southern Boundary): 30 ft.
 - Between frontage road and lots (Northern side): 20 ft.

These buffers shall be enhanced by landscaping to achieve a minimum opacity of 80% and shall be placed in a separate tract owned and maintained by the HOA.

- 24. The petitioner shall provide two access points into the development – one from Wiscon Road and the other from Cortez Boulevard. The entrance from Cortez Boulevard shall be designed as a treed boulevard entrance into the development in accordance with the Hernando County Land Development Regulations.

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- 27. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.

- 28. The developer shall provide utility placement details showing the locations of all utilities on the conditional plat for lots with side setback deviations of 5 feet.

- 29. 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.

BCC ACTION:

On June 14, 2022, the Board of County Commissioners voted 5-0 to adopt Ordinance 2022-118, approving the petitioner's request for a rezoning from PDP(MF)/Planned Development Project (Multifamily) and AG/(Agricultural) to PDP(SF)/Planned Development Project (Single-Family) 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 comprehensive floral and faunal 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 and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping.
4. The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ (FFL) Program information and include FFL language in the HOAs covenants and restrictions. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.
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Planning & Zoning Commission

Meeting: 07/10/2023
Department: Planning
Prepared By: Alaina Kidd
Initiator: Aaron Pool
DOC ID: 12451
Legal Request Number:
Bid/Contract Number:

AGENDA ITEM

TITLE

CP 1436723 Pine Cone Street

BRIEF OVERVIEW

Conditional Plat approval for Pine Cone Street

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

Pine Cone Street with performance conditions.

REVIEW PROCESS

Table with 4 columns: Name, Status, Date, Time. Rows include Alaina Kidd (Approved, 06/22/2023, 8:33 AM), Omar DePablo (Escalated, 06/26/2023, 4:18 PM), Michelle Miller (Escalated, 06/27/2023, 4:19 PM), Aaron Pool (Approved, 06/28/2023, 6:51 AM), Michelle Miller (Approved, 06/28/2023, 9:22 AM), Aaron Pool (Approved, 06/29/2023, 2:07 PM).

RESULT: ADOPTED
MOVER: Donald Whiting
SECONDER: W. Steven Hickey
AYES: McDonald, Hickey, Birren, Holmes and Whiting
ABSENT: Arflack and Fulford

STAFF REPORT

HEARINGS: Planning & Zoning Commission: July 10, 2023

APPLICANT: Oak Development Group, LLC

FILE NUMBER: 1436723

PURPOSE: Conditional Plat Approval Pine Cone Conditional Plat
GENERAL

LOCATION: Northern terminus of Winter Pine Avenue and eastern terminus of Evergreen Avenue

PARCEL KEY

NUMBER: 344648

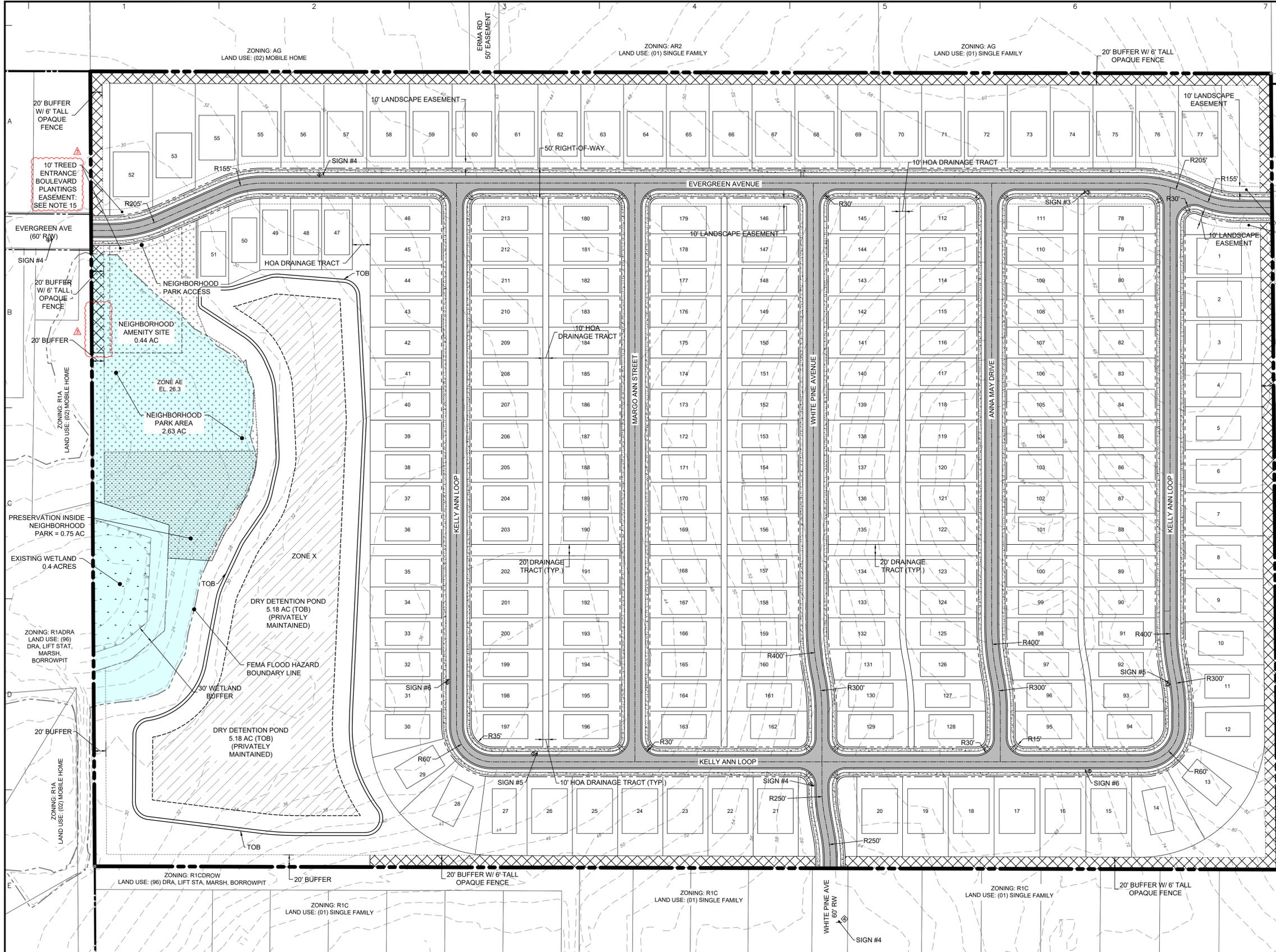
The conditional plat for the Pine Cone subdivision is for Two hundred fifteen (215) single family residential lots on approximately 60.825 +/- acres of undeveloped land, located north of Winter Pine Avenue, and east of Evergreen Avenue.

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:

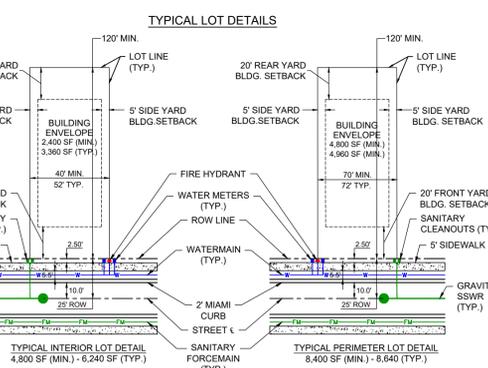
It is recommended that the Planning and Zoning Commission approve the conditional plat of the Whiting Estates subdivision with the following performance conditions:

1. The conditional plat shall expire in two (2) years if no further approvals in the subdivision process are obtained.
2. The developer must conform to all Hernando County Facility Design Guidelines.
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 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.

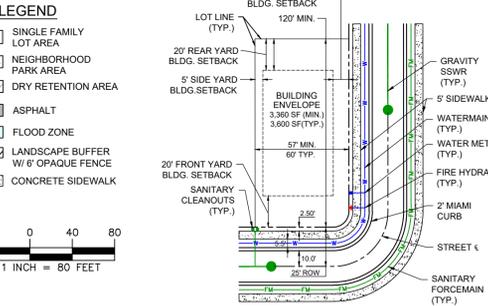


- SITE DATA:**
1. PARCEL ID/KEY: R20-422-18-0000-0020-0000/344648
R20-422-18-0000-0090-0000/344746
 2. AREA: 60.77 ACRES
 3. OWNERS: THOR GLENN M
HAMPTON JAMES W
 4. CURRENT ZONING: PLANNED DEVELOPMENT PROJECT (SINGLE FAMILY) PDP (SF) & PLANNED DEVELOPMENT PROJECT (SPECIAL USE) PDP (SU)
 5. PROPOSED USE: SINGLE FAMILY RESIDENTIAL
 6. SURROUNDING ZONING: NORTH: AG, AR2
EAST: R1C
SOUTH: R1C, RICDROW
WEST: R1A, RIADRA
 7. FLOOD ZONE: ZONE 'X' & 'AE' PER 120530167D
EFFECTIVE: FEBRUARY 2, 2012
 8. PROPOSED LOTS: 213
 9. PROPOSED LOT SIZES: INTERIOR LOTS: 52 FT X 120 FT = 6,240 SF (40' X 120' MIN. ALLOWED)
PERIMETER LOTS: 72 FT X 120 FT = 8,640 SF (70' X 120' MIN. ALLOWED)
 10. PROPOSED DENSITY: 213 LOTS / 60.77 ACRES
3.51 LOTS / ACRE
TOTAL REQUIRED = 2.83 ACRES
TOTAL PROVIDED = 2.83 ACRES
 11. MINIMUM YARD SETBACKS: (SEE LOT DETAILS BELOW)
 12. MAX BUILDING HEIGHT: 35 FT / 2-STORIES
 13. NEIGHBORHOOD PARK REQUIREMENTS:
1 AC (FIRST 50 LOTS) + (0.1 AC) / (213-50 LOTS)
TOTAL REQUIRED = 2.83 ACRES
TOTAL PROVIDED = 2.83 ACRES
 14. NATURAL VEGETATION PRESERVATION REQUIREMENTS:
TOTAL REQUIRED: 60.77 AC X 7% = 4.25 ACRES
PERIMETER BUFFERS: 2.82 ACRES
WETLAND BUFFER: 0.28 ACRES
WETLAND: 0.40 ACRES
PRESERVATION INSIDE NEIGHBORHOOD PARK: 0.75 ACRES
TOTAL PROVIDED: 4.25 ACRES
(FINAL LOCATIONS WITHIN LANDSCAPE BUFFERS DEPICTED HEREON WILL BE SHOWN ON CONSTRUCTION PLANS)
 15. TREED ROADWAY BUFFER TO BE PROVIDED IN EASEMENTS SHOWN ALONG EVERGREEN AVENUE CONSISTENT WITH HERNANDO ORDINANCE SECTION 10-21(A)(3) WITH ONE TREE PER 30 LINEAR FEET OF BUFFER.

- OWNERSHIP AND MAINTENANCE**
- HERNANDO COUNTY OWNERSHIP AND MAINTENANCE:**
1. STREET / RIGHT-OF-WAYS (INCLUDING ROADWAY STORM SEWER)
 2. POTABLE WATER SYSTEM
 3. SANITARY SEWER SYSTEM
- HOMEOWNER'S ASSOCIATION**
1. DRY RETENTION AREAS / STORMWATER MANAGEMENT SYSTEM
 2. NEIGHBORHOOD PARK
 3. AMENITY CENTER
 4. DRAINAGE TRACTS / OPEN SPACE TRACTS / LANDSCAPE BUFFERS
- STREET LIGHT NOTE:**
ANY STREET LIGHT POLES PROPOSED IN THE FUTURE TO BE LOCATED IN AREAS THAT DO NOT CONFLICT WITH SANITARY OR WATER SERVICES.



- NOTE:**
1. PROPOSED LOT SIZES SHOWN ARE MINIMUM. DEVELOPER RESERVES THE RIGHT TO INCREASE LOT SIZES IF AND WHEN NECESSARY.
 2. PROPOSED LOTS ALONG THE PERIMETER ARE MINIMUM 70' WIDE.
 3. TYPICAL UTILITY MAIN PLACEMENTS ARE SHOWN. FINAL LOCATIONS SHALL BE PER THE UTILITY PLAN.
 4. WATER METER BOXES, FIRE HYDRANTS, AND SANITARY SEWER CLEANOUTS SHALL BE PLACED IN THE 2.5 FT PROVIDED BETWEEN THE RIGHT-OF-WAY LINE AND THE SIDEWALK PER HOUD DETAIL 25.
 5. FINAL WATER SERVICE LOCATIONS AND SANITARY SEWER CLEANOUT LOCATIONS SHALL BE PER THE UTILITY PLAN.



- NOTES:**
1. ALL WORK WITHIN RIGHT-OF-WAY SHALL COMPLY WITH CURRENT "HERNANDO COUNTY FACILITY DESIGN GUIDELINES", APPROVED OCTOBER 2008.
 2. ON-SITE PINE CONE STREET IMPROVEMENTS WITHIN RIGHT-OF-WAY SHALL COMPLY WITH "HERNANDO COUNTY FACILITY DESIGN GUIDELINES" LOCAL ROAD - CLOSED DRAINAGE TYPICAL SECTION.
 3. OFF-SITE PINE CONE STREET IMPROVEMENTS WITHIN RIGHT-OF-WAY SHALL COMPLY WITH "HERNANDO COUNTY FACILITY DESIGN GUIDELINES" LOCAL ROAD - OPEN DRAINAGE TYPICAL SECTION.
 4. ALL TRAFFIC CONTROL SIGNS AND PAVEMENT MARKINGS WILL COMPLY WITH THE "2009 MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES FOR DESIGN AND INSTALLATION".
 5. NO STREET LIGHTING IS PROPOSED AT THIS TIME. ANY STREET LIGHTS PROPOSED IN THE FUTURE TO BE COORDINATED WITH THE UTILITY DEPARTMENT AND TO AVOID CONFLICTS WITH THE PROPOSE WATER AND SEWER SERVICES.

SIGN LEGEND

- #3: REVERSE TURN WARNING SIGN (W1-3R) & ADVISORY SPEED PLAQUE (W13-1P) (20 MPH) PER MUTCD.
- #4: REVERSE TURN WARNING SIGN (W1-3L) & ADVISORY SPEED PLAQUE (W13-1P) (20 MPH) PER MUTCD.
- #5: TURN WARNING (W1-3R) & ADVISORY SPEED PLAQUE (W13-1P) (15 MPH) PER MUTCD.
- #6: TURN WARNING (W1-1L) & ADVISORY SPEED PLAQUE (W13-1P) (15 MPH) PER MUTCD.

NO.	REVISIONS	DATE	BY
1	COUNTY & SWFWMD COMMENTS	05/25/2023	3
2	COUNTY & SWFWMD COMMENTS	03/06/2023	2
1	COUNTY & SWFWMD COMMENTS	09/23/2022	1

TREED BOULEVARD NOTE:

1. THE 10-FT LANDSCAPE EASEMENT TO PROVIDE A TREED BOULEVARD WITH AT LEAST ONE (1) TREE EVERY 30 LINEAR FEET, IS PROVIDED WHERE POSSIBLE DUE TO THE INFILL TYPE DEVELOPMENT OF THE SUBJECT PROJECT.
2. TREES ADJACENT TO LOTS MUST MAINTAIN SPACE FOR DRIVEWAYS.



PROGRESS SET

06/21/2023 7:24:47 PM

SIGNATURE: ANDREW D. EILAND, JR.
DATE SIGNED: _____
FLORIDA LIC. NO. 69810

LANGAN

Langan Engineering and Environmental Services, Inc.
400 N. Ashley Drive, Suite 2175
Tampa, FL 33602

T: 813.439.6100 F: 813.439.6101 www.langan.com
FL CERTIFICATE OF AUTHORIZATION NO. 00006601/LB17/LB8198

Project
PINE CONE STREET OAK DEVELOPMENT GROUP
BROOKSVILLE FLORIDA
HERNANDO COUNTY

Drawing Title
CONDITIONAL PLAT

Project No. 350050301
Date 15 FEBRUARY 2022
Drawn By AB
Checked By ADE

Drawing No. CS001
Sheet 1 of 1

CP 1436723

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.

