



# Hernando County Planning & Zoning Commission

## Regular Meeting

### Minutes

October 31, 2022

### MEETING CALLED TO ORDER

The public meeting was called to order at 9:00 AM on Monday, October 31, 2022, 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 on-line at [www.hernandocounty.us](http://www.hernandocounty.us).

<u>Attendee Name</u>	<u>Title</u>
Mike Fulford	Chairman
W. Steve Hickey	Regular Member
Michael Kierzynski	Regular Member
Mark Johnson	Regular Member
James Lipsey	Ex Officio Non-voting Member (School Board Rep.)
Kyle Benda	Assistant County Attorney
Michelle Miller	Planning Administrator
Omar DePablo	Senior Planner
Scott Herring	Public Works Director /County Engineer
Dawn Veslor	Lead Environmental Planner
Alan Congodon	Administrative Assistant III

Invocation

Pledge of Allegiance

Poll Commission for Ex Parte Communications

Comm. Hickey had neighbors ask about H-22-47 because he is a resident of Glen Lakes.  
Comm. Fulford stated he lived in close proximity to one of the subject parcels.

The other Commission members indicated they had no ex parte communications concerning the petitions being considered at this meeting.

County Attorney Statement

Assistant County Attorney Ms. Sikora 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

The applicant for Item #10 requested a postponement to a date and time certain of November 14, 2022 at 9:00AM.

## **APPROVAL/MODIFICATION OF AGENDA (Limited to Staff & Commission)**

A motion was made to approve the agenda as written. The motion carried 5-0.

### **Motion**

A motion was made to approve the agenda.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	W. Steven Hickey
<b>SECONDER:</b>	Michael Kierzynski
<b>AYES:</b>	Fulford, Hickey, Kierzynski and Johnson
<b>EXCUSED:</b>	Campbell, McDonald and Carroll

## **ADOPTION OF THE INFORMATION PACKETS INTO EVIDENCE**

The agenda packet submitted to the P&Z included written information regarding all cases to be considered which needed to be accepted into evidence for the hearing.

The staff recommended the P&Z accept the agenda packet, including the staff reports, into evidence as if read aloud in their entirety.

### **Motion**

A motion was made to adopt the information packet into evidence.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mark Johnson
<b>SECONDER:</b>	W. Steven Hickey
<b>AYES:</b>	Fulford, Hickey, Kierzynski and Johnson
<b>EXCUSED:</b>	Campbell, McDonald and Carroll

## **PUBLIC HEARINGS**

### **STANDARD AGENDA (BOARD SITTING IN ITS QUASI-JUDICIAL CAPACITY)**

**CU-22-10 - Amber Stulley, Albert Allen Sr., Cynthia Allen:  
Conditional Use Permit for a Second Residence; Southwest Corner of Grant Street and Star Road**

Mrs. Miller introduced the petition. Mr. DePablo utilized the overhead projector to show the location of the subject property.

Amber Stulley, the applicant, under oath, discussed the petition with the Planning and Zoning Commission.

Julio Jenks, under oath, spoke in favor of the petition.

**Motion**

A motion was made to approve the petitioners request in accordance with the attached staff report.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Michael Kierzynski
<b>SECONDER:</b>	W. Steven Hickey
<b>AYES:</b>	Fulford, Hickey, Kierzynski and Johnson
<b>EXCUSED:</b>	Campbell, McDonald and Carroll

**H-22-49 - Alexander Pinckney:**

**Rezoning from R-1C (Residential) to AR (Agricultural/Residential); Northeast corner of Antietam Drive and Richardson Boulevard**

The petition was introduced by Mrs. Miller. Mr. DePablo utilized the overhead projector to show the location of the subject parcel.

Alexander Pinkney, the petitioner, under oath, discussed the petition with the Planning and Zoning Commission.

Tonya Kaluhiokalani, representing the petition, under oath, discussed the petition with the Planning and Zoning Commission.

No public comment was offered by the audience.

**Motion**

A motion was made to recommend the Board of County Commissioners adopt a resolution approving the requested rezoning in accordance with the attached staff report.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Michael Kierzynski
<b>SECONDER:</b>	Mark Johnson
<b>AYES:</b>	Fulford, Hickey, Kierzynski and Johnson
<b>EXCUSED:</b>	Campbell, McDonald and Carroll

**H-22-62 - Harold and Lorna Barker:**

**Rezoning from R-1C (Residential) to AR (Agriculture/Residential); West side of Glenchester Drive, approximately 450' from its intersection with Otter Drive**

Mrs. Miller introduced the petition. Mr. DePablo utilized the overhead projector to show the location of the subject parcel.

