

BEFORE A SPECIAL MASTER  
PURSUANT TO s. 70.51, F.S.  
HERNANDO COUNTY, FLORIDA

REZONING FILE H-22-23

A& I LAND ASSOCIATION,  
LLC TAMPA, FL,

Petitioners,

vs.

HERNANDO COUNTY, FLORIDA

Respondent.  
\_\_\_\_\_ /

**MEDIATED SETTLEMENT AGREEMENT**

This Mediated Settlement Agreement (the "Agreement") is entered into by and among the Petitioner A & I LAND ASSOCIATION, LLC TAMPA, FL ("Petitioner"); and the Respondent, HERNANDO COUNTY, FLORIDA ("County"). The undersigned parties who have signed this Agreement (collectively "Parties" and individually "Party"), have entered into this Agreement pursuant to mutual understandings reached at in this matter, pursuant to Section 70.51(17)(a), Florida Statutes. The parties have agreed to settle the disputes in this case as follows:

1. The Proposed Resolution to be presented to the Board of County Commissioners along with or subsequent to this Settlement Agreement shall include:

a. All conditions in the Staff Report for A & I Land Association, LLC ("Staff Report"), attached to this Settlement Agreement as Exhibit "A" and incorporated herein. In addition, the revised conditions as stated below and reflected in the attached Revised Master Plan, attached to this Settlement Agreement as Exhibit "B" and incorporated herein:

i. 6' Fence with solid screening around entire property;

- ii. Enhanced landscape buffer per Planning and Zoning Performance Conditions;
  - iii. 90 maximum truck parking spaces;
  - iv. Up to 1,200 SF office with bathroom
    1. Office must be residential design standards
    2. No more than three employees
  - v. Parking only for employees, contractors or subcontractors of Best Carrier Solutions, Inc. (owned by owner of A&I 1201 North 50th Street, Tampa FL 33619).
2. Non-substantial changes may be included by County staff and approved or denied by the Board of County Commissioners.
3. This Agreement shall be considered and approved or rejected by the Board of County Commissioners pursuant to Section 70.51, Florida Statutes.
4. If approved by the Board of County Commissioners the amendment to or replacement of Resolution 2023-91 shall be considered by the Board of County Commissioners, as a continuation of Rezoning Case H-22-23. Such public hearing shall be advertised and comply with all Florida Statute and County code provisions regarding the adoption of ordinances.
5. **Extension of Time.** The parties agree to extend the time for the procedure established by Section 70.51(23) beyond One Hundred-Sixty-Five (165) days.
6. **Entire Agreement.** Subject to approval by the Board of County Commissioners pursuant to Section 70.51(21) and (22), F.S., this Agreement sets forth the entire and complete settlement agreement between the Parties relative to this matter and may not be modified or amended except by written agreement executed by all the Parties set forth below. This Agreement may not be modified by oral discussions prior to or after its execution.

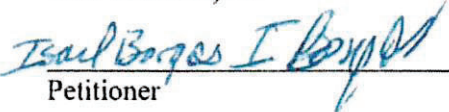
7. **No Admissions.** This Agreement is made as a settlement and compromise of highly contested, disputed claims. No party to it admits any liability or wrongdoing as a result of the execution of this Agreement.

8. **Approval by Board of County Commissioners.** Pursuant to Section 70.51(21) and (22), F.S., this Agreement shall be considered by the Board of County Commissioners within 45 days of execution of this Agreement. Disposition of this Agreement shall be pursuant to the terms of Section 70.51(21) and (22), F.S. Approval of this Agreement by the Board of County Commissioners shall serve as final disposition of H-22-23 at the County level, and the parties shall be bound by its terms.

9. **Counterparts.** This Agreement may be executed by two (2) or more original, photocopy and/or facsimile counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same agreement.