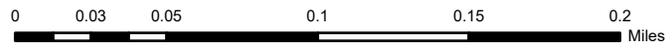
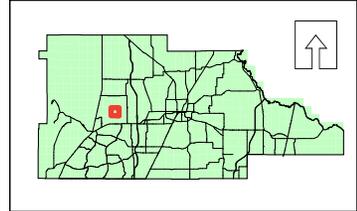


Subject Parcel

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

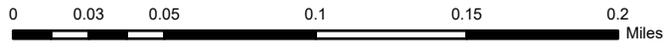
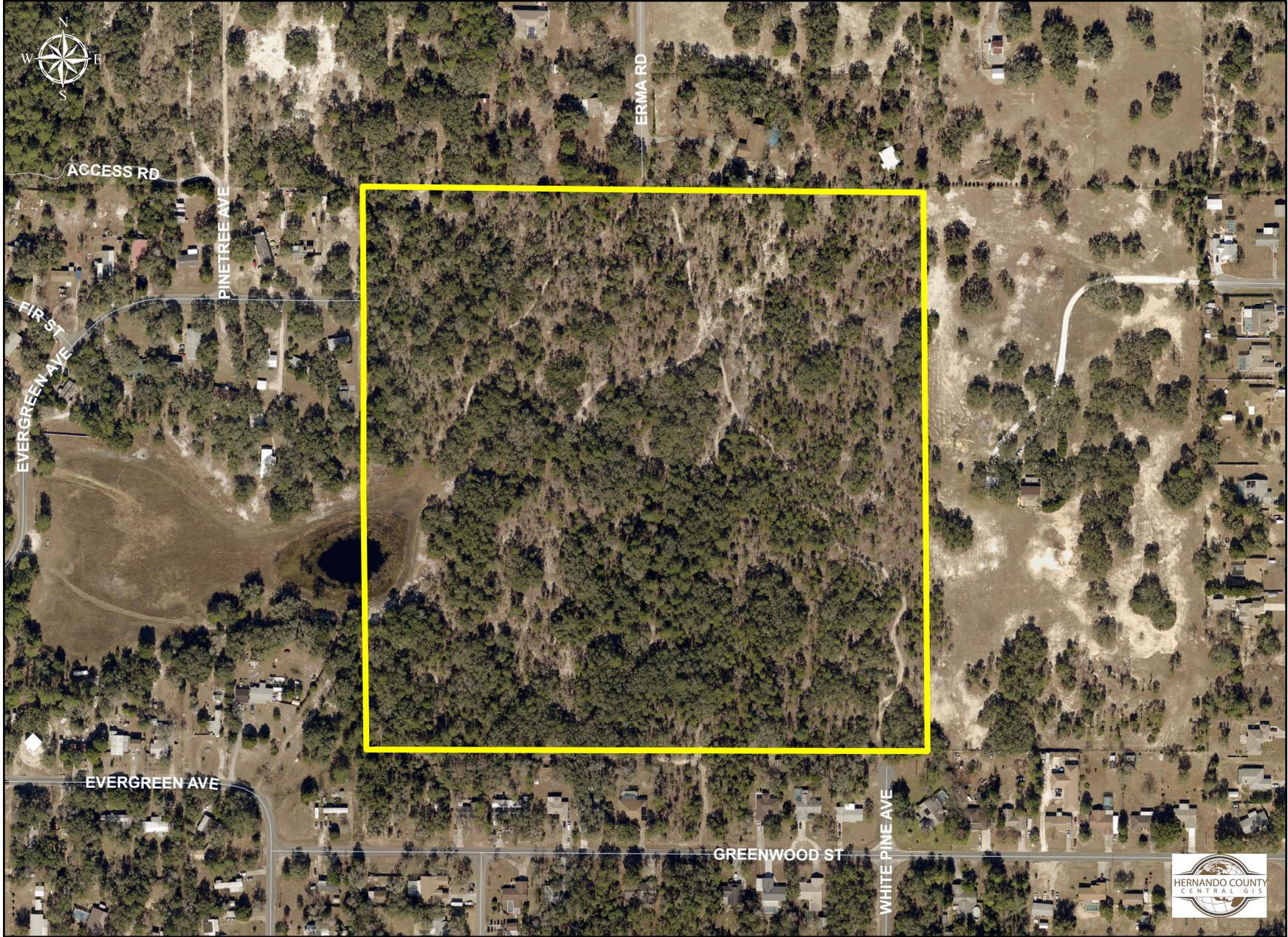
City Zoning Pending



CP 1436723

Photo date: 2020

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STAFF REPORT

HEARINGS: Planning & Zoning Commission: September 13, 2021
Board of County Commissioners: November 16, 2021

APPLICANT: Oak Development Group, LLC

FILE NUMBER: H-21-47

REQUEST: Rezoning from AG/(Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations

GENERAL LOCATION: Northern terminus of Winter Pine Avenue and eastern terminus of Evergreen Avenue

PARCEL KEY NUMBERS: 344648, 344746

APPLICANT'S REQUEST:

The petitioner is requesting a rezoning from AG/(Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with deviations to develop a single-family residential subdivision with up to 267 dwelling units.

The petitioner has proposed a minimum lot width of 40' and lot size of 4,800 feet for those internal lots within the subdivision. Lot sizes may be as wide as 50' for internal lots with a width of 6,000 square feet. The lots along the perimeter of the development, at the north, south and east ends of the proposed subdivision, are proposed at a minimum of 60' in width with a total lot size of 7,200 square feet.

This rezoning petition is a companion to the Small-Scale Comprehensive Plan Amendment for a 46-acre portion of the subject site. The area included in the small-scale amendment is proposed for rezoning to PDP(SF)/Planned Development Project (Single Family) for the development of single-family residences. A total of 14.825 acres remain in the Rural land use category and are proposed for a zoning designation of PDP(SU)/Planned Development Project (Special Use). This portion of the site is proposed as project buffers, open space, parks and recreation, and drainage. This will allow for an appropriate transition of uses to the existing residential community to the west of the subject site.

The petitioner is requesting the following deviations as part of the proposed master plan:

- Setbacks:
 - Front: 20' (Deviation from 25')
 - Side: 5' (Deviation from 10')
- Minimum Lot Size: 40' (Deviation from 60')
- Minimum Lot Width 4,800 square feet (Deviation from 6,000 square feet)

SITE CHARACTERISTICS:

Site Size: 60.825 acres

Surrounding Zoning & Land Uses:
 North: AR2 – Developed residential uses
 South: R1-C - Developed residential uses
 East: R1-C - Developed residential uses
 West: R1-A - Developed residential uses

Current Zoning: AG/(Agricultural)

Future Land Use Map Designation: Residential (Pending adoption of CPAM2109); Rural

ENVIRONMENTAL REVIEW:

Soil Type: Basinger Fine Sand/depressional, Candler Fine Sand, Sparr Fine Sand, and surface water

Resources/Features:
 The property contains a WHPA class 2 across the southwest corner of the property on the western corner (designation will not affect the use). There are no archaeological sites or SPAs according to County data resources. The depressional wetland is classified as a Class 2 wetland (see Comp Plan for Class 2 wetland policies). The area to the west of the wetland has been maintained for stormwater management by the County. Floodplain X-shaded and AE.

Comment:
 The petitioner has proposed a 30' vegetative buffer around any wetlands located on the site. No alterations to the Class II wetlands on the site are proposed. This exceeds the minimum 25' buffer recommended around class I and II wetlands recommended by Strategy 10.03B(8) of the Conservation Element.

Habitat: Vacant, undeveloped forested area shown as sandhill on the western parcel and low density residential (with home site) on the eastern parcel according to FWC CLC (Florida Cooperative Land

Cover Classification System that combines Florida Land Use Cover and Classification System with fish and wildlife data) mapping. The wetland on the western property line is identified as marsh. Project area is identified as FWC strategic habitat conservation area.

Comments: Candler and Sparr Fine Sands provide habitat suitable for gopher tortoises and commensal species. Narrative states gopher tortoises are present.

Flood Zone: X

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. Providing information on Florida Friendly Landscaping techniques and proper fertilizer use is another opportunity to educate property owners on water quality.

Comments: The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for required plantings and buffers, as applicable.

The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ Program information and encourage the use of the principles, techniques, and landscaping recommendations. Information on the County’s Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.

Brazilian pepper is an invasive plant species identified in the environmental assessment that will need to be removed/controlled. Maintenance in the form of monitoring and future treatments to control the species will need to be included in the HOA documents.

SCHOOL DISTRICT REVIEW:

According to the School District of Hernando County, the proposed development will generate 81 students, distributed by the following grade levels:

Grade	Distribution	Students
PK-5	46%	37
6-8	23%	19
9-12	31%	25

The Hernando County School District Level of Service (LOS) is 100% of permanent school capacity.

At the elementary, middle and high school levels, adequate capacity for the proposed development is currently available in the assigned Concurrency Service Areas (CSAs) of Pine Grove Elementary School, West Hernando Middle School and Central High School.

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 is available via an existing 4-inch water main that runs along Pine Cone Street, as well as an existing 2-inch water main that runs along both sides of Evergreen Avenue. Sewer service is available via an existing 8-inch gravity main that runs along Pine Cone Street, as well as an 8-inch gravity main that runs along Evergreen Avenue.

Off-site improvements will be required for water and possibly sewer.

HCUD has no objection to the submitted zoning change from Agriculture to PDP(SF) to allow construction of up to 267 single-family dwellings, 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 has the following comments:

- A Traffic Access Analysis is required, any improvements identified by Traffic Access Analysis will be the responsibility of the developer. (A Methodology Statement has already been submitted for review.) The Traffic Access Analysis will provide the necessary data to determine if the project will need to upgrade the following roadways due to the impact of this development:
 - Weeping Willow Street from Pine Cone Street to Star Road in accordance with the requirements of the Hernando County Facility Design Guidelines and the County Engineer
 - Weeping Willow Street from Pine Cone Street to Montour Street in accordance with the requirements of the Hernando County Facility Design Guidelines and the County Engineer
- An access connection to White Pine Avenue to further distribute traffic is recommended.
- The petitioner must comply with the Hernando County Facility Design Guidelines and SWFWMD stormwater requirements.

LAND USE REVIEW:

Setbacks and Buffers:

The petitioner is proposing the following setbacks, lot sizes and lot widths for each residential lot:

- Front: 20' (Deviation from 25')
- Sides: 5' (Deviation from 10')
- Rear: 20'
- Minimum Lot Width: 40' (Deviation from 60')
- Lot Square Footage: 4,800 square feet (Deviation from 6,000 square feet)

The petitioner has also proposed a 20' landscape buffer along the entire perimeter of the project, enhanced with a 6' opaque fence or wall along all areas except those designated as wetland, dry retention or park.

Comments: The petitioner has not identified any perimeter setbacks for the subject property. If the master plan is approved, the following minimum perimeter setbacks shall be required:

- Front: 25'
- Side: 10'
- Rear: 10'

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. If approved, individual single family and multifamily pods that exceed 50 units must meet the two (2) means of access per pod.

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 petitioner has proposed two points of access into the development – one from the east via Pine Cone Street and the second via Evergreen Avenue to the west. Pine Cone Street has been designed as a treed boulevard entrance in accordance with the Hernando County Land Development Regulations.

In addition to the two points of access requested by the applicant, a third connection point via White Pine Drive has been recommended by the County Engineer. This connection would assist in distributing traffic from the community. If the master plan is approved, the petitioner shall show this connection as a full access to and from the proposed development.

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 designated 3.17 acres for a neighborhood park. This exceeds the minimum requirements for the neighborhood park according to the Hernando County Land Development Regulations and is accessible through the internal roadway network within the development. The petitioner has proposed a 0.44-acre recreational amenity center with a clubhouse not to exceed 3,000 square feet and a potential pool within the neighborhood park.

Natural Vegetation:

Projects greater than twenty (20) acres shall designate an area of at least seven percent (7%) of the total project area as preserved natural vegetation and no construction activity can occur in this area. Preserved natural vegetation areas must be a minimum of twenty thousand (20,000) square feet. If approved, the petitioner must provide a minimum of seven percent (7%) natural vegetation. Preserved natural vegetation and/or planted native vegetation may be used to meet all or part of the requirement for open space if it is a minimum of fifteen (15) feet in width.

Comments: The petitioner has not provided calculations for the preservation of natural vegetation on the site. If the master plan is approved, the petitioner shall be required to set aside 4.26 acres to for natural vegetation. The proposed perimeter buffer may be counted toward this requirement.

Fire Protection Plan:

Hernando County LDRs require that a fire protection plan be completed for residential developments with lot sizes less than 60’ in width.

Comments: If approved, the petitioner shall submit a fire protection plan with the Conditional Plat in accordance with Hernando County LDRs.

COMPREHENSIVE PLAN REVIEW:

Future Land Use Element

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: The subject site is proposed as a Combined Planned Development Project with both single-family and special uses. The special uses are being proposed for the areas remaining in the Rural Future Land Use category. Proposed uses include drainage, parks and

recreation, and project buffering. Single-family uses will only be allowed in the area designated as PDP(SF)/Planned Development Project (Single Family); this area is consistent with the boundary submitted for the associated Small-Scale Comprehensive Plan Amendment (CPAM 2109).

Conservation Element

Wetlands

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: The petitioner has proposed a 30' vegetative buffer around any wetlands located on the site. No alterations to the Class II wetlands on the site are proposed.

FINDINGS OF FACT:

A Rezoning from AG/(Agricultural) to PDP(SF)/Planned Development Project (Single Family) with Deviations is appropriate based on consistency with the County’s adopted Comprehensive Plan and compatibility 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 Concurrence. 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 AG/(Agricultural) to PDP(SF)/Planned Development Project (Single-

Family) and PDP(SU)/Planned Development Project (Special Use) 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. 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 and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping, as applicable.
4. The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ (FFL) Program information and include FFL language in the HOAs covenants and restrictions. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.
5. The jurisdictional wetland line shall be shown on the conditional plats. A 30' upland vegetative buffer is required around all Class 2 wetlands measured from the agency approved jurisdictional line.
6. Geotechnical subsurface testing and reporting in accordance with Hernando County's Facility Design Guidelines shall be conducted for all proposed drainage retention or detention areas within the project.
7. Invasive plant species must be removed, including wetland areas, during the development process and controlled through the approved Association documents during the subdivision process for long-term maintenance and control.
8. The subdivision shall be limited to 267 single-family residential units located within the PDP(SF)/Planned Development Project (Single-Family) section of the development. No residential units shall be constructed in the area designated as PDP(SU)/Planned Development Project (Special Use) on the master plan.
9. The developer shall conduct a water and sewer capacity analysis during the conditional plat phase and connect to the central water and sewer systems at time of vertical construction. All required improvements will be the responsibility of the developer.
10. In conjunction with the conditional plat phase, the petitioner shall perform a Traffic Access Analysis (TAA) in accordance with the requirements of the County Engineer.

Any identified improvements shall be the responsibility of the developer. The TAA shall indicate whether improvements are required to Weeping Willow Street from Pine Cone Street to Star Road and Pine Cone Street to Montour Street, in accordance with the requirements of the Hernando County Facility Design Guidelines and the County Engineer.

11. The petitioner shall maintain a minimum perimeter buffer of 20’ enhanced to an 80% opacity by landscaping and augmented with a 6’ high opaque fence or wall around the project perimeter, except in areas designated as neighborhood park or drainage. The buffer shall be designated as a common tract and included in the Association documents for long term maintenance.

12. Minimum Lot Setbacks, widths and sizes:

Front:	20'	(Deviation from 25')
Sides:	5'	(Deviation from 10')
Rear:	20'	
Minimum Lot Width:	40'	(Deviation from 60')
Lot Square Footage:	4,800 square feet	(Deviation from 6,000 square feet)

Minimum Perimeter Setbacks:

Front:	25'
Side:	10'
Rear:	10'

The petitioner shall provide the minimum neighborhood park acreage as required by the County’s Land Development Regulations as designated on the master plan. The neighborhood park shall be provided with vehicular and pedestrian access from the subdivision street network. A community center not to exceed 3,000 square feet on 0.44 acres shall be constructed on the neighborhood park site.

13. The petitioner shall preserve the minimum seven percent (7%) natural vegetation as required by the County’s Land Development Regulations. The required natural vegetation may be included as part of the required open space.

14. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.

15. The petitioner 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.
16. The developer shall provide utility placement details showing the locations of all utilities with the conditional plat.
 17. All proposed “t-turnaround areas” shown on the master plan to the east and west shall be eliminated.
 18. A full access connection to White Pine Avenue to further distribute traffic shall be required.
 19. 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 September 13, 2021, the Planning and Zoning Commission voted 4-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Rezoning from AG/(Agricultural) to PDP(SF)/Planned Development Project (Single-Family) and PDP(SU)/Planned Development Project (Special Use) 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. 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 and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping, as applicable.
4. The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ (FFL) Program information and include FFL language in the HOAs covenants and restrictions. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.
5. The jurisdictional wetland line shall be shown on the conditional plats. A 30' upland vegetative buffer is required around all Class 2 wetlands measured from the agency approved jurisdictional line.
6. Geotechnical subsurface testing and reporting in accordance with Hernando County's Facility Design Guidelines shall be conducted for all proposed drainage retention or detention areas within the project.
7. Invasive plant species must be removed, including wetland areas, during the development process and controlled through the approved Association documents during the subdivision process for long-term maintenance and control.
8. The subdivision shall be limited to 267 single-family residential units located within the PDP(SF)/Planned Development Project (Single-Family) section of the development. No residential units shall be constructed in the area designated as PDP(SU)/Planned Development Project (Special Use) on the master plan.
9. The developer shall conduct a water and sewer capacity analysis during the conditional plat phase and connect to the central water and sewer systems at time of

vertical construction. All required improvements will be the responsibility of the developer.

10. In conjunction with the conditional plat phase, the petitioner shall perform a Traffic Access Analysis (TAA) in accordance with the requirements of the County Engineer. Any identified improvements shall be the responsibility of the developer. The TAA shall indicate whether improvements are required to Weeping Willow Street from Pine Cone Street to Star Road and Pine Cone Street to Montour Street, in accordance with the requirements of the Hernando County Facility Design Guidelines and the County Engineer.

11. The petitioner shall maintain a minimum perimeter buffer of 20' enhanced to an 80% opacity by landscaping and augmented with a 6' high opaque fence or wall around the project perimeter, except in areas designated as neighborhood park or drainage. The buffer shall be designated as a common tract and included in the Association documents for long term maintenance.

12. Minimum Lot Setbacks, widths and sizes:

- Front: 20' (Deviation from 25')
- Sides: 5' (Deviation from 10')
- Rear: 20'
- Minimum Lot Width: 40' (Deviation from 60')
- Lot Square Footage: 4,800 square feet (Deviation from 6,000 square feet)

Minimum Perimeter Setbacks:

- Front: 25'
- Side: 10'
- Rear: 10'

The petitioner shall provide the minimum neighborhood park acreage as required by the County's Land Development Regulations as designated on the master plan. The neighborhood park shall be provided with vehicular and pedestrian access from the subdivision street network. A community center not to exceed 3,000 square feet on 0.44 acres shall be constructed on the neighborhood park site.

13. The petitioner shall preserve the minimum seven percent (7%) natural vegetation as required by the County's Land Development Regulations. The required natural vegetation may be included as part of the required open space.

14. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.

15. The petitioner 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.
16. The developer shall provide utility placement details showing the locations of all utilities with the conditional plat.
17. All proposed "t-turnaround areas" shown on the master plan to the east and west shall be eliminated.
18. A full access connection to White Pine Avenue to further distribute traffic shall be required.
19. 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.

BOCC ACTION:

On November 16, 2021, the Board of County Commissioners voted 5-0 to adopt Resolution 2021-202 approving the petitioner's request for a Rezoning from AG/(Agricultural) to PDP(SF)/Planned Development Project (Single-Family) and PDP(SU)/Planned Development Project (Special Use) with deviations and the following modified performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. 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 and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping, as applicable.
4. The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ (FFL) Program information and include FFL language in the HOAs covenants and restrictions. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.
5. The jurisdictional wetland line shall be shown at the time of construction plan approval ~~on the conditional plats~~. A 30' upland vegetative buffer is required around all Class 2 wetlands measured from the agency approved jurisdictional line.
6. Geotechnical subsurface testing and reporting in accordance with Hernando County's Facility Design Guidelines shall be conducted for all proposed drainage retention or detention areas within the project.
7. Invasive plant species must be removed, including wetland areas, during the development process and controlled through the approved Association documents during the subdivision process for long-term maintenance and control.
8. The subdivision shall be limited to 267 single-family residential units located within the PDP(SF)/Planned Development Project (Single-Family) section of the development. No residential units shall be constructed in the area designated as PDP(SU)/Planned Development Project (Special Use) on the master plan.
9. The developer shall conduct a water and sewer capacity analysis during the conditional plat phase and connect to the central water and sewer systems at time of

vertical construction. All required improvements will be the responsibility of the developer.