Lorna Barker, representing the petition, under oath, discussed the petition with the Planning and Zoning Commission.

No public comment was offered by the audience.

**Motion**

A motion was made to recommend the Board of County Commissioners adopt a resolution approving the petitioners request in accordance with the attached staff report.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	W. Steven Hickey
<b>SECONDER:</b>	Michael Kierzynski
<b>AYES:</b>	Fulford, Hickey, Kierzynski and Johnson
<b>EXCUSED:</b>	Campbell, McDonald and Carroll

**H-22-56 - Panther I, LLC:**

**Rezoning from AG (Agriculture) to PDP(RUR) / Planned Development Project (Rural) with specific AG uses and a Deviation; Southwest intersection of the Suncoast Parkway and Centralia Road**

Mrs. Miller introduced the petition. Mr. DePablo utilized the overhead projector to show the location of the subject parcel.

Alan Garman, under oath, representing the petitioner, discussed the petition with the Planning and Zoning Commission.

Matthew Briggs, under oath, spoke against the petition.

Alan Garman, addressed the concerns presented by Mr. Briggs.

**Motion**

A motion was made to recommend the Board of County Commissioners adopt a resolution approving the requested rezoning, with modified performance conditions as reflected in the P&Z Action.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Michael Kierzynski
<b>SECONDER:</b>	W. Steven Hickey
<b>AYES:</b>	Fulford, Hickey, Kierzynski and Johnson
<b>EXCUSED:</b>	Campbell, McDonald and Carroll

**H-22-47 - Suresh Gupta:**

**Re-establish a Master Plan on Property CPDP (Combined Planned Development Project); Northern terminus of Outer Banks Drive and west of US Highway 19**

Mrs. Miller introduced the petition, and requested the addition of a new performance condition #10, adjusting the numbering accordingly. Mr. DePablo utilized the overhead projector to show the location of the subject parcel. He further advised that the project was previously vested with the state under Vested 380.

Jamie Jones, representing the petitioner, under oath, discussed the petition with the Planning and Zoning Commission.

The following people spoke under oath, against the petition: Bob Widmar, Jeffery Parker, Kevin Pearson, Robert Chocola, Flora Smith, and Paul Shaskan.

County Engineer, Scott Herring, under oath, discussed the traffic and water requirements for the petition.

Chairman Fulford discussed the role of the Planning and Zoning Commission.

Jamie Jones, responded to the concerns expressed during public comment.

Discussion ensued.

**Motion**

A motion was made to recommend the Board of County Commissioners adopt a resolution approving the re-establishment of a master plan with modified performance conditions as reflected in the P&Z action.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	W. Steven Hickey
<b>SECONDER:</b>	Michael Kierzynski
<b>AYES:</b>	Fulford, Hickey, Kierzynski and Johnson
<b>EXCUSED:</b>	Campbell, McDonald and Carroll

**H-22-66 - Trimcor Construction of Florida, Inc:  
Rezoning from AG (Agricultural) to PDP(MF)/Planned Development Project (Multifamily)  
with Deviations; North side of Algood Road, approximately 1,500' west of Wendy Court**

Mrs. Miller introduced the petition. Mr. DePablo utilized the overhead projector to show the location of the subject parcel.

Brian Kiraly, representing the petitioner, under oath, discussed the request with the Planning and Zoning Commission.

The following people spoke, under oath, against the petition: Robert Irwin, John Hoy, BetteJo Indelicato, Dan Callaghan, Robert Drosdowich.

Brian Kiraly, responded to concerns expressed during citizens comments.

County Engineer, Scott Herring, under oath, addressed the concern about the maintenance of the existing drainage.

**Motion**

A motion was made to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for rezoning with deviations and performance conditions as reflected in the P&Z action.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Michael Kierzynski
<b>SECONDER:</b>	W. Steven Hickey
<b>AYES:</b>	Fulford, Hickey, Kierzynski and Johnson
<b>EXCUSED:</b>	Campbell, McDonald and Carroll

**H-22-70 - Pace Center for Girls, Inc:**

**Establish a Master Plan on Property Zoned PDP(OP)/Planned Development Project (Office Professional) to Include an Educational Facility; Southeast corner of Landover Boulevard and Chalmer Street**

Mrs. Miller introduced the petition. Mr. DePablo utilized the overhead projector to show the location of the subject parcel.

Cynthia Montgomery, representing the petitioner, under oath, discussed the petition with the Planning and Zoning Commission.

Robert J. Sabow, under oath, spoke against the petition.

