

HOA NOT A PARTY TO PRIOR HERNANDO OAKS ZONINGS

1. The HOA became the owner of all the roads and common areas in Hernando Oaks with each Dedication:

Phase 1 - 5/2/02, Plat Book 33, Page 9

Phase 1A - 4/13/05, Plat Book 35, Page 60

Phase 2 - 7/19/05, Plat Book 36, Page 10

Phase 3 - 11/21/06, Plat Book 38, Page 24

2. Hernando Oaks had subsequent zoning revisions in which the HOA was not a party:

H 02-37 - 10/2/02 **[NOT AVAILABLE]**

H 06-30 - 9/13/06 **[Exhibit 25]**

H 11-32 - 4/9/13 **[Exhibit 26]**

3. Article VIII, Section 7 of the Code of Ordinances provides: **[Exhibit 27]**

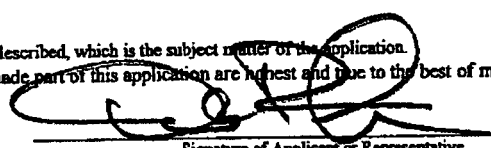
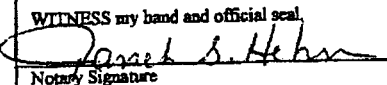
"In the event that the ownership of the parcels included in a planned development project consists of two (2) individuals, both individuals must agree to any revisions. If the ownership consists of three (3) or more owners, fifty-one (51) percent of all the owners must agree to all revisions to the project."

4. This topic was discussed at length at the 4/11/22 P&Z hearing on H 21-75 (video at the 3:14 mark). The gist of the comments by Planning and the P&Z's attorney was that this ordinance was intended to ensure all owners of the properties in the PDP agree to the application.
 - a. At minimum, the HOA, as an owner, should have been a required party to the noted applications
 - b. It also appears that the majority of all the then owners of a parcel within Hernando Oaks would also have to have approved the noted applications
5. We ask that any and all aspects of those applications that could be construed as consenting to use of any of the roads in Hernando Oaks by other than the HOA's membership (and any others granted specific easements or righted of use) be vacated

HERNANDO COUNTY ZONING AMENDMENT 1 APPLICATION
Application to Change a PDP Zoning Classification

Date: Jan 30, 2006

Print or Type all information. Refer to instruction sheets for assistance or call the Planning Department at the number on the instruction sheet.

APPLICANT: <u>Hernando Oaks II, LLP</u>	
Mailing Address: <u>1 N. Dale Mabry Hwy., Ste. 1070</u> <u>Tampa, FL 33609-2754</u>	
Daytime Phone: <u>(813) 414-001</u>	FAX No: <u>(813) 414-0002</u>
REPRESENTATIVE: <u>Coastal Engineering Associates, Inc.</u>	
Mailing Address: <u>966 Candlelight Blvd.</u> <u>Brooksville, FL 34601</u>	
Daytime Phone: <u>(352) 796-9423</u>	FAX No: <u>(352) 799-8359</u>
PUBLIC CONTACT PERSON: <u>Donald R. Lacey, A.I.C.P., Sr. Vice Pres., Coastal Engineering Associates, Inc.</u>	
Daytime Phone: <u>(352) 796-9423</u>	FAX No: <u>(352) 799-8359</u>
CONDUCT AT PUBLIC HEARINGS: <u>Donald R. Lacey, A.I.C.P., Sr. Vice Pres., Coastal Engineering Associates, Inc.</u>	
Will Expert Witness be utilized during the public hearings? <u>no</u>	
Please indicate how much additional time will be required during the public hearing (see instruction sheet):	
Legal Description: Write below the complete legal description of the property. Include Section, Township and Range; and if applicable, Subdivision Name, Lot, Block, and Unit Number. Attach additional sheet if necessary. <u>See attached</u> <div style="text-align: right; margin-right: 100px;"><u>SEC 5 and 8</u> <u>TWP 23(S)</u> <u>RANGE 19(E)</u></div>	
Size of Area Covered by Application: <u>Approx. 630+ acres</u>	
Highway & Street Boundaries: <u>US 41 on the east and Powell Ave on the south</u>	
Current Zoning Classification: <u>C/PDP</u>	
Zoning Classification Desired: <u>NA</u> <u>Approval of revised master plan is being sought.</u>	
Has a public hearing been held on this property within the past twelve months? <u>yes</u>	
ACKNOWLEDGEMENT	
This acknowledgement must be signed in the presence of a Notary Public.	
I, <u>Donald R. Lacey, A.I.C.P., Sr. V.P., Coastal Engineering Associates, Inc.</u> , hereby state and affirm that I have read the instructions for filing this application and that:	
<input type="checkbox"/> I am the owner of the property covered under this application.	
<input checked="" type="checkbox"/> I am authorized representative of the owner or lessee of the property described, which is the subject matter of the application.	
All answers to the questions in said application, all sketches and data attached to and made part of this application are honest and true to the best of my knowledge and belief.	
 Signature of Applicant or Representative	
STATE OF <u>FLORIDA</u>	COUNTY OF <u>HERNANDO</u>
On this the <u>31</u> day of <u>January</u> , 2006, before me, the undersigned Notary Public of the State of Florida, personally appeared <u>Donald R. Lacey</u> , and whose name(s) is/are subscribed to the within instrument, and acknowledge that he/she/they executed it.	
WITNESS my hand and official seal.	
NOTARY SEAL & COMMISSION EXPIRATION:	
Notary Signature: 	
The individual(s) are <input checked="" type="checkbox"/> personally known to me or, <input type="checkbox"/> presented the following identification: _____	



HERNANDO COUNTY ZONING AMENDMENT PETITION
Application to Change a Zoning Classification

File No. H 1132 Official Date Stamp:

Date: May 24, 2012

Print or type all information.

- Application request (check one): ☐ Standard Rezoning
☒ PDP/Planned Development Project Rezoning
☐ Public Service Facility Overlay District (except communication tower)
☐ Public Service Facility Overlay District for Communication Tower

1. **APPLICANT'S NAME:** Hernando Oaks, LLC and Hernando Oaks II, LLP
Address: P.O. Box 940 City Gulf Breeze State FL Zip 32562
Phone: (850) 438-9647 Fax: _____ Email: _____
2. **PROPERTY OWNER'S NAME:** *(if not the applicant)* See attached
3. **REPRESENTATIVE/CONTACT PERSON'S NAME:** Donald R. Lacey, AICP, Sr. Vice Pres.
Company Name: Coastal Engineering Associates, Inc.
Address: 966 Candlelight Blvd. City Brooksville State FL Zip 34601
Phone: (352) 796-9423 Fax: (352) 799-8359 Email: dlacey@coastal-engineering.com
4. **PARCEL(S) KEY NUMBER(S)** portion of 01572550, 380812 (clubhouse area), and portion of 1572532
SECTION 08, **TOWNSHIP** 23 south, **RANGE** 19 east
5. Current zoning classification: C/PDP with (SF) (REC) (RR) (HC)
6. Desired zoning classification: C/PDP with (SF) (GC) (RR) (HC) (REC)
7. Size of area covered by application: approx. 626.9 acres
8. Highway and street boundaries: Powell Road
9. Has a public hearing been held on this property within the past twelve months? no
10. Will expert witness(es) be utilized during the public hearings? _____ (Identify on an attached list.)
11. Will additional time be required during the public hearing(s) and how much? _____

If the property is under contract for sale, a copy of the recorded deed of the present owner must be supplied. If the applicant is a corporation or public entity, additional documentation listing all authorized corporate officer's must be submitted.

Staff will conduct at least one site visit to the parcel that is the subject of the application. Submittal of a completed application represents express permission to the Department staff to enter onto the property.

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

The granting of a land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner's 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.

