

## **Hernando County**

# **Planning & Zoning Commission**

#### **Regular Meeting**

#### **Minutes**

#### January 9, 2023

#### MEETING CALLED TO ORDER

The public meeting was called to order at 9:00 AM on Monday, January, 9, 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 on-line at www.hernandocounty.us.

Attendee Name
Jonathan McDonald
W. Steve Hickey
Vice Chairman
Regular Member
Michael Kierzynski
Nicholas Holmes
Gregory Arflack
Title
Chairman
Regular Member
Regular Member
Regular Member
Alternate Member

James Lipsey Ex Officio Non-voting Member (School Board Rep.)

Aaron Pool Development Services Director

Michelle Miller Planning Administrator

Omar DePablo Senior Planner

Scott Herring Public Works Director/County Engineer

Alan Congdon Administrative Assistant III

Robin Reinhart Agenda Coordinator

#### Invocation

#### Pledge of Allegiance

Poll Commission for Ex Parte Communications

Comm. Kierzynski daughter across street Lives accross from one of the Developments but hasn't himself had ex parte communications.

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 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

Staff announced Jim Lipsey Ex Officio Non-voting Member (School Board Rep.) will be late.

#### ANNUAL ELECTION OF OFFICERS

#### **Election of Planning and Zoning Commission Chairman for 2023**

#### **Motion**

A motion was made by Comm. Mike Kierzynski to elect Comm. Jonathan McDonald as Planning and Zoning Commission Chairman. The motion was seconded by Comm. Birren and carried 5-0.

RESULT: ADOPTED

MOVER: Michael Kierzynski SECONDER: Kathryn Birren

**AYES:** Hickey, Kierzynski, McDonald, Birren and Holmes

#### **Election of Planning and Zoning Commission Vice Chairman for 2023**

#### Motion

A motion was made by Comm. Kierzynski to elect Comm. Hickey as Planning and Zoning Commission Vice Chairman. The motion was seconded by Comm. Birren and carried 5-0.

RESULT: ADOPTED

MOVER: Michael Kierzynski SECONDER: Kathryn Birren

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

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

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

#### Motion

D. APPROVAL/MODIFICATION OF AGENDA (Limited to Staff & Commission)

RESULT: ADOPTED

MOVER: Michael Kierzynski SECONDER: Nicholas Holmes

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

## ADOPTION OF THE INFORMATION PACKETS INTO EVIDENCE

The agenda packet that was submitted to the P&Z included written information regarding all cases to be considered, which is 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

E. ADOPTION OF THE INFORMATION PACKETS INTO EVIDENCE

RESULT: ADOPTED

MOVER: W. Steven Hickey SECONDER: Michael Kierzynski

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

#### **PUBLIC HEARINGS**

#### UNIFIED AGENDA

Mrs. Miller introduced the unified agenda.

#### Motion

A Motion was made to adopt the Unified Agenda as submitted.

RESULT: ADOPTED

**MOVER:** W. Steven Hickey **SECONDER:** Michael Kierzynski

**AYES:** Hickey, Kierzynski, McDonald, Birren and Holmes

#### CU-22-11 - Jeff Powell:

Conditional Use Permit for a Temporary Security Residence; Southeast side of Broad Street, approximately 155' north of its intersection with Kollar Street

#### **CU-22-12 - Lowonder Jernigan:**

Conditional Use Permit for a Second Residence; South side of Snow Hill Road, approximately 1,986' west of Brice Drive

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

#### H-22-71 - Sobel Fund VII, LLC:

Master Plan Revision on Property Zoned CPDP/Combined Planned Development Project with General Commercial, Office Professional, and Multifamily uses to add Specific C-2 Uses and Deviations; Southwest corner of Lake in the Woods Drive and Commercial Way (US Hwy 19)

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

Darryl Johnston Esq., representing the petitioner, under oath, discussed the request with the Planning and Zoning Commission.

Mrs. Miller advised the Planning and Zoning Commission that the watering of the transplanted trees by the Lake in the Woods HOA was not enforceable.

The following people spoke under oath against the petition: Paul McQuarrie, Dr. Lauren Vidia, Consuela Lauer, Evon Caskey, Wayne Burscino, Susan Giordano, Tom St. Claire, Goddfrey Eason, Cathy Groom, Andrew Schwartz, Paula Morton, James Haas, Richard Clayton, Molly Jamison, Catherine Ihsz-Jentschs, George Drumm, Constance Croak, Garry Petti, J.B. Bowles, and Eva Stout.

Bob Schneider, spoke under oath, in favor of the petition.

Assistant County Attorney Kyle Benda, addressed concerns raised during the public comment portion of the hearing.

Comm. Holmes asked staff about the prior vested approvals.

Darryl Johnston, addressed the concerns raised during the public comments portion of the hearing.

Discussion ensued about the future location of the proposed 500 unit multifamily apartment complex and 150 room Hotel.

School Board representative, James Lipsey, advised the Planning and Zoning Commission that the apartments would only generate approximately 94 students and in November there was adequate occupancy.

Mrs. Miller clarified that there are no mobile homes requested for this application. She also discussed the performance condition related to the concerns raised during Public Comment.

County Engineer, Scott Herring, under oath, addressed questions about obtaining an administrative design variance.

Mrs. Miller went over the modifications to the performance conditions with the Planning and Zoning Commission.

#### Motion

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

RESULT: ADOPTED

MOVER: W. Steven Hickey SECONDER: Nicholas Holmes

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

#### H-22-75 - Jesus Espinal:

Rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2); West side of Shasta Street approximately 355' north of its intersection with Square Stone Street

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

Jesus Espinal, the petitioner, 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 petitioner's request.

RESULT: ADOPTED

**MOVER:** W. Steven Hickey **SECONDER:** Michael Kierzynski

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

#### H-22-76 - Oak Development Group, LLC:

Rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations; Eastern terminus of Godwit Avenue and Gyrafalcon Avenue and south of Seely Lane

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

Jessicia Icerman, representing the petitioner, under oath, discussed the request with the Planning and Zoning Commission.

Cynthia Spidell, representing the petitioner, under oath, discussed the request with the Planning and Zoning Commission.

The following people spoke under oath against the petition: Bruce Abrahamson, Randy MCElroy, Cedric Bedford, Joseph Purta, Jennifer Berkel, Terrie Dyer, John Larry, Joanna Larry, James Robison, Noreen Phillips.

Gary Schraut, representing the property owner, under oath, spoke on be half of the petitioner.

Jessica Icerman, addressed the concerns expressed during the public comment period.

County Engineer, Scott Herring, under oath, addressed concerns raised about the roads in the area of the proposed development.

Comm. Birren expressed concerns regarding the roads, and construction access in to the project.

Scott Herring also advised that he wanted the developer to provide construction accesses plan provided to county engineers office.

Comm. Hickey requested construction access be added to the conditions of approval. Mrs. Miller advised that staff will add a preformance condition that states that "The developer will need to provide a construction accesses plan to be submitted and approved by the county engineers office."

Comm. McDonald expressed concern about the traffic on Madrid Avenue.

Michael Razor, transportation consultant for the petitioner, under oath, advised that a they are in the process of working on a traffic study with the county.

Discussion ensued.

Andrew Eiland, engineer for the petitioner, under oath, addressed concerns about the property's previous use as a shooting range.

#### Motion

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

RESULT: ADOPTED

MOVER: W. Steven Hickey SECONDER: Kathryn Birren

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

#### H-22-78 - Elizabeth A Richards:

Rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2); South side of Solway Drive at its intersection with Octavia Way.

Mrs. Miller advised they are requesting postponement due in adequate public notice.

#### Motion

A motion was made to request for a postponement due to advertising, the petitioner incurring all re-advertising costs.

#### H-22-80 - Sueann Gouin:

Rezoning from AR-2 (Agricultural/Residential-2) to AG (Agricultural); North side of Sun Road at its western terminus

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

Sueann Gouin, the petitioner, under oath discussed the petition with the Planning and Zoning Petition.

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.

RESULT: ADOPTED

MOVER: Nicholas Holmes SECONDER: Michael Kierzynski

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

#### H-22-82 - David Kerns:

Rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2); West side of the Southern Terminus of Slingshot Drive

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

Caroline Justice, representing the petitioner, under oath, discussed the request 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 petitioner's request.

RESULT: ADOPTED

MOVER: W. Steven Hickey SECONDER: Michael Kierzynski

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

#### H-22-79 - Luis Puerto and Brenda Puerto:

Master Plan Revision on Property Zoned PDP(NC)/Planned Development Project (Neighborhood Commercial); North side of County Line Road, approximately 670' east of Cobblestone Drive

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

The petitioner was not present. Staff is seeking postponement, with the petitioner incurring all re-advertising cost.

#### Motion

A motion was made to postpone the petition to a future hearing with the petitioner incurring all re-advertising costs.

RESULT: ADOPTED

MOVER: W. Steven Hickey SECONDER: Nicholas Holmes

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

#### H-22-65 - Tri County Development Inc.:

Rezoning the from PDP(SU)/Planned Development Project (Special Use) to PDP(MF)/Planned Development Project (Multifamily) with Deviations; Northeast corner of Henderson Street and Mariner 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 request with the Planning and Zoning Commission.

Alex Deeb, the petitioner, under oath, discussed the project with the Planning and Zoning Commission.

No public comment was offered by the audience.

James Lipsey, representing the School Board, asked staff about a formal covenant regarding age restriction. Discussion ensued.

Cliff Manual P.E., representing the applicant, under oath, addressed concerns about the requested deviation from set-backs.

Discussion ensued about YMCA membership and the proposed development.

#### Motion

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

RESULT: ADOPTED

MOVER: Michael Kierzynski SECONDER: Nicholas Holmes

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

#### H-22-68 - HDA Architects, Inc.:

Rezoning from PDP(CP)/Planned Development Project (Corporate Park) to PDP(GC)/Planned Development Project (General Commercial).; East Side of Anderson Snow Road, approximately 365' north of its intersection with Corporate Boulevard

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

Mike Noyes, the petitioner, under oath, discussed the petition with the Planning and Zoning

Commission.

No public comment was offered by the audience.

Comm. Berrin inquired about sound proofing for the kennel area.

#### **Motion**

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

RESULT: ADOPTED

MOVER: Kathryn Birren

SECONDER: Michael Kierzynski

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

#### H-22-69 - 235 Cobblestone Drive, LLC:

Master Plan Revision on Property Zoned PDP(NC)/Planned Development Project (Neighborhood Commercial) with specific C-1 uses and Deviations; Northwest corner of County Line Road and Cobblestone Drive

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

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

Mathew Rollins, under oath, spoke against the petition.

Don Lacey AICP, addressed the concerns raised by Mr. Rollins. In response to Comm. Hickey, Mr. Lacey indicated the applicant would be ok with increasing the western buffer to 20 feet.

#### Motion

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

RESULT: ADOPTED

MOVER: W. Steven Hickey SECONDER: Michael Kierzynski

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

#### H-22-74 - Tim Oldemoppen:

Rezoning from AG (Agriculture), C-2 (Highway Commercial) and R-1B (Residential) to PDP(MH)/Planned Development Project (Mobile Home); West side of Commercial Way (US HWY 19) between its intersection with Lake In The Woods Drive and Brandy Drive

Mrs. Miller introduced the petition. Mr. DePablo utilitized the overhead projector to show the

subject location.

Christopher Hartman, representing the petitioner, under oath, requested a postponement.

#### **Motion**

A motion was made to postpone the petition to a future hearing date, with the applicant incurring all re-advertising fees.

RESULT: ADOPTED

**MOVER:** W. Steven Hickey **SECONDER:** Michael Kierzynski

**AYES:** Hickey, Kierzynski, McDonald, Birren and Holmes

#### H-22-81 - Proud Pelican Construction, Inc.:

Revision of Master Plan on a Property Zoned PDP(GHC)/ Planned Development Project (General Highway Commercial); Northwest corner of the intersection of Cortez Blvd (SR 50), Barclay Avenue 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 applicant, under oath, discussed the request with the Planning and Zoning Commission.

No public comment was offered by the audience.

Comm. Holmes inquired about a fence along the bay door along the reverse frontage road.

Don Lacey AICP, addressed Comm. Holmes concerns.

#### **Motion**

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

RESULT: ADOPTED

MOVER: Michael Kierzynski SECONDER: W. Steven Hickey

**AYES:** Hickey, Kierzynski, McDonald, Birren and Holmes

#### H-22-83 - Maya Motels, Inc.:

Rezoning from C-1 (General Commercial) and C-2 (Highway Commercial) to PDP(MF)/Planned Development Project (Multifamily) with Deviations; North side of Cortez Boulevard (SR 50), approximately 300' west of Deltona Boulevard

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

Wayne Walker,representing the petitioner, under oath, discussed the request with the Planning and Zoning Commission.

Eugene Gavin, under oath, spoke against the petition.

Wayne Walker addressed the concerns raised by Mr. Gavin.

Discussion ensued about affordable housing.

#### Motion

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

RESULT: ADOPTED

MOVER: Michael Kierzynski SECONDER: Kathryn Birren

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

#### COMMISSIONERS AND STAFF ISSUES

Discussion ensued about the presentation of materials.

Discussion of the unified agenda

#### **ADJOURNMENT**

The meeting was adjourned at 2:00 P.M.



#### **AGENDA ITEM**

Meeting: 01/09/2023 Department: Planning Prepared By: ACongdon Initiator: Aaron Pool DOC ID: 11626 Legal Request Number: Bid/Contract Number:

#### TITLE

Election of Planning and Zoning Commission Chairman for 2023

#### **BRIEF OVERVIEW**

**Election of Chairman** 

#### FINANCIAL IMPACT

N/A

#### **LEGAL NOTE**

N/A

#### RECOMMENDATION

It is recommend that the Planning and Zoning Commission Elect a Chairman for 2023.

#### **REVIEW PROCESS**

Michelle Miller Approved 12/28/2022 5:13 PM Alan Congdon Approved 12/30/2022 2:40 PM

RESULT: ADOPTED

MOVER: Michael Kierzynski SECONDER: Kathryn Birren

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes



#### **AGENDA ITEM**

Meeting: 01/09/2023
Department: Planning
Prepared By: ACongdon
Initiator: Aaron Pool
DOC ID: 11627
Legal Request Number:
Bid/Contract Number:

#### TITLE

Election of Planning and Zoning Commission Vice Chairman for 2023

#### **BRIEF OVERVIEW**

Election of Vice Chairman for 2023

#### FINANCIAL IMPACT

N/A

#### **LEGAL NOTE**

N/A

#### RECOMMENDATION

It is recommended that the Planning and Zoning Commission elect a Vice Chairman for 2023.

#### **REVIEW PROCESS**

Michelle Miller Approved 12/28/2022 5:13 PM Alan Congdon Approved 12/30/2022 2:39 PM

RESULT: ADOPTED

MOVER: Michael Kierzynski SECONDER: Kathryn Birren

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes



#### **AGENDA ITEM**

Meeting: 01/09/2023 Department: Planning Prepared By: ACongdon Initiator: Aaron Pool DOC ID: 11588 Legal Request Number: Bid/Contract Number:

#### TITLE

CU-22-11 - Jeff Powell:

Conditional Use Permit for a Temporary Security Residence; Southeast side of Broad Street, approximately 155' north of its intersection with Kollar Street

#### **BRIEF OVERVIEW**

#### Request:

Conditional Use Permit for a Temporary Security Residence

#### **General Location:**

Southeast side of Broad Street, approximately 155' north of its intersection with Kollar Street

#### 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 temporary security residence for a period of up to one (1) year with performance conditions

#### **REVIEW PROCESS**

Michelle Miller	Approved	12/28/2022	5:09 PM
Aaron Pool	Approved	12/30/2022	11:57 AM
Kyle Benda	Approved	12/29/2022	3:36 PM

#### STAFF REPORT

**HEARINGS:** Planning & Zoning Commission: January 09, 2023

**APPLICANT**: Jeff Powell

FILE NUMBER: CU-22-11

**REQUEST**: Conditional Use Permit to for a Temporary Security

Residence

**GENERAL** 

**LOCATION**: Southeast side of Broad Street, approximately 155' north of

its intersection with Kollar Street

**PARCEL KEY** 

**NUMBER:** 197815

#### **APPLICANT'S REQUEST:**

The petitioner has submitted a request for a conditional use permit for a temporary security residence on a 1.3-acre parcel for the construction of a homestead; the petitioner has previously received approval for a 6-month temporary travel trailer permit that has since expired. The proposed security residence is 8' x 25'. The RV will continue to provide security for the site and allow the petitioner to be near the home during its renovation / reconstruction over the next year.

#### SITE CHARACTERISTICS:

Site Size: 1.3 acres

**Surrounding Zoning** 

& Land Uses: North: R-1A (Residential-1A), Single-family home

South: R-1A (Residential-1A), Undeveloped

East: R-1A (Residential-1A), Single-family home West: R-1B (Residential-1B), Single-family home

**Current Zoning:** R-1A (Residential-1A)

**Future Land Use** 

Map Designation: Residential

#### **UTILITIES REVIEW:**

The Hernando County Utilities Department (HCUD) has reviewed the petitioner's request and indicated the following:

 HCUD does not currently supply water or sewer service to this parcel. Water and sewer service are not available to this parcel.

Staff Report: CU-22-11

 HCUD has no objection to the requested Conditional Use Permit to allow a travel trailer to be placed on site while home is being built, subject to Health Department approval of an appropriate Onsite Sewage Treatment and Disposal System.

#### **ENGINEERING REVIEW:**

The Hernando County Engineering Department has reviewed the requested and indicated that the property is located outside the 1% annual chance floodplain.

#### LAND USE REVIEW:

Minimum County setbacks required in the R-1A (Residential-1) district are:

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 has the ability to grant a conditional use permit for a period up to two years if they determine that a hardship exists.

#### 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 determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a temporary security residence for a period of up to one (1) year with the following performance conditions:

Staff Report: CU-22-11

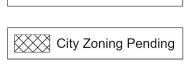
- 1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
- 2. The petitioner shall remove the security residence upon termination of the permit, or when the hardship no longer exists.
- 3. The petitioner must receive Health Department approval of an appropriate Onsite Sewage Treatment and Disposal System. This approval shall be provided to the zoning department as a part of the conditional use permit.
- 4. The conditional use shall expire on January 9, 2024. At this time the applicant may apply for a renewal for an additional two years.

# CU-22-11

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.







R1C

R2

R2.5

\_\_\_\_ R3

RC

RM

R1MH

12

OP

M

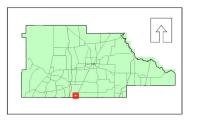
PDP(AF)

PDP(CM)

PDP(CP)

PDP(GC)

PDP(GHC)



# CU-22-11

Photo date: 2020

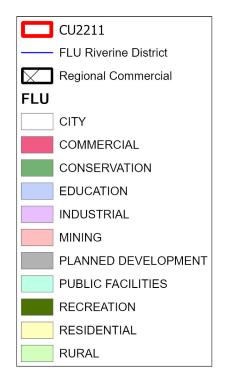
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# **Hernando County Comprehensive Plan Map**

Existing Future Land Use: CU-22-11 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.





# HERNANDO COUNTY CONDITIONAL USE PERMIT <u>OR</u> SPECIAL EXCEPTION USE PERMIT PETITION



Application request (check one):

- ☐ Conditional Use Permit
- ☐ Special Exception Use Permit

#### PRINT OR TYPE ALL INFORMATION

File No. CU-12-11 Official Date Stamp:

Received

OCT 28 2022

Planning Department Hernando County, Florida

20/21/22		
Date: 10/26/22		
APPLICANT NAME: Jeff Powell		
Address: 276 BRoad St.		
City: Masaryktown Phone: 352-346-7023Email: pf1pc0	State: FL	Zip: 34604
Phone: 352-346-7023Email: pf1pc8	a ol, com	
Property owner's name: (if not the applicant)		
REPRESENTATIVE/CONTACT NAME:		
Company Name:		
Address:		
City: Email:	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): 197815		
1. PARCEL(S) KEY NUMBER(S): 197815 2. SECTION 36 TOWNSHIP 3. Current zoning classification: 117815	2-3 RANG	E 18
3. Current zoning classification: A 1 A	, , , , , , ,	
4 Desired use: Sub divi com		
5. Size of area covered by application:		
<ul> <li>5. Size of area covered by application: first Acres</li> <li>6. Highway and street boundaries: US 41, Blood 5†</li> <li>7. Has a public hearing been held on this property within the past two</li> </ul>		
7. Has a public hearing been held on this property within the past tw	elve months? 🗆 Yes 🗹 No	
8 Will expert witness(es) be utilized during the public hearings?		If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and	how much? ☐ Yes ☐ No (7	Гіте needed:)
PROPERTY OWNER AFFIDIVAT		
I, Jeff Powell	, have thoroughly examine	ed the instructions for filing this
application and state and affirm that all information submitted within this	s petition are true and correct to	o 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 O	R	
☐ I am the owner of the property and am authorizing (applicant):		
and (representative, if applicable):		
to submit an application for the described property.	0.010	
	( Id Parall	
	Cer our	
STATE OF FLORIDA	Signature of Property O	wner
CONTROL OF WERNY AND O	V	
The foregoing instrument was acknowledged before me this 24th	day of OCTODEY	. 20 22, by
Jeff Powell who is personally	known to me or produced FL	
,		
$\wedge$		
Proposition to adol		
uxuu I Maa	ALAINA KIDD	
Signature of Notary Public	Notary Public - State	of Florida
	Commission # HH 3	g 31, 2026 🔽
Effective Date: 11/8/16 Last Revision: 11/8/16	Bonded through National No	otary Assn. Notary Seal/Stamp

21



# 1438972



SIGNATURE:

STATE OF FLORIDA
DEPARTMENT OF HEALTHRECEIVED
ONSITE SEWAGE TREATMENT AND DISPOSAL
SYSTEM

PERMIT NO.	2487093
DATE PAID:	1132
FEE PAID:	35,00
RECEIPT #:	m2000-
	1850

SYSTEM APPLICATION	FOR CONS	TRUCTION	PERMIT	RECE	1PT #: 4830097
APPLICATION FOR: [ ] New System [ ] [ ] Repair [ ]	Existing Sy Abandonment	stem (	] Holding	Tank [	] Innovative
APPLICANT: Jeff Bu	vell	- The second		······································	
AGENT: Same				_ TELEPHO	DNE: 352-346702
MAILING ADDRESS: PO Bo	y 358 om	7 S	oring H	II FI	- 34611
TO BE COMPLETED BY APPLICAN BY A PERSON LICENSED PURSUA APPLICANT'S RESPONSIBILITY PLATTED (MM/DD/YY) IF REQUE	NT TO 489.1( TO PROVIDE 1	05 (3) (m) or occumentati	489.552, Fla	ORIDA STAT	UTES. IT IS THE
PROPERTY INFORMATION					
LOT: 34+5 BLOCK: 14	SUBDIVISION	s: Ma	sary K1	OWA	PLATTED:
PROPERTY ID #: <u>R36 223</u>	18 2690	0140 20NIE	O IG: RHA	I/M or equ	IVALENT: [Y/N]
PROPERTY SIZE: <u>/ 03</u> ACRES	Water Supp	li: [ ] Pi	rivate pobli	C [ ]<=2(	000GPD [ ]>2000GPD
is sewer available as per 30	1.0065, FS?	[ X \ M ]	1	DISTANCE T	o sewer: 85 et
PROPERTY ADDRESS: 27	5 BROOM	15t, BR	ooksvill	e FL	34604
Right 3/4 on L	Sout To				
BUILDING INFORMATION	[ ] resii	DENTIAL	[ ] COM	vercial	name and integrating the state of the state
Unit Type of No Establishment	No. of Bedrooms	Building Area Sqft	Commercial/ Table 1, Ch	Institutio apter 64E-	nal System Design 6, FAC
1 TROVEL TRAILER		200Sf	coccuration		
3	**************************************				The state of the s
	Commission of the Commission o		: :		·

DH 4015, 08/09 Obsoletes previous editions which may not be usedeived Incorporated 642-6.001, FAC

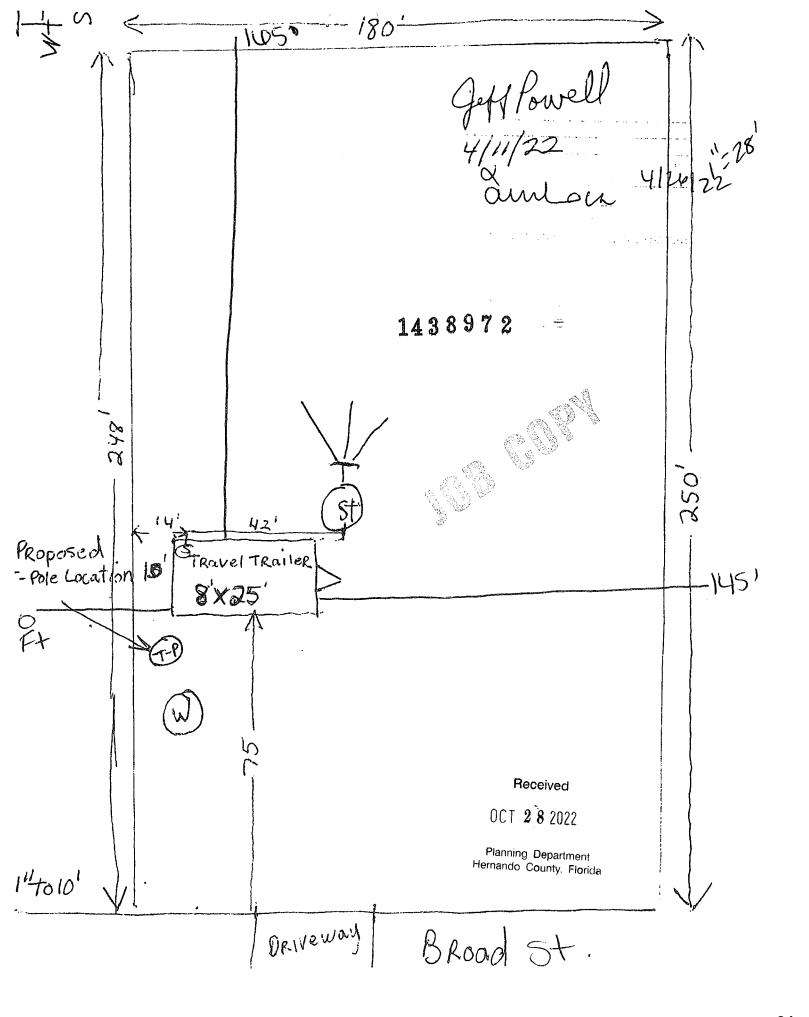
OCT 28 2022

## HERNANDO COUNTY ZONING PERMIT APPLICATION

789 Providence Boulevard, Brooksville, FL 34601-2893 Phone: (352)754-4048 ext. 29105 FAX: (352)754-4416

Permit Application No Date
Property Zoning 61A (office use only) Key No. 00197-815
Commercial: Residential:
Address 276 Block 14 Subdivision Masary Ktown Unit Unit
Property/Business Owner: Teff Powell Po Box 3587  Address: City: Spring Hill State: FL ZIP 34611
Contractor: Phone:
Contractor's License No.  **Primary contact email address:   ##Primary contact email a
Shed (up to 120 square feet) Size:  Recreational Vehicle, specify: resident permit visitor permit
*Electric issued in conjunction with this use will be disconnected upon termination of this permit.  Site Clear – specify below if limited clear for tortoise removal, ground testing, early clearing, etc.  Type:
Temp. Commercial Use/Tent – specify below if fireworks, sparklers, retail sales, or special event Type:
Tent size: Date Use/Tent will be on Site: until
Tent Contractor: Phone:
License # (State Cert. or Hernando Co # only):
In addition to this zoning permit, there may be additional permits and restrictions applicable. Any additional permits required such as electrical, plumbing etc. may be obtained through the Building Division permitting sections, and other governmental entities such as water management districts, state agencies, or federal agencies.
APPLICANT'S AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will comply with the applicable laws regulating construction and zoning.
Owner/Contractor Signature
State of GORIDA County of HERNANDO  The foregoing instrument was acknowledged before me this J8th day of APRIL , 20 22  By JEFFEN ALAN POWEL , who is ( ) personally known to me or who ( ) has produced as identification.
Notary Public  Notary

Planning Department Hernando County, Flor 23





#### **AGENDA ITEM**

Meeting: 01/09/2023 Department: Planning Prepared By: ACongdon Initiator: Aaron Pool DOC ID: 11589 Legal Request Number: Bid/Contract Number:

#### TITLE

CU-22-12 - Lowonder Jernigan:

Conditional Use Permit for a Second Residence; South side of Snow Hill Road, approximately 1,986' west of Brice Drive

#### **BRIEF OVERVIEW**

#### Request:

Conditional Use Permit for a Second Residence

#### **General Location:**

South side of Snow Hill Road, approximately 1,986' west of Brice Drive

#### 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.

Article V, Section 4(A)(2) permits the following, with planning and zoning commission approval: Temporary second principal building on one lot of record in cases of extreme personal hardship. Article V, Section 4(G)(3) provides: "No conditional use permit shall be issued for a period to exceed two (2) years unless otherwise specified in this ordinance. However, conditional use permits may be renewed or extended upon reapplication."

#### 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 second residence for a period of up to two (2) years with performance conditions

#### **REVIEW PROCESS**

Michelle Miller	Approved	12/28/2022 5:10 PM
Aaron Pool	Approved	12/30/2022 11:50 AM
Kyle Benda	Approved	12/29/2022 3:37 PM

#### STAFF REPORT

**HEARINGS:** Planning & Zoning Commission: January 9, 2023

**APPLICANT**: Lowonder Jernigan

FILE NUMBER: CU-22-12

**REQUEST**: Conditional Use Permit for a Second Residence

**GENERAL** 

**LOCATION**: South side of Snow Hill Road, approximately 1,986' west of

**Brice Drive** 

**PARCEL KEY** 

**NUMBER:** 946276

#### **APPLICANT'S REQUEST:**

The applicant is requesting approval to place a second residence on the subject property due to a medical hardship. The petitioner has provided a physician's letter indicating the need of being near family to receive the necessary care; the letter is part of the public record file.

#### SITE CHARACTERISTICS:

Site Size: 1.0 acres

**Surrounding Zoning** 

**& Land Uses:** North: AG (Agricultural)

South: AG (Agricultural) East: AG (Agricultural) West: AG (Agricultural)

**Current Zoning:** AG (Agricultural)

**Future Land Use** 

Map Designation: Rural

#### **UTILITIES REVIEW:**

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

#### **ENGINEERING REVIEW:**

The site is located on the south side of Snow Hill Road, approximately 1,986' west of Brice Drive. The petitioner has not indicated any additional driveways at this time. The Engineering Department has reviewed the request and indicated the following:

Staff Report: CU-22-12

 Driveway must be improved to current County standards. Obtain Right of Way Use permit to install driveway apron for connection to paved County maintained roadway.

#### LAND USE REVIEW:

Minimum Building Setbacks Required in the AG (Agricultural) District:

Front: 75'Side: 35'Rear: 50'

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 has the ability to grant a conditional use permit for a period up to two years if they determine that a hardship exists.

#### 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 determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a second residence for a period of up to two (2) years 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,

- Staff Report: CU-22-12
- for either construction or use of the property, and complete all applicable development review processes.
- 2. The petitioner shall remove the second residence upon termination of the permit, or when the hardship no longer exists.
- 3. The conditional use shall expire on January 9, 2025. At this time the applicant may apply for a renewal for an additional two years.

#### **P&Z ACTION:**

On October 31, 2022, the Planning and Zoning Commission voted 4-0 to approve the petitioner's request for a Conditional Use Permit for a Second Residence for a period of two (2) years with the following unmodified performance conditions:

Staff Report: CU-22-12

- 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 remove the second residence upon termination of the permit, or when the hardship no longer exists.
- 3. The conditional use shall expire on October 31, 2024. At this time the applicant may apply for a renewal for an additional two years.
- 4. The driveway for the property shall be **Error! Reference source not found.**To accomplish this, the petitioner shall Driveway must be improved to current County standards. Obtain Right of Way Use permit to install driveway apron for connection to paved County maintained roadway.

5.

# CU-22-12

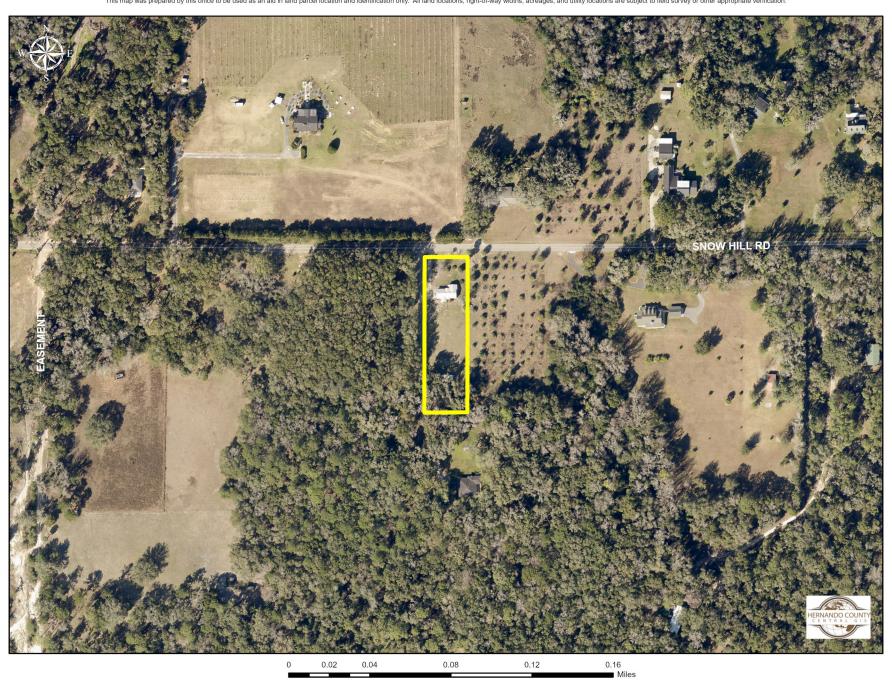
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification. AG AG CENTRAL GIS AG AG AG AG AG PDP(HC) Zoning: AG PDP(HHC) AC PDP(HID) AG PDP(IND) AR. PDP(LI) AR1 PDP(MF) AR2 PDP(MH) C1 PDP(NC) C2 SNOW HILL RD PDP(OP) C3 PDP(PSF) Subject Parcel C4 PDP(REC) PDP(RR) CM1 PDP(RUR) CM2 AG PDP(SF) AG CPDP PDP(SU) R1A R1B AG AG 12 R1C AG R1MH OP. R2 PDP(AF) R2.5 PDP(CM) R3 AG PDP(CP) AG RC PDP(GC) PDP(GHC) RM City Zoning Pending AG AG AG

Hernando County Planning Department 0 0.02 0.04 0.08 0.12 0.16 S:\Share\P&Z\PZCases2023\January.30:\3\
Project date: 11/22/2022 Miles CU2212M.pdf

# CU-22-12

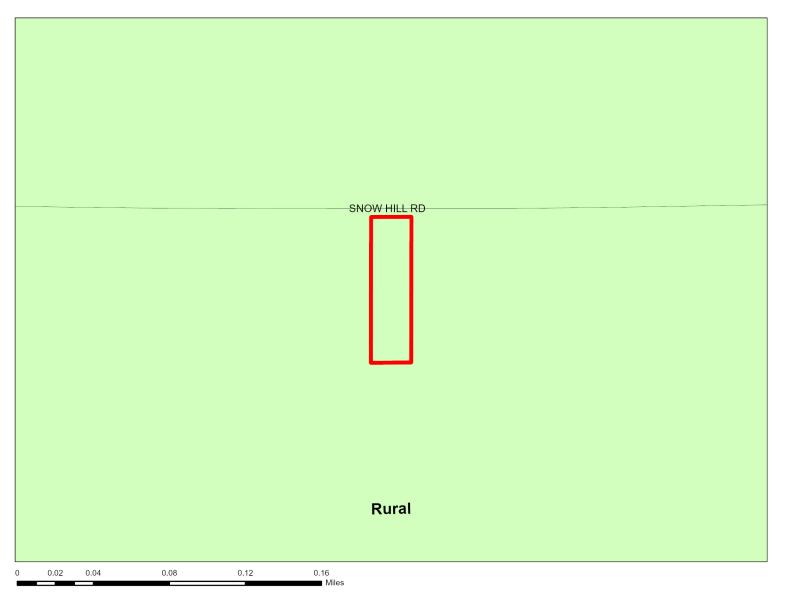
Photo date: 2020

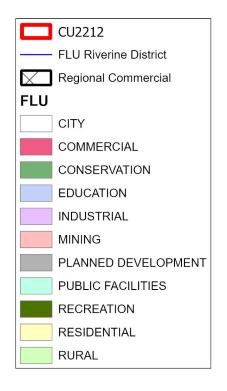
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# **Hernando County Comprehensive Plan Map**

Existing Future Land Use: CU-22-12 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.





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



Application request (check one):

**☑** Conditional Use Permit

Special Exception Use Permit

#### PRINT OR TYPE ALL INFORMATION

File No. Cu - 27/Afficial Date Stamp:

#### Received

NOV

Planning Department Hernando County. Florida

Date: 09/08/2022	the same of the sa	
APPLICANT NAME: Lowonder Jernigan		
Address: 22014 Snow Hill Rd.		
City: Brooksville	State: FL	Zip: <u>34601</u>
Phone: (352)544-8719 Email: ydianna1@tampabay.rr.cc		
Property owner's name: (if not the applicant)		
REPRESENTATIVE/CONTACT NAME: Lowonder Jernigan		
Company Name:		
Address:		
City:	State:	Zip:
City:Email:		
HOME OWNERS ASSOCIATION: ☐ Yes ☑ No (if applicable provide name		
	)	
Contact Name: City	Cto	te:Zip:
Address:City	: Sta	teZip
PROPERTY INFORMATION:		
1. PARCEL(S) <u>KEY</u> NUMBER(S): <u>946276</u>		
2. SECTION 19 , TOWNSHIP 421	, RANGE <u>23</u>	
3. Current zoning classification: AG		
4. Desired use: Medical conditional use		
5. Size of area covered by application: 1 acre		
6. Highway and street boundaries: Snow Hill Rd.		
7. Has a public hearing been held on this property within the past twelve		
8 Will expert witness(es) be utilized during the public hearings?		, 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		
· Lowender Jernigen	have the words by examined the	instructions for filing this
I, Lowonder Jernigan application and state and affirm that all information submitted within this pet	ition are true and correct to the	best of my knowledge and
belief and are a matter of public record, and that (check one):	ation are true and correct to the	best of my knowledge and
✓ I am the owner of the property and am making this application <b>OR</b>		
☐ I am the owner of the property and am authorizing (applicant):		
and (representative, if applicable):		
to submit an application for the described property.	^	
And a	1 0 · ×	
	Signature of Property Owner	4
STATE OF FLORIDA	Signature of Property Owner	
CONNEW OF HERMAND	211	
The foregoing instrument was acknowledged before me this 20 th day of the foregoing instrument was acknowledged before me this 20 th day of the foregoing instrument was acknowledged before me this 20 th day of the foregoing instrument was acknowledged before me this 20 th day of the foregoing instrument was acknowledged before me this 20 th day of the foregoing instrument was acknowledged before me this 20 th day of the foregoing instrument was acknowledged before me this 20 th day of the foregoing instrument was acknowledged before me this 20 th day of the foregoing instrument was acknowledged before me this 20 th day of the foregoing instrument was acknowledged before me this 20 th day of the foregoing instrument was acknowledged before me this 20 th day of the foregoing instrument was acknowledged before me this 20 th day of the foregoing instrument was acknowledged before me this 20 th day of the foregoing instrument was acknowledged before me this 20 th day of the foregoing instrument was acknowledged before me this 20 th day of the foregoing instrument was acknowledged before me this 20 th day of the foregoing instrument was acknowledged before me this 20 th day of the foregoing instrument was acknowledged before me this 20 th day of the foregoing instrument was acknowledged before me the foregoing instrument was acknowledged before me the foregoing instrument was acknowledged before me the foregoing in the foregoing instrument was acknowledged before me this 20 th day of the foregoing instrument was acknowledged before me the foregoing in the foregoing instrument was acknowledged before me this 20 th day of the foregoing instrument was acknowledged before me the foregoing in the foregoin	of Vetober	, 20 <u>22</u> , by
Lowender Jernigan who is personally kno	wn to me or produced	as identification.
<del></del>	A STATE OF THE STA	
ANY PUL	HOLLY C. ROJERO	
Atalla (Revisa	Commission # HH 177075	
Signature of Notary Dublic	Expires January 11, 2026	
Signature of Notary Public	Bonded Thru Budget Notary Services	

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

Received

October 20, 2022

NOV 2 2022

Planning Department Hernando County, Florida

Hernando County Planning Department Attn: Mr. Omar Depablo

Re: Lowonder Jernigan, Parcel #946276, Special Use Permit Petition

I am requesting a special permit to allow my daughter, Dianna Rusk Yoder, to place a single family residence (mobile or modular home) on my property due to my health and need to have her assist me with my activities of daily living.

My doctor has attested, by letter, that I have multiple health issues and it would be in my best interest.

Thank you for your consideration and if you need anything further, please do not hesitate to contact myself of my daughter for any additional information. She can be contacted at (352) 544-8719 or by email at <a href="mailto:ydiama

Lowonder Jernigan V 22014 Snow Hill Rd.

Brooksville, FL 34601



## Received

NOV 2 2022

Planning Department Hernando County. Florida

# HERALINGO COUNTY ALKINGO

#### **Planning & Zoning Commission**

#### **AGENDA ITEM**

Meeting: 01/09/2023 Department: Planning Prepared By: ACongdon Initiator: Aaron Pool DOC ID: 11594 Legal Request Number: Bid/Contract Number

#### TITLE

H-22-71 - Sobel Fund VII, LLC:

Master Plan Revision on Property Zoned CPDP/Combined Planned Development Project with General Commercial, Office Professional, and Multifamily uses to add Specific C-2 Uses and Deviations; Southwest corner of Lake in the Woods Drive and Commercial Way (US Hwy 19)

#### **BRIEF OVERVIEW**

#### Request:

Master Plan Revision on Property Zoned CPDP/Combined Planned Development Project with General Commercial, Office Professional, and Multifamily uses to add Specific C-2 Uses and Deviations

#### **General Location:**

Southwest corner of Lake in the Woods Drive and Commercial Way (US Hwy 19)

#### **Hearing Detail:**

This petition was postponed from the December 12, 2022, 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 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 Establishing a Master Plan Revision on Property Zoned CPDP/Combined Planned Development Project with General Commercial, Office Professional, and Multifamily uses to add Specific C-2 Uses and Deviations, and performance conditions

#### **REVIEW PROCESS**

Michelle Miller	Approved	12/28/2022	5:11 PM
Aaron Pool	Approved	12/30/2022 1	1:50 AM
Kyle Benda	Approved	12/29/2022	3:37 PM

RESULT: ADOPTED

**MOVER:** W. Steven Hickey

**SECONDER:** Nicholas Holmes

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

#### REVISED STAFF RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution Establishing a Master Plan Revision on Property Zoned CPDP/Combined Planned Development Project with General Commercial, Office Professional, and Multifamily uses to add Specific C-2 Uses and 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.
- 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. C-2 uses shall be limited to the following:
  - Mini Warehouse
  - Drive-In Restaurants
  - Tire and Automotive Accessory Establishment
  - Automobile Service Establishments
- 5. The wetland line shall be delineated on all plats and plans (Strategy 10.03B(1)).
- 6. The alteration of Class II wetlands is discouraged. If feasible alternatives are not viable, alteration should be limited to 25% of the wetland area and be designed in a manner that maintains the cross-sectional volume and primary hydrologic flow of the wetland (Strategy 10.03B(4)).
- 7. A vegetated buffer averaging a minimum of 25' feet in width and no narrower than 15' 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. (Strategy 10.03B(8)).
- 8. The landscape plan shall be designed to provide clear sight windows and sight triangles at all points of external access and to the internal roadways.
- 9. An assessment of the Special Protection Areas (SPAs) is required to determine if they are vulnerable features with the potential to discharge

directly to the groundwater or expose the aquifer. Provide field analysis and geotechnical assessment to determine if the SPAs require abandonment under the Groundwater Protection Ordinance prior to development. Specific prohibited uses apply to the 500' buffers around SPAs. Abandoned SPAs shall be updated in the Central GIS feature class.

- 10. A Cultural resource assessment survey shall be performed by a qualified professional and submitted to the County prior to development. In the event that archaeological artifacts are discovered during construction, the Developer shall stop construction in that area and immediately notify the Compliance Section of the Division of Historical Resources of the Florida Department of State.
- 11. The petitioner shall conduct a geotechnical/geophysical assessment in drainage retention areas associated with multifamily development if required by Hernando County Facility Design Guidelines.
- 12. Minimum Commercial Building Setbacks:

US Hwy 19: 75' (Deviation from 125')

Frontage Road: 35'

Lake in the Woods Drive: 75' (West of Rachel); 35' (East of Rachel)

West Property Line: 20'

Minimum Commercial Internal Setbacks:

Internal Setback: 20'

- 13. 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.
- 14. The Multi-Family development shall provide two means of access. One of the access points shall be a boulevard entrance.
- 15. The development shall be limit to a total of 500 units.
- 16. The petitioner shall be required to provide a water and sewer capacity analysis and connect to the central water and sewer systems at time of vertical construction.
- 17. The project shall meet the minimum sign standards as required by the County LDRs. The predominant sign material shall be similar to the material

(e.g., brick, stone, etc.) of the commercial buildings developed on the subject property. All on-site advertising signs, including outparcels and the subdivision entrance signs, shall be designed as part of a complete signage system, and shall be limited to ground mounted monument type signs. Ground mounted monument type signs are signs where the bottom edge of the sign is no greater than ten (10) feet above grade and which otherwise meets all sign requirements in the Hernando County Code of Ordinances.

- 18. The development shall meet the minimum LDR design standards for large retail development in Article III, Appendix A (Zoning).
- 19. The petitioner shall be required to provide interconnectivity and cross-connection between outparcels.
- A Frontage Road is required for the entire frontage of Commercial Way/US
   Hwy 19. The Frontage Road shall connect into the Frontage Road south of
   this project.
- 21. A Traffic Access Analysis is required. Refer to Hernando County Facility Design Guidelines Sheet IV-18. Any improvements identified by the Traffic Access Analysis shall be the responsibility of the developer.
- 22. In the event the Traffic Access Analysis triggers a traffic signal, the developer shall be responsible for the installation of the signal.
- 23. The Parking and Layout shall meet Hernando County Standards.
- 24. Only two driveways are allowed on Commercial Way or Lake in The Woods Drive, an Administrative Design Variance will be required to be submitted for approval.
- 25. Parcels along Commercial Way/ US Hwy 19 will require FDOT Access and Drainage permits.
- 21. All lighting for the multifamily shall be full cut off fixtures in order to prevent any light spillage into neighboring parcels.
- 22. Due to the scale of the proposed development, the developer shall coordinate the installation of a transit stop and/or facility for the proposed project with the Hernando County Transit Division.
- 23. The commercial Tree Preservation Density and 5% Natural Tree Preservation Areas shall be permitted for relocation into the Multifamily and Townhome portions of the project. The multifamily and townhomes shall be required to meet the minimum prospective requirements and the relocated 5% Natural Tree Preservation Areas shall be dedicated preservation tracts.

- 24. A thirty-five (35) foot wide buffer screened at 80% opacity at a height of six (6) feet above finished grade shall run along each rear and/or side property line which abuts any residential or agricultural zoned property. This buffer may be split between the commercial and residential portions of the site, internal to the development, as long as the total buffer width meets or exceeds the 35′ requirements.
- 25. The development shall be allowed the following signs as part of an overall comprehensive sign plan (submitted at commercial site plan review):
  - One sign per every two outparcels;
  - 2 monument signs for the apartment complex
  - 1 future development monument sign
  - 1 single directional monument sign along Lake in the Woods
  - 1 single directional monument sign along US Highway 19
- 26. The petitioner shall provide a master plan in compliance with all of 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 December 13, 2022, the Board of County Commissioners voted 5-0 to postpone the petitioner's request to Establish a Master Plan Revision on Property Zoned CPDP/Combined Planned Development Project with General Commercial, Office Professional, and Multifamily uses to add Specific C-2 Uses and Deviations to the January 10, 2023, meeting.

#### **P&Z ACTION:**

On November 14, 2022, the Planning and Zoning Commission voted 4-0 to postpone the petitioner's request to Establish a Master Plan Revision on Property Zoned CPDP/Combined Planned Development Project with General Commercial, Office Professional, and Multifamily uses to add Specific C-2 Uses and Deviations to the December 12, 2022, hearing date, at 9:00 AM, due to the applicant not fulfilling all advertising requirements for the application. The applicant will be responsible for the cost of re-advertising.

#### **P&Z ACTION:**

On December 12, 2022, the Planning and Zoning Commission voted 4-0 to postpone the petitioner's request to Establish a Master Plan Revision on Property Zoned CPDP/Combined Planned Development Project with General Commercial, Office Professional, and Multifamily uses to add Specific C-2 Uses and Deviations to the January 9, 2023, hearing date, at 9:00 AM. The applicant will be responsible for all sign re-posting fees.

#### STAFF REPORT

**HEARINGS:** Planning & Zoning Commission: November 14, 2022

Board of County Commissioners: December 13, 2022 Planning & Zoning Commission: December 12, 2022 Board of County Commissioners: January 10, 2022

APPLICANT: Sobel Fund VII, LLC

FILE NUMBER: H-22-71

**REQUEST:** Master Plan Revision on Property Zoned CPDP/Combined Planned

Development Project with General Commercial, Office Professional,

and Multifamily uses to add Specific C-2 Uses and Deviations

**GENERAL** 

**LOCATION:** Southwest corner of Lake in the Woods Drive and Commercial Way

(US Hwy 19)

**PARCEL KEY** 

**NUMBERS**: 376042

#### APPLICANT'S REQUEST

On March 10, 2009, the Board of County Commissioners approved a rezoning on the subject site from AG/(Agricultural) and R-1B/(Residential) to CPDP/Combined Planned Development Project to include General Commercial with limited C-2 uses, Multifamily, Office Professional with limited C-1 uses, and a Congregate Care Facility. The request also included several setback deviations. At the time the petitioner proposed a large retail development of 394,000 square feet of mixed commercial uses and 225 units of multifamily. Since approved, no development has occurred on the property and the master plan has expired.

The petitioners current request is to revise the previously approved master plan on the subject 72.5 acre site. The proposed revision includes increase to the multifamily units and the overall commercial square footage. The proposed development is as follows:

- Retail Plaza with 14 out-parcels: maximum 450,000 Sq. Ft.
- Four Story Hotel: 150 room, located on the north portion of the site west of Walgreens and adjacent to existing commercial.
  - Climate Controlled Self-Storage Facility: 120,000 Sq. Ft.; located on the south portion of the site

- Multifamily: 500 units; located on the north end of development
- Specific C-2 Uses: Mini Warehouse, Drive-In Restaurants and Tire and Automotive Accessory Establishment
- Commercial Way Deviation: From 125' to 75' to accommodate reverse frontage road.

#### SITE CHARACTERISTICS

Site Size: 72.5 Acres

**Surrounding Zoning** 

Land Uses: North: PDP(SF), (GC); Single Family, Medical,

Publix/Target Plaza

South: PDP(GC); Self Storage, Office/Warehouse

East: PDP(GC); Misc. Commercial Uses

West: AG; Conservation

Current Zoning: CPDP/Combined Planned Development Project with

General Commercial, Office Professional, and

Multifamily

**Future Land Use** 

Map Designation: Residential

**Flood Zone:** X; with small portions of AE

#### **ENVIRONMENTAL REVIEW**

**Soil Type:** Candler Fine Sand and Mayakka Fine Sand.

**Comments:** Candler Fine Sand provides habitat suitable for gopher

tortoises (a listed species) and commensal species. A comprehensive faunal (wildlife) survey shall be prepared by a qualified professional prior to the construction plans stage of development. The petitioner is required to comply with all

applicable FWC regulations and permitting.

#### **Protection**

**Features:** There are two Special Protection Areas (labeled picks) on this parcel next to Commercial Way. The rear of the property is within a Karst sensitive area. The site does not contain Wellhead Protection Areas (WHPAs).

#### Comments:

An assessment of the Special Protection Areas (SPAs) is required to determine if they are vulnerable features with the potential to discharge directly to the groundwater or expose the aquifer. Provide field analysis and geotechnical assessment to determine if the SPAs require abandonment under the Groundwater Protection Ordinance prior to development. Prohibited uses within the 500' buffers around SPAs include but are not limited to major and minor automotive and tire repair, maintenance and commercial car washes, new underground storage tanks, oil change stations, and marine repair shops/paint shops. The petitioner shall provide updated GIS shape files to the County that reflect any abandoned SPAs to update the County Central GIS system.

#### Hydrologic

**Features:** There is a Class II Wetland on the northwest corner of the property.

#### Comments:

Wetlands shall be delineated on all plats and plans (Strategy 10.03B(1)).

The alteration of Class II wetlands is discouraged. If feasible alternatives are not viable, alteration should be limited to 25% of the wetland area and be designed in a manner that maintains the cross-sectional volume and primary hydrologic flow of the wetland (Strategy 10.03B(4)).