Cynthia Montgomery, responded to the concerns raised during public comments.

**Motion**

A motion was made to recommend the Board of County Commissioners adopt a resolution to approve the petitioner's request with performance conditions as reflected in the P&Z action.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mark Johnson
<b>SECONDER:</b>	Michael Kierzynski
<b>AYES:</b>	Fulford, Hickey, Kierzynski and Johnson
<b>EXCUSED:</b>	Campbell, McDonald and Carroll

**H-21-50 - Brian Garrison and Vicki McMahon:**

**Rezoning from C-1 (General Commercial) to PDP(GC)/Planned Development Project (General Commercial) with a Specific C-2 use for Outdoor Storage; West side of Shoal Line Boulevard, 1,395' south of Hermosa Boulevard**

Mrs. Miller introduced the petition. Mr. DePablo utilized the overhead projector to show the location of the subject parcel.

Alan Garman, representing the petitioner, under oath, discussed the request with the Planning and Zoning Commission.

Development Services Director, Aaron Pool, under oath, addressed Comm. Fulford's concern about a tractor trailer being parked on the property.

No public comment was offered by the audience.

**Motion**

A motion was made to recommend that the Board of County Commissioners adopt a resolution approving the petitioner's request with performance conditions as reflected in the P&Z action.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	W. Steven Hickey
<b>SECONDER:</b>	Michael Kierzynski
<b>AYES:</b>	Fulford, Hickey, Kierzynski and Johnson
<b>EXCUSED:</b>	Campbell, McDonald and Carroll

**H-22-38 - Spring Lake Square, LLC:**

**Rezoning from PDP(GC)/Planned Development Project (General Commercial) and C-1 (General Commercial) to CPDP/Combined Planned Development Project to include General Commercial and Multifamily Uses with Deviations; Adjacent to the gas station at the southwest corner of Spring Lake Highway and SR 50 (Cortez Boulevard) with frontage on both roadways**

Mrs. Miller introduced the petition. Mr. DePablo utilized the overhead projector to show the location of the subject parcel.

Alan Garman, under oath, representing the petitioner, discussed the request with the Planning and Zoning Commission.

County Engineer, Scott Herring, under oath, indicated that the proposed modification to the frontage road was acceptable.

Franklin Skanks, under oath, spoke against the petition.

Development Services Director, Aaron Pool, under oath, indicated Code Enforcement would look into the complaint about unpermitted land clearing.

**Motion**

A motion was made to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request with modified performance conditions as reflected in the P&Z action.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mark Johnson
<b>SECONDER:</b>	Michael Kierzynski
<b>AYES:</b>	Fulford, Hickey, Kierzynski and Johnson
<b>EXCUSED:</b>	Campbell, McDonald and Carroll

**H-22-58 - Adam Webster:**

**Re-establish a Master Plan for a Property Zoned PDP(GHC)/ Planned Development Project (General Highway Commercial) and add a Specific C-2 Use for Mini-Warehouse;**

**Northwest corner of the intersection of Pythia Place and Linden Drive, approximately 300' north of County Line Road**

Mrs. Miller requested the item be postponed to the November 14, 2022 P&Z meeting.

**Motion**

A motion was made to postpone the petitioner's request to a date and time certain of November 14, 2022.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	W. Steven Hickey
<b>SECONDER:</b>	Michael Kierzynski
<b>AYES:</b>	Fulford, Hickey, Kierzynski and Johnson
<b>EXCUSED:</b>	Campbell, McDonald and Carroll

**H-22-61 - Cabot Citrus OPCO LLC:**

**Establish a Master Plan on Property Zoned CPDP (Combined Planned Development Project) with deviations; Northeast side of Ponce De Leon Boulevard (US Highway 98), approximately 2200' southeast of its intersection with the Suncoast Parkway**

Mrs. Miller introduced the petition. Mr. DePablo utilized the overhead projector to show the location of the subject parcels.

Don Lacey, representing the petitioner, under oath, discussed the request with the Planning and Zoning Commission.

Daniel Knight, representing the petition, under oath, discussed the request with the Planning and Zoning Commission.

Discussion ensued about performance condition.

County Engineer, Scott Herring, under oath, asked that the County be copied on all applications (item #7).

Clint Kromhout, P.G., Florida Geological Survey, under oath, agreed with the proposed change to #7 in accordance with SWFWMD requirements.

Rick Kirby, , under oath, advised the Planning and Zoning Commission that as long as the utilities are conditioned to be private, then the verbiage to #16 can be removed.

County Engineer, Scott Herring, under oath, requested the wording to #18 and #19 be changed to require notification to FDOT.