Continued on Next Page

JN 26

F.5.a

Packet Pg. 71

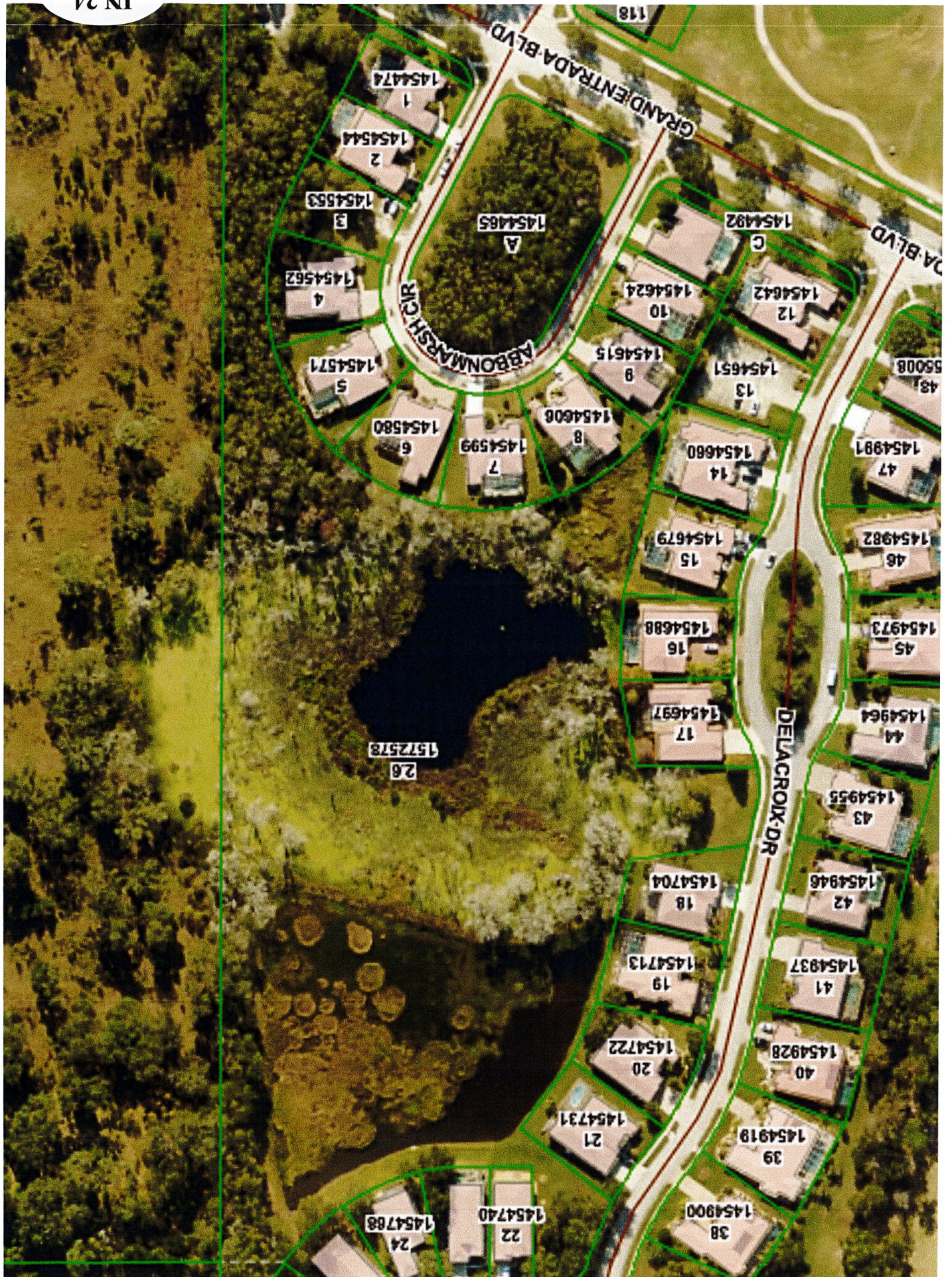
ARTICLE VIII, SECTION 7 OF THE CODE

Section 7. – Ownership Standards

“In the event that the ownership of the parcels included in a planned development project consists of two (2) individuals, both individuals must agree to any revisions. If the ownership consists of three (3) or more owners, fifty-one (51) percent of all the owners must agree to all revisions to the project.”

MISLEADING LOT SIZE STATEMENTS

1. Comments and statements made by Coastal (Mr. Lacy) in both H 21-75 and H 25-45 would lead you to believe that the existing lots sizes in Hernando Oaks are similar to the 40' and 50' lots proposed for Dire Wolf
2. The existing lots in Hernando Oaks are 50', 70' and 90'. Curved roads may may reduce the frontage but typically result in the square footage exceeding that of a rectangular lot. The average frontage of the exiting lots is 64.5'
3. There are no 40' or 45' lots in Hernando Oaks
4. The exiting zoning and deeds for the undeveloped portions of Hernando Oaks call for a maximum of 433 new single-family residences with a minimum 65' width; the average will go up
5. Had the 'triangle parcel' remained part of Hernando Oaks, there is no reason to believe that the zoned villas and town homes would have been built – perhaps nothing would have been built; we would likely buy it back now
6. The 5 closest Hernando Oaks lots (on Abbonmarsh) to Dire Wolf are 70' lots; the square footage averages out to a 76' rectangular lot **[Exhibit 24]**
7. The next closest Hernando Oaks lots (on Delacroix) to Dire Wolf are 90' lots; the rear view will be open to 50' lots in Dire Wolf
8. No deed restrictions, archetectual controls, or controlled access in Dire Wolf
9. Dire Wolf needs to be walled and buffered for aesthetic reasons and to provide necessary security
10. Commitments made by Coastal (Mr. Lacy) to discuss walling and buffering with the community in H 21-75 have not occurred close to 4 years after the fact



FALSE 3-ACRE PARCEL STATEMENTS

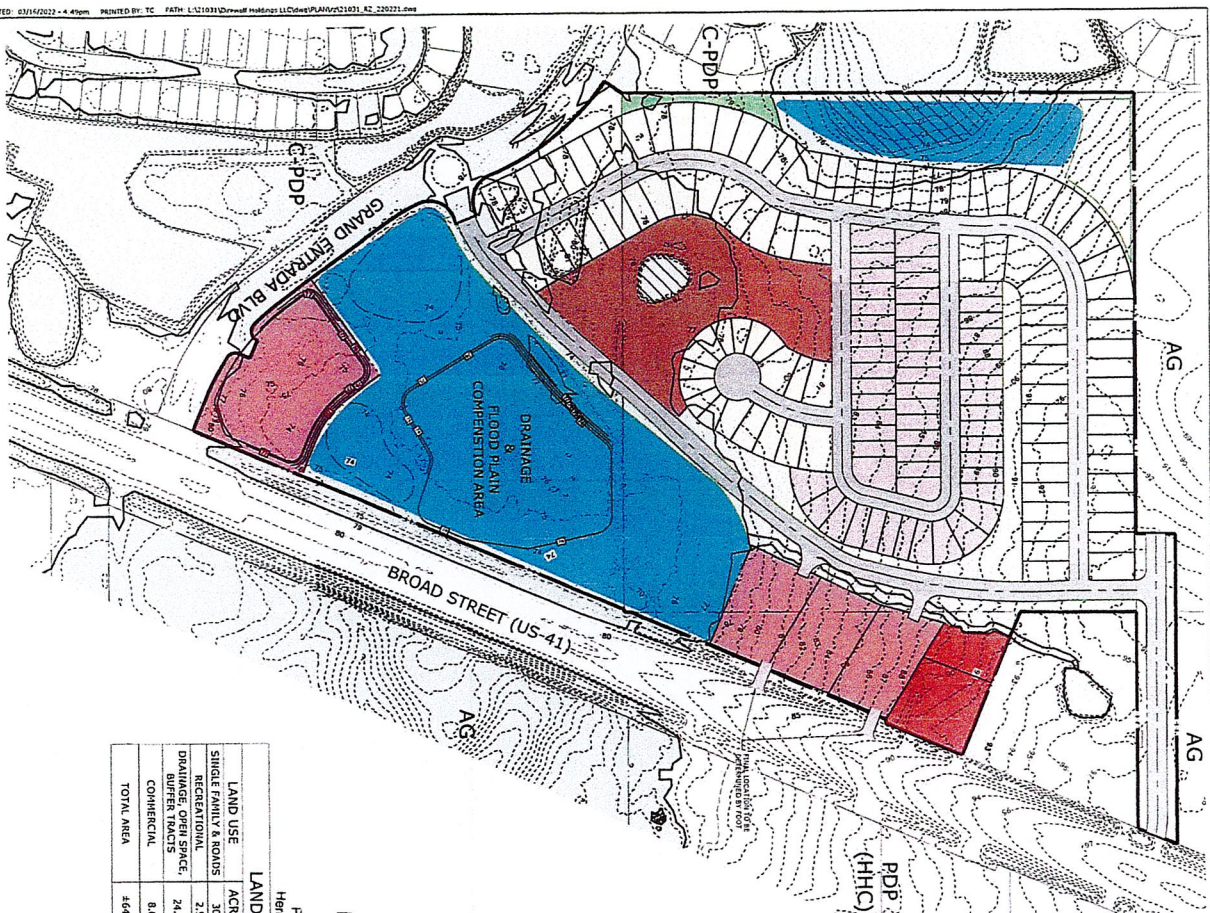
1. The prior statements made that there was a previously approved 3-acre commercial parcel at GEB and US 41 (in the old village center) are false: [show parcel on **Exhibit 9**]
 - a. The 4/11/22 P&Z hearing on H 21-75 included:
 - i. Staff Report (Packet, Page 186): **[Exhibit 10]**

