

STAFF REPORT

HEARINGS: Planning & Zoning Commission: March 13, 2023

APPLICANT: Matthews Family Limited Partnership LTD

FILE NUMBER: SE-22-17

REQUEST: Revision to a Special Exception Use Permit for a Place of Public Assembly, Namely a Venue for Special Events and Retreat

GENERAL LOCATION: East side of Culbreath Road, approximately 600' north of Bobwhite Drive

PARCEL KEY NUMBER: 383999

APPLICANT'S REQUEST

On November 16, 2021, the Board of County Commissioners voted 5-0 to affirm the Planning and Zoning Commission's approval of a Special Exception Use Permit for a Place of Public Assembly, namely a venue for Special Events and Retreats. The approval included a 120-acre parcel to be utilized for hosting special events of various sizes such as retreats, weddings, private parties, and youth development activities (i.e., Boy Scout/Girl Scout), not to exceed 100 guests. In connection with the special events, camping and nature retreats would also be offered to guests, this would include 50 primitive camping sites, a maximum of 25 RV sites with hookups and four (4) 1,200 square foot cabins along the lake with a maximum stay of 180 days.

Overnight camping guests would be limited to a maximum stay of seven (7) consecutive evenings. Amenities for the proposed uses would be located along the rear portion of the property and include a large pavilion with restrooms and outdoor kitchen and a storage building. Other amenities were to include but not be limited to a fishing dock, ATV riding for overnight guests only, canoeing/kayaking, hiking, etc.

The petitioner's current request for a revision to the special exception, is to include additional buildings not previously considered, including a 2,176 square foot activity center and 2,101 square foot bathhouse. All other uses will remain; no further changes are being requested.

SITE CHARACTERISTICS

Site Size: 120 acres

Surrounding Zoning & Land Uses:

North: AG; Undeveloped; rural residential
South: AG; RV Park; rural residential
East: AG; Undeveloped, rural residential
West: AG; rural residential

Current Zoning: AG (Agricultural)

**Future Land Use
Map Designation:** Rural

ENVIRONMENTAL REVIEW

- Soils:** Blichton Loamy Fine Sand/5% to 8% slopes, Wachula Fine Sand/0% to 5% slopes, Micanopy Loamy Fine Sand/2% to 5% slopes and a small portion of the property has Kendrick Fine Sand/0% to 5% 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:** The comprehensive plan identifies a large portion of the parcel as Class 1 wetlands, however the Environmental Planner has evaluated the property and determined that not all the property qualifies as Class 1 wetland.
- Habitat:** This site is designated as Mixed Hardwood Coniferous, Marshes, and Improved Pasture
- Water Quality:** The proposed development is within the Weeki Wachee River Basin Management Action Plan, the Weeki Wachee Primary Focus Area (PFA), and the and Weeki Wachee Outstanding Florida Springs (OFS) Group.

UTILITIES REVIEW

The Utilities Department has indicated water and sewer services are not available to this parcel.

ENGINEERING & TRANSPORTATION REVIEW

The site is located on the east side of Culbreath Road, approximately 600' north of Bobwhite Drive. The petitioner has indicated the property features direct access from Culbreath Road with a graded road that runs through the property to the rear. An alternate access is available from Chenoak Road.

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

1. A driveway shall be provided and constructed in accordance with the Hernando County Facility Design Guidelines.
2. Chenoak Road is private and subject to flooding.
3. At the time of site development permitting, a clear site plan showing the intensity of the proposed development is required to determine if improvements to Culbreath Road will be needed.

LAND USE REVIEW

Building Setbacks

Previously Approved Building Setbacks:

- Front/West: 75'
- Side/North: 35'
- Side/South: 125'
- Rear/East: 50'

Comments:

The petitioner is requesting two (2) additional structures, an activity center and bathhouse. If approved, the two new structures must meet the previously approved building setback requirements.

