

STAFF REPORT

HEARINGS: Planning & Zoning Commission: June 13, 2022
Board of County Commissioners: July 12, 2022

APPLICANT: AWN Spring Hill, LLC

FILE NUMBER: H-22-05

REQUEST: Master Plan Revision on Property Zoned PDP(GHC)/Planned Development Project (General Highway Commercial)

GENERAL LOCATION: Northeast Corner of Cortez Boulevard and Brookridge Central Boulevard

PARCEL KEY NUMBERS: 419372

APPLICANT'S REQUEST:

On February 2, 2022, the petitioner submitted a request for a Master Plan Revision on Property Zoned PDP(GHC)/Planned Development Project (General Highway Commercial). The Planning Department reviewed the application, distributed for comment to the reviewing agencies and departments, and issued a letter of application deficiency on February 28, 2022, indicating the following:

- The application and the narrative did not match – the request was inconsistent;
- The master plan was insufficient and missing key components as required in the application instructions;
- A frontage road is required and should be shown on the master plan; and
- The Master Plan needed to be revised to reduce the number of driveways along Cortez Boulevard to 2 versus the three as shown.

This letter provided a 30-day window for response to the deficiencies as noted and in accordance with Florida Statutes Section 125.002 (see below).

Within 30 days after receiving an application for approval of a development permit or development order, a county must review the application for completeness and issue a letter indicating that all required information is submitted or specifying with particularity any areas that are deficient. If deficient, the applicant has 30 days to address the deficiencies by submitting the required additional information.

No response was received to this letter, and a second letter of application deficiency was forwarded on April 5, 2022. This letter required a written response with the necessary documentation or a request for further postponement of the application by April 12, 2022.

No documentation was received and no written request for postponement was submitted.

In accordance with HB7103 (2019), this application can be recommended for denial to the appropriate recommending and governing bodies due to lack of necessary information.

Additionally, the application will be subject to the following Hernando County Code of Ordinances:

Appendix A (Zoning), Article VI (Amendments), Section 5 (Amendments that have been rejected by the governing body):

The commission may refuse to review any proposed amendment which has been rejected by the governing body within the past twelve-month period and an amendment request for the same zoning district or textual change will not be scheduled within the twelve-month time period without prior approval by the commission.

In order to obtain the approval of the commission, an applicant must make a written request, with justification, to the commission for relief from this requirement. The commission shall make a decision at a public meeting as to whether it wishes to hear the request within the twelve-month period.

The action of the commission shall be reported to the governing body. Within two weeks of the public meeting where the commission makes a decision regarding scheduling of any proposed amendment within the twelve-month period, the governing body may reverse the commission's decision by majority vote.

This provision shall not apply where a property owner submits a new application which is materially different than the rejected application.

STAFF RECOMMENDATION:

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners deny the petitioner's request for a Master Plan Revision on Property Zoned PDP(GHC)/Planned Development Project (General Highway Commercial) due to the lack of required documentation for the County to properly evaluate the request.