10. In conjunction with the conditional plat phase, the petitioner shall perform a Traffic Access Analysis (TAA) in accordance with the requirements of the County Engineer. Any identified improvements shall be the responsibility of the developer. The TAA shall indicate whether improvements are required to Weeping Willow Street from Pine Cone Street to Star Road and Pine Cone Street to Montour Street, in accordance with the requirements of the Hernando County Facility Design Guidelines and the County Engineer.

11. The petitioner shall maintain a minimum perimeter buffer of 20’ enhanced to an 80% opacity by landscaping and augmented with a 6’ high opaque fence or wall around the project perimeter, except in areas designated as neighborhood park or drainage. The buffer shall be designated as a common tract and included in the Association documents for long term maintenance.

12. Minimum Lot Setbacks, widths and sizes:

Front:	20'	(Deviation from 25')
Sides:	5'	(Deviation from 10')
Rear:	20'	
Minimum Lot Width (<u>Internal</u>):	40'	(Deviation from 60')
<u>Minimum Lot Width (Perimeter):</u>	70'	
Lot Square Footage (<u>Internal</u>):	4,800 square feet	(Deviation from 6,000 square feet)
<u>Lot Square Footage (Perimeter):</u>	8,400 square feet	

Minimum Perimeter Setbacks:

Front:	25'
Side:	10'
Rear:	10'

The petitioner shall provide the minimum neighborhood park acreage as required by the County’s Land Development Regulations as designated on the master plan. The neighborhood park shall be provided with vehicular and pedestrian access from the subdivision street network. A community center not to exceed 3,000 square feet on 0.44 acres shall be constructed on the neighborhood park site.

13. The petitioner shall preserve the minimum seven percent (7%) natural vegetation as required by the County’s Land Development Regulations. The required natural vegetation may be included as part of the required open space.

14. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.

15. The petitioner 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.
16. The developer shall provide utility placement details showing the locations of all utilities with the conditional plat.
17. All proposed "t-turnaround areas" shown on the master plan to the east and west shall be eliminated.
18. A full access connection to White Pine Avenue to further distribute traffic shall be required.
19. 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.



Planning & Zoning Commission

Meeting: 07/10/2023
Department: P&Z Agenda Item
Prepared By: Robin Reinhart
Initiator: Aaron Pool
DOC ID: 12438
Legal Request Number:
Bid/Contract Number:

AGENDA ITEM

TITLE

Conditional Use Permit Petition Submitted by Normand Masse (CU2306)

BRIEF OVERVIEW

Request:

Conditional Use Permit for a Temporary Security Residence Associated with the Construction of a House

General Location:

Northwest corner of Hyde Street and Mirage Avenue

FINANCIAL IMPACT

A matter of policy. There is no financial impact.

LEGAL NOTE

The Planning and Zoning Commission has approval jurisdiction over the subject application. The Applicable Criteria for conditional use approval are contained in Appendix A, (Zoning Code) Article V, Section 4. The Conditional Use Approval must be consistent with the Comprehensive Plan.

RECOMMENDATION

It is recommended that the Planning and Zoning Commission determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a Conditional Use Permit for a Temporary Security Residence associated with the construction of a house, for a period of up to one (1) year with performance conditions.

REVIEW PROCESS

Cayce Dagenhart	Approved	06/20/2023	10:09 AM
Omar DePablo	Approved	06/21/2023	1:12 PM
Michelle Miller	Approved	06/21/2023	2:07 PM
Aaron Pool	Approved	06/22/2023	7:50 AM
Kyle Benda	Approved	06/22/2023	1:36 PM

AYES:	McDonald, Hickey, Birren, Holmes and Whiting
ABSENT:	Arflack and Fulford

STAFF REPORT

HEARINGS: Planning & Zoning Commission: July 10, 2023

APPLICANT: Normand Masse and Donna Masse

FILE NUMBER: CU-23-06

REQUEST: Conditional Use Permit for a Temporary Security Residence Associated with the Construction of a House

GENERAL LOCATION: Northwest corner of Hyde Street and Mirage Avenue

PARCEL KEY NUMBER: 719459

APPLICANT'S REQUEST

The petitioner is requesting a Conditional Use Permit for a Temporary Security Residence, namely an RV, in order to provide security and monitoring of their home during construction. The petitioner has indicated proper water and septic utilities will be provided to meet the County standards.

SITE CHARACTERISTICS

Site Size: 1.1 acres

Surrounding Zoning & Land Uses:

North: R-1C; Single Family
South: R-1C; Single Family
East: R-1C; Single Family
West: R-1C; Single Family

Current Zoning: R-1C (Residential)

Future Land Use Map Designation: Residential

UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. Water and sewer service are not available to this parcel. HCUD has no objection to the requested Conditional Use permit to allow a temporary RV dwelling on site so the resident can provide security and monitoring of the permanent residence being built.

ENGINEERING REVIEW

The site is located on the northwest corner of Hyde Street and Mirage Avenue Southwest corner of the intersection of Gladstone St. and Michigan Ave.. The Engineering Department

has reviewed the request and indicated the property is located adjacent to an existing flow path and detention pond.

LAND USE REVIEW

Minimum Building Setbacks Required in the R-1C (Residential) District:

- Front: 25'
- Side: 10'
- Rear: 20'

A conditional use permit is intended to be used as a special permit which temporarily allows uses not otherwise permitted by the ordinance. The Commission can grant a conditional use permit for a period up to two years if they determine that a hardship exists.

NOTICE OF APPLICANT RESPONSIBILITY

The conditional use permit process is a land use determination and does not constitute a permit for either construction, 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 determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a Conditional Use Permit for a Temporary Security Residence associated with the construction of a house, for a period of up to one (1) year 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. No attachments or other structures shall be erected on the property or attached to the RV.
3. The proposed RV shall meet the setbacks of the R-1C (Residential) zoning district.
 - Front: 25'
 - Side: 10'
 - Rear: 20'
4. The petitioner shall meet the requirements of the Health Department for waste management.

5. The Conditional Use Permit shall expire on July 10, 2024.

Received

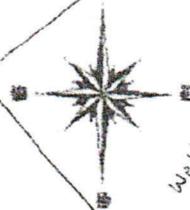
MAR 23 2023

Planning Department
Hernando County, Florida

Vacant

Vacant

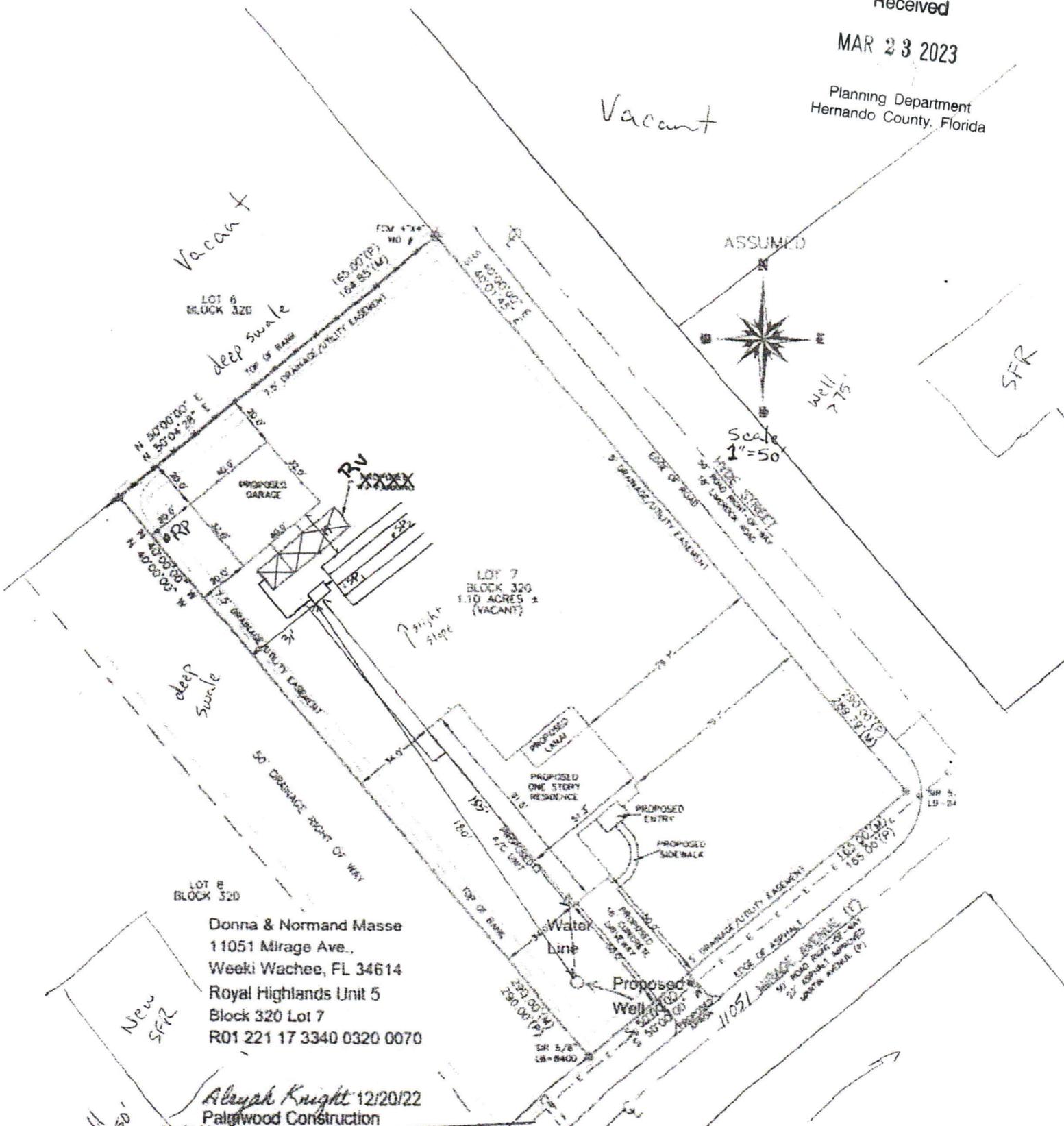
ASSUMED



Scale
1"=50'

Well
775'

SFR



LOT 6
BLOCK 320

LOT 7
BLOCK 320
1.10 ACRES ±
(VACANT)

Donna & Normand Masse
11051 Mirage Ave.,
Weeki Wachee, FL 34614
Royal Highlands Unit 5
Block 320 Lot 7
R01 221 17 3340 0320 0070

New
SFR

Alysh Knight 12/20/22
Palmerwood Construction

Notes:

Well
@ 775'

Site Plan Submitted By: _____

Signature

Title

Plan Approved _____

Not Approved _____

Date

1/13/23

By: _____

Department of Health in Hernando County

ALL CHANGES MUST BE APPROVED BY DEPT OF HEALTH

Vacant

CU-23-06

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.



Subject Parcel

Zoning:

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

City Zoning Pending



CU-23-06

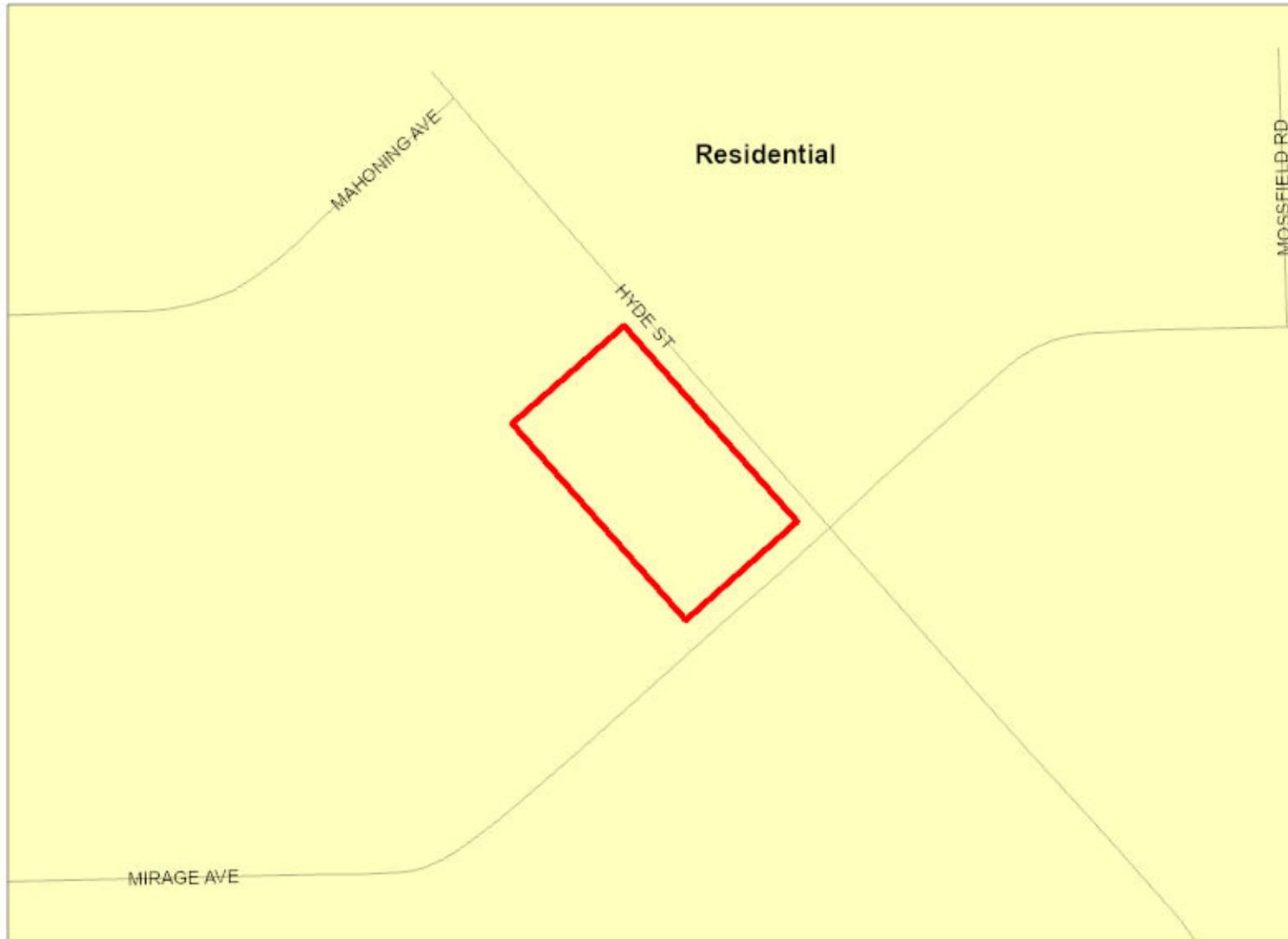
Photo date: 2020

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.



Hernando County Comprehensive Plan Map

Existing Future Land Use: CU-23-06
Version Date: 07/14/2022



	CU-23-06
	FLU Riverine District
	Regional Commercial
FLU	
	CITY
	COMMERCIAL
	CONSERVATION
	EDUCATION
	INDUSTRIAL
	MINING
	PLANNED DEVELOPMENT
	PUBLIC FACILITIES
	RECREATION
	RESIDENTIAL
	RURAL

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: 05/10/2023



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

CU 23-06

File No. _____ Official Date Stamp: _____

Received

MAR 23 2023

Planning Department
Hernando County, Florida



Application request (check one):
 Conditional Use Permit
 Special Exception Use Permit

PRINT OR TYPE ALL INFORMATION

Date: 3/17/23

APPLICANT NAME: Normand Masse And Donna Masse

Address: 11051 MIRAGE AVE
 City: WEEKI WACHEE State: FL Zip: 34614
 Phone: 727 271 5365 Email: DM0326@hotmail.com
 Property owner's name: (if not the applicant) _____

REPRESENTATIVE/CONTACT NAME: Normand MASSE

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:

- PARCEL(S) KEY NUMBER(S): 719459
- SECTION 01, TOWNSHIP 21, RANGE 17
- Current zoning classification: R1C
- Desired use: Temporary housing using RV for safety, protection + monitoring of New Home Build.
- Size of area covered by application: 1.10 ac
- Highway and street boundaries: Mirage Ave + Hyde Street
- Has a public hearing been held on this property within the past twelve months? Yes No
- Will expert witness(es) be utilized during the public hearings? Yes No (If yes, identify on an attached list.)
- Will additional time be required during the public hearing(s) and how much? Yes No (Time needed: _____)

PROPERTY OWNER AFFIDIVAT

I, Normand MASSE, 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):

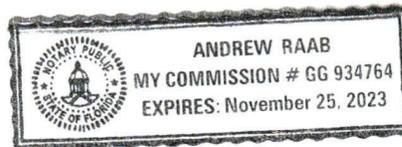
- I am the owner of the property and am making this application OR
- I am the owner of the property and am authorizing (applicant): _____
 and (representative, if applicable): _____
 to submit an application for the described property.

Normand Masse
 Signature of Property Owner

STATE OF FLORIDA
 COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 23rd day of March, 2023, by Normand Masse who is personally known to me or produced FL DL as identification.

[Signature]
 Signature of Notary Public



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

Received

MAR 23 2023

Planning Department
Hernando County, Florida

NORMAND MASSE

11051 Mirage Avenue

Weeki Wachee, FL 34612

March 20, 2023

TO WHOM IT MAY CONCERN,

This letter is to request the approval of a Conditional Use Permit to allow me Temporary Housing in my RV on my Property while my new Home is being built. This will allow me to provide a level of security and monitoring of my home construction. I have planned to have a proper Septic connection and Electrical to accommodate this. As well as not incurring unneeded cost during this time.