“The 18.9-acre Hernando Oaks “village center” was approved with 3.0 acres as a dedicated commercial outparcel. The petitioner seeks to increase the 3.0 acres to 4.0 acres ...”
 - ii. Coastal Engineering (Mr. Lacy) comments in the video recording at approximately the 2:06 mark that this 3-acre parcel was previously approved
 - b. The 5/10/22 BOCC hearing on H 21-75 included:
 - i. Staff Report (Packet, Page 1414): **[Exhibit 11]**

“The 28.9-acre Hernando Oaks “village center” was approved with 3.0 acres as a dedicated commercial outparcel. The petitioner seeks to increase the 3.0 acres to 4.0 acres ...”
2. The previous zoning hearing for Hernando Oaks, H 11-32 heard by BOCC on 4/9/13, does not support this 3-acre parcel having been approved
 - a. The Minutes Package (Planning Department Staff Report) contains:
 - i. Page 593: “6. The northernmost General Highway Commercial area along US 41 is approved for a maximum of 20,000 square feet.” **[Exhibit 12]**
 - ii. Page 595: “5. The allocation of 20,000 square feet on three (3) acres of General Highway Commercial located at the future northernmost entrance along US Hwy 41. Square footage was not previously identified on this parcel.” **[Exhibit 13]**
 - iii. Page 600: “6. The northernmost General Highway Commercial area along US Hwy 41 is approved for a maximum of 20,000 square feet.” **[Exhibit 14]**
 - iv. Page 603: The application does not list the HOA as an applicant in spite of being the owner of record of all the roads and other common areas within Hernando Oaks. This is an apparent violation of the County ordinances. (More on this later if we have time.) **[Exhibit 15]**
 - v. Page 606: Last bullet of narrative listing desired changes: “Identification of the commercial square footage (20,000 square feet) anticipated on the

3 acre Highway Commercial parcel at the future northern entrance from US 41. Square footage was not previously identified on parcels in Hernando Oaks.” **[Exhibit 16]**

- b. The approved master plan from the 4/19/13 BOCC hearing of H 11-32 shows: **[Exhibit 17]**
 - i. The land use table shows the 3-acre, 20,000 square foot parcel
 - ii. The plat shows the 3-acre parcel at the far north future access to US 41
 - iii. Item 6 of the notes states: “The northernmost General Highway Commercial is along US 41 is approved for a maximum of 20,000 square feet” *[sic]*
 - iv. Also call your attention to the Minimum Lot Sizes section at the top that states single family lots are a minimum of 65’ (may be brought up elsewhere)
 - v. Also call your attention to the triangle. Not included. But does show a segment running to the southwest not connected to Grand Entrada. Also believed to be a geographical feature (may be brought up elsewhere)
- c. The records from the 3/11/13 P&Z hearing on H 11-32 contain the same content
- d. The existence of H 11-32 was never mentioned in the hearings for H 21-75
- 3. The next oldest rezoning for Hernando Oaks is H 06-30 approved by the BOCC on 9/13/06
 - a. Nothing older than 2008 available on the County’s web site but have a copy of the Master Plan **[Exhibit 18]**
 - i. Has no reference to a commercial parcel at the corner of GEB and US 41 in the village center
 - ii. Square footage not listed for the 3-acre commercial package at the northernmost entrance
 - iii. Comments clarify that the village center is conceptual; does not indicate that the future frontage road connects to GEB
- 4. There are no master plans reflecting any content of the village center parcel, much less a 3-acre commercial outparcel
- 5. The references to a previously approved 3-acre commercial parcel were to the pre-existing General Highway Commercial parcel located at the future northernmost entrance from US 41 which had its maximum square footage defined in H 11-32
- 6. Not alleging this was intentional as all have taken an oath to tell the truth. But Hernando Oaks, P&Z, BOCC and possibly even Dire Wolf have been misled. The entire matter should be voided and reheard
- 7. Questions



LAND USE TABLE			
LAND USE	ACRES	DWELLING UNITS	SQFT
SINGLE FAMILY & HOMES	30	155	
RECREATIONAL	2.5		
DRAINAGE, OPEN SPACE, BUFFER TRACTS	24.4		
COMMERCIAL	0.0		60,000 SF
TOTAL AREA	44.9	155	

MAR 17 2022

Received

**Planning Department
Hernando County, Florida**

[illegible]

The project is based on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) Community Panel 12053-C01-D effective date February 2, 2012. The property contains both Flood Zone Area A and AE with base elevation of 7.5' on the south and 3.5' on the north. The project is located in an area with a 100-year flood return period, which is consistent with code standard. The mobile water system will be dependent on the existing water main and will be installed in accordance with the 100-year flood return period.

Building Enrichments:
 Front 25'
 Side 5' (deviation from 10')
 Rear 15' (deviation from 20')

Proposed Acreage: 3.07 acres
Area: +/- 64.9 acres
Proposed No. of lots: 155

40' RESIDENTIAL LOT

Section/Township/Range/34/233/19E	Current Zoning: AG, CDDP, and C-2	Proposed Zoning: CDDP with Single-Family and General Commercial
COMMERCIAL		
50 RESIDENTIAL LOT		

Dire Wolf Holdings, LLC
3555 Fantasy Way
Brocksville, FL 31604

Parcel Key No.: 00310127, 00310172, 00472517, and 0156837

Site Data
Owner/Applicant:

 DRAINAGE AREA
 PARK SITE
 BUFFER

LEGEND

	STAINAGE	STAINAGE	STAINAGE
GRAID ENTADA			
L. GRADU INDICATED			
COMMERCIAL TYPICAL LOT	40% X 120 SINGLE FAMILY LOT	50% X 120 SINGLE FAMILY LOT	
N/S	N/S	N/S	

1000

F.8.g

1. *Introduction*

2. *Method*

3. *Results*

4. *Discussion*

5. *Conclusion*

6. *Acknowledgements*

7. *References*

8. *Appendix*

9. *Notes*

10. *References*

11. *Appendix*

12. *Notes*

13. *References*

14. *Appendix*

15. *Notes*

16. *References*

17. *Appendix*

18. *Notes*

19. *References*

20. *Appendix*

21. *Notes*

22. *References*

23. *Appendix*

24. *Notes*

25. *References*

26. *Appendix*

27. *Notes*

28. *References*

29. *Appendix*

30. *Notes*

31. *References*

32. *Appendix*

33. *Notes*

34. *References*

35. *Appendix*

36. *Notes*

37. *References*

38. *Appendix*

39. *Notes*

40. *References*

41. *Appendix*

42. *Notes*

43. *References*

44. *Appendix*

45. *Notes*

46. *References*

47. *Appendix*

48. *Notes*

49. *References*

50. *Appendix*

51. *Notes*

52. *References*

53. *Appendix*

54. *Notes*

55. *References*

56. *Appendix*

57. *Notes*

58. *References*

59. *Appendix*

60. *Notes*

61. *References*

62. *Appendix*

63. *Notes*

64. *References*

65. *Appendix*

66. *Notes*

67. *References*

68. *Appendix*

69. *Notes*

70. *References*

71. *Appendix*

72. *Notes*

73. *References*

74. *Appendix*

75. *Notes*

76. *References*

77. *Appendix*

78. *Notes*

79. *References*

80. *Appendix*

81. *Notes*

82. *References*

83. *Appendix*

84. *Notes*

85. *References*

86. *Appendix*

87. *Notes*

88. *References*

89. *Appendix*

90. *Notes*

91. *References*

92. *Appendix*

93. *Notes*

94. *References*

95. *Appendix*

96. *Notes*

97. *References*

98. *Appendix*

99. *Notes*

100. *References*

LOCATION MAP

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WHEN PRINTED TO SCALE, DRAWING SIZE SHALL BE 22" X 34"

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Coastal Engineering
Planning
Surveying
Environmental
Transportation
Construction Management
engineering associates, inc.