A vegetated buffer averaging a minimum of 25' in width (and no part of the buffer being less than 15' wide) shall be maintained by development adjacent to Class II wetlands. No development is allowed in the wetlands buffer except for walkways or boardwalks used for access or recreation. (Strategy 10.03B(8)).

Habitat:

Sandhill, Cypress and Mesic Flatwoods.

#### Water Quality:

The proposed project is located within the Weeki Wachee Basin Action Management Plan (BMAP), the Weeki Wachee Priority Focus Area (PFA), and the Weeki Wachee Outstanding Florida Springshed (OFS) identified by FDEP as contributing nutrients to the Weeki Wachee Riverine System.

#### Comments:

The petitioner shall meet the minimum requirements of the Florida Yards & Neighborhoods (FYN) Program. Landscape plans must comply with the Florida-Friendly Landscaping™ principles and design techniques for all required landscaping.

A wildlife survey shall be prepared by a qualified professional to identify listed species present prior to any development activities. The petitioner is required to comply with all applicable FWC regulations.

#### **UTILITIES REVIEW**

The Hernando County Utilities Department does not currently supply water or sewer service to this parcel. There is an existing 16-inch water main that runs along the west side of Commercial Way. There is an existing 15-inch sewer gravity main that also runs along the west side of Commercial Way. HCUD has no objection to the request subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction.

#### **ENGINEERING REVIEW**

The subject site is located at the southwest corner of Lake in the Woods Drive and Commercial Way (US Hwy 19). The proposed reverse frontage road and access drives from US Hwy 19 will provide access to the commercial and residential areas within the project. Direct access to US Hwy 19 will be available at three locations, including one full median intersection (southernmost entrance) which will be extended to the reverse frontage road and will be emphasized as the projects primary point of access. This intersection can also function as an "alternative" route for existing traffic on The Lake in the Woods Drive (via reverse frontage road). One access point is proposed to Lake in the wood Drive which will align with Rachel Boulevard.

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

- Development on the site must conform to the stormwater design requirements of Hernando County Facility Design Guideline and Southwest Florida Water Management District Environmental Resource Permit process.
- A Frontage Road is required for the entire frontage of Commercial Way/US
  Hwy 19. The Frontage Road shall connect into the Frontage Road south of
  this project.
- Concerns are noted with the southernmost access with property to the south.
- A Traffic Access Analysis is required. Refer to Hernando County Facility Design Guidelines Sheet IV-18.

- Any improvements identified by the Traffic Access Analysis shall be the responsibility of the developer to install.
- If the Traffic Access Analysis triggers a traffic signal, the developer shall be responsible for the installation of the signal.
- The Parking and Layout shall meet Hernando County Standards.
- Only two driveways are allowed on Commercial Way or Lake in The Woods Drive, conceptually no concerns, an Administrative Design Variance will be required to be submitted for approval.
- Parcels along Commercial Way/ US Hwy 19 will require FDOT Access and Drainage permits.
- This property contains four floodplains in the front (US Hwy 19) half of the site
  and one larger area at the west end of the site. Development within the
  floodplain requires specific permitting and mitigation to preserve floodplain
  volume. Certifications of "no net rise" will be required for floodplains that
  extend off site.

#### LAND USE REVIEW

#### Setbacks

Proposed Perimeter Setbacks:

• US Hwy 19: 75' (Deviation from 125')

• Frontage Road: 35'

• Lake in the Woods Drive: 75' (West of Rachel); 35'(East of Rachel)

West Property Line: 20'

**Comments:** Internal setbacks for the outparcels have not been provided.

#### **Large Retail Development Standards**

Commercial development with any single building, or single site development with multiple buildings with the same use and owned and managed by the same entity, greater than 65,000 square feet of gross floor area is considered a large retail development and as such must comply with the standards provided for in the LDRs. The standards include, but are not limited to, architectural style, parking design, internal pedestrian circulation, and buffering. The master plan approval is a conceptual review. All applicable LDRs relating to large retail development must be met at the time of permit review.

The petitioner is proposing a Large Retail Development of approximately 570,000 square feet of commercial square footage. The County's LDRs provide that

development greater than 65,000 square feet in size require approval as a Planned Development Project. Because of the intensity of development, the County may require additional conditions to ensure appropriateness at a particular location. The following items are those the County must address under the Large Retail Development requirements:

- (1) Mechanical/operational equipment including HVAC located at ground level shall be set back at least one hundred (100) feet from any property line external to the development site and shall be visually shielded through enhanced screening or shall be located on the roof and shall be visually shielded with a parapet wall. All mechanical/operational equipment shall be sound attenuated as necessary to comply with the county's noise ordinance.
- (2) Hours of operation shall be provided, and may be limited by the governing body, as necessary, to ensure compatibility with surrounding land uses. For facilities that propose to operate 24 hours a day, manned parking lot security may be required by the county between the hours of 10:00 PM and Sunrise.
- (3) Where the proposed commercial development consists of multiple buildings (excluding out parcels), then loading areas and loading docks should be situated between said buildings in a manner which allows the buildings to act as screens. All loading areas/docks shall be set back at least one hundred (100) feet from any property line external to the development site and shall be screened at 100% opacity through the use of landscape plantings, berms, fences or walls. The County may require the use of absorptive noise barrier walls for commercial noise reduction.
- (4) All outdoor lighting shall meet the specific use regulations for commercial lighting under Article III.
- (5) All on site advertising signs, including out parcels, shall be designed as part of a complete signage system. and shall be limited to mound mounted monument type signs. Ground mounted monument type signs are signs where the bottom edge of the sign is no greater than ten (10) feet above grade and which otherwise meets all sign requirements in this code.

#### Comments:

The predominant sign material shall be similar to the material (e.g., brick, stone, etc.) of the buildings developed on the subject property.

The petitioner has requested the following signs for the development:

- One sign per every outparcel;
- 2 monument signs for the apartment complex
- 1 future development monument sign
- 1 single directional monument sign along Lake in the Woods
- 1 single directional monument sign along US Highway
   19

If the master plan is approved, it should be limited to one sign per every two outparcels to avoid creating visual clutter along US Highway 19.

- (6) The master plan shall meet the following increased setbacks and buffering requirements:
  - (a) <u>Setbacks</u> Where any side or rear lot line adjoins (excluding roads) a residential- or agricultural-zoned property or an existing residential use, then no building shall be located within one hundred (100) feet of said lot line.
  - (b) Buffering A thirty-five (35) foot wide buffer screened at 80% opacity at a height of six (6) feet above finished made shall run along each rear and/or side property line which abuts any residential or agricultural zoned property. This buffer shall be screened through the use of landscape planting and landscape berms and may be augmented through the use of fences or walls, existing natural vegetation, and/or a combination thereof. The County may require the use of absorptive noise barrier walls for commercial noise reduction.
- (7) The site design shall provide that pedestrian circulation is coordinated on-site and between adjacent properties providing for pedestrian circulation between complementary uses.
- (8) All internal walkways shall comply with Florida Accessibility Code design standards. Additionally, all internal pedestrian

walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, scored concrete or stamped asphalt to the extent not inconsistent with said standards.

(9) Transit facilities, including but limited to bus stops, pull out lanes, transit related signage, shelters and bicycle racks for transit users, shall be provided as determined by the County to accommodate transit service.

The County Design Standards for large retail projects provide guidelines for creating safer, efficient, pedestrian-friendly projects with human scale orientation, while discouraging large, nondescript buildings and "unfriendly" pedestrian design, limited landscaping, and vast non-shaded parking lots. The petitioner will be required to submit detailed elevation plans and/or renderings at the time of permitting illustrating the proposed facade and site design in order to assure the proposed structure is architecturally appealing and meets County design requirements.

#### Signage Standards

The petitioner has not indicated the sizes or heights of the projects proposed signs. County LDRs require that any commercially zoned parcel(s) with less than one hundred (100) linear feet of road frontage will be allowed one (1) sign not to exceed one hundred (100) square feet in sign area. Commercially zoned parcels with a road frontage in excess of one hundred (100) linear feet will be allowed one (1) square foot of sign area per linear foot of road frontage with a maximum of two hundred (200) square feet of sign area. For commercially zoned parcels on all other roads and for parcels within any zoning district other than commercial or residential – Maximum fifty (50) square feet of sign area.

Shopping centers, malls, strip plazas and other buildings housing more than one (1) business or activity may display no more than one (1) sign for each two hundred (200) feet of frontage, provided they are at least two hundred (200) feet apart along public streets and provided each sign does not exceed the maximum allowed according to subsection (1) herein. The petitioner must meet the minimum sign standards as required by the County LDRs.

Minimum County Required Sign Setbacks (based on total sign surface area):

Up to 75 Sq Ft in area:
75 Sq Ft and up to 150 Sq Ft in area:
150 Sq Ft or greater:
5' from property line
10' from property line
20' from property line

#### **Commercial Buffering**

The petitioner must provide a 20' landscape buffer with 80% opacity along Lake in the Woods Drive and provide the minimum buffer requirements for the reminder of the project as required by the Large Retail Development and Commercial Design standards.

#### Multifamily

The master plan submitted is conceptual in nature. The final design and development of the site will have to comply with the County's LDRs relating to multifamily development. The standards address the provision of minimum open space, internal setbacks, separation between buildings, building design, pedestrian connections, sidewalks, parking, etc.

#### Setback

Proposed Building Setbacks:

Access Drive: 20'
Lake in the Woods Drive: 75'
North Property Line 20'
West Property Line: 20'

#### Comments:

To provide a transition from the multifamily to the Lake in the Woods subdivision, the multifamily development shall be designed to avoid multistory structures immediately adjacent to the Lake in the Woods Subdivision and Lake in the Woods Boulevard.

#### **Buffer**

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

#### Comments:

The petitioner has not indicated any proposed buffers for the multifamily portion of the development. If approved, a 20' buffer at 80% opacity shall be provided for the extent of key #1699969 along the Lake in the Woods property line and continuing east until it merges with the commercial buffers along Lake in the Woods Boulevard. Natural vegetation shall be utilized and supplemented as necessary to meet the required opacity.

#### **Open Space**

The LDRs have design standards required for PDP(MF)/Planned Development Project (Multifamily). The design standards require a minimum 15% of the gross area be provided as open space. If approved, the petitioner must provide the required open space as required by the County's LDRs.

#### **Natural Vegetation**

Projects greater than twenty (20) acres shall designate an area of at least seven (7) percent 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.

#### **Access**

To establish minimum access requirements to multifamily subdivisions, the Board of County Commissioners adopted a policy requiring two (2) means of access. 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.

#### Comments:

The petitioner is proposing access of the westernmost access drive for the proposed multifamily development. The petitioner has not indicated whether multiple access points are proposed. If approved, the petitioner shall be required to provide two (2) means of access one of which must be a boulevard entrance.

The multifamily development shall provide pedestrian connectivity between adjacent properties providing for pedestrian circulation between complementary uses.

#### Lighting:

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

#### Comments:

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

#### Landscape

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

#### **COMPREHENSIVE PLAN REVIEW**

The subject property is located within a Commercial and Residential Land Use classification on the adopted Future Land Use Map. The area is characterized by commercial, professional office and residential uses.

#### **Future Land Use Element**

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 Frontage roads and cross-access between commercial uses is required where needed in accordance with the provisions of this Plan and adopted land development regulations.

Comments:

The subject property is located within both a residential land use area, and along a designated commercial corridor. Due to the mixed use nature of the proposed development the project is consistent with the future land use designations.

In order to promote a harmonious built environment, performance standards should include cover such items as uses, access, noise, bulk, height, traffic, buffers, open space, acreage minimums or maximums, landscaping, signage, architectural and aesthetic designs.

#### **Multi-Family Housing**

#### Strategy 1.04B(5):

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

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

#### Strategy 1.04B(6):

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

#### Comment:

The multifamily development is proposed as a PDP/Planned Development Project with a maximum of 500 units on approximately 25.0 acres. The proposed density is 20.0 du/acre. The proposed project location is suitable for multifamily with appropriate performance conditions.

#### 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(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.

**Comments:** The petitioner shall be required to provide a frontage road

and interconnectivity and cross-connection between

outparcels.

#### FINDINGS OF FACT

A Master Plan revision on property zoned CPDP/Combined Planned Development Project with General Commercial, Office Professional, and Multifamily uses to add Specific C-2 Uses and Deviations is appropriate based on the following:

- 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.
- 2. The petitioner request for a setbacks deviation along Commercial Way/US Hwy 19 is justified. The petitioner must coordinate the proposed reverse frontage road with the County Engineer.
- 3. The proposed C-2 uses for Mini Warehouse, Drive-In Restaurants and Tire and Automotive Accessory Establishment, and Automobile Service Establishments are not adverse to the public interest and are compatible with the overall scope of the proposed development.
- 4. Consideration should be taken on the placement of multistory structures in close proximity to Lake in the Woods Subdivision/Lake in the Woods Boulevard. The multifamily development shall be designed in such a way to avoid multistory structures immediately adjacent to Lake in the Woods Subdivision/Lake in the Woods Boulevard.

5. In order to protect the visual integrity of Lake in the Woods Boulevard a minimum of a 20' landscape buffer with 80% opacity should be provided.

#### 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 RECOMMENDATIONS

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution Establishing a Master Plan Revision on Property Zoned CPDP/Combined Planned Development Project with General Commercial, Office Professional, and Multifamily uses to add Specific C-2 Uses and Deviations, and the following performance conditions:

- 1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
- 2. A 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. C-2 uses shall be limited to the following:
  - Mini Warehouse
  - Drive-In Restaurants
  - Tire and Automotive Accessory Establishment
  - Automobile Service Establishments

- 5. The wetland line shall be delineated on all plats and plans (Strategy 10.03B(1)).
- 6. The alteration of Class II wetlands is discouraged. If feasible alternatives are not viable, alteration should be limited to 25% of the wetland area and be designed in a manner that maintains the cross-sectional volume and primary hydrologic flow of the wetland (Strategy 10.03B(4)).
- 7. A vegetated buffer averaging a minimum of 25' feet in width and no narrower than 15' 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. (Strategy 10.03B(8)).
- 8. The landscape plan shall be designed to provide clear sight windows and sight triangles at all points of external access and to the internal roadways.
- 9. An assessment of the Special Protection Areas (SPAs) is required to determine if they are vulnerable features with the potential to discharge directly to the groundwater or expose the aquifer. Provide field analysis and geotechnical assessment to determine if the SPAs require abandonment under the Groundwater Protection Ordinance prior to development. Specific prohibited uses apply to the 500' buffers around SPAs. Abandoned SPAs shall be updated in the Central GIS feature class.
- 10. A Cultural resource assessment survey shall be performed by a qualified professional and submitted to the County prior to development. In the event that archaeological artifacts are discovered during construction, the Developer shall stop construction in that area and immediately notify the Compliance Section of the Division of Historical Resources of the Florida Department of State.
- 11. The petitioner shall conduct a geotechnical/geophysical assessment in drainage retention areas associated with multifamily development if required by Hernando County Facility Design Guidelines.
- 12. Minimum Commercial Building Setbacks:

• US Hwy 19: 75' (Deviation from 125')

Frontage Road: 35'
Lake in the Woods Drive: 75'
West Property Line: 20'

Minimum Commercial Internal Setbacks: 20'

13. 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.

- 14. The Multi-Family development shall provide two means of access. One of the access points shall be a boulevard entrance.
- 15. The development shall be limit to a total of 500 units.
- 16. The petitioner shall be required to provide a water and sewer capacity analysis and connect to the central water and sewer systems at time of vertical construction.
- 17. The project shall meet the minimum sign standards as required by the County LDRs. The predominant sign material shall be similar to the material (e.g., brick, stone, etc.) of the commercial buildings developed on the subject property. All on-site advertising signs, including outparcels and the subdivision entrance signs, shall be designed as part of a complete signage system, and shall be limited to ground mounted monument type signs. Ground mounted monument type signs are signs where the bottom edge of the sign is no greater than ten (10) feet above grade and which otherwise meets all sign requirements in the Hernando County Code of Ordinances.
- 18. The development shall meet the minimum LDR design standards for large retail development in Article III, Appendix A (Zoning).
- 19. The petitioner shall be required to provide interconnectivity and cross-connection between outparcels.
- 20. A Frontage Road is required for the entire frontage of Commercial Way/US Hwy 19. The Frontage Road shall connect into the Frontage Road south of this project.
- 21. A Traffic Access Analysis is required. Refer to Hernando County Facility Design Guidelines Sheet IV-18. Any improvements identified by the Traffic Access Analysis shall be the responsibility of the developer.
- 22. In the event the Traffic Access Analysis triggers a traffic signal, the developer shall be responsible for the installation of the signal.
- 23. The Parking and Layout shall meet Hernando County Standards.
- 24. Only two driveways are allowed on Commercial Way or Lake in The Woods Drive, an Administrative Design Variance will be required to be submitted for approval.

- 25. Parcels along Commercial Way/ US Hwy 19 will require FDOT Access and Drainage permits.
- 26. All lighting for the multifamily shall be full cut off fixtures in order to prevent any light spillage into neighboring parcels.
- 27. Due to the scale of the proposed development, the developer shall coordinate the installation of a transit stop and/or facility for the proposed project with the Hernando County Transit Division.
- 28. The petitioner shall provide a master plan in compliance with all of 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-22-71

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. PDP(SF) PDP(SF) R<sub>1</sub>C PDP(\$F) PDP(SE) PDP(GHC) PDP(SF) R1C PDP(SF) PDP(SF) R1C PDP(SF) PDP(SF) R<sub>1</sub>C PDP(SU) PDP(SU) R1C CENTRAL PDP(SF) GIS PDP(SU) R<sub>1</sub>C PDP(GHC) PDP(SF) PDP(SF) CV RACHEL BLVD CPDP R1C C1 R1C SWEETBAY\_C7 PDP(SF)为 PDP(GHC) ORDINGS LN PDP(SF) C1 무 PDP(SF) C1 PDP(HC) Zoning: R1C PDP(HHC) PDP(GHC) AC. PDP(SF) PDP(SU) C<sub>1</sub> PDP(HID) AG R1C C1 LAKE IN THE WOODS DR PDP(IND) AR PDP(LI) AR1 C1 PDP(MF) AR2 Subject Parcel PDP(MH) C1 PDP(NC) C2 PDP(OP) PDP(GHC) C3 PDP(PSF) C4 PDP(GHC) PDP(REC) **CPDP** CITY AG PDP(RR) CM1 COMPANDE NATIONAL PROPERTY OF THE PROPERTY OF PDP(GHC) PDP(RUR) CM2 PDP(GHC) PDP(SF) CPDP R1B AG PDP(SU) R1A R1B R1B 12 AG R1C M R1B R1B R1MH C2 OP R1B R1B R1B R2 R<sub>1</sub>B PDP(AF) R2.5 PDP(CM) R/B R3 PDP(CP) C2 RC PDP(GC) C2 R1B R1B R<sub>1</sub>B RM PDP(GHC) SERVICERO C2 R1B CV RIB R1B C2 C2 R<sub>1</sub>B R1B City Zoning Pending BLACKHAWK TRL R1B C2 R1B AG R1B R1B R<sub>1</sub>B R1B R1B R1B R1B C2 R1B APACHE TRI R<sub>1</sub>B R<sub>1</sub>B R1B R<sub>1</sub>B R<sub>1</sub>B R<sub>1</sub>B ₽ Ŕ1A R1A R1A R<sub>1</sub>A C1 /C1 RIA C1 NORFOLK AVE R<sub>1</sub>A R1A R1A R1A R1A R<sub>1</sub>A C2 BRANDY DR R<sub>1</sub>A R<sub>1</sub>A

# H-22-71

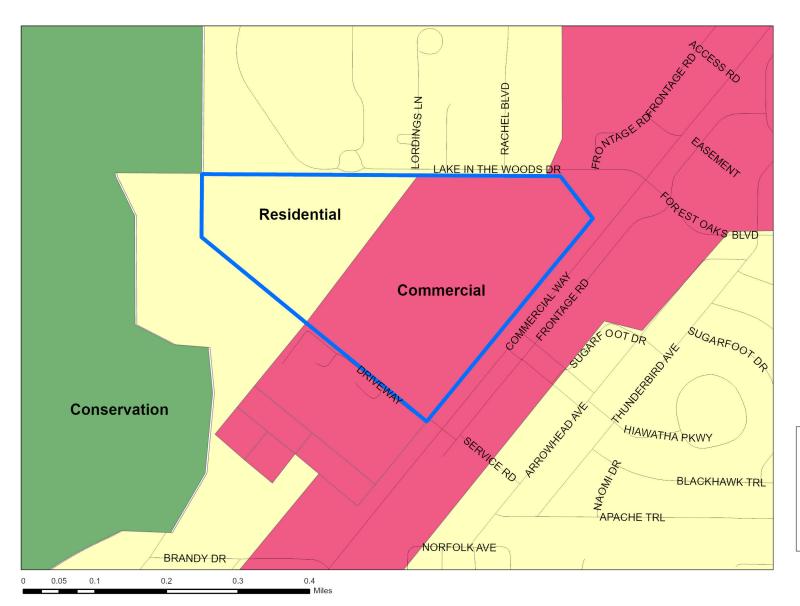
Photo date: 2020

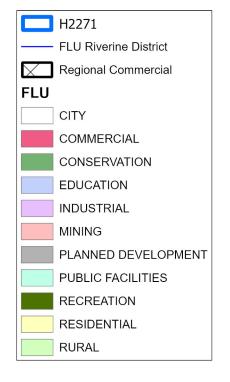
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# **Hernando County Comprehensive Plan Map**

Existing Future Land Use: H-22-71 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.





# HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):
Rezoning ☐ Standard ☐ PDP
Master Plan ☐ New ☑ Revised
PSFOD ☐ Communication Tower ☐ Other
PRINT OR TYPE ALL INFORMATION

Date	Sept	ember	6.	2022
Date:	-op.	OHIDO	٠,	

File No. H-22-7/ Official Date Stamp:

Received

SEP 0 7 2022

Planning Department Hernando County, Florida

APPLICANT NAME: Sobel Fund VII, LLC		
Address: 2385 NW Executive Center Drive, Suite 370		
City Boca Paton	State; FL	Zip:33431
Phone: Email:	btato, 74	Zip. <u>03401</u>
Property owner's name: (If not the applicant)		
REPRESENTATIVE/CONTACT NAME: Darryl W. Johnsto		
~		
Address: 29 S Brooksville Avenue		
City: Brooksville	State: FL	Zip:34601
Phone: 352-796-5124 Email: dwi@djohnstonla	w.com	
HOME OWNERS ASSOCIATION:	rovide name)	
Contact Name:		
Address:	City: Sta	te:Zip;
PROPERTY INFORMATION:		
1. PARCEL(S) <u>KEY</u> NUMBER(S): 376042		
2. SECTION 16 , TOWNSHIP 23	DANGE 17	
3. Current zoning classification: C/PDP (GC) with specific		
4. Desired zoning classification: C/PDP(GC) with specific	C2 uses and ME	
5. Size of area covered by application: 72 Acres +/-		
6. Highway and street boundaries: US 19 and Lake in the We	oods Drive	
7. Has a public hearing been held on this property within the pa	st twelve months?  Yes  No	
8 Will expert witness(es) be utilized during the public hearings		, identify on an attached list,)
9. Will additional time be required during the public hearing(s)	The second secon	needed:)
		nocaca
PROPERTY OWNER AFFIDIVAT		
I, Jeffrey E. Sobel, as Manager of Sobel Fund VII, LLC	h d	
application and state and affirm that all information submitted withi	, have thoroughly examined the	instructions for filing this
belief and are a matter of public record, and that (check one):	n this pention are true and correct to the	best of my knowledge and
☐ I am the owner of the property and am making this application	n OR	
I am the owner of the property and am authorizing (applicant):		7
and (representative, if applicable): Darryl W. Johnston		(1000)
to submit an application for the described property.		
/ / / / / / / / / / / / / / / / / / /	5	)
(	pun -	
	Signature of Property Owner	
STATE OF FLORIDA		
COUNTY OF HERNANDO Palm Beach		
The foregoing instrument was acknowledged before me this	day of	, 20 <u>21</u> , by
Jeffrey E. Sobel who is person	ally known to me or produced	as identification.
. 1	2/	
Cames De Mara	Notary Public State of Florida	3
Signature of Notary Public	Carol G DeMare	. \$
Signature of Notary r none	My Commission GG 282489 Expires 09/28/2022	\$
Effective Date: 11/8/16 Last Revision: 11/8/16		Notary Seal/Stamp

Rezoning Application Form\_11-08-16.Docx

Page I of I

## **LETTER OF AUTHORIZATION**

Received

September 6, 2022

SEP 07 2022

Planning Department Hernando County, Florida

Michelle Miller Hernando County Planning 1653 Blaise Dr. Brooksville, Fl. 34601

RE: C/PDP Rezoning

Dear Ms. Miller:

Please allow this to serve as a Letter of Authorization for Darryl W. Johnston, Esq., of Johnston Law Group, P.A., to represent Sobel Fund VII LLC in the rezoning petition for the above-referenced property.

referenced property.	
	Sobel Fund VII, LLC  By
STATE OF FLORIDA COUNTY OF <u>Palm Beach</u>	Jeffrey E. Sobel, as Manager
physical presence or [ ] online nota Sobel, as Manager of Sobel Fund V	vas sworn to and subscribed before me by means of [] rization, this _7**_ day of September 2022 by Jeffrey E. VII, LLC, who is personally known to me or who has produced entification) as identification.
Seal:	NOTARY PUBLIC



#### NARRATIVE - SOBEL FUND VII, LLC

SEP 0 7 2022

Planning Department Hernando County, Florida

#### I. GENERAL DESCRIPTION

The applicant's approximate 72 acre project site is located on the west side of US 19 just south of Lake In The Woods Drive, in Section 16, Township 23 South, Range 17 East, in Hernando County, Florida. The existing zoning on the subject parcel is C/PDP. The uses included in the C/PDP are (GC), (GC) with additional specific C2 uses, (OP), (OP) with additional specific Cl uses, (MF) to include age restricted residential and the special exception use of Assisted Living Facility.

Surrounding zoning consists of CI, C2, RI C, PDP (SF) to the north; C2 and AG to the south; C2 and C3 to the east; and AG to the west. The Hernando County Comprehensive Plan's Future Land Use Map indicates the property is located within a Commercial and a Residential designation.

This parcel was the subject of a rezoning filed in 2008 and approved in 2009. It is effectively an "infill" parcel along the US 19 corridor, with extensive commercial development to the south and north. With the exception of the far western corner of the property, it consists of soils very conducive to development, The applicant is requesting a master plan modification for a combined planned development project (C/PDP). The uses included in the C/PDP are (GC), (GC) with additional specific C2 uses, and (MF) for multifamily development in the western side of the property.

The attached master plan shows the approximate location of anticipated uses and has been designed to accomplish several objectives:

- Transition commercial use (both depth and intensity) from south to north
- Provide for a functional reverse frontage road from Lake in the Woods Drive to the west
- Place commercial out parcels along U.S. 19 adjacent to the reverse frontage road
- Provide buffers and compatible uses (multi-family residential, drainage retention) along boundary adjacent to existing subdivisions
- Provide direct access to US 19 at three locations
- Maintain the functionality of Lake in the Woods Drive/US 19 intersection by allowing only one access point (frontage road).

The proposed master plan incorporates a retail commercial area and up to fourteen (14) out-parcels, with maximum density of 450,000 sq. ft. of building square footage, including the out parcels. A four story, 150 room hotel facility is anticipated on the north portion of the site west of Walgreens and adjacent to existing commercial. A climate controlled self-storage facility of approximately 120,000 square feet is anticipated on the south portion of the site adjacent to similar uses. The proposed maximum density of for the multi-family portion is 500 units. The proposed reverse frontage road and access drives from US 19 will provide access to the commercial and residential areas within the project. Direct access to US 1 9 will

be available at three locations, including one full median intersection (south next parenthat will be extended to the reverse frontage road and will be emphasized as the project's primary point of access, This intersection can also function as a "alternative" route for existing traffic on Lake in the Woods Drive (via the reverse frontage road). With the provision of a reverse frontage road and access drive, the applicant is requesting a 75' setback from US 19.

This project is consistent with the Comprehensive Plan and has been designed to be compatible with the surrounding area. It provides buffering to adjacent residential uses to the north and adjacent open space to the west. Once constructed, this project would bring businesses into Hernando County that would increase tax revenue and employment opportunities.

The specific commercial and C2 uses being requested for the property consist of: grocery store, fitness center, sporting goods store, self-storage, hotel, membership warehouse store, bank, medical, restaurants, and compatible general commercial uses. Specific C2 uses being requested include drive-in restaurants and tire and automotive accessory establishments.

Perimeter Setbacks are requested to remain consistent with the existing C/PDP and are as follows:

From US 19 = 75'

From Proposed Frontage Road = 35'

From Lake In the Woods Drive = 75'

From West Property Line (Rear) = 20'

Eighteen (18) copies of the proposed master plan are enclosed.

## II. SITE AND ENVIRONMENTAL CHARACTERISTICS

- A. <u>TOPOGRAPHY</u> The topography of the property ranges from a low of approximately 13' m.s.l. in the northwestern portion of the project to approximately 25.7' m.s.l. near the northeastern portion of the project.
- B. <u>FLOOD PLAIN</u> According to Flood Insurance Rate Map Community-Panel 120110 0280B, the subject site falls into Zone X Indicating an area of minimal flooding.
- C. <u>SOILS</u> According to the Hernando County Soil Survey (U.S. Soil Conservation Service), four (4) soil types exist on site, they include: Candler fine sand, 0 to 5 percent slopes, Candler fine sand, 5 to 8 percent slopes, Myakka fine sand and Basinger fine sand.
- D. <u>ENVIRONMENTAL</u>— The following is a brief description of the property:
  - The subject property is undeveloped and vacant. No buildings or structures are on the property. An abandoned road bisects the central portion of the properly in a southwesterly direction.

- Most of the property has recently been cleared of timber.
- A cypress dome wetland is present within the northwestern corner of the subject property. The canopy of this wetland system is comprised of bald cypress and loblolly bay trees with an understory of fetterbush and wax myrtle. Herbaceous vegetation present includes St. John's wort, cinnamon fern, Virginia chain fem, royal fern, yellow-eyed grass, shore rush, and camphor weed.
- Gopher tortoise burrows were located during a wildlife survey conducted during the rezoning in 2008. No other protected fauna species were revealed during the last wildlife survey. An updated wildlife survey shall be provided prior to any development occurring on the property.
- E. <u>DRAINAGE</u> It is anticipated that stormwater will be handled on site using drainage retention areas, the exact size and location of which will be determined during engineering design.
- F. <u>POTABLE WATER AND SEWER</u> This project is located within the Hernando County Utilities service area. Both potable water and sanitary sewer are in close proximity to the project site.

## III. PLANNED PUBLIC IMPROVEMENTS AND ACCESS

The proposed reverse frontage road. Access to the project site would be gained via proposed reverse frontage road with connections to Lake In the Woods Drive on the north and US 19 adjacent to the southerly property line. Two additional access points (right-in/right-out) are also proposed to the commercial plaza from US 19 as shown on the site plan. A traffic light is anticipated at the south entry to the property.

# IV. COMPREHENSIVE PLAN COMPABILITY

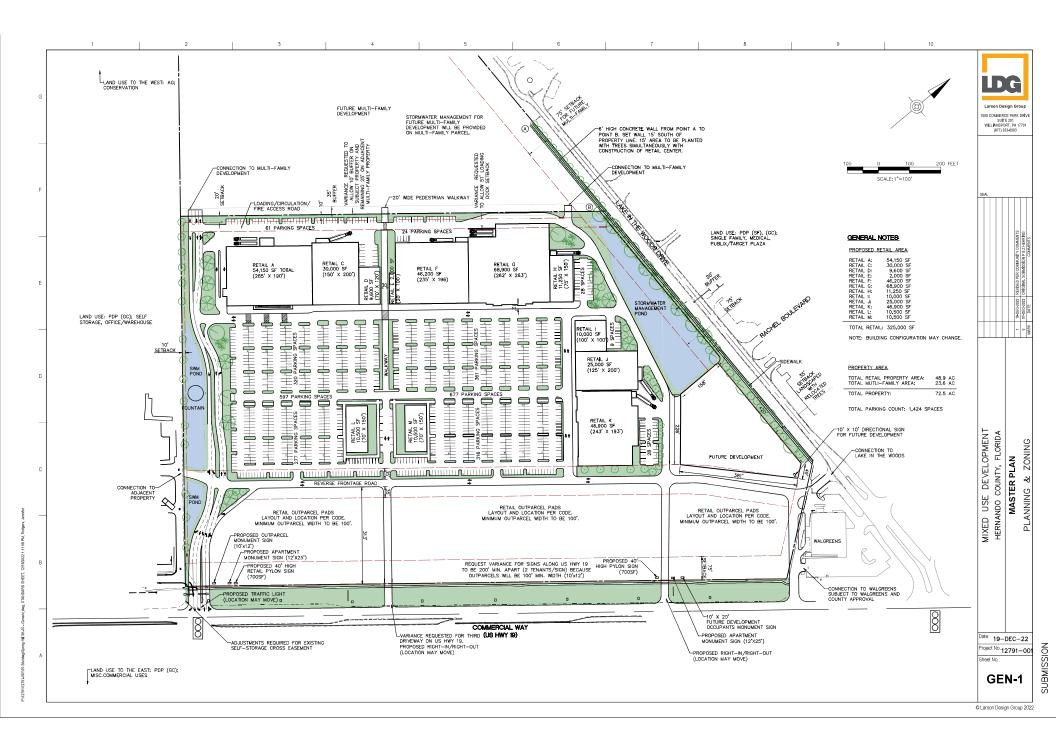
The Property is located within a Commercial and Residential Land Use classification on the adopted Future Land Use Map. The area is characterized by commercial, professional office and residential homes. The site is located on an arterial road, and the proposed development is a mixed use project. The proposed deviations requested are consistent with the existing land use approval for the property.

V. <u>CONCLUSION</u> The proposed site plan modification is consistent with the County's adopted Comprehensive Plan and the surrounding land uses in the area. We request approval with reasonable performance conditions.

Received

SEP 07 2022

Planning Department Hernando County, Florida



#### **AFFIDAVIT**

#### STATE OF FLORIDA COUNTY OF HERNANDO

BEFORE ME, the undersigned authority, personally appeared Darryl W. Johnston, who having been duly cautioned and sworn, says:

- 1. I am the attorney for Sobel Fund VII, LLC, the applicant under a rezoning application for key number 3716042.
- 2. A copy of the attached meeting notice (Exhibit A) was mailed by regular U.S. mail on October 7, 2022 to all persons shown on the attached list (Exhibit B).

FURTHER AFFIANT SAYETH NAUGHT.

THE foregoing instrument was sworn to and subscribed before me by means of \_\_\_\_\_ physical presence or \_\_\_\_ online notarization by Darryl W. Johnston who is personally known to me, this \_\_\_\_\_ day of October, 2022.

Notary Public

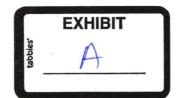
KRISTIN R. DIAZ Notary Public State of Florida Comm# HH171364 Expires 8/30/2025

# NOTICE OF COMMUNITY MEETING/PUBLIC INQUIRY WORKSHOP FOR SOBEL FUND VII, LLC RE-ZONING

Sobel Fund VII, LLC invites you and your neighbors to a community meeting. The purpose of the meeting is to discuss the rezoning request for the property located on Commercial Way, Spring Hill, FL. The property is located on the west side of U.S. 19, south of Lake in the Woods Boulevard and has Parcel Key #376042.

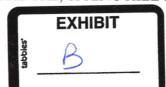
The meeting will be held on Thursday, October 20, 2022, beginning at 5:30 p.m. at 3528 Commercial Way - US 19, Spring Hill, FL 34606 (Holiday Inn Express). At the meeting, the applicant and its representative will discuss the rezoning application and be available to answer questions and address any specific resident concerns. We hope that this will be an informative and productive discussion and look forward to seeing you there.

Please call Darryl Johnston at 352-796-5124 for directions or additional information.



# Huntley Holdings LLC public inquiry

- 1. MICHAEL CALUYA 4420 LAKE IN THE WOODS DR, SPRING HILL FL 34607-2505 and RYAN M CALUYA. TTEE
- 2. SAVITA BHATIA TTEE 4461 LAKE IN THE WOODS DR, SPRING HILL FL 34606- 2312 and ANIL BHATIA TTEE
- 3. SALVATORE ABBINANTI 8151 ALLEN DR, WEEKI WACHEE, FL 34613-4484
- 4. TOSHA ACHOR 3394 FISKWAY ST, SPRING HILL FL 34606-2630
- 5. JOHN HENRY ADAIR, JR., and PHYLLIS J ADAIR 4249 RIVER BIRCH DR, SPRING HILL FL 34607-2545
- 6. CHRISTOPHER MCCORMACK, TTEE- 4275 RIVER BIRCH DR, SPRING HILL FL 34607-2512 and ELIZABETH MCCORMACK, TTEE
- 7. SAROJINI NIMMAGADDA 4476 LAKE IN THE WOODS DR, WEEKI WACHEE FL 34607-2505
- 8. BRIAN ADRIAN 12306 TRADITION DR, DADE CITY FL 33525-6244
- 9. MARK A. ALAGNA, and DONNA M ALAGNA 4321 LORDINGS LN, WEEKI WACHEE FL 34607-2522
- 10. ROBERT C. SCHENCK III- 4445 LAKE IN THE WOODS DR, SPRING HILL FL 34607 and HEATHER WILLIAMSON
- 11. JACLYN ALTIERI 4092 ARROWHEAD AVE, SPRING HILL FL 34606-2314
- 12. KONSTANTIN ASHRAFYAN, 3441 THUNDERBIRD AVE, SPRING HILL FL 34606-2338 and SVETLANA BOYKO
- 13. NIKI DRIS ASSIMACK 22 ACACIA ST, TARPON SPRINGS FL 34689-3102
- 14. ROBERT S BANAS 3463 THUNDERBIRD AVE, SPRING HILL FL 34606-2338
- 15. VINCENT L. BENEDUCE 4 FURY DR, SELDEN NY 11784-1818
- ANDREW HEELEY- 3471 THUNDERBIRD AVE, SPRING HILL FL 34606-2338 and SHELBY LUDWIG
- 17. GERALD H. BERNARD, JR. 4071 ARROWHEAD AVE, SPRING HILL FL 34606-2312
- 18. SAMUEL L. BOWLSBY 4126 ARROWHEAD AVE, SPRING HILL FL 34606- 2315 and DEBORAH L. BOWLSBY
- 19. MICHELE BOYD 4269 RIVER BIRCH DR, SPRING HILL FL 34606-2312
- 20. ALLAN POE 7092 NORFOLK AVE, WEEKI WACHEE FL 34606-2654 and SANDRA POE
- 21. MIDIALA PADRON BRITO 2065 ALAMEDA DR, SPRING HILL FL 34609-4809
- 22. CHERYL BRUCE 4329 LORDINGS LN, SPRING HILL FL 34607
- 23. WALTER J. BUTLER PO BOX 5164, SPRING HILL FL 34611-5164 and DEBRA F. BUTLER
- 24. ROBERT F CAESAR 4281 RIVER BIRCH DR, SPRING HILL FL 34607-2512 and MARY ELLEN CAESAR
- 25. ROBERT L. CLEMENTS 4209 LORDINGS LN, SPRING HILL FL 34607-2520 and JUNE CLEMENTS
- 26. FRANK J CAPPUCCI 6515 AVENUE N FI # 2, BROOKLYN NY 11234-5622
- 27. FRED W CHAPMAN 7161 APACHE TRL, SPRING HILL FL 34606-2302



- 28. GUILLERMO DENZER- 3532 ARROWHEAD AVE, SPRING HILL FL 34606-2306 and JEANNETTE CARRERO
- 29. COMPTON DESOUZA- 6096 ASHLAND DRIVE, SPRING HILL FL 34606-4609 and MONICA DESOUZA
- 30. DALTON DESOUZA 4051 THUNDERBIRD AVE, SPRING HILL FL 34606-2343
- 31. MELVIN DEYELL 4095 THUNDERBIRD AVE, SPRING HILL FL 34606-2345
- 32. RAYMOND P. ERCOLANO, JR. 5147 DELTONA BLVD, SPRING HILL FL 34606
- 33. RICHARD C FLEMING 8044 FILSON ST, WEEKI WACHEE FL 34613-6200
- 34. STEPHEN FLEMING 4074 REDWING DR, SPRING HILL FL 34606-2582
- 35. JOHN FLORES 4057 THUNDERBIRD AVE, SPRING HILL FL 34606-2343
- 36. ROGER DICKINSON- 4412 LAKE IN THE WOODS DR, WEEKI WACHEE FL 34607-2521 and SARAH L DICKINSON
- 37. ANGEL FLORES- 3393 BOWERY ST, SPRING HILL FL 34606-2602 and GRAZIELA MARTINEZ
- 38. THERESA, SAMANTHA, and TYLER FLYNN 4058 ARROWHEAD AVE, SPRING HILL FL 34606-2314
- 39. JOHN L FURNARI- 3540 ARROWHEAD AVE, SPRING HILL FL 34606-2306 and DIANA B FURNARI
- 40. CHRISTINA FRANCOLINO 4132 ARROWHEAD AVE, SPRING HILL FL 34606-2315
- 41. JOSEPH G GARZA LIFE ESTATE 4009 THUNDERBIRD AVE, SPRING HILL FL 34606-2343
- 42. EARL GILLESPIE. 4228 SWEETBAY CT, SPRING HILL FL 34607-2543
- 43. RICHARD GROSS- 3318 GUAVA LN, SPRING HILL FL 34609-3145
- 44. SHERRY GLINKOWSKI- 4017 THUNDERBIRD AVE, SPRING HILL FL 34606-2343
- 45. WAYNE KILGORE 4264 RIVER BIRCH DR, SPRING HILL FL 34607-2511
- 46. ALEXANDRU GEORGESCU- 4163 SUGARFOOT DR, SPRING HILL FL 34606-2336 and CLAUDIA MANOLACHE
- 47. ARTHUR and LILLIAN GIORDANO 4129 THUNDERBIRD AVE, SPRING HILL FL 34606 and GERALD BRANDT
- 48. STUART R GLOVER, TTEE- 2005 HARBOUR WATCH CIR, TARPON SPRINGS FL 34689-2055 and DEANNE M GLOVER TTEE
- 49. C TERRY GRIFFIN 4227 SWEETBAY CT, SPRING HILL FL 34607-2544 and TERESA S GRIFFIN
- 50. SCOTT C GRINNEN 4079 ARROWHEAD AVE, SPRING HILL FL 34606-2312 and JODI L GRINNEN
- 51. STANLEY A GROOM 4201 LORDINGS LN, WEEKI WACHEE FL 34607-2520 and CATHY A GROOM
- 52. MILDRED HALL- 4164 ARROWHEAD AVE, SPRING HILL FL 34606-2315 and BEVERLY SMITH
- 53. ASENATH M KUHAR- 4156 ARROWHEAD AVE, SPRING HILL FL 34606-2315

- 54. JOANN LUEBBERT 4148 ARROWHEAD AVE, SPRING HILL FL 34606-2315
- 55. PETER M. MARTINEZ, JR. 4027 THUNDERBIRD AVE, SPRING HILL FL 34606-2343
- 56. EUSTACE MATHIAS 7114 HAZELHURST CT, TAMPA FL 33615-2946
- 57. TREVOR MCGURL 3518 ARROWHEAD AVE, SPRING HILL FL 34606-2306
- 58. NOMAN MUHAMMAD 3650 DUKE FIRTH ST, LAND O LAKES FL 34638-7894
- 59. TERRY HARRIS- 25A HAYES LN, BROMLEY KENT, BR2 9EA, GREAT BRITAIN and RITA HARRIS
- 60. CHARLOTTE and JASON HEELEY 3485 THUNDERBIRD AVE, SPRING HILL FL 34606-2338
- 61. STEPHEN HENRY- 4241 LORDINGS LN, WEEKI WACHEE FL 34607-2520 and SUSAN HENRY
- 62. RICHARD NAPOLEONI 4270 RIVER BIRCH DR, SPRING HILL FL 34607-2511
- 63. ELIANA CARMEN NOMIKOS 8196 APPLE ORCHARD RD, SPRING HILL FL 34606-5108
- 64. GERMAN ALEXANDER ORTIZ 4117 THUNDERBIRD AVE, SPRING HILL FL 34606
- 65. HILDA PATTERSON 3393 FISKWAY ST, SPRING HILL FL 34606
- 66. LOUIS PETRUZZELLI 4257 LORDINGS LN, SPRING HILL FL 34607-2520
- 67. DAVID W. HETHORN II 3433 RICH FIELD DR, CARLSBAD CA 92010-5545 and VALERIE BILBO
- 68. FRED T HOGUE 7150 APACHE TRL, SPRING HILL FL 34606-2301 and LILLY M HOGUE
- 69. LAURA JACKSON 4203 SWEETBAY CT, WEEKI WACHEE FL 34607-2544 and RICHARD KASTNER
- 70. VINCENT F KOEHLER 4266 RACHEL BLVD, SPRING HILL FL 34607-2530 and MICHELLE L KOEHLER
- 71. RICHARD LOPASKY 4127 SUGARFOOT DR, SPRING HILL FL 34606-2336 and BONNY LOPASKY
- 72. WILLIAM LOPUSNAK 8204 DELAWARE DR, WEEKI WACHEE FL 34607-2110 and MARIE LOPUSNAK
- 73. JAMES MCMICKLE 4077 THUNDERBIRD AVE, SPRING HILL FL 34606-2345 and LISA RIVERS
- 74. CHARLES W MORTON 4276 RIVER BIRCH DR, WEEKI WACHEE FL 34607-2511 and PAULA MORTON
- 75. JERRY NEWTON TTEE 438 HARBOR DR N, INDIAN ROCKS BEACH FL 33785-3115 and LINDA NEWTON TTEE
- 76. SANDRA R NORRIS 9618 SUAREZ CIR, NEW PORT RICHEY FL 34655-5641 and STEPHANIE THOMAS
- 77. PANKAJ PATEL 4469 LAKE IN THE WOODS DR, WEEKI WACHEE FL 34607-2506 and NILA PATEL
- 78. FRANCIS R PIPER 4404 LAKE IN THE WOODS DR, SPRING HILL FL 34607-2519
- 79. BARBARA K QUIST TTEE 4320 LAKE IN THE WOODS DR, SPRING HILL FL 34607-2503

- 80. MARIO QUINTERO RICO 4118 ARROWHEAD AVE, SPRING HILL FL 34606-2315
- 81. GARY D RILEY 4037 THUNDERBIRD AVE, SPRING HILL FL 34606-2343
- 82. WILL ROSABAL 8284 NEDA ST, SPRING HILL FL 34606-2061
- 83. SUSAN SAGER 3515 THUNDERBIRD AVE, SPRING HILL FL 34606
- 84. MICHAEL A PIKOS TTEE 201 SHORE DR, PALM HARBOR FL 34683-5442 and DIANE L PIKOS TTEE
- 85. LANCE B BARRIO JR., 4093 ARROWHEAD AVE, SPRING HILL FL 34606- 2312 and MICHAEL J. VARERIS
- 86. ROBERT C POPPKE 4263 RIVER BIRCH DR, SPRING HILL FL 34607-2512 and KIMBERLY H POPPKE
- 87. DONALD B PULVER 3484 ARROWHEAD AVE, SPRING HILL FL 34606-2305 and ELLYN A PULVER
- 88. ANA M RIVERA 4080 ARROWHEAD AVE, SPRING HILL FL 34606-2314 and ANA I RIVERA
- 89. BRUCE ROWORTH 4477 LAKE IN THE WOODS DR, SPRING HILL FL 34607-2506 and ANGELA MARIE ROWORTH
- 90. ANTHONY SARAVANOS, TTEE- 9830 MILANO DR, TRINITY FL 34655-4674 and MARY ANN SARAVANOS, TTEE
- 91. ROBERT H. SHULTERS- 11250 WOOD OWL AVE, WEEKI WACHEE FL 34614-0435 and GLADYS B. SHULTERS
- 92. DOMENICK J. SORRESSO 4255 RIVER BIRCH DR, WEEKI WACHEE FL 34607-2512 and JEANNETTE M. SORRESSO
- 93. JUDITH ANN SAKER 3510 ARROWHEAD AVE, SPRING HILL FL 34606-2306
- 94. YENISEL CUBELA SANCHEZ 4109 THUNDERBIRD AVE, SPRING HILL FL 34606-2347
- 95. KIMBERLY SHOLLACK 8886 PARKSIDE DR, LIVONIA MI 48150-3677
- 96. VIRGIL L. SMITH 4468 LAKE IN THE WOODS DR, SPRING HILL FL 34607-2505
- 97. EVA L. STOUT 4271 RACHEL BLVD, SPRING HILL FL 34607-2531
- 98. JOHN E. TIRADO 2242 LAKE RD, ONTARIO NY 14519-9714
- 99. CHERYL J. SPENCER 4104 ARROWHEAD AVE, SPRING HILL FL 34606-2315 and LAWRENCE R. SPENCER
- 100. JENNIFER A. SPRING 4171 EDENROCK PL, SPRING HILL FL 34609 and STEPHEN H. SPRING
- 101. THOMAS G. ST CLAIR- 4217 LORDINGS LN, WEEKI WACHEE FL 34607-2520 and CAROL M. ST CLAIR
- 102. DAVID ALAN STAHL- 3447 THUNDERBIRD AVE, SPRING HILL FL 34606-2338 and JENNIFER LYNNE STAHL
- 103. OWEN A. WILLIAMS 13146 SANTEE ST, SPRING HILL FL 34609
- 104. ZAZA SPRING HILL LLC 8507 BAY HILL BLVD, ORLANDO FL 32819-4917
- 105. VERITAS M LLC 5327 COMMERCIAL WAY STE C113, SPRING HILL FL 34606

- 106. USR REAL ESTATE HOLDINGS LLC 500 STAPLES DR, FRAMINGHAM MA 01702
- 107. TLC PROPERTIES INC 2065 NW 57TH ST, OCALA FL 34475-3031
- 108. SPRING HILL GROUP LLC 1371 PLAYMOOR DR. PALM HARBOR FL 34683-1474
- 109. DUC VO CHAU 2835 GLORIA CT, CLEARWATER FL 33761-3825
- 110. HUNTER CHRISTY 4101 THUNDERBIRD AVE, SPRING HILL FL 34606-2347
- 111. RALPH C COLLINS 4263 RACHEL BLVD, SPRING HILL FL 34607-2531
- 112. RALPH J COLON 12336 PITCAIRN ST, BROOKSVILLE FL 34613-4735
- 113. ANTHONY J COOKS- 4241 RIVER BIRCH DR, SPRING HILL FL 34607 and TIA D MACKLIN
- 114. GLENMORE F CORNWALL- 4249 LORDINGS LN, SPRING HILL FL 34607-2520 and ARLENE CORNWALL
- 115. ALBERT F. TAVOLARO 4517 NEPTUNE DR, HERNANDO BEACH FL 34607-2946 and SANDRA TAVOLARO
- 116. SUSAN THOMAS 4083 THUNDERBIRD AVE, SPRING HILL FL 34606-2345 and DAVID S RANDALL
- 117. GLENN J. URLACHER 4202 SWEETBAY CT, SPRING HILL FL 34607-2543 and BRENDA L. URLACHER
- 118. CHARLES R. WAGNER 7158 APACHE TRL, SPRING HILL FL 34606-2301 and JANI L. WAGNER
- 119. WEDGEWOOD ESTATES 4217 LORDINGS LN, WEEKI WACHEE FL 34607-2520 OWNERS' ASSOCIATION INC C/O CAROL M RAMIREZ
- 120. VEREIT MC SPRING HILL FL LLC PO BOX 4900, SCOTTSDALE AZ 85261-4900 C/O RYAN LLC
- 121. THISTLEWOOD SPRING HILL LLC 9040 EXECUTIVE PARK DR, KNOXVILLE TN 37923-4607 C/O CELLULAR SALES OF NORTHERN FL LLC
- 122. STEAK N SHAKE INC PO BOX 460169, HOUSTON TX 77056-8169 C/O RYAN, LLC
- 123. NEW RESIDENTIAL BORROWER 2350 POINTE PARKWAY SUITE 250, CARMEL IN 46032 2022 SFR1 LLC
- 124. KANOOR INVESTMENTS INC 14163 SAPPHIRE BAY CIR, ORLANDO FL 32828-7482 c/o NOOR MASRI
- 125. SOUTHWEST FLA W M D 2379 BROAD ST, BROOKSVILLE FL 34601
- 126. SALVATION ARMY 5885 66TH ST N, SAINT PETERSBURG FL 33709-1597
- 127. ROMEO HOLDINGS LLC 8228 FOREST OAKS BLVD, SPRING HILL FL 34606-6839
- 128. RACHEL BLVD LLC 250 N BELCHER RD STE 102, CLEARWATER FL 33765-2622
- 129. PRIMROSE LANE OWNERS ASSOC INC 4459 DOTTIE CT, WEEKI WACHEE FL 34607-2524
- 130. PHILIP DOBSON PROPERTIES IV LLC PO BOX 16181, SAINT PETERSBURG FL 33733-6181
- 131. PAPE PROPERTIES LLC 13125 UNITY ST, SPRING HILL FL 34609-9027

- 132. NATIONAL RETAIL PROPERTIES LP 450 S ORANGE AVE STE 900, ORLANDO FL 32801-3339
- 133. MISSION STREET HOMES LLC 300 MONTGOMERY ST STE 350, SAN FRANCISCO CA 94104-1925
- 134. MAK FAMILY PARTNERSHIP LTD PO BOX 1147, BROOKSVILLE FL 34605-1147 C/O JAMES H KIMBROUGH JR
- 135. MAK FAMILY PARTNERSHIP LTD- 13650 NW 8TH ST STE 103, SUNRISE FL 33325-6239 C/O FMS MANAGEMENT SYSTEMS INC
- 136. LAKEWOOD STATION LLC- 11501 NORTHLAKE DR FL 1, CINCINNATI OH 45249-1667 C/O THE PHILLIPS EDISON GROUP LLC
- 137. LAKE IN THE WOODS HOA INC 4400 LAKE IN THE WOODS DR, SPRING HILL FL 34607-2518
- 138. JABROSE INVESTMENT GROUP INC 7211 HIAWATHA PKWY, SPRING HILL FL 34606-2542
- 139. J & BFLP LTD 8989 S ORANGE AVE, ORLANDO FL 32824-7904
- 140. INNOVATIVE GLOBAL 25129 THE OLD RD STE 100, STEVENSON RANCH CA 91381-2281 INVESTMENTS LLC
- 141. HERNANDO COUNTY (DRA) 20 N MAIN ST RM 263, BROOKSVILLE FL 34601-2817
- 142. HERNANDO COUNTY (UTILITIES DEPT) 20 N MAIN ST, RM 460, BROOKSVILLE FL 34601-2817
- 143. GJASN VENTURES LLLP PO BOX 1427, BRANDON FL 33509-1427
- 144. GEORGE DOURA LLC 7539 SPRING HILL DR, SPRING HILL FL 34606
- 145. FOREST OAKS COMM CENTER II POA- 1371 PLAYOUR DR. PALM HARBOR FL 34683
- 146. DS COMMERCIAL WAY 3333 PEACHTREE RD NE FL 7, ATLANTA GA 30326 SPRING HILL FL LANDLORD LLC
- 147. DEEP WATER WEST INVESTMENTS LLLP 407 AVENUE K SE, WINTER HAVEN FL 33880-4126
- 148. D & H LAND DEVELOPMENT INC 7320 FOREST OAKS BLVD, SPRING HILL FL 34606-2401
- 149. COMMERCIAL WAY HOLDINGS LLC 2959 WENTWORTH WAY, TARPON SPRINGS FL 34688-8431
- 150. COLOSSAL COMICS & COLLECTIBLES INC 3485 THUNDERBIRD AVE, SPRING HILL FL 34606-2338
- 151. CKRS LLC 10537 CANARY ISLE DR, TAMPA FL 33647-2718
- 152. AGAP SPRING HILL LLC 150 E 52ND ST FL 32, NEW YORK NY 10022
- 153. AGAP SPRING HILL LAND LLC 215 E 58TH ST # 4C, NEW YORK NY 10022-1296

# AFFIDAVIT FOR PUBLIC INQUIRY WORKSHOP HELD OCTOBER 25, 2022 CITIZEN SIGN UP AND EXECUTIVE SUMMARY REZONING KEY NO. 37I6042

# STATE OF FLORIDA COUNTY OF HERNANDO

BEFORE ME, the undersigned authority, personally appeared Darryl W. Johnston, who, having been duly cautioned and sworn, says:

- 1. I am an attorney with Johnston Law Group, P.A., and the attorney for the applicant, Sobel Fund VII, LLC.
- 2. The attached sign-in sheet is the original sign-in record from the public inquiry workshop meeting held on October 20, 2022 at 5:30 p.m. for Sobel Fund VII, LLC as representative for owner, Huntley Holdings, LLC.
- 3. The attached executive summary indicates a summary of information provided to the attendees, and includes a list of the questions asked at the public inquiry workshop.