BEST REGARDS,

Normand Masse

11051 Mirage Avenue



Planning & Zoning Commission

Meeting: 07/10/2023
Department: Planning
Prepared By: Robin Reinhart
Initiator: Aaron Pool
DOC ID: 12439
Legal Request Number:
Bid/Contract Number:

AGENDA ITEM

TITLE

Rezoning Petition Submitted by Aaron and Nicole Gibson (H2314)

BRIEF OVERVIEW

Request:

Rezoning from R-1C (Residential) to AR-2 (Agriculture Residential 2)

General Location:

East side of the intersection of Headstone Street and Split Stone Drive

Hearing Detail:

This petition was postponed from the June 12, 2023 P&Z hearing

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 Zoning District Amendment must be consistent with the Comprehensive Plan.

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 rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2).

REVIEW PROCESS

Cayce Dagenhart	Approved	06/23/2023	6:44 AM
Omar DePablo	Escalated	06/27/2023	4:19 PM
Michelle Miller	Approved	06/28/2023	6:42 AM
Michelle Miller	Approved	06/28/2023	6:42 AM
Aaron Pool	Approved	06/28/2023	6:51 AM
Kyle Benda	Approved	06/28/2023	9:03 AM

RESULT:	ADOPTED
MOVER:	W. Steven Hickey
SECONDER:	Nicholas Holmes
AYES:	Hickey, McDonald, Birren, Holmes and Whiting

STAFF REPORT

HEARINGS: Planning & Zoning Commission: June 12, 2023
Board of County Commissioners: July 11, 2023

APPLICANT: Aaron and Nicole Gibson

FILE NUMBER: H-23-14

REQUEST: Rezoning from R-1C (Residential) to AR-2 (Agriculture/Residential 2)

GENERAL LOCATION: East side of the intersection of Headstone St. and Split Stone Dr.

PARCEL KEY NUMBERS: 21443

APPLICANT'S REQUEST

The petitioner is requesting a Rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential 2) to have retired police horses on the property. No other changes to the property are being proposed.

While the zoning immediately adjacent to the subject parcels is residential, there are pockets of agricultural and agricultural-residential development in the general area of the proposed rezoning.

SITE CHARACTERISTICS

Site Size: 1.16 acres

Surrounding Zoning & Land Uses:

North:	R-1C; Residential
South:	R-1C; Residential
East:	R-1C; Residential
West:	R-1C; Residential

Current Zoning: R-1C (Residential)

Future Land Use Map Designation: Rural

ENVIRONMENTAL REVIEW

Soils: Candler Fine Sand/0-5% slopes

Comment: Please be advised that soils and habitat are suitable for gopher tortoise, a State protected species. If present care should be taken

to avoid gopher tortoise burrows while building or adding structures. If they cannot be avoided, a Florida Fish and Wildlife Commission (FWC) relocation permit may be needed.

Protection Features: There are no Protection Features (Wellhead Protection Areas (WHPA and Special Protection Areas (SPAs)) on this site according to county data.

Hydrologic Features: There are no Hydrologic Features (Sinkholes, Karst Sensitive Areas, and Wetlands) on this property according to county data.

Habitat: The subject property is designated Urban Open Land 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).

Water Quality: The proposed development is within the Weeki Wachee River Basin Management Action Plan (BMAP), and the Weeki Wachee Outstanding Florida Springs (OFS) Group.

Flood Zone: The subject property is in the X flood zone.

UTILITIES REVIEW

Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. Water and sewer service are not available to this parcel. HCUD has no objection to the requested zoning subject to Health Department approval of an appropriate Onsite Sewage Treatment and Disposal System.

ENGINEERING REVIEW

The subject property is on the east side of the intersection of Headstone Street and Split Stone Drive. The County Engineer has reviewed the petitioner's request indicated that the driveway apron shall be installed to Hernando County Facility Design Guideline IV-26- Residential Connection Standards. He has also indicated that while the property is located on an area upland outside the FEMA Floodplain, at times access to the site may be limited by flooding.

LAND USE REVIEW

Minimum AR-2 Building Setbacks:

- Front: 50'
- Side: 10'
- Rear: 35'

The AR-2 district is designed to allow the continued development of low-density, single-family housing. The Hernando County Code of Ordinances, Appendix A, Article IV, Section 13 identifies the permitted uses within the AR-2 zoning district as follows:

A. The following regulations apply to agricultural/residential districts as indicated:

(1) Permitted uses:

(a) All agricultural/residential districts:

- i. Aquaculture
- ii. Grazing livestock at the rate of one mature animal and offspring less than one year of age, per acre.
- iii. Poultry and swine for home consumption, maintained at least seventy-five (75) feet from adjacent property.
- iv. Horticultural specialty farms, including the cultivation of crops.
- v. Accessory structures related to the principal use of the land.
- vi. Pigeon aviaries with a maximum of 1,500 square feet of area devoted to housing pigeons per acre.
- vii. Sales on the premises of permitted agricultural products produced on the premises: provided that where such products are sold from roadside stands, such stand shall be set back a safe distance from any public street right-of-way and shall provide for automobile access and off-street parking space in such a manner so as to not create an undue traffic hazard on the street on which such roadside stand is located.

(b) Agricultural/Residential-2

- i. Single-family dwellings
- ii. Mobile Homes

COMPREHENSIVE PLAN REVIEW

Rural Category

Objective 1.04C: The Rural Category allows agriculture, agricultural commercial, agro-industrial, recreation, agritourism and residential land uses of a rural character. Certain neighborhood commercial uses may be allowed subject to locational criteria and performance standards. Residential

density is 0.1 dwelling units per gross acre (1 unit per ten gross acres) except where otherwise indicated by the strategies listed herein and incorporated into the land development regulations.

Comments: The parcel is within the Rural land use classification and is surrounded by residential parcels that are 1.2 acres. The proposed rezoning is consistent with the strategies for rural density and the pattern of land development on the surrounding parcels.

FINDINGS OF FACT:

A rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2) is appropriate based on consistency with the County's adopted Comprehensive Plan and the development patterns within the Ridge Manor Subdivision.

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 Concurrence. 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 rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2).

H-23-14

Photo date: 2020

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.



Hernando County Comprehensive Plan Map

Existing Future Land Use: H-23-14
Version Date: 07/14/2022



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.

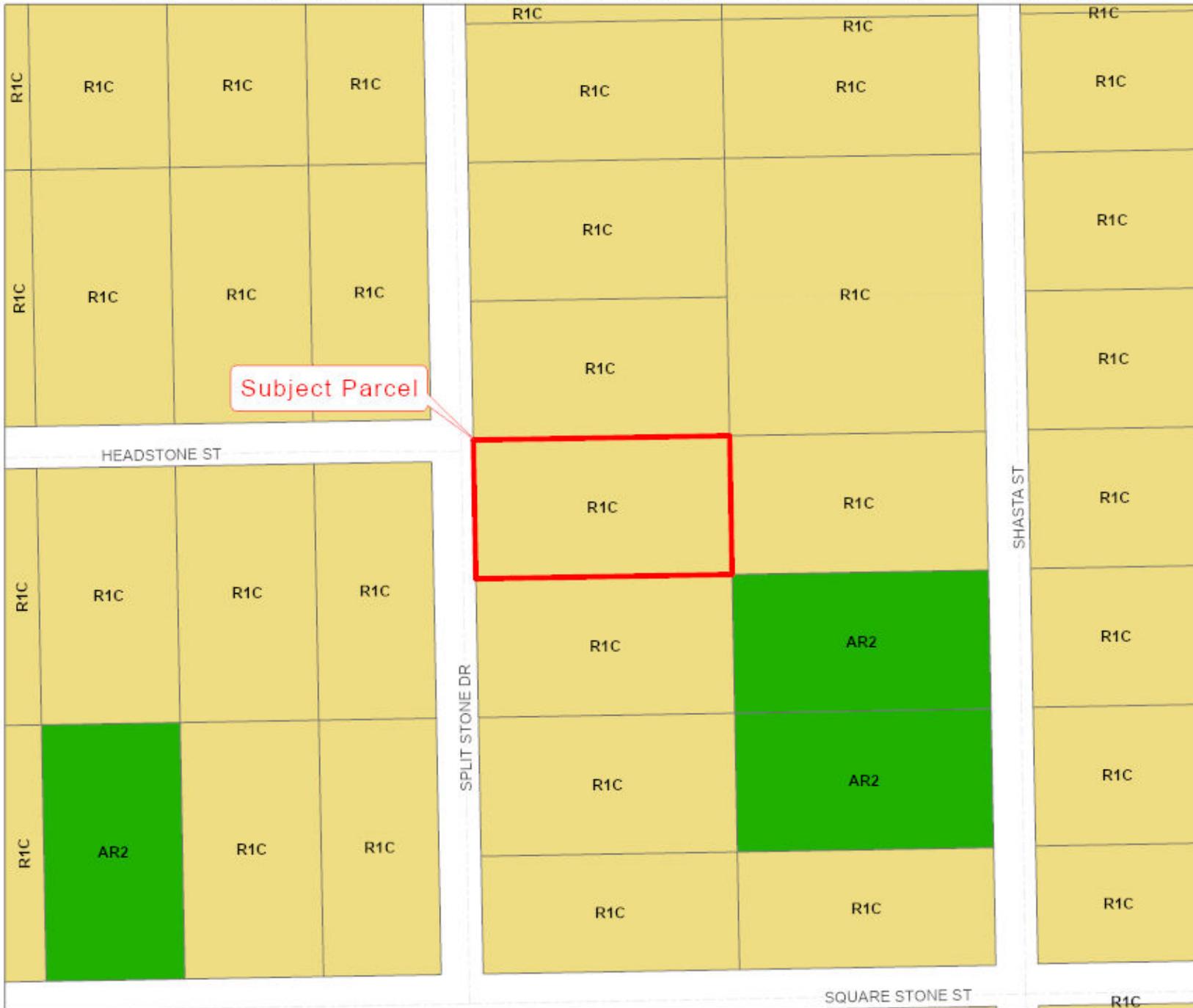


Date of mapping: 04/11/2023



H-23-14

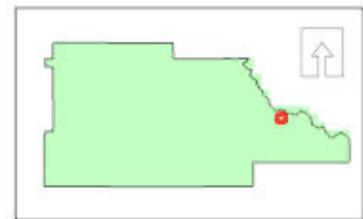
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



Zoning:

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

City Zoning Pending



HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):

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

File No. H-2374 Official Date Stamp:

Received

MAR 06 2023

Planning Department
Hernando County, Florida

Date: 3-4-23

APPLICANT NAME: Aaron and Nicole Gibson

Address: 3016 Spirey Rd
City: Lakeland State: FL Zip: 33810
Phone: 813-771-1680 Email: gibson.nicole@att.net
Property owner's name: (if not the applicant)

REPRESENTATIVE/CONTACT NAME:

Company Name:
Address:
City: State: Zip:
Phone: Email:

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

Contact Name:
Address: City: State: Zip:

PROPERTY INFORMATION:

- 1. PARCEL(S) KEY NUMBER(S): 21443
2. SECTION 22, TOWNSHIP 22, RANGE 21
3. Current zoning classification: R1C Residential 1C
4. Desired zoning classification: AR2 Agriculture / Residential 2
5. Size of area covered by application: 1.16 acres
6. Highway and street boundaries: Split Stone Dr.
7. Has a public hearing been held on this property within the past twelve months? [] Yes [X] No
8. Will expert witness(es) be utilized during the public hearings? [] Yes [X] No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? [] Yes [X] No (Time needed:)

PROPERTY OWNER AFFIDIVAT

I, Aaron Noah Gibson, Nicole Ann Gibson, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

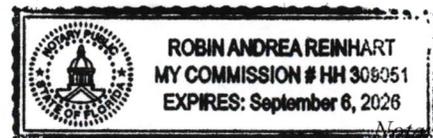
- [X] I am the owner of the property and am making this application OR
[] I am the owner of the property and am authorizing (applicant):
and (representative, if applicable):
to submit an application for the described property.

Signature of Property Owner

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 6 day of March, 2023, by Aaron Noah Gibson/Nicole Ann Gibson who is personally known to me or produced FL DL as identification.

Signature of Notary Public



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

03/06/2023

Received

MAR 06 2023

Re zone letter:

Parcel key 21443

Parcel ID# R22-122-21-0900-0890-0120

Planning Department
Hernando County, Florida

To whom it may concern:

We have recently purchased the property on 0 Split stone drive and would like to ask for relief from the current zoning R1C (Residential 1C) to AR2 Agricultural/Residential from Hernando County Planning Department. The reasons for the re zoning request are as follows:

We have recently sold our home in Inverness, Florida. Our children currently attend a private school in that city. We are in the process of trying to get our children transferred to Hernando Christian Academy in Brooksville but at this time there is currently no open spots for next years grades for our children. As of this date, we will continue our children at their current school next year. We are currently living in Lakeland with family. The drive to school is almost 2 hours twice a day. If we were zone AR2, this would allow us to put a temporary camper/residence on our property while our permanent residence is being completed.

As our home in Inverness was zoned AR2, we have poultry that my children have cared for and raised since they were babies. This has allowed us to teach them responsibility and how to care for animals and see the rewards as our chickens lay eggs daily. They are currently in Lakeland with us and we would love to bring them with us to our new home.

Please consider the reasoning for our re zoning request as this would be of considerable benefit for our family as a whole. Thank you for your time and understanding to this matter.

Aaron and Nicole Gibson.

Robin Reinhart

From: gibson.nicole@att.net
Sent: Monday, March 6, 2023 9:22 AM
To: Robin Reinhart
Subject: ReZone Gibson, Aaron

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

03/06/2023

Re zone letter:
Parcel key 21443
Parcel ID# R22-122-21-0900-0890-0120

To whom it may concern:

We have recently purchased the property on 0 Split stone drive and would like to ask for relief from the current zoning R1C (Residential 1C) to AR2 Agricultural/Residential from Hernando County Planning Department. The reasons for the re zoning request are as follows:

We have recently sold our home in Inverness, Florida. Our children currently attend a private school in that city. We are in the process of trying to get our children transferred to Hernando Christian Academy in Brooksville but at this time there is currently no open spots for next years grades for our children. As of this date, we will continue our children at their current school next year. We are currently living in Lakeland with family. The drive to school is almost 2 hours twice a day. If we were zone AR2, this would allow us to put a temporary camper/residence on our property while our permanent residence is being completed.

As our home in Inverness was zoned AR2, we have poultry that my children have cared for and raised since they were babies. This has allowed us to teach them responsibility and how to care for animals and see the rewards as our chickens lay eggs daily. They are currently in Lakeland with us and we would love to bring them with us to our new home.

Please consider the reasoning for our re zoning request as this would be of considerable benefit for our family as a whole. Thank you for your time and understanding to this matter.

Aaron and Nicole Gibson.

Sent from my iPhone

Received

MAR 06 2023

Planning Department
Hernando County, Florida

BOUNDARY SURVEY
PARCEL KEY: 21443

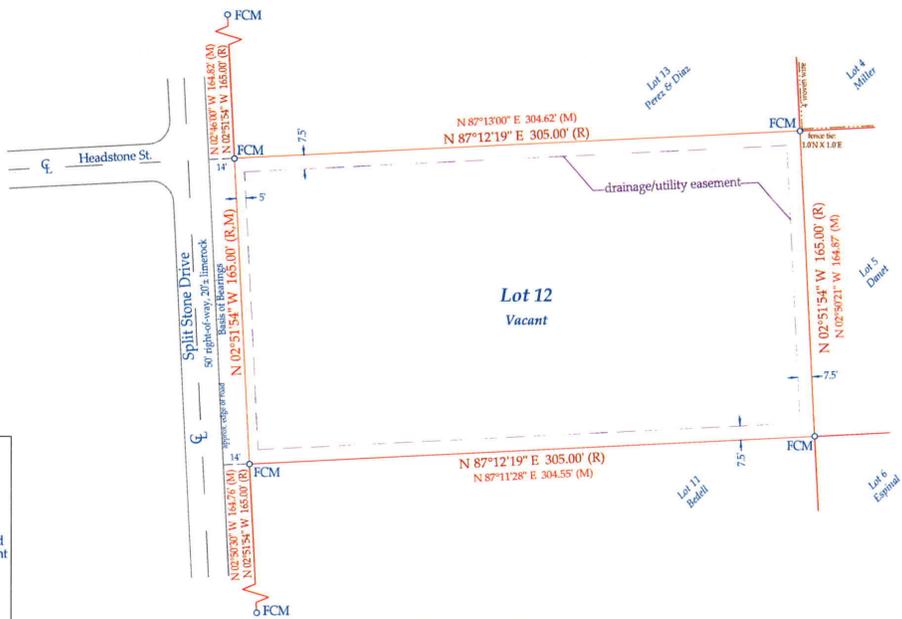
Sec. 22, Twp. 22 SOUTH, Rng. 21 EAST



Legend	
☉	Centerline
Cal.	Calculated
Conc.	Concrete
C.S.	Concrete Slab
EI	Elevation
FF	Finished Floor
FCIR	Found capped iron rod
FCM	Found conc. monument
FIP	Found iron pipe
FIR	Found iron rod
N.D.	Nail & Disc
M	Measured
P	Platted
PP	Power Pole
R	Record
RES	Residence
SCIR	Set capped iron rod
	1/2" #8387

This survey was prepared without the benefit of a title search and may be subject to easements, agreements and other matters of record not shown hereon. No information regarding such easements and agreements was supplied except as may be shown. The survey depicted here is not covered by professional liability insurance.

Legal description obtained from deed recorded in OR Book 4135, Page 783, Public Records of Hernando County, Florida



Received
MAR 06 2022
Dont need to know where Temp. Sec. RV is going because they aren't requesting that approval

Certified to: Aaron N. Gibson Nicole A. Gibson	Order No. KEY21443	Field Book 09, Page 59, Field Work Date: 02/16/2023	Drawn by: E.J.P. Checked by:
	Flood Plane Certification according to the F.I.R.M. Map, Community Panel Number: 12053C0237D Effective Date: 02/02/2012 Property appears to be in Flood Zone "X" Area of minimal hazard		I hereby certify that a survey of the property described hereon was made under my supervision and that the survey meets the minimum technical standards as set forth by the Florida Board of Professional Land Surveyors in Chapter 5J-17.052, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes. And, that the sketch hereon is a true and accurate representation to the best of my knowledge and belief. Frank Julian <small>Digitally signed by Frank Julian DN: cn=Frank Julian, o=sv, email=frank@frankjulian.com, c=US</small> Frank A. Julian, 2024-03-07 09:00 Not Valid Unless Signed, Dated and Stamped With Embossed Seal.
Legal Description: Lot 12, Block 89, RIDGE MANOR ESTATES, UNIT NO. 5, according to the plat thereof as recorded in Plat Book 11, Page 23, of the Public Records of Hernando county, Florida.	SUNSHINE SURVEY, LLC LB # 8387 1056 OSOWAW BLVD (863) 245-8442 HERNANDO BEACH FL. 34607-3730		
	PLAT OF SURVEY		



Planning & Zoning Commission

Meeting: 07/10/2023
Department: Planning
Prepared By: Robin Reinhart
Initiator: Aaron Pool
DOC ID: 12440
Legal Request Number:
Bid/Contract Number:

AGENDA ITEM

TITLE

Rezoning Petition Submitted by Home Builders (H2301)

BRIEF OVERVIEW

Request:

Rezoning from AG (Agriculture) to C-4 (Heavy Highway Commercial)

General Location:

Northwest corner of Ayers Road and Culbreath Road

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 Zoning District Amendment must be consistent with the Comprehensive Plan.

RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners convert the petitioner's request a rezoning from AG (Agricultural) to Rezoning from AG (Agriculture) to C-4 (Heavy Highway Commercial) subject to performance conditions.

REVIEW PROCESS

Table with 3 columns: Name, Status, Date/Time. Rows include Omar DePablo, Michelle Miller, Aaron Pool, and Kyle Benda, all with 'Approved' status.

RESULT: ADOPTED
MOVER: Nicholas Holmes
SECONDER: W. Steven Hickey
AYES: Hickey, McDonald, Birren, Holmes and Whiting

STAFF REPORT

HEARINGS: Planning & Zoning Commission: July 10, 2023
Board of County Commissioners: August 8, 2023

APPLICANT: Victor Jesus Molina Rodriguez

FILE NUMBER: H-23-01

REQUEST: Rezoning from AG (Agriculture) to C-4 (Heavy Highway Commercial)

GENERAL LOCATION: Northwest corner of Ayers Road and Culbreath Road

PARCEL KEY NUMBERS: 384514, 1165811

APPLICANT'S REQUEST

The petitioner is requesting a rezoning of the subject property from AG (Agricultural) to C-4 (Heavy Highway Commercial) for the development of a tree recycling facility. There is an existing single family residential structure on the property which will be removed. The petitioner has indicated the facility will operate Monday through Saturday from 7:00AM to 5:00PM, with an average of 30 trucks per day. Grinded material will be sold wholesale and retail and transported from the facility. No burning of debris is proposed, and the facility will have four (4) employees onsite. No permanent structures are proposed at this time. The petitioner proposes a portalet for employees.

SITE CHARACTERISTICS

Site Size: 4.2 acres

**Surrounding Zoning;
Land Uses:** North: AG; Single Family
South: AG; Undeveloped
East: AG; Undeveloped
West: AG; Mobile Homes

Current Zoning: AG (Agricultural)

**Future Land Use
Map Designation:** Rural

ENVIRONMENTAL REVIEW

- Soils:** Micanopy Loamy Fine Sand, Nobleton Fine Sand
- Protection Features:** There are neither Protection Features (Wellhead Protection Areas (WHPA) nor Special Protection Areas (Special Protected Areas (SPAs) on this site according to county data.
- Hydrologic Features:** There are no Hydrologic Features (Sinkholes, Karst Sensitive Areas, and Wetlands) on this property according to county data.
- Habitat:** Coniferous plantation and low density residential 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).
- Flood Zone:** X

UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to these parcels. Water and sewer service are not available to these parcels. HCUD has no objection to the request.

ENGINEERING REVIEW

The subject site is located at the northwest corner of Culbreath Road and Ayers Road. The petitioner has proposed access to Ayers Road only and has set the driveway further west of the intersection to avoid traffic conflicts. The County Engineer has reviewed the petitioner's request and provided the following comments:

- The driveway apron at Ayers Road is required to be paved with asphalt or concrete to the property line and meet Hernando County Facility Design Guideline IV-25 standards for a Commercial Driveway Connection.
- Due to the type of use and vehicles utilized, turn lanes and deceleration lanes will be required to be installed by the developer.
- If a gate is used, it will need to be set back from Ayers Road 1 ½ times the length of the largest vehicle accessing the property. The gate must open into the property not out into the Right-of-Way.
- Hernando County would like to make roadway improvements at the intersection of Ayers Road and Culbreath Road and will require donation of right-of-way of property Key # 384514, adjacent to the intersection. The amount of right-of-way required is undetermined at this time. The petitioner will be required to coordinate with the County Engineer to set aside the appropriate amount of right-of-way for these improvements.

LAND USE REVIEW**Building Setbacks**

Minimum Building Setbacks:

- Ayers Road and Culbreath Road: 35'
- Side: 20'
- Rear: 35'

Screening:

In the heavy commercial districts, screened outside storage shall be permitted behind the building line as an accessory use to a permitted use. Screening shall be required 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.

Comments: The petitioner has proposed a 10' buffer along the perimeter with a 6' high opaque fence. If approved, an 8' high opaque fence shall be provided along the west and north property lines. Furthermore, Dump Pile and Grind Pile shall not exceed the height of the fence.

COMPREHENSIVE PLAN REVIEW:

The subject property is located within the Rural land use classification on the adopted Future Land Use Map. The area is characterized by undeveloped and AG residential development. C-4 uses are considered specialty commercial and permitted in the Residential land use designation with appropriate performance conditions.

Specialty Commercial

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.

Strategy 1.04G(14): Heavy Commercial uses may be established to accommodate those uses that have potential impacts too significant for a standard commercial district and shall meet the following criteria:

- a. not to be located proximate to residential housing;
- b. be accessible to arterial or major collector roadways without requiring the use of residential roads;
- c. provide for adequate buffers, screening and transition;
- d. minimize negative impacts to adjoining properties.
- e. minimize the visual impacts of outdoor storage.

Land Use Compatibility

Objective 1.10B: The County shall establish standards by which land use compatibility is evaluated in the review of proposals for Future Land Use Map amendments, zoning changes, and other land development applications.

Strategy 1.10B(2): Zoning changes should be compatible with surrounding development and minimize impact to natural resources. Impacts may be mitigated through design of building placement, buffers, noise reduction, setbacks and other appropriate planning techniques or performance measures.

Comments: The petitioner has proposed adequate perimeter buffering for the proposed use. The request is compatible with the surrounding land uses subject to compliance with all performance conditions.

FINDING OF FACTS

A rezoning from AG (Agricultural) to C-4 (Heavy Highway Commercial), is inappropriate and should be considered as a PDP(HHC)/ Planned Development Project (Heavy Highway Commercial) for a Recycling Facility based on the following conclusion:

- 1. Although C-4 (Heavy Highway Commercial) are considered Specialty Commercial areas, suitable consideration should be taken regarding the specific impact of the proposed use. Any impacts should be mitigated through the PDP/Planned Development Project process with appropriate performance conditions.
- 2. The use shall be limited to a Recycling Facility specific to tree and yard debris.

3. While the petitioner submitted a request for C-4, a Euclidian zoning district, site development requirements make the development of the site with this district unfeasible. Converting the request to a Planned Development Project, Planned Development Project (Heavy Highway Commercial), with specific performance conditions, 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 Concurrence. 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 deny the request for C-4 (Heavy Highway Commercial) and adopt a resolution approving a rezoning from AG (Agricultural) to PDP(HHC)/ Planned Development Project (Heavy Highway Commercial) for a Recycling Facility subject to 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 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, as applicable.
3. Building Setbacks:
 - Front: 35'
 - Side: 20'
 - Rear: 35'

4. The driveway apron at Ayers Road shall be paved with asphalt or concrete to the property line and meet Hernando County Facility Design Guideline IV-25 standards for a Commercial Driveway Connection.
5. Due to the type of use and vehicles utilized, turn lanes and deceleration lanes will be required to be installed by the developer.
6. Any gate installed shall be setback from Ayers Road 1½ times the length of the largest vehicle accessing the property. The gate shall be designed to open into the property not out into the right-of-way.
7. The petitioner shall coordinate the dedication of right-of-way from property Key # 384514, upon need and demand of intersection improvements. The petitioner shall coordinate with the County Engineer to set aside the appropriate amount of right-of-way for these improvements.
8. Any future structures shall require a revision to the master plan.
9. Hours of operation shall be limited to Monday through Saturday from 7:00 AM to 5:00 PM.
10. The C-4 (Heavy Highway Commercial) is limited to a Recycling Facility for trees and yard debris.
11. Onsite burning shall be prohibited.
12. A 10' buffer and 6' high opaque fence shall be provided along the east and south property lines. A 10' buffer and 8' high opaque fence shall be provided along the west and north property lines.
13. Dump pile and grind pile shall be located in general conformance with the master plan and shall not exceed the 8' high fence.
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.

H-23-01

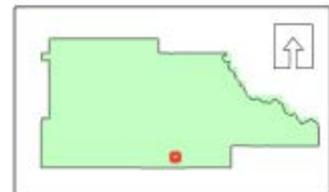
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



Zoning:

AC	PDP(HHC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(IMF)
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

City Zoning Pending



H-23-01

Photo date: 2020

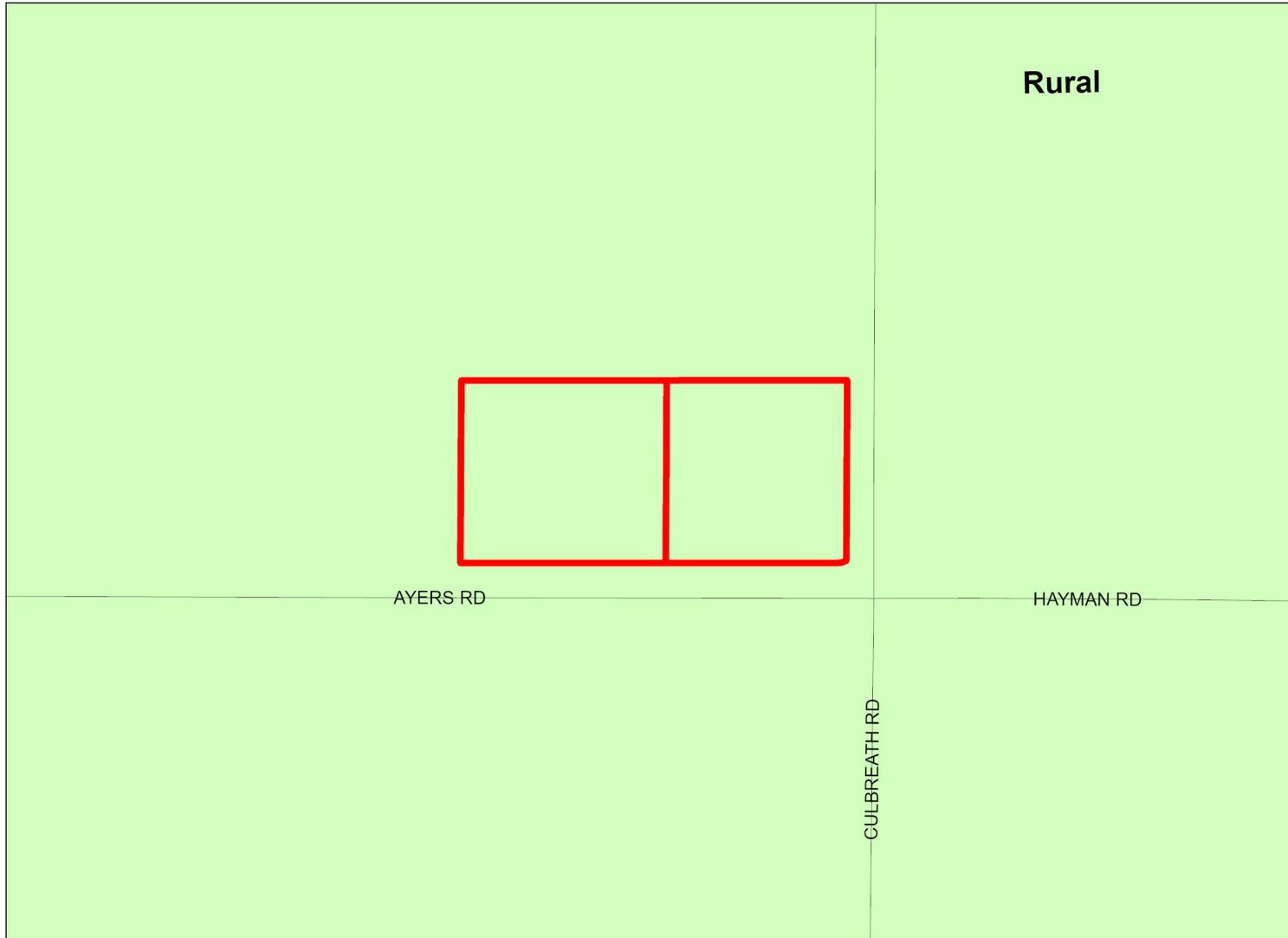
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0 0.02 0.04 0.08 0.12 0.16 Miles

Hernando County Comprehensive Plan Map

Existing Future Land Use: H-23-01
Version Date: 07/14/2022



	H-23-01
	FLU Riverine District
	Regional Commercial
FLU	
	CITY
	COMMERCIAL
	CONSERVATION
	EDUCATION
	INDUSTRIAL
	MINING
	PLANNED DEVELOPMENT
	PUBLIC FACILITIES
	RECREATION
	RESIDENTIAL
	RURAL

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: 03/07/2023



H-23-01

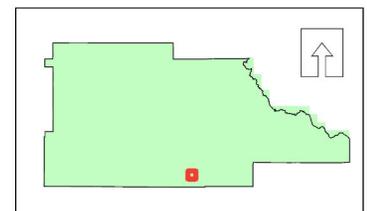
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Zoning:

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AR	PDP(HID)
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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
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OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



HERNANDO COUNTY ZONING AMENDMENT PETITION

File No. H-23-01 Official Date Stamp:



Application to Change a Zoning Classification

Application request (check one):

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

Received
FEB 23 2023
Planning Department
Hernando County, Florida

Date: 02/10/23

APPLICANT NAME: Victor Jesus Molina Rodriguez

Address: 28601 Saint Joe rd.
City: Dade City State: FL Zip: 33575
Phone: 813-770-6122 Email: CM Treeseviceinc@gmail.com
Property owner's name: (if not the applicant)

REPRESENTATIVE/CONTACT NAME:

Company Name: CM Home builders
Address: 28601 Saint Joe rd.
City: Dade City State: FL Zip: 33575
Phone: 813 770 6122 Email: CM Treeseviceinc@gmail.com

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

Contact Name:
Address: City: State: Zip:

PROPERTY INFORMATION:

- 1. PARCEL(S) KEY NUMBER(S): 384514, 1165811
2. SECTION 26, TOWNSHIP 23, RANGE 19
3. Current zoning classification: agriculture
4. Desired zoning classification: C-4
5. Size of area covered by application: 4.2 acres
6. Highway and street boundaries: Culbreath rd, ayers rd.
7. Has a public hearing been held on this property within the past twelve months? [] Yes [X] No
8. Will expert witness(es) be utilized during the public hearings? [] Yes [X] No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? [] Yes [X] No (Time needed:)

PROPERTY OWNER AFFIDIVAT

I, Victor Jesus Molina Rodriguez, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

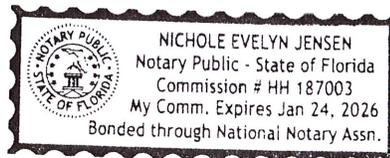
- [X] I am the owner of the property and am making this application OR
[] I am the owner of the property and am authorizing (applicant):
and (representative, if applicable):
to submit an application for the described property.

Signature of Property Owner

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 13 day of February, 20 23, by Victor Jesus Molina Rodriguez who is personally known to me or produced FI Dr Lic as identification.

Signature of Notary Public



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

Notary Seal/Stamp

Rezoning G-4

- Tree recycling site
- Operational hours Monday - Saturday 7am - 5pm
- Tree debris collection site for Tree Services
- Average of 30 trucks Daily
- Porty Potty on site
- Potential construction trailer / office in future
- Portable tree grinder
- No burning on property
- Existing access points will be utilized
- Average of 4 employees on site Daily
- Property is 4.7 acres
- After grinding debris will then be sold and transported out
- Wholesale / retail

Received

JAN 09 2023

Planning Department
Hernando County, Florida

2022 FLORIDA PROFIT CORPORATION ANNUAL REPORT

DOCUMENT# P21000103512

Entity Name: CM HOME BUILDERS, INC.

Current Principal Place of Business:

28601 SAINT JOE RD
DADE CITY, FL 33525

Current Mailing Address:

28601 SAINT JOE RD
DADE CITY, FL 33525

FEI Number: 87-3955126

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

MOLINA VALERO, CIRO
28601 SAINT JOE RD
DADE CITY, FL 33525 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: _____

Electronic Signature of Registered Agent

_____ Date

Officer/Director Detail :

Title P
Name MOLINA VALERO, CIRO
Address 28601 SAINT JOE RD
City-State-Zip: DADE CITY FL 33525

Title VP
Name MOLINA RODRIGUEZ, VICTOR JESUS
Address 28601 SAINT JOE RD
City-State-Zip: DADE CITY FL 33525

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: VICTOR JESUS MOLINA RODRIGUEZ

VICE PRESIDENT

07/15/2022

Electronic Signature of Signing Officer/Director Detail

_____ Date



Received

JAN 09 2023

Planning Department
Hernando County, Florida

Received

JUN 06 2023

Planning Department
Hernando County, Florida

ZONED AG



622.35'

10'
BUFFER

10'
BUFFER

6' PERIMETER PRIVACY FENCE



DUMP PILE



PORT A POTTY

KEY #1165811
2.20 AC
CURRENTLY
ZONED AG



PORTABLE
GRINDER
AREA



GRIND PILE

KEY #384514
2.0 AC
CURRENTLY
ZONED AG

6' PERIMETER PRIVACY FENCE

6' PERIMETER PRIVACY FENCE

ZONED AG

294.12'

6' PERIMETER PRIVACY FENCE

CULBREATH ROAD

AYERS ROAD

ZONED AG

FILE H-23-01



Planning & Zoning Commission

Meeting: 07/10/2023
Department: P&Z Agenda Item
Prepared By: Robin Reinhart
Initiator: Aaron Pool
DOC ID: 12441
Legal Request Number:
Bid/Contract Number:

AGENDA ITEM

TITLE

Rezoning Petition Submitted by Josph Cotroneo (H2316)

BRIEF OVERVIEW

Request:

Rezoning from PDP(GC)/Planned Development Project (General Commercial) to PDP(GC)/Planned Development Project (General Commercial) with a specific C-2 use for Outdoor Storage with Deviations

General Location:

East side of US Hwy 19, approximately 730' south of Yellow Hammer Road

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.