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(352) 795-9423 • Fax (352) 799-8059
EJ-0000142

REZONING MASTER PLAN

DIRE WOLFE

STAFF REPORT

HEARINGS: Planning & Zoning Commission: April 11, 2022
Board of County Commissioners: May 10, 2022

APPLICANT: Dire Wolf Holdings, LLC

FILE NUMBER: H-21-75

REQUEST: Master Plan Revision and a rezoning from CPDP/(Combined Planned Development Project), AG/(Agricultural) and C-2/(Highway Commercial) to PDP(SF)/Planned Development Project (Single Family), PDP(GC)/Planned Development Project (General Commercial) and PDP(SU)/Planned Development Project (Special Use) with Deviations

GENERAL LOCATION: Northwest corner of Grand Entrada Boulevard and Broad Street (US Hwy 41)

PARCEL KEY NUMBERS: 00381027, 00381072, 00472517, 01456837

PUBLIC INQUIRY WORKSHOP: November 22, 2021

APPLICANT'S REQUEST:

The petitioner is requesting a Master Plan revision and a rezoning from CPDP/(Combined Planned Development Project), AG/(Agricultural) and C-2/(Highway Commercial) to PDP(SF)/Planned Development Project (Single Family), PDP(GC)/Planned Development Project (General Commercial) and PDP(SU)/Planned Development Project (Special Use) with deviations to develop 64.9 acres with a 155-lot subdivision and commercial outparcels. The SU (Special Use) designation is for an area of floodplain. The proposed project is comprised of four (4) parcels (see table), one of which is part of the original Hernando Oaks master plan and previously identified as a "village center." The 18.9-acre Hernando Oaks "village center" was approved with 3.0 acres as a dedicated commercial outparcel. The petitioner seeks to increase the 3.0 acres to 4.0 acres and add additional commercial outparcels along the north portion of the project (key #381027) for a total of 8.0 acres of commercial.

JN 10

STAFF REPORT

HEARINGS: Planning & Zoning Commission: April 11, 2022
Board of County Commissioners: May 10, 2022

APPLICANT: Dire Wolf Holdings, LLC

FILE NUMBER: H-21-75

REQUEST: Master Plan Revision and a rezoning from CPDP/(Combined Planned Development Project), AG/(Agricultural) and C-2/(Highway Commercial) to PDP(SF)/Planned Development Project (Single Family), PDP(GC)/Planned Development Project (General Commercial) and PDP(SU)/Planned Development Project (Special Use) with Deviations

GENERAL LOCATION: Northwest corner of Grand Entrada Boulevard and Broad Street (US Hwy 41)

PARCEL KEY NUMBERS: 00381027, 00381072, 00472517, 01456837

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Attachment: H-21-75 Staff Report (19669 : Master Plan Revision H-21-75 - Dire Wolf Holdings, LLC)

JN 11

P&Z ACTION:

The Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Master Plan revision on property zoned CPDP/ Combined Planned Development Project, with the following modified performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The applicable conditions approved in results memo P.D. #553 (1999), P.D. #164 (2000), P.D. #417 (2002) and P.D. #351 (2006) are in full force and effect.
3. The project shall be limited to 999 total units.
4. The Village Center along Powell Road is approved for 40,000 square feet of retail and 22,500 square feet of office professional with a maximum of ~~74~~ 80 dwelling units.
5. The Village Center along Powell Road and the northernmost commercial along US Hwy 41 will be required to establish a detailed master plan prior to any construction.
6. The northernmost General Highway Commercial area along US Hwy 41 is approved for a maximum of 20,000 square feet.
7. The project is approved for a maximum of 999 units. A maximum of 80 dwelling units shall be permitted at the Village Center along Powell Road and a maximum of 50 dwelling units are allocated for Village Center residential.
8. The petitioner shall provide 80' of ROW from the centerline of Powell Road.
9. The relocation of the tennis courts to the clubhouse house area are approved.
10. All access to Powell Road shall be coordinated with the County Engineer.
11. 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.

☒ **Staff concurs** ☐ **Staff does not concur**

Attachment: H1132 PZ Recommendation (RES-2013-65 : Rezoning - H1132 - Hernando Oaks, LLC and Hernando Oaks, II, LLP)

The applicant is currently seeking a master plan revision to the development as follows:

1. The relocation of the tennis center from the project's southwestern corner (Powell Road) to the clubhouse area. The parcel presently designated for tennis will be merged with the adjacent Village Center to the east, with a slight modification of the Powell Road entrance. A separate master plan will be submitted for the Village Center (Powell Road) prior to its development.
2. An allocation of 40,000 square feet of retail and 22,500 square feet of office professional for the Village Center along Powell Road.
3. The elimination of an access point west to the adjacent property in the southwest portion of the project.
4. The elimination of an access point west to an adjacent property in the northwest most portion of the project. The roadway along this area will be returned to its original residential lot configuration with a cul-de-sac.
5. The allocation of 20,000 square feet on three (3) acres of General Highway Commercial located at the future northernmost entrance along US Hwy 41. Square footage was not previously identified on this parcel.
6. A request to increase the total dwelling units to 999 for the entire original Hernando Oaks project which includes the two (2) parcels labeled "not included" on the master plan.

Dwelling unit allocations:

Phase 1 (existing):	210 DU
Phase 2 (existing):	103 DU
Phase 3 (future):	141 DU
Phase 4 (future):	268 DU
Phase 5 (future):	92 DU
Phase 6 (future):	61 DU
Village Center :	50 DU
Additional Request	24 DU
<u>Village Center Residential:</u>	<u>50 DU</u>
TOTAL:	999 DU

The petitioner is requesting an additional 24 DU for the project. The Village Center along Powell Road would have a maximum dwelling unit count of 80 DU.

The petitioner seeks no other changes. All previous entitlements are in full force and effect.

Hernando County Planning Department***Staff Report: H-11-32***

6. The northernmost General Highway Commercial area along US Hwy 41 is approved for a maximum of 20,000 square feet.
7. The project is approved for a maximum of 999 units. A maximum of 80 dwelling units shall be permitted at the Village Center along Powell Road and a maximum of 50 dwelling units are allocated for Village Center residential.
8. The petitioner shall provide 80' of ROW from the centerline of Powell Road.
9. The relocation of the tennis courts to the clubhouse house area are approved.
10. All access to Powell Road shall be coordinated with the County Engineer.
11. 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.

Attachment: H1132 Staff Report (RES-2013-65 : Rezoning - H1132 - Hernando Oaks, LLC and Hernando Oaks, II, LLP)

JN 14

HERNANDO COUNTY ZONING - AMENDMENT PETITION
Application to Change a Zoning Classification

File No. H1132 Official e

Date: November 28, 2011

Print or type all information.

- Application request (check one): ☐ Standard Rezoning
☒ PDP/Planned Development Project Rezoning
☐ Public Service Facility Overlay District (except communication tower)
☐ Public Service Facility Overlay District for Communication Tower

1. **APPLICANT'S NAME:** Hernando Oaks, LLC and Hernando Oaks II, LLP
Address: P.O. Box 940 City Gulf Breeze State FL Zip 32562
Phone: (850) 438-9647 Fax: _____ Email: _____
2. **PROPERTY OWNER'S NAME:** *(if not the applicant)* See attached
3. **REPRESENTATIVE/CONTACT PERSON'S NAME:** Donald R. Lacey, AICP, Sr. Vice Pres.
Company Name: Coastal Engineering Associates, Inc.
Address: 966 Candlelight Blvd. City Brooksville State FL Zip 34601
Phone: (352) 796-9423 Fax: (352) 799-8359 Email: dlacey@coastal-engineering.com
4. **PARCEL(S) KEY NUMBER(S)** portion of 01572550, 380812 (clubhouse area), and portion of 1572532
SECTION 08, **TOWNSHIP** 23 south, **RANGE** 19 east
5. **Current zoning classification:** C/PDP with (SF) (REC) (RR) (HC)
6. **Desired zoning classification:** C/PDP with (SF) (REC) (RR) (HC) (GC) (R-C)
7. **Size of area covered by application:** approx. 65 acres
8. **Highway and street boundaries:** Powell Road
9. **Has a public hearing been held on this property within the past twelve months?** no
10. **Will expert witness(es) be utilized during the public hearings?** _____ (Identify on an attached list.)
11. **Will additional time be required during the public hearing(s) and how much?** _____

If the property is under contract for sale, a copy of the recorded deed of the present owner must be supplied. If the applicant is a corporation or public entity, additional documentation listing all authorized corporate officer's must be submitted.

Staff will conduct at least one site visit to the parcel that is the subject of the application. Submittal of a completed application represents express permission to the Department staff to enter onto the property.

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 a land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner's 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.