FURTHER AFFIANT SAYETH NAUGHT.

Notary Public

Comm# HH171364 Expires 8/30/2025

# **Sign In Sheet**

# Commercial Way Property Key No. 376042 Neighborhood/Public Inquiry Workshop

October 25, 2022 5:00 p.m.

Muchelle Kasther	Michelle Kastner
Signature	Printed Name
Signature  2. Ruch A Kal f Signature	Richard Kastner
Signature	Printed Name
3	
3. Signature	Printed Name
4Signature	Printed Name
5. Signature	Printed Name
6. Signature	Printed Name
7Signature	Printed Name
8Signature	Printed Name
9	
9. Signature	Printed Name
10Signature	
Signature 1	Printed Name
1	

# EXECUTIVE SUMMARY OF PUBLIC INQUIRY WORKSHOP

The only family to attend arrived at 5:30 p.m. on October 20, 2022 for the public inquiry workshop held at the Holiday Inn Express on U.S. 19. A power point presentation regarding the overview of the project was given by Andrew Dorin, architect with Larson Design Group. The map handout attached to this summary was provided. The questions asked and answered are as follows, as are the issues discussed at the meeting.

- 1. How will traffic on Lake in the Woods Blvd. be affected? Ans. The project has been designed to have the primary entrance to be the south entrance from U.S. 19. There will be two secondary entrances/exits directly into the shopping center in addition to the primary south entrance. Traffic entering from U.S. 19 onto Lake in the Woods Blvd. will turn left at the entrance aligned with Rachel Boulevard. It is anticipated there will be a traffic signal warranted at the southern entrance.
- 2. How will the buildings on the site be located? Ans. The commercial buildings on Lake in the Woods Blvd. will be located so the back of the buildings are toward Lake in the Woods Blvd. Where existing vegetative buffer is not sufficient to achieve 70% opacity, the buffer will be supplemented with berms and vegetation.
- 3. The project is designed to foster pedestrian circulation from the multi-family in the rear of the property, as well as, pedestrians from neighboring subdivisions.
- 4. It is anticipated there will be a mix of commercial tenants, such as, a sporting goods store, a grocery store, a hotel or self-storage, a fitness center and specialty retail.
- 5. How does this project differ from what was approved in 2008? Ans. The primary difference is the multi-family in the rear in 2008 was anticipated to be an adult congregate living facility, and we are proposing a market rent apartment facility.

The meeting adjourned at 6:30 p.m.

© Larson Design Group 2022

# HEROSO ODEN

# **Planning & Zoning Commission**

# **AGENDA ITEM**

Meeting: 01/09/2023 Department: Planning Prepared By: ACongdon Initiator: Aaron Pool DOC ID: 11598 Legal Request Number: Bid/Contract Number:

# TITLE

H-22-75 - Jesus Espinal:

Rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2); West side of Shasta Street approximately 355' north of its intersection with Square Stone Street

# **BRIEF OVERVIEW**

# Request:

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

# **General Location:**

West side of Shasta Street approximately 355' north of its intersection with Square Stone Street

# **Hearing Detail:**

This petition was postponed from the December 12, 2022, 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**

 Michelle Miller
 Approved
 12/28/2022
 5:12 PM

 Aaron Pool
 Approved
 12/30/2022
 11:49 AM

 Kyle Benda
 Approved
 12/30/2022
 2:46 PM

RESULT: ADOPTED

**MOVER:** W. Steven Hickey **SECONDER:** Michael Kierzynski

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

# **P&Z RECOMMENDATION:**

On December 12, 2022, the Planning and Zoning Commission voted 4-0 to postpone the petitioner's request for Rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2) to the January 9, 2023, hearing at 9:00 a.m. with the applicant incurring all sign re-posting costs.

Staff Report: H-22-75

# STAFF REPORT

**HEARINGS:** Planning & Zoning Commission: December 12, 2022

Planning & Zoning Commission: January 9, 2023 Board of County Commissioners: January 10, 2023 Board of County Commissioners: February 14, 2022

**APPLICANT:** Jesus Espinal

FILE NUMBER: H-22-75

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

2)

**GENERAL** 

**LOCATION:** West side of Shasta Street, approximately 355' north of its

intersection with Square Stone Street

PARCEL KEY: 21381

#### **APPLICANT'S REQUEST:**

To rezone his property on Shasta Street from R-1C to AR-2 for the purpose of placing a mobile home on the property.

#### **BACKGROUND:**

The subject parcel is in the Ridge Manor subdivision. The lot that abuts the subject parcel to the south was rezoned to AR-2 in 2018 to allow livestock on the property and to provide more than one housing option on the property. A second parcel located approximately 660' west of the subject parcel, was also rezoned to AR-2 in 2018 for the same reason.

Staff is comfortable with the petitioner's request because there are two other parcels within 700' of the subject parcel that have been rezoned to AR-2.

#### SITE CHARACTERISTICS:

Site Size: 1.2 acres

**Surrounding Zoning** 

& Land Uses: North: R-1C, Undeveloped

South: AR-2, Undeveloped East: R-1C, Undeveloped

1

West: R-1C, Undeveloped

Current Zoning: R-1C Residential

**Future Land Use** 

Map Designation: Rural

**ENVIRONMENTAL REVIEW:** 

**Soil Type:** Candler Fine Sand 0 to 5% slopes

Candler Fine Sand provides habitat suitable for gopher tortoises (a listed species) and commensal species. If gopher tortoise boroughs cannot be avoided when locating/installing the mobile home, a Florida Fish and Wildlife Conservation Commission (FWC) Permit may

Staff Report: H-22-75

be required.

**Protection Features:** There are no Wellhead Protection Areas (WHPAs), no

Priority Focus Areas (PFAs), and no Special Protected

Areas (SPAs) present on the subject property.

**Hydrologic Features:** There are no sinkholes present on the property.

**Habitat:** The habitat on the property is designated as "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 Review: The property is not within the Basin Action

Management Plan (BMAP) designated area, a Priority Focus Area (PFA), or an Outstanding Florida Springs

(OFS) area.

Flood Zone: X

# **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 change from R-1C to AR-2 to allow a manufactured home on site, subject to Health Department approval of an appropriate Onsite Sewage Treatment and Disposal System.

# **ENGINEERING REVIEW:**

The subject property is on the west side of Shasta Street, approximately 355' north of its intersection with Square Stone Street. The County Engineer has reviewed the petitioner's request and provided the following comments:

Staff Report: H-22-75

- This site is outside the floodplain. Access may be limited by flooding.
- Shasta Street is a County maintained, residential, paved roadway.
- Driveway apron shall be installed to Hernando County Facility Design Guideline IV-26- Residential Connection Standards.

# LAND USE REVIEW:

Minimum AR (Agricultural/Residential) 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.
      - 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.

Staff Report: H-22-75

- (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.

Comment:

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, subject to the staff report.

# **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 Report: H-22-75

# STAFF RECOMMENDATION:

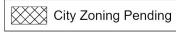
It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a Resolution approving the petitioner's request for Rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2).

# H-22-75

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





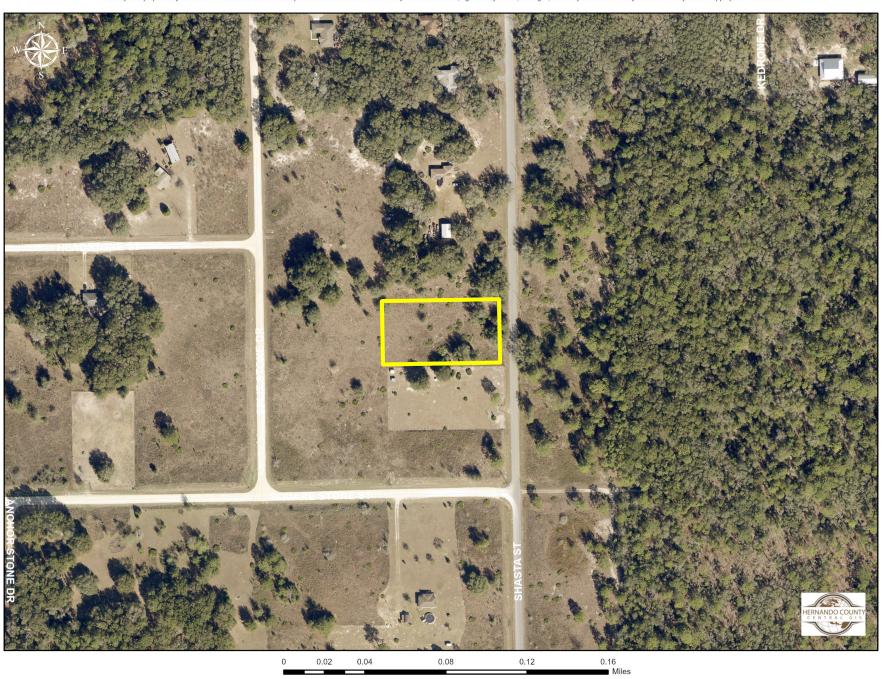




H-22-75

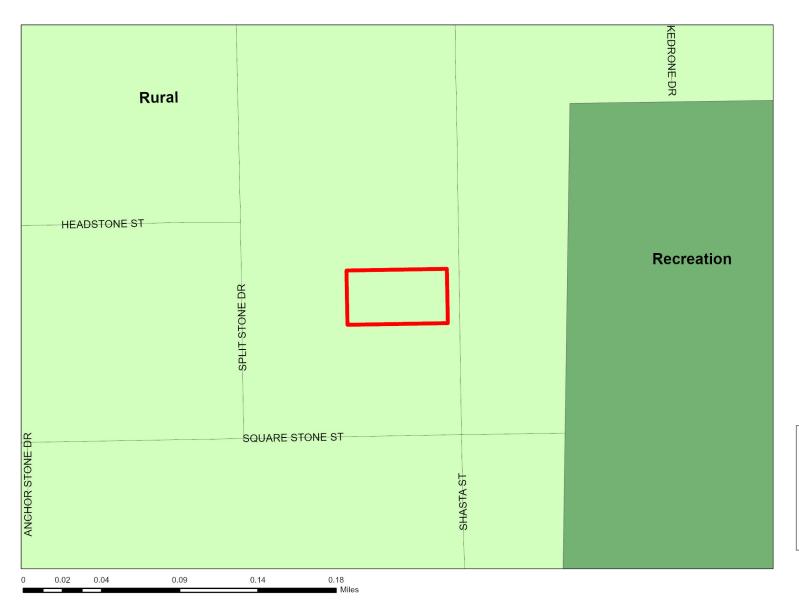
Photo date: 2020

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-22-75 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.





# HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):
Rezoning 

Standard □ PDP

Master Plan □ New □ Revised

PSFOD □ Communication Tower □ Other

PRINT OR TYPE ALL INFORMATION

File No.	22-	75	Official Date Stamp:

# Received

OCT 0 5 2022

Planning Department Hernando County, Florida

Date:	L	Hernando County, Florida
APPLICANTNAME: TESUS ESPINAL		
APPLICANT NAME: JESUS ESPINAL Address: 7028 Wiresine Dr.		
City Caralle Carl	Ctata	Elmid - 7in 74/57
City: Brooks ville Phone: (727) 415 3540 Email: familia	State. 5120170 3 446	21p. 34000
Property owner's name: (if not the applicant)	2) (1) (1) (2)	77. 20.20
100 Name   100 Name		
REPRESENTATIVE/CONTACT NAME:		
Company Name:		
Address:		
City: Email:	State:	Zip:
Phone: Email:		
HOME OWNERS ASSOCIATION: Yes No (if applicable	'e provide name)	
Contact Name:		
Address:	City:	State: Zip:
		1
PROPERTY INFORMATION:	1 2020 1388 - 01	268/2001381
1. PARCEL(S) KEY NUMBER(S): 12 2 12 2 2. SECTION, TOWNSHIP 3. Current zoning classification:	1 0900 0898 0	200/ 0002/38/
2. SECTION, TOWNSHIP	<del>-</del>	RANGE
3. Current zoning classification:		
4. Desired zoning classification:		
<ul> <li>5. Size of area covered by application: 1.20 Acre.</li> <li>6. Highway and street boundaries: 5hajta j</li> </ul>	hee t	
6. Highway and street boundaries: Shajte f	1 2 0 7	T'N
7. Has a public hearing been held on this property within the		
8 Will expert witness(es) be utilized during the public hearing		No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing	$(s)$ and how much? $\Box$ Yes	No (Time needed:)
PROPERTY OWNER AFFIDIVAT		
	I II. be wille	
I, Jerus Espinal and Gradalupe Espinal au	have thoroughly s	examined the instructions for filing this
application and state and affirm that all information submitted w	ithin this petition are true and c	correct to the best of my knowledge and
belief and are a matter of public record, and that (check one):	inin and pention are true and c	offect to the dest of my knowledge and
I am the owner of the property and am making this application	ation OR	
☐ I am the owner of the property and am authorizing (applica	nt):	
and (representative, if applicable):		
to submit an application for the described property.	\	<u>C</u>
-	Cionatina of D	roperty Owner
STATE OF FLORIDA	Signature of Fi	operty Owner
COLUMN OF HERMANDO DOSCO	6-	
The foregoing instrument was acknowledged before me this	1th day of Sec	→ ,20 → , by
JESUS ESPING Who is per	rsonally known to me or produc	
1,100	is and the second	
F		
	VANESSA Notary Public - S	
Signature of Notary Public	Commission #	
of from J tubic	My Comm, Expire	s Jun 10, 2026
Effective Date: 11/8/16 Last Revision: 11/8/16	1000000	Notary Seal/Stamp

# **Hernando County Zoning Department.**

Received

789 Providence Blvd, Brooksville FI 34601

OCT 0 5 2022

Planning Department Hernando County, Florida

l, Jesus Espinal the owner of the property at RIDGE MANOR EST, UNIT 5, BLOCK 89, LOT 6, KEY # 00021381, PARCEL # R22 122 21 0900 0890 0060, SITUS: Shasta ST, currently zoned R1C.

I, with this letter, am asking Hernando Zoning Department to introduce my request to re-zone the current R1C zoning to AR2.

The purpose of this proposal is to allow me to place a new manufactured home.

The subjected property is 1.20 acres and is vacant land.

The manufactured home will be placed at no less than 30 feet from the property lines.

The above property and request do not represent any impact to natural features.

Thank you for your consideration of this request.

Just 09/18/22

Sincerely.

Jesus Espinal

93

# PROPERTY KEY # 00021381 SITE PLAN

# Received

OCT 0 5 2022

 SHASTA STREET	Planning Department Hernando County, Florida
Manufactured Home	

From: <u>Mike McGuire</u>

To: Omar DePablo; Cayce Dagenhart

Date: Saturday, December 10, 2022 4:26:08 PM

**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.

Have received Letter of intent to rezone this lot on Shasta, Ridge Manor.

Looking at other lots, the one across square Stone from my Two lots. Approached being a sand pit. Last time I was up there insect Flies and Gnats , Made my visit very uncomfortable. Looking at the map, on the Second Page. Shown lot , there is a pre-manufacture home. That looks like a Trailer. Is that how you get around things in Ridge Manor. Rezone your lot , put a trailer on it? Is that what Mr. Espinal Has in mind? I really, really don't like the zoning dept. Turning this neighborhood into a Trailer park. I am Saying NO, I don't like Any further Re- Zoning Towards AR-2

Thank you very Much. Will Not be Able to make these Meeting's. Mike McGuire Email: 1234McGuire17@gmail.com

DEC 2 0 2022

Planning Department Hernando County, Florida

12/14/2022

Kort Patterson 448 Wild Horse Lane Mesquite, NV 89027

Hernando County Planning Department Cesar Dmar, Cayce Dagenhart 1653 Blaise Drive Brooksville, FL 34601

SUBJECT: Rezoning Parcel Key \* 21381 From Residential to Agricultural/Residential Ridge Manor Estates

I don't have a problem with this lot being rezoned but I do have a concern that a mobile home may be going up. Here is the reason for my concern: I and 1/2 years ago the lot adjacent to, and south of the subject lot, Parcel Key \*
21390 was rezoned as Agricultural/Residential.
This lot which is, catercorner to my lot, now has a mobile home. It is my understanding Ridge Manor has restrictions against mobile homes. I bought my lot 10 years ago thinking I may one day retire there and I would prefer not to live in a community with a smattering of mobile homes. Thank you.

Sincerely, Runt Patterson Kort Patterson 33229 Square Stone Street (Parcel Key\* 20729) Webster, FL (702) 344-7043 From: nancy perrone
To: Cayce Dagenhart

Date: Wednesday, December 21, 2022 6:42:34 AM

**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.

# Good Morning Sir:

My husband and I live on (20 years) Round Stone in the Ridge Manor Estates. We love the quietness and beauty of the woods, not necessarily the snakes we see but the woods. We have neighbors who changed the

zoning on their property and one of them now have a manufactured home on it (trailer). This is a nice family and I understand their reasoning for putting this on their property, they are young and could only afford to buy the

manufactured home. These people take care of their property and maintain it nicely and this is my concern. The next people who own this property might not!!

There are nice homes out here and people buy their property with dreams for a peaceful setting and I appreciate the fact there are rules for the size of a home (not necessarily big), with different codes to enforce but still can

have a rural setting.

Please vote no to the request for a rezoning on this property!

Sincerely

Dennis and Nancy Perrone

NancyPerrone@centurylink.net

# HERALINGO OD WALKINGO

# **Planning & Zoning Commission**

# AGENDA ITEM

Meeting: 01/09/2023 Department: Planning Prepared By: ACongdon Initiator: Aaron Pool DOC ID: 11599 Legal Request Number: Bid/Contract Number:

# TITLE

H-22-76 - Oak Development Group, LLC:

Rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations; Eastern terminus of Godwit Avenue and Gyrafalcon Avenue and south of Seely Lane

# **BRIEF OVERVIEW**

# 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:**

Eastern terminus of Godwit Avenue and Gyrafalcon Avenue and south of Seely Lane

# **Hearing Detail:**

This petition was postponed from the December 12, 2022, 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 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 Rezoning from Rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations and performance conditions

# **REVIEW PROCESS**

Michelle Miller	Approved	12/28/2022 5:21 PM
Aaron Pool	Approved	12/30/2022 11:38 AM
Kyle Benda	Approved	12/29/2022 3:40 PM

RESULT: ADOPTED

MOVER: W. Steven Hickey SECONDER: Kathryn Birren

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

# **REVISED 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 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:

Staff Report: H-22-76

- 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. A jurisdictional wetland line shall be shown on the conditional plats.
- 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.
- 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 162 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. The PDP(SU) shall be reserved for the tower and eagles nest buffer of 500'.

 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.

Staff Report: H-22-76

- 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. The Traffic Access Analysis shall include a queuing analysis. Any identified improvements shall be the responsibility of the developer.
- 11. The petitioner shall maintain a minimum perimeter buffer of 20' around the residential portion of the project 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'

Corner Lots: Secondary Front 10'

Minimum Lot Width: 50' (Deviation from 60')

# Minimum Perimeter Setbacks:

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

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. If preservation of existing native vegetation is not practical as a result of the proposed development needs or site constraints, such as but not limited to existing topography, existing drainage patterns, stormwater design and other infrastructure needs such as water, waste water, and roadway design, then the developer shall instead be allowed to install native vegetation using Florida Friendly Landscaping practices at the time of site development in order to satisfy the minimum vegetation requirement. For purposes of calculating the 7%, undisturbed vegetation in the cell tower area shall count toward meeting this requirement.

14. 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 provide vehicular and pedestrian access from the subdivision street network.

Staff Report: H-22-76

- 15. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.
- 16. 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.
- 17. The petitioner shall provide a designed construction access point to be reviewed and approved by County Engineer no later than at time of Conditional Plat.
- 18. The Master Plan designates both entrances as treed boulevard entrances exceeding the minimum required by the County LDR's.
- 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 ACTION:**

On December 12, 2022, the Planning and Zoning Commission voted to postpone the petitioner's request for a Rezoning from Rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations to the January 9, 2023, hearing at 9:00 a.m. with the applicant incurring any sign re-posting costs.

Staff Report: H-22-76

#### STAFF REPORT

**HEARINGS:** Planning & Zoning Commission: December 12, 2022

Planning & Zoning Commission: January 9, 2023 Board of County Commissioners: January 10, 2023 Board of County Commissioners: February 14, 2023

**APPLICANT:** Oak Development Group, LLC

FILE NUMBER: H-22-76

**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:** Eastern terminus of Godwit Avenue and Gyrafalcon Avenue and

south of Seely Lane

**PARCEL KEY** 

**NUMBERS**: 344657

#### APPLICANT'S REQUEST

The petitioner is requesting a rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) with deviations to develop a single-family residential subdivision with up to 162 dwelling units on 40.4 acres (4.0 DU/AC). The parcel has an existing communication tower; the gross density includes the tower area.

The petitioner has proposed a minimum lot width of 52' and lot size of 6,240 feet for those internal lots within the subdivision. The lots along the perimeter of the development, at the north, south and west ends, are proposed at a minimum of 72' in width with a total lot size of 8,640 square feet. This rezoning petition is a companion to the Small-Scale Comprehensive Plan Amendment (CPAM2205).

# **Deviations Requested:**

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

Minimum Lot Area: 5,500 square feet (Deviation from 6,000 square feet)

• Minimum Lot Width: 50' (Deviation from 60')

Setbacks (R-1A Residential District and PD Perimeter Setbacks):

Front: 20' (Deviation from 25')Side: 5' (Deviation from 10')

 Front (Double Frontage/Corner Lots) - Require one of two frontages to meet 20' Front setback:

2<sup>nd</sup> Front of Corner Lot: 10' (Deviation from 20')

# SITE CHARACTERISTICS

Site Size: 40.4 acres

**Surrounding Zoning** 

and Land Use: North: AG; Developed/undeveloped residential

uses

South: AG; Developed/undeveloped residential

Staff Report: H-22-76

uses

East: AG; Developed/undeveloped residential

uses

West: R-1A; Developed residential uses

**Current Zoning:** AG (Agriculture)

**Future Land Use** 

**Map Designation:** Rural (Pending adoption of CPAM2205 to change the

Future Land Use to Residential)

# **ENVIRONMENTAL REVIEW**

**Soil Type:** Basinger Fine Sand, Candler Fine Sand

Resources and

**Features:** The property contains no Wellhead Protections Areas

(WHPA) or Special Protection Areas (SPA) according to County data. A Class 3 wetland is located on western

boundary.

**Comments:** The petitioner will be required to provide a wetland delineation

on all future development plans.

**Habitat:** 

Vacant, undeveloped forested sandhill and low density residential 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.

Staff Report: H-22-76

Comments:

Candler Sands provide habitat suitable for gopher tortoises and commensal species. A wildlife survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.

The subject site has an existing communication tower which has an existing eagle's nest. The petitioner has provided the required 500' buffer in order to protect the nest. The area will not be developed and will be zoned PDP(SU)/Planned Development Project (Special Use) in order to preserve the area.

Flood Zone:

X with a portion of the western boundary in AE.

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.

# 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.

Staff Report: H-22-76

# **UTILITIES REVIEW:**

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. Water service is not available to this parcel, however there are existing 2-inch and 4-inch water mains that run along Fir and Evergreen Streets located in the subdivision to the south, and existing 4-inch and 8-inch water mains approximately 1,800 feet to the north along Smooth Bark Court and Woodland Waters Boulevard. Sewer service will become available via an existing 10-inch sewer force main (running along the western property line) once the Weeping Willow force main has been completed. HCUD has no objection to the request subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction.

# **ENGINEERING REVIEW:**

The subject site is located on the eastern terminus of Godwit Avenue and Gyrafalcon Avenue and south of Seely Lane. The petitioner proposes connections to both Godwit Avenue and Gyrafalcon Avenue. The County Engineer has reviewed the petitioner's request and has the following comments:

- Floodplain permitting, and mitigation are required. Development must conform to Hernando County Facility Design Guidelines and Southwest Florida Water Management District Environmental Resource Permit storm drainage design requirements.
- A Traffic Access Analysis will be required. Traffic Access Analysis must include a queuing analysis. Refer to Hernando County Facility Design Guidelines IV-18 for requirements.
- A Traffic Access Analysis Methodology Statement was approved on August 12, 2022.
- The projects internal roadways design and curves shall meet Hernando County Standards. (IE: Collector, Major Local, Local & Frontage Road). Refer to Hernando County Facility Design Guidelines Section IV.

 The petitioner must provide a designed construction access point to be reviewed and approved by County Engineer no later than at time of Conditional Plat.

Staff Report: H-22-76

#### 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: 52' (Deviation from 60')

The petitioner has also proposed a 20' landscape buffer along the entire perimeter of the project.

#### 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 – Godwit Avenue and Gyrafalcon Avenue. The petitioner has not indicated which of the two proposed access points will be the required treed boulevard entrance. If approved the petitioner shall provide a treed boulevard entrance in accordance with the Hernando County Land Development Regulations.

Staff Report: H-22-76

### **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.

### Comments:

The petitioner has designated 2.12 acres for a neighborhood park. The park meets the minimum requirements for the neighborhood park according to the Hernando County Land Development Regulations. Design shall ensure the park is accessible through the internal roadway network within the development.

### **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 2.81 acres 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

Staff Report: H-22-76

LDRs.

### **COMPREHENSIVE PLAN REVIEW:**

The subject site is located within the Rural Land Use category and has a corresponding Comprehensive Plan Amendment (CPAM2205). The area is characterized by standard residential parcels (west and southeast) and agricultural lots varying in size from 2.5 to 5.0 acres, with several larger parcels.

### **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:** Single Family is consistent with the associated Small-Scale

Comprehensive Plan Amendment (CPAM2205).

### **FINDINGS OF FACT:**

A Rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) 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 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.

Staff Report: H-22-76

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 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. A jurisdictional wetland line shall be shown on the conditional plats.
- 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.

Staff Report: H-22-76

- 8. The subdivision shall be limited to 162 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. The PDP(SU) shall be reserved for the tower and eagles nest buffer of 500'.
- 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. The Traffic Access Analysis shall include a queuing analysis. Any identified improvements shall be the responsibility of the developer.
- 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'

- 13. Minimum Lot Width: 52' (Deviation from 60')
- 14. Minimum Perimeter Setbacks:

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

15. 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.

16. 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 provide vehicular and pedestrian access from the subdivision street network.

Staff Report: H-22-76

- 17. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.
- 18. 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.
- 19. The petitioner shall provide a designed construction access point to be reviewed and approved by County Engineer no later than at time of Conditional Plat.
- 20. The petitioner shall notify residents and/or buyers that the subject site was the former Brooksville Turret Gunnery Range.
- 21. The petitioner shall provide a boulevard entrance in accordance with County LDR's.
- 22. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

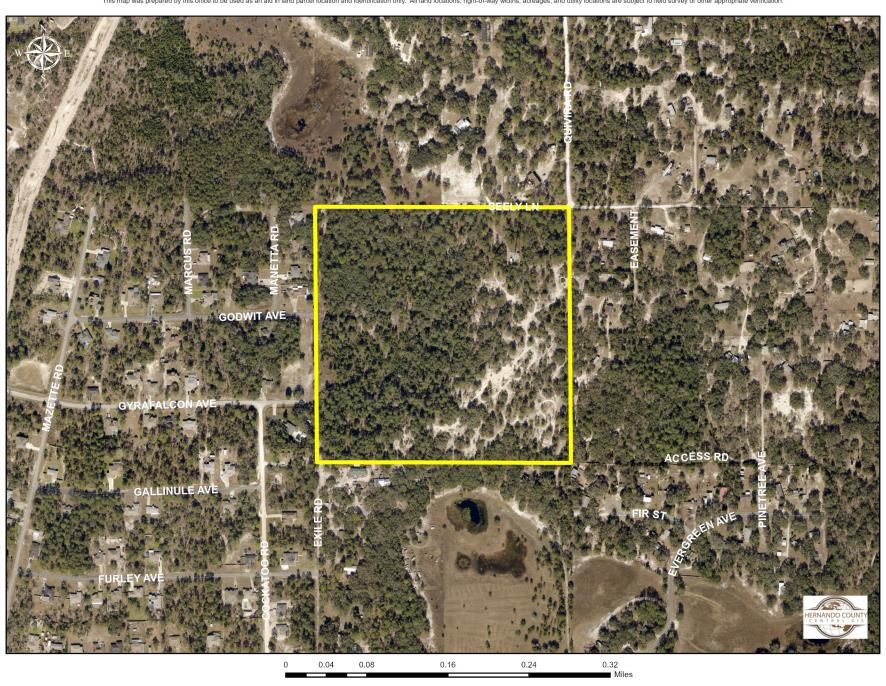
### H-22-76

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. AG AG AG AG AG AR2 AG AG AG AG AG AR2 AG AG AG AG AG CENTRAL GIS AR2 PDP(SF) AG QUIVIRA-RD PDP(SF) AG AG AR<sub>2</sub> PDP(HC) Zoning: AG AG AG AG AG PDP(HHC) AC. Subject Parcel PDP(HID) AG AG AG AG AR2 PDP(IND) AR. PDP(LI) AR1 R<sub>1</sub>C SEELY/LN= PDP(MF) R1C AR2 R1C R<sub>1</sub>C EASEMENT R<sub>1</sub>C R<sub>1</sub>C PDP(MH) C1 R1C R1C RD R<sub>1</sub>C R1C AG AG AG PDP(NC) C2 R1C R<sub>1</sub>C PDP(OP) R<sub>1</sub>C C3 R<sub>1</sub>C AG PDP(PSF) C4 R1C R1C R1C R1C RIC PDP(REC) CITY R<sub>1</sub>C R<sub>1</sub>C R<sub>1</sub>C R<sub>1</sub>C AG AG PDP(RR) AG CM1 PIC **GODWIT AVE** PDP(RUR) CM2 R1C PDP(SF) AG R1C CPDP R1C R1C R1C R1C PDP(SU) CV MAZETTE RD AG R1A R1C R1C R1C R1B R1C 12 AG R1C AG M M GYRAFALCON AVE R1MH OP R1C R1C R1C R<sub>1</sub>C R1C R2 R1C PDP(AF) R2.5 ACCESS RD PDP(CM) R1C R1C R<sub>1</sub>C R3 R1C PDP(CP) R1C RC PDP(GC) AG ETREE R1A R1A R1C R1A R1A R1A GALLINULE AVE PDP(GHC) RM R<sub>1</sub>C R1C R<sub>1</sub>A R1C R1C R1C R1C R1C R1C FIR ST R1C AG ш R1A PI R1A R<sub>1</sub>A EX City Zoning Pending RIC R<sub>1</sub>C R1C R1C R1C AG R1C R1C AG R<sub>1</sub>A ⋖ AG FURLEY AVE R1A R1C R1C R1C R1C R1C R<sub>1</sub>A R1C R<sub>1</sub>C AG R<sub>1</sub>A R<sub>1</sub>A R1C R1C R1C AG R<sub>1</sub>C R<sub>1</sub>C FRIGATE BIRD AVER1C R<sub>1</sub>A AG AG R1C R1C R<sub>1</sub>C R<sub>1</sub>A R<sub>1</sub>A

H-22-76

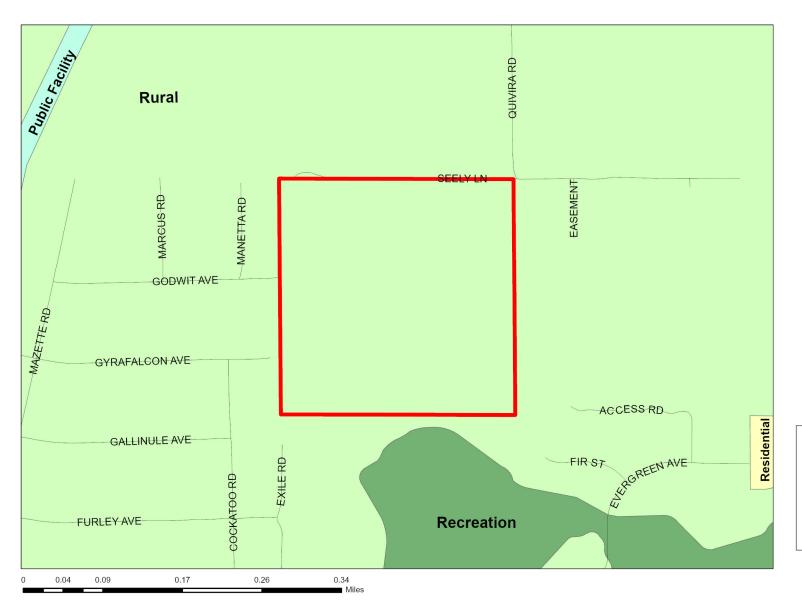
Photo date: 2020

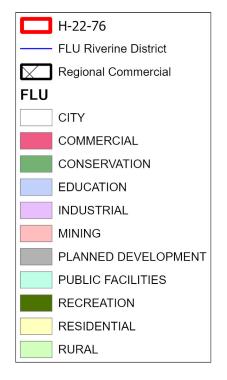
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# **Hernando County Comprehensive Plan Map**

Existing Future Land Use: H-22-76 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.





200 C	Application to Change a Zoning Classification	Received
- 6	Application request constant	
The state of the s	Rezoning [] Standard [S P10]	OCT 0 6 2022
= ( -	Master Plan   New   Revised	
	PSFOD  Communication Lower  Other	
ONL	PRINT OR TYPE ALL INFORMATION	Planning Department
Date 09/30/20	0.2.2	Hernando County, Florida
APPLICANT NAM		
Address:	1025 58th Street North	
( 'ity	St. Petersburg	State 11. Zip. 3376
Phone <u>(727</u>		
Property own	er's name: afnot the apple and Lesa Bruger, Trustee	tell
	PE/CONTACT NAME Jacob T Cremer & Cynthia D Spie	acti
Company Nam	PO Box 3299	
Address:	Lampa	State Zap
Phone (8)		leff wsteams weaver.com &
HOME OWNERS	XSSOCIATION: De ves Xo or applicable provide names	
Contact Name:		
Address	City	State Zip
PROPERTY INFO	RMATION:	
1 PARCEL(S) K	EY NUMBER(S): 00344657	VAVO
2. SECTION 2		, RANGE 18 East
<ol> <li>Current zoning</li> </ol>		
4 Desired zoning	11 10 d Acres	
a thomas and a	treet houndaries. Sommerst come of seed, 1 and and	nyira Road
7 Has a public he	aring been held on this property within the past twelve mont	hs! 🗆 Yes 🖾 No
44 141	and the continued during the public heartings"	Di Les Classe Hales arenna on an are
9. Will additional	time be required during the public hearing(s) and how much	2 N Yes □ No (Time needed: TBD)
PROPERTY OWNE		
L. Lesa Bruger, Trust	ee , have	thoroughly examined the instructions for f
	nd affirm that all information submitted within this petition:	the file and conference and the
and in a sea and state a		
application and state a	of public record, and that (check one):	
application and state a helief and are a matter [] I am the owner	of the property and an making this application OR	nent Group I I C
application and state a helief and are a matter [] I am the owner	of the property and an making this application OR	nent Group LLC rns Weaver Miller
application and state whelief and are a matter  1 am the owner  X + am the owner	of the property and an making this application OR  of the property and am authorizing (applicant) Oak Develop  of the property and am authorizing (applicant) Oak Develop  of the property and Am authorizing (applicant) Oak Develop  of the property and am making this application OR  of the property and am making this application OR  of the property and am making this application OR  of the property and am making this application OR  of the property and am making this application OR  of the property and am making this application OR  of the property and am authorizing (applicant)  of the property and a	ment Group I I C rns Weaver Miller
application and state whelief and are a matter  1 am the owner  X + am the owner	of the property and an making this application OR	ins traces game
application and state whelief and are a matter  1 am the owner  X + am the owner	of the property and an making this application OR  of the property and am authorizing (applicant) Oak Develop  of the property and am authorizing (applicant) Oak Develop  of the property and Am authorizing (applicant) Oak Develop  of the property and am making this application OR  of the property and am making this application OR  of the property and am making this application OR  of the property and am making this application OR  of the property and am making this application OR  of the property and am making this application OR  of the property and am authorizing (applicant)  of the property and a	mas - touter
application and state a helief and are a matter   1 am the owner of  X 1 am the owner of  and inspectional to submit an app	of the property and an making this appreciation Ok Ook Developing the property and am authorizing tapplication Ook Developing tapplicable Jacob T Cremer and Cynthia D Spidell - Stean plication for the described property  LESA BRUGER,	PAGE - FULLER
application and state at helief and are a matter.  I am the owner of the owner ow	of the property and an making this application Ok Ook Develop of the property and an authorizing topplicate. Oak Develop of applicable. Incob T. Cremer and Cynthia D. Spidell - Stea plication for the described property.  LESA BRUGER,	PAGE - FLUITER
application and state a belief and are a matter [7]. I am the owner- [8]. I am the owner and improvement to submit an approximation of the control of the co	of the property and an making this appreciation Ok Ook Develop of the property and an authorizing topplicated. Ook Develop of applicable. Jacob T. Cremer and Cynthia D. Spidell - Stea plication for the described property.  LESA BRUGER, LEDO.	Sugar toutes
application and state at helief and are a matter [7]. I am the owner—[8]. I am the owner—and respectively to submit an application of FLORIDAL OF FLOR	of the property and an making this application Ok of the property and am authorizing tapplication Oak Developi of applicable Jacob T Cremer and Cynthia D Spidell - Stea plication for the described property  LESA BRUGER,	Sugs to twife a summer of the
application and state at helief and are a matter [7]. I am the owner—[8]. I am the owner—and respectively to submit an application of FLORIDAL OF FLOR	of the property and an making this appreciation Ok Ook Develop of the property and an authorizing topplicated. Ook Develop of applicable. Jacob T. Cremer and Cynthia D. Spidell - Stea plication for the described property.  LESA BRUGER, LEDO.	Sugar toutes
application and state at helief and are a matter [7]. I am the owner—[8]. I am the owner—and respectively to submit an application of FLORIDAL OF FLOR	of the property and an making this appreciation Ok Ook Develop of the property and an authorizing topplicated. Ook Develop of applicable. Jacob T. Cremer and Cynthia D. Spidell - Stea plication for the described property.  LESA BRUGER, LEDO.	Suggest Com Trustee  Despite Com Trustee
application and state a belief and are a matter [7]. I am the owner- [8]. I am the owner and improvement to submit an approximation of the control of the co	of the property and an making this appreciation Ok Ook Develop of the property and an authorizing topplicated. Ook Develop of applicable. Jacob T. Cremer and Cynthia D. Spidell - Stea plication for the described property.  LESA BRUGER, LEDO.	Security of the security of th
application and state at helief and are a matter.  I am the owner.  X   am the owner.  and aspectations to submit an app.  STATE OF FLORIDA.	of the property and an making this appreciation Ok Developm of applicable Jacob T Cremer and Cynthia D Spidell - Stea olication for the described property  LESA BRUGER, who is personally known to who is personally known to	Souther Proporte Com Trustee  Dela Com Trustee

117

Page 1 of 1

# REZONING APPLICATION NARRATIVE

\*\*\*\*

Received

OCT 0 6 2022

Planning Department Hernando County Florida

# BRUGER PROPERTY OAK DEVELOPMENT GROUP, LLC

### Submitted by:

Jacob T. Cremer, Esquire Cynthia D. Spidell, AICP Stearns Weaver Miller 401 East Jackson Street, Suite 2100 Tampa, Florida 33602 (813) 222-5051

Original Submittal: October 5, 2022

# JUSTIFICATION REPORT PINE CONE REZONING FROM AG to PDP-SF & PDP-SU

### I. Proposal

### a. Statement of Proposed Land Use & Acreage.

This rezoning application proposes to change the zoning from the Agricultural District (AG) to Planned Development - Single Family (PDP-SF) on approximately 40.4 acres on parcel key no. 00344657 (the "Property") (Exhibit A – Location Map). This rezoning is in conjunction with a corresponding small scale comprehensive plan application for the Property. It should be noted that the area that is allocated to the existing cell tower as depicted on the Master Plan and attached boundary survey shall remain but is being included with this rezoning in order to maintain the option to remove the tower and develop as single family residential in accordance with the applicable conditions and site development standards shown on the Master Plan. The area subject to this rezoning is located on the south side of Seely Lane as set forth below:



### b. Statement of Density Level of Residential Uses.

This rezoning proposes a maximum of 162 single family residential units on 40.4 acres for a gross density of 4.00 dwelling unit/gross acre. It should be noted that this gross density also includes the area that is currently shown as a communication tower. This rezoning also proposes a neighborhood park of 2.19 acres which is just above the 2.12 required per the County's land development regulations (LDR's) pursuant to Code of Ordinance Section 26-75. Pursuant to such LDR's, the amount of acreage required is one (1) acre for the first fifty (50) units plus 1/100<sup>th</sup> of an acre for each dwelling unit over fifty (50) up to 250 dwelling units for a maximum of 3 acres. As this rezoning seeks 162 dwelling units, the calculation is as follows:

<b>Dwelling Units</b>	Acreage
First 50/162	1 acre
Next 112/162	1.12 acre
Minimum Park Acreage:	2.12 acres

The neighborhood park has been creatively located in the area between the residences and the communication tower to maximize its use as a buffer.

# c. <u>Statement of Proposed Square Footage of Development and Building Heights</u> of Commercial Uses

No commercial uses are proposed. The single family residential lot layout and dimensional standards are located on the Master Plan (**Exhibit B**). It should be noted that there are only two minimum lot sizes proposed which are:

- 52' width x 120' length (52x120=6,240 total lot size)
- 72' width x 120' length (72x120=8,640 total lot size)

### d. Statement of Proposed Deviations from Code.

The proposed rezoning is to PDP-SF with specific standards unique to this development. The proposed standards deviation from the Euclidian standards for the R1-A zoning district in the following ways:

LDC Section	Description	LDC Requirement	Proposed Amount	Requested Deviation
LDC App. A, Art. IV, Sec. 2, C: R-1A Residential District	Minimum Lot Area	6,000 square feet	5,500* square feet	(500) square feet
LDC App. A, Art. IV, Sec. 2, C: R-1A Residential District	Minimum Lot Width	60 feet	50* feet	(10) feet

LDC App. A, Art. IV, Sec. 2, C: R-1A Residential District	Minimum Front Yard	25 feet	20 feet	(5) feet
LDC App. A, Art. IV, Sec. 2, C: R-1A Residential District	Minimum Side Yard	10 feet	5 feet	(5) feet
LDC Appendix A, Article VIII. Section 1.B: General Provisions for Planned Development Projects, Perimeter Setback	Front Yard	25 feet	20 feet	(5) feet
LDC Appendix A, Article VIII. Section 1.B: General Provisions for Planned Development Projects, Perimeter Setback	Side Yard	10 feet	5 feet	(5) feet

\*Note: Represents minimum requested for 50-foot lots which are restricted as to location per the Master Plan. Perimeter lots shall be a minimum of 70 feet wide with the exception of one small area along the eastern boundary south of the neighborhood park.

The R1-A Euclidean zoning district is designed primarily to permit the continued development of established residential areas which include a mixture of conventional single family dwellings and mobile homes and is therefore, not intended to be utilized extensively for future development.. *See* App. A, Article IV, Sec. 1(3). The proposed PDP(SF) proposes clustered density of 4.39 du/ga. This clustering requires smaller lots and setbacks. However, the proposed PDP(SF) is appropriately buffered and screened to ensure compatibility with the surrounding neighborhoods.

As described in section III.B below, a 20' landscape buffer has been shown on the Master Plan along the entire perimeter of the project. Additionally, the 70' lots are shown along the perimeter with the exception of one small area.

This development is located in the adjusted urbanized area and will allow for an efficient use of public facilities and services.

### II. Site Characteristics

- a. <u>Site Size</u>: The site subject to this rezoning per the attached Sketch & Description is 40.4) (Exhibit C)
- b. Existing Land uses and their specific acreage: N/A. the lot is currently vacant:



c. <u>Known activities or uses on-site:</u> There are no known activities or uses currently on the site.

### III. Environmental Considerations.

Environmental considerations such as flood zone, drainage features, and water features have been noted on the Master Plan as applicable. An environmental assessment was conducted for the site (**Exhibit D**). The applicant will follow the recommendations outlined in the report and will comply with all applicable environmental permitting regulations.

### Site Plan Discussion.

### a. Description of the concept of the development plan.

As can be seen on the attached Master Plan, the County's latest development guidelines have been incorporated into the design. Larger lots have been strategically placed along the perimeter and the 50' lots are interior.

### b. Proposed buffer sizes and separation widths between proposed land uses.

A 20' landscape buffer has been shown on the Master Plan along the entire perimeter of the project. Additionally, as depicted on the Master Plan, the applicant/developer is committed to placing larger lots (minimum 70' wide) along the perimeter with the exception of a few lots just south of the neighborhood park. It should be noted that the stormwater pond locations and neighborhood park are proposed to be strategically located around the outer portions of the project to maximize perimeter buffering opportunities.

### c. Proposed setbacks and minimum sizes for individual lots.

The master plan contains the various lot sizes proposed for the project and includes all applicable setbacks on the lot layout.

### d. Proposed uses within pods.

This rezoning proposes single family residential and a potential recreational amenity center within the neighborhood park.

### IV. Public Facilities Impact Analysis.

a. Water & Wastewater Analysis. The following charts outline the potential impacts on water and wastewater:

Zoning District	Proposed Density EDU
Planned Development - Single Family*	167
Average Daily Demand	65,130 gallons per day
Maximum Daily Demand	97,695 gallons per day
	(67.8 gallons per minute)
Required Fire Flow	1000 gallons per minute
Required Fire Flow + Maximum Daily Demand	1067.8 gallons per minute
*Analysis based on PDP (Single Family) Zoning Dis- dwelling units as the Zoning Application to be con with the CPAS application. (167 EDU = 162 single f	sidered concurrently
Center assumed @ 5 homes)	
Sanitary Sewer Imp	
	33,400 gallons per day 69.58 gallons per minute

- **b.** Schools. School concurrency applies to residential development and thus shall apply to this project. The applicant will work with the school board to complete a school capacity application and shall comply with applicable school concurrency requirements in conjunction with development of the property.
- c. <u>Parks.</u> In accordance with Strategy 7.01B(4) of the Hernando County Comprehensive Plan, a project in excess of 1000 new residential units will require an analysis of the proximity and accessibility of a district or community park by the proposed development to determine whether additional facilities are needed. As this project is a maximum of 162 dwelling units, an additional park analysis is not required.

### V. Water and Sewer Services.

It is understood that the county subdivision regulations require the dedication of sewer and water systems to the County. It is also understood that such regulations provide

for obtaining water and sewer service from the county, payment of connection fees, and commitments for service.

As part of the zoning and permitting process, the applicant will work with the County and enter into applicable water and sewer agreements. It is also acknowledged that the developer must request water and sewer service from the County.

### VI. Senior, Age-Restricted or Affordable Housing.

N/A. None of these items are proposed.

### **Exhibit List**

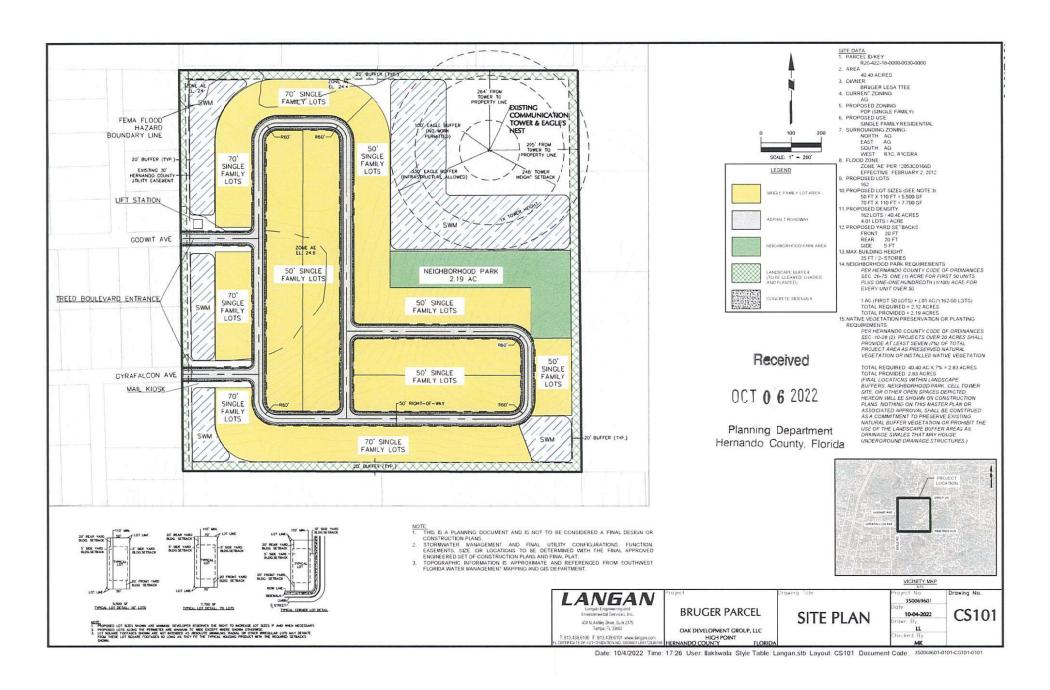
Listed here but attached to the initial narrative submittal

Exhibit A – Location Map

Exhibit B – Master Plan

Exhibit C – Boundary Survey

Exhibit D – Environmental Assessment



#### HERA OR JO OR

### **Planning & Zoning Commission**

### **AGENDA ITEM**

Meeting: 01/09/2023 Department: Planning Prepared By: ACongdon Initiator: Aaron Pool DOC ID: 11600 Legal Request Number: Bid/Contract Number:

### TITLE

H-22-78 - Elizabeth A Richards:

Rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2); South side of Solway Drive at its intersection with Octavia Way.

### **BRIEF OVERVIEW**

### Request:

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

### **General Location:**

South side of Solway Drive at its intersection with Octavia Way.