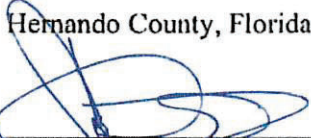
Petitioner

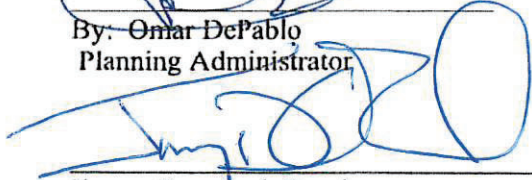
A& I LAND ASSOCIATION,  
LLC TAMPA, FL

  
Petitioner

  
Attorney for Petitioner

Hernando County, Florida

By:   
Omar DePablo  
Planning Administrator

  
Jimmy Crawford, Esquire  
Special Magistrate

*Victoria Anderson*  
Attorney for Respondent

# Exhibit A

## STAFF REPORT

---

**HEARINGS:** Planning & Zoning Commission: November 14, 2022  
Board of County Commissioners: December 13, 2022

**APPLICANT:** A & I Land Association, LLC

**FILE NUMBER:** H-22-23

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

**GENERAL LOCATION:** South side of Cortez Boulevard (SR 50), approximately 1,000' east of Frisco Road

**PARCEL KEY NUMBERS:** 387450

---

### P&Z RECOMMENDATION:

On November 14, 2022, the Planning and Zoning Commission voted 4-0 to recommend the Board of County Commissioners adopt a Resolution approving a rezoning from AG/(Agricultural) to PDP(HHC)/ Planned Development Project (Heavy Highway Commercial) for a Truck Service Establishment, with the following modified performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. A faunal (wildlife) survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.
3. The petitioner 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.
4. A 25' landscape buffer shall be provided along the west and 32' landscape buffer and drainage swale along the east. Additionally, a 20' landscape buffer shall be required along SR 50 and the frontage road.

5. A Traffic Access Analysis shall be required at the time of development. The petitioner will need to provide a Land Use Code and Trip Generation for project.
6. A frontage road shall be required along the entire length of frontage along Cortez Boulevard.
7. All driveway(s) shall meet current County and FDOT standards.
8. A Site Circulation Analysis shall be required to determine site layout for the intended use, at time of development.
9. FDOT access management and drainage permitting shall be required. The petitioner will be required coordinate with FDOT on any offsite improvements needed to accommodate semi-truck with tractor trailers and turn movements. FDOT requirements are also subject to review and approval of County Engineer.
10. Building Setbacks:

Front:	125'
Side:	20'
Rear:	35'
11. The commercial development shall provide a lighting plan at the time of development which complies with the lighting standards for Large Retail Development.
12. The petitioner shall be limited to a 500 square foot office. No additional permanent structures shall be permitted. Any future structures shall require a revision to the master plan.
13. Overnight stays shall not be permitted.
14. The C-4/ (Heavy Highway Commercial) is limited to Semi-Truck and Tractor Trailer parking only. No RV, car, boat, freight container, box truck or utility trailer storage shall be permitted.
15. No servicing of semi-trucks and/or tractor trailers shall be permitted onsite. Inoperable semi-trucks and/or tractor trailers shall be removed of the premises within 30 days of being deemed inoperable.
16. 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.