Continued on Next Page

JN 15

HERNANDO OAKS
REZONING/MASTER PLAN REVISION
NARRATIVE

Hernando Oaks, located in Hernando County (Sections 5 and 8, Township 23 South, Range 19 East), received CPDP zoning approval on Nov. 23, 1999 from the Board of County Commissioners (BOCC). At that time the project contained approximately 595 acres. The Master Plan was amended to include an additional 34 ± acres of Village Center by the Board of County Commissioners April 4, 2000. On October 2, 2002, the BOCC approved a master plan revision that included the addition of resort residential; standards for double frontage lots; modification of land use areas; change in external access points; and the addition of a sales center and outdoor storage. On September 13, 2006, the BOCC approved revisions to portions of the master plan to provide access to the west (to accommodate a possible DRI expansion) and further define the village center and commercial along Powell Road.

The subsequent decline in the economy and housing market has had a significant impact on the development of Hernando Oaks. Housing sales dropped extensively, DRI expansion plans were abandoned, an agreement with a national home builder evaporated, Phase 3 and clubhouse construction was frozen and the developer lost two parcels of the property (commercial corner at US 41/Powell Rd. and the North Village Center). Accordingly, the applicant is seeking approval for a master plan revision to reflect the dropping of expansion plans to the west, acknowledge the loss of two parcels along US 41 and provide some flexibility in development of the remaining Village Center along Powell Rd. The changes being proposed include the following:

- Designation on the master plan of the two parcels of property lost through legal proceedings (shown as “not included” on the attached master plan).
- Relocation of the tennis center from the project’s southwestern corner adjacent to Powell Road to the clubhouse area. The parcel presently designated for tennis will be merged in to the adjacent Village Center to the east, with a slight modification of the Powell entrance road. A separate master plan will be submitted for the Village Center prior to its development, although a maximum amount of residential units (80) and non-residential square footage (retail - 40,000 square feet; and office - 22,500 square feet office) has been established with this master plan.
- Elimination of access points to the adjacent property in the southwest portion of the project. This property was recently zoned and master planned without connection to Hernando Oaks.
- Elimination of the collector road access to the Hunnicutt parcel to the west, which was part of the DRI expansion plans, now abandoned. The roadway in that area has been returned to its original configuration.
- Identification of the commercial square footage (20,000 square feet) anticipated on the 3 acre Highway Commercial parcel at the future northern entrance from US 41. Square footage was not previously identified on parcels in Hernando Oaks.

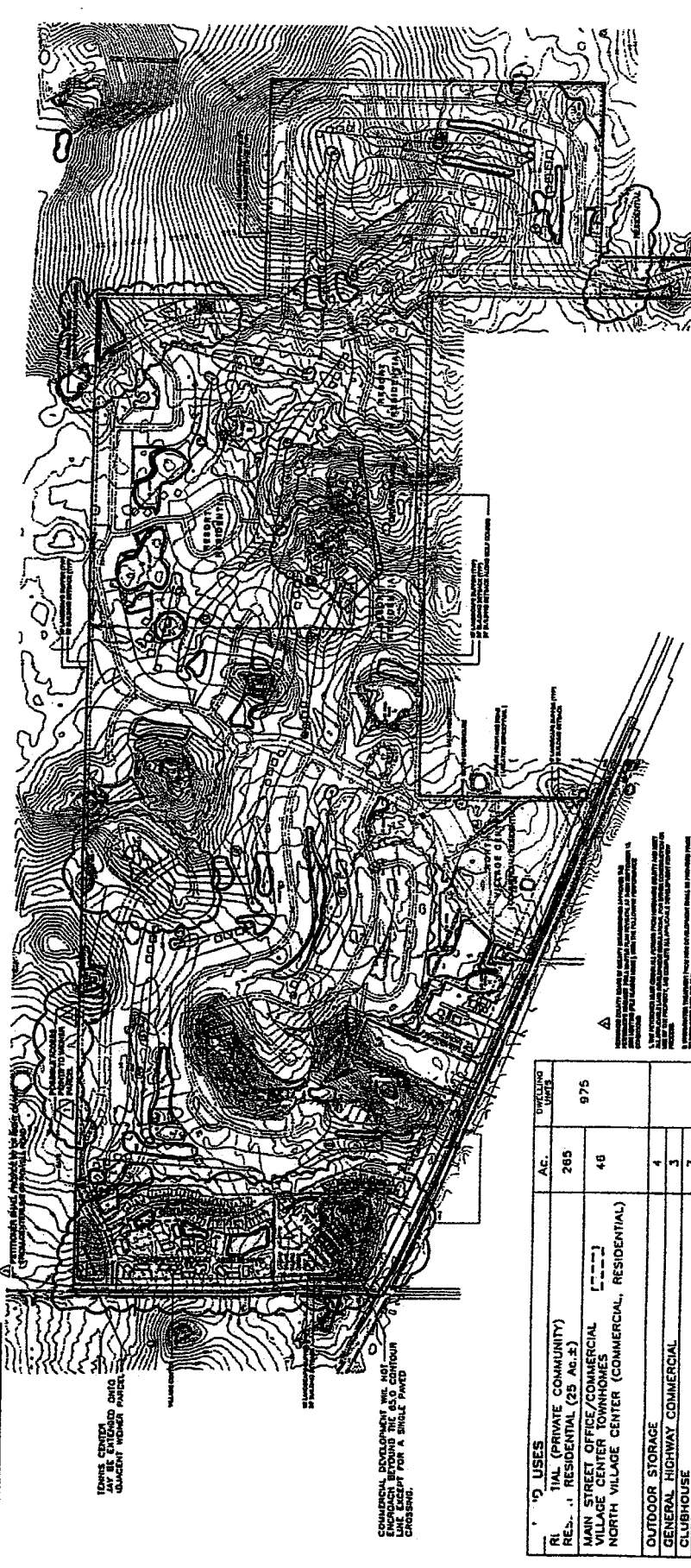
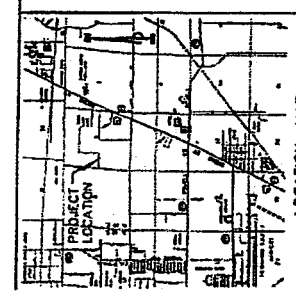
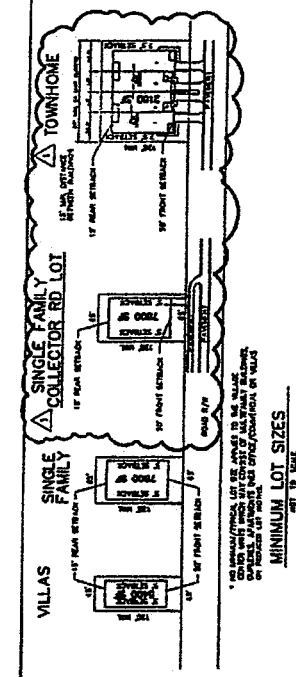
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APPROVED MASTER PLAN
BCC HEARING DATE: 4/11/11
COMMENTS:
5/1/11 10:19
R. J. WILCOX
DETAILS
VERIFIED BY: (signature)

261143

H-06-30

APPROVED MASTER PLAN
BCC HEARING DATE: 1/13/06
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Received
OCT 24 2006
Hernando County
Planning Department

1. THIS IS A PLANNING DOCUMENT. THE ACTUAL SIZE AND LOCATION OF DEVELOPMENT FEATURES WILL BE BASED UPON ENGINEERING DESIGN AND MAY VARY SIGNIFICANTLY FROM THIS LAYOUT.
2. THE PLANNING DEPARTMENT WILL REVIEW THE ACTUAL SIZE AND LOCATION OF DEVELOPMENT FEATURES AND MAY VARY SIGNIFICANTLY FROM THIS LAYOUT.
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USE	AC.	DRAINAGE UNITS
RESIDENTIAL (PRIVATE COMMUNITY)	285	975
MAIN STREET OFFICE/COMMERCIAL	40	
VILLAGE CENTER TOWNHOMES		
NORTH VILLAGE CENTER (COMMERCIAL, RESIDENTIAL)		
OUTDOOR STORAGE	4	
GENERAL HIGHWAY COMMERCIAL	3	
CLUBHOUSE	7	
MAINTENANCE FACILITY	3	
GOLF COURSE	277	
PARK, OPEN SPACE AND LAKES		
DRAINAGE RETENTION AREAS		
WETLANDS	25	
TOTAL	630	975

SIGNAGE

HERNANDO OAKS
 REVISED MASTER PLAN
 Hernando County, Florida

Coastal
 ENGINEERING ASSOCIATES, INC.
 2800 W. US HWY 90, SUITE 100
 FORT MYERS, FL 33901
 (813) 938-1111
 www.coastaleng.com