A special exception use permit is an additional use which may be granted by the Planning and Zoning Commission (P&Z) in accordance with the LDRs. As part of the review, the P&Z must determine that the tract of land is suitable for the type of special exception use proposed by virtue of its location, shape, topography, and nature of surrounding development. The P&Z has the ability to assign reasonable conditions to the approval.

The special exception use permit is a land use determination only. All applicable development rules would have to be met if the permit is approved. Furthermore, special exception use permits shall be in compliance with the minimum Special Exception Use General Standards, Appendix A, Article V, Section 8(B) of the Hernando County Code.

If a developer fails to obtain a building permit for the vertical construction of the principal or primary building or the special exception use is not established within a period of not more than two (2) years from the approval date, then the special exception use permit shall be null and void.

COMPREHENSIVE PLAN REVIEW

The subject property is located within the Rural land use classification on the adopted Future Land Use Map.

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.

GOAL 1.04:

Future Land Use Map Land use designations are intended to protect community character, discourage urban sprawl, promote economic growth and promote compatibility between uses. The Future Land Use Map shall be the guiding mechanism that directs development through general category locations, descriptions, densities and intensities of future land use. [F.S. 163.3177(6)(a)]

Strategy 1.04E(3):

The review of development proposals in rural lands may include identification of productive farmland and agricultural operations in close proximity to the proposed development to ensure the compatibility of the proposed development with existing and potential agricultural operations and to minimize potential land use conflicts.

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.

Comments:

The addition of the activity center and bathhouse is appropriate and consistent with the primary use of the subject site.

FINDING OF FACTS

The request for a Revision to Special Exception Use Permit for a Place of Public Assembly, namely a venue for Special Events and Retreats is consistent with the County's adopted Comprehensive Plan and compatible with the surrounding area.

NOTICE OF APPLICANT RESPONSIBILITY

The special exception 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 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'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.

STAFF RECOMMENDATION:

It is recommended that the Planning and Zoning Commission approve the petitioner's request for a Revision to a Special Exception Use Permit for a Place of Public Assembly, namely a venue for Special Events and Retreats 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. Minimum Building Setbacks of all structures:
 - Front/West: 75'
 - Side/North: 35'
 - Side/South: 125'
 - Rear/East: 50'
3. Minimum Trail Setbacks:
 - Front/West: 300'
 - Side/North: 35'
 - Side/South: 150'
 - Rear/East: 35'
4. The site shall be limited to fifteen (15) RV sites, four (4) cabins and twenty-five (25) Primitive camp sites.
5. All camping or RV stays shall not exceed thirty (30) calendar days.
6. Cabin Rentals shall be limited to a maximum of 180 consecutive calendar days.
7. Access to the lake shall be limited to electric motors, canoes, paddle boats or non-powered vessels. There shall be no combustible engines used on the lake.
8. A driveway shall be provided and constructed in accordance with the Hernando County Facility Design Guidelines.
9. At the time of site development permitting, a clear site plan showing the intensity of the proposed development is required to determine if improvements to Culbreath Road will be needed.
10. The petitioner shall designate the following areas on approved master plan:
 - RV Sites
 - Primitive Camping Areas
 - Fire Lines Per the Approved State Fire Plan & Riding Trials
 - OHV Riding Paths
 - Assembly Buildings & Areas
 - (4) four Cottage Sites on an Approved Site Plan for Permitting
 - Areas of Farming
 - On-site Areas for Parking

- Activity Center
 - Bathhouse
11. There shall be no hunting or gunfire by any patrons of the dude ranch or campground.
 12. Full cutoff fixtures shall be used so that all light is retained on-site and spillage onto neighboring residential uses is avoided.
 13. All Combustible Engine ATV or Motorcycles shall only be operated during daylight hours.
 14. Events shall be limited to 52 one-day events per year.
 15. All events shall be operated between the hours of 7:00 AM and 9:00 PM.