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 r Rezoning from PDP(GC)/Planned Development Project (General Commercial) to PDP(GC)/Planned Development Project (General Commercial) with a specific C-2 use for Outdoor Storage with Deviations subject to performance conditions.

REVIEW PROCESS

Omar DePablo	Approved	06/21/2023	1:17 PM
Michelle Miller	Approved	06/21/2023	2:10 PM
Aaron Pool	Approved	06/22/2023	7:55 AM
Kyle Benda	Approved	06/22/2023	1:36 PM

RESULT:	ADOPTED
MOVER:	W. Steven Hickey
SECONDER:	Donald Whiting
AYES:	McDonald, Hickey, Birren, Holmes and Whiting

ABSENT: Arflack and Fulford

STAFF REPORT

HEARINGS: Planning & Zoning Commission: July 10, 2023
Board of County Commissioners: August 8, 2023

APPLICANT: Joseph Cotroneo

FILE NUMBER: H-23-16

REQUEST: Rezoning from PDP(GC)/Planned Development Project (General Commercial) to include a specific C-2 use for Outdoor Storage with Deviations

GENERAL LOCATION: East side of US Hwy 19, approximately 730' south of Yellow Hammer Road

PARCEL KEY NUMBERS: 676343

APPLICANT'S REQUEST:

The petitioner is requesting a rezoning from PDP(GC)/Planned Development Project (General Commercial) to include a specific C-2 use for Outdoor Storage with Deviations, to develop the 1.54 acre site with an outdoor RV, boat, and trailer facility. The facility will consist of three (3), 20' high commercial pole barns (for covered storage). An 8' fence will be installed around the perimeter with associated landscaping. No employees are proposed onsite. The petitioner is requesting a deviation from the side building setbacks from the required 20' to 15'.

SITE CHARACTERISTICS:

Site Size: 1.54 acres total

**Surrounding Zoning;
Land Uses:** North: R-1C; Undeveloped
South: R-1C; PDP(GC); Undeveloped
East: R-1C; Undeveloped
West: R-1C; Undeveloped

Current Zoning: PDP(GC)/Planned Development Project (General Commercial)

**Future Land Use
Map Designation:** Commercial

Flood Zone: C

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.

Protection

Features: The site contains no Well Head Protection Areas (WHPA) according to County data resources.

Habitat:

Candler Fine and Basinger 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, Florida mouse, Florida pine snake, and gopher frog. 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.

Comments: Candler Fine Sands provide habitat suitable for gopher tortoises and commensal species. A wildlife survey shall be conducted to identify listed species prior to site development.

UTILITIES REVIEW:

The Hernando County Utilities Department (HCUD) has indicated they do not currently supply water or sewer service to these parcels. Water and sewer service are not available to this parcel.

ENGINEERING REVIEW:

The subject site is located on the east side of US Hwy 19, approximately 730' south of Yellow Hammer Road. The petitioner's site plan indicates access to Necklace Warbler Avenue. Necklace Warbler Avenue is an unpaved roadway and functions as a frontage road for the surrounding area.

The County Engineer has reviewed the request and indicated the following:

- Development must comply with Hernando County Facility Design Guidelines and Southwest Florida Water Management District Environmental Resource Permit design requirements.
- Provide paved connection from parcel to roadway.
- A frontage road is required to be built/paved from Yellow Hammer Road to south of project.
- A sidewalk is required along one side of the Frontage Road.
- A sidewalk is required to connect the building(s) to the future sidewalk along the Frontage Road.

LAND USE REVIEW:

Building Setbacks

Minimum Building Setbacks:

Front 75' (previously approved)

Side: 20'

Rear: 35'

Buffers

The petitioner has indicated an 8' high fence will be provided for security around the perimeter of the property. If approved the petitioner shall provide the 8' high fence and shall also be required to meet the minimum commercial standards for buffer and/or landscaping.

Lighting

The petitioner has not indicated any provisions for lighting of the subject property. If approved, the petitioner must provide full cutoff fixtures for all new lighting, in order to retain all light onsite and prevent any light spillage onto neighboring residential uses.

COMPREHENSIVE PLAN REVIEW:

The area is characterized by commercial and rural residential uses, and undeveloped parcels. The subject property is located within the Commercial land use classification on the adopted Future Land Use Map.

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.

Transportation Element

Road Network – Frontage Roads

Objective 5.01B: Maintain and expand a system of frontage roads and cross-access easements parallel to County arterial and collector roads. The frontage road network is designed to enable the creation of shared drives, shared easements, and alternative routes. Frontage road configuration is intended to optimize corridor and roadway network function, maintain capacity on the functionally classified network, and provide aesthetic, safe and convenient access to multiple properties and business sites.

Strategy 5.01B(1): The frontage road network protects the function and levels of service of major arterial corridors through the planning horizon by controlling access, reducing traffic volumes, and providing additional capacity.

Strategy 5.01B(2): The provision of frontage roads shall be required as a condition of development adjacent to the arterial network by requiring new development to comply with the County's Frontage Road Ordinance and adopted Facilities Design Guidelines.

Strategy 5.01B(3): The County should require cross-access easements, shared drives, shared access and other techniques that optimize the function of the roadway network where frontage roads are not required.

Strategy 5.01B(4): The County should encourage land use patterns that optimize the function of frontage roads and similar access management strategies through:

- a. clustering of development to enhance the establishment of viable frontage road links;
- b. application of site-specific standards and techniques at Centers and Corridors outlined in the Future Land Use Element of this Plan.

Comments: Hernando County Facility Design Guidelines require that a frontage road be constructed along US Hwy 19. The County Engineer as indicated that Necklace Warbler Avenue could be utilized as a reverse frontage road.

Additionally, discussion is in progress to determine the eligibility of Necklace Warbler Avenue becoming a MSBU funded road in order to allow for properties owners to all pay into the improvements. At the time of development, the petitioner shall coordinate with the County Engineer on potentially updating Necklace Warbler Avenue to Frontage Road standards.

FINDINGS OF FACT:

A rezoning from PDP(GC)/Planned Development Project (General Commercial) to include a specific C-2 use for Outdoor Storage with Deviations is appropriate based on the following:

1. The requested use is appropriate for the area, however the reduction for side building setbacks to 15' from 20' is not justified. The petitioner will be required to meet the minimum side setbacks for the commercial district.
2. 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. 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 for a rezoning from PDP(GC)/Planned Development Project (General Commercial) to include a specific C-2 use for Outdoor Storage with Deviations subject to 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 meet the minimum commercial buffer requirements of the County's LDRs.
3. Minimum Building Setbacks:
 - Front: 75'
 - Side: 20'
 - Rear: 35'
4. At the time of development, the petitioner shall coordinate with the County Engineer on potentially updating Necklace Warbler Avenue to Frontage Road standards.
5. Pole barn structures shall not exceed 20' in height.
6. All lighting shall be full cut off fixtures to prevent any light spillage into neighboring parcels.

H-23-16

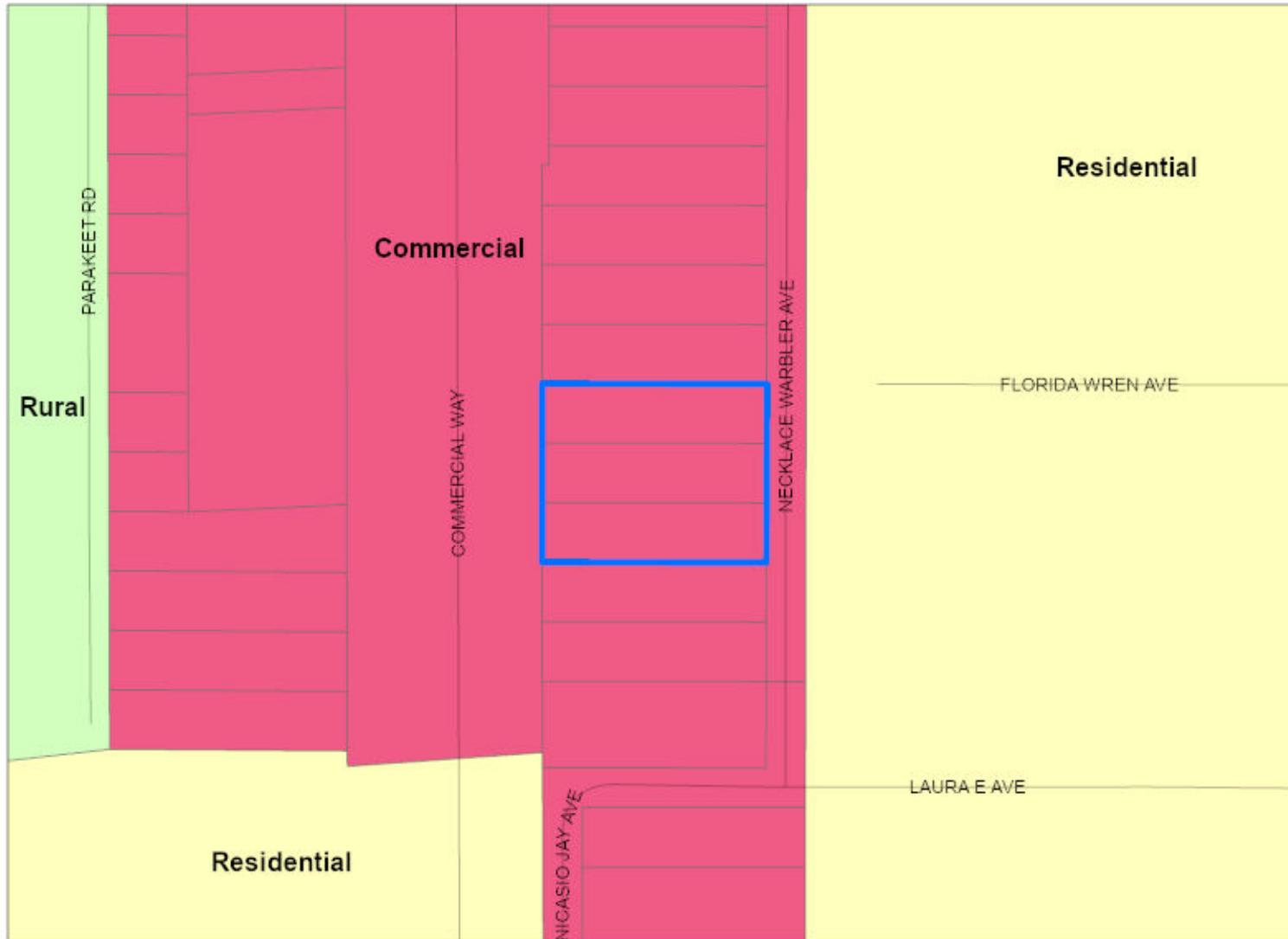
Photo date: 2020

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Hernando County Comprehensive Plan Map

Existing Future Land Use: H-23-16
Version Date: 07/14/2022



H-23-16

FLU Riverine District

Regional Commercial

FLU

- CITY
- COMMERCIAL
- CONSERVATION
- EDUCATION
- INDUSTRIAL
- MINING
- PLANNED DEVELOPMENT
- PUBLIC FACILITIES
- RECREATION
- RESIDENTIAL
- RURAL

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: 04/11/2023



H-23-16

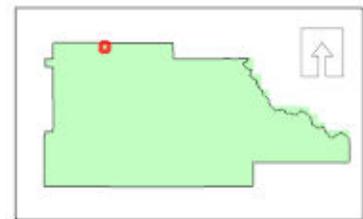
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C4	PDP(OP)
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PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



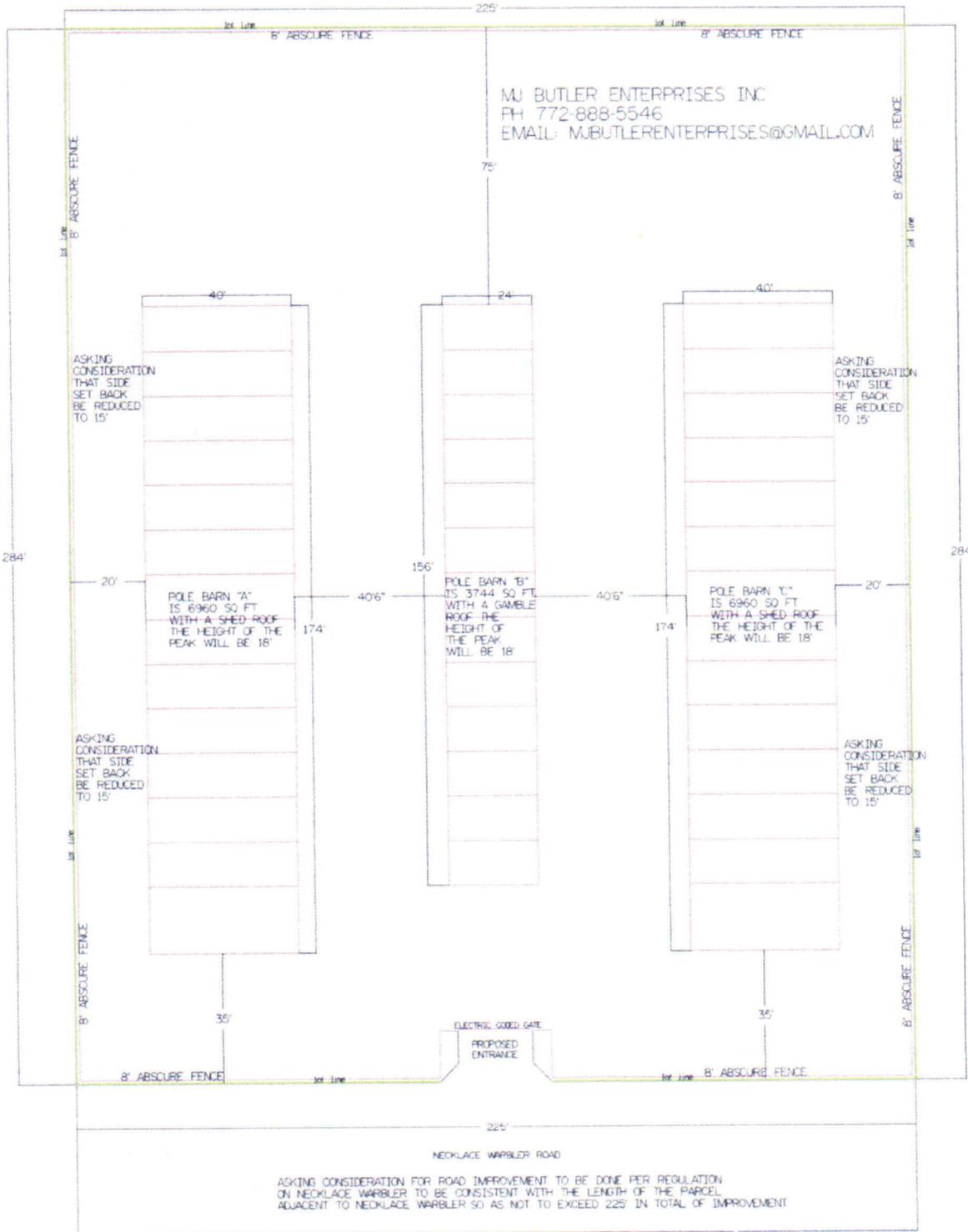
Received

MAR 02 2023

Planning Department
Hernando County, Florida

PROPOSED BOAT / RV / TRAILER
STORAGE AT
18061 NECKLACE WARBLER ROAD
WEEKI WACHI FL. 34614

COMMERCIAL HWY 19



HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):

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

Date: 02/22/2023

File No. H-23-16 Official Date Stamp: Received MAR 02 2023 Planning Department Hernando County, Florida

APPLICANT NAME: Joseph Cotroneo

Address: 18061 Necklace Warbler Ave.
City: Weeki Wachee State: FL Zip: 34614
Phone: 352-585-8752 Email: ajsirrigation@hotmail.com
Property owner's name: (if not the applicant)

REPRESENTATIVE/CONTACT NAME: Joe

Company Name: AJ's Sprinkler & Pump Service, Inc.
Address: 15430 Cortez Blvd., Bldg. C
City: Brooksville State: FL Zip: 34613
Phone: 352-585-8752 Email: ajsirrigation@hotmail.com

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

Contact Name:
Address: City: State: Zip:

PROPERTY INFORMATION:

- 1. PARCEL(S) KEY NUMBER(S): R01 221 17 3290 0087 0090 KEY # 00676343
2. SECTION 01, TOWNSHIP 21, RANGE 17
3. Current zoning classification: Commercial
4. Desired zoning classification: PDP (HC) HIGHWAY COMMERCIAL (CUP) 3/2/22
5. Size of area covered by application: 1.54 acres
6. Highway and street boundaries: Rear: US Hwy 19 / Front: Necklace Warbler Ave
7. Has a public hearing been held on this property within the past twelve months? [] Yes [x] No
8. Will expert witness(es) be utilized during the public hearings? [] Yes [x] No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? [] Yes [x] No (Time needed:)

PROPERTY OWNER AFFIDIVAT

I, Joseph Cotroneo, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

- [x] I am the owner of the property and am making this application OR
[] I am the owner of the property and am authorizing (applicant):
and (representative, if applicable):
to submit an application for the described property.

Signature of Property Owner: Joe Cotroneo

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 22nd day of February, 2023, by Joseph Cotroneo who is personally known to me or produced as identification.

Signature of Notary Public: Mariah Seeman



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

Notary Seal/Stamp

Received

MAR 02 2023

Planning Department
Hernando County, Florida

F – NARRATIVE DESCRIPTION

1- PROPOSAL

A – PROPOSED USE IS A SECURED RV/ BOAT AND TRAILER STORAGE FACILITY

B – NO RESIDENTIAL USE

C – PROPOSED TOTAL SQUARE FOOTAGE OF COMMERCIAL POLE BARNs FOR COVERED STORAGE IS 17664 SQ FT. THE HEIGHT OF EACH OF THE 3 STRUCTURES AT THE HIGHEST ROOF POINT WILL NOT EXCEED 20 FT (SEE ATTACHED PROPOSED SITE PLAN FOR DETAILS)

D – DEVIATIONS FROM CODE TO BE CONSIDERED ARE AS FOLLOWS.