PLANNING DEPARTMENT
 HERNANDO COUNTY
 1000 W. US HWY 90, SUITE 100
 FORT MYERS, FL 33901
 (813) 938-1111
 www.hernandocountyfla.com

RECEIVED
 OCT 24 2006
 HERNANDO COUNTY
 PLANNING DEPARTMENT

1
 OF 1 SHEET
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JOSEPH C. STAYANOFF, Esq.

855 E. State Road 434, Suite 2209
Winter Springs, FL 32708

Telephone: (321) 430-7565
Toll Free: (800) 974-0680
www.KBRLegal.com

JStyanoff@KBRLegal.com

Additional Offices:
Palm Beach Gardens
Pompano Beach, Tampa, Miami

42545

Zoning surrounding the subject property consists of:

North: AG

South: CPDP and Planned Development Project (Special Use) Drainage (PDP (SU) DRA)

East: US 41/Broad Street Right-of-Way

West: CPDP,

Project Request

The applicant is requesting to modify and update the master plan for Dire Wolf (Parcel Key Nos. 381027, 371072, 472517 and 1456837). Their current zoning (CPDP) Combined Planned Development Project with PDP Single-family (SF) and PDP (GHC) will be retained along with the maximum residential density of 155 SF detached homes. The only change in entitlements being requested is an increase in the commercial from 8 acres to 10 acres. The application is consistent with the Hernando County Comprehensive Plan.

Existing Approved Project Description

The assembled property is located immediately east of the Hernando Oaks community and includes a parcel previously identified as a "village center" within the original Hernando Oaks master plan. Since portions of that parcel contain the lowest elevations and are designated within the 100 year floodplain, it will be utilized primarily for drainage retention, floodplain mitigation and commercial parcels along US 41. As presently approved, the great majority of homes will be clustered on the northern parcels and buffered from the existing homes in Hernando Oaks. Two residential points of access were approved. The northern full access will be from US 41 at an existing full median cut (with left turn lanes) across from Pine Cabin Road. This access will be configured in a manner that will also allow future access for an undeveloped property to the north not owned by the applicant. The second full access will come from Grand Entrada Boulevard at the existing paved access road on the north side of the round-a-bout located approximately 400 feet east of the Hernando Oaks gated entrance. These two access points will be connected by an approved reverse frontage road, consistent with the zoning approval and County regulations. Commercial lot access points were approved at northeastern end of Grand Entrada (1) and US 41 (2). Both access points to Grand Entrada were approved in the Hernando Oaks zoning master plan and the presently approved Dire Wolf master plan and the access aprons from Grand Entrada were constructed with the original road.

The single family residences (40' & 50' wide lots) wind around existing natural features on the property. The retention of wetlands and incorporation of floodplain mitigation areas will place a significant portion of the property in open space. A centrally-located recreational center, which incorporates one of those features is provided for. While no existing Hernando Oaks residential lots abut the boundaries of this proposed project, a 20 foot wide natural buffer was established where there is close proximity. The Hernando County Utilities Department (HCUD) has potable water mains and wastewater transmission lines in the area, with wastewater being treated at the Airport WWTP.

Proposed Modification to the Zoning Master Plan

The only modification being proposed to the zoning master plan is for a reconfiguration of the commercial parcels along US 41 and a slight increase in the commercial from 8 acres (60,000 building sf) to 10 acres (80,000 building sf.) The reconfiguration allows for the southern commercial to be aligned with US 41 and stretched to the north to accommodate a proposed direct access to that roadway. A direct US 41 access

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: 07/24/2025

File No. H-25-45 Official Date Stamp:

RECEIVED

AUG 06 2025

Hernando County Development Services
Zoning Division

APPLICANT NAME: Dire Wolf Holdings, LLC

Address: 16479 Runway Drive

City: Brooksville

State: FL

Zip: 34604

Phone: (954) 778-1898

Email: jeff@paragondevc.com

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

REPRESENTATIVE/CONTACT NAME:

Company Name: Coastal Engineering Associates, Inc.

Address: 966 Candlelight Blvd

City: Brooksville

State: FL

Zip: 34601

Phone: 952-746-4423

Email: permits@coastal-engineering.com

HOME OWNERS ASSOCIATION: ☐ Yes ☒ No (if applicable provide name)

Contact Name:

Address:

City:

State:

Zip:

PROPERTY INFORMATION:

1. PARCEL(S) KEY NUMBER(S): 00381027, 00381072, 00472517, 01456837

2. SECTION 08, TOWNSHIP 23S, RANGE 19E

3. Current zoning classification: CPDP with PDP(SF), PDP(GC) and PDP(SU)

4. Desired zoning classification: CPDP with PDP(SF), PDP(GC) and PDP(SU)

5. Size of area covered by application: 64.9 acres

6. Highway and street boundaries: Grand Entrada Blvd and Broad Street

7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No

8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)

9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed:)

PROPERTY OWNER AFFIDAVIT

I, Virgil D. Pizer as Manager of Dire Wolf Holdings LLC, 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): Coastal Engineering Associates, Inc.

and (representative, if applicable):

to submit an application for the described property.

[Signature]
Signature of Property Owner

STATE OF FLORIDA
COUNTY OF HERNANDO

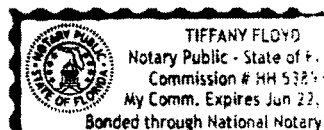
The foregoing instrument was acknowledged before me this 4 day of August, 2025, by Virgil D. Pizer who is personally known to me or produced as identification.

[Signature]

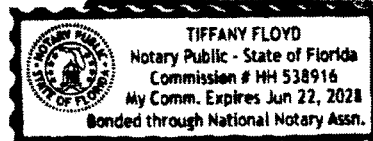
Signature of Notary Public

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

Rezoning Application Form_11-08-16.Docx



Notary Seal/Stamp



H-25-45

Photo date: 2023

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, easements, and utility locations are subject to field survey or other appropriate verification.





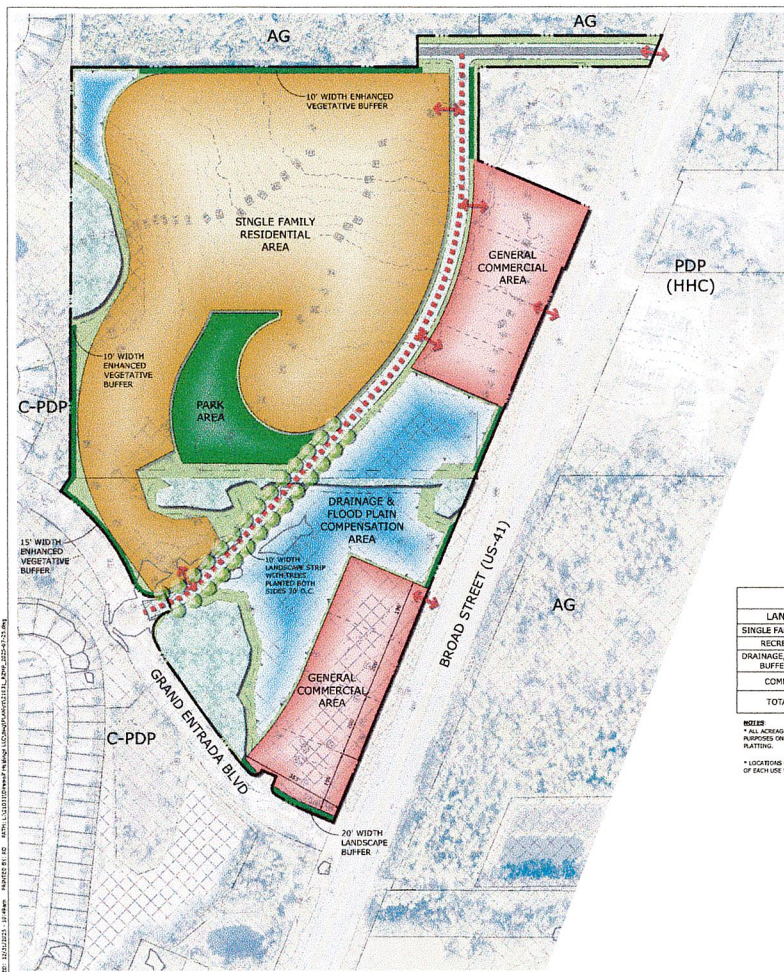
Michael Powers



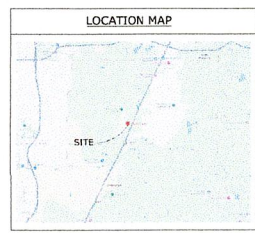
**FROM
HERNANDO OAKS PHASE ONE**

PLAT BOOK 33, PAGE 9

“The roadways and road rights of way designated on this plat as Grand Entrada Boulevard, ... are hereby dedicated to the perpetual use and maintenance by the Hernando Oaks Homeowners Association, Inc. The roadways and road rights of way are further subject to non-exclusive ingress and egress easements thereon to the county of Hernando and public utility services for the purpose of ingress and egress in connection with their furnishing emergency and other required governmental or public utility service including law enforcement, fire protection, waste removal, inspection, utility installation and maintenance and such other governmental and utility usages and purposes necessary and incidental to the foregoing.”