### 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 a rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2) in accordance with the staff report

### **REVIEW PROCESS**

Michelle Miller	Approved	12/28/2022 5:20 PM	
Aaron Pool	Approved	12/30/2022 11:10 AM	
Kyle Benda	Approved	12/29/2022 3:40 PM	

RESULT: ADOPTED

MOVER: Michael Kierzynski SECONDER: Kathryn Birren

## H-22-78

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. R1C R1C R1C R1C R<sub>1</sub>C R1C MADONNA DR R1C R<sub>1</sub>C R<sub>1</sub>C R<sub>1</sub>C CENTRAL GIS R1C R<sub>1</sub>C R<sub>1</sub>C OCTAVIA LN R1C Zoning: PDP(HC) R<sub>1</sub>C R<sub>1</sub>C R<sub>1</sub>C PDP(HHC) R<sub>1</sub>C AC R1C NORWAY ST R1C R1C R<sub>1</sub>C PDP(HID) AG PDP(IND) AR. PDP(LI) AR1 R<sub>1</sub>C PDP(MF) AR2 R1C PDP(MH) C1 SOLWAY DR PDP(NC) C2 PDP(OP) C3 PDP(PSF) Subject Parcel C4 PDP(REC) CITY R1C PDP(RR) CM1 PDP(RUR) CM2 R<sub>1</sub>C R<sub>1</sub>C R<sub>1</sub>C PDP(SF) R<sub>1</sub>C CPDP R<sub>1</sub>C R<sub>1</sub>C R1C PDP(SU) R1A R1B 12 R<sub>1</sub>C R1C \_\_\_\_ M R1MH OP. R2 PDP(AF) R2.5 PDP(CM) R3 PDP(CP) RC PDP(GC) R1C PDP(GHC) RM R<sub>1</sub>C R1C R<sub>1</sub>C R1C R<sub>1</sub>C R<sub>1</sub>C City Zoning Pending R<sub>1</sub>C EILER BLVD R<sub>1</sub>C R1C R1C R<sub>1</sub>C R1C R1C Hernando County Planning Department 0.01 0.03 0.05 0.08 0.1

Project date: 11/22/2022

Miles

H-22-78

Photo date: 2020

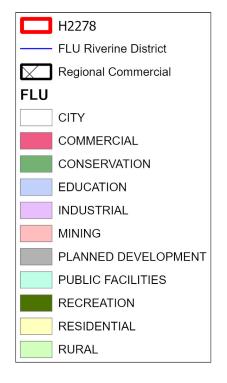
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# **Hernando County Comprehensive Plan Map**

Existing Future Land Use: H-22-78 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.





### HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):

Rezoning ☐ Standard ☐ PDP

Master Plan □ New □ Revised

PSFOD □ Communication Tower □ Other

PRINT OR TYPE ALL INFORMATION

File No. H-22-78 Official Date Stamp: Received

OCT 1 2 LUL2

Planning Department Hernando County, Florida

Date: 1022			
1 1 1 A O	ichards		
Address: 33467 Solutar Or.			,
City: Webster	State	e: FL	Zip: 33597
Phone: 813 236 7714 Email: kevanlis	sa @ hotmail	COM	
Property owner's name: (if not the applicant)			
REPRESENTATIVE/CONTACT NAME: N/A			
Company Name:			
Address:			
City: Email:	State	):	_ Zip:
Phone:Email:			
HOME OWNERS ASSOCIATION: ☐ Yes ☐ No (if applicable p			CONTRACTOR OF STATE O
Contact Name:			
Address:	City:	State:	Zip:
PROPERTY INFORMATION:			
1. PARCEL(S) <u>KEY</u> NUMBER(S): <u>00831274</u>	+		
2. SECTION 35, TOWNSHIP	22	, RANGE	21
<ul> <li>3. Current zoning classification:</li> <li>4. Desired zoning classification:</li> </ul>			
4. Desired zoning classification:  Size of area covered by application:	400		
<ul> <li>5. Size of area covered by application: 2 3 0 0</li> <li>6. Highway and street boundaries: 50 Way 0</li> </ul>	( )		
7. Has a public hearing been held on this property within the pa			
8 Will expert witness(es) be utilized during the public hearings			tify on an attached list.)
9. Will additional time be required during the public hearing(s)			d:)
	——————————————————————————————————————	Tro (Timo neede	U
PROPERTY OWNER AFFIDIVAT			
I, Elizabeth A. Richards	1 1		
application and state and affirm that all information submitted with	, have thoroughly	examined the instru	ections for filing this
belief and are a matter of public record, and that (check one):	in this pention are true and o	correct to the best o	i my knowledge and
I am the owner of the property and am making this application	on OR		
☐ I am the owner of the property and am authorizing (applicant):			
and (representative, if applicable):			
to submit an application for the described property.	. 1 1	$\overline{}$	
(			1
<i>&gt;</i> .	Taketh X	1. Lick	and
	Signature of P	roperty Owner	
STATE OF FLORIDA			*
COUNTY OF HERNANDO  The foregoing instrument was acknowledged before me this	down of to	her	2022 by
Elizabeth A. Richards who is person		red <b>E</b> (DD)	as identification.
CIT ZOCIONI VING GIOLE WILLO IS POISON	iany known to me or produ	cca I LDE CI	as identification.
	DEBRA JOH	1	
A JUNA JUNIVA	Notary Public - Stat	e of Florida	
Signature of Notary Public	Commission # GO My Comm. Expires		
D(C 1' D 1 110/16 T 1 D 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Bonded through National	Notary Assn.	
Effective Date: 11/8/16 Last Revision: 11/8/16	<b>是一个一个一个一个一个一个一个一个一个一个一个一个一个一个一个一个一个一个一个</b>	And the street of the street on the street o	Notary Seal/Stamp

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

Notary Seal/Stamp

### 33462 Solway Dr. Webster (Ridge Manor Estates)

In January 2013 My husband and I bought two acres in Ridge Manor Estates. When we moved our big family to Florida permanently in 2015, I, Elizabeth, designed and built a large house to accommodate taking care my husband's mother, our four children, as well as the many guests and extended family. There are no residences to the East, West or North of us but our neighbors to the South have residences about 100' from ours.

At the beginning of this year Kevan and I felt it necessary to develop some of our unused land to make us more self sustaining with food prices rising and the possibility of food shortages. We decided to make a big garden and have some chickens on the second acre we had bought. We also wondered if we might have a couple of goats in the future; maybe in a couple of years from now. As we planned and started on our project, we realized, about a month ago, that we may have to rezone our property to accommodate a dozen chickens.

I designed a secure place where our chickens will not get eaten by predators (including racoons, opossums, coyotes, owls, hawks, eagles, snakes and the like), and a garden that is fortified against diggers, climbers and flyers. There are a lot of animals out here in Ridge Manor! I made sure in planning that it was 25' from the edge of the property where I would put the renovated fort for the chickens. The chicken coop is 7'x7'and 6' high. The chicken run is 20'x24, with a height of 6'-8' and the garden is 38'x45' with a proposed aviary netting of 6'-10'.

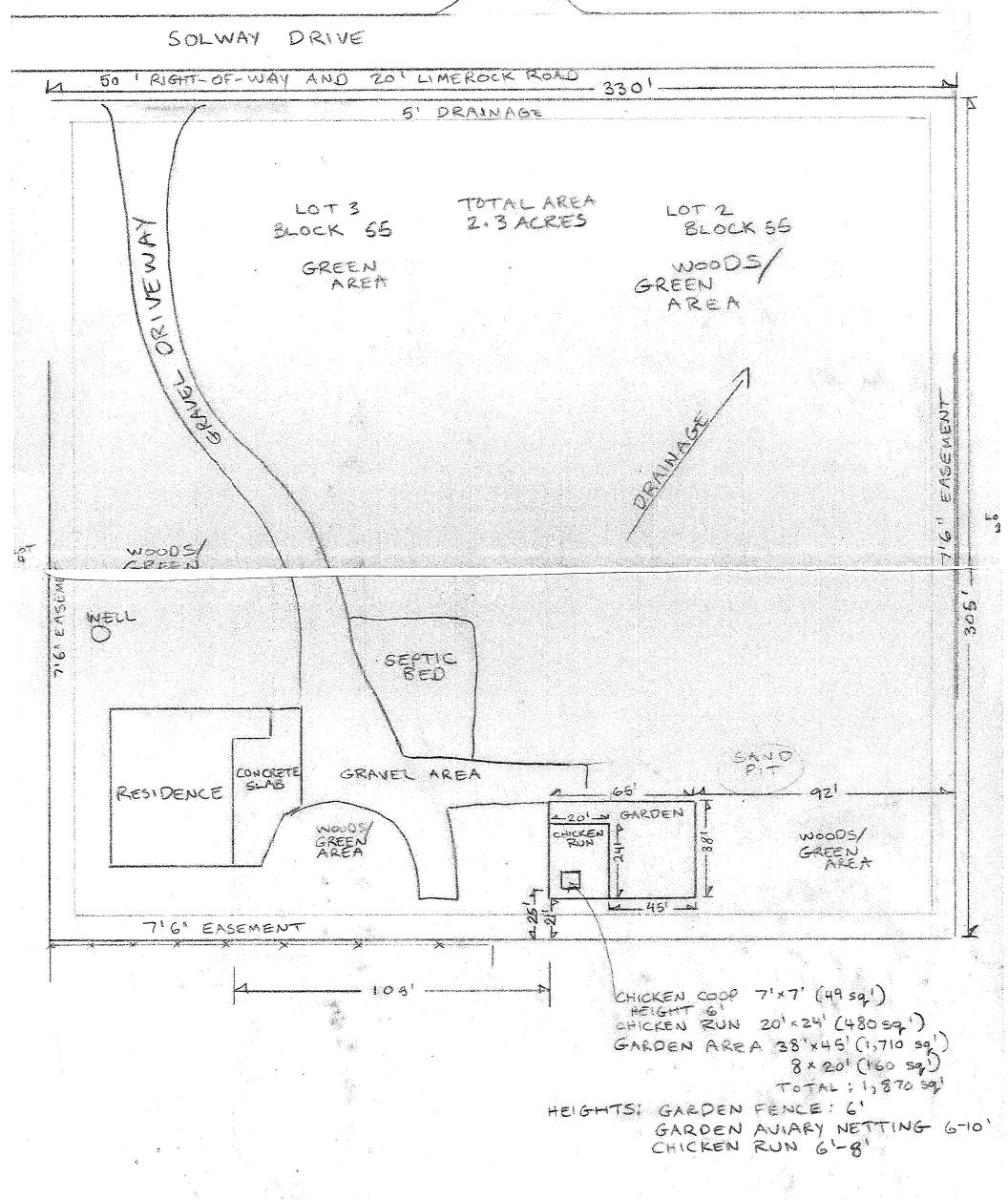
We are on a ridge about 80' above sea level. Our two lots are on a hill which drains diagonally  $\pm_{o}$  the NE. We have our own 100' well over 90' from our septic system. The chicken run is over 100' East of our residence. The garden and chicken run is in a place where no trees grew previously on a sand slope to the NE. In designing the garden, I incorporated raised beds and erosion control by having the bottom of the fencing to have two 2x6 edges. I have purchased composted tree mulch from a local company to fill my raised beds and am anticipating using chicken manure as a fertilizer as well. I am using lime to control insects and keep the chicken area clean.

Received

OCT 1 2 2022

Planning Department Hernando County, Florida PROPERTY OF KEVAN & EUZABETH RICHARDS
LOT 2-3 BLOCK 65
SOLWAY DR.
RIDGE MANOR FLORIDA

NORTH



Received

OCT 1 2 2022

Planning Department Hernando County, Florida

LOT 13

### STAFF REPORT

**HEARINGS:** Planning & Zoning Commission: January 9, 2023

Board Of County Commissioners: February 14, 2023

**APPLICANT:** Elizabeth A Richards

FILE NUMBER: H-22-78

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

2)

**GENERAL** 

**LOCATION:** South side of Solway Drive at its intersection with Octavia Way.

**PARCEL KEY**: 831274

### **APPLICANT'S REQUEST:**

The petitioner is requesting a rezoning of this property from R-1C to AR-2 to allow for a greater range of housing choices, farming, and personal livestock on the property.

### SITE CHARACTERISTICS:

Site Size: 2.3

**Surrounding Zoning** 

& Land Uses: North: R-1C (Residential); undeveloped

South: R-1C (Residential); Single-family homes

East: R-1C (Residential); undeveloped West: R-1C (Residential), undeveloped

**Current Zoning:** R-1C (Residential)

**Future Land Use** 

Map Designation: Rural

### **ENVIRONMENTAL REVIEW:**

**Soil Type:** Candler Fine Sand

**Protection Features:** There are no Protection Features (Wellhead Protection

Areas (WHPA) and Special Protection Areas SPAs) on

Staff Report: H-22-78

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: This property is designated "Sandhill" 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 Review: This property is not within any Basin Action

Management Plan (BMAP), Priority Focus Areas (PFA)

or Outstanding Florida Springshed (OFS).

Flood Zone: X

### **UTILITIES REVIEW:**

The Hernando County Utilities Department (HCUD) has reviewed the petitioner's request and provided the following comments:

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 submitted zoning change from R1C to AR2 to allow chickens and goats on the premises.

### **ENGINEERING REVIEW:**

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

• The property is outside the floodplain. The proposed development will have minimal impact on the site drainage.

### LAND USE REVIEW:

Minimum AR-2 (Agricultural/Residential-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, characterized by an established mixture of both conventional single-family dwellings and mobile homes. The AR-2 district is not to be utilized for future development. 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.

Staff Report: H-22-78

- 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.
- (d) 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, agri-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

Staff Report: H-22-78

development regulations.

Comment: The parcel is within the Rural land use classification and is

surrounded by residential parcels ranging in size from .3 acres to the west, and parcels between 1.3 and 9.2 acres on the other three sides. 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, subject to the staff report.

### NOTICE OF APPLICANT RESPONSIBILITY:

The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

### **STAFF RECOMMENDATION:**

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving a rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2) in accordance with the staff report.

Staff Report: H-22-78

### **Planning & Zoning Commission**

### **AGENDA ITEM**

Meeting: 01/09/2023 Department: Planning Prepared By: ACongdon Initiator: Aaron Pool DOC ID: 11601 Legal Request Number: Bid/Contract Number:

### TITLE

H-22-80 - Sueann Gouin:

Rezoning from AR-2 (Agricultural/Residential-2) to AG (Agricultural); North side of Sun Road at its western terminus

### **BRIEF OVERVIEW**

### Request:

Rezoning from AR-2 (Agricultural/Residential-2) to AG (Agricultural)

### **General Location:**

North side of Sun Road at its western terminus

### 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 AR-2 (Agricultural/Residential-2) to AG (Agricultural)

### **REVIEW PROCESS**

 Michelle Miller
 Approved
 12/28/2022
 5:20 PM

 Aaron Pool
 Approved
 12/30/2022
 11:02 AM

 Kyle Benda
 Approved
 12/29/2022
 3:41 PM

RESULT: ADOPTED

MOVER: Nicholas Holmes SECONDER: Michael Kierzynski

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

### STAFF REPORT

**HEARINGS:** Planning & Zoning Commission: January 9, 2023

Board Of County Commissioners: February 14, 2023

**APPLICANT:** Sueann Gouin

FILE NUMBER: H-22-80

**REQUEST:** Rezoning from AR-2 (Agricultural/Residential-2) to AG (Agricultural)

**GENERAL** 

**LOCATION:** North side of Sun Road at its western terminus

**PARCEL KEY**: 593717

### **APPLICANT'S REQUEST:**

The applicant is requesting a rezoning of the subject property from AR-2 to AG to allow for farming, and personal livestock on the property.

### SITE CHARACTERISTICS:

Site Size: 4.8 acres

**Surrounding Zoning** 

& Land Uses: North: AG (Agricultural); Single-Family Homes

South: AR-2 (Agricultural/Residential-2); Single

Family Homes

East: AR-2 (Agricultural/Residential-2); Single

Family Homes

West: Lake Hideaway CPDP (Combined Planning

Development Project) with Single Family and Multi-family uses adjacent to the subject

Parcel; undeveloped.

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

**Future Land Use** 

Map Designation: Rural

### **ENVIRONMENTAL REVIEW:**

**Soil Type:** Candler Fine Sand/0-5% Slopes and a small western

portion of the property is Candler Fine Sand/5-8%

Staff Report: H-22-80

Slopes.

**Protection Features:** There are no Protection Features (Wellhead Protection

Areas (WHPA) and 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: This property is designated "Low Structure Density

"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), the Weeki Wachee Primary Focus Area (PFA), and the and Weeki Wachee Outstanding Florida

Springs (OFS) Group.

**Flood Zone:** X, with a small portion to the north of the property within

the AE zone.

### **UTILITIES REVIEW:**

The Hernando County Utilities Department (HCUD) has reviewed the petitioner's request and provided the following comments:

- HCUD currently provides water service to this parcel. Sewer service is not available to this parcel.
- HCUD has no objection to the requested zoning change from AR2 to AG to allow multiple sheds and carports to be placed on site.

### **ENGINEERING REVIEW:**

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

• This site contains an area of 1% annual chance floodplain, "AE, (El. 59.6)". This floodplain is associated with a karst feature.

 Driveway must be improved to current County standards. Obtain Right of Way Use permit to install driveway apron for connection to paved County roadway.

Staff Report: H-22-80

### LAND USE REVIEW:

The AG district is designed to promote and encourage the conservation and utilization of prime and productive agricultural land, as well as the preservation of the open character of certain land, which, by virtue of their topography, soil types, natural resources and/or relationship to other land use areas, should be carefully reviewed and evaluated prior to their possible development or else should continue to be developed at a relatively low-density to maintain their overall natural environment and unique character with the county.

The minimum lot area for the Agricultural district is ten (10) acres for parcels created after January 1, 1990. The subject parcel (4.8 acres) was created on January 1, 1980. Due to the creation of the parcel before 1990, the minimum area size is not applicable, and the AG district is a valid and legal zoning district for the property. All other AG district regulations still apply to the property and the petitioner's use of said property.

The Hernando County Code of Ordinances, Appendix A, Article IV, Section 6 identifies the permitted uses within the AG zoning district as follows:

### A. Agricultural District:

- (1) *Permitted Uses:* The following permitted uses shall apply in the agricultural district:
  - (a) Animal specialty establishment.
  - (b) Farming and farming service establishments.
  - (c) Fisheries.
  - (d) Forestry and forestry service establishments.
  - (e) Horticultural specialty farms.
  - (f) Hunting, trapping and game propagation.
  - (g) Landscaping service establishment.
  - (h) Single-family dwelling.
  - (i) Mobile Home, provided that such mobile home meets all regulations, requirements and provisions of this ordinance for minimum living area within the zoning district.
  - (j) Land Application of Domestic Septage, provided that such operation meets all special regulations, requirements and provisions of this ordinance for operation and siting and applicable Florida Statutes, Administrative Rules, and provisions of the Hernando County Code of Ordinances.

- (k) Wildlife management activities.
- (I) Resource-oriented recreational activities.
- (m) Aquaculture.

### (5) Special regulations:

(a) No odor- or dust-producing substance or use, except in connection with cultivation of permitted uses, shall be permitted within one hundred (100) feet of the property line of an adjoining parcel containing a residence or the property line of a residentially zoned parcel.

Staff Report: H-22-80

Minimum AG (Agricultural) Building Setbacks:

Front: 75'Side: 35'Rear: 50'

### **COMPREHENSIVE PLAN REVIEW:**

### Rural Category

Objective 1.04C:

The Rural Category allows agriculture, agricultural commercial, agri-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.

Comment:

The parcel is within the Rural land use classification and is surrounded by parcels with a varying degree of agricultural uses. 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 AR-2 (Agricultural/Residential-2) to AG (Agricultural) is appropriate based on consistency with the County's adopted Comprehensive Plan, subject to the staff report.

### 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.

Staff Report: H-22-80

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 AR-2 (Agricultural/Residential-2) to AG (Agricultural).

# H-22-80

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification. CENTRAL GIS AG AG AG AG AG AG AG PDP(HC) Zoning: PDP(HHC) AC PDP(HID) AG PDP(IND) AR. PDP(LI) AR1 PDP(MF) AR2 PDP(MH) C1 PDP(NC) C2 PDP(OP) C3 PDP(PSF) C4 PDP(REC) PDP(RR) CM1 PDP(RUR) CM2 AR2 AR2 PDP(SF) **CPDP** AR2 AR2 CPDP PDP(SU) CV AR2 R1A R1B 12 R1C \_\_\_\_ M R1MH OP R2 PDP(AF) R2.5 PDP(CM) R3 PDP(CP) SUN RD RC PDP(GC) Subject Parcel PDP(GHC) RM AR2 AR2 AR2 AR2 AR2 City Zoning Pending AR2 AR2 AR2 AR2 AR2 AR2 AR2 AR2

0.08

0.12

0.16 Miles

0.02

0.04

Hernando County Planning Department

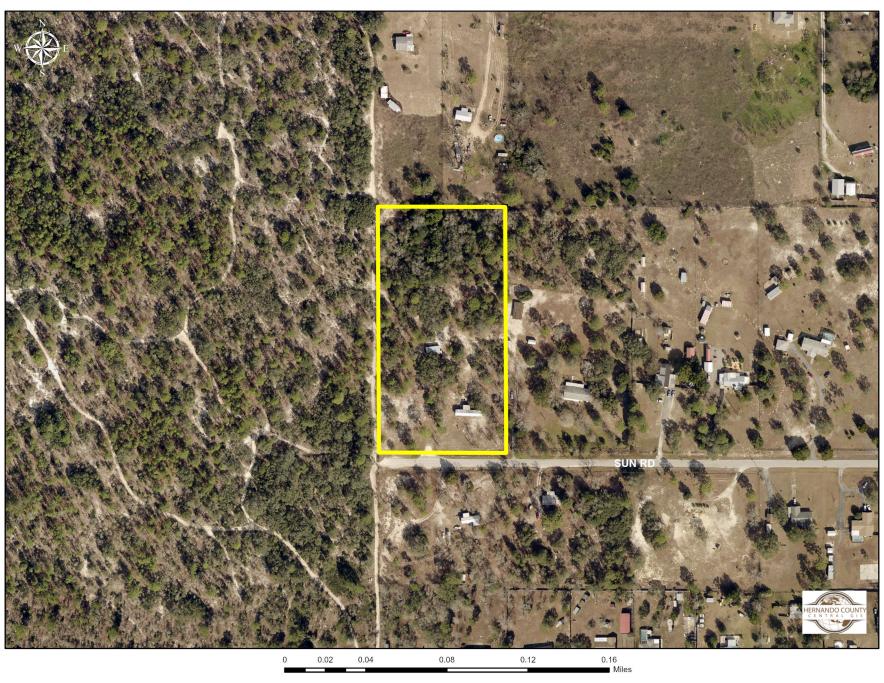
Project date: 11/22/2022

S:\Share\P&Z\PZCases2023\Janu **145** 23\ H2280M.pdf

H-22-80

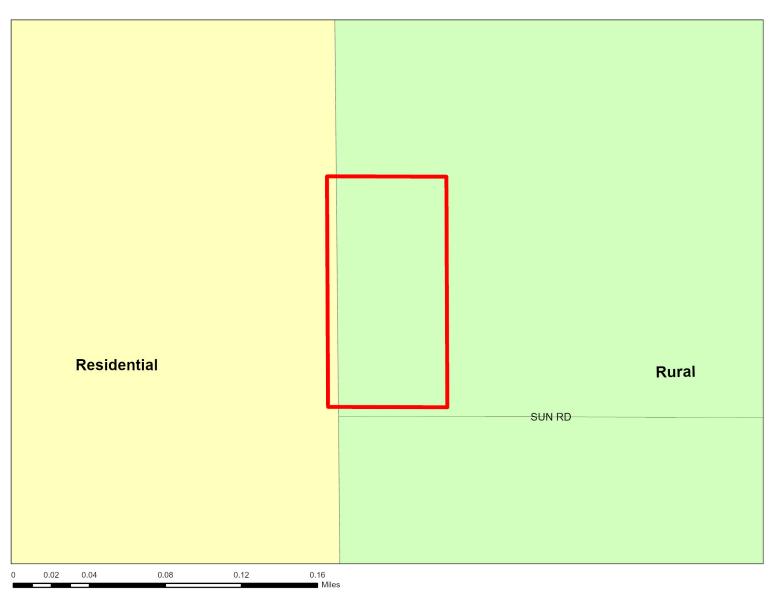
Photo date: 2020

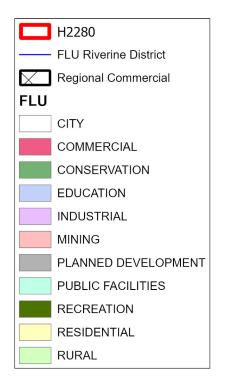
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# **Hernando County Comprehensive Plan Map**

Existing Future Land Use: H-22-80 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.





# HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):

Rezoning □ Standard □ PDP

Master Plan □ New □ Revised

PSFOD □ Communication Tower □ Other

PRINT OR TYPE ALL INFORMATION

File No. 17-22-80 Official Date Stamp:

Received

OCT 1 3 2022

Planning Department Hernando County, Florida

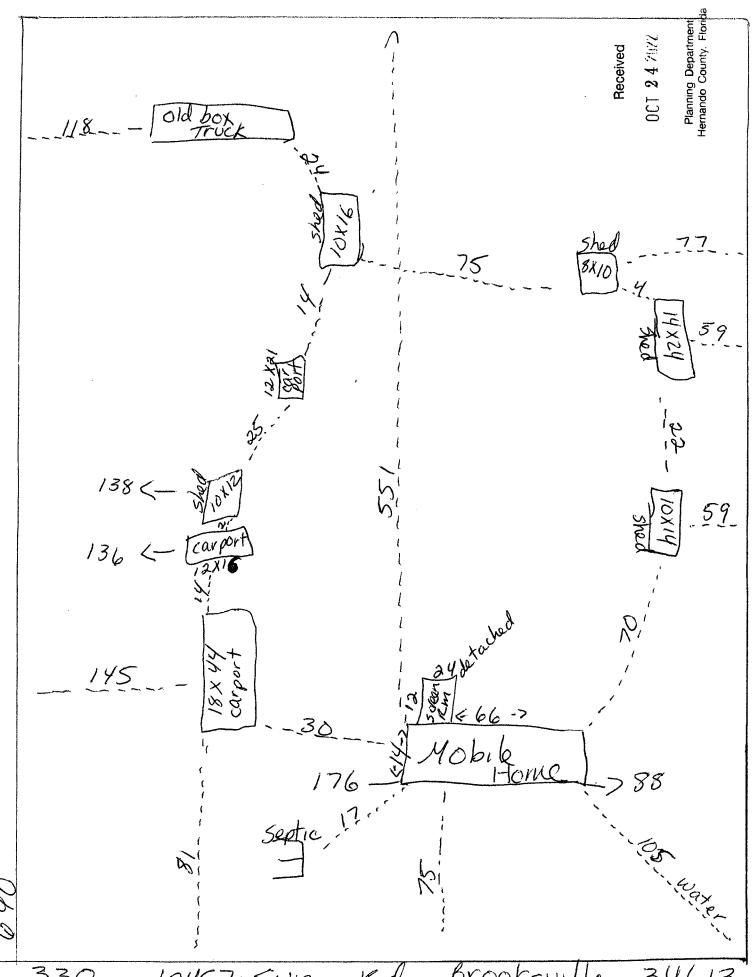
Date:			
APPLICANT NAME: SURANA GO	vin		
101167			
City: Brooksville		State: F1	Zip: 34613
Phone: 978-223-3085 Email: 900day	r/4020030 40	thoo. Com	
City: By OOKSUILE  Phone: 978-223-3085 Email: 900gs  Property owner's name: (if not the applicant)	1		
DEDDECENTE ACTUE ACCORDA CONTRA CONTR			
Company Name:			
Address:			
City:		State:	Zip:
City: Email:			
HOME OWNERS ASSOCIATION: ☐ Yes ☐ No (if applied	cable provide name)		
Contact Name:			
Address:	City:	State:	Zip:
PROPERTY INFORMATION:			
1. PARCEL(S) KEY NUMBER(S): 593717			
2. SECTION, TOWNSH			
3. Current zoning classification: AR2			
4. Desired zoning classification:	5		
5. Size of area covered by application: 4.80			
6. Highway and street boundaries:			
7. Has a public hearing been held on this property within	the past twelve months?	? □ Yes ☑No	
8 Will expert witness(es) be utilized during the public he	earings?	☐ Yes ☑ No (If yes, i	dentify on an attached list.)
9. Will additional time be required during the public hear	ing(s) and how much?	☐ Yes ☐ No (Time no	eeded:)
PROPERTY OWNER AFFIDIVAT			
PROFERIT OWNER AFFIDIVAT			
I, Sueann Gouin	have the	aroughly avaminad the it	estructions for filing this
application and state and affirm that all information submitted	, nave un	true and correct to the h	est of my knowledge and
belief and are a matter of public record, and that (check one):		titue and correct to the or	est of my knowledge and
☐ I am the owner of the property and am making this app			
☐ I am the owner of the property and am authorizing (app	licant):		
and (representative, if applicable):			
to submit an application for the described property.			
		La com	
	Alley	m Oou	^
	Si	gnature of Property Owner	
STATE OF FLORIDA	1		
COUNTY OF HERNANDO	nist. no	bologic	20 22 . by
The foregoing instrument was acknowledged before me this _ who is	day of UC	TUYICY	
who is	personally known to me	e or produced 100	as identification.
A			
N. Daniel K. 17	Jan 1999	ALAMA VIDO	1
Ochluna Kidel	O'ARY PUR	ALAINA KIDD Notary Public - State of Florida	K
	一	Commission # HH 307422	<u> </u>
Signature of Notary Public		My Comm, Expires Aug 31, 2026 and through National Notary Assn.	
Effective Date: 11/8/16 Last Revision: 11/8/16	Bonde	to the origin motional motal y washing	Notary Seal/Stamp

# Received

OCT 2 4 2022

Planning Department Hernando County, Florida

Hernando County, Florida
12457 Sun Rd Brooksville 34613
Shed 8x10 Tools-for farm
Shed 8x12 food-chickens, goats, birds
Shed 10x14 dogs + hay storage
Thed 10×16 animal cages + Supplies
Shed 14x24 birds-cockatails, Parrot, Pigeons
Carport 12 x16 goats
Carport 12x21 Turkeys + chickens
Carport 18 x 44 Used for Tracker & Storage Fox garden + Fencing 149



330

12457 Sun

Kd

Brooksville

34617

# HERON OUT A ALKINGO OUT A ALKI

# **Planning & Zoning Commission**

## **AGENDA ITEM**

Meeting: 01/09/2023 Department: Planning Prepared By: ACongdon Initiator: Aaron Pool DOC ID: 11602 Legal Request Number: Bid/Contract Number:

## TITLE

H-22-82 - David Kerns:

Rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2); West side of the Southern Terminus of Slingshot Drive

### **BRIEF OVERVIEW**

#### Request:

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

#### **General Location:**

West side of the Southern Terminus of Slingshot Drive

#### FINANCIAL IMPACT

A matter of policy. There is no financial impact.

#### **LEGAL NOTE**

The Planning and Zoning Commission has jurisdiction to make a recommendation on the subject application. The Applicable Criteria for 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 a rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2) in accordance with the staff report

#### **REVIEW PROCESS**

Michelle Miller	Approved	12/28/2022	5:20 PM
Aaron Pool	Approved	12/30/2022	10:32 AM
Kyle Benda	Approved	12/29/2022	3:43 PM

RESULT: ADOPTED

**MOVER:** W. Steven Hickey **SECONDER:** Michael Kierzynski

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

## STAFF REPORT

**HEARINGS:** Planning & Zoning Commission: January 9, 2023

Board of County Commissioners: February 14, 2023

**APPLICANT:** David Kerns

FILE NUMBER: H-22-82

**REQUEST:** Rezoning from R1-C (Residential) to AR-2 (Agricultural/Residential-

2)

**GENERAL** 

**LOCATION:** West side of the Southern Terminus of Slingshot Drive

PARCEL KEY: 25546

#### **APPLICANT'S REQUEST:**

The petitioner is requesting a rezoning of his property from R-1C to AR-2 to allow for a greater range of housing choices, farming, and personal livestock on the property.

#### SITE CHARACTERISTICS:

Site Size: 1.4 acres

**Surrounding Zoning** 

& Land Uses: North: R-1C (Residential), undeveloped

South: AG (Agricultural), undeveloped
East: R-1C (Residential), Residence
West: R-1C (Residential), undeveloped

Current Zoning: R-1C

**Future Land Use** 

Map Designation: Rural

#### **ENVIRONMENTAL REVIEW:**

**Soil Type:** Eaugallie Fine Sand

**Protection Features:** The property is west of the Florida West Aggregates

mine and falls within its 500-foot Special Protection

Staff Report: H-22-82

Area (SPA) buffer.

**Hydrologic Features:** The property is within a karst sensitive area

Habitat: The property is designated as Zeric Hammock

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 Review: The property is not within any Basin Action

Management Plan (BMAP) area, Priority Focus Area (PFA), or Outstanding Florida Spring (OFS) area.

Flood Zone: X

#### **UTILITIES REVIEW:**

The Hernando County Utilities Department (HCUD) has reviewed the petitioner's request and provided the following comments:

- 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 change from R-1C to AR-2 to allow a modular home on site along with some farm animals, subject to Health Department approval of an appropriate Onsite Sewage Treatment and Disposal System.

#### **ENGINEERING REVIEW:**

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

- This property is located outside the 1% annual chance floodplain. Access to the site may be impacted by flooding.
- Property owner should be aware that Slingshot Drive is an emergency maintenance only roadway.

#### **LAND USE REVIEW**

Minimum AR-2 (Agricultural/Residential-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, characterized by an established mixture of both conventional single-family dwellings and mobile homes. The AR-2 district is not to be utilized for future development. 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.

Staff Report: H-22-82

- 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.
- (d) 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, agri-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

Staff Report: H-22-82

development regulations.

Comment: The parcel is within the Rural land use classification and is

surrounded by residential parcels ranging in size from .3 acres to the west, and parcels between 1.3 and 9.2 acres on the other three sides. 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, subject to the staff report.

#### NOTICE OF APPLICANT RESPONSIBILITY:

The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

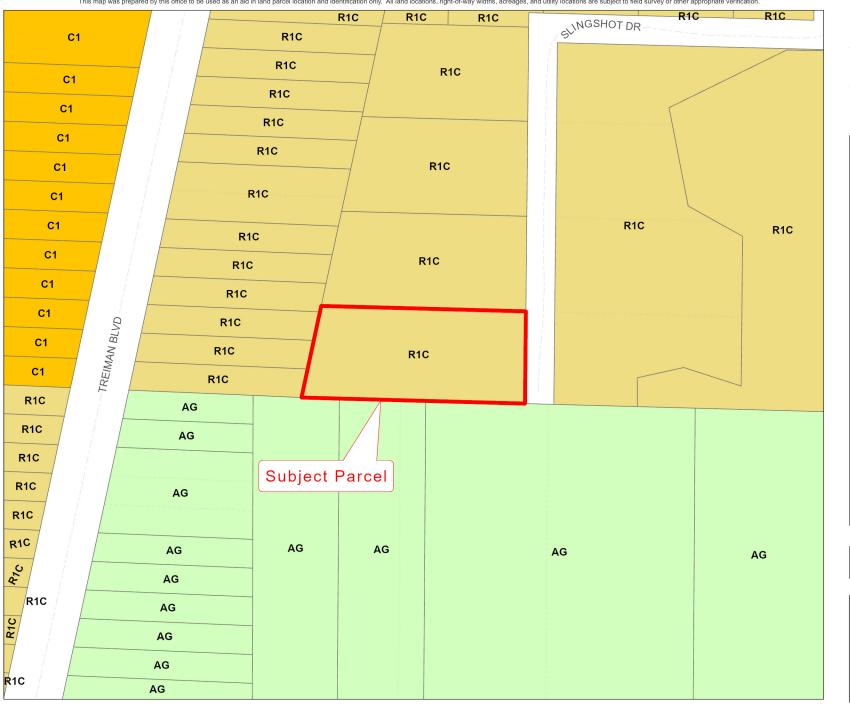
#### **STAFF RECOMMENDATION:**

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving a rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2) in accordance with the staff report.

Staff Report: H-22-82

# H-22-82

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.



0.01

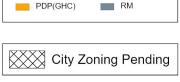
0.03

0.05

0.08

0.1 Miles





12

\_\_\_\_ M

OP.

PDP(AF)

PDP(CM)

PDP(CP)

PDP(GC)

R1A R1B

R1C

R2

R2.5

R3

RC

R1MH



H-22-82

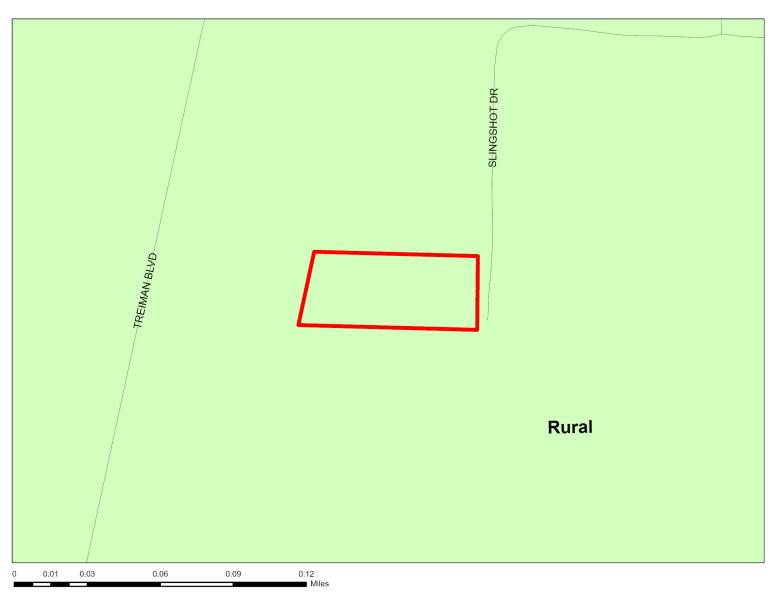
Photo date: 2020

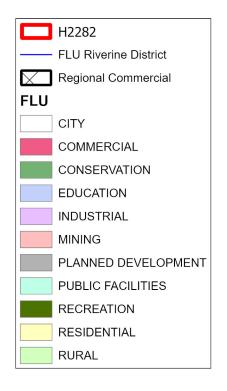
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# **Hernando County Comprehensive Plan Map**

Existing Future Land Use: H-22-82 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.





# HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):

Rezoning □ Standard □ PDP

Master Plan □ New □ Revised

PSFOD □ Communication Tower □ Other

PRINT OR TYPE ALL INFORMATION

Date: 1114/2022

File No. 11-21-82 Official Date Stamp:

#### Received

NOV 4 2022

Planning Department Hernando County, Florida

Date: 119/20/2				,
APPLICANT NAME: David	erns			
Address: 7307 Singshot City: 1000 Story Phone: 813-394-4846 Property owner's name: (if not the	Dr. Webster, Fl Email: DKerns 4200	33597 Ogmail.c	State: Fl	
REPRESENTATIVE/CONTACT NA				
Company Name: Karviral				
Address: 7307 Slivesh	H Dr.			
City: Lebster	21 ()!		State: £	Zip: 33597
Address: 7307 \$1179500 City: 1-20542 Phone: 352-10-5785	Email: CINSTEIN 2011.K	icomal.	Com	1
HOME OWNERS ASSOCIATION:				
		ше пате)		
Contact Name:Address:	**************************************	City	State	: Zip:
		City	State	Zip
PROPERTY INFORMATION:	255111.			
1. PARCEL(S) <u>KEY</u> NUMBER(S): 2. SECTION 24	25540	22		31
2. SECTION 24	, TOWNSHIP		, RANGE	
3. Current zoning classification:		Person W. S. A. C. College Co. C.		
<ul><li>4. Desired zoning classification:</li><li>5. Size of area covered by application</li></ul>	. PS			
6. Highway and street boundaries:				
		, 1 ,1	0 0 17 50	
8 Will expert witness(es) be utilized				dentify on an attached list.)
9. Will additional time be required du	ring the public hearing(s) ar	id how much?	口 Yes 凶 No (Time ne	eeded:)
PROPERTY OWNER AFFIDIVAT				
		have th	oroughly examined the ir	estructions for filing this
application and state and affirm that all in	formation submitted within	this petition are	true and correct to the be	est of my knowledge and
belief and are a matter of public record, ar		and position are		or my movietge and
I am the owner of the property and		OR		
☐ I am the owner of the property and				
and (representative, if applicable):	0			
to submit an application for the des	crihed property			
to submit an application for the des	anoca property.	-		
		9	annual de la company de la com	
		Si	gnature of Property Owner	
STATE OF FLORIDA			8	*
COUNTY OF HERNANDO				22
The foregoing instrument was acknowledge	ged before me this UTN	_day of _\U	Nember	, 20 <u>'LL</u> , by
Davia nerns	who is personal	ly known to me	e or produced FLDL (	as identification.
•				
Non all				
INVOIRMA DAND			A SY PICE	LAINA KIDD
Vulle / Mecen			Notary Pub	lic - State of Florida
Signature of Notary Public			.71	sion # HH 307422 Expires Aug 31, 2026
P.C	11/0/16			National Notary Assn.
Effective Date: 11/8/16 Last Revision:	11/8/16			Notain Seal Stamp

Narrative 11/4/22
I am wanting to re-zone my property from PIC to AR. This property will be our primary residence and a modular home will be put on the property. I would like to keep my farm animals and put them on the property. They are for personal use and consumption.

Karoline, Justice

Received

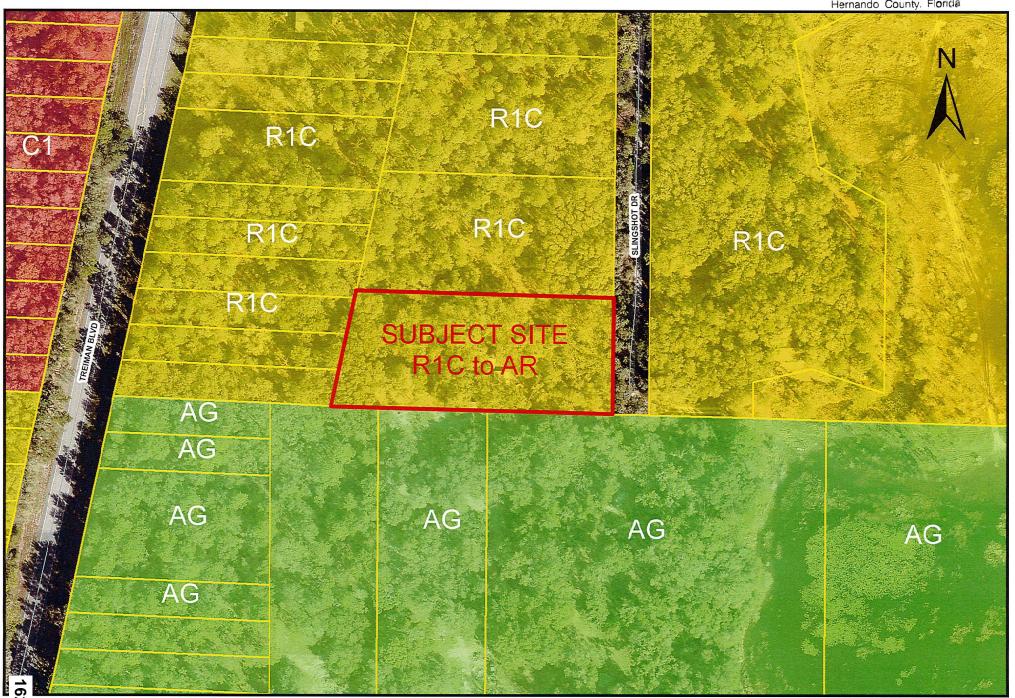
NOV 4 2022

Planning Department Hernando County, Florida

# **SITE PLAN - KEY #25546**

NOV 4 2022

Planning Department Hernando County. Florida



# HEROSO ODLY

# **Planning & Zoning Commission**

# **AGENDA ITEM**

Meeting: 01/09/2023 Department: Planning Prepared By: ACongdon Initiator: Aaron Pool DOC ID: 11603 Legal Request Number: Bid/Contract Number:

## TITLE

H-22-79 - Luis Puerto and Brenda Puerto:

Master Plan Revision on Property Zoned PDP(NC)/Planned Development Project (Neighborhood Commercial); North side of County Line Road, approximately 670' east of Cobblestone Drive

# **BRIEF OVERVIEW**

#### Request:

Master Plan Revision on Property Zoned PDP(NC)/Planned Development Project (Neighborhood Commercial)

#### **General Location:**

North side of County Line Road, approximately 670' east of Cobblestone Drive

#### FINANCIAL IMPACT

A matter of policy. There is no financial impact.

#### **LEGAL NOTE**

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

#### 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 Master Plan Revision on Property Zoned PDP(NC)/Planned Development Project (Neighborhood Commercial) subject to performance conditions

#### **REVIEW PROCESS**

 Michelle Miller
 Approved
 12/28/2022
 5:19 PM

 Aaron Pool
 Approved
 12/30/2022
 10:31 AM

 Kyle Benda
 Approved
 12/29/2022
 3:45 PM

RESULT: ADOPTED

MOVER: W. Steven Hickey SECONDER: Nicholas Holmes

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

# STAFF REPORT

**HEARINGS:** Planning & Zoning Commission: January 9, 2023

Board of County Commissioners: February 14, 2023

**APPLICANT:** Luis Puerto and Brenda Puerto

FILE NUMBER: H-22-79

**PURPOSE:** Master Plan Revision on Property Zoned PDP(NC)/Planned

**Development Project (Neighborhood Commercial)** 

**GENERAL** 

**LOCATION:** North side of County Line Road, approximately 670' east of

Cobblestone Drive

**PARCEL** 

**KEY NUMBER:** 412342

#### APPLICANT'S REQUEST:

On August 13, 2013, the Board of County Commissioners voted to approve an an additional C-1/(General Commercial) use for Comparison Goods Store in order to operate a retail store in a portion of the existing 4,500 square foot building. As part of the 2013 approval, a performance condition was added that limited activity to the existing 4,500 square foot building and any future expansion of the existing structure and/or additional buildings would require an amendment to the master plan. The petitioner's current request to remove the condition limiting future expansion and/or new buildings and construct an additional 4,500 square foot commercial building. No other changes are being requested at this time.

#### SITE CHARACTERISTICS:

Site Size: 1.3 acres

**Surrounding Zoning**;

Land Uses: North: PDP(SF); Single Family

South: Pasco County

East: PDP(SF); Single Family West: PDP(SF); Single Family

Current Zoning: PDP(NC)/Planned Development Project (Neighborhood

Commercial)

**Future Land Use** 

Map Designation: Residential

#### **ENVIRONMENTAL REVIEW:**

**Soil Type:** Candler Fine Sand

**Comments:** Candler Fine Sand provides habitat suitable for gopher tortoises (a

listed species) and commensal species. A comprehensive faunal (wildlife) survey shall be prepared by a qualified professional during the construction plans stage of development. The petitioner is required to comply with all applicable FWC regulations and

permitting.

**Protection** 

**Features:** There are no Protection Features (Special Protection Areas (SPA)

or Wellhead Protection Area (WHPA)) on this site according to

County data resources.

**Hydrologic** 

**Features:** There are no Hydrologic Features (sinkholes, karst sensitive areas,

or wetlands) on this site according to County data resources.

**Habitat:** The property is classified 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).

Water Quality This site is in the Weeki Wachee Basin Action Management Plan

(BMAP) and the Weeki Wachee Springs Priority Focus Area (PFA).

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.

Flood Plain: X and AE

#### **UTILITIES REVIEW:**

The Hernando County Utilities Department (HCUD) has indicated that they currently supply water to the subject parcel. There is an existing 10-inch water main that runs in front of this parcel along County Line Road. HCUD has no objection to the request. During the permitting process for this project it may be determined that this

parcel needs an upsized water meter and/or may be required to connect to the central sewer system at time of vertical construction.

#### **ENGINEERING REVIEW:**

The site is located on the north side of County Line Road, approximately 670' east of Cobblestone Drive. The petitioner does not seek any modifications to the existing access to County Line Road. The County Engineering Department has reviewed the petitioner's request and indicated the following:

- The petitioner will be required to revise the existing Southwest Florida Water Management District Environmental Resource Permit (SWFWMD ERP) (Permit 48-6467.0). A 2nd retention pond will be required.
- A Traffic Access Analysis may be required; this shall be determined at the time of site development.
- The existing Right-In/Right-Out access will remain in place.
- The driveway and parking will be required to be brought up to current County standards with signage and appropriate markings.

#### LAND USE REVIEW:

# **Building Setbacks**

Minimum Building Setbacks (Previously Approved):

Front: 50' Side: 20' Rear: 35'

#### **Buffers**

The petitioner shall maintain the previously approved opaque fence with five (5) foot vegetative buffer along the north, east, and west boundary lines. Vegetation shall be planted on the petitioner's side of the fence.

#### **Parking**

The site has twenty-six (26) existing parking spaces. If the request is approved, the petitioner will be required to provide parking in compliance with the County's LDRs.

#### **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.

#### Landscaping

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

#### **COMPREHENSIVE PLAN REVIEW:**

The area is characterized by residential, and some vacant residential lots. The subject property is located within the Residential land use classification on the adopted Future Land Use Map.

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.

**Comments:** Neighborhood commercial is an allowed use in the Residential Land Use Category. Any approval should include appropriate performance conditions to address potential negative impacts from the development.

**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:** Buffering should be provided where residential lots abut the subject property. Since its approval, any vegetation associated with the previously approved buffer, must be replanted and/or supplement if and where necessary.

#### FINDING OF FACTS:

A Master Plan Revision on Property Zoned PDP(NC)/Planned Development Project (Neighborhood Commercial) is appropriate based on the following conclusions:

- 1. 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.
- 2. Neighborhood Commercial use is consistent with the Residential Land Use classification on the adopted Future Land Use Map.

#### 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 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 Master Plan Revision on Property Zoned PDP(NC)/Planned Development Project (Neighborhood Commercial) 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. Neighborhood Commercial Building Setbacks:

Front: 50' Side: 20' Rear: 35'

- 3. Access to County Line Road shall be limited to the existing access.
- 4. The petitioner shall replant and/or supplement any vegetation associated with the buffer if and where necessary.
- 5. All lighting shall be full cut off fixtures to prevent any light spillage into neighboring parcels.
- 6. The petitioner shall be required to revise the existing Southwest Florida Water Management District Environmental Resource Permit (SWFWMD ERP) (Permit 48-6467.0). A 2nd retention pond will be required.

- 7. Traffic Access Analysis may be required once the land use is identified for the new building; this will be determined at the time of site development.
- 8. The driveway and parking shall be brought up to current County standards with signage and appropriate markings.
- 9. The petitioner shall meet the minimum requirements of Florida Friendly Landscaping<sup>™</sup> publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping, as applicable.
- 10. The petitioner shall provide a master plan in compliance with all 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-22-79

This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification. PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) POP(SF) CLEARMATER DR Sample of the sa PDP(SU) PDP(SF) PDP(SU) PDP(SF) PDP(SF) PDP(SF) CENTRAL POP(SF) PDP(SF) PDP(SF) PDP(SU) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(HC) Zoning: COBBLESTONE DR POP(SK) PDP(SF) PDP(SF) PDP(SF) PDP(HHC) AC. PDP(SF) PDP(SF) PDP(HID) AG PDP(SF) PDP(SF) PDP(IND) AR. PDP(LI) PDP(SF) AR1 PDP(SF) PDP(MF) AR2 PDP(SU) PDP(SK) PDP(SF) PDP(SF) PDP(MH) C1 PDP(SF) PDP(SF) PDP(NC) PDP(SF) C2 PDP(OP) HANDORT LA C3 PDP(SF) PDP(SF) PDP(PSF) PDP(SF) PDP(SF) C4 PDP(SF) PDP(REC) CITY PDP(SF) PDP(SF) PDP(RR) CM1 PDP(SF) PDP(SF) PDP(RUR) PDP(SF) CM2 PDP(SF) PDP(SF) CPDP PDP(SU) CV PDP(SF) PDP(SF) R1A I1 PDP(SF) PDP(SF) BAINE AVE PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) R1B 12 PDP(SF) R1C M M PDP(SF) R1MH PDP(SF) OP PDP(SF) PDP(SF) CABOT AVE R2 PDP(AF) R2.5 PDP(CM) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) R3 PDP(CP) PDP(NC) PDP(SF) PDP(SF) PDP(SF) RC PDP(GC) RM PDP(GHC) Subject Parcel City Zoning Pending COUNTY LINE RD

0.01

0.03

H-22-79

Photo date: 2020

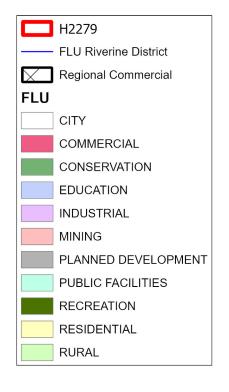
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# **Hernando County Comprehensive Plan Map**

Existing Future Land Use: H-22-79 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.





# HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

# Application request (check one):

Rezoning ☑ Standard □ PDP

Master Plan □ New □ Revised

PSFOD  $\square$  Communication Tower  $\square$  Other

PRINT OR TYPE ALL INFORMATION

Date: 7/25/22

File No. H-22-79 Official Date Stamp:

#### Received

OCT 1 2 2022

Planning Department Hernando County, Florida

Date: 11 0 3 1 2 2	_		
APPLICANT NAME: LUS COSTO + 2	souls Rr	et of	
			***************************************
Address: 1497 Headoward L City: 5057474 Email: Leverto St		State: K	Zip: 34608
Phone: 16-505-9434 Email: Levectos	16 email.	COM	
Property owner's name: (if not the applicant)			
REPRESENTATIVE/CONTACT NAME: Willie	Alunt	5,50	
Company Name:		99	
Company Name:  Address: 4157 6188e Lol  City: 507:351/4  Phone: 355-232-9999 Email:		<u> </u>	
City: Soring Nice		State: 7	Zip: 34606
Phone: 352-237-9999 Email:			
HOME OWNERS ASSOCIATION:   Yes No (if applicable)	provide name)		
Contact Name:			
Address:	City:	State:	Zip:
PROPERTY INFORMATION:			
L DARCEL (S) KEN MIMPER(S), 417,347			
2. SECTION 32 , TOWNSHIP 3. Current zoning classification: PDP w SPECIFI	23	, RANGE	
3. Current zoning classification: PDP w SPLUM	ic CI USIS		
4. Desired zoning classification:			
<ul> <li>5. Size of area covered by application: 1-3 acres</li> <li>6. Highway and street boundaries: Courty Yre Rec</li> </ul>	d		
7. Has a public hearing been held on this property within the		2 D Vac No	
8 Will expert witness(es) be utilized during the public hearing	•		lentify on an attached list.)
9. Will additional time be required during the public hearing			eded:)
PROPERTY OWNER AFFIDIVAT			
I. Bonds Roto	11	11 17 17	
application and state and affirm that all information submitted wit		oroughly examined the in	
belief and are a matter of public record, and that (check one):	ann uns peution are	titue and correct to the be	st 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 applicant  I am the owner of the property and am authorizing (applicant)	tion <b>OR</b>		
I am the owner of the property and am authorizing (applicant	1) Ronds	Row 10	
and (representative, if applicable): Wile ANN	Phint		
to submit an application for the described property.	- 33-		
		000	
_	Die	move I M	~
CTATE OF ELODINA	S	ignature of Property Owner	
STATE OF FLORIDA COUNTY OF HERNANDO		1.7	
The foregoing instrument was acknowledged before me this	$O_{\text{day of}} \bigcup$	J L Y	,20, by
	sonally known to m	or produced	as identification.
$\wedge$	Mary Control of the C	<b>yearson</b>	
			ULIMA LUGO
LAIMON/VOM			MISSION # HIH 027537 ES: August 28, 2024
Signatura & Natary Dublia		Bonded Thru	Notary Public Underwriters
Signature of Notary Public			

Notary Seal/Stamp

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

WE are not changing anything

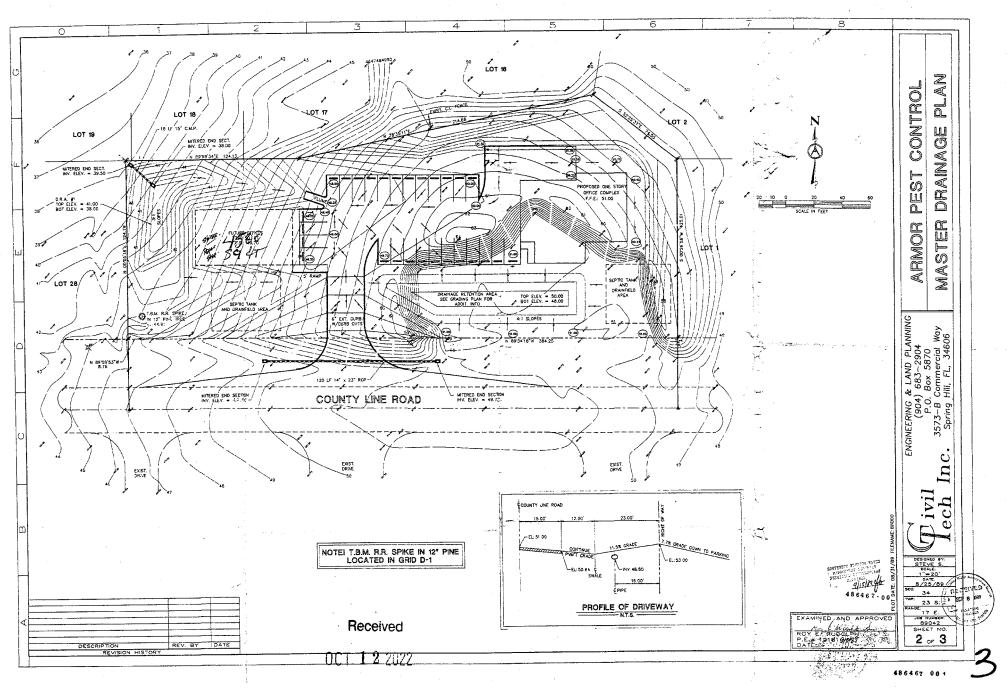
Just want to Add An Additional

Building on the Property 4500 saft

Received

OCT 12 2022

Planning Department Hernando County. Florida



# HERALDO COUNTY ALVIOS OUT ALVIOS OUT ALVINOS OUT ALVIN

# **Planning & Zoning Commission**

# **AGENDA ITEM**

Meeting: 01/09/2023 Department: Planning Prepared By: ACongdon Initiator: Aaron Pool DOC ID: 11604 Legal Request Number: Bid/Contract Number:

## TITLE

H-22-65 - Tri County Development Inc.:

Rezoning the from PDP(SU)/Planned Development Project (Special Use) to PDP(MF)/Planned Development Project (Multifamily) with Deviations; Northeast corner of Henderson Street and Mariner Boulevard

#### **BRIEF OVERVIEW**

#### Request:

Rezoning the from PDP(SU)/Planned Development Project (Special Use) to PDP(MF)/Planned Development Project (Multifamily) with Deviations

#### **General Location:**

Northeast corner of Henderson Street and Mariner Boulevard

#### FINANCIAL IMPACT

A matter of policy. There is no financial impact.

#### **LEGAL NOTE**

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

#### 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 the from PDP(SU)/Planned Development Project (Special Use) to PDP(MF)/Planned Development Project (Multifamily) with Deviations with performance conditions

#### **REVIEW PROCESS**

 Michelle Miller
 Approved
 12/28/2022
 5:19 PM

 Aaron Pool
 Approved
 12/30/2022
 10:31 AM

 Kyle Benda
 Approved
 12/29/2022
 3:47 PM

RESULT: ADOPTED

MOVER: Michael Kierzynski SECONDER: Nicholas Holmes

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

### STAFF REPORT

**HEARINGS:** Planning & Zoning Commission: January 9, 2023

Board of County Commissioners: February 14, 2023

**APPLICANT**: Tri County Development Inc.

FILE NUMBER: H-22-65

**REQUEST**: Rezoning the from PDP(SU)/Planned Development Project (Special

Use) to PDP(MF)/Planned Development Project (Multifamily) with

Deviations

**GENERAL** 

**LOCATION:** Northeast corner of Henderson Street and Mariner Boulevard

**PARCEL KEY** 

**NUMBER:** 1085505

### **APPLICANT'S REQUEST:**

The petitioner is requesting a rezoning the from PDP(SU)/Planned Development Project (Special Use) to PDP(MF)/Planned Development Project (Multifamily) with Deviations on a 9.5-acre portion of the subject site. At present, approximately half the subject property is being actively utilized by the Suncoast YMCA for athletics, fitness and education, with the required parking and circulation. The remaining half the property, primarily in the north and northwest sections, is undeveloped and consists of baseball/softball fields which are no longer in the YMCA's long-range plans.

The applicant is requesting to retain the existing PDP(SU)/ Planned Development Project (Special Use) YMCA designation for the portion of the property that will continue to be used for operation of the YMCA, but rezone the 9.5 acres, as shown on the proposed master plan, to PDP(MF)/Planned Development Project (multifamily) for a 55 and over rental villa community. The development will consist of 84 single story villas with garages. These residences are of varying sizes, ranging from 1,000 to 1,500 square feet of living space. The villas will be marketed with an emphasis on their proximity to the YMCA and memberships for use of that facility that are incorporated into their rent.

The subject site is part of the original Seven Hills Development of Regional Impact (DRI), a multifaceted community comprised of single family residential (Seven Hills, private adult single family residential (Wellington), multifamily, senior multifamily, commercial, office, a golf course, a hospital, a public school (Seven Hills Elementary) and the YMCA. As part of the original DRI, 900 multifamily units were vested, of which only a third have been developed. The proposed 84-unit villa development is well within the original threshold entitlements.

F:\Rezonings\H-22-65 Tri County Development Inc\Staff Report\H-22-65 Staff Report.Docx

1

# **Deviations Requested:**

The petitioner is requesting the following deviations:

Mariner Boulevard: 20' (Deviation from 50')
 Internal - From Access Drive: 20' (Deviation from 25')
 Internal - Side (between individual units): 0' (Deviation from 10')

 Waiver of the Neighborhood Park requirement in place of shared amenities with YMCA

# **SITE CHARACTERISTICS:**

Site Size: 9.5 Acre (19.70 Acres Total)

Surrounding

Zoning/Land Uses: North: PDP(SF); Single Family

South: PDP(SU); YMCA East: CPDP; Duke Energy West: PDP(SF); Single Family

**Current Zoning:** PDP(SU)/Planned Development Project (Special Use)

**Future Land Use** 

Map Designation: Residential

# **ENVIRONMENTAL REVIEW:**

Soil Type: Candler Fine Sand

Comments: Candler Fine Sand provides habitat suitable for gopher

tortoises (a listed species) and commensal species. A comprehensive faunal (wildlife) survey shall be prepared by a qualified professional. The petitioner is required to comply with

Staff Report: H-22-65

all applicable FWC regulations and permitting.

**Protection** 

**Features:** The subject property is located within Wellhead Protection

Area (WHPA).

**Comments:** This designation will not impact the requested zoning activity.

Hydrologic

**Features:** There are no hydrologic features (sinkholes, karst sensitive

areas or wetlands) on this property.

**Habitat:** The property is developed and shown as low intensity urban

according to Florida Fish and Wildlife Conservation Commission (FWC) CLC (Florida Cooperative Land Cover Classification System that combines Florida Land Use Cover and Classification System with fish and wildlife data) mapping.

Water Quality

**Review:** The subject property is in the Weeki Wachee Priority Focus

Area (SPA) for the Basin Action Management Plan (BMAP) identified by the Florida Department of Environmental Protection (FDEP) as contributing nutrients to the Weeki

Staff Report: H-22-65

Wachee Riverine System.

**Comments:** Implementation of Florida Friendly Landscaping<sup>™</sup> principles,

techniques, and materials are designed to conserve water and

reduce pollutant loading to Florida's waters.

Flood Zone: X and AE

#### **UTILITIES REVIEW:**

The Hernando County Utilities Department (HCUD) currently supplies water and sewer service to the existing commercial building(s) located on this parcel. There is an existing 6-inch water main that runs along the north side of the entrance road to the commercial building(s) and a 10-inch water main along the west side of Mariner. There is an existing gravity sewer system servicing the existing building(s) located at the intersection of Mariner Boulevard and Henderson Street and a 4-inch sewer force main along the east side of Mariner Boulevard. HCUD has no objection to the request subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction.

#### **ENGINEERING REVIEW:**

The subject site is located on the northeast corner of Henderson Street and Mariner Boulevard. The petitioner is proposing two access points. One along the south into and through the exiting YMCA driveway, which would allow for direct access to the signal and the other directly to Mariner Boulevard along the northwest portion of the project. The County Engineer has reviewed the petitioner's request and has the following comments:

- A Traffic Access Operational Analysis will be required.
- A Traffic Access Operational Analysis to include analysis of the first two driveways setback distances will be required.
- Any improvements identified by the Traffic Access Operational Analysis will be the developer's responsibility to install.
- Second access to Mariner Boulevard shall be limited to right-in/right-out only.
- All roads and driveways are to meet Hernando County Standards.

# **LAND USE REVIEW:**

#### 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

F:\Rezonings\H-22-65 Tri County Development Inc\Staff Report\H-22-65 Staff Report.docx

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 identified two access points into the development;

however, neither has been indicated as the treed boulevard entrance. If approved, the access from the south must provide a boulevard

Staff Report: H-22-65

entrance not the project as required by County LDR's.

#### **Setbacks and Lot Size:**

Proposed Perimeter Setbacks:

North: 20'South: 20'

West: 20' (Deviation from 50')

• East: 20'

# Proposed Internal Building Setbacks:

Access Drive: 20' (Deviation from 25')
Side (between units): 0' (Deviation from 10')

# **Buffer**

Minimum Proposed Buffers:

North - (Spring Hill lots): 10' at 80% opacity South - (YMCA Facility): 20' landscaped East - (Duke Powerline): 10' landscaped West - (Mariner Blvd): 15' landscaped

**Comments:** If approved, the petitioner may reduce the 20' buffer along the south against YMCA to 10' to increase the buffer distance along the north to 20'. The northern buffer shall also be supplemented where necessary to achieve 80%

opacity

# **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 master plan does not show a neighborhood park as required by the County LDRs. The petitioner has indicated the proposed development will

be in partnership with YMCA to provide membership to its seniors and provide the subdivision with the required amenities. Staff has reviewed this proposal and has no objections to the concept.

Staff Report: H-22-65

# **Natural Vegetation:**

Projects two (2) to twenty (20) acres must designate an area of at least five (5) percent 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 two thousand (2,000) square feet and no more than two (2) non-contiguous areas shall be allowed.

Comment: The petitioner has not specified the location for preservation of any natural vegetation. If the master plan is approved, the petitioner shall be required to set aside 0.47 acres for natural vegetation in accordance with the Hernando County Land Development Regulations.

# **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:**

The subject site is located within the Residential Land Use designation and is characterized by single family homes. The subject site is part of the original Seven Hills Development of Regional Impact (DRI), which was entitled for, 900 multifamily units of which only a third have been developed. The proposed 84-unit villa development is well within the original threshold entitlements.

# **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.

# **Multi-Family Housing**

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

**Strategy 1.04B(5):** High density zonings are intended for locations in the more intensely developed sections of the County. New residential development of high-density housing shall utilize the Planned Development Project (PDP) process. Regulatory criteria shall include standards that evaluate and address suitability of the location including:

Staff Report: H-22-65

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

# **Strategy 1.04B(7):** All multi-family developments shall be located such that the integrity of nearby established single family neighborhoods is preserved:

- a. multi-family development may serve as a density transition located on the periphery of single-family neighborhoods and connecting to higher intensity uses;
- b. multi-family developments at a density incompatible with surrounding land uses should not access arterial or collector roadway systems through established single-family neighborhoods.

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

The subject site is located along Mariner Boulevard, within the urbanized area of Spring Hill. The proposed PDP(MF)/Planned Development Project (Multifamily) is consistent with the Comprehensive Plan residential land use category and is fitting for the area with appropriate performance conditions.

## FINDINGS OF FACT:

The request for rezoning the from PDP(SU)/Planned Development Project (Special Use) to PDP(MF)/Planned Development Project (Multifamily) with Deviations is appropriate based on the following conclusions:

- 1. The following requested deviations are justified with appropriate performance conditions:
  - Internal From Access Drive: 20' (Deviation from 25')
  - Internal Side (between individual units): 0' (Deviation from 10')
  - Waiver of the Neighborhood Park requirement in place of shared amenities with YMCA

Staff Report: H-22-65

- 2. The petitioners request for a building setback reduction along Mariner Boulevard from the required 50' to 20' is excessive considering Mariner Boulevard's intensity. Staff would recommend a minimum of a 35' building setback.
- 3. The master plan is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all performance conditions.

# NOTICE OF APPLICANT RESPONSIBILITY:

The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

# STAFF RECOMMENDATION:

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Rezoning the from PDP(SU)/Planned Development Project (Special Use) to PDP(MF)/Planned Development Project (Multifamily) with Deviations with the following performance conditions:

- 1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
- 2. A comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.

F:\Rezonings\H-22-65 Tri County Development Inc\Staff Report\H-22-65 Staff Report.docx

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.

Staff Report: H-22-65

- 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 developer must provide geotechnical testing in accordance with the Hernando County Facility Design Guidelines, including DRAs to determine if karst features are present.
- 6. The developer shall conduct a water and sewer capacity analysis and connect to the central water and sewer systems at time of vertical construction.
- 7. A Traffic Access Operational Analysis shall be required and shall include an analysis of the first two driveways setback distances. Any improvements identified by the Traffic Access Operational Analysis will be the developer's responsibility to install.
- 8. The proposed second access to Mariner Boulevard shall be limited to right-in/right-out only.
- 9. Minimum Perimeter Setbacks:

North: 20'South: 20'West: 35'East: 20'

# Internal Building Setbacks:

Access Drive: 20' (Deviation from 25')
 Side (between units): 0' (Deviation from 10')

- 10. The petitioner shall provide a treed boulevard entrance from the YMCA entrance.
- 11. Minimum Buffer Requirements:

North - (Spring Hill lots): 20' at 80% opacity South - (YMCA Facility): 10' landscaped East - (Duke Powerline): 10' landscaped West - (Mariner Blvd): 15' landscaped

- 12. A waiver of the neighborhood park is granted due to the partnership with YMCA.
- 13. The petitioner shall submit a fire protection plan with the Conditional Plat in accordance with Hernando County Land Development Regulations.
- 14. The petitioner shall set aside the minimum acreage for natural vegetation in accordance with the Hernando County Land Development Regulations.

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

Staff Report: H-22-65

# H-22-65

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, PDP(SF) ≥ PDP(SF) PDP(SF) AVE KEENE ST THORAH DR PDP(SF) STON PDP(SF) PDP(SF) PDP(SF) PDP(SF) CENTRAL GIS PDP(SU) POPISE PDP(SF) PDP(SF) PDP(SF) PPP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF PDP(SF) PDP(SF) PDP(SF) PP(SF) PDP(SF) Subject Area POPISI LINDEN DR PDP(SF) PDP(SF) PDP(HC) Zoning: PDP(SF) PDP(HHC) AC PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(HID) M AG PDP(SF) PDP(SF) PDP(IND) PDP(SF) AR PDP(SF) PDP(SF) PDP(SF) PDP(LI) AR1 PDP(MF) ND DR PDP(SU) AR2 PDP(SF) PDP(SF) PDP(MH) C1 PDP(SF) PDP(SF) PDP(NC) C2 PDP(SF) PDP(SF) PDP(OP) C3 PDP(SF) PDP(SF) PDP(SF) PDP(PSF) PDP(SF) C4 PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(REC) CITY PDP(SF) PDP(SF) PDP(RR) CM1 PDP(SF) PDP(SF) PDP(SU) PDP(RUR) CM2 PDP(SF) PDP(SF) ZPDP(SF) PDP(SF) PDP(SF) PDP(SF) CPDP PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF PDP(SU) CV PDP(SF) R<sub>1</sub>A PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) R1B PDP(SF) 12 PDP(SF) HENDERSON ST R1C PDP(SF) M ENE PDP(SF) CPDP CORINTHIAN ST R1MH PDP(SF) PDP(SF) PDP(SF OP PDP(SF) R2 PDP(AF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) BLVD R2.5 PDP(SF) PDP(CM) PDP(SF) AVE PDP(SF) R3 PDP(\$F) PDP(CP) MARINER PDP(SF) RC PDP(SF) BATTERSEA PDP(SF) PDP(SF) PDP(GC) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(GHC) RM PDP(SF) PDP(SF) PDP(SF) DEED ST PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) City Zoning Pending PDP(SF) PDP(SF PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(GHC) PDP(SF) PDP(GHC) PDP(SF) PDP(REC) PDP(SF) PDP(SF) PDP(SF) RDP(SF) PDP(SF) PDP(SF) PDP(SF)

H-22-65

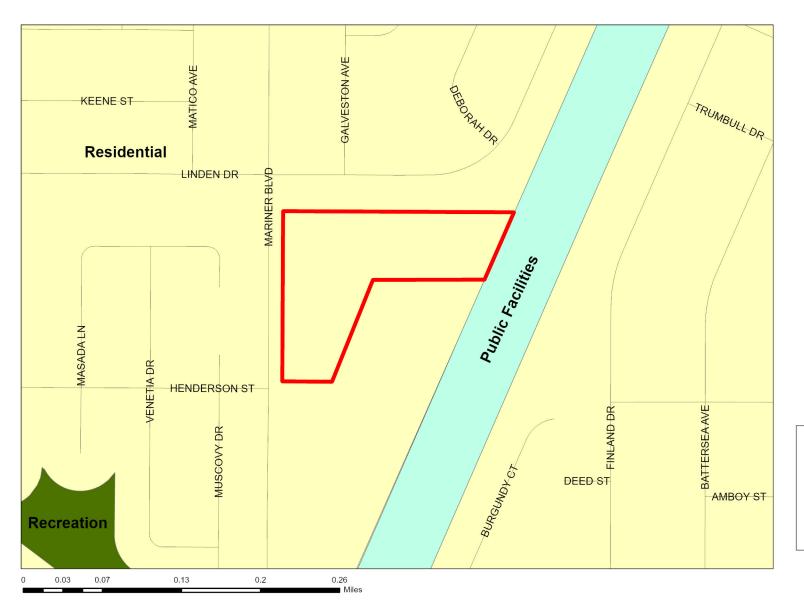
Photo date: 2020

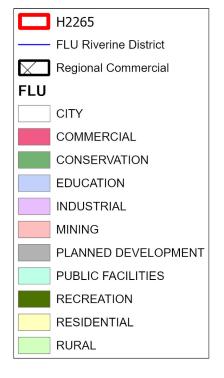
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# **Hernando County Comprehensive Plan Map**

Existing Future Land Use: H-22-65 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.











October 24, 2022

Ms. Michelle L. Miller Planning Administrator Planning Division, Developmental Services Department 1653 Blaise Drive, Brooksville, FL 34601

Dear Ms. Miller,

This letter is to confirm my full support and belief that the Hernando County YMCA and community would greatly benefit from the development of this project. The Y leadership team who oversees this project has reviewed the layout and feels it is very compatible with the YMCA of the Suncoast.

The sale of this land, and the building of apartments is a dynamic benefit for the YMCA and the older adults who will be living in the apartments. Money from the sale of the land will be used for capital improvements at the Hernando County YMCA, and each of the seniors that reside within the apartments will receive a YMCA membership. Their memberships to the Y will support them physically and mentally in their health journey. On the remaining land, the buyer will be building a multipurpose field which will include upgraded and improved lights.

On behalf of the YMCA of the Suncoast, I am confident in the development of this project. The sale of this land, and development of apartments will improve the community as a whole. Please feel free to contact our Association Office at (727) 467-9622 if you have any further questions.

Sincerely,

G. Scott Gover

President/CEO

× .

Received

OCT 2.7 2022

Planning Department Hernando County, Florida



966 Candlelight Boulevard • Brooksville • Florida 34601 (352) 796-9423 • Fax (352) 799-8359 e-mail: coastal@coastal-engineering.com www.coastal-engineering.com

Tra	ansmittai Lett	er
	ichelle L. Miller, M.S. Planning Administrator 553 Blaise drive, Brooksville, FL 34601	
From: Jo	on Riley	
Date: No	ovember 18, 2022	
Re: Tri-C	County Development – YMCA – PIW Affidavit	
We are se	ending you the attached:	
Copies	Description	
1	Affidavit (Sign in sheets, Mail out Invitation)	
THESE AR For app For you As requ	ur use	☐ Rejected, see Remarks ☐ For review ☐ For signature(s)

Received

NOV 1 8 2022

Planning Department Hernando County, Florida



# PUBLIC INQUIRY WORKSHOP - SUMMARY

SUBJECT:

H-22-65 - Tri-County (YMCA) PIW

DATE/TIME:

November 17, 2022/4:00 p.m.

LOCATION:

Silverthorn Country Club Clubhouse – 4550 Golf Club Lane, Spring Hill, FL 34609

ATTENDEES:

Don Lacey, Coastal-Engineering Associates, Inc.

Jon Riley, Coastal-Engineering Associates, Inc.

Alex Deeb, Tri-County

2 Total Community Participants (Refer to the meeting sign-in sheet)

The meeting began promptly at 4:00 p.m. with staff introductions followed by a project overview. Questions were taken during the project overview as well as after.

## **Topics discussed:**

Project Concept

• Property Environmental – protected species, sinkholes, drainage

Received

• Current zoning vs. proposed zoning

Rezoning process

Access

Traffic

Schedule

NOV 1-8 2022

Planning Department Hernando County, Florida

#### A summary of the participants' questions and comments are below.

- 1. When would construction start?
  - Alex Deeb answered that construction start date is based on many factors including this zoning approval and supply chain issues. He anticipates breaking ground summer 2023.
- 2. What kind of buffer would be used?
  - Alex explained the type of trees he would be using in the buffer and the location of the black chain link fence. He said this community would be gated.
- 3. What would be the building setback from the houses to the north?
  - The building setbacks that were illustrated on the Masterplan were explained.

NOV 1 8 2022

Planning Department Hernando County, Florida

# AFFIDAVIT FOR PUBLIC INQUIRY WORKSHOP CITIZEN SIGN-IN SHEET EXECUTIVE SUMMARY

This affidavit attests that the attached <u>original</u> citizen sign-in sheet is an official record of attendance at the workshop and the attached executive summary explains what information was provided to the public at the workshop. All exhibits displayed at the workshop are included.

File Number: <u>H</u> - 22 - 65	
Applicant Name: TRI- COUNTY (YMCA)	
Public Inquiry Workshop Date: 11/17/22	
Signature of Affiant	
STATE OF FLORIDA COUNTY OF Hernando County  The foregoing instrument was acknowledged before me this	who is personally known to me or
WITNESS my hand and official seal at Hernando County, Florida  Glera Julion  Signature of Notary Public	Notary Public State of Florida Elena Sutton My Commission HH 086875 Expires 02/02/2025

Notary Seal/Stamp

# AFFIDAVIT FOR PUBLIC INQUIRY WORKSHOP MAILING OF NOTICE

Received

NOV 1 8 2022

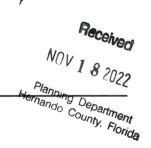
Planning Department Hernando County, Florida

I, Jonathan RILLY, hereby certify the November 151, 2022 Public Inquiry prior to said workshop, to property owners of every pain any direction from the property in accordance with the Hernando County Property Appraiser's Office. A coproperty owner list is attached herewith.	the listing provided by the
Signature of Affiant	
STATE OF FLORIDA COUNTY OF Hernando County  The foregoing instrument was acknowledged before me this 18th day of by	
WITNESS my hand and official seal at Hernando County, Florida  **Maria Signature of Notary Public**  **The Product of Signature of	Notary Public State of Florida Elena Sutton My Commission HH 086875 Expires 02/02/2025

Notary Seal/Stamp

Rev. 01/3/17

# SIGN IN SHEET



NO. NAME	PHONE (CELL)	ADDRESS	EMAIL
1 R. Bolery	352-232-2431	1370 MUTICO Are	Vober bestes udqual
2 DBshap	352 293 1679	11241 Linden dr	debbieb9359@att.
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

# **PUBLIC INQUIRY WORKSHOP**

Received

NOV 1 8 2022

TRI COUNTY YMCA PARCEL - 55+ VILLAS (H - 22 - 65)

THURSDAY NOVEMBER 17TH, 2022

4:00 - 05:00 PM

Planning Department Hernando County, Florida

### LOCATION: SILVERTHORN COUNTRY CLUB, 4550 GOLF CLUB LN, SPRING HILL, FLORIDA 34609

THIS MAILING IS TO PROVIDE NOTICE THAT A PUBLIC INFORMATION WORKSHOP HAS BEEN SCHEDULED IN REFERENCE TO THE TRI-COUNTY YMCA PROJECT, WHICH IS CURRENTLY UNDER REVIEW FOR REZONING-MASTER PLAN APPROVAL WITH THE HERNANDO COUNTY DEVELOPMENTAL DEPARTMENT. YOU ARE RECEIVING THIS NOTICE AS THE PROJECT AREA HAS BEEN IDENTIFIED AS BEING WITHIN 1000'OF PROPERTY YOU OWN. THE SUBJECT 19.60-ACRE ± PROPERTY LIES WITHIN SECTION/TOWNSHIP/RANGE: 30 / 22S / 18E AND IS LOCATED ON THE EAST SIDE OF MARINER BOULEVARD, APPROXIMATELY ½ MILE SOUTH OF SPRING HILL DRIVE. IT IS IDENTIFIED BY THE HERNANDO COUNTY PROPERTY APPRAISER (HCPA) AS KEY NO. 1085505

WE HAVE INCLUDED THE PROPOSED MASTER PLAN AND A BRIEF PROJECT DESCRIPTION BELOW FOR YOUR REVIEW. WE REQUEST THAT ANY INDIVIDUAL SEEKING ADDITIONAL INFORMATION ON THE AFOREMENTIONED PROJECT, ATTEND THE WORKSHOP, WHERE THE DEVELOPER AND THEIR CONSULTING ENGINEERING FIRM LOOK FORWARD TO PROVIDING INFORMATION AND ANSWERS TO QUESTIONS REGARDING THE PROJECT. IF YOU ARE UNABLE TO ATTEND, BUT WOULD LIKE FURTHER INFORMATION OR TO COMMENT, CONTACT INFORMATION TO DO SUICH IS PROVIDED AT THE FIND OF THIS MAILING.

#### MASTER PLAN



### PROJECT SYNOPSIS

THE APPLICANT IS REQUESTING TO RETAIN THE EXISTING PLANNED DEVELOPMENT PROJECT (PDP-SU) YMCA DESIGNATION FOR THE PORTION OF THE PROPERTY THAT WILL CONTINUE TO BE USED FOR OPERATION OF THE YMCA, BUT PLACE A (PDP-MF) DESIGNATION ON THE REMAINING +/- 9.5 ACRES, AS SHOWN IN THE ABOVE PROPOSED MASTER PLAN, TO ALLOW DEVELOPMENT OF A RENTAL RESIDENTIAL VILLA COMMUNITY. THIS 55+ COMMUNITY (AGE RESTRICTED) WOULD CONSIST OF UP TO 84 – VILLAS, WITH EACH UNIT CONSISTING OF A SINGLE-STORY VILLA AND GARAGE. VILLAS WILL BE OF VARYING SIZES, RANGING FROM 1,000 FT? TO 1,500 FT? OF LIVING SPACE, ADDING SOME VARIETY TO THE HOUSING OPTIONS IN THE SEVEN HILLS AREA, MARKETING WILL EMPHASIZE ON PROXIMITY TO THE YMCA, AND MEMBERSHIPS FOR USE OF THAT FACILITY FOR RECREATION WILL INCORPORATED INTO THEIR RENT. ALL PROPERTY WILL BE UNDER COMMON LANDSCAPING AND MAINTENANCE AND NO FURTHER SUBDIVISION OR CREATION OF FEE SIMPLE LOTS WILL BE MADE. DEVELOPMENT WOULD COMMENCE IN 2023, PENDING PROJECT APPROVAL.

IF YOU HAVE QUESTIONS OR COMMENTS, PLEASE FEEL FREE TO CALL, EMAIL, OR SUBMIT YOUR INFORMATION TO THE ADDRESS BELOW.

WE LOOK FORWARD TO HEARING FROM YOU!

CONTACT INFORMATION:

JONNY RILEY, PROJECT MANAGER

(352) 251 - 7007

JRILEY@COASTAL-ENGINEERING.COM

Cut Here	Cut Here	Cut Here	Cut Here
	TRI-C	OUNTY YMCA PARCEL - 55+ VILLAS COMMENT CARD	
NAME:	EMAIL:	PHONE:	
MAILING ADDRESS:			
COMMENTS:			
	PLEASE	ISE THE REVERSE SIDE IF ADDITIONAL SPACE IS NEEDED	

RETURN TO:

COASTAL ENGINEERING ASSOCIATES, INC.
ATIN; PLANNING DEPARTMENT
966 CANDLELIGHT BLVD.

# PUBLIC INQUIRY WORKSHOP

## TRI COUNTY YMCA PARCEL - 55+ VILLAS (H - 22 - 65)

THURSDAY NOVEMBER 17TH, 2022

4:00 - 05:00 PM

#### LOCATION: SILVERTHORN COUNTRY CLUB, 4550 GOLF CLUB LN, SPRING HILL, FLORIDA 34609

THIS MAILING IS TO PROVIDE NOTICE THAT A PUBLIC INFORMATION WORKSHOP HAS BEEN SCHEDULED IN REFERENCE TO THE TRI-COUNTY YMCA PROJECT, WHICH IS CURRENTLY UNDER REVIEW FOR REZONING-MASTER PLAN APPROVAL WITH THE HERNANDO COUNTY DEVELOPMENTAL DEPARTMENT. YOU ARE RECEIVING THIS NOTICE AS THE PROJECT AREA HAS BEEN IDENTIFIED AS BEING WITHIN 1000'OF PROPERTY YOU OWN. THE SUBJECT 19.60-ACRE ± PROPERTY LIES WITHIN SECTION/TOWNSHIP/RANGE: 30 / 22S / 18E AND IS LOCATED ON THE EAST SIDE OF MARINER BOULEVARD, APPROXIMATELY 1/2 MILE SOUTH OF SPRING HILL DRIVE. IT IS IDENTIFIED BY THE HERNANDO COUNTY PROPERTY APPRAISER (HCPA) AS KEY NO. 1085505

WE HAVE INCLUDED THE PROPOSED MASTER PLAN AND A BRIEF PROJECT DESCRIPTION BELOW FOR YOUR REVIEW. WE REQUEST THAT ANY INDIVIDUAL SEEKING ADDITIONAL INFORMATION ON THE AFOREMENTIONED PROJECT, ATTEND THE WORKSHOP, WHERE THE DEVELOPER AND THEIR CONSULTING ENGINEERING FIRM LOOK FORWARD TO PROVIDING INFORMATION AND ANSWERS TO QUESTIONS REGARDING THE PROJECT. IF YOU ARE UNABLE TO ATTEND, BUT WOULD LIKE FURTHER INFORMATION OR TO COMMENT, CONTACT INFORMATION TO DO SUCH IS PROVIDED AT THE END OF THIS MAILING.

#### MASTER PLAN



#### PROJECT SYNOPSIS

THE APPLICANT IS REQUESTING TO RETAIN THE EXISTING PLANNED DEVELOPMENT PROJECT (PDP-SU) YMCA DESIGNATION FOR THE PORTION OF THE PROPERTY THAT WILL CONTINUE TO BE USED FOR OPERATION OF THE YMCA, BUT PLACE A (PDP-MF) DESIGNATION ON THE REMAINING +/- 9,5 ACRES, AS SHOWN IN THE ABOVE PROPOSED MASTER PLAN, TO ALLOW DEVELOPMENT OF A RENTAL RESIDENTIAL VILLA COMMUNITY. THIS 55+ COMMUNITY (AGE RESTRICTED) WOULD CONSIST OF UP TO 84 — VILLAS, WITH EACH UNIT CONSISTING OF A SINGLE-STORY VILLA AND GARAGE. VILLAS WILL BE OF VARYING SIZES, RANGING FROM 1,000 FT2 TO 1,500 FT2 OF LIVING SPACE, ADDING SOME VARIETY TO THE HOUSING OPTIONS IN THE SEVEN HILLS AREA. MARKETING WILL EMPHASIZE ON PROXIMITY TO THE YMCA, AND MEMBERSHIPS FOR USE OF THAT FACILITY FOR RECREATION WILL INCORPORATED INTO THEIR RENT. ALL PROPERTY WILL BE UNDER COMMON LANDSCAPING AND MAINTENANCE AND NO FURTHER SUBDIVISION OR CREATION OF FEE SIMPLE LOTS WILL BE MADE. DEVELOPMENT WOULD COMMENCE IN 2023, PENDING PROJECT APPROVAL.

IF YOU HAVE QUESTIONS OR COMMENTS, PLEASE FEEL FREE TO CALL, EMAIL, OR SUBMIT YOUR INFORMATION TO THE ADDRESS BELOW.

#### WE LOOK FORWARD TO HEARING FROM YOU!

CONTACT INFORMATION:
JONNY RILEY, PROJECT MANAGER
(352) 251 – 7007
JRILEY@COASTAL-ENGINEERING.COM

		COMMENT CARD	
NAME:	EMAIL:	PHONE:	
MAILING ADDRESS:			
COMMENTS:			

PLEASE USE THE REVERSE SIDE IF ADDITIONAL SPACE IS NEEDED

# RETURN TO: COASTAL ENGINEERING ASSOCIATES, INC. ATIN: PLANNING DEPARTMENT

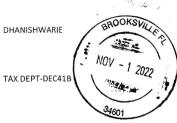
BROOKSVILLE FL 34601



11/1/2022					MANU ADDRO
PARCEL_KEY PARCEL_SHO	PARCEL_NUM	OWNER_NAME	OWNER_NA_1	MAIL_ADDR1	MAIL_ADDR2 NEW PORT RICHEY FL 34652-6049
480571 26	R32 323 17 5080 0486 0260	11203 LINDEN LAND TRUST (THE), ALLMAN	P L TTEE	5260 STATE ROAD 54	
1105887 28	R30 223 18 3510 0000 0580	ACE LEONID, TARASOVSKAYA NATALYA Y		1312 MASADA LN	SPRING HILL FL 34608
1105565 45	R30 223 18 3510 0000 0450			3376 MARINER BLVD	SPRING HILL FL 34609-2460
1105592 11	R30 223 18 3511 0000 0110	ALICEA PEDRO O, ALICEA MERCEDES		1178 MUSCOVY DR	SPRING HILL FL 34608-7412
1105805 24	R30 223 18 3511 0000 0240	ALMODOVAR SAMUEL, ALMODOVAR CARMEN		1217 MUSCOVY DR	SPRING HILL FL 34608-7416
1105896 29	R30 223 18 3511 0000 0290	AMATO LUCY		1222 VENETIA DR	SPRING HILL FL 34608-7419
1106092 67	R30 223 18 3510 0000 0670	AVERY JOSEPH C, AVERY SUSAN M		1291 MASADA LN	SPRING HILL FL 34608
1105994 63	R30 223 18 3510 0000 0630	BEASECKER MICHAEL, BEASECKER DARLENE		1307 MASADA LN	SPRING HILL FL 34608-7429
1105958 61	R30 223 18 3510 0000 0610	BELSHAW MICHAEL D, BELSHAW MARYLOU		1315 MASADA LN	SPRING HILL FL 34608-7429
281135 11	R32 323 17 5080 0476 0110	BESTERCY ROBERT J SR TTEE LIFE ESTATE,	BESTERCY LOIS B TTEE LIFE ESTATE	1370 MATICO AVE	SPRING HILL FL 34608-5152
480624 31	R32 323 17 5080 0486 0310			11241 LINDEN DR	SPRING HILL FL 34609-4625
480232 11	R32 323 17 5080 0485 0110	BISHOP HOWARD, BISHOP VALORIE		1382 DEBORAH DR	SPRING HILL FL 34609-4601
1105903 59	R30 223 18 3510 0000 0590	BRUTON BRADLEY, VALERA-BRUTON TANYA		1318 MASADA LN	SPRING HILL FL 34608-7428
480606 29	R32 323 17 5080 0486 0290	the state of the s		11225 LINDEN DR	SPRING HILL FL 34609-4625
1105930 60	R30 223 18 3510 0000 0600	CAAMANO JOHN A		1319 MASADA LN	SPRING HILL FL 34608-7429
281153 13		CANNIZZARO ELENA, BORZUKU NICHOLAS		1381 MARINER BLVD	SPRING HILL FL 34609-4639
1105841 26	R30 223 18 3511 0000 0260	CARREIRO ROBERT B, CARREIRO DORA M		1234 VENETIA DR	SPRING HILL FL 34608-7419
1105921 31		CHEW LESLIE J, CHEW DAVID P	the state of the s	1214 VENETIA DR	SPRING HILL FL 34608-7419
1105869 57		COLEY STEPHEN, COLEY DELORIS JEAN		1304 MASADA LN	SPRING HILL FL 34608-7428
501077 13		COUGHLIN VIRGINIA M ESTATE OF	BROOKSVILLERY	1365 FINLAND DR	SPRING HILL FL 34609-5551
1790529 10	R30 223 18 1711 0000 0100		BH	25366 PROFIT DR	DAPHNE AL 36526-5126
1790538 11	A30 223 18 1711 0000 0110	/		25366 PROFIT DR	DAPHNE AL 36526-5126
1790547 12	R30 223 18 1711 0000 0120	/	1 1004 4 2022	25 <b>3</b> 66 PROFIT <b>Ø</b> R	DAPHNE AL 36526-5126
1790556 13	R30 223 18 1711 0000 0130	/ /	NOV - 1 2022 ·	253 6 PROFIT DR	DAPHNE AL 36526-5126
1790565 14	R30 223 18 1711 0000 0140		The state of the s	2536 PROFIT DR	DAPHNE AL 36526-5126
1790574 15	R30 228 18 1711 0000 0150			25366 PROFIT DR	DAPHNE AL 36526-5126
1790583 16	R30 223 18 1711 0000 0160		34601	25366 PROFYT DR	DAPHNE AL 36526-5126
1790592 17	R30 223 18 1711 0000 0170		0400	25366 PROFIT DR	DAPHNE AL 36526-5126
1790609 18	R30 223 18 1711 0000 0180	,		25366 PROFIT DR	DAPHNE AL 36526-5126
1790618 19	R30 223 18 1711 0000 0190	/	U.S. POSTAGE PAID U.S. POSTAGE PAID	25366 PR <b>V</b> FIT DR	DAPHNE AL 36526-5126
1790627 20	R30 223 18 17 1 0000 0200	/	U.S. POSTAGE FL	25366 PR <b>Ø</b> FIT DR	DAPHNE AL 36526-5126
1790636 21	R30 223 18 1711 0000 0210		BR34801 22	25366 PR <b>O</b> FIT DR	DAPHNE AL 36526-5126
1790645 22	R30 223 18 1711 0000,0220		NO MOUNT 50	25366 P <b>KOK</b> IT DR	DAPHNE AL 36526-5126
1790654 23	R30 223 18 1711 0000 0230		800/10000 50 810, 500 10 10 10 10 10 10 10 10 10 10 10 10 1	∕ 25366 PROP(T DR	DAPHNE AL 36526-5126
1790663 24	R30 223 18 1711 0000 0240		R230"	25366 FROFIT DR	DAPHNE AL 36526-5126
1790672 25	R30 223 18 1711 0000 0250	D P HORTON INC	A   V	25366 ROFIT DR	DAPHNE AL 36526-5126
1790681 26	R30 223 18 1721 0000 0260	000-	7/1/1AX	25366 ROFIT DR	DAPHNE AL 36526-5126
1790690 27	R30 223 18 1/11 0000 0270		2H/V	25366 PROFIT DR	DAPHNE AL 36526-5126
1790707 28	R30 223 18 1711 0000 0270	1	<i>j U</i>	25366 PROFIT DR	DAPHNE AL 36526-5126
1790707 28	R30 223 18 1711 0000 0290	\	,	2536¢ PROFIT DR	DAPHNE AL 36526-5126
1790716 29	R30 228 18 1711 0000 0300			25366 PROFIT DR 🔩	DAPHNE AL 36526-5126
1790725 30	R30 223 18 1711 0000 0300			25366 PROFIT DR	DAPHNE AL 36526-5126
1790734 31	R30/223 18 1711 0000 0310	The same and the s		25366 PROFIT PR	DAPHNE AL 36526-5126
1790743 32	R30 223 18 1711 0000 0320			25 66 PROFIT PR	DAPHNE AL 36526-5126
1790752 33	R80 223 18 1711 0000 0350			2 <b>9</b> 366 PROFIT <b>Q</b> R	DAPHNE AL 36526-5126
1790770 35	(30 223 18 1711 0000 0330	\		25366 PROFIT DR	DAPHNE AL 36526-5126
1/30/03 30	/30 223 10 1/11 0000 0300			,	
	1		i <sup>r</sup>		



-	11/1/2	2022				
	1790798 3	37	R30 223 18	3 1711 0	000 0370	DR HORTON INC
	1790805 3	38	R30 223 18	3 1711 0	000 0380	D R HORTON INC
	1790814 3	39	R30 223 18	3 1711 0	000 0390	D R HORTON INC
	1790823	40	R30 223 18	3 1711 0		D R HOR YOU INC
	1790832	41	R30 223 18	3 1711 0	000 0410	DR HONTON INC
	1790841	42	R30 223 18	3 1711 0	000 0420	D R HORTONING
	1790850 4	43	R30 223 18	3 1711 0	000 0430	D'R HORTON INC
	1105556	9	R30 223 18	35110	000 0090	DARNULC WILLIAM F, DARNULC BERYL
	1790761	34	R30 223 18	3 1711 0	000 0340	DEED STREET PROJECT LLC
	1791234	A	R30 423 18			DEED STREET PROJECT LL€
	1791298	G	R30 423 18			DEED STREET PROJECT LLC
	1791252	С	R30 423 18			DEED STREET PROJECT LLG
	281162	14	R32 323 1			DHANRAJ LEELAWATTIE, SEWNARINE
	413868	15	R32 323 1			DIAS SUSAN L, DIAS MICHAEL
	479743	15	R32 323 1			DOLAN MALISSA
	1105510	6	R30 223 1			DOUGLAS ALLEN, CONTE-DOUGLAS DANIELLE
	378335	2	R30 423 1			DUKE ENERGY CENTER
	1105761	21	R30 223 1			DUNN CHARLES K, DUNN CYNTHIA L
	1105814		R30 223 1			ELLIOTT ROBERT G JR, ELLIOTT RHONDA G
	501086		R32 323 1			FERNANDEZ JOLENE
	1106010		R30 223 1			FICOCELLI VICTOR
	1105477		R30 223 1			FORRESTER CHARMAINE L
	501111		R32 323 1			FRANK CAROL
	480223		R32 323 1			FUENTES CARIDAD
	480642		R32 323 1			GALLETTA GARY P
	291204				0637 0140	GARDNER REGINALD J, GARDNER PAMELA A GIGGEY KENNETH, GIGGEY LEEANNE J
	281028		R32 323 1			GLASS GUADALUPE
	480508				0486 0190 0474 0100	GONZALEZ DAVID J
	413760				0000 0230	HAISS STEPHANIE J, HAISS ELAINE
	1105798				0475 0120	HAYES KENNETH LIFE ESTATE, CAO YE LIFE
	479413 1105468				0000 0020	HERNANDEZ FRANCISCO
	1460957				0482 0000	HERNANDO COUNTY
	1429706				0010 0010	HODGES INVESTMENTS LLC, NOLAN JAMES L
	1105574				0000 0100	IRELAND KENT L, IRELAND DANA L
	281117				0476 0080	JOHNSON PAUL R
	1105725				0000 0190	JOHNSTON ROGER, JOHNSTON ROBERTA
	1105725				0000 0220	JONES DAVID C, JONES JANINE F
	281019		R32 323 1	7 5080	0475 0090	JONES MICHAEL D, JONES KATHY W
	281144				0476 0120	KATOLIS STEVE, KATOLIS ARTEMIS
	1105495		R30 223 1	8 3511	0000 0050	KELLER LONNA
	480615		R32 323 1	7 5080	0486 0300	KINARD CLAUDE M
	1105850	27	R30 223 1	.8 3511	0000 0270	LANDSCHOOT ERIC
	480580	27	R32 323 1	7 5080	0486 0270	LEPELLERE GIUSEPPE
	1105832		R30 223 1	8 3510	0000 0560	LOSARDO GINA M
	281439		R32 323 1	7 5080	0480 0100	LOURENCO MANUEL, LOURENCO ROSA
	480651	34	R32 323 1	7 5080	0486 0340	LOWELL JOHN SCOTT LLC









25366 PROFIT DR 25366 PROFIT OR 2536 PROFIT DR 25366 PROFIT DR 25366 PROFIT DR 25386 PROPT DR 25366 PROFIT OR 1186 MUSCOVY DR 4912 TURNBURY WOOD DR 4912 TURNBURY WOOD DR 4912 TURNBURY WOOD DR 4912 FURNBURY WOOD DR 1391 MARINER BLVD 1381 GALVESTON AVE 1383 DEBORAH DR 1198 MUSCOVY DR 550 S TRYON ST #DEC44P 1205 MUSCOVY DR 1262 VENETÌA DR 1341 FINLAND DR 76 SILVER LN 8826 210TH ST 1305 FINLAND DR 1400 DEBORAH DR 63 UPHAM ST 1353 FINLAND DR 11315 LINDEN DR 11155 LINDEN DR 11324 LINDEN DR 1213 MUSGOVY DR 11303 LINDEN DR 1214 MUSCOVY DR 20 N MAIN ST RM 263 2216 EMERSON LN 1182 MUSCOVY DR 1396 MATICÓ AVE 1197 MUSCOVY DR 1209 MUSCOVY DR 11323 LINDEN DR 407 HIGH ST 1202 MUSCOVY DR 11233 LINDEN DR 1230 VENETIA DR 11209 LINDEN DR 1266 VENETIA DR

1400 MARINER BLVD

24371 HIDDEN WOODS RD

DAPHNE AL 36526-5126 SPRING HILL FL 34608-7412 TAMPA FL 33647-2056 TAMPA FL 33647-2056 TAMPA FL 33647-2056 TAMPA FL 33647-2056 SPRING HILL FL 34609 SPRING HILL FL 34609-4614 SPRING HILL FL 34609 SPRING HILL FL 34608-7412 **CHARLOTTE NC 28202-4200** SPRING HILL FL 34608-7416 SPRING HILL FL 34608 SPRING HILL FL 34609 EAST HARTFORD CT 06118-1035 QUEENS VILLAGE NY 11427-2225 SPRING HILL FL 34609-5551 SPRING HILL FL 34609-4603 MALDEN MA 02148 SPRING HILL FL 34609 SPRING HILL FL 34608-5138 SPRING HILL FL 34609-4622 SPRING HILL FL 34608-5139 SPRING HILL FL 34608 SPRING HILL FL 34608-5138 SPRING HILL FL 34608-7415 BROOKSVILLE FL 34601-2817 **CARROLLTON TX 75010-4918** SPRING HILL FL 34608-7412 SPRING HILL FL 34608-5152 SPRING HILL FL 34608-7414 SPRING HILL FL 34608-7416 SPRING HILL FL 34608-5138 PORT JEFFERSON NY 11777-1809 SPRING HILL FL 34608 SPRING HILL FL 34609-4625 SPRING HILL FL 34608-7419 SPRING HILL FL 34609-4625 SPRING HILL FL 34608-7421 SPRING HILL FL 34609 BROOKSVILLE FL 34601-0815



11/1/2022					
479404 8	R32 323 17 5080 0475 0080	MACHI SALVATORE, MACHI ALICE		11331 LINDEN DR	SPRING HILL FL 34608-5138
1105743 20	R30 223 18 3511 0000 0200	MACNEIL DANIEL F, MACNEIL DENISE LEBLANC		18 CHANTINE DR	LONG SAULT ON KOC 1PO
501139 21	R32 323 17 5100 0637 0210	MAHONEY MICHAEL A		1269 FINLAND DR	SPRING HILL FL 34609-5549
480633 32	R32 323 17 5080 0486 0320	MARREO EMERITA, MARREO NANCY		11249 LINDEN DR	SPRING HILL FL 34609-4625
480562 25	R32 323 17 5080 0486 0250	MASSA MICHAEL TTEE		53 AMHERST CT	ROCKVILLE CENTRE NY 11570-2002
480599 28	R32 323 17 5080 0486 0280	MASTRO JAMES TTEE	FBO JAMES MASTRO & ASSOCIATES PENSION	25331 LADYHAWK LN	BROOKSVILLE FL 34601
281448 11	R32 323 17 5080 0480 0110			1390 MARINER BLVD	SPRING HILL FL 34609-4638
501120 20	R32 323 17 5100 0637 0200	MEDINA SILVIA M		1281 FINLAND DR	SPRING HILL FL 34609-5549
480526 21	R32 323 17 5080 0486 0210			11175 LINDEN DR	SPRING HILL FL 34609-4622
1105752 53	R30 223 18 3510 0000 0530			1254 VENETIA DR	SPRING HILL FL 34608-7421
1105609 47	R30 223 18 3510 0000 0470			1229 MUSCOVY DR	SPRING HILL FL 34608-7418
1105716 18	R30 223 18 3511 0000 0180			1193 MUSCOVY DR	SPRING HILL FL 34608-7414
1105663 50	R30 223 18 3510 0000 0500		0,4	1242 VENETIA DR	SPRING HILL FL 34608-7421
1121967 3	R30 223 18 3520 0000 0030		Uz postrott pro	450 S ORANGE AVE STE 900	ORLANDO FL 32801-3339
480553 24	R32 323 17 5080 0486 0240		postrille.	11189 LINDEN DR	SPRING HILL FL 34609-4622
480544 23	R32 323 17 5080 0486 0230		J. J	11183 LINDEN DR	SPRING HILL FL 34609-4622
501095 16	R32 323 17 5100 0637 0160		8 K. 3 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	1329 FINLAND DR	BROOKSVILLE FL 34609-5551
281466 13	R32 323 17 5080 0480 0130		S LOND TO	5170 MARINER BLVD	SPRING HILL FL 34609-1802
1105976 62	R30 223 18 3510 0000 0620		A 200	1311 MASADA LN	SPRING HILL FL 34609-1802 SPRING HILL FL 34608-7429
	R30 223 18 3510 0000 0520			1665 SUSQUEHANNA RD	JENKINTOWN PA 19046-1430
1105734 52	R30 223 18 3511 0000 0010		BROOKSVILLE	1218 MUSCOVY DR	SPRING HILL FL 34608-7415
1105459 1			William One		
413859 14	R32 323 17 5080 0480 0140		17 12 17 12 17 12 17 12 17 12 17 17 17 17 17 17 17 17 17 17 17 17 17	1371 GALVESTON AVE	SPRING HILL FL 34609-4614
281171 15	R32 323 17 5080 0476 0150		NOV -	1401 MARINER BLVD	SPRING HILL FL 34609-4641
1105690 17	R30 223 18 3511 0000 0170		NOV - 1 2022	1189 MUSCOVY DR	SPRING HILL FL 34608-7414
479734 14	R32 323 17 5080 0482 0140			11204 LINDEN DR	SPRING HILL FL 34609-4624
1105645 49	R30 223 18 3510 0000 0490			5001 PLAZA ON THE LK STE 200	AUSTIN TX 78746-1053
1105770 54	R30 223 18 3510 0000 0540		34601	1258 VENETIA DR	SPRING HILL FL 34608-7421
413886 17	R32 323 17 5080 0480 0170			1397 GALVESTON AVE	SPRING HILL FL 34609-4614
281037 11	R32 323 17 5080 0475 0110			11307 LINDEN DR	SPRING HILL FL 34608-5138
281536 35		SANDERSON HAROLD J, SANDERSON GERISUE		11275 LINDEN DR	SPRING HILL FL 34609-4625
1105501 44	R30 223 18 3510 0000 0440			1222 MUSCOVY DR	SPRING HILL FL 34608-7417
1141909 2	R30 223 18 3520 0000 0020			8245 RIVER COUNTRY DR	WEEKI WACHEE FL 34607
1105949 32	R30 223 18 3511 0000 0320			1208 VENETIA DR	SPRING HILL FL 34608-7419
1105547 8		SMITH JOHN A, SMITH TRENA	JAAA )	1190 MUSCOVY DR	SPRING HILL FL 34608-7412
1105583 46		SMITH-TATUM JACQUELINE	/////	1230 MUSCOVY DR	SPRING HILL FL 34608-7417
1106065 66	R30 223 18 3510 0000 0660		/ // V	1295 MASADA LN	SPRING HILL FL 34608-7426
1105681 16	R30 223 18 3511 0000 0160	STEPHENS ELLEN H	V	1203 VENETIA DR	SPRING HILL FL 34608-7420
1106047 65	R30 223 18 3510 0000 0650	TAWFEK HALA ABDEL-SALEM		1299 MASADA LN	SPRING HILL FL 34608-7426
1105627 48	R30 223 18 3510 0000 0480	TORRES NOEMI		1225 MUSCOVY DR	SPRING HILL FL 34608-7418
1105912 30	R30 223 18 3511 0000 0300	TRAVIOLI STEPHEN		1218 VENETIA DR	SPRING HILL FL 34608-7419
1105707 51	R30 223 18 3510 0000 0510	TUCKER JEFF J		1246 VENETIA DR	SPRING HILL FL 34608-7421
281457 12	R32 323 17 5080 0480 0120	UNISTAR PROPERTIES INC		447 PEACE CT	KISSIMMEE FL 34759-5374
501102 17	R32 323 17 5100 0637 0170	VALINAGGI KRISTA		1317 FINLAND DR	SPRING HILL FL 34609
480517 20	R32 323 17 5080 0486 0200	VEVERKA KRISTINE		11163 LINDEN DR	SPRING HILL FL 34609-4622
413877 16	R32 323 17 5080 0480 0160	VIETMEYER ROBERT		1389 GALVESTON AVE	SPRING HILL FL 34609-4614
479725 13	R32 323 17 5080 0482 0130	VILLA RUDOLPH		11216 LINDEN DR	SPRING HILL FL 34609
1105529 7	R30 223 18 3511 0000 0070	VU D <sub>,</sub> TTEE, CHI VINH 1194 LAND TRUST	(THE)	PO BOX 13038	COYOTE CA 95013-3038
		7			



480241 12 281126 10 1105878 28 291213 19 1105823 25

R32 323 17 5080 0485 0120 WHEATLEY EDWIN T JR, LIBERTI SHARON R32 323 17 5080 0476 0100 WILLIAMSON ALLYN M, WILLIAMSON ASHLEY M R30 223 18 3511 0000 0280 YOULIO JOHN T CO-TTEE LIFE ESTATE, R32 323 17 5100 0637 0190 ZIMMERMAN JOHN, ZIMMERMAN DEBRA R30 223 18 3511 0000 0250 ZUK JOHN R, ZUK MARY L

YOULIO LORRAINE A CO-TTEE LIFE ESTATE

11156 LINDEN DR 1378 MATICO AVE 1226 VENETIA DR 1293 FINLAND DR 1238 VENETIA DR

SPRING HILL FL 34609-4621 SPRING HILL FL 34608-5152 SPRING HILL FL 34608-7419 SPRING HILL FL 34609-5549 SPRING HILL FL 34608-7419



Workshop Date:

# SIGN POSTING AFFIDAVIT FOR PUBLIC INQUIRY WORKSHOP

# Instructions

- 1. All information must be completed on this affidavit prior to being signed in the presence of a Notary Public.
- 2. The Notice of Public Inquiry sign(s) must be posted on the property at least ten (10) days prior to the workshop pursuant to the adopted rules, and;
- 3. This affidavit must be returned to the Hernando County Planning Department along with all other Public Inquiry Workshop forms directly after the Workshop is conducted in order to complete the application file. Failure to return this affidavit may result in the petition not being scheduled for public hearing(s).