Assistant County Attorney, Maureen Sikora, under oath, advised the Commission that the safety concerns are valid.

Clint Kromhout, P.G., Florida Geological Survey, under oath, stated he is a licensed geologist in the state of Florida. He further stated that this is a direct recharge site for the aquifer, and



any construction disturbing the limestone could result in untreated runoff entering the aquifer .

Rick Kirbey, Engineering Manager, Hernando County Utilities Department, indicated that there is a well head protection area, however, the utilities being private won't affect them.

Lead Environmental Planner, Dawn Velsor, Hernando County Planning Division, under oath, addressed the proposed changes to condition #9 regarding Special Protection Area features.

J. Merideth Wester, under oath, expressed concerns about the petition .

Gary Schraut, under oath, spoke in favor of the petition .

Don Lacey, AICP, addressed the questions expressed during public comment .

Discussion ensued about the projected number of students for the School District .

**Motion**

A motion was made to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request with modified performance conditions .

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Michael Kierzynski
<b>SECONDER:</b>	W. Steven Hickey
<b>AYES:</b>	Fulford, Hickey, Kierzynski and Johnson
<b>EXCUSED:</b>	Campbell, McDonald and Carroll

**H-22-05 - AWN Spring Hill, LLC:  
Master Plan Revision on Property Zoned PDP(GHC)/Planned Development Project  
(General Highway Commercial); Northeast Corner of Cortez Boulevard and Brookridge  
Central Boulevard**

Mrs. Miller introduced the petition. Mr. DePablo utilized the overhead projector to show the location of the subject parcel.

Don Lacey, AICP, representing the petitioner, under oath, discussed the application with the Planning and Zoning Commission.

Kevin Frazier, the petitioner, under oath, also discussed the application with the Planning and Zoning Commission.

Steve Pasono and Gary Schraut, under oath, spoke in favor of the petition .

Mark Whitley, under oath, spoke against the petition .

Don Lacey, AICP, responded to the concerns raised during public comment .

Discussion ensued about hours of operation.

Scott Herring, County Engineer, under oath, indicated he had no objection to golf cart access as long as it is approved by the County Engineer.

**Motion**

A motion was made to recommend that the Board of County Commissioners adopt a resolution approving the petitioner's request with deviations and modified performance conditions.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	W. Steven Hickey
<b>SECONDER:</b>	Michael Kierzynski
<b>AYES:</b>	Fulford, Hickey, Kierzynski and Johnson
<b>EXCUSED:</b>	Campbell, McDonald and Carroll

**CPAM-22-04 - New Strategy Holdings, LLC (On Behalf of HWY 98 N. Project, LLC): Small-Scale Comprehensive Plan Amendment to Change the Future Land Use on 48.70 acres from Rural to Residential; East side of McKethan Road (US Highway 98), at its intersection with Portage Path**

Mrs. Miller introduced the petition. . Mr. DePablo utilized the overhead projector to show the location of the subject parcel.

Don Lacey, AICP, representing the petitioner, under oath, discussed the application with the Planning and Zoning Commission.

No public comment was offered by the audience.

**Motion**

A motion was made to recommend the Board of County Commissioners adopt an ordinance approving a small scale amendment to the Comprehensive Plan as reflected in the P&Z action.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mark Johnson
<b>SECONDER:</b>	W. Steven Hickey
<b>AYES:</b>	Fulford, Hickey, Kierzynski and Johnson
<b>EXCUSED:</b>	Campbell, McDonald and Carroll

**H-22-07 - New Strategy Holdings, LLC (On Behalf of HWY 98 N. Project, LLC): Rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) with Deviations; East side of McKethan Road at its intersection with Portage Path**

Mrs. Miller introduced the petition. Mr. DePablo utilized the overhead projector to show the location of the subject parcel.

Don Lacey, AICP, representing the petitioner, under oath, discussed the request with the

Planning and Zoning Commission.

Discussion followed about the lot sizes and buffers.

No public comment was offered by the audience.

**Motion**

A motion was made to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for rezoning with deviations and modified performance conditions.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	W. Steven Hickey
<b>SECONDER:</b>	Michael Kierzynski
<b>AYES:</b>	Fulford, Hickey, Kierzynski and Johnson
<b>EXCUSED:</b>	Campbell, McDonald and Carroll

**COMMISSIONERS AND STAFF ISSUES**

Mrs. Miller presented the proposed P&Z dates for 2023. All members of the Boarded agreed to dates.

**ADJOURNMENT**

The meeting was adjourned at 3:00 P.M.