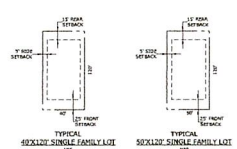
- LEGEND**
- GENERAL COMMERCIAL AREA
 - SINGLE FAMILY RESIDENTIAL AREA
 - EXISTING WETLAND
 - LANDSCAPE OR VEGETATIVE BUFFERS
 - RETENTION POND AREA
 - PARK / AMENITY / OPEN SPACE AREA
 - REVERSE FRONTAGE ROAD



Site Data
Owner/Applicant: Dire Wolf Holdings, LLC
3855 Saddleway Way
Brooksville, FL 34604
Parcel Key Nos.: 00381072, 00381073, 00472517, and 01456837
Section/Township/Range: 8/35/19E
Current Zoning: CPDP with single-family and General Commercial
Proposed Zoning: CPDP with single-family and General Commercial
Area = +/- 64.9 acres
Proposed No. of Lots: 155
Perimeter Building Setbacks (INCLUDES OF BUFFERS)
East (from US 41): 75'
Side: 20'
Rear: 20'
Residential Building Setbacks: Front: 20', Side: 5', Rear: 15'
Commercial Building Setbacks: Front: 25', Side: 10', Rear: 15', Rear from Frontage Rd: 35'

LAND USE TABLE			
LAND USE	ACRES	DWELLING UNITS	SQFT
SINGLE FAMILY & ROADS	28	155	
RECREATIONAL	2.5		
DRAINAGE, OPEN SPACE, BUFFER TRACTS	24.4		
COMMERCIAL	10.0		80,000 SF
TOTAL AREA	64.9	155	

NOTES
* ALL ACRES AND UNITS PROVIDED IN LAND USE TABLE ARE CONCEPTUAL. FOR PLANNING PURPOSES ONLY. FINAL NUMBER OF EACH TYPE OF USE AND ACRES WILL BE DETERMINED AT TIME OF PLATTING.
* LOCATIONS OF USES ARE CONCEPTUAL AND FOR PLANNING PURPOSES ONLY. THE EXACT LOCATION OF EACH USE WILL BE DETERMINED AT THE TIME OF PLATTING.



Setbacks:
The buffer tracts for the residential area as indicated on this plan will consist of natural vegetation where possible, enhanced to 80% canopy where needed. Where site grading requires the removal of natural vegetation, a vegetative buffer will be landscaped within the buffer tract consisting of vegetation and quality consistent with county standards. Width and types of buffers are as shown on the plan.

Flood Risk:
The project is located on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Community Panel 12053C 0910 effective date February 2, 2015. The property contains both Flood Zone Area A and AE with base elevations of 77.8' on the south and 93.5' on the north.

Fire protection:
Fire hydrants will be placed throughout the community at a minimum of 350' curb line distance intervals which is consistent with county standards. The potable water system will be designed to provide a minimum of 1,000 GPM for use in firefighting as required by NFPA guidelines as required by Hernando County.

Homeowner's association documents will be in place to restrict the construction of permanent walls that preclude access to the side yards. Fencing will be allowed to the mid-point of the side yard of the home if constructed with a minimum 36-inch gate in which to access the rear yard.

General notes
1. This is a planning document and is not to be considered a final design or construction plan, also, not intended for incorporation in public records. Drainage and utility easements will be included in the final construction plans and shall meet the requirements of Hernando County and any agencies having jurisdiction related to this project.
2. Drainage retention area(s) are conceptually located, the actual site and location will be determined with final engineering design.