	AFFIDAVIT
who, being duly sworn dep	olic Hearing sign(s) were posted on $11/9/22$ , and; ograph(s) of the posted sign(s) were taken on $11/9/22$
File Number: Httl	25
	(Signature)
State of Florida	On this the
County of Hernando	undersigned Notary Public of the State of Florida, personally appeared  Sonathan Riley (Name(s) of the Individual(s) who appeared before notary)
Official Date Stamp:	and whose name(s) is/are subscribed to the within instrument, and he/she/they acknowledge that he/she/they executed it.  NOTARY SEAL:
Received	
NOV 9 2022	WITNESS my hand and official seal.
Planning Department Hernando County, Florida	NOTARY PUBLIC, STATE OF FLORIDA  Elena Sytton  Notary Public State of Florida Elena Sutton My Commission HH 086875 Expires 02/02/2025
	(Name of Notary Public: Print, or Type as Commissioned)
	Personally known to me, or  Produced Identification:  (Type of Identification Produced)  DID take an oath, or DID NOT take an oath.

#### HOW TO POST THE SIGN(S)

#### WHEN:

The petitioner shall post the subject property proposed for petition consideration at least ten (10) days prior to the scheduled public inquiry workshop date.

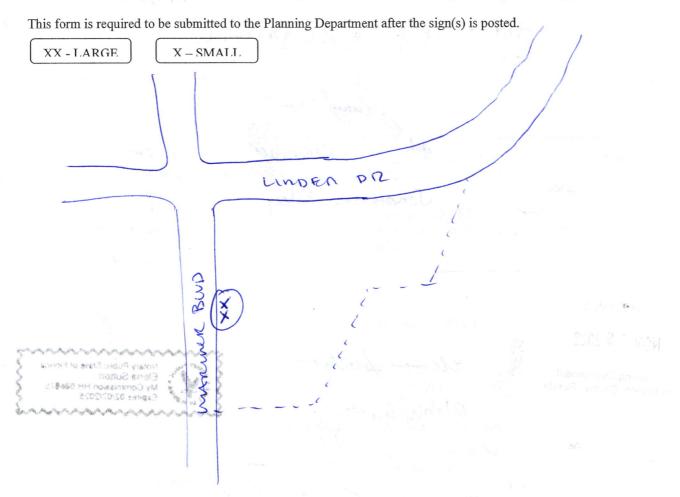
#### HOW:

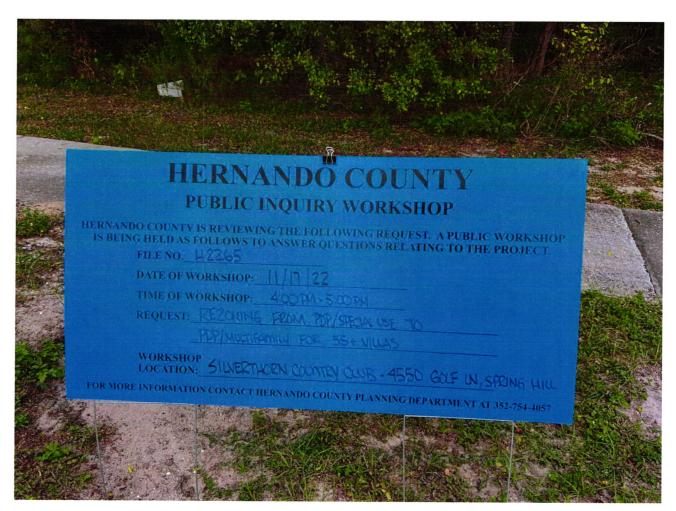
The sign(s) furnished by the Planning Department shall remain in place until the day after the public inquiry workshop. Failure to maintain the sign(s) on the property may result in a delay to the public hearing process.

### WHERE:

The sign(s) furnished by the Planning Department shall be posted by the applicant along each front lot line with the bottom of the sign(s) at least three feet above grade on the property being considered under this petition. The sign cards shall be posted at the outer property line along the road or street frontage and shall be clearly visible. If the frontage is in access of three hundred (300) feet, posting of the signs shall be determined by the Planning Department. In those cases where the property does not have frontage on the road, the sign cards shall be posted at the property corners and where the access road intersects with the nearest County road.

# AFFIDAVIT REQUIRED:







Received

NOV 9 2022

Planning Department Hernando County, Florida



966 Candlelight Boulevard • Brooksville • Florida 34601 (352) 796-9423 • Fax (352) 799-8359 e-mail: coastal@coastal-engineering.com www.coastal-engineering.com

# **Transmittal Letter**

	ansimitai Let	rei
	Michelle L. Miller, M.S. Planning Administrator 1653 Blaise drive, Brooksville, FL 34601	Pianning Department Hernando County, Florida
From:	Jon Riley	
Date:	November 9, 2022	NOV~ 4 2022
	-County Development – YMCA – PIW Sign Posting	hevieceM
We are	sending you the attached:	
Copie	s Description	
1	Affidavit & Photo's	
ΓHESE A ☐ For a <sub>l</sub> ☑ For yo ☐ As red	our use Make corrections noted	☐ Rejected, see Remarks ☐ For review ☐ For signature(s)

# **Omar DePablo**

From:

7 - 1

Jonny Riley <JRiley@coastal-engineering.com>

Sent:

Wednesday, November 9, 2022 2:18 PM

To:

Omar DePablo

Cc:

Michelle Miller; Don Lacey

Subject:

Re: Reserve at Hunters Ridge - Landscape Buffer Photos/Video

**Attachments:** 

Image.jpeg; Image.jpeg

**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.

Sign posted! I'll get you the affidavit later today.

Thanks,

-JR

Get Outlook for iOS





# HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):
Rezoning □ Standard ☑ PDP
Master Plan □ New □ Revised
PSFOD □ Communication Tower □ Other
PRINT OR TYPE ALL INFORMATION

File No.	12265	Official Date Stamp
A. C.	Re	ceived
F	AUG 0	3 2022
	Planning	Department
	Hernando	County, Florida

Date: July 26, 2022 APPLICANT NAME: Tri County Development Inc Address: 9400 River Crossing Blvd, Suite 102 State: FL City: New Port Richery Zip: 34655 Email: alex@deebcompanies.net Phone: Property owner's name: (if not the applicant) YMCA of the Suncoast REPRESENTATIVE/CONTACT NAME: Tatum Csorba Company Name: Coastal Engineering Associates, Inc. Address: 966 Candlelight Blvd Zip: 34601 State: FL City: Brooksville Email: tcsorba@coastal-engineering.com Phone: (352)848-3425 HOME OWNERS ASSOCIATION: 

✓ Yes 

No (if applicable provide name) Seven Hills Homeowners Association. Inc Contact Name: William Lacey City: Palm Harbor State: FL Zip: 34685 Address: 334 East Lake Rd. #244 PROPERTY INFORMATION: PARCEL(S) KEY NUMBER(S): 01085505 , RANGE 18 SECTION 30 , TOWNSHIP 23 PDP(SU) YMCA Current zoning classification: PDP(SU) YMCA & PDP(MF) Desired zoning classification: Size of area covered by application: 19.70 Acres Highway and street boundaries: West-Mariner Blvd Has a public hearing been held on this property within the past twelve months? ☐ Yes ✓ No 7. 8 Will expert witness(es) be utilized during the public hearings? ☐ Yes No (If yes, identify on an attached list.) ☐ Yes ☑ No (Time needed: Will additional time be required during the public hearing(s) and how much? PROPERTY OWNER AFFIDIVAT I. YMCA of the Suncoast , 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

STATE OF FLORIDA COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this

belief and are a matter of public record, and that (check one):

to submit an application for the described property.

☐ I am the owner of the property and am making this application OR

and (representative, if applicable): Coastal Engineering Associates, Inc.

✓ I am the owner of the property and am authorizing (applicant): Tri County Development Inc.

day of JWY

\_, 20<mark>22\_</mark>, by

who is personally known to me or produced

as identification.

Signature of Notary Public

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

JENNA GALEANO
MY COMMISSION # HH 183278
EXPIRES: October 7, 2025
Bonded Thru Notary Public Underwriters

Notary Seal/Stamp

# TRI COUNTY YMCA PARCEL REZONING APPLICATION – PROJECT NARRATIVE TRI COUNTY DEVELOPMENT PARCEL KEY 01085505.



Figure 1. Deeb YMCA Parcel (Key No. 1085505) Aerial & Location Map

#### General

The subject 19.60-acre  $\pm$  property lies within section/township/range: 30 / 22S / 18E and is located on the east side of Mariner Boulevard, approximately  $\frac{1}{2}$  mile south of Spring Hill Drive . It is identified by the Hernando County Property Appraiser (HCPA) as Key No. 1085505 and outlined in Figure 1, above.

The current zoning for the subject property is Planned Development District – Special Use (PDP-SU) for a YMCA. Refer to Figure 2 for the property's current zoning map. The property is also part of the Seven Hills Development of Regional Impact (DRI).



Figure 2. Deeb YMCA Parcel (Key No. 1085505) Current Zoning Map

The property has a Residential designation on the Hernando County Comprehensive Plan Future Land Use (FLU) Map. Refer to Figure 3 for the property's current FLU map.

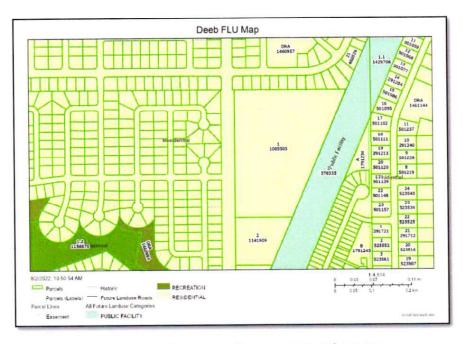


Figure 3. Deeb YMCA Parcel (Key No. 1085505) FLU Map

The following table identifies adjacent zoning classifications and their designation in the comprehensive plan's future land use map.

PROPERTY DESCRIPTION		ZONING	FLU
NORTH	Spring Hill Unit 8	PDP(SF)	Residential
SOUTH	Seven Hills Professional Center	PDP(GHC)	Residential
EAST	Duke Energy Power Line	CPDP	<b>Public Facility</b>
WEST	Seven Hills Unit 1	PDP(SF)	Residential

# Subject Site

At present, approximately half the subject property is being used actively by the Suncoast YMCA for athletics, fitness and education, with the required parking and circulation. The remaining half the property, primarily in the north and northwest, is undeveloped or consists of baseball/softball fields that no longer are in the YMCA's future activity plans (a portion of which will be converted to a multi-purpose field).

# Request

The applicant is requesting to retain the existing Planned Development Project (PDP-SU) YMCA designation for the portion of the property that will continue to be used for operation of the YMCA, but place a (PDP-MF) designation on the remaining 9.5 acres as shown in the proposed master plan to allow development of a rental residential villa community. It is this north/northwestern section of the site not in the long-range plans of the YMCA that the applicant is acquiring from the Suncoast YMCA and plans to utilize for development of up to 84 villas for seniors, 55 years of age and over. Each unit will consist of a single story villa and have a garage. These residences are of varying sizes, ranging from 1,000 square feet (sf) to 1,500 sf of living space, adding some variety to the housing options in the Seven Hills area. They will be marketed with an emphasis on their proximity to the YMCA and memberships for use of that facility for recreation will incorporated into their rent. All property will be under common landscaping and maintenance and no further subdivision or creation of fee simple lots will be made.

The entire parcel is part of the Seven Hills Development of Regional Impact (DRI), a multifaceted community that includes single family residential (Seven Hills), private adult single family residential (Wellington), multifamily, senior multifamily, commercial, office, a golf course, a hospital a public school (Seven Hills Elementary) and the YMCA. With ongoing construction of the nearby Enclave parcel, virtually all of Seven Hills has now been developed, with just a few platted office/commercial lots still to be utilized. The proposed development of up to 84 villas is consistent with the entitlements approved in the Seven Hills DRI which allows for up to 900 multifamily units. While annual reports are no longer required for this virtually-completed DRI, the following table from the most recent report (2014) shows that only 336 multifamily units had been constructed at that time. Significant entitlements exist to accommodate the proposed villas.

# SEVEN HILLS DRI 2014 ANNUAL REPORT

# EXHIBIT I

DEVELOPMENT ACTIVITY THROUGH 2014					
LAND USE	OCCUPIED DWELLING UNITS		PHASE I + PHASE II + PHASE III (1987-1996) (1997-2002) (2003-2016)		
	2014	Total thru 2014	Projections		
Residential Single Family Multi-Family TOTALS	0 _0 0	1863 336* 2,199	1,800 900 2,700		

<sup>\*</sup> Includes 42 life care units

The project site consists entirely of Candler fine sands, a soil conducive to the proposed residential development. The limited floodplain area found on site will be accommodated as part of the on-site stormwater retention system. The project will utilize the existing YMCA point of access to Mariner Boulevard and add a second access point to the north, generally as depicted on the proposed master plan. Mariner Boulevard is in a four lane configuration and has adequate capacity. The project will be served with central water and sewer by the Hernando County Utilities Department, which has infrastructure along the Mariner ROW. As part of the Seven Hills DRI, all issues related to concurrency are vested.

## Setbacks & Buffers

Perimeter Building Setbacks:

- North 20'
- South 20'
- East 20'
- West 20'

Internal Building Setbacks (there are no lots or residential street ROWs)

- From access drive 20'
- Side 0' (10' between buildings)

Buffers: where depicted on the proposed zoning master plan

- North (Spring Hill lots) 10' with 80% opacity
- South (YMCA Facility) 20' landscaped
- East (Duke Power Line) 10' landscaped

West – (Mariner Boulevard) – 15' landscaped

Minimum Size of Residence 1,000 square feet

# Draft of Protective Covenants

With no subdivision of lots, protective covenants are not required.

# Development Schedule

Development of the property is anticipated to start in 2023.

# **Proposed Improvements**

Offsite construction will include connection to HCUD utilities and construction of a second access to Mariner Blvd. The above will be accomplished in accordance with the regulations and standards of the Hernando County Engineer and the Hernando County Utilities Department.

# Adequate Access

The two points of ingress and egress from the property will be from Mariner Blvd., a County major arterial roadway. According to the Hernando County Concurrency Management System's Tier I Concurrency Table, Mariner Boulevard is operating at an acceptable level of service and has available capacity. With driveways and garages for each unit, there will be no parking along the project access drives.

### Topography

As shown in Figure 4, site topography ranges from a hill approximately 56' high along the southern boundary to an elevation of 35' in a depression along the western boundary. Drainage retention is planned for that depressional area.

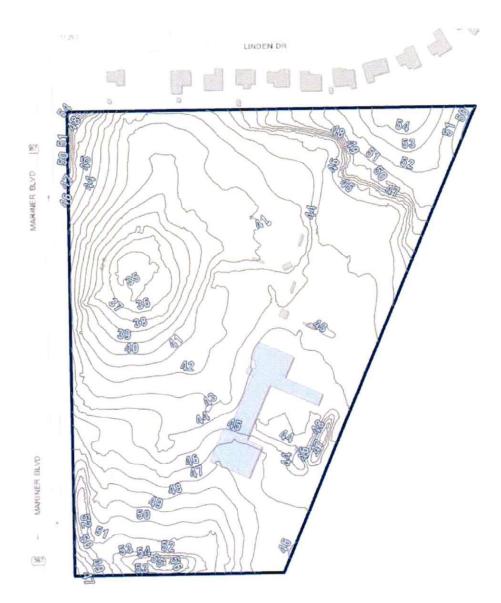


Figure 4. Deeb YMCA Parcel (Key No. 1085505) Topography Map

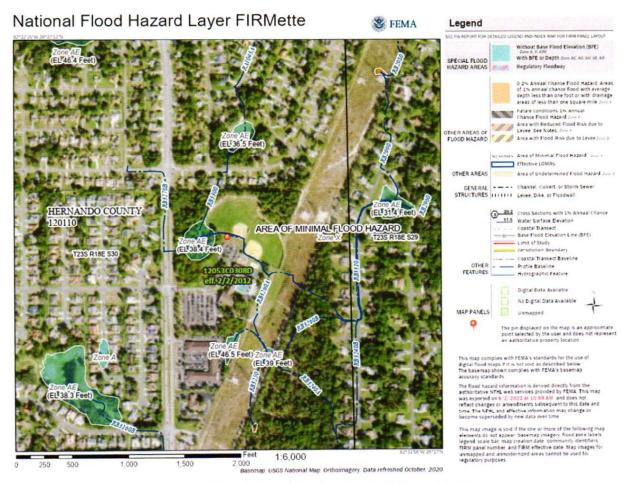


Figure 5. Deeb YMCA Parcel (Key No. 1085505)) Floodplain Map

# Floodplain

The property is located on Federal Emergency Management Agency (FEMA), Flood Insurance Rate Map (FIRM) community panel 12053C0308D, effective date of February 2, 2012. As depicted on Figure 5, the map shows the great majority of the site above the 100 year floodplain, with the depressional area adjacent to Mariner Boulevard being in an AE designation, with an elevation of 38.4 feet. This floodplain area will be incorporated into the stormwater retention system in conformance with SWFWMD permitting criteria.



Figure 6. Deeb YMCA Parcel (Key No. 1085505) Soils Map

#### Soils

Soils on the property consist entirely of Candler fine sands, an extremely well drained soil conducive to development.

#### Site Environmental

A preliminary site visit was conducted on August 2, 2022. The following are the results of the site visit:

- The proposed project site consists of previously developed areas, including baseball fields and undeveloped woodlands.
- Typical tree species consist of turkey oak, sand pine, slash pine and sand live oak.
- Large trees (> 18" DBH) were not detected.

- The ground cover consists of leaf litter, pine straw, vines, wiregrass, gopher apple, annual forbs and bare sand.
- Gopher tortoise burrows were detected, but their density appears low.
- No other sate or federally listed species were detected.
- No wetlands or other surface waters were detected.

#### Utilities

The project will be served with central water and sewer. Discussions will be held with the Hernando County Utilities Department (HCUD) regarding capacity and points of connection. An additional pump station is not likely to be needed, however, a utility analysis will be conducted prior to design and permitting.

#### Drainage

This project is within Southwest Florida Water Management District. Additional stormwater generated by the proposed project will be handled on site using onsite DRAs as generally depicted on the proposed master plan. The exact size and location of all DRAs will be determined during the preliminary engineering design phase, however the anticipated location for most stormwater retention will be in the lower areas of topography adjacent to Mariner Boulevard.

#### Development of Regional Impact Thresholds

The proposed development is par of the Seven Hills DRI and is consistent with the entitlements established with that development order.

#### Deviations:

#### Perimeter Building Setback

West (Mariner Boulevard) – 20' (deviation from 50') With no commercial parcels, no driveways
accessing directly to Mariner Boulevard and no need for additional ROW, a 20' building setback
should suffice.

#### **Planning & Zoning Commission**

#### **AGENDA ITEM**

Meeting: 01/09/2023 Department: Planning Prepared By: ACongdon Initiator: Aaron Pool DOC ID: 11605 Legal Request Number: Bid/Contract Number:

#### **TITLE**

H-22-68 - HDA Architects, Inc.:

Rezoning from PDP(CP)/Planned Development Project (Corporate Park) to PDP(GC)/Planned Development Project (General Commercial).; East Side of Anderson Snow Road, approximately 365' north of its intersection with Corporate Boulevard

#### **BRIEF OVERVIEW**

#### Request:

Rezoning from PDP(CP)/Planned Development Project (Corporate Park) to PDP(GC)/Planned Development Project (General Commercial).

#### **General Location:**

East Side of Anderson Snow Road, approximately 365' north of its intersection with Corporate Boulevard

#### FINANCIAL IMPACT

A matter of policy. There is no financial impact.

#### **LEGAL NOTE**

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

#### 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 PDP(MF)/Planned Development Project (Multifamily) to PDP(OP)/Planned Development Project (Office Professional) with a specific C-1 use for a Veterinary Clinic with air conditioned, sound-attenuated runs with performance conditions

#### REVIEW PROCESS

Michelle Miller	Approved	12/28/2022	5:18 PM
Aaron Pool	Approved	12/30/2022	10:31 AM
Kyle Benda	Approved	12/29/2022	3:48 PM

RESULT: ADOPTED

MOVER: Kathryn Birren

SECONDER: Michael Kierzynski

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

## H-22-68

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. PDP(GC) AG PDP(SU) PDP(IND) POPIMOI PDP(GC) CENTRAL AG PDP(HC) Zoning: PDP(IND) PDP(HHC) AC PDP(GC) PDP(HID) AG PDP(IND) PDP(IND) AR. PDP(LI) AR1 PDP(MF) AR2 PDP(IND) PDP(MH) C1 PDP(NC) DORADOST C2 PDP(GC) PDP(OP) C3 PDP(PSF) C4 PDP(REC) CITY PDP(RR) CM1 PDP(IND) PDP(RUR) PDP(CP) CM2 PDP(SF) CPDP INDUSTRIAL LOOP PDP(SU) ANDERSON SNOW RD R1A R1B PDP(IND) 12 Subject Parcel R1C M M R1MH PDP(IND) OP R2 PDP(AF) R2.5 PDP(CM) R3 PDP(CP) RC PDP(GC) PDP(GHC) RM PDP(IND) CORPORATE BLVD City Zoning Pending PDP(CP) PDP(CP) PDP(IND) PDP(CP) PDP(SU) PDP(SF)

0.08

0.12

0.16 Miles

0.02

0.04

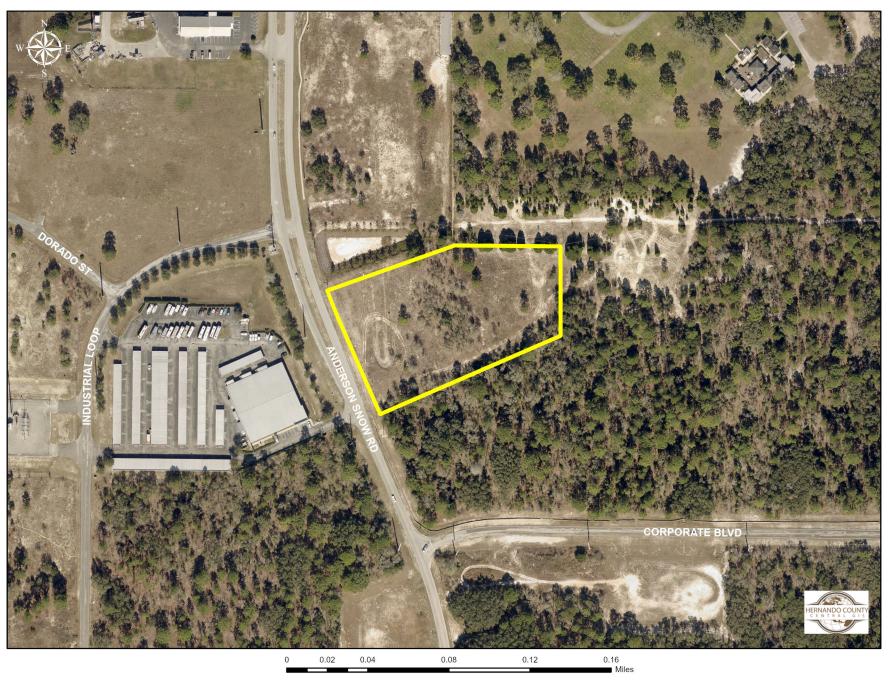
Hernando County Planning Department

Project date: 09/21/2022

H-22-68

Photo date: 2020

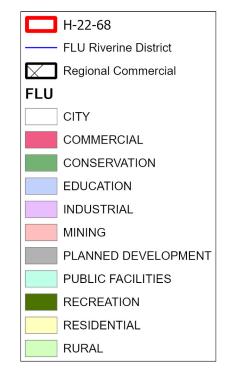
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# **Hernando County Comprehensive Plan Map**

Existing Future Land Use: H-22-68 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.





#### STAFF REPORT

**HEARINGS:** Planning & Zoning Commission: January 9, 2023

Board of County Commissioners: January 24, 2022

**APPLICANT:** Peter Hill, HDA Architects, Inc.

FILE NUMBER: H-22-68

**REQUEST:** Rezoning from PDP(CP)/Planned Development Project (Corporate Park)

to PDP(GC)/ Planned Development Project (General Commercial).

**GENERAL** 

**LOCATION:** East Side of Anderson Snow Road, approximately 365' north of its

intersection with Corporate Boulevard

**PARCEL KEY** 

**NUMBER:** 1059954

#### **APPLICANT'S REQUEST**

The petitioner is seeking to rezone the subject property for the purpose of developing a 7,488 square foot Animal Hospital and an affiliated 9,938 square foot boarding facility with air conditioned, sound-attenuated runs. Originally the petitioner requested to reestablish a master plan on the property; however, veterinary clinics cannot be located within a Corporate Park district and a specific C-2 use for veterinary clinics and animal boarding cannot be added to the Corporate Park district. Thus, staff changed the request to a rezoning so the appropriate zoning district could be used for the intended development.

#### SITE CHARACTERISTICS

Site Size: 4.1 acres

**Surrounding Zoning** 

& Land Uses: North: PDP(IND); Undeveloped

South: PDP(IND); Undeveloped
East: PDP(IND); Undeveloped
West: PDP(IND); Mini-Warehouses

**Current Zoning:** PDP(CP)/ Planned Development Project (Corporate Park)

**Future Land Use** 

**Map Designation:** Planned Development

1

#### **ENVIRONMENTAL REVIEW**

**Soil Type:** Candler fine sand / 0-5% Slopes

Comment: Candler Fine Sand provides habitat suitable for gopher tortoises

(a listed species) and commensal species. A comprehensive faunal (wildlife) survey shall be prepared by a qualified professional during the construction plans stage of development. The petitioner is required to comply with all applicable FWC

regulations and permitting.

**Protection** 

Features: The property is not located within a Wellhead Protection Area

(WHPA) according to County data resources.

Hydrologic

**Features:** The subject property has no wetlands or Special Protection Areas

(SPA) according to County data resources.

Habitat: Urban Open Lands 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 Basin

Management Action Plan, the Weeki Wachee Springs Priority Focus Area (PFA) and the Weeki Wachee Outstanding Florida Springshed (OFS). The property is subject to a nutrient Total

Maximum Daily Load (TMDL) for nitrate.

**Comment:** 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.

Flood Zone: X

#### **UTILITIES REVIEW**

The Hernando County Utilities Department (HCUD) has reviewed the petitioner's request and provided the following comments:

• HCUD does not currently supply water or sewer service to this parcel. There is an existing 12-inch water main that runs in front of this parcel along Anderson

Snow Road. There is an existing 8-inch sewer gravity main that runs in Anderson Snow Road in front of this parcel.

 HCUD has no objection to the request to reestablish the Master Plan with PDP(CP) zoning for an animal hospital/boarding facility, subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction.

#### **ENGINEERING REVIEW**

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

- This property is located outside the floodplain. Development on the site must conform to the stormwater design requirements of Hernando County Facility Design Guideline and Southwest Florida Water Management District Environmental Resource Permit process.
- Additional right of way will be required along Anderson Snow Road for future expansion, work with the County Engineer for the required amount of right of way.
- The site may fall within the master drainage plan for the Industrial Park
- Anderson Snow is a Collector Roadway. Driveways are limited on Collector Roadways. The 2 driveways on Anderson Snow Road shall be limited to Right in/Right-out only.
- A Traffic Access Analysis is required and to include queuing analysis, Refer to Hernando County Facility Design Guidelines IV-18.
- The Parking and Layout shall meet Hernando County Standards. Refer to Hernando County Facility Design Guidelines IV-28.
- A Sidewalk along Anderson Snow Road is required the entire length of the project parcel, including along Drainage Retention Area at the front of the parcel.
- The buildings shall connect to the sidewalk along Anderson Snow Road.

#### LAND USE REVIEW

Hernando County identifies veterinarian and animal hospital service establishments as a commercial use. Veterinary clinics with air conditioned, sound-attenuated runs are a permitted use within the C-1 district.

#### **Setbacks and Maximum Building Height**

The building setbacks for the C-1 (General Commercial) district are:

Front: 75'Side: 20'Rear: 35'

Maximum Building Height: 45' (this is a restriction in place due to the property

being within the Airport Influence Zone).

## Landscaping

The site has been cleared of native vegetation, therefore landscaping requirements for commercial properties, detailed in Chapter 10 of the Hernando County Land Development Regulations, will be fulfilled using mostly plantings. This project

#### **Buffers**

Commercial regulations include the following requirements for buffers (Section 10-26):

- A vegetative buffer at least 5' in width shall abut the street right-of-way/pavements for at least half of the street right-of-way frontage. If only installed planting areas are used, the vegetative buffer shall include a hedge of shrubs with a minimum height of eighteen (18) inches at time of planting. Shrubs shall be appropriately spaced according to growth needed of the species for the hedge to attain eighty (80) percent opacity within twelve (12) months of planting.
- No vegetative buffer over two (2) feet in height that might block any driver's view shall be permitted within the clear-sight triangle of the driveway or street/railroad intersection.
- Around the perimeter of parking lots/pavements: A vegetative buffer at least 5' in width shall abut the perimeter of parking lots/pavements. This applies to parking lot perimeters not adjacent to street right-of-way or buildings. If installed planting areas are used, the vegetative buffer shall include plants with a minimum height of eighteen (18) inches at time of planting. If plants are preserved they must be shrubs or trees in order to count toward the requirement. If the property abuts another commercial property that has provided a vegetative buffer, in lieu of the buffer, a five-foot-wide landscape strip consisting of one (1) tree that is three-inch minimum caliper every twenty-five (25) linear feet and four shrubs plus turf grass, ground cover or mulch shall be provided. Preserved natural vegetation may be substituted for the landscape strip with approval of the development department review staff.

#### **Open Space**

A minimum of fifteen (15) percent of a development site that is one (1) acre or larger in size shall be landscaping. (Section 10-21 (b)).

**Comment:** Fifteen percent (15%) of the 4.1 acres (the subject parcel) is .62 acres

of landscaping.

#### **Parking**

All required parking shall meet the requirements of the land development regulations. For Veterinary Clinics and Animal Hospitals 2.5 parking spaces per 1,000 gross floor area (the total floor area contained within the building measured to the external face of the external walls) is required. With a proposed square footage of 17,426, approximately 44 parking spaces are required.

#### Lighting

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

Comments: If this project is approved, the petitioner should be required to

provide full cutoff fixtures and retain all light on-site and prevent any

light spillage onto neighboring properties.

#### **COMPREHENSIVE PLAN REVIEW**

Planned Development District (PDD) is a Future Land Use Map Category that provides coordinated planning of new developments and redevelopments with proposed multiple uses or types, or that have specialized or unique characteristics, or would benefit from a relatively high level of planning control and coordination. PDDs envision a mixture of land uses with the locations of each land use determined through a master planning process. Each individual PDD Category shall include an objective and strategy cluster formulated through the land use process specifically designed for the unique characteristics of the development, district or category. The densities and intensities assigned to each individual PDD are addressed in the Master Plan of the development.

Strategy 1.05B(6):

Incompatible uses shall not be allowed within the Airport PDD. This includes, but is not limited to, residential development, hospitals, education facilities, nursing homes, religious establishments, and similar uses that would be impacted with respect to safety, noxious odors or noise emanating from the airport or that would detract from the land area designated for employment-based uses.

Comment:

Veterinary Clinics, animal hospitals and associated boarding facilities are considered "commercial uses" and therefore are not considered incompatible with the Airport PDD.

#### **FINDINGS OF FACT**

The petitioner's request is reasonable and compatible with surrounding commercial and industrial land uses.

• General commercial uses are appropriate for this location and for the Airport PDD.

#### NOTICE OF APPLICANT RESPONSIBILITY

The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

#### STAFF RECOMMENDATION:

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from Rezoning from PDP(CP)/Planned Development Project (Corporate Park) to PDP(GC)/ Planned Development Project (General Commercial). with a specific C-1 use for a Veterinary Clinic with air conditioned, sound-attenuated runs 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. This property is located outside the floodplain. Development on the site must conform to the stormwater design requirements of Hernando County Facility Design Guideline and South West Florida Water Management District Environmental Resource Permit process.

3. Minimum Building Setbacks:

Front: 70'Side: 20'Rear: 35'

4. Maximum Building Height: 45'

- 5. This property shall conform to the landscape requirements set forth in the Hernando County Development Regulations for commercial properties.
- 6. Additional right of way shall be required along Anderson Snow Road for future expansion. The petitioner shall work with the County Engineer to determine the required amount of right of way.
- 7. Anderson Snow is a Collector Roadway. Driveways are limited on Collector Roadways. The 2 driveways on Anderson Snow Road shall be limited to Right in/Right-out only.
- 8. A Traffic Access Analysis is required and to include queuing analysis, Refer to Hernando County Facility Design Guidelines IV-18.
- 9. The Parking and Layout shall meet Hernando County Standards. Refer to Hernando County Facility Design Guidelines IV-28.
- 10. The petitioner shall provide full cutoff fixtures and retain all light on-site and prevent light spillage onto neighboring properties
- 11. A Sidewalk along Anderson Snow Road is required along the entire length of the project parcel, including along Drainage Retention Area at the front of the property.
- 12. The petitioner shall provide a sidewalk on the property which connects the buildings to the sidewalk along Anderson Snow Road.
- 13. The developer is responsible for performing a utility capacity analysis and installing the required connection to the central water and sewer systems at time of vertical construction.
- 14. The kennel area and all runs shall be indoors, sound-attenuated and air conditioned.
- 15. 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.

## HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):
Rezoning □ Standard ☑ PDP
Master Plan □ New ☑ Revised
PSFOD □ Communication Tower □ Other
PRINT OR TYPE ALL INFORMATION

ficial Date Stamp

Received

SEP 0 6 2022

Planning Department Hernando County, Florida

Date: 09-06-22	
APPLICANT NAME: Peter Hill, HDA Architects, Inc.	
Address: 101 Fast 2nd Ave. Suite 350	
City: Rome St	ate: Georgia Zip:30161
Phone: 706-531-9998 Email: pete@hda-architects.com	
Property owner's name: (if not the applicant) Mike and Julie Noves	And the second s
REPRESENTATIVE/CONTACT NAME:	
Company Name:	And the state of t
Address:	7in:
City:Str	ate:Zip
HOME OWNERS ASSOCIATION:	
Contact Name: City:	State: 7in:
Address:City:	State
PROPERTY INFORMATION:	
1. PARCEL(S) KEY NUMBER(S): 1059954	PANGE
2. SECTION	_, RANGE
4. Desired Zouling states and 4.4 Agree	
A WALL TO A TOWN A PROPERTY AND A PR	
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	es 🗹 No
V	es No (If yes, identify on an attached list.)
Will expert with the serious during the public hearing(s) and how much?	es 🖸 No (Time needed:)
9. Will additional time be required during the public hearing(s) and now intern.	
PROPERTY OWNER AFFIDIVAT	
	y examined the instructions for filing this
I, Michael Noves , have thorough	y examined the instructions for filing this d correct to the best of my knowledge and
I, Michael Joyes , have thoroughl application and state and affirm that all information submitted within this petition are true an helief and are a matter of public record, and that (check one):	y examined the instructions for filing this d correct to the best of my knowledge and
I, Michael Joyes , have thoroughl application and state and affirm that all information submitted within this petition are true an belief and are a matter of public record, and that (check one):	
I, Michael , have thoroughly application and state and affirm that all information submitted within this petition are true an abelief 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): Peter Hill, HDA Archite	
I, Michael Joyes	
I, Michael , have thoroughly application and state and affirm that all information submitted within this petition are true an abelief 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): Peter Hill, HDA Archite	
I, Michael , have thoroughly application and state and affirm that all information submitted within this petition are true 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): Peter Hill, HDA Archite and (representative, if applicable):  to submit an application for the described property.	
I, Michael , have thoroughly application and state and affirm that all information submitted within this petition are true 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): Peter Hill, HDA Archite and (representative, if applicable):  to submit an application for the described property.	ects, Inc.
I,	
I, Michael   See   State of FLORIDA   Signature of State of FLORIDA   Signature of FLORIDA   New thoroughly application and state and affirm that all information submitted within this petition are true 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   Peter Hill, HDA Archite and (representative, if applicable):   to submit an application for the described property.	f Property Owner
I, Michael   See   State of FLORIDA   Signature of State of FLORIDA   Signature of FLORIDA   New thoroughly application and state and affirm that all information submitted within this petition are true 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   Peter Hill, HDA Archite and (representative, if applicable):   to submit an application for the described property.	Property Owner  , 20 27, by
I,	Property Owner  , 20 27, by
I,	T, 20_27, by duced as identification.
I,	T, 20_27, by duced as identification.
I,	T, 20_27, by duced as identification.
I,	T, 20_27, by duced as identification.
I,	T, 20_27, by duced as identification.
I,	T, 20_27, by duced as identification.
I,	T, 20_27, by duced as identification.
I,	T, 20_27, by duced as identification.
I,	T, 20_27, by duced as identification.



## NARRATIVE FOR KIND ANIMAL CARE Master Plan Re-Establishment November 2022

To: Hernando County Planning Department

From: Peter J. Hill, Sr., AIA, HDA Architects, Inc.

Date: 11/10/2022

Subject: East side of Anderson Snow Road, approximately 450'

north of Corporate Boulevard

The subject property is a 4.1 acre vacant parcel located on the east side of Anderson Snow Road, approximately 450' north of Corporate Boulevard, Spring Hill, FL. The current Hernando County zoning for this site is Planned Development Project/Corporate Park (PDP/CP) approved on 06/08/2005 (file number H-05-16) and we are proposing an 7,488s.f. animal hospital and a 9,938s.f. boarding facility with the associated site work with no deviations from the code. This will require a master plan re-establishment with Hernando County.

The site is currently vacant undeveloped land and is within one mile of the Brooksville-Tampa Bay Regional Airport, where there is a maximum building height range of 45' which we will comply with. In accordance with the approved master plan, our site has a building setback of 75' from Anderson Snow, side setback of 20', and a rear setback of 35'. We will add an additional 20' setback from Anderson Snow Road. This site requires a minimum thirty percent open space, which our site complies with.

This site is located in FEMA Flood Zone "X", which is an area of minimum flood hazard. The FEMA Map Panel number is 12053 C0326 D, dated February 2, 2012. The majority of the site drains to the rear of the property, resulting in a small detention pond near Anderson Snow road and a larger one at the rear of the property. There are no water features on the property. There will also not be any impacts on natural features and there are no wetlands on the property. A faunal study will be performed and submitted at a later date.

Potable water is available to this site as there is an existing 12" water main running along the side of Anderson Snow Road. There is also an existing 8-inch sewer gravity main that runs along Anderson Snow Road in front of this parcel.

This property is located outside the flood plain. Development on the site will conform to the stormwater design requirements of Hernando County Facility Design Guideline and Southwest Florida Water

101 East 2<sup>nd</sup> Ave Suite 350 Rome, Georgia 30161

473 Beck Lane Dawsonville, Georgia 30534

706.531.9998 888.221.9232 toll free

hda-architects.com



Management District Environmental Resourse Permit process. Sheet flow will be collected through the use of inlets in the parking lots and conveyance pipes will transfer runoff to proposed detention ponds.

Site access is proposed by one full movement driveway access connection from Anderson Snow Road. This driveway connection will have a traffic access analysis done to include queuing analysis. As part of our traffic analysis, there will be a study to understand the requirements for a left hand turn lane which will be submitted to Hernando County for review. Additional right of way will be required along Anderson Snow Road for future expansion, so we will work with the County Engineer for the required amount of right of way.

The parking and Layout will meet Hernando County Standards. A sidewalk along Anderson Snow Road will be provided the entire length of all project parcel, to include along Drainage Retention Area Parcel. The buildings will connect into the sidewalk along Anderson Snow Road. There are natural landscape buffers to the north and the south of the site. There is a retention pond to the north of the site and a 24' asphalt road to the south of the site.

Should you have any questions or concerns, please contact me at 706-531-9998 or via email at pete@hda-architects.com.

Best Regards,

HDA Architects, Inc.

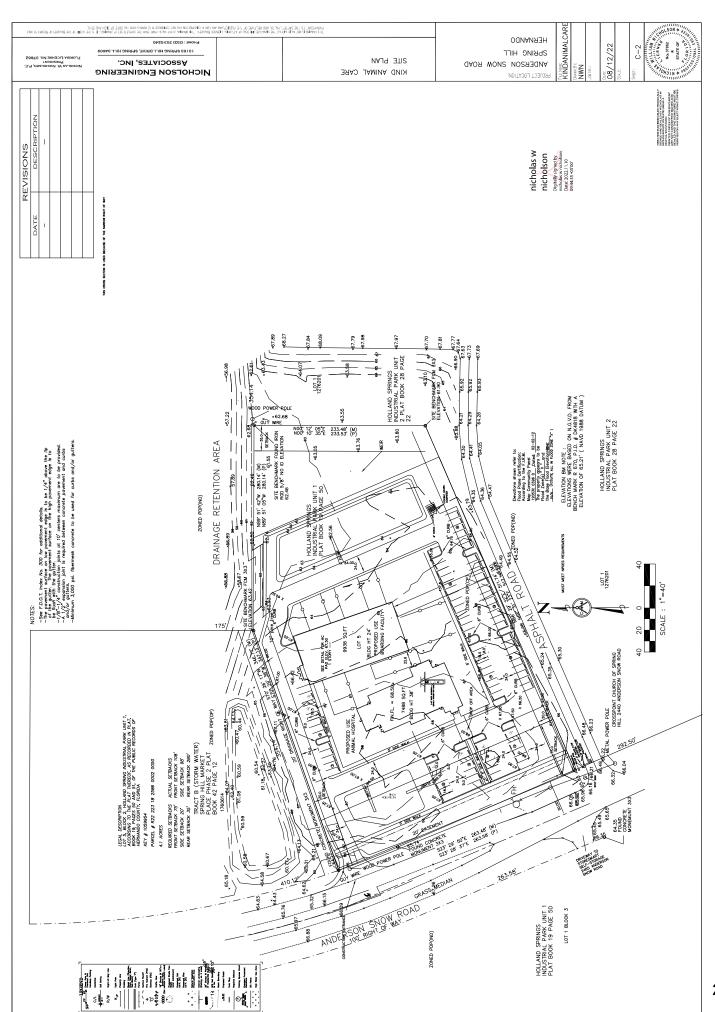
Peter J. Hill, Sr., AlA

101 East 2<sup>nd</sup> Ave Suite 350 Rome, Georgia 30161

473 Beck Lane Dawsonville, Georgia 30534

706.531.9998 888.221.9232 toll free

hda-architects.com



## **Planning & Zoning Commission**

#### **AGENDA ITEM**

Meeting: 01/09/2023 Department: Planning Prepared By: ACongdon Initiator: Aaron Pool DOC ID: 11606 Legal Request Number: Bid/Contract Number:

#### TITLE

H-22-69 - 235 Cobblestone Drive, LLC:

Master Plan Revision on Property Zoned PDP(NC)/Planned Development Project (Neighborhood Commercial) with specific C-1 uses and Deviations; Northwest corner of County Line Road and Cobblestone Drive

#### **BRIEF OVERVIEW**

#### Request:

Master Plan Revision on Property Zoned PDP(NC)/Planned Development Project (Neighborhood Commercial) with specific C-1 uses and Deviations

#### **General Location:**

Northwest corner of County Line Road and Cobblestone Drive

#### FINANCIAL IMPACT

A matter of policy. There is no financial impact.

#### **LEGAL NOTE**

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

#### 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 Master Plan Revision on Property Zoned PDP(NC)/Planned Development Project (Neighborhood Commercial) with specific C-1 uses and Deviations with performance conditions

#### **REVIEW PROCESS**

 Michelle Miller
 Approved
 12/28/2022
 5:17 PM

 Aaron Pool
 Approved
 12/30/2022
 10:31 AM

 Kyle Benda
 Approved
 12/29/2022
 3:49 PM

RESULT: ADOPTED

**MOVER:** W. Steven Hickey **SECONDER:** Michael Kierzynski

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

#### STAFF REPORT

**HEARINGS:** Planning & Zoning Commission: January 9, 2023

Board of County Commissioners: February 14, 2023

**APPLICANT:** 235 Cobblestone Drive, LLC (Tom Maxwell)

FILE NUMBER: H-22-69

**REQUEST:** Master Plan Revision on Property Zoned PDP(NC)/Planned

Development Project (Neighborhood Commercial) with specific C-1

uses and Deviations

**GENERAL** 

**LOCATION:** Northwest corner of the intersection of County Line Road and

Cobblestone Drive

**PARCEL KEY** 

**NUMBER:** 412262

#### **BACKGROUND**

On January 14, 2020, the Board of County Commissioners voted 5-0 to adopt Resolution 2020-4 approving the petitioner's request for a rezoning from PDP(REC)/Planned Development Project (Recreational) to PDP(NC)/ Planned Development Project (Neighborhood Commercial) with a specific C-1 use for a convenience store with a limit of 12 vehicle fueling stations and PDP(SU)/Planned Development Project (Special Use) for retention and open space with deviations. At the time the petitioner had proposed a convenience store with a maximum of six (6) vehicle fueling stations and automated car wash. The northernmost 1.1 acres would be designated as retention and open space.

#### **APPLICANT'S REQUEST**

The petitioner is currently requesting a revision to the approved master plan in order to include additional C-1 uses for a Comparison Goods Store, and Domestic and Business Service Establishment. The development will consist of a Proposed convenience store with six (6) fueling stations a 15,000 square foot strip plaza of retail and offices. The previously approved car wash has been removed from the request.

The petitioner is requesting the following deviations:

• West Buffer: 15' (deviation from the previously approved 50')

• West Building Setback: 35' (deviation from the previously approved 100')

#### SITE CHARACTERISTICS:

Site Size: 5.3 Acres

**Surrounding Zoning** 

& Land Uses: North: PDP(SU); Place of Public Assembly

South: County Line Road

East: PDP(SF); Congregate Care; Assisted Living

Facility

West: PDP(SF); Single Family Residential

Current Zoning: PDP(NC)/ Planned Development Project

(Neighborhood Commercial) and PDP(SU)/Planned

Development Project (Special Use)

**Future Land Use** 

Map Designation: Residential

Flood Zone: X; AE

**ENVIRONMENTAL REVIEW:** 

Soil Type: Candler Fine Sand

**Protection Features:** The site does not contain WHPAs or SPAs according

to county data resources.

Hydrologic Features: Topographic contours range from 24' (just north of

County Line Road) to 54' at the northwest property line. The site is approximately 1000' from Hunters Lake. The site contains a small Class 3 wetland that coincides with floodplain (AE EL 26.3) on the south end of the property according to County data resources; Class 3 wetlands can be altered based on the County's Comprehensive Plan strategies. Wetland determination would depend on the feature meeting

wetland criteria, functionality, and size.

**Habitat:** The property is shown as Open Land and Freshwater

marsh according to FLUCCS (Florida Land Use Cover

and Classification System) mapping.

Water Quality: The proposed project is located within the Weeki

Wachee Basin Action Management Plan (BMAP), the Weeki Wachee Priority Focus Area (PFA) identified by FDEP as contributing nutrients to the Weeki Wachee

Riverine System.

**UTILITIES REVIEW:** 

The Hernando County Utilities Department (HCUD) reviewed the project and had the following comments:

- HCUD does not currently supply water or sewer service to this parcel. There
  is an existing 10-inch water main that runs along the north side of County Line
  Road and the west side of Cobblestone Drive. There is an existing 16-inch
  sewer force main that also runs along the north side of County Line Road.
- HCUD has no objection to the request subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction.

#### **ENGINEERING REVIEW:**

The subject site is located on the northwest corner of the intersection of County Line Road and Cobblestone Drive. The petitioner is proposing two access point for the development. One access point to Cobblestone Drive and the second to County Line Road as a right-in/right-out. The County Engineer reviewed the project and had the following comments:

- A Traffic Access Analysis will be required. Refer to Hernando County Facility Design Guidelines Sheet IV-18.
- Traffic Access Analysis will be required to include fuel truck delivery turning movement templates.
- Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer to install.
- There shall be only one access point on Cobblestone Drive, a full access point.
- The driveway access point on County Line Road shall be a right -in/right-out only.
- No access to Clearwater Drive shall be permitted.
- The Parking and Layout shall meet Hernando County Standards.
- A sidewalk along Cobblestone is required.
- The buildings will be required to connect into the sidewalk along Cobblestone Drive and County Line Road.