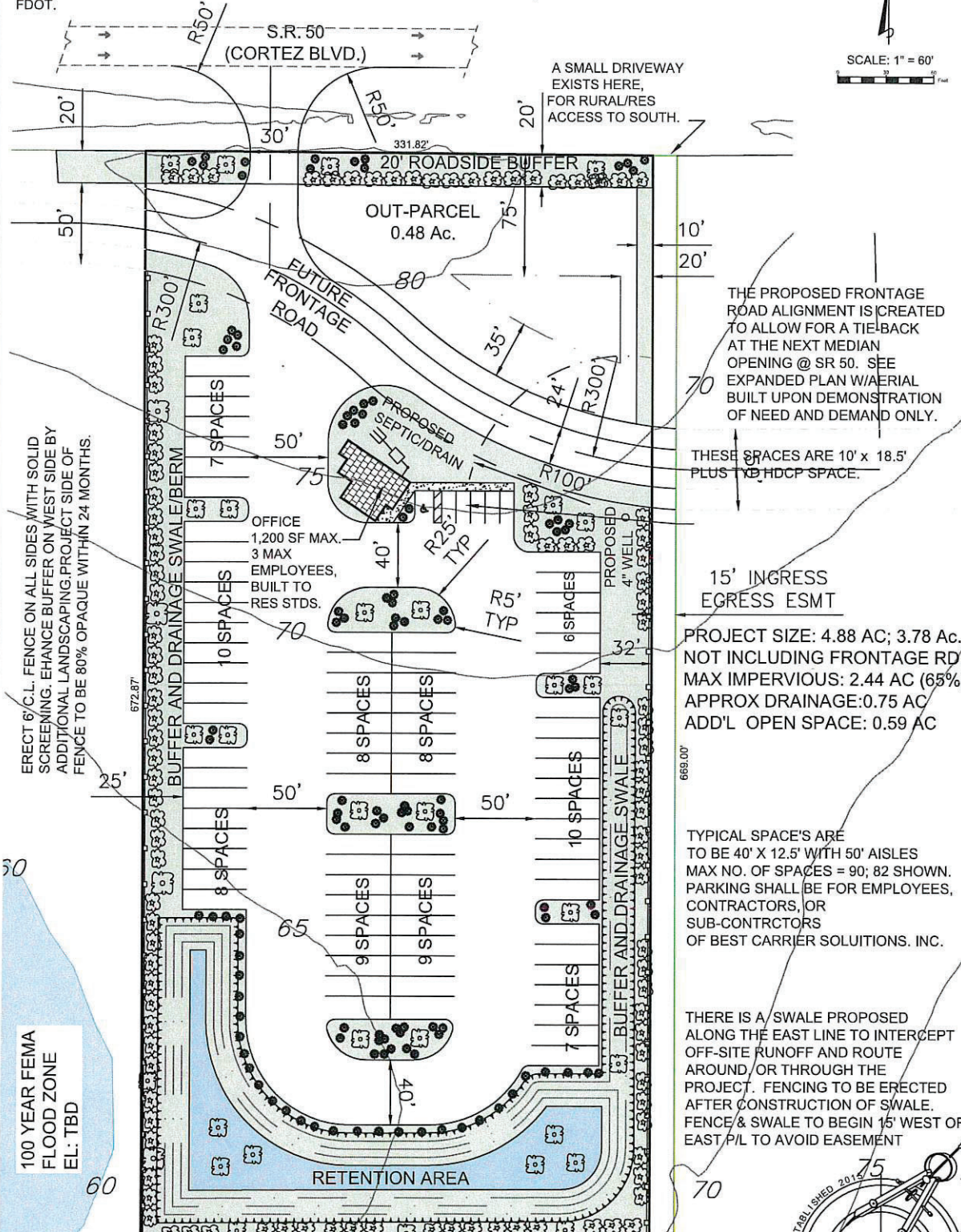


**MASTER PLAN  
FOR  
KEY NO. 387450  
A & I LAND ASSOCIATION, LLC  
TAMPA, FL**

THIS PROPOSED RT-IN & RT-OUT DRIVE  
WILL REQUIRE PERMITTING THROUGH  
FDOT.



SCALE: 1" = 60'



THE PROPOSED FRONTAGE ROAD ALIGNMENT IS CREATED TO ALLOW FOR A TIE-BACK AT THE NEXT MEDIAN OPENING @ SR 50. SEE EXPANDED PLAN W/AERIAL BUILT UPON DEMONSTRATION OF NEED AND DEMAND ONLY.

THESE SPACES ARE 10' x 18.5' PLUS 1' HDCP SPACE.

15' INGRESS EGRESS ESMT

PROJECT SIZE: 4.88 AC; 3.78 AC.  
NOT INCLUDING FRONTAGE RD.  
MAX IMPERVIOUS: 2.44 AC (65%)  
APPROX DRAINAGE: 0.75 AC  
ADD'L OPEN SPACE: 0.59 AC

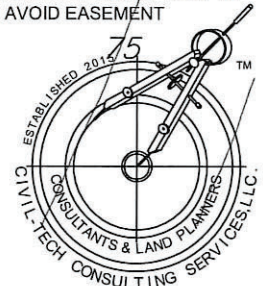
TYPICAL SPACE'S ARE TO BE 40' X 12.5' WITH 50' AISLES  
MAX NO. OF SPACES = 90; 82 SHOWN.  
PARKING SHALL BE FOR EMPLOYEES, CONTRACTORS, OR SUB-CONTRACTORS OF BEST CARRIER SOLUTIONS, INC.

THERE IS A SWALE PROPOSED ALONG THE EAST LINE TO INTERCEPT OFF-SITE RUNOFF AND ROUTE AROUND/ OR THROUGH THE PROJECT. FENCING TO BE ERECTED AFTER CONSTRUCTION OF SWALE. FENCE & SWALE TO BEGIN 15' WEST OF EAST P/L TO AVOID EASEMENT

NOTE: DRAINAGE AREA IS CONCEPTUAL IN NATURE; IT HAS NOT BEEN CALCULATED.

BOUNDARY, TOPO, FLOODPLAIN DATA DERIVED FROM GIS INFO. THIS IS NOT A SURVEY. CONTOUR INTERVALS ARE 5' NOT 1'

REVISED: 8/02/23; AKG  
PREPARED: 2/27/22; AKG



12 S. MAIN STREET  
BROOKSVILLE, FL 3601  
352.584.3890