REZONING MASTER PLAN

DIRE WOLFE

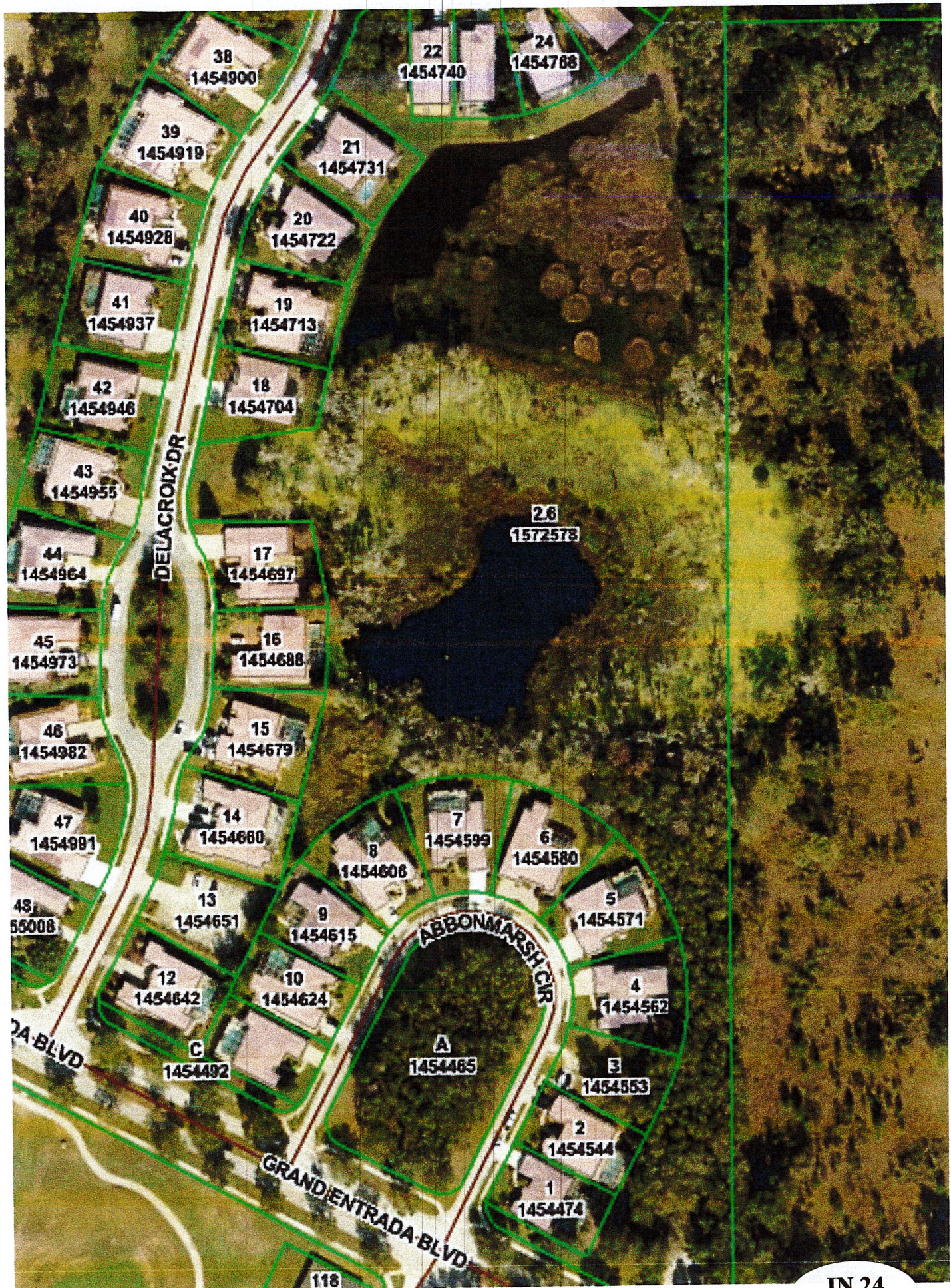
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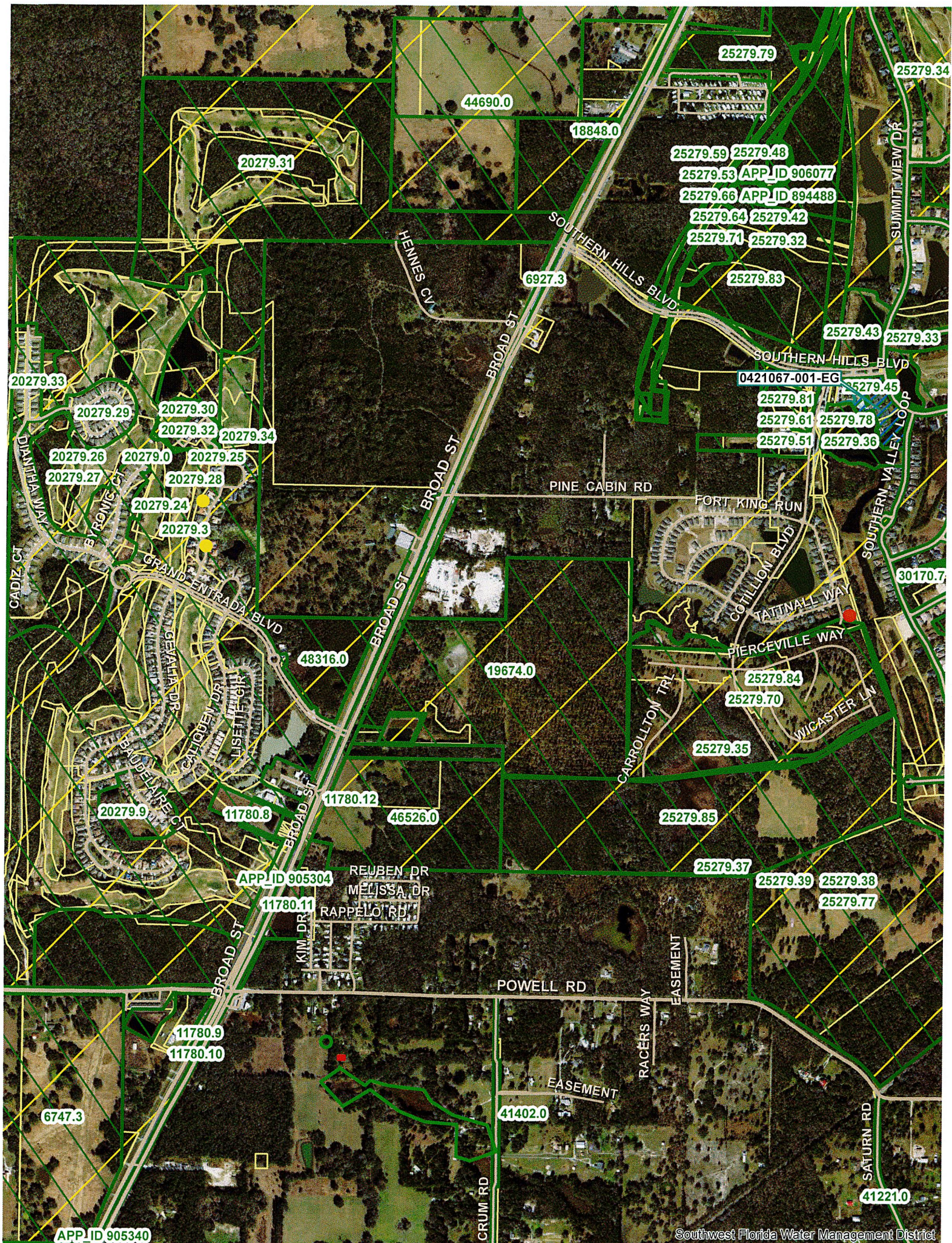
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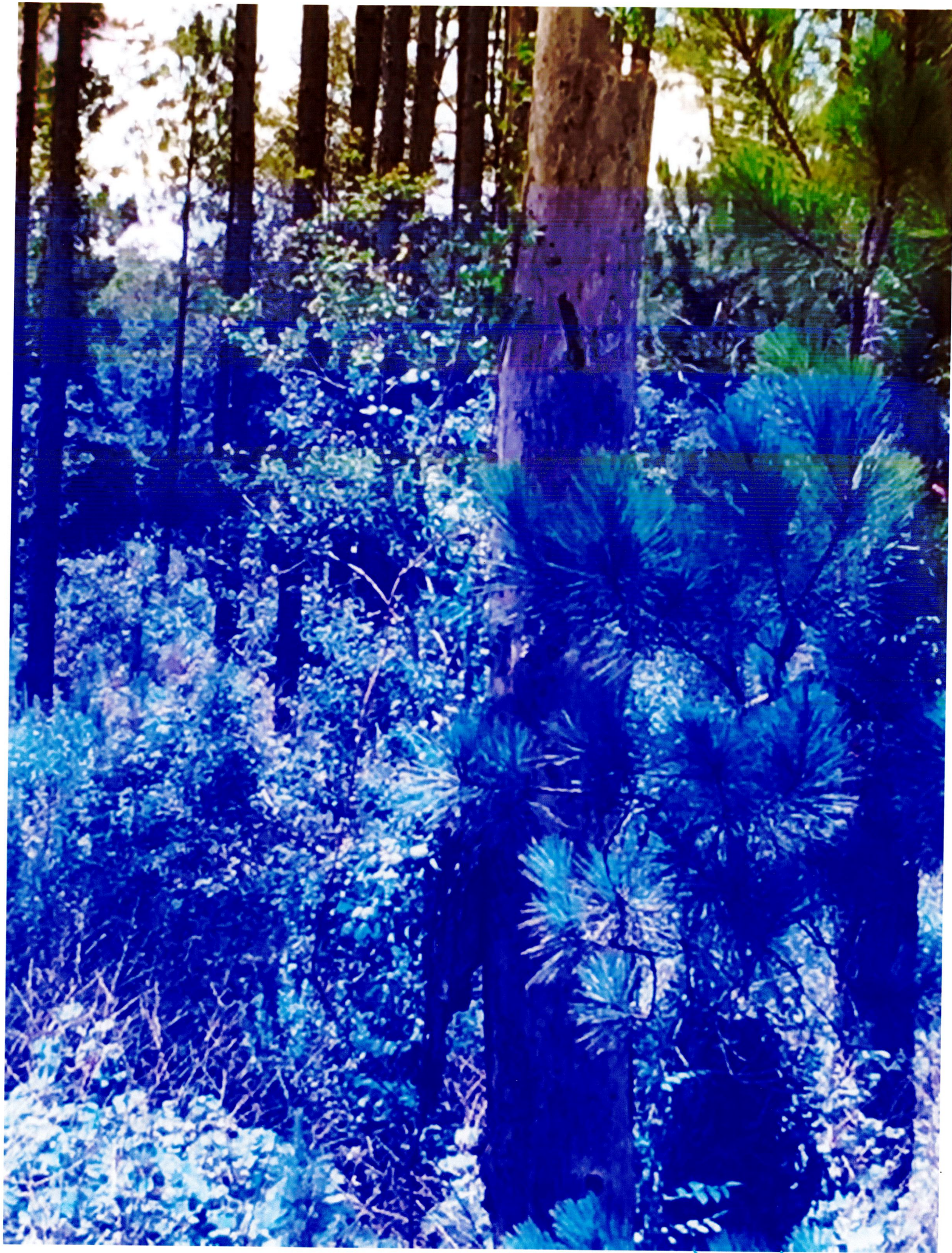
MISLEADING LOT SIZE STATEMENTS

1. Comments and statements made by Coastal (Mr. Lacy) in both H 21-75 and H 25-45 would lead you to believe that the existing lots sizes in Hernando Oaks are similar to the 40' and 50' lots proposed for Dire Wolf
2. The existing lots in Hernando Oaks are 50', 70' and 90'. Curved roads may may reduce the frontage but typically result in the square footage exceeding that of a rectangular lot. The average frontage of the exiting lots is 64.5'
3. There are no 40' or 45' lots in Hernando Oaks
4. The exiting zoning and deeds for the undeveloped portions of Hernando Oaks call for a maximum of 433 new single-family residences with a minimum 65' width; the average will go up
5. Had the 'triangle parcel' remained part of Hernando Oaks, there is no reason to believe that the zoned villas and town homes would have been built – perhaps nothing would have been built; we would likely buy it back now
6. The 5 closest Hernando Oaks lots (on Abbonmarsh) to Dire Wolf are 70' lots; the square footage averages out to a 76' rectangular lot **[Exhibit 24]**
7. The next closest Hernando Oaks lots (on Delacroix) to Dire Wolf are 90' lots; the rear view will be open to 50' lots in Dire Wolf
8. No deed restrictions, archetectual controls, or controlled access in Dire Wolf
9. Dire Wolf needs to be walled and buffered for aesthetic reasons and to provide necessary security
10. Commitments made by Coastal (Mr. Lacy) to discuss walling and buffering with the community in H 21-75 have not occurred close to 4 years after the fact









Jose Miguel