#### LAND USE REVIEW:

#### **Proposed Land Uses**

The petitioner has requested the following additional C-1 uses:

- Comparison Goods Stores: sell clothing, shoes, apparel accessories, furniture appliances, home furnishings. Retail pet stores qualify as "comparison goods" as well.
- Domestic and Business Service Establishments: duplicating, mailing and stenographic services, blueprinting and photocopying services, window cleaning, floor waxing, office cleaning and janitorial services, disinfecting and exterminating services, ambulance services and catering services.

#### **Proposed Setbacks and Building Height**

The petitioner is proposing the following building setbacks:

County Line Road: 125' (Previously Approved)

• Clearwater Drive: 35' (Previously Approved)

• Cobblestone Drive: 35' (Previously Approved)

• West Boundary Line: 35' (A reduction from the 100' previously approved)

Building Height: 35'

#### **Residential Protection Standards**

According to Hernando County LDRs, the following residential protection standards apply when a commercially zoned property is adjacent to residentially zoned properties:

 There shall be no speakers or other sound equipment located within 100' of any single-family residential district property line.

**Comments:** The petitioner is not proposing speakers or other sound equipment.

 There shall be no buildings containing alcoholic beverage dispensation establishments, convenience stores, or automotive and truck repair establishments located within 100' of any single-family residential district property line.

**Comments:** The building designated with the retail uses is on the

west side of the property is shown as 35' from adjacent residential property. The proposed convenience store may not be located any closer than 100' from the residential district across Cobblestone Drive.

 All loading bays and loading docks must be a minimum of 100' from any residential district property line. Additionally, all loading bays and loading docks must be screened from view from the public right-of-way or single-family residential district property line. Screening may include landscape plantings, berms, fences or walls.

**Comments:** The petitioner is not proposing any loading bays or docks on the subject site.

 Air conditioning and/or other operational equipment must be oriented away from single family residentially zoned property or screened to minimize noise impacts and reduce visual incompatibility to the single family residentially zoned property. Screening may include landscape plantings, berms, fences or walls.

#### Comments:

Air conditioning or operational equipment is not required to be shown Master Plans. Mechanical/operational equipment including HVAC located at ground level shall be set back at least 100' from any property line external to the project boundary or any residential area and shall be visually shielded through enhanced screening. Mechanical/ operational equipment not located at ground level shall be located on the roof and shall be visually shielded with a parapet wall.

#### Buffer

County LDR's require sufficient buffering be provided in accordance with the Community Appearance Ordinance. A vegetative buffer at least five (5) feet in width shall abut the perimeter of parking lots/pavements. This applies to parking lot perimeters not adjacent to street right-of-way or buildings. As part of any new development authorization on a parcel of land that has a minimum two hundred (200) feet along the frontage and is two (2) acres or greater, a minimum 20' wide vegetative buffer shall be required with respect to any property line adjacent to the right-of-way of any arterial roadway.

The petitioner proposes the following buffers:

• North: 20' (Undisturbed Natural Vegetative Buffer)

Western: 15' (Landscape buffer with an 8' high opaque fence)

Comments: If approved, the petitioner shall provide a 20' undisturbed

natural vegetative buffer along the north, a 15' landscape buffer with an 8' high opaque fence along the west, 20' along County Line Road and the remaining must meet the minimum County

LDR's.

#### **Parking**

County LDRs require minimum off-street parking ratios based on the type of use and/or overall square footage.

#### Comments:

The petitioner proposes a maximum of 15,000 square feet of building area. County Land Development Regulations (LRDs) require 4 spaces/1,000 square feet of building. The required parking for the proposed use is 60 parking spaces. The petitioner has 60 parking spaces shown on the proposed Master Plan.

#### Lighting

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

#### Comments:

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

#### **COMPREHENSIVE PLAN REVIEW:**

#### **Future Land Use Mapping Criteria**

#### Commercial Category Map Interpretation Guidance

Areas considered to have a Commercial Category designation but not shown on the Future Land Use Map 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.

#### Comments:

While the subject site is not located within an area designated as Commercial on the Future Land Use Map, it is considered to have a commercial designation due to the size and scope of the proposed use. The intended use on the site is a convenience store with vehicle pumping stations and a small retail plaza. The proposed use is consistent with the Neighborhood Commercial criteria in the Future Land Use Flement

#### **FUTURE LAND USE ELEMENT**

#### **Neighborhood Commercial**

#### Strategy 1.04G(9):

Neighborhood Commercial areas are recognized but generally not depicted on the Future Land Use Map due to their small size and limited function. Neighborhood commercial areas serve limited local, traditional, or historic markets such as local restaurants and coffee shops, local convenience retail, local gas stations, or similar uses, and generally do not exceed 5 acres in size.

#### Strategy 1.04G(10):

Neighborhood Commercial areas are guided by the following land use criteria:

- a. may be located in Residential or Rural Categories;
- b. have a maximum total size of five (5) acres overall:
- c. are not located in environmentally sensitive areas or the Conservation Category unless associated with a resource-oriented tourism use;
- d. are located on collector or arterial roads except as part of a mixed use project;
- e. will not result in degradation of roadway levels of service;
- f. are designed to serve the convenience and personal service needs of nearby residents where such services are not otherwise reasonably available, and are proximate to the population areas supported;
- g. will not compromise the integrity of residential or rural areas;
- h. may be located internal to a mixed-use project.

#### Comments:

The proposed project is in a Residential land use category. The area designated as neighborhood commercial is 4.24 acres, less than the 5-acre maximum. The project is not located in an environmentally sensitive area or within a conservation land use category. The proposed project will not result in a degradation of the roadway level of service.

The proposed use will serve the convenience and personal service needs of the nearby residents and is proximate to a significant residential population surrounding it. As the proposed use is located at the intersection of two major roads, the use will not compromise the integrity of the surrounding residential uses.

#### FINDINGS OF FACT:

Master Plan Revision on Property Zoned PDP(NC)/Planned Development Project (Neighborhood Commercial) with specific C-1 uses and Deviations is appropriate with the following revisions:

- 1. The petitioner's request for a setback deviation from the previously approved setbacks along the western property line is justified due to the removal of the car wash.
- 2. With these revisions, 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 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 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 Master Plan Revision on Property Zoned PDP(NC)/Planned Development Project (Neighborhood Commercial) with specific C-1 uses and Deviations with the following performance conditions:

 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. Minimum Building Setbacks:

•	From County Line Road:	125'
•	From Clearwater Drive:	35'
•	From Cobblestone Drive:	35'
•	From West Boundary Line:	35'
•	Between Buildings	15'

- 3. Maximum Building Height:
  - Within 100' of the eastern and western property lines: 20'
  - All other areas: 65'
- 4. The petitioner shall provide a 20' undisturbed natural vegetative buffer along the north, a 15' landscape buffer with an 8' high opaque fence along the west, 20' along County Line Road and the remaining must meet the minimum County LDR's.
- 5. The petitioner shall conduct a utility capacity analysis and shall connect to the central water and sewer systems at time of vertical construction.
- 6. Signage shall be limited to ground mounted monument type signs where the bottom edge of the sign is no greater than ten (10) feet above grade.
- 7. A Traffic Access Analysis shall be required and shall include fuel truck delivery turning movement templates. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer to install. The Traffic Access Analysis shall be provided to the County as part of the construction plan application.
- 8. There shall be one access point on Cobblestone Drive, aligned with Davenport Lane, and one access point on County Line Road (right-in/right-out).
- 9. The access point on County Line Road shall have a raised concrete island (porkchop) installed with appropriate signs and markings.
- 10. A sidewalk shall be provided along Cobblestone Drive.
- 11. All buildings shall be required to connect into the sidewalk along Cobblestone Drive and County Line Road.
- 12. A Floodplain mitigation plan is required for any fill in floodplain. The petitioner is required to ensure that existing offsite inflows are accommodated, and existing peak offsite flood elevations are maintained.
- 13. Mechanical/operational equipment including HVAC located at ground level shall be set back at least one hundred (100) feet from any property line external to the project boundary or any residential area and shall be visually

- shielded through enhanced screening or shall be located on the roof and shall be visually shielded with a parapet wall.
- 14. The petitioner shall be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring parcels.
- 15. The petitioner shall meet the minimum recommendations of the Florida-Friendly Landscaping™ Principles (Florida yards & Neighborhoods Program) for design techniques and principles for all required landscaping.
- 16. A comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified professional and submitted as a part of the initial permit application before any development activity occurs on this site. The petitioner is required to comply with all applicable FWC regulations and permitting.
- 17. Invasive plant species if present are to be removed during the development process.
- 18. The applicant has stated that there are no wetlands on the property. The data backing up this stance shall be produced by a qualified professional and submitted with the Conditional Plat application.
- 19. The Residential Protection Standards shall apply to this project:
  - There shall be no buildings containing alcoholic beverage dispensation establishments, convenience stores, or automotive and truck repair establishments located within 100' of any single-family residential district property line.
  - No commercial activities which include customer entrances, drive-up windows, ordering boxes, or loading/unloading areas shall be allowed to operate between the hours of 12 midnight and 7:00 a.m. within 100' of any single-family *residential* district property line.
  - No building within 100' of any single-family residential district property line shall be more than 20' in height.
  - Air conditioning and/or other operational equipment must be oriented away from single family residentially zoned property, or screened to minimize noise impacts and reduce visual incompatibility to the single family residentially zoned property. Screening may include landscape plantings, berms, fences or walls.
- 15. The petitioner shall provide a revised plan in compliance with all of 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-22-69

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. PDP(SF) PDP(SF) PDP(SF) KILLINGER PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) CLEARFIE PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) EASTBROOK DR POP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) CENTRAL GIS AVE PDP(SF) 5 PDP(SF) RDP(SF) PDP(SF) AVE PDP(SF) PDP(SU) LANDMARK DR PDP(SF) PDP(SF) PDP(SF) RDP(SF) PDP(SF) PDP(SF) POPISE PDP(SF) PDP(SF) PDP(SF) PORISE PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDPISE PDP(SF) PDP(SF) PDP(SF) PDP(HC) PDP(SF) Zoning: PDP(SF) PDP(SF) PDP(SF) PDP(HHC) AC PDP(SF PDP(SU) PDP(SF) PDP(SF PDP(HID) ☐ AG PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(\$F) PDP(IND) AR PDP(SF) PDP(LI) PDP(SF) AR1 PDP(SF) PDP(SF) PDP(SF) PURISE PDP(SF) PDP(SF) COBBLESTONE DR PDP(MF) PDP(SF) AR2 PDP(SF) PDP(SF) POPISE PDP(SF) PDP(SF) PDP(SF) PDP(MH) PDP(SF) C1 RDP(SF) PDP(SF) CLEARWATER DR PDP(SF) PDP(SF) PDP(SF) PDP(NC) C2 PDP(SF) PDP(SF) POPSU PDP(OP) C3 PDP(SF) PDP(SF) PDP(PSF) PDP(SF) C4 PDP(SF) PDP(SF) PDP(SF) PDP(SF) & PDI PDP(REC) CITY PDP(SF) NI LANGUAGE PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SU) PDP(RR) CM1 PDP(SF) PDP(SF) PDP(SF) PDP(RUR) CM2 PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) CPDP PDP(SF PDP(SF) PDP(SF) PDP(SU) PDP(SF) PDP(SF CV PDP(SF) PDP(SU) PDP(SF) R<sub>1</sub>A PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(S R1B POPISE 12 PDP(SF) PDP(SF) PDP(SF) PDP(SF) R1C PDP(SF) M M PDP(SF) PDP(SF) PDP(SF R1MH PDP(SF) PDP(SF) OP PDP(SF PDP(SF) PDP(SF) PDP(SF) R2 PDP(SF) PDP(SF) PDP(SF PDP(AF) AVE HALLAM CT PDP(SF) PDP(SF) R2.5 PDP(CM) PDP(SF PDP(SF) PDP(SF) PDP(SF PDP(NC) R3 PDP(CP) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) AVF RC PDP(SF) PDP(SF) PDP(GC) PDP(SF PDP(GHC) RM PARKTON ₹ PDP(SF PDP(NC) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) PDP(SF) City Zoning Pending COUNTY LINE RD Subject Parcel

H-22-69

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-22-69 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.





#### HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):

Rezoning □ Standard ☑ PDP

Master Plan □ New □ Revised

PSFOD □ Communication Tower □ Other

PRINT OR TYPE ALL INFORMATION

	11-22-690fficial Date Stamp
4	Received
<i>f</i>	SEP 0 7 2022
	Planning Department

Hernando County, Florida

Date: 9/6/2022

APPLICANT NAME: 235 Cobblestone Drive, LLC (Tom Maxwell) Address: 500 S Florida Avenue STE 700 State: FL City: Lakeland Zip: 33801 Phone: 863-272-4615 Email: Tm4615@gmail.com Property owner's name: (if not the applicant) REPRESENTATIVE/CONTACT NAME: Donald R. Lacey, A.I.C.P. Company Name: Coastal Engineering Associates, Inc. Address: 966 Candlelight Blvd. City: Brooksville State: FL Zip: 34601 Phone: (352) 769-9423 Email: dlacet@coastal-engineering.com **HOME OWNERS ASSOCIATION:** □ Yes □ No (if applicable provide name) Contact Name: Address: City: State: Zip: PROPERTY INFORMATION: PARCEL(S) KEY NUMBER(S): 412262 SECTION 32 TOWNSHIP 23 South RANGE 17 East 2. Current zoning classification: PDP (NC) with specific C1 (Convenience store w/ fuel pumps and car wash (OS)) 3. PDP (NC) with specific C1 (Convenience store w/ fuel pumps, C1a, C1c, C1d) Desired zoning classification: Size of area covered by application: approximately 5.4 Acres 5. Highway and street boundaries: County Line Road, Cobblestone Drive, and Canby Circle 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.) ☐ Yes ☑ No (Time needed: Will additional time be required during the public hearing(s) and how much? PROPERTY OWNER AFFIDIVAT Jeff Rodgers, Hernando County \_, 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): MX Properties, Inc. and (representative, if applicable): COASTAL ENGINEERING to submit an application for the described property. STATE OF FLORIDA **COUNTY OF HERNANDO** The foregoing instrument was acknowledged before me this who is personally known to me or produced as identification. KRISTINE DALE Notary Public - State of Florida Commission = GG 268324 My Comm. Expires Feb 5, 2023

Bonded through National Notary Assir

Notary Seal/Stamp

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



# MX PROPERTIES REZONING/MASTER PLAN NARRATIVE – 11/17/2022

Planning Department Hernando County, Florida

#### **Project Overview**

The subject property is located north of and adjacent to County Line Road (C.R. 578), in Section 32, Township 23 South, Range 17 East, Hernando County, Florida. It consists of approximately 5.4 acres and is referred to by Hernando County Property Appraiser as parcel key number 412262. The current owner, 235 Cobblestone Drive LLC, purchased the property from Hernando County in August, 2022. Current zoning for the subject parcel is PDP (NC) *Planned Development Project (Neighborhood Commercial)* with specific C1 use for convenience store and car wash for the southern portion of the property and Open Space (OS) for the northern end of the property.

To the west, PDP (SF)

To the east, PDP (SF)

To the northeast, PDP (SU) for church

To the north, PDP (SF)

#### Request

The applicant is requesting approval of the attached rezoning/master plan. The zoning designation being requested is PDP (NC) *Planned Development Project (Neighborhood Commercial)* with specific C1 uses for a convenience store, comparison goods stores & domestic and business service establishments in the southern portion of the property and Open Space (OS) for the northern end of the property. The applicant's proposed use is for a convenience store with a 6-pump covered fueling area and a small strip of retail/offices (up to 15,000 square feet total) with a minimum distance between buildings of 15 feet. These uses are clustered in the southern half of the site, while drainage and open space will be located on the northern half. The car wash previously approved for the site is no longer being requested. Buffers have been proposed along the western and northern boundaries and the northwestern 1.0 acre will be retained as open space. The site is well-treed and those trees will be retained whenever possible.

The convenience store and retail/offices are expected to serve the surrounding community and will have direct access from Cobblestone Drive and well as County Line Road. County Line road is a divided 4-lane highway at this location and the intersection with Cobblestone Drive is signalized, making it an ideal location for the proposed use. The entrance to the convenience store is more than 500 feet from the entrance to the Spring Hill Calvary Church to the north (by normal pedestrian travel), meeting the County regulations for stores that sell beer and wine. It should also be noted that the proposed convenience store building is in excess of 100 feet from any residential district property line.

Potential signage locations have been shown on the proposed master plan. Size and location of the signs will be consistent with Hernando County standards.

Proposed access is via a proposed right-in right-out from County Line Road and a full access to/from Cobblestone Drive at a sufficient distance from County Line Road to not conflict with the left turn lanes. (Ref proposed master plan included herewith). If determined by the County Engineer to be needed, a second right turn entrance/exit to Cobblestone Drive may be constructed.

Building Height: Maximum building height will be 35 feet

**Building Setbacks:** 

125' (35' for fuel pumps) From County Line Road

From Clearwater Drive 35' (no building is proposed in this Open Space designated area)

From Cobblestone Dr.: 35'

From West - Boundary Line 35'

Buffer: A 15 ft. wide (minimum) vegetative buffer is shown along the western property line where abutting residential lots, which can be augmented with an 8 foot high opaque fence where sufficient vegetation is not present. Without a car wash being proposed, a wider buffer is not warranted. A 20 ft. wide natural vegetative buffer is shown along the northern boundary where abutting the church property.

Meet County standards. Landscaping:

#### ١. **Engineering & Environmental Report**

- A. Flood Zone Community Panel 12053C 0311D indicates that the portion of the parcel is in zone X, with no flooding during a 100-year storm. A smaller area of zone AE (el 26.3') is located in southwest corner of parcel boundary. Development on site will conform with the stormwater design requirements of the Hernando County and the Southwest Florida Water Management District and mitigation will preserve the floodplain volume.
- B. Soils Soils consist primarily of Candler fine sand 0 to 5 percent slopes with a small amount of Paola fine sand, 0 to 8 percent slopes in the northern portion of the parcel. Both are described as excessively drained.
- C. Topography From a low of approx. 23ft in the southwestern portion of the parcel to a high of 44 ft in the northern portion of the parcel.
- D. Drainage The drainage will be handled on site using the proposed DRA conceptually shown on the attached rezoning/master plan. Final location and size will be determined during engineering design phase.
- E. Vegetation and Wildlife A preliminary site visit was conducted on August 29, 2019. The following are the results of said site visit:
  - The project site is moderately forested parcel of land containing a mixture of Persimmon, scrub live oak, turkey oak, and longleaf pine trees.
  - The subject project site contains well-drained soils.
  - A non-wetland, depressional area is located in the southwest portion of the
  - No wetlands and/or other surface waters were located on the site.
  - No specimen or majestic trees noted.

ect site. Received

NOV 1 7 2022

Planning Department Hernando County, Florida

- Gopher tortoise burrows were observed.
- No karst features were observed.
- F. Water and Sewer Service Hernando County Utilities Department has a 10" potable water main and a 16" sewer force main running adjacent to the property along the north side of County Line Road. The project would anticipate connecting to the water main and would also connect to the force main if feasible. If connection to the 16" force main is not feasible, an on-site septic tank will be installed to handle wastewater, meeting all applicable requirements and permitting.
- G. Traffic Proposed access is via a proposed right-in right-out from County Line Road. At this location, County Line Road is a 4-lane divided highway with a good level of service, with a full median, signal and turn lanes at the intersection with Cobblestone Drive. A full access and a right-in right-out access are also proposed from Cobblestone Drive. (*Ref proposed master plan included herewith*). If determined by the County Engineer to be needed, a second right turn entrance/exit to Cobblestone Drive may be constructed. A traffic access analysis will be prepared and provided to the County Engineer prior to development.
- II. <u>Proposed Deviations (if any)</u> In order to allow the fuel tanks to be supplied by fuel trucks, driveway access widths have been proposed at 36 feet (from Cobblestone Drive) and 40 feet (from County Line Road)



NOV 1 7 2022

Planning Department Hernando County, Florida



= FUEL PUMPS

12/14/2022

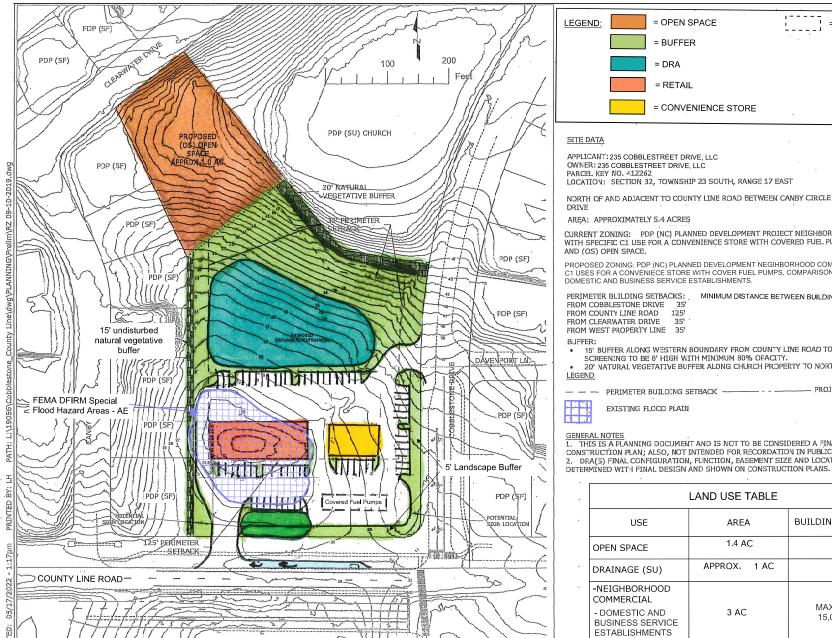
MASTERPLAN







SHEET 22038



NORTH OF AND ADJACENT TO COUNTY LINE ROAD BETWEEN CANBY CIRCLE AND COBBLESTONE

CURRENT ZONING: PDP (NC) PLANNED DEVELOPMENT PROJECT NEIGHBORHOOD COMMERCIAL WITH SPECIFIC C1 USE FOR A CONVENIENCE STORE WITH COVERED FUEL PUMPS (6) AND CAR WASH

PROPOSED ZONING: PDP (NC) PLANNED DEVELOPMENT NEGIHBORHOOD COMMERCIAL WITH SPECIFIC C1 USES FOR A CONVENIECE STORE WITH COVER FUEL PUMPS, COMPARISON GOODS STORE, &

MINIMUM DISTANCE BETWEEN BUILDINGS: 15'

- 15' BUFFER ALONG WESTERN BOUNDARY FROM COUNTY LINE ROAD TO START OF OPEN SPACE.
- 20' NATURAL VEGETATIVE BUFFER ALONG CHURCH PROPERTY TO NORTHEAST

PROJECT BOUNDARY

1. THIS IS A PLANNING DOCUMENT AND IS NOT TO BE CONSIDERED A FINAL DESIGN OR CONSTRUCTION PLAN; ALSO, NOT INTENDED FOR RECORDATION IN PUBLIC RECORDS. 2. DRA(S) FINAL CONFIGURATION, FUNCTION, EASEMENT SIZE AND LOCATION SHALL BE

LAND USE TABLE				
USE	AREA	BUILDING SQ. FT		
OPEN SPACE	1.4 AC			
DRAINAGE (SU)	APPROX. 1 AC			
-NEIGHBORHOOD COMMERCIAL		AAAVII II II A		
- DOMESTIC AND BUSINESS SERVICE ESTABLISHMENTS	3 AC	MAXIMUM 15,000SF		

# HERADO COUNTY ALKINGO

#### **Planning & Zoning Commission**

#### **AGENDA ITEM**

Meeting: 01/09/2023 Department: Planning Prepared By: ACongdon Initiator: Aaron Pool DOC ID: 11607 Legal Request Number: Bid/Contract Number:

#### TITLE

H-22-74 - Tim Oldemoppen:

Rezoning from AG (Agriculture), C-2 (Highway Commercial) and R-1B (Residential) to PDP(MH)/Planned Development Project (Mobile Home); West side of Commercial Way (US HWY 19) between its intersection with Lake In The Woods Drive and Brandy Drive

#### **BRIEF OVERVIEW**

#### Request:

Rezoning from AG (Agriculture), C-2 (Highway Commercial) and R-1B (Residential) to PDP(MH)/Planned Development Project (Mobile Home)

#### **General Location:**

West side of Commercial Way (US HWY 19) between its intersection with Lake In The Woods Drive and Brandy Drive

#### FINANCIAL IMPACT

A matter of policy. There is no financial impact.

#### **LEGAL NOTE**

The Planning and Zoning Commission has jurisdiction to make a recommendation on the subject application. The Applicable Criteria for 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 denying the petitioner's request for rezoning from AG (Agriculture), C-2 (Highway Commercial) and R-1B (Residential) to PDP(MH)/Planned Development Project (Mobile Home) based on the objectives and strategies (Strategy 1.04(B) (9)) of the Comprehensive Plan.

#### **REVIEW PROCESS**

 Michelle Miller
 Approved
 12/28/2022
 5:16 PM

 Aaron Pool
 Approved
 12/30/2022
 10:30 AM

 Kyle Benda
 Approved
 12/29/2022
 3:51 PM

RESULT: ADOPTED

**MOVER:** W. Steven Hickey **SECONDER:** Michael Kierzynski

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

#### STAFF REPORT

**HEARINGS:** Planning & Zoning Commission: January 9, 2023

Board Of County Commissioners: February 14, 2023

**APPLICANT**: Tim Oldemoppen, AGAP Spring Hill Land LLC.

FILE NUMBER: H-22-74

**REQUEST**: Rezoning from AG (Agriculture), C-2 (Highway Commercial)

and R-1B (Residential) to PDP(MH)/Planned Development

Project (Mobile Home)

**GENERAL** 

**LOCATION:** West side of Commercial Way (US HWY 19) between its

intersection with Lake in The Woods Drive and Brandy Drive

PARCEL KEY

**NUMBER:** 1580042, 1580033, 376088

#### **APPLICANT'S REQUEST**

The petitioner is requesting a rezoning from AG (Agriculture), C-2 (Highway Commercial) and R-1B (Residential) to PDP(MH)/Planned Development Project (Mobile Home) to develop three (3) parcels with a 259-unit (7.27 dwelling units/acre) mobile home residential subdivision. The proposed development will consist of 1,500 square feet homes (on average) and include a clubhouse with several amenities. The petitioner had indicated the development will not be fee simple ownership and the entire property would be maintained under one ownership, leasing individual dwelling units to private individuals.

#### SITE CHARACTERISTICS:

Site Size: 35.63 acres

**Surrounding Zoning** 

**& Land Uses:** North: CPDP; Undeveloped.

South: R-1A, C-2; Single Family, Retail Plaza

East: C-2; Undeveloped; Retail Plaza

West: AG, CV; Undeveloped

Current Zoning: AG (Agriculture), C-2 (Highway Commercial) and R-1B

(Residential)

**Future Land Use** 

**Map Designation:** Residential, Commercial and Conservation.

Staff Report: H-22-74

**NOTE:** The shape of the proposed development is unusual. To make referencing the boundary easier, *Figure 1, Property Boundary/Property Line Illustration* 

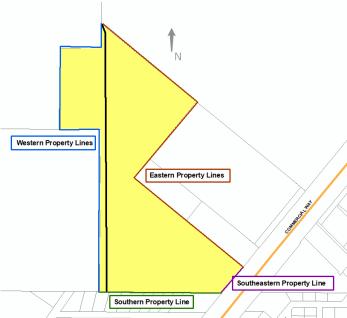


Figure 1: Property Boundary/Property Line Illustration

has been provided as a guide. When a reference is made to the "eastern" property boundaries or lines, all property lines east of the black line, which runs through the parcel vertically, are included, except for the southeastern property provides line that frontage along Commercial Way (US Highway 19). These property grouped together lines are because each of the eastern property lines abut a commercial or potentially commercial land use. The property lines identified as the "western" property lines abut agricultural or conservation land uses.

#### **ENVIRONMENTAL REVIEW**

**Soil Type:** Okeelanta-Terra, Myakka Fine Sand, Candler Fine Sand

Comments: Candler Fine Sand provides habitat suitable for gopher

tortoises (a listed species) and commensal species. A comprehensive faunal (wildlife) survey shall be prepared by a qualified professional and submitted as part of the construction drawing application stage of development. The petitioner is required to comply with all applicable FWC

regulations and permitting.

Protection Features:

There are no Wellhead Protection Areas (WHPA) or Special

Protected Areas (SPAs) on the subject parcel.

Hydrologic Features:

The northern half of parcel 1580033 and all of parcel 376088

are in a karst sensitive area. Small portions of these parcels

contain or are adjacent to a Class I Wetland.

Comments: Wetlands shall be delineated on all plats and plans during the

development process. Wetlands shall be delineated on all plats and plans (Strategy 10.03B(1)). The 100-year floodplain should be defined on the construction plans for the project. All

finished floor elevations should be above the 100-year flood elevation.

Staff Report: H-22-74

Any removal, encroachment or alteration of these wetlands shall require permitting and mitigation by the appropriate state and federal agencies.

A vegetated buffer averaging 25' in width (with no portion of the buffer narrower than 15' wide) shall be maintained by development adjacent to Class I wetland. No development is allowed in the buffer except for walkways or boardwalks used for access or recreation. (Strategy 10.03B(8)). The wetland buffers should be planted with native vegetation to control erosion.

The wetlands and associated buffer areas shall include a conservation easement in favor of the developer and including a third-party right of enforcement in favor of the County pursuant to Section 704.06(8), Florida Statutes on the master plan and construction drawings.

A stormwater plan shall be designed and maintained upland of the wetland buffer to prevent direct stormwater runoff, provide treatment, and avoid adverse impacts to the wetlands.

#### Habitat:

Sandhill, Mesic Flatwoods, Mixed Wetland Hardwoods, Hydric Hammock, Residential Medium and 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:

A comprehensive floral survey shall be prepared by a qualified professional at the construction drawings stage of development. The petitioner is required to comply with all applicable FWC regulations and permitting.

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

## Water Quality Review:

The proposed development is within the Weeki Wachee River Basin Management Action Plan (BMAP), the Weeki Wachee Primary Focus Area (PFA), and the Weeki Wachee Outstanding Florida Springs (OFS) Group.

#### 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, include FFL language in the HOAs covenants and restrictions, 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.

Staff Report: H-22-74

Flood Zone: X and AE

#### **UTILITIES REVIEW**

The Hernando County Utilities Department (HCUD) has reviewed the petitioner's request and provided the following comments:

- HCUD does not currently supply water or sewer service to these parcels.
  There is an existing 16-inch water main that runs along the west side of
  Commercial Way. There is an existing 15-inch sewer gravity main that also
  runs along the west side of Commercial Way.
- HCUD has no objection to the request subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction.

#### **ENGINEERING REVIEW**

The subject parcel is located on the west side of Commercial Way (US HWY 19) between its intersection with Lake in The Woods Drive and Brandy Drive. The petitioner has indicated a direct access to Commercial Way and a second means of access along the northeast corner, through the neighboring commercial development (Self storage/warehouse).

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

- The site is outside the 1% annual chance floodplain but must provide an outfall for the adjacent existing development (Storage King).
- An area of the site is shown within Flood Zone "X-Shaded" a 500 yr. (0.02% chance) floodplain.
- Development must conform to Hernando County Facility Design Guidelines and Southwest Florida Water Management District (SWFWMD) Environmental Resource Permit storm drainage design requirements.

 A Traffic Access Analysis is required. Traffic Analysis to include queuing analysis. Refer to Hernando County Facility Design Guidelines Sheet IV-18 for requirements.

Staff Report: H-22-74

- Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer to install.
- The projects internal roadways design shall comply with Hernando County Standards, (IE: Collector, Major Local, Local & Frontage Road). Refer to Hernando County Facility Design Guidelines Section IV.
- FDOT access and drainage permits may be required.

#### **EMERGENCY MANAGEMENT**

The Hernando County Emergency Management Department (EM) has reviewed the petitioner's request and provided the following comments:

- The parcels proposed for development fall within three different evacuation zones (Zone B, C, and D). For these types of scenarios, it is not uncommon for evacuation orders to be issued for all areas west of U.S. 19, as it provides a recognizable landmark that is easily understood by the public.
- The majority of the proposed development falls into Zone C, which correlates to storm surge inundation of up to 26 feet. However, it is important to note that all mobile homes countywide are very likely to be included in any evacuation order issued due to the threat of high winds (>39 mph sustained).
- Along these lines, EM cannot recommend this type of development in such a vulnerable location. If development is approved, EM will be looking for the inclusion of a site built, wind rated building to provide a safe shelter for residents in high wind events within the confines of the community. Alternatively, the developer may contribute to our retrofit efforts to offset the amount of shelter space that would be required for the County to accommodate these residents.

#### Comments:

The petitioner has indicated their willingness to work with Emergency Management to provide the necessary accommodations for the residents of the mobile home park during emergency events.

#### LAND USE REVIEW

This project qualifies as a "Mobile Home Park" as defined in the County Regulations, which state: Premises or tract of land prepared and approved according to the Procedures of this ordinance to accommodate mobile homes where the sale of the lot is not involved. The land uses permittable in the PDP(MH)/ Planned Development Project (Mobile Home) district include all permitted and special exception uses allowed

in the RM zoning district which have been specifically designated or specified in the narrative or on the master plan.

Staff Report: H-22-74

Manufactured home or mobile home shall mean a structure, transportable in one (1) or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The terms "manufactured home or mobile home" do not include "recreational vehicle" or "park trailer." [Also defined in 15C-1.0101, F.A.C.]

#### **Individual Lot Requirements**

In the PDP(MH)/ Planned Development Project (Mobile Home) district, individual lots are subject to front, side and rear yard setbacks. The petitioner plans on developing the property as a single parcel, and therefore it is appropriate to establish a minimum building separation instead.

Table 1: Proposed Setbacks / Separation of Uses for a Mobile Home Park

Regulation / Proposed Regulation	Petitioner Proposed Regulation for internal buildings	Comparable Regulation for an individual lot in the RM District
Front Yard Setback / Minimum setback from the internal roadway	20'	25'
Side Yard Setback / Minimum Building Separation	10'	15'
Rear Yard Setback / Minimum Building Separation	10'	25'
Minimum Dwelling Size <sup>1</sup>	1,200 square feet	600 square feet

Comments:

The petitioner's proposal includes 1,500 square feet as the approximate dwelling unit size for the park. Staff proposes a 1,100 square foot minimum to give the developer the freedom to provide dwellings of different sizes.

Maximum Building Area: 35% of the gross development area.

Maximum Building Height: 35'

<sup>&</sup>lt;sup>1</sup> For the purposes of this subsection, "minimum living area" shall mean the minimum floor area of a dwelling unit exclusive of carports, breezeways, unenclosed porches or terraces.

#### **Perimeter Setbacks and Buffer Requirements**

The petitioner proposes a 10' perimeter building setback and buffer. There are no perimeter setbacks established in the RM zone. In this instance, staff recommends basing a perimeter setback and buffer width designated as a "special regulation" and established in the R-1-MH (Residential Single-Family Manufactured Housing) (Appendix A, Article IV, Section 9 (e)(1) for the perimeter setback and buffer. This regulation states: "All R-1-MH districts shall provide a landscaped buffer of 25' around all boundaries of development area."

#### Comments:

If approved, a 25' planted buffer shall be provided on the eastern property lines, with a 30' perimeter building setback inclusive of the 25' vegetated buffer. On the western property lines, a 15' natural undisturbed vegetative buffer shall be provided as well as a 20' perimeter setback that is inclusive of the buffer.

Staff Report: H-22-74

**Table 2: Proposed Perimeter Setbacks and Perimeter Buffer requirements** 

Location	Petitioner Proposed	Staff Proposed
Landscaped buffer along the eastern property lines	10'	25'
(Planted buffer along the eastern property lines achieving 80% opacity within 12 months of planting)		
Perimeter setback on the eastern property lines adjacent to the commercial uses.	10'	30'
Landscaped buffer along the western property lines	10'	15'
(Undisturbed natural vegetative buffer along the western property lines)		
Perimeter setback on the western property lines adjacent to the conservation and agricultural land uses.	20'	20'

#### Landscape

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 petitioner is also required to comply with all applicable FWC regulations and permitting.

#### **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.

Comments:

The petitioner has proposed a 1.0 acre clubhouse and amenity area for the proposed development. If approved the petitioner must provide the minimum 3.0 acre neighborhood park as required by County LDR's.

Staff Report: H-22-74

#### Access

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

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

Comments:

The petitioner has not indicated a treed boulevard entrance; however, has provided for two means of access for the residential development. If approved, a treed boulevard entrance must be provided for the main access along US Highway 19.

#### **COMPREHENSIVE PLAN REVIEW:**

#### **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.

Comments:

The proposed development is 7.2 Dwelling units per gross acre.

#### **Mobile Homes and Recreational Vehicles**

Strategy 1.04B(8): Mobile homes are recognized as an affordable housing choice

in the Residential Category, providing for compatibility with surrounding land uses and served at the site by appropriate infrastructure and services in accordance with Residential Category standards. Direct access to an arterial or major collector roadway is required to facilitate emergency

Staff Report: H-22-74

evacuation.

**Comments:** This development has access to US Highway 19 / Commercial

Blvd.

Strategy 1.04B(9): New zoning for mobile homes shall not be permitted in the

Coastal Zone as defined in the Coastal Management Element

of this Plan.

**Comments:** This strategy specifically addresses the creation of new zones

that allow mobile homes in the costal area. Strategy 11.01A(1) (below) defines the coastal zone as all areas west of US Highway 19. The approval of this project would create new zoning within the coastal area contradicting this

Comprehensive Plan strategy.

There are mobile home parks west of US Hwy 19 that were approved and developed in the 1980s prior to the adoption of the Comprehensive Plan and this strategy. Mobile homes are also allowed by-right in the R-1A (Residential) zone district; most within this area were in place prior to the adoption of the

Comprehensive Plan.

#### **Development in Coastal Zone Habitat**

GOAL 11.02: Coastal Zone Development Hernando County shall direct new

and expanded population concentrations, vulnerable land uses and new infrastructure away from the Coastal Zone as indicated in this Element. [F.S. 163.3177(6)(g), 163.3178(2),

163.3178(8)]

Strategy 11.01A(1): The Coastal Zone is established as all areas west of US

Highway 19.

**Comments:** The majority of the proposed development falls into Zone C,

which correlates to storm surge inundation of up to 26 feet. As Emergency Management has commented, it is not uncommon for evacuation orders to be issued for all areas west of US Hwy 19, as it provides a recognizable landmark that is easily understood by the public. The first

"recommended" evacuation orders during an emergency event normally include the evacuation of all those living in mobile homes.

Staff Report: H-22-74

#### FINDINGS OF FACT:

A rezoning from AG (Agriculture), C-2 (Highway Commercial) and R-1B (Residential) to PDP(MH)/Planned Development Project (Mobile Home) is inappropriate based on the following conclusions:

- 1. The proposed Planned Development is located within the "Coastal Zone". The Comprehensive Plan states new zoning for mobile homes shall not be permitted in the Coastal Zone as defined in the Coastal Management Element of this [Comprehensive] Plan. It establishes all land west of US Highway 19/Commercial Way as "Coastal Zone". Thus, the location of the proposed project is incompatible with regards to Comprehensive Plan objectives and strategies (Strategy 1.04(B)(9)).
- 2. EM does not recommend this type of development in its proposed location. If development is approved, EM will be looking for the inclusion of a site built, wind rated building and/or potential contributions to the County's shelters.
- 3. The proposed use is inconsistent with the County's adopted Comprehensive Plan.

#### NOTICE OF APPLICANT RESPONSIBILITY:

The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

#### STAFF RECOMMENDATION:

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a Resolution denying the petitioner's request for rezoning from AG (Agriculture), C-2 (Highway Commercial) and R-1B (Residential) to PDP(MH)/Planned Development Project (Mobile Home) based on the objectives and strategies (Strategy 1.04(B)(9)) of the Comprehensive Plan.

## H-22-74

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. R1C PDP(SF) C1 R<sub>1</sub>C CV CPDP PDP(SU) R1C ORIVEWAY PDP(SU) LAKE IN THE WOODS DR CENTRAL GIS PDP(HC) Zoning: PDP(HHC) AC AG **CPDP** PDP(HID) AG PDP(IND) AR. PDP(LI) AR1 PDP(MF) AR2 PDP(MH) AG C1 PDP(NC) C2 PDP(OP) C3 AG PDP(PSF) C4 PDP(REC) CITY PDP(RR) Supplied the state of the state C2 CM1 PDP(RUR) CM2 PDP(SF) CPDP PDP(SU) CV Subject R1A C2 **Parcels** R1B C2 12 R1C M M C2 C2 R1MH CV OP R2 PDP(AF) C2 C2 R2.5 PDP(CM) C2 ADER RIB R3 PDP(CP) RC PDP(GC) PDP(GHC) RM AG R1B C2 R<sub>1</sub>B R1B City Zoning Pending R1A R1A R1A R<sub>1</sub>A C1/ C1 NORFOLK AVE R1A R1A BRANDY DR R<sub>1</sub>A R1A R<sub>1</sub>A R<sub>1</sub>A R<sub>1</sub>A R1A PDP(MH) R1A R<sub>1</sub>A R1A PDP(OP) R1A R<sub>1</sub>A R1A R1A R<sub>1</sub>A R<sub>1</sub>A R<sub>1</sub>A 0.08 0.16 0.24 0.32

0.04

Hernando County Planning Department

Project date: 10/17/2022

H-22-74

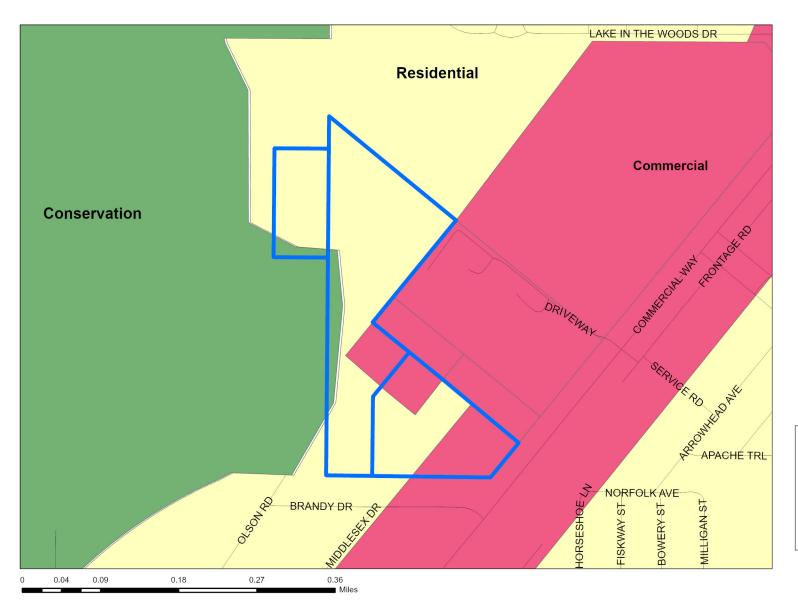
Photo date: 2020

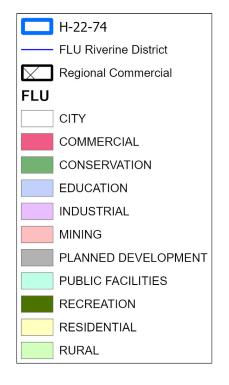
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# **Hernando County Comprehensive Plan Map**

Existing Future Land Use: H-22-74 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.





### HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one): PRINT OR TYPE ALL INFORMATION

reprisention reduces tenecy one.
Rezoning D Standard D PDP
Master Plan 🗹 New 🗆 Revised
PSFOD ☐ Communication Tower ☐ Other

File No. H-22-74 Official Date Stamp:

Received

OCT 0 5 2022

Planning Department

Date: June 28, 2022	Hernando County.	tment
APPLICANT NAME: AGAP Spring Hill Land LLC - Tim Oldemoppen	to and to the total transfer of the transfer of the transfer of the transfer of transfer of the transfer of transfer of the transfer of transfer o	- <del>rionda</del>
Address: 150 E 52nd Street		
	State: NY Z	ip:10022
Phone: (727) 215-8274 Email; bcohen@andoverprop.com	State: N1 Z	ip: 10022
Property owner's name: (if not the applicant) Brian Cohen		
		_
REPRESENTATIVE/CONTACT NAME: Alessandria Paimer and Christopher H	artman	<del> </del>
Company Name: Kimley-Horn Address: 2619 Centennial Blvd Suite 200		
	1	20000
Phone: (850) 553-3500 Email: all.palmer@klmley-horn.com / chris.he	State: FL Zi	p: <u>32308</u>
HOME OWNERS ASSOCIATION: Yes 2 No (if applicable provide name)		
Contact Name:		
Address: City:	State:	Zip:
PROPERTY INFORMATION:		
	000-0020-0060. R16-42	3-17-0000-0040
1. PARCEL(S) <u>KEY</u> NUMBER(S): <u>R16-423-17-0000-0020-0070, R16-423-17-0000-0020-0070, R16-423-17-0000-0070, R16-423-17-0000-0000-0000-0000-0000-0000-0000-</u>	, RANGE 17	
3. Current zoning classification: Agricultural (AG)		<u></u>
4. Desired zoning classification: Planned Development- Mobile Home (PD-M)	)	
5. Size of area covered by application: 35.63 total acres		
6. Highway and street boundaries: Commercial Way, Olson Road		
7. Has a public hearing been held on this property within the past twelve months? $\Box$		
	Yes 🗹 No (If yes, identify :	
9. Will additional time be required during the public hearing(s) and how much?	Yes 🗹 No (Time needed: _	)
PROPERTY OWNER AFFIDIVAT		<del></del>
	711 675	
I TOUR (pho) have thorough	alv avemined the instruction	ne for filing this
I,, have thoroug application and state and affirm that all information submitted within this petition are true a	nd correct to the best of m	us tot tilling tills v knowledge and
belief and are a matter of public record, and that (check one):	ina confect to the cost of m	y knowiedge and
☐ I am the owner of the property and am making this application OR		
I am the owner of the property and am authorizing (applicant): Kimley-Horn		
and (representative, if applicable): Alessandria Palmer and Christopher Harlman		
to submit an application for the described property.		<del></del>
353		
Comments of the Comments of th	·	
Signature	of Property Owner	
STATE OF FLORIDA NEW YORK	1	
COUNTY OF HERNANDO- DW YOLK IN	11/2/	22
The foregoing instrument was acknowledged before me this	<u>empo</u>	, 20, by
who is personally known to me of pr	oduceda	s identification.
FOIN LOUISE PRODUCT		
Signature of Notary Public  ERIN LOUISE FERDINAN Notary Public - State of New	V York	
<b>1</b> NO, 01FE6367317	r	
Effective Date: 11/8/16 Last Revision: 11/8/16 Qualified in Queens Cou-	3, 2025 No	tary Seal/Stamp
	,	

# Kimley » Horn

Received

OCT 0 5 2022

Spring Hill Residential Neighborhood Zoning Map Amendment Petition Hernando County, FL Narrative Description Review Planning Department Hernando County, Florida

#### REQUEST

The applicant is requesting a Zoning Map Amendment Petition to allow for the construction and operation of a manufactured housing development site. The proposed site is currently undeveloped and is located directly off the western side of Commercial Way in the portion of Hernando County. For further context, the site is north of Brandy Dr. The total area of the site is approximately 35.63 acres, and is comprised of the following parcel numbers:

- 1. R16 423 17 0000 0020 0070
- 2. R16 423 17 0000 0020 0060
- 3. R16 423 17 0000 0040 0000

All the parcels are zoned for the Agricultural (AG) district. The Future Land Use (FLU) designation for each parcel is Residential.

#### PROPOSED LAND USE AND DENSITY

The applicant is proposing a 259-unit residential neighborhood made up of individual preconstructed homes an average of 1,500 square feet in living area with an overall density of 7.27 units per acre. The entire property is proposed to be utilized for residential development.

The current zoning district, AG, only permits up to one unit per a 10-acre lot. Therefore, the property requires a rezoning to a district that allows for a higher density, such as Planned Development Project— Mobile Home (PDP-MH). Pursuant to the Hernando County code, the PDP-MH district permits all uses associated with the RM district, including Mobile Homes which includes off-site pre-constructed homes.

The proposed development will also include a clubhouse area with several amenities, which will encompass roughly one acre.

Table 1: Density Levels

	Development Program
Total Units	259
Unit Size	1,500 sq. Ft

OCT 0 5 2022



Planning Department Hernando County, Florida

Page 2

Density	7.27 units/acre
Clubhouse Area	~1 acre

#### EXISTING AND SURROUNDING USE

As previously discussed, the site is currently vacant and undeveloped. The request for rezoning is compatible with directly adjacent and surrounding uses in the general area. All areas along the eastern portion of Commercial Way generally follow a similar pattern for both zoning and FLU designations. Properties directly adjacent to the roadway are zoned for the Commercial district, with FLU designations being the same. Further east to the commercial uses along the roadway, most parcels have FLU and zoning designations as residential. These residential areas appear to buffer the more intense commercial uses from conservation areas, which embody most of the area east of the residential areas.

The area directly north of the site is zoned for Planned Development, with FLU designations of Residential and Commercial. The entirety of this area, though, is currently undeveloped forest. Further north, the general area is composed of a mix of residential and commercial uses, with neighborhoods surrounding shopping centers. This pattern of development is similar to the areas south to the site.

Adjacent parcels to the east of the site are within the Commercial zoning district and are designated as Commercial for FLU. Directly east of the site is an existing Storage King facility. Further east, across Commercial Way, the area is composed of commercial uses with retail lining the roadway. Rear to these commercial uses are residential neighborhoods, including the Weeki Wachi Woodlands. The area to the west of the site is designated for conservation by both FLU and zoning. The entirety of this area is currently undeveloped forest. The FLU, zoning, and existing use for each parcel adjacent to the proposed development is shown below in Table 1.

Table 2: Surrounding Use

Adjacent Parcels			
Direction	FLU	Zoning	Existing Use
North	Residential &	Planned	Vacant
	Commercial	Development	
South	Residential &	Residential &	Neighborhood &
	Commercial	Commercial	Retail
East	Commercial	Commercial	Retail
West	Conservation	Conservation	Vacant



OCT 0 5 2022

Page 3

Planning Department Hernando County, Florida

#### **AREA REGULATIONS**

The proposed development will adhere by the PDP-MH regulations, RM regulations, and the general regulations outlined for all planned development projects. Area and dimensional regulations, both required and proposed, are shown below in Tables 2 and 3 including building setbacks and landscape buffers.

The proposed development will not be subdivided into individual lots. The applicant and property owners intend on maintaining the property under one ownership and leasing the individual units out to future residents. Therefore, many of the RM area regulations are not applicable as the intent is to regulate single family lot size.

Table 3. Area Regulations for PDP Residential

Area Regulations for RM Residential	Dimensions		
District	Required	Proposed	
Minimum Lot Area	7,500 sq. ft.	35.63 acres	
Minimum Lot Width	75 ft.	N/A	
Minimum Street Frontage	50 ft.	276 ft.	
Minimum Living Area	600 sq. ft.	1,200 sq. ft.	
Building Coverage	35%	35%	

Table 3. Setbacks, Buffer, and Building Height Regulations.

Setbacks, Buffer, and Building Height Regulations		Dimensions		
		Required	Proposed	
Setbacks	Front	125 ft.	125 ft.	
	Side	10 ft.	10 ft.	
	Rear	20 ft.	20 ft.	
Buffer*		Min. 5 ft. landscaped separation distance	10 ft.	
Building height		45 ft. and/or 3 stories	TBD	

<sup>\*</sup>A buffer shall be required between a Planned Development Project land use which is multifamily or nonresidential and a land use, external to the PDP, which is residential, agricultural-residential, or agricultural.

#### PROPOSED DESIGN STANDARDS

The proposed development is unique in that it will appear like a single-family development but will not be subdivided into individual lots like a standard subdivision. Therefore, the applicant has proposed specific design standards to ensure the neighborhood will meet the Florida building code standards. These design standards are shown in Table 3 below.

#### Received



OCT 0 5 2022

Planning Department Hernando County, Florida Page 4

Table 4. Design Standards.

Design Standards	Dimensions	
Internal accessway design	Min. width of 15 ft.	
	Min. 15 ft radius for intersecting drives	
	Min. design speed of 15 mph.	
Building separation	Side – 10 feet between buildings	
	Rear – 10-feet between buildings	
Setback from vehicular accessways	20 ft.	

#### NATURAL FEATURES IMPACT

The proposed development shall meet all the county regulation requirements, in addition to any applicable state and federal laws, regulations, and rules. Design will be coordinated with the intention to minimize environmental impacts and include existing environmental features into the overall design of the project, as required by the County's code.

Though the site's existing status is undeveloped/vacant, it is also cleared of any natural vegetation that would typically be present. According to the natural features map, the site does not fall within any FEMA designated flood zones. Additionally, there are no wetlands located within the site. For these reasons, environmental impact of the proposed development would be minimal-to-none. Additionally, the proposed use (Residential) of the development generally witnesses low impact to the surrounding environment. The proposed development will not impact the surrounding conservation areas in any form and will serve as a less intense use to buffer commercial activities to the east.