- 1- ASKING FOR CONSIDERATIONS TO REDUCE SIDE SET BACKS TO 15 FT INSTEAD OF 20 FT
- 2- ASKING FOR CONSIDERATION THAT THE ROAD IMPROVEMENT REQUIRED BE LIMITED TO THE LENGTH OF ROAD KNOWN AS NECKLACE WARBLER THAT RUNS ADJACENT TO THE PROPERTY OF INTEREST. THAT LENGTH OF ROAD IMPROVEMENT REQUIRED WOULD THEREFORE NOT EXCEED 225 FT OF TOTAL LENGTH WHICH EQUAL TO TOTAL LENGTH OF THE PARCEL

4 -SITE PLAN DISCUSSION

A -DEVELOPMENT PLAN IS AS FOLLOWS CLEAR AND GRADE PARCEL FOR ADEQUATE DRAINAGE. FENCE ENTIRE PERIMETER OF PARCEL WITH AN ABSURE FENCE OF NO LESS THAN 8 FT IN HEIGHT. SET BACKS ARE PER REGULATION WITH THE EXCEPTION OF THE CONSIDERATION FOR SIDE SET BACKS MENTIONED IN PROPOSAL (C). AFTER FENCING GOES IN THE FRONT AND BACK OF PARCEL WITH BE LANDSCAPED WITH SHRUBBERY AND PLANTS NATIVE TO THIS AREA. THE ENTIRE PARCEL INSIDE OF FENCED AREA WILL BE GRAVELED

WITH REGARDS TO WATER AND SEWER

THERE IS A WORKING WELL ON THE PROPERTY WHICH WILL BE THE WATER SUPPLY. THERE WILL BE NO SEWER AS FACILITY WILL NOT REQUIRE SEPTIC AT THIS TIME. WE WOULD ASK THE POWERS THAT BE TO CONSIDER AND PROPOSE A FUTURE LOCATION TO BE INDICATED ON SITE PLAN FOR POSSIBLE FUTURE SEPTIC

ANY AND ALL ADDITIONAL INFORMATION REQUEST FOR THIS APPLICATION WILL BE SUPPLIED BY OTHERS

THANK YOU FOR YOUR CONSIDERATION AND ADDRESSING THIS MATTER

MJ BUTLER ENTERPRISES INC. PH 772-888-5546

EMAIL – mjbutlerenterprises@gmail.com



AGENDA ITEM

TITLE

Rezoning Petition Submitted by Carlo Zarcone (H2315)

BRIEF OVERVIEW

Request:

Rezoning from C-1 (General Commercial), C-2 (Highway Commercial) and PDP(SF)/ Planned Development Project (Single Family) to PDP(REC)/ Planned Development Project (Recreational) with Deviations

General Location:

East side of Shoal Line Boulevard, approximately 760' south of Hermosa 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 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.

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 Rezoning from C-1 (General Commercial), C-2 (Highway Commercial) and PDP(SF)/ Planned Development Project (Single Family) to PDP(REC)/ Planned Development Project (Recreational) with Deviations and with performance conditions.

REVIEW PROCESS

Omar DePablo	Approved	06/21/2023	1:51 PM
Michelle Miller	Approved	06/21/2023	2:12 PM
Aaron Pool	Approved	06/22/2023	7:56 AM
Kyle Benda	Approved	06/22/2023	1:37 PM

RESULT:	ADOPTED
MOVER:	Kathryn Birren
SECONDER:	Donald Whiting
AYES:	McDonald, Hickey, Birren, Holmes and Whiting
ABSENT:	Arflack and Fulford

STAFF REPORT

HEARINGS: Planning & Zoning Commission: July 10, 2023
Board of County Commissioners: August 8, 2023

APPLICANT: Carlo Zarcone

FILE NUMBER: H-23-15

REQUEST: Rezoning from C-1 (General Commercial), C-2 (Highway Commercial) and PDP(SF)/ Planned Development Project (Single Family) to PDP(REC)/ Planned Development Project (Recreational) with Deviations

GENERAL LOCATION: East side of Shoal Line Boulevard, approximately 760' south of Hermosa Boulevard

PARCEL KEY NUMBERS: 162335, 162344, 162353, 162362, 162371

APPLICANT'S REQUEST:

The applicant is requesting a rezoning from C-1 (General Commercial), C-2 (Highway Commercial) and PDP(SF)/ Planned Development Project (Single Family) to PDP(REC)/ Planned Development Project (Recreational) with deviations to develop a Recreational Vehicle (RV) Resort. The site is currently utilized for automotive repairs and towing and vehicle storage.

The subject site consists of five (5) parcels plus an intervening County-owned parcel utilized as a drainage easement. The petitioner seeks no development on the county owned parcel and has received permission to provide access through said parcel.

The subject site has an existing 6,000 square building. The proposed development will consist of 18 RV pads, 6 conversion van sites and 5 camping sites. Office and amenities will be provided from the existing 6,000 square building. Amenities will include:

- Bathhouse
- Recreational center
- Pavilion
- Fire pit area
- Dog walk.

Each of the RV spaces will be separated by planted vegetation and privacy fence and landscape will be provided along Shoal Line Boulevard.

Deviations Requested

Due to the nature of the PDP(REC)/ Planned Development Project (Recreational), the following deviations are being requested:

- Lot Size: 20'x50'; 1,000 square feet (deviation from 40'x40'; 2,800 square feet)
- Minimum Development Area: 1.75 acres (deviation from 10.0 acres)
- Perimeter Buffer: 5' (deviation from 25') This due to site constraints
- Density: 16.57 units per gross acre (deviation from 11 units)

SITE CHARACTERISTICS:

Site Size:	1.75 acres
Surrounding Zoning & Land Uses:	North: C-2; Storage South: C-1; Restaurant East: CV; Canal, SWFWMD Property West: PDP(MF); Undeveloped
Current Zoning:	C-1 (Commercial), C-2 (Commercial) and PDP(SF)/ Planned Development Project (Single Family)
Future Land Use Map Designation:	Commercial

ENVIRONMENTAL REVIEW:

Soil Type:	Udalfic Arents-Urban Land Complex
Hydrologic Features:	There are no hydrologic features (sinkholes, karst sensitive areas, or wetlands) present on this parcel.
Protection Features:	There are no Protection Features (Special Protection Areas (SPAs) or Wellhead Protection Areas (Wellhead Protection Area (WHPA)) on this site.
Habitat:	Developed properties shown as commercial and services 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).
Comments:	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.

Invasive plant species if present are to be removed during the development process.

The petitioner is proposing planting noninvasive bamboo as a visual buffer along Shoal Line. Although there are noninvasive bamboo species, the petitioner will be required to plant bamboo as determined by the IFAS Assessment. Further, any bamboo shall be planted in pots or with plant barriers.

Flood Zone: AE

UTILITIES REVIEW:

The Hernando County Utilities Department (HCUD) has indicated they currently supply water and sewer service to one of the parcels within the proposed development - Parcel Key 162371. HCUD has no objection to the requested zoning change subject to a sewer capacity analysis and connection to the central water and sewer systems at time of project construction.

ENGINEERING REVIEW:

The subject site is located on the east side of Shoal Line Boulevard, approximately 760' south of Hermosa Boulevard. The petitioner is proposing one full access at the entrance of the resort (south) and a one-way only exit along the north. The County Engineering Department has reviewed the proposed rezoning and indicated the following:

- These parcels are located within Flood Zone “AE (El. 12)” and are located landward of the Limit of Moderate Wave Action (LiMWA).
- Development must meet the flood zone construction requirements for that Zone.
- The site is within an open drainage basin and must meet Hernando County Facility Design Guidelines and Southwest Florida Water Management District Environmental Resource Permit design requirements.
- Commercial driveway connections shall meet Hernando County Commercial Driveway standards. Refer to Hernando County Facility Design Guideline IV-25.
- The Department of Public Works Engineering has concerns of traffic operations at site. Applicant to demonstrate functionality of traffic operations at the time of development.
- The parking lot layout is required to meet county standards. Refer to Hernando County Facility Guidelines IV-28.
- A Turning Template is required to show that Fire Apparatus has proper access to maneuver into and out of the site at the time of development.

- This project will be required to provide disabled accessibility (ADA).
- Shoal Line Boulevard is a collector road; a sidewalk is required along the entire frontage of the project. A sidewalk is also required to connect the building to the sidewalk along Shoal Line Boulevard.

LAND USE REVIEW:

Setbacks and Lot Sizes

Minimum Building Setbacks:

- Front: 20'
- Side: 15'
- Rear: 8'
- Lot Size: 20'x50'; 1,000 square feet (deviation from 40'x40'; 2,800 square feet)

Maximum Occupancy Requirements

County LDR requirements indicate that no occupancy shall exceed 180 days and no permanent units shall be permitted within the R-C/Recreation district.

Comments: The petitioner is proposing to utilize the existing 6,000 square foot building for the resort’s recreation center and offices. Staff is amenable to the existing structure.

Buffers

The petitioner is proposing planting noninvasive bamboo as a visual buffer along Shoal Line. Although there are noninvasive bamboo species, the petitioner will be required to plant bamboo as determined by the IFAS Assessment. Such bamboo shall be planted in pots or with plant barriers to prevent any potential expansion/spreading of the bamboo.

COMPREHENSIVE PLAN REVIEW:

The area is characterized by properties with commercial zoning. The subject site is located within the Commercial Land Use designation on the County’s adopted Comprehensive Plan.

Future Land Use Element

Land Use Compatibility

Objective 1.10B:

The County shall establish standards by which land use compatibility is evaluated in the review of proposals for Future Land Use Map amendments, zoning changes, and other land development applications.

Strategy 1.10B(2): Zoning changes should be compatible with surrounding development and minimize impact to natural resources. Impacts may be mitigated through design of building placement, buffers, noise reduction, setbacks and other appropriate planning techniques or performance measures.

Strategy 1.10B(3): Protect existing and future residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the surrounding residential area.

Recreational Vehicles
Strategy 1.04B(10):

Recreational vehicle parks are appropriate in the Residential, Commercial and Rural Future Land Use Categories and should be directed to areas containing tourist attractions or natural resources. Recreational vehicle parks shall have access to arterial or collector roads.

Comments: PDP(Recreation)/Planned Development Project (Recreation) is permitted in all zoning districts with appropriate performance conditions. The proposed use meets the location criteria of Strategy 1.04B(10) and is compatible with the surrounding area and not adverse to the public interest.

FINDINGS OF FACT:

A rezoning from C-1 (General Commercial), C-2 (Highway Commercial) and PDP(SF)/ Planned Development Project (Single Family) to PDP(REC)/ Planned Development Project (Recreational) with Deviations is appropriate based on the following:

1. The proposed deviations are justified.
 - Lot Size: 20'x50'; 1,000 square feet (deviation from 40'x40'; 2,800 square feet)
 - Minimum Development Area: 1.75 acres (deviation from 10.0 acres)
 - Perimeter Buffer: 5' (deviation from 25') This due to site constraints
 - Density: 16.57 units per gross acre (deviation from 11 units)

2. The proposed master plan is consistent with the Comprehensive Plan and is compatible with the surrounding area.

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 Concurrence. 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 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 Rezoning from C-1 (General Commercial), C-2 (Highway Commercial) and PDP(SF)/Planned Development Project (Single Family) to PDP(REC)/Planned Development Project (Recreational) with Deviations and 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 be responsible for a sewer capacity analysis and connection to the central water and sewer systems at time of project construction.
3. Minimum Building Setbacks:
 - Front: 20'
 - Side: 15'
 - Rear: 8'
 - Lot Size: 20'x50'; 1,000 square feet
(Deviation from 40'x40'; 2,800 square feet)
4. The minimum 25' landscape buffer shall be waived; however, buffers along Shoal Line Boulevard shall meet the minimum commercial buffer requirements of 5'.
5. The development size shall be permitted at a minimum of 1.75 acres (Deviation from 10.0 acres).
6. 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.
7. Invasive plant species if present shall be removed during the development process.
 8. The petitioner is proposing planting noninvasive bamboo as a visual buffer along Shoal Line. Although there are noninvasive bamboo species, the petitioner shall be required to plant bamboo as determined by the IFAS Assessment and bamboo shall be planted in pots or with plant barriers.
 9. Commercial driveway connections shall meet Hernando County Commercial Driveway standards.
 10. The petitioner shall coordinate the functionality of traffic operations at the time of development.
 11. The parking lot layout shall meet county standards.
 12. A Turning Template will be required to show that Fire Apparatus has proper access to maneuver in and out of the site at the time of development.
 13. This project will be required to provide disabled accessibility (ADA).
 14. A sidewalk shall be required along the entire frontage Shoal Line Boulevard. Sidewalk shall be required to connect to the building from Shoal Line Boulevard.
 15. No permanent attachments shall be permitted on RV's.
 16. The maximum stay shall be 180 days per County LDRs.
 17. No permit structure shall be permitted within the County owned parcel. Access across the parcel shall be permitted and coordinated with County Engineer.
 18. 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-23-15

Photo date: 2020

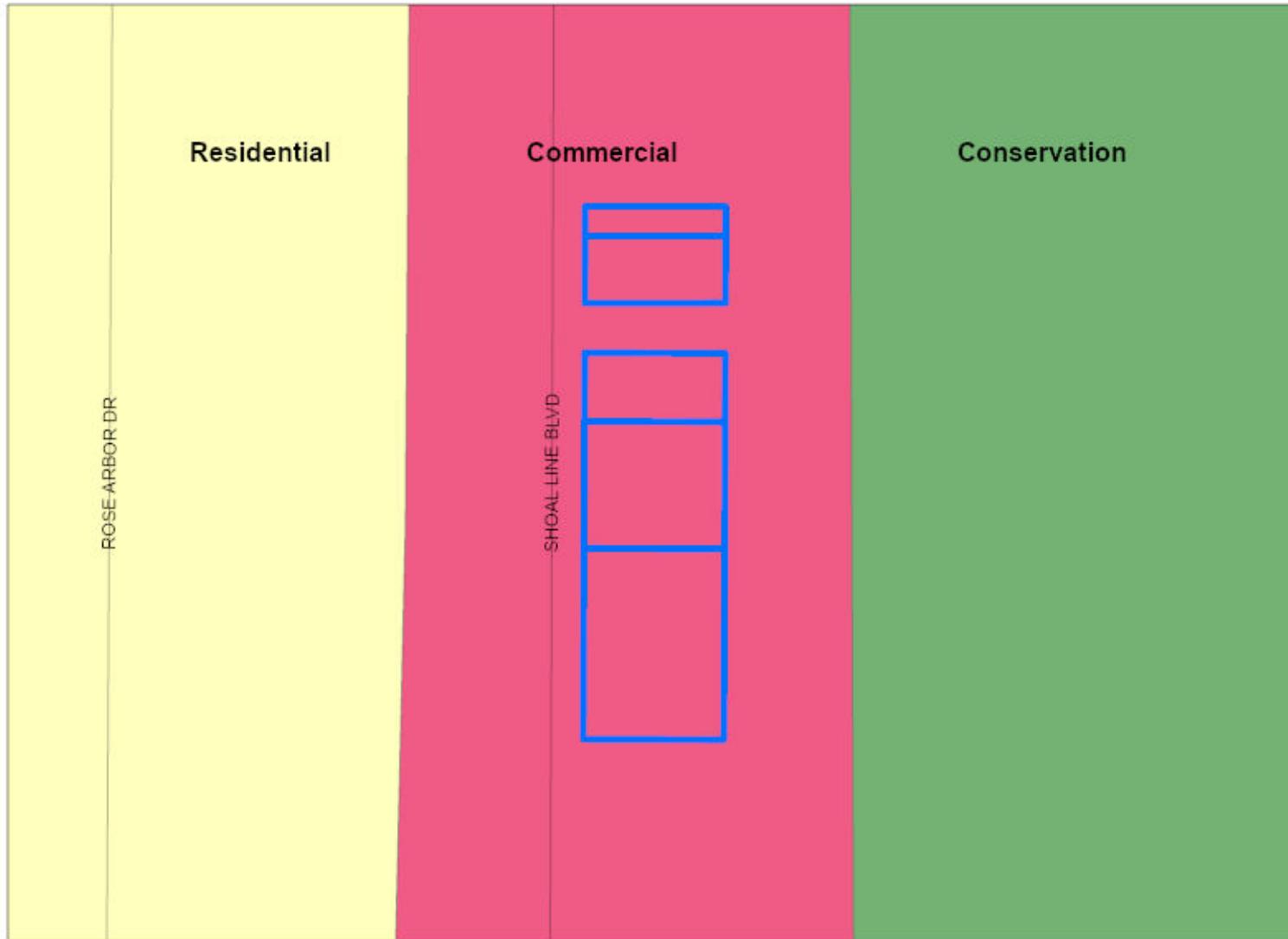
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



0 0.01 0.03 0.05 0.08 0.1 Miles

Hernando County Comprehensive Plan Map

Existing Future Land Use: H-23-15
Version Date: 07/14/2022



Legend

- H-23-15
- FLU Riverine District
- Regional Commercial

FLU

- CITY
- COMMERCIAL
- CONSERVATION
- EDUCATION
- INDUSTRIAL
- MINING
- PLANNED DEVELOPMENT
- PUBLIC FACILITIES
- RECREATION
- RESIDENTIAL
- RURAL

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: 04/11/2023



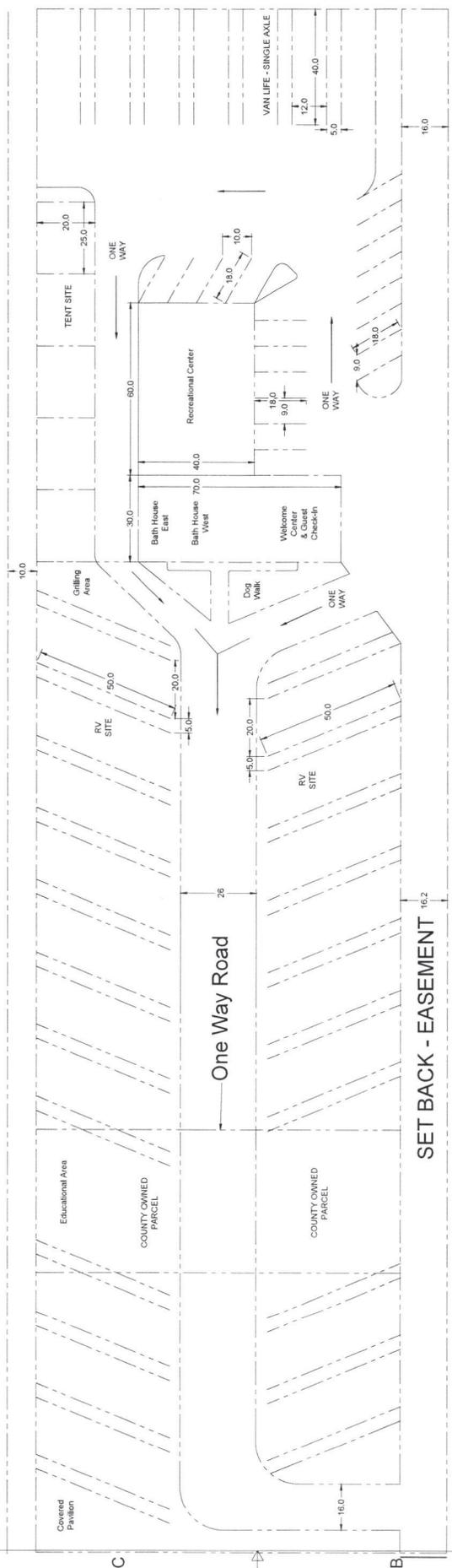
WEEKI WACHEE PRESERVE

Received

MAR 13 2023

Planning Department
Hernando County, Florida

DRAINAGE CANAL



SHOAL LINE BLVD

Resort Amenities:

- Welcome Center is the guests first stop and will provide information on local Adventure Coast related entertainment, activities and dining options.
- Recreational Center will house free family friendly activities including but not limited to movie room, arcade, and board games. As well as a large indoor sitting area.
- 24 hour access to His and Hers bath houses offering private lavatories and shower facilities.
- Outdoor public areas include a covered pavilion, fire pit, dog walk, multiple green areas with lush vegetation, kayak and paddle board launch as well as designated area for shoreline catch and release fishing.
- Education area offering visitors a place to view and observe local plant and wildlife including the abundance of fish and turtles that call this canal home.
- All sites include a divided green zone with planted vegetation providing privacy and aesthetics.
- Multiple grilling stations throughout the property allow for outdoor family friendly dining.