#### IMPACT ON INFRASTRUCTURE

#### **Transportation**

Pursuant to Section 2., Article II. Appendix A of the Code of Hernando County's code, all streets, parking, and pedestrian circulation facilities within the proposed development will satisfy the County's minimum design standards.

#### Off-Street Parking

In addition to the general design and safety standards outlined by the County's code, minimum off-street parking space requirements for Residential uses are listed as 2.0 spaces per unit. Each unit will have at least one space located in the driveway to the

OCT 0 5 2022



Planning Department Hernando County, Florida

Page 5

home. Homes will be designed with either a second space in a carport or garage, or a second driveway parking space.

#### Traffic

The residential community will be marketed towards primarily seniors and retirees. With a target demographic consisting of primarily retirees, it is unlikely that future residents will be travelling during peak hours. Most traffic associated with these hours is in relation to travel to, and from, work or school. Therefore, the travel habits of the future residents should not significantly impact the surrounding roadway infrastructure.

#### Water and Sanitary Sewer

Pursuant to discussions with Utility staff during the pre-application meeting, there is sufficient water and sewer capacity for the proposed use of the site. A detailed analysis will be required at construction permit review.

#### Drainage

Section 13-61 of the code establishes that all new development will be reviewed to determine that adequate drainage is provided to reduce exposure to flood hazards. The proposed development will include two stormwater retention/amenity ponds to satisfy this component and provide sufficient mechanisms for stormwater and drainage. The final design of these ponds will be completed during the site plan review and permitting process.

#### Parks and Recreation

Section 26-75 of the code establishes regulations governing the establishment of parks for new development. The PD master plan has been designed to incorporate an amenity center for the future residents of the community. The amenity area is approximately one (1) acre and will be designed and approved as part of the site plan review process.

#### Solid Waste

Pursuant to the Republic Services website, there is ample capacity to provide solid waste collection service for 259 new residential units within the Spring Hill area of Hernando County.

#### Received

OCT 0 5 2022



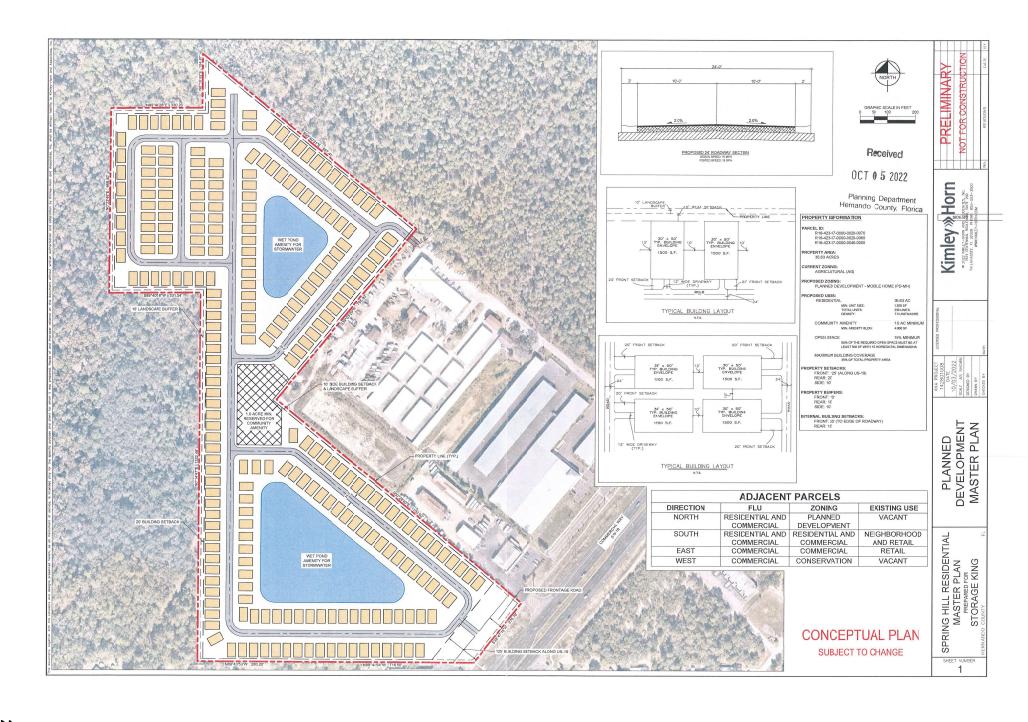
Planning Department Hernando County, Florida Page 6

#### **Public School Facilities**

The target demographic of this development is primarily senior-aged residents or retirees. It is unlikely that public school aged children will be residents of the proposed development. Therefore, an impact to surrounding public school facilities is not anticipated.

#### PROPOSED IMPROVEMENTS

The applicant is proposing to incorporate the required frontage road along the 276-foot US-19 frontage to connect the existing frontage road to the north to a future connection to the south of the property, as part of this proposed development. No other public improvements are proposed as part of this request.



# HEROSO ODLY

#### **Planning & Zoning Commission**

#### **AGENDA ITEM**

Meeting: 01/09/2023 Department: Planning Prepared By: ACongdon Initiator: Aaron Pool DOC ID: 11608 Legal Request Number: Bid/Contract Number:

#### TITLE

H-22-81 - Proud Pelican Construction, Inc.:

Revision of Master Plan on a Property Zoned PDP(GHC)/ Planned Development Project (General Highway Commercial); Northwest corner of the intersection of Cortez Blvd (SR 50), Barclay Avenue and Brookridge Central Boulevard

#### **BRIEF OVERVIEW**

#### Request:

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

#### **General Location:**

Northwest corner of the intersection of Cortez Blvd (SR 50), Barclay Avenue and Brookridge Central 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 approve the petitioner's request for a Master Plan Revision with updated performance conditions, consolidated for administrative purposes

#### **REVIEW PROCESS**

 Michelle Miller
 Approved
 12/28/2022
 5:15 PM

 Aaron Pool
 Approved
 12/30/2022
 10:29 AM

 Kyle Benda
 Approved
 12/29/2022
 3:51 PM

RESULT: ADOPTED

MOVER: Michael Kierzynski SECONDER: W. Steven Hickey

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

#### STAFF REPORT

**HEARINGS:** Planning & Zoning Commission: January 9, 2023

Board Of County Commissioners: February 14, 2023

**APPLICANT:** Proud Pelican Construction, Inc.

FILE NUMBER: H-22-81

**REQUEST:** Revision of Master Plan on a Property Zoned PDP(GHC)/ Planned

Development Project (General Highway Commercial) to Add Two

Additional Commercial Structures

**GENERAL** 

**LOCATION:** Northwest corner of the intersection of Cortez Blvd (SR 50), Barclay

Avenue and Brookridge Central Boulevard

**PARCEL KEY:** 470396

#### APPLICANT'S REQUEST:

The petitioner is asking for a revision of their Master Plan, originally approved on January 11, 2006, to add two new buildings to the site, a 1,500 square foot expansion of the existing Transmission Shop and a 7,000 square foot one-story building which will serve as a staging and detailing area in conjunction with the existing auto-body shop to the south.

The petitioner states the parameters will be met in the construction of the proposed new buildings:

- They will be single story structures;
- They will not affect any buffers;
- They will not require any change in approved setbacks;
- No deviations will be required;
- They will comply with the landscape ordinance;
- There will be no doors on the north face of the structures;
- The north side of the building will comply with the architectural standards;
- There will be no outside speakers;
- There will be no outside machinery;
- Inside machinery will consist of hand tools; and
- There will be no outside repair work activity.

#### SITE CHARACTERISTICS:

Site Size: 12.30 acres

**Surrounding Zoning** 

& Land Uses: North: PDP(MH)/Planned Development Project

(Mobile Home); Homes

South: PDP(GC)/ Planned Development Project

(General Commercial), Developed; and C-2,

Staff Report: H-22-81

Developed

East: PDP(GHC)/Planned Development Project

(General Highway Commercial); Developed

West: PDP(GC)/ Planned Development Project

(General Commercial), developed; and PDP(SU)/Planned Development Project (Special Use), Drainage Retention Area.

Current Zoning: PDP(GHC)/ Planned Development Project (General

Highway Commercial) (H-05-121)

**Future Land Use** 

Map Designation: Commercial

#### **ENVIRONMENTAL REVIEW:**

**Soil Type:** Candler Fine Sand/0-5% Slopes.

**Comment:** The property is fully developed, and gopher tortoises are

not known to be present on the site.

Protection Features: There are no Protection Features (Wellhead Protection

Areas (WHPA) and 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: The property has been designated Fully developed site

identified 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).

Water Quality Review: The proposed development is within the Weeki Wachee

River Basin Management Action Plan (BMAP), the Weeki Wachee Primary Focus Area (PFA), and the and Weeki Wachee Outstanding Florida Springs (OFS) Group.

Staff Report: H-22-81

**Comment:** 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.

Flood Zone: X with small portions of AE on the north portion of the

property.

#### **UTILITIES REVIEW:**

The Hernando County Utilities Department (HCUD) has reviewed the petitioner's request and provided the following comments:

- HCUD currently provides water and sewer service to this parcel.
- HCUD has no objection to the requested revised master plan to allow two additional commercial buildings on site (transmission shop and autobody shop).

#### **ENGINEERING REVIEW:**

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

- This site contains areas of 1% annual chance floodplain, revised by development.
- The proposed development does not increase the impervious area on site.
- The petitioner shall provide a corner clip and Temporary Construction Easement at the northwest corner of Cortez Blvd. and Brookridge Central Blvd. The details of this corner clip & Temporary construction easement shall be worked out with the County Engineer during the construction drawings stage of permitting.
- The petitioner shall confirm the existence of the easement of the portion of Tundra Drive and DRA maintenance located on subject parcel.
- The driveway and parking layout may be required to be brought up to County standards with signage and appropriate markings. The County Engineer shall make this determination.

#### LAND USE REVIEW:

#### **Previous Performance measures Established**

Previous performance conditions for this property have been established in zoning cases H-95-18, and H-05-121. Planning staff feels that some of these items are out of date and proposes to update these conditions and remove items that are no longer applicable to the subject site. The following shows the previously approved conditions and provides an explanation as to why staff believes they should be kept as is, updated or deleted.

Staff Report: H-22-81

1. The petitioner must obtain all permits from Hernando County and meet all applicable land development regulations, for either construction or use of the property, including receiving DRC approval for the proposed use.

The developer must comply with all other PDP regulations.

- UPDATED: This is a standard condition in all PDPs. Staff proposes the replacement of this statement with the statement that is currently used in all new proposed PDPs.
- 2. The applicant shall deed the northern most fifteen (15) feet of the subject property to the County. The applicant shall enter into an agreement with the County to provide for the maintenance of the required buffer.
  - REMOVED: This is a single event condition and has been satisfied
- 3. The applicant must provide, at no expense to the County, a frontage road built to County standards along the northern portion of the property, running east to west. The applicant shall enter into an agreement with the County to provide for construction of a frontage road upon demonstration of need and demand by the County.
  - REMOVED: This is a single event condition and has been satisfied
- 4. The minimum setbacks for the buildings on the property shall be as follows:
  - UPDATED: The rear setback should be updated and measured from the rear property line. The required frontage road has been built and property lines adjusted. A 50' rear setback, measured from the rear property line, would be approximately 125' from the subdivision boundaries to the north.
  - Front: 75
  - Rear: 50' 100' (the rear setback is to be measured from the

property line of the Brookridge Subdivision)

• Side: 50'

- 5. The applicant shall provide a vegetative buffer along the north property line, of five to eight feet in height and which shall reach sufficient opacity at the time business commences. This buffer shall be located within the 25' required landscape separation strip, on the north side of the required frontage road.
  - REMOVED: This is a single event condition and has been satisfied.

Staff Report: H-22-81

- 6. Lighting of the site shall be directed toward the interior of the project.
  - KEPT: This condition requires ongoing compliance and should remain.
- 7. External loud speakers shall not be utilized on the site.
  - KEPT: This condition requires ongoing compliance and should remain.
- 8. The petitioner will be required to submit detailed drainage plans for the subject property prior to DRC approval.
  - REMOVED: This is a single event condition and has been satisfied.
- 9. The petitioner must receive a Class I Subdivision approval prior to the issuance of any building permits.
  - REMOVED: This is a single event condition and has been satisfied
- 10. If the petitioner wishes to operate a paint and body shop on this 2.5 acre site, the paint and body shop shall be allowed only one garage door exit on the northern wall. If the petitioner wishes to operate a service department on this 2.5 acre site, the service department shall be allowed only one garage door exit on the northern wall. The applicant shall build a fence to the north of the door equal in width and height to the garage door opening.
  - KEPT: This in an ongoing condition that requires continued compliance.
- 11. The petitioner shall relocate the buffer along the western line of the existing property to the westernmost portion of the property line of the added property.
  - REMOVED: This is a single event condition and has been satisfied

#### **COMPREHENSIVE PLAN REVIEW:**

The subject site is already developed. It is located within the Commercial land use classification; the request for master plan revision remains consistent with the Goals, Objectives and Strategies for this classification.

Staff Report: H-22-81

#### FINDING OF FACTS:

The petitioner's request is reasonable and will conform to the Hernando County Land Development Regulations.

- The land uses on this site include an autobody shop, a transmission shop, a service center, a showroom, and services related to Recreational Vehicle sales.
- There are no active code complaints registered for this location.
- The expansion of an existing use is appropriate.
- The petitioner has a history of complying with the previously approved performance conditions.
- The proposed location of the new buildings is already paved; the petitioner would not be reducing the impermeable surface 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 Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

#### **STAFF RECOMMENDATION:**

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners approve the petitioner's request for a Master Plan Revision with the following updated performance conditions, consolidated for administrative purposes:

Staff Report: H-22-81

- 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 minimum setbacks for the buildings on the property shall be as follows:

Front: 75'Rear: 50'Side: 50'

- 3. Lighting of the site shall be directed toward the interior of the project.
- 4. External loud speakers shall not be utilized on the site.
- 5. If the petitioner wishes to operate a paint and body shop on this 2.5-acre site, the paint and body shop shall be allowed only one garage door exit on the northern wall. If the petitioner wishes to operate a service department on this 2.5-acre site, the service department shall be allowed only one garage door exit on the northern wall. The applicant shall build a fence to the north of the door equal in width and height to the garage door opening.
- 6. The petitioner shall provide a corner clip and Temporary Construction Easement at the northwest corner of Cortez Blvd. and Brookridge Central Blvd. The details of this corner clip & Temporary construction easement shall be worked out with the County Engineer during the construction drawings stage of permitting.
- 7. Driveway and parking layout may be required (by the County Engineer) to be brought up to County standards with signage and appropriate markings.
- 8. 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-22-81

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 PDP(MH PDP(MH) MORIAH AVE PDP(MH) PDP(MH) PDP(MH) PDP(MH) PDP(MH) PDP(MH) PDP(MH) PDP(MH) PDP(MH)DGE PDP(MH) CENTRAL GIS PDP(MH) RIOAVE PDP(SU) BROOK RIDGE BLUD PDP(MH) PDP(MH) S PDP(MH) PDP(MH) THORPP AVE PDP(MH) **₹PDP(MH)** PDP(MH) Ⅲ PDP(MH) PDP(REC) PDP(MH) PDP(MH)

E CENTRAL BLVD

PDP(MH) PDP(MH) PDP(MH) PDP(HC) Zoning: PDP(MH) PDP(MH) PDP(MH) PDP(HHC) PDP(MH) AC. PDP(MH) PDP(MH) PDP(MH) PDP(MH) PDP(HID) PDP(MH) MG AG PDP(MH) PDP(MH) PDP(MH) PDP(IND) PDP(MH Poplacy AR PDP(MH) PDP(LI) PDP(MH) AR1 PDP(MH) PDP(MH) PDP(MF) AR2 PDP(MH) PDP(MH) PDP(MH) PDP(MH) PDP(MH) PDP(MH) PDP(MH) PDP(MH) C1 PDP(MH) PDP(NC) C2 TUNDRA DR PDP(GHC) PDP(OP) C3 PDP(GC) PDP(GC) PDP(GC) PDP(PSF) C4 PDP(SU) PDP(REC) CITY PDP(RR) CM1 PDP(RUR) CM2 PDP(GHC) PDP(GHC) PDP(SF) CPDP FISHEAGLEBLVD PDP(SU) CV PDP(GC) PDP(GC) PDP(GC) PDP(GC) R1A R1B 12 R1C Μ R1MH OP R2 PDP(AF) CORTEZ BLVD R2.5 Subject Parcel PDP(CM) R3 8 PDP(CP) RC TWIN DOLPHIN PDP(GC) PDP(GHC) RM R1C R1C C1 **C1** PDP(GC) C1 C2 PDP(GC) C2 PDP(GC) BARCLAY AVE City Zoning Pending PDP(MF) C2 PDP(SU) PDP(SU) R<sub>1</sub>C R1C R1C PDP(MF) R<sub>1</sub>C PDP(OP) R<sub>1</sub>C R<sub>1</sub>C R<sub>1</sub>C PDP(MF)
WHPDP(MF)
PDP(MF)
PDP(MF) NEVILLE DR R<sub>1</sub>C PDP(MF) **BOCK LN** R1C R<sub>1</sub>C R<sub>1</sub>C R1C R<sub>1</sub>C R<sub>1</sub>C R<sub>1</sub>C R<sub>1</sub>C Hernando County Planning Department 0.03 0.05 0.1 0.15 0.2

Project date: 11/28/2022

Miles

## H-22-81

Photo date: 2020

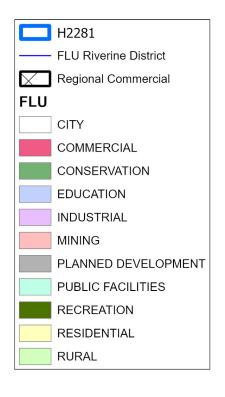
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# **Hernando County Comprehensive Plan Map**

Existing Future Land Use: H-22-81 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.





### ERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one): Rezoning Standard PDP

Master Plan New Revised

PSFOD Communication Tower Other

PRINT OR TYPE ALL INFORMATION

Date: November 1st, 2022

File No. 11-21-81 Official Date Stamp: Received NOV

Planning Department

Hernando County, Florida

APPLICANT NAME: Proud Pelican Construction, Inc		
Address: 1134 W. Jefferson St.		
City: Brooksville	State: FI	Zip: 34601
Phone: 352-796-9604 Email: albuilt@tampabayrr.com	State	
Property owner's name: (if not the applicant) REGISTER FAMILY, LLC		
REPRESENTATIVE/CONTACT NAME: Jon Riley		
Company Name: Coastal Engineering Associates, Inc.		
Address: 966 Candlelight Blvd		
City: Brooksville	State: FL	Zip: 34601
Phone: (352)848-3425 Email: Jriley@coastal-engineering.com	State. <u>1                                   </u>	Zip. <u>01001</u>
HOME OWNERS ASSOCIATION: ☐ Yes ☑ No (if applicable provide name)		
Contact Name:		
	Sta	ite: Zip: 34685
PROPERTY INFORMATION:		
1. PARCEL(S) <u>KEY</u> NUMBER(S): 470396 2. SECTION 22 , TOWNSHIP 18 3. Current zoning classification: PDP(GHC)	D LIVER 46	
2. SECTION 22 , TOWNSHIP 18 3. Current zoning classification: PDP(GHC)	, RANGE <u>40</u>	)
4. Desired zoning classification: PDP(GHC) PDP(GHC)		
5. Size of area covered by application: 12.30 acres		
6. Highway and street boundaries: Cortez Blvd and Tundra Drive		
	0 [7] XZ .[7] XZ	
First indicate of this property within the past twelve months		
8 Will expert witness(es) be utilized during the public hearings?		s, 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, Debra Smith, Register Family, LLC , have the	horoughly examined the	e instructions for filing this
application and state and affirm that all information submitted within this petition are	e 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 <b>OR</b>	_	
I am the owner of the property and am authorizing (applicant): Proud Pelican	Construction, Inc	
and (representative, if applicable): Coastal Engineering Associates, Inc.		
to submit an application for the described property.		
///	ebra Smit	-1
	este Simi	
STATE OF FLORIDA	Signature of Property Owner	
COUNTY OF HERNANDO	v v	
	OVENDOR	, 20 <b>22</b> , by
who is personally known to m		as identification.
who is personally known to in	ic or produced	as identification.
MATTHEW G. KOWZAN	.	
LIV COMMISSION # GG 338118	5	
11:41 THE EVENOPES: May 23, 2023	18	
Effective Date: 11/8/16 Last Revision: 11/8/		Notary Seal/Stamp

Notary Seal/Stamp

NOV 2 2022

Planning Department Hernando County, Florida

+

## REGISTER CHEVROLET ADDITIONAL STRUCTURES (PARCEL KEY # 470396) MASTER PLAN UPDATE NARRATIVE

#### **GENERAL**

The subject property, (Parcel Key #470396) consists of 12.30 acres and is located between SR 50 and the mobile home retirement community of Brookridge. The property has access directly from SR 50 right turn out, left and right turn in) and from Tundra Drive, a reverse frontage road stretching from Sunshine Grove Road to Brooksville Central Boulevard. The entire site is developed and is the home of the Register Chevrolet dealership. Refer to Figure 1 for the project Aerial Location Map.





Figure 1. Key No. 470396 Aerial Location Map

Figure 2. Key No.470396 FLU Map

The subject property is designated as Commercial on the Hernando County Comprehensive Plan's Future Land Use Map (FLUM) as depicted on Figure 2. . The property is currently zoned as Planned Development Project — General Highway Commercial PDP(GHC), a designation that allows for the existing and proposed land uses. . Surrounding Zoning is as follows:

- North PDP(MH) Brookridge Community
- South PDP(GC) w/ C2
- East PDP(GHC)
- West PDP(GC) PDP(SU) DRA

#### APPLICANT'S REQUEST

The applicant intends to retain the existing zoning while seeking approval of a revised master plan, which will add two commercial structures. Both structures are highlighted on the enclosed Zoning Master Plan. The first new structure is an expansion of the existing Transmission Shop, extending it further to the south (toward SR 50). The second new structure is a separate one-story building to serve as a staging and detailing area in conjunction with the existing Autobody shop to the south. While the major body work (painting, large repair) will continue to be accomplished in the main building, the new proposed structure will allow for a more efficient operation. Since this building will be located to the north of the existing Autobody Shop, slightly over 100 feet from the Brookridge community, the following parameters will be met in the construction and use of the building:

- It will be a one-story structure
- It will not effect any buffers
- It will not require any change in approved setbacks
- No variances will be required
- It will comply with the Landscape Ordinance
- There will be no doors on the north face of the structure
- The north side of the building will comply with the architectural standards
- There will be no outside speakers
- There will be no outside machinery
- Inside machinery will consist of hand tools
- There will be no outside repair work activity

#### PRELIMINARY ENGINEERING REPORT

**FEMA Flood Zone**: based on the review of the Federal Flood Emergency Management Agency Flood Insurance Rate (FIRM), Map Number 12053C0186D, Effective Date 02/02/2012; The proposed site I within zone X and is not located within a Special Flood Hazard Zone.

Environmental: The property is totally developed

Soil Classification: Candler Fine Sand, conducive to development

Drainage: Already constructed

#### **Utilities:**

- Water and Sewer: Presently served by Hernando County Utilities Department
- Electric: Withlacoochee River Electric Cooperative
- Telephone: Bellsouth
- Fire Protection: Hernando County Fire Rescue

#### **Building Setbacks:**

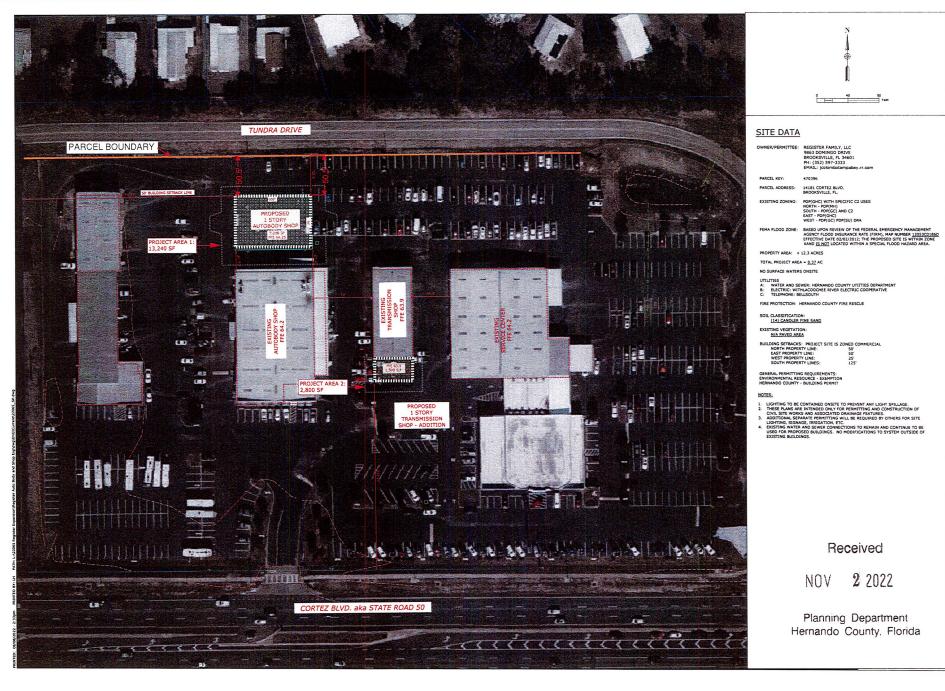
North Property Line: 50'
East Property Line: 50'
West Property Line: 25'
South Property Line: 125'











SHEET



SITE DATA

PARCEL ADDRESS:

OWNER/PERMITTEE: REGISTER FAMILY, LLC 9863 DOMINGO DRIVE BROOKSVILLE, R. 34601 PH: (352) 597-3333 EMAIL: Jcolombotampaba

14181 CORTEZ BLVD. BROOKSVILLE, FL. PDP(GHC) WITH SPECIFIC C2 USES NORTH - PDP(MH) SOUTH - PDP(GC) AND C2 EAST - PDP(GHC) WEST - PDP(GC) PDP(SU) DRA









SHEET

BASED UPON REVIEW OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE (FIRM), MAP NUMBER 12052018:00 EFFECTIVE DATE 02/02/2012; THE PROPOSED SITE IS WITHIN ZONE XAND 15 NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA. PROJECT AREA 1 13,240 SF TOTAL PROJECT AREA = 0.37 AC OF B SOIL CLASSIFICATION: (14) CANDLER FINE SAND EXISTING VEGETATION: 123 LIGHTING TO BE CONTAINED ONSITE TO PREVENT ANY LIGHT SPILLAGE.
THESE RAMS ARE INTERIODED ONLY FOR PERHITTING AND CONSTRUCTION OF
COTUS STRE WOOKS AND ASSOCIATED DOMAINGE FEATURES.
OF COMMISSION OF THE STREAM OUTSIDE OF EASTING BUILDINGS. NO MODIFICATIONS TO SYSTEM OUTSIDE OF
EASTING BUILDINGS. PROPOSED 1 STORY TRANSMISSION SHOP - ADDITION Received 2 2022 NOV CORTEZ BLVD. aka STATE ROAD 50 Planning Department Hernando County, Florida 22065 293

TUNDRA DRIVE

PARCEL BOUNDARY

EM.

# HERALDO COULTAIN ALKINOS OUT A

#### **Planning & Zoning Commission**

#### **AGENDA ITEM**

Meeting: 01/09/2023 Department: Planning Prepared By: ACongdon Initiator: Aaron Pool DOC ID: 11609 Legal Request Number: Bid/Contract Number:

#### **TITLE**

H-22-83 - Maya Motels, Inc.:

Rezoning from C-1 (General Commercial) and C-2 (Highway Commercial) to PDP(MF)/Planned Development Project (Multifamily) with Deviations; North side of Cortez Boulevard (SR 50), approximately 300' west of Deltona Boulevard

#### **BRIEF OVERVIEW**

#### Request:

Rezoning from C-1 (General Commercial) and C-2 (Highway Commercial) to PDP(MF)/Planned Development Project (Multifamily) with Deviations

#### **General Location:**

North side of Cortez Boulevard (SR 50), approximately 300' west of Deltona Boulevard

#### FINANCIAL IMPACT

A matter of policy. There is no financial impact.

#### **LEGAL NOTE**

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

#### RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Rezoning from C-1 (General Commercial) and C-2 (Highway Commercial) to PDP(MF)/Planned Development Project (Multifamily) with Deviations, with performance conditions

#### **REVIEW PROCESS**

 Michelle Miller
 Approved
 12/28/2022
 5:14 PM

 Aaron Pool
 Approved
 12/29/2022
 3:20 PM

 Kyle Benda
 Approved
 12/29/2022
 5:53 PM

RESULT: ADOPTED

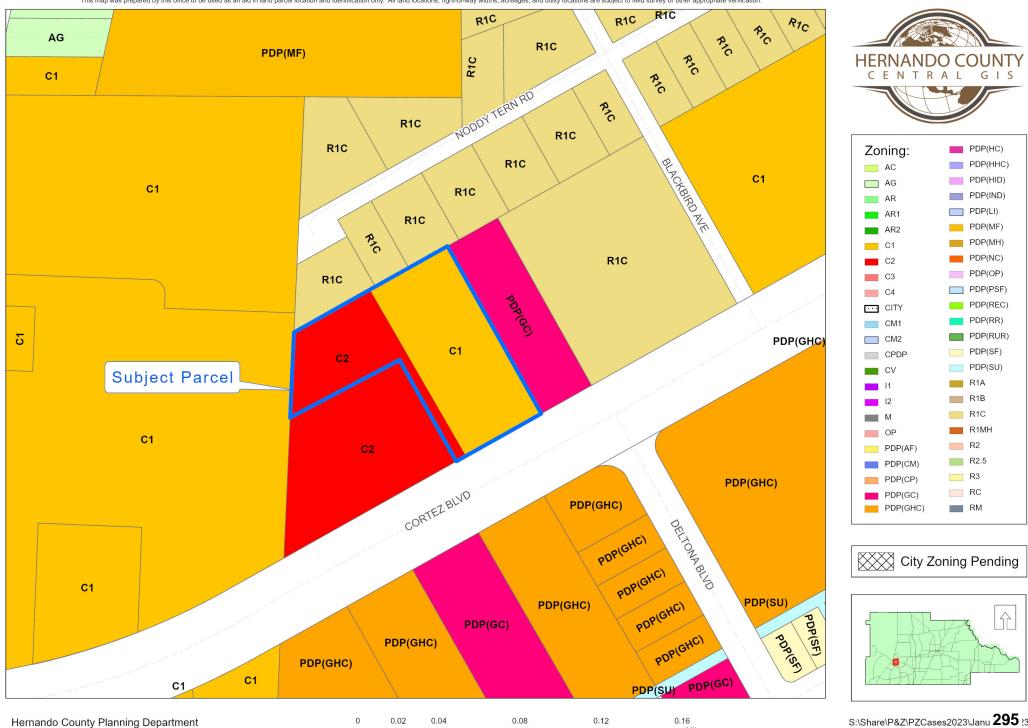
MOVER: Michael Kierzynski SECONDER: Kathryn Birren

AYES: Hickey, Kierzynski, McDonald, Birren and Holmes

### H-22-83

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.

Project date: 11/28/2022



Miles

H-22-83

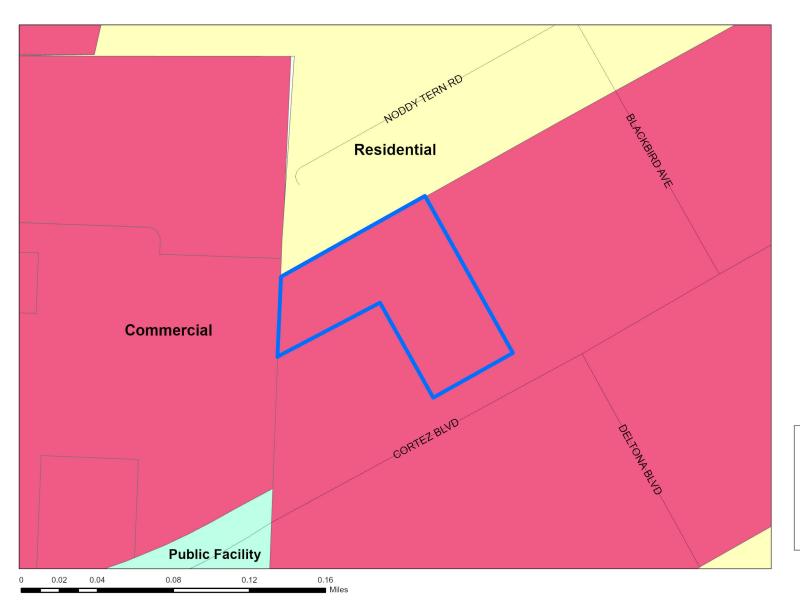
Photo date: 2020

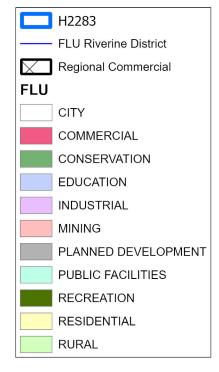
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



## **Hernando County Comprehensive Plan Map**

Existing Future Land Use: H-22-83 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.





#### HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):
Rezoning □ Standard □ PDP
Master Plan □ New □ Revised

PSFOD □ Communication Tower □ Other **PRINT OR TYPE ALL INFORMATION** 

Date: 1 November 2022

File No. H-22-83 Official Date Stamp:

Received

NOV 4 2022

Planning Department Hernando County, Florida

APPLICANT NAME: Maya Motels Inc			
Address: 1610 SE Paradise Circle			
City: Crystal River		State: Florida	Zip: 34429
Phone: 352 422 4763 Email: mxp1952@h	otmail.com	/ / / / /	
Property owner's name: (if not the applicant) Mr. Max Pa	atel, Operations Mana	ger / PANESH	NESAI
REPRESENTATIVE/CONTACT NAME:		,	
Company Name: Civil Coastal Engineering, Inc			
Address: PO Box 640534			
City: Beverly Hills		State: Florida	Zip: 34464
Phone: 352 302 4354 Email: wwalker@civ	vilcoastal com	Stateonda	Zip. очноч
Thone. <u>602 602 160 1</u> Email, wwalter © 610	iioodotai.oom		
HOME OWNERS ASSOCIATION: ☐ Yes ☐ No (if applica	ıble provide name)		
Contact Name:			
Address:	City:	State:_	Zip:
PROPERTY INFORMATION:			
1. PARCEL(S) <u>KEY</u> NUMBER(S): <u>1703847</u>	- 00	a 47	
2. SECTION 01 , TOWNSHIP	P 23	, RANGE <u>17</u>	
5. Current zoning classification:			
5 14 100	AC Proposed PDP c	2 69 AC	
	AC - Floposed FDF a	1164 2.00 AC	
7. Has a public hearing been held on this property within the	18		
8 Will expert witness(es) be utilized during the public hea	_	☐ Yes ☑ No (If yes, ide	-
9. Will additional time be required during the public hearing	ng(s) and how much?	☐ Yes ☑ No (Time need	ded:)
PROPERTY OWNER AFFIDIVAT			
THOTERT OF THE REAL PROPERTY.			
I. PARKSH AKSAI	1 41		t
application and state and affirm that all information submitted	within this natition are t	roughly examined the inst	t of my knowledge and
belief and are a matter of public record, and that (check one):	within this petition are th	rue and correct to the bes	t of my knowledge and
☐ I am the owner of the property and am making this appl	ination OP		
		-	- 11mm
I am the owner of the property and am authorizing (appli	cant):	EL + 1412	THE PATEC
and (representative, if applicable): Why HE WI	ELKAN, C	Ck	
to submit an application for the described property.			
	i		
CTATE OF FLORIDA	Sign	nature of Property Owner	
STATE OF FLORIDA			
COUNTY OF HERNANDO  The foregoing instrument was acknowledged before me this	4 day of No	Jankor	, 20 22, by
Paro Shall who is n	personally known to me	The state of the s	as identification.
Parose Desail who is i	ersonarry known to me o	or produced	as identification.
	THE PERSON NAMED OF PERSON NAMED OF PERSONS AND PROPERTY OF PERSONS ASSESSED.		
	The state of the s		
Jes Now	Notary Publi	c State of Florida	
Signature of Notary Public	Jessica A	Anne Gonzales ssion HH 284126	
Effective Date: 11/8/16 Last Revision: 11/8/16	Expires	7/5/2026	Notary Seal/Stamp
ELLECTIVE Date: 11/8/10 Last Revision: 11/8/16			NOIGEV Neal/Mamp

NOV 4 2022

Hernando County Zoning Amendment Petition

Narrative Description for Proposed Development of Parcel 1703847

Owner: Maya Motels, Inc

Planning Department Hernando County, Florida

**Summary:** Maya Motels is proposing to construct two 4-story apartment buildings with 32 units each on the subject property. The apartment complex will contain a mix of 1 and 2 bedroom apartments, associated amenities, and parking. The projects is proposed in two phases with a 32 unit building being built in each phase. Please see the attached concept site plan which shows the proposed project layout and phasing.

#### 1. Proposal

- a. Proposed land use and their specific acreage: Currently the property is zoned C-1. To construct the apartments on this property Hernando County is requiring a PDP be submitted for the 2.68 AC that is proposed for the apartment buildings. The remaining 1.61 AC of the 4.29 AC parcel is proposed to retain it's current zoning of C-1 Commercial.
- b. Proposed density level of residential uses: Phase one will result in a residential density of 32/2.68 =11.9 units per acre. At the completion of phase two this density will be 64/2.68 = 23.9 units per acre.
- c. Proposed square footage of development and building height(s): Each of the proposed buildings will occupy a footprint of 11,292.56 sf with a total floor area of 39,397.24 sf.

  The buildings are proposed as 4 stories each with a maximum height of ancillary support equipment and appurtenances not to exceed 50 feet in height above finish grade.
- d. Proposed deviations from code: The code requires a PDP be established for each apartment complex. As such there are no deviations to propose.

#### 2. Site Characteristics

- a. Site size(acres): Total site is 4.29 AC, with the project area consisting of 2.68 AC, with the remaining 1.61 AC to retain it's existing zoning of C-1. The proposed multifamily will provide a nice transition for the single family to the North and the existing commercial property to the South of the proposed project.
- b. Existing land use is C-1 Vacant. Properties to the North R1C, South C1, East C1, West C1.
- c. Known activities or uses on-site: The proposed project sits on a parcel that was originally permitted with a second phase to the Quality Inn which is located immediately to the South of this proposed development. Currently the property is vacant.

#### 3. Environmental Conditions

- a. Flood Zone: The property is located in Flood Zone (X)
- b. Drainage Features: Currently there is a large DRA that was constructed as part of the originally planned build out for the property. With approval of this Zoning change a modification to the existing drainage permit will be executed with SWFWD to relocate this DRA to the position shown on the attached site plan. This DRA will be sized to

handle the drainage for his project and the future commercial site proposed adjacent to Cortez Boulevard.

- c. Water Features: None
- d. Habitats: None, if Gopher Tortoises are encountered during the construction they will be properly relocated as required by law.
- e. Conditions and impacts on Natural Features: None

#### 4. Site Plan Discussion in the Narrative

- a. A description of the concept of the development plan: Please see summary above.
- b. Proposed buffer sizes and separation widths between proposed land uses: A 15 foot landscape buffer is proposed on the North Boundary adjacent to the Residential Parcel. This buffer also proposes to install a 6' privacy fence along the Norther border of the property and retain all the large trees currently located in this area in addition to installing the landscape required by Hernando County per their LDC. All remaining Landscape Buffers are proposed at 10' with LDC required landscaping.
- c. Proposed Setbacks: a 90' building setback is proposed from the Residential property to the North. A 25' building setback is proposed adjacent to the commercial property to the East, a 24' building setback is proposed adjacent to the commercial property to the South. As the proposed buildings face the center of the parcel this equates to a 90' and 24' side setback and a 25' rear setback with respect to the buildings. The parking has been located to the rear of the parcel to maintain the Residential Protection Standards for buildings that are proposed at higher then 20'. An administrative variance of 10' will be requested to obtain the 90' setback.
- d. Impacts and Improvements to infrastructure: None required.
- e. Proposed uses within pods: N/A

#### 5. Impacts to Public Facilities

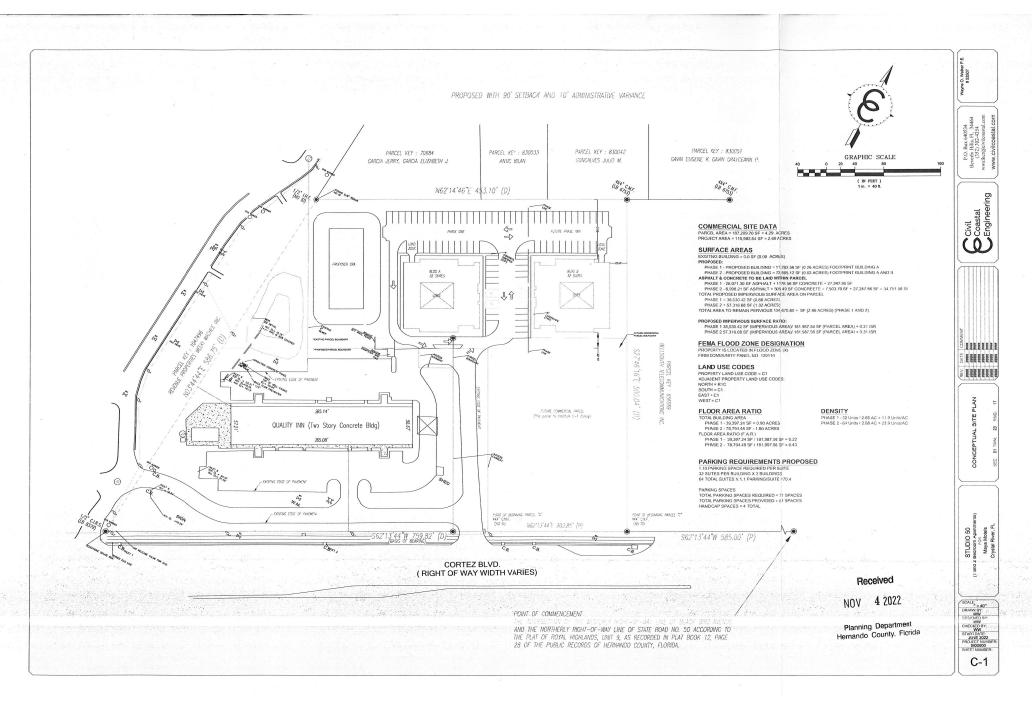
- a. Discussion on impacts on infrastructure: With the reduction of the previously approved motel size, and the relatively small size of this development there are no adverse impacts on public facilities to note.
- b. Discussion on improvements proposed: Extensions to the water and sewer systems to include fire suppression will be provided as part of this development.

#### 6. Water and Sewer Services

In our pre-application meeting with the County, water and sewer capacity for this project have been confirmed. It is understood that improvements to water and sewer systems will be designed and constructed to County standards and dedicated to the County as required once the construction is complete and accepted by the County.

#### 7. Senior, Age-Restricted or Affordable Housing

This project is not proposed as an age restricted or affordable housing project.



#### STAFF REPORT

**HEARINGS:** Planning & Zoning Commission: January 9, 2023

Board of County Commissioners: February 14, 2023

**APPLICANT:** Maya Motels, Inc.

FILE NUMBER: H-22-83

**REQUEST:** Rezoning from C-1 (General Commercial) and C-2 (Highway

Commercial) to PDP(MF)/Planned Development Project

(Multifamily) with Deviations

**GENERAL** 

**LOCATION:** North side of Cortez Boulevard (SR 50), approximately 300' west of

Deltona Boulevard

**PARCEL KEY** 

**NUMBER:** 1703847

#### **APPLICANT'S REQUEST**

The petitioner is requesting a rezoning from C-1 (General Commercial) and C-2 (Highway Commercial) to PDP(MF)/Planned Development Project (Multifamily) with deviations to construct two 4-story apartment buildings with 32 units each on 2.68 acres. The remaining 1.61, not part of this application, will retain its existing C-1 zoning.

The proposed apartment complex will contain a mix of one- and two-bedroom apartments, associated amenities, and parking. The project is proposed in two phases with a 32-unit building being built in each phase. The subject site is 4.29 acres, with the project area consisting of 2.68 acres.

#### **Deviations Requested**

The petitioner is requesting the following deviations:

- A deviation from the twelve (12) units per building to allow a maximum of 32 units per building.
- A deviation from the minimum multifamily open space requirement of 15% due to the concept of the proposed use and the site constraints. The request is justified based on the forementioned design criteria.

• A deviation from the maximum multifamily building height. The petitioner is proposing a deviation from the maximum 45' to 50'.

#### SITE HISTORY

The proposed project sits on a parcel that was originally intended for the second phase to the existing Quality Inn, located immediately to the South of the proposed development. Currently there is a large Drainage Retention Area (DRA) that was constructed as part of the originally planned build out for the property. With the proposed development a modification to the existing drainage permit will be executed with the Southwest Florida Water Management District (SWFWMD) to relocate the DRA as shown on the master plan.

#### SITE CHARACTERISTICS

Site Size: 4.29 acres

Surrounding Zoning &

Land Uses: North: PDP(SF); Single Family

South: PDP(GC); Retail Plaza, Van Sales

East: PDP(GHC); Telecommunication Substation

West: C-2; Hotel

**Current Zoning:** C-1 (General Commercial) and C-2 (Highway

Commercial)

**Future Land Use** 

Map Designation: Commercial

#### **ENVIRONMENTAL REVIEW**

**Soil Type:** Paola Fine Sand

**Protection** 

Features: This site does not contain Protection Features (Wellhead

Protection Areas (WHPA) or Special Protection Areas (SPA)

according to County data resources.

**Hydrologic** 

Features: The subject property contains no Hydrologic Features

(wetlands, karst sensitive areas, or wetlands) according to

County data resources.

**Habitat:** The property was previously cleared. It is identified as 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), the Weeki Wachee Primary Focus Area (PFA), and the and Weeki Wachee

Outstanding Florida Springs (OFS) Group.

**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.

Flood Zone: X and AE

#### **SCHOOL BOARD REVIEW**

No comments were received from the Hernando County School District on the subject application.

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 Utility Department (HCUD) has indicated it does not currently supply water or sewer service to this parcel. There is an existing 12-inch water main that runs along the north side of Cortez Boulevard in front of this property. There is an existing 8-inch sewer gravity main that runs north/south in parcel #1047496 to the west, an existing 3-inch sewer force main that runs along the south side of Cortez Boulevard, and an existing 6-inch sewer force main that runs along the north side of Noddy Tern Road to the north.

It should be noted that some of the sewer options may require the applicant to acquire an easement. HCUD has no objection to the request subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction.

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

The subject site is located on the North side of Cortez Boulevard (SR 50), approximately 300' west of Deltona Boulevard. The petitioner has proposed utilizing the existing access road currently used for the commercial development. The existing access will continue north to provide access to the multifamily.

The County Engineer reviewed the request and indicated the following:

- This site contains two areas of Flood Zone "AE" associated with storm water mitigation.
- Any revision to the existing ponds requires Southwest Florida Water Management District Environmental Resource Permit (SWFWMD ERP) Modification and County construction plan approval.
- The development must comply with Hernando County Facility Design Guideline requirements.
- The development will be required to extend the existing Frontage Road along the entire frontage of Cortez Blvd.
- The driveway, parking and layout will be required to meet County standards.
- A Traffic Access Analysis will be required to be submitted upon the development of the commercial phase and will require the apartments traffic and queuing analysis to be included.
- The Access Drive may be required to be updated to a Major Local/Commercial Roadway.
- FDOT access and drainage permits are required.

#### LAND USE REVIEW

#### **Units Per Building**

Appendix A, Article IV, Section 2(H), 4(K); requires a maximum of twelve (12) multifamily dwelling units per building.

Comments:

The petitioner is requesting a deviation from the twelve (12) units per building in order to allow a maximum of 32 units per building. The Building Department indicated no concerns with the increased unit count per building.

#### **Building Setbacks**

Proposed Minimum Building Setbacks:

East: 25' South: 24'

West: 20' North: 90'

Height: 4 Story Structures (Maximum 50', Deviation from 45')

#### **Buffer**

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

#### Comments:

The petitioner is proposing a 15' landscape buffer on the north boundary adjacent to the residential area. The buffer will include a 6' high privacy fence along the norther border and the retention of the existing large trees; moreover, installing the landscape required by Hernando County LFR's. All remaining landscape buffers are proposed at 10'.

If approved, the petitioner must provide a 15' buffer with 6' high opaque fence along northern boundary. Existing trees shall be preserved and supplemented where necessary with 8' high trees at planting. All remaining landscape buffers are proposed at 10'.

#### Access

To establish minimum access requirements to multifamily subdivisions, the Board of County Commissioners adopted a policy requiring two (2) means of access. 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.

#### Comments:

The petitioner is proposing a single access to Cortez Boulevard; however, there are two means of access from the multifamily through the existing commercial. If approved, access will be in general conformance it the proposed master plan.

#### Open Space

The LDRs have design standards required for PDP(MF)/Planned Development Project (Multifamily). The design standards require a minimum 15% of the gross area be provided as open space.

#### Comments:

The petitioner is requesting a deviation from the minimum open space requirement due to the concept of the proposed use and the site constraints. The request is justified based on the forementioned design criteria.

#### Landscape

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

#### **COMPREHENSIVE PLAN REVIEW**

The area is characterized by single-family homes parcels to the north and commercial to the south, east and west. The subject property is located within the Commercial land use classification on the adopted Future Land Use Map.

#### **Public School Facilities Element**

#### <u>Strategy 8.01C(2)</u>

Hernando County shall encourage development to locate in areas with adequate school capacity or to where school sites adequate to serve potential growth have been acquired by the School District, provided such location of the development is consistent with the land use polices of the Hernando County Comprehensive Plan.

#### **Future Land Use Element**

#### 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.

#### Comments:

The proposed project is considered transitional from the existing commercial and as part of the hotel is considered a mixed-use development. Multifamily is allowed in the Commercial category when it's an integral part of a mixed-use development.

#### **Multi-Family Housing**

#### <u>Strategy 1.04B(4)</u>

The Residential Category includes zoning for multi-family housing generally averaging 7.5 dwelling units per gross acre up to 22 dwelling units per gross acre in order to

provide for a diversity of housing choices. Multifamily housing should be located within, or in close proximity to urban areas shown on the Adjusted Urbanized Area Map, or near shopping and employment centers or within Planned Development Projects.

#### <u>Strategy 1.04B(5)</u>

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

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

#### Strategy 1.04B(6)

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

#### Comments:

The multifamily development is proposed as a PDP/Planned Development Project with a maximum of 64 units on 2.68 acres. The proposed density is 23.88 du/acre. The proposed density is higher than the allowable density permitted by the comprehensive plan. The proposed 64 units shall be reduced to 56 units (20.89 du/ac) in order to not exceed the maximum density of the multifamily designation.

#### **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(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.

#### Comments:

The County Engineer has reviewed the proposed development and indicated the petitioner shall be required to provide extend the existing frontage road across the entire frontage of the subject site.

#### FINDINGS OF FACT

The request to rezone from C-1 (General Commercial) and C-2 (Highway Commercial) to PDP(MF)/Planned Development Project (Multifamily) with Deviations is appropriate based on the following conclusions:

- 1. The following requested deviations are justified with appropriate performance conditions:
  - Maximum Number of Multi-Family Units/Building
  - 15% Open Space requirement
  - Maximum Building Height
- 2. The master plan is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all performance conditions.

#### NOTICE OF APPLICANT RESPONSIBILITY

The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

#### STAFF RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Rezoning from C-1 (General Commercial) and C-2 (Highway Commercial) to PDP(MF)/Planned Development Project (Multifamily) with Deviations, with the following performance conditions:

- 1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
- 2. The multifamily development shall be limited to 56 units.
- 3. The petitioner shall meet the minimum requirements of Florida Friendly Landscaping<sup>™</sup> publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping, as applicable.
- 4. A 15' buffer with 6' high opaque fence shall be provided along northern boundary. Existing trees shall be preserved and supplemented where necessary with 8' high trees at planting. All remaining landscape buffers are proposed at 10'.
- 5. Minimum Perimeter Building Setbacks:

East: 25' South: 24' West: 20' North: 90'

Height: 4 Story Structures (Maximum 50', Deviation from 45')

6. 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.
- 7. Modifications to the existing ponds shall require a Southwest Florida Water Management District Environmental Resource Permit (SWFWMD ERP) Modification and County construction plan approval.
- 8. Development shall comply with Hernando County Facility Design Guideline requirements.
- 9. The development shall extend the existing Frontage Road along the entire frontage of Cortez Blvd.
- 10. The driveway, parking and layout shall be required to meet County standards.
- 11. A Traffic Access Analysis shall be required to be submitted upon the development of the commercial phase and will require the apartments traffic and queuing analysis to be included.
- 12. The petitioner shall coordinate the Access Drive with the County Engineer and may be required to be upgraded to a Major Local/Commercial Roadway.
- 13. FDOT access and drainage permits shall be required.
- 14. The development shall provide a minimum of two (2) access points and shall be in general conformance with submitted master plan.
- 15. Geotechnical subsurface testing and reporting in accordance with the County's Facility Design Guidelines shall be conducted for all Drainage Retention Areas (DRA) within the proposed project.
- 16. The petitioner shall be required to provide a water and sewer capacity analysis and connect to the central water and sewer systems at time of vertical construction.
- 18. The petitioner shall provide a master plan in compliance with all of 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.