Resort Layout & Master Plan:

- We look forward to working with the Hernando County Arts Council to have local artists painter and or decorate the existing privacy fence in a manner that showcases the beauty of the Adventure Coast.
- The interior fence line will be lined with bamboo and palms to act as noise cancelling greenery and beautification.
- County owned parcel will be designated as a green space with an emphasis on education and outdoor enjoyment. We look forward to partnering with the County to design and deploy a fixed bridge crossing the canal providing public access to the preserve.
- All roadways to be sea shell or similar type materials to reduce run off. No asphalt surfaces are being proposed.
- RV site pads are anticipated to be decorative pavers offering a permeable base reducing storm water run off.
- All sites include a green zone providing beauty as well as privacy and noise cancellation.
- All RV sites offer a dual 30 amp & 50 amp electrical connection along with private water and sewer connections.
- WIFI will be offered through out the premises for guests enjoyment.

<p>KNB CONSULTING & ARCHITECTS 1124 Deer Dr. Hernando Beach, FL 34677 PH: 352-606-4848 CELL: 904-282-7894 Author: Nathan Burda License No. EC13078965</p>	<p>Project: R Takes Camp</p>	<p>Drawing Title: R Takes Camp</p>	<p>Drawing Scale: 1/2" = 1'-0"</p>
	<p>Sheet: 1/2</p>	<p>Drawing Date: 2/16/2023</p>	<p>Sheet: 1/2</p>

HERNANDO COUNTY ZONING AMENDMENT PETITION

File No. H-23-15 Official Date Stamp:



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**

Received

MAR 08 2023

Planning Department
Hernando County, Florida

Date: _____

APPLICANT NAME: Carlo Zarcone

Address: 3222 Shoal Line BLVD

City: Hernando Beach FL State: FL Zip: 34607

Phone: 352 428-0327 Email: rtatesautobody@gmail.com

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

REPRESENTATIVE/CONTACT NAME: _____

Company Name: Same as Above

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): 162335/162344/1489954/162353/162362/162371

2. SECTION 13, TOWNSHIP 23, RANGE 16

3. Current zoning classification: C-2

4. Desired zoning classification: PDP Recreational

5. Size of area covered by application: 76112 SQFT or 536 long x 142 Deep

6. Highway and street boundaries: Shoal Line

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 AFFIDIVAT

I, Carlo Zarcone Carlo Zarcone, 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): _____

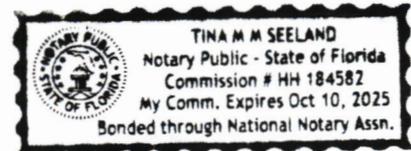
to submit an application for the described property.

Carlo Zarcone
Signature of Property Owner

STATE OF FLORIDA COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 1 day of March, 2023, by Carlo Zarcone who is personally known to me or produced _____ as identification.

Tina M Seeland
Signature of Notary Public



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

Notary Seal/Stamp

Omar DePablo

From: R. Tate's Auto Body Shop Inc. <rtatesautobody@gmail.com>
Sent: Wednesday, March 15, 2023 11:34 AM
To: Omar DePablo
Subject: Re: Lease of County property on Shoal Lind Blvd Portion of Key 1489954

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Omar. Good morning Sir. I can see that there's more to this process than I'd first thought. Scott had reached out to me on Friday with that same information. I tried to research the steps that were taken for the I property three lots to the south of me, Key# 162291. This 50 feet was part of the same larger parcel including the canal . The records that I had attached in the last email shows that the county had vacated it in 2014 releasing it to the adjacent land owner.I am hoping that the last vacate could possibly simplify my efforts to join my surrounding land

Thank You,
Carlo Zarcone

R. Tate's Auto Body Shop, Inc.
3222 Shoal Line Blvd. Hernando Beach, FL 34607
Direct Line: 352-596-3896
E-mail: rtatesautobody@gmail.com

Omar DePablo

From: R. Tate's Auto Body Shop Inc. <rtatesautobody@gmail.com>
Sent: Monday, March 13, 2023 10:17 AM
To: Omar DePablo
Subject: Lease of County property on Shoal Lind Blvd Portion of Key 1489954
Attachments: receipt.png; R Tates Camp Drawing 392023 .pdf; prop card.pdf

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Happy Friday Sir.

I've attached the items that we spoke about on Wednesday. Also, I have forwarded an email that I received from Scott Herring. Although it sounds pretty gloomy, I think what he is saying is only a formality. You will also find the property card for the lot to the south of me that shows the county vacated in 2014 to Rich Matassa. This land is the same description as the one I wish to bridge my land with. I look forward to hearing from you. Have a great weekend.

Thank You,
Carlo Zarcone

Below is the message from Scott Herring regarding lease of county property on Shoal Line Blvd. Portion of key:

⌘

Scott Herring <SHerring@co.hernando.fl.us>

to me, Brian, Tobey



Carlo,

Thanks for your patience while I researched this issue. In order to lease the County Property, the following would be required:

You would need to submit a written request for a lease on the Property.

We would have to see if any other Departments in the County could use the property.

Declare the property surplus.

Determine what restrictions would be placed on the property and insurance requirements.

The Lease would have to be at Market Rate.

We would have to see if anyone else would also be interested in leasing the property. This would probably be accomplished by listing the property for rent with our Realtor to make sure we receive market rate for the lease.

The difficult issue with this parcel is not only the drainage this property provides, but this is part of a larger parcel than just the dry land. This parcel encompasses the canal also. You would be required to provide a separate legal description of the parcel. They may be additional restrictions due to the drainage.

I know this is probably not what you wanted to hear, but I wanted to make you aware of what would be required.

Respectfully

Scott Herring

Thank You,
Carlo Zarcone

R. Tate's Auto Body Shop, Inc.

3222 Shoal Line Blvd. Hernando Beach, FL 34607

Direct Line: 352-596-3896

E-mail: rtatesautobody@gmail.com



Planning & Zoning Commission

Meeting: 07/10/2023
Department: Planning
Prepared By: Michelle Miller
Initiator: Aaron Pool
DOC ID: 12454
Legal Request Number:
Bid/Contract Number:

AGENDA ITEM

TITLE

Presentation on Proposed Tiny Home Community Regulations

BRIEF OVERVIEW

The Planning and Zoning Division has developed draft regulations regarding tiny home communities in Hernando County. These regulations address the following:

- Creating a new Planned Development Project district for tiny home communities;
- Providing a definition for tiny homes and tiny homes on wheels;
- Providing guidance on permitted uses within the district; and
- Setting standards for minimum community size, perimeter and lot setbacks, open space, and density.

FINANCIAL IMPACT

A matter of policy.

LEGAL NOTE

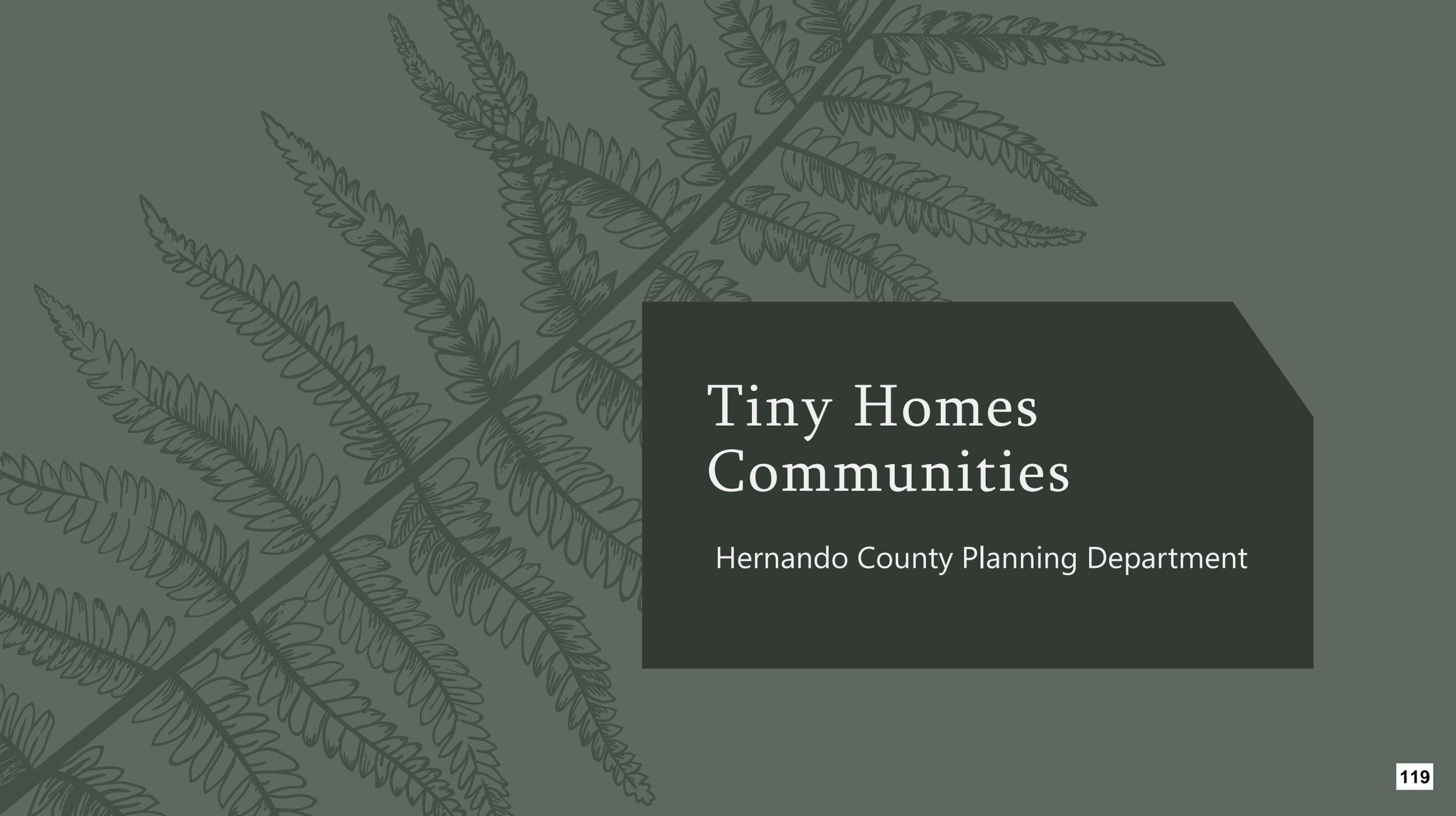
n/a

RECOMMENDATION

It is recommended that the Planning and Zoning Commission consider the draft regulations for Tiny Home Communities, allow for public comment and provide any appropriate feedback prior to staff finalizing these regulations and scheduling for public hearings in front of the Board of County Commissioners.

REVIEW PROCESS

Omar DePablo	Escalated	06/23/2023	4:18 PM
Michelle Miller	Delegated	06/26/2023	9:18 AM
Omar DePablo	Escalated	06/28/2023	4:19 PM
Michelle Miller	Approved	06/29/2023	12:22 PM
Michelle Miller	Approved	06/29/2023	12:22 PM
Aaron Pool	Approved	06/29/2023	2:09 PM
Kyle Benda	Approved	06/29/2023	2:52 PM



Tiny Homes Communities

Hernando County Planning Department



The Tiny Home Trend

The buzz around the tiny house trend – an architectural and social movement that advocates for downsizing living spaces.

First – that having less space and stuff can create room in our lives for more important things.

Second - Tiny Homes offer a housing alternatives in an ever growing and challenging economic climate.



Identifying the Need



Affordability

Tiny Homes in most cases offer an affordable option to traditional housing, making it easier for first time home ownership.



Housing Options

Tiny Homes and Tiny Home Communities provide an alternative to conventional single family and mobile homes subdivisions.



Infill Development

In an ever-expanding landscape, Tiny Home Communities allow for higher densities on smaller parcels, making them ideal for infill development/pocket neighborhoods.

Analysis



Need

Hernando County has identified a need for housing alternatives and determined that Tiny Homes offer a viable solution to the County's current needs



Evaluation

Review Hernando County Code of Ordinances and determine whether the current Code of Ordinance provides flexibility to accommodate Tiny Home Communities



Modifications

Can the County make minor and appropriate changes to the existing Code of Ordinances or would a new Tiny Home Community Ordinance be required to accommodate the trending concept



Determination

After an extensive review of the County's existing Code of Ordinances and researching other municipalities, it was determined that a new zoning district would be better suited for the Tiny Home Community concept

What a New PDP Zoning District Looks Like

PDP(THC)/Planned Development Project (Tiny Home Community)

Planned Development Project (PDP) districts are intended to encourage creative and innovative development, and to insure and promote land use compatibility and harmony within the project and with the surrounding area. The PDP designation is a specialized zoning district which provides a level of density and/or intensity, and a list of permitted uses. Furthermore, it is utilized for a customized purpose where standard district regulations are inadequate to protect surrounding property or where design flexibility is sought.





Code Changes to Consider

- Maximum Square Footage of a Tiny Home
- Accessory Structures
- Common Greens/Open Space
- Tiny Home Setbacks
- Density
- Buffers



Maximum Square Footage

Tiny Home

A dwelling that is 400 square feet or less in gross living floor area, excluding loft.

Tiny Home on Wheels

THOW shall meet Federal Manufactured Home Construction and Safety Standards and hold a United States Department of Housing and Urban Development label.

- Temporary structures remaining on wheels are permitted under Department of Motor Vehicles.
- Structures on wheels placed on foundation are governed under Department of Housing and Urban Development.





Community and Accessory Buildings

1

One enclosed community building per neighborhood is allowed. Community buildings may contain a club house, a common dining area, kitchen, bathroom, laundry facility, one sleeping quarters for guests, storage, or similar uses. Additional accessory structures, such as arbors, gazebos, pergolas, fire pits, BBQ grills, pools, greenhouses, gardens boxes, and other similar accessory structures, are permitted in addition to community buildings.

2

Individual lot accessory structures such as garages, sheds, carports, lean-to's shall be prohibited.

3

A traditional attached porch shall be permitted and shall not exceed 25% of the Tiny Home's square footage. Porches shall not count against living area of a tiny home.



Common Greens/Open Space

Each Tiny Home community shall have one or more common greens. These common greens will be designed to meet the following:

- Common greens shall include at least 400 square feet per Tiny Home.
- A minimum of four and a maximum of 12 Tiny homes shall be clustered around a common green.
- Common greens may include stormwater management facilities incorporating low impact development designs as long as a minimum of 400 square feet per Tiny Home remains usable for active or passive recreation during rain events.
- A minimum of 80% of the Tiny Homes within a Tiny Home Community shall be clustered around and shall directly front a common green.
- Amenities as identified by this ordinance are permitted in common greens.







Density and Setbacks

Density

A minimum of 12 Tiny Homes are required within a Tiny Home Community.

The proposed minimum density is to ensure the viable development of the Tiny Home Community

Setbacks

Perimeter

Twenty-Five (25) feet

Building Separation

Fifteen (15) feet

Setbacks are designed much like multifamily setbacks in order to provide the most flexibility in design and aesthetics.



Buffers

A landscaped buffer of fifteen (15) feet shall be provided along the entire community perimeter.

Perimeter buffers are required to provide mitigation when Tiny Home Communities are proposed as infill and to also provide a natural setting for the Tiny Home Community itself.



Additional Design Criteria

Driveways, Parking and Pedestrian Access

- Tiny home developments shall exclude per lot driveways and shall provide common parking throughout the development at multifamily off-street parking ratios.
- A system of interior walkways, sidewalk, multi-use paths shall be provided to interconnect the Tiny Homes, parking areas, common greens, and any sidewalks along the public street(s) bordering the Tiny Home Community. Interior walkways shall meet applicable ADA accessibility requirements.





Thank you

Q&A

Hernando County
Planning Department