

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: February 10, 2025  
Board of County Commissioners: May 6, 2025

**APPLICANT:** Mohamed Abuhamra

**FILE NUMBER:** H-24-68

**REQUEST:** Rezoning from PDP(GHC)/ Planned Development Project (General Highway Commercial) to PDP(GC) Planned Development Project (General Commercial with a Specific C-2 use for an Automobile Dealership

**GENERAL LOCATION:** East side of Linden Drive approximately 565 feet from Spring Hill Drive

**PARCEL KEY NUMBER(S):** 461360

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### APPLICANT'S REQUEST

The petitioner is requesting a rezoning of the subject property from PDP(GHC)/Planned Development Project (General Highway Commercial) to PDP(GC)/Planned Development Project (General Commercial) with specific C2 use for an Automobile Dealership Establishment, including the principal of selling used cars. The dealership will be on the north side of the property and their business hours will be Tuesday through Saturday from 10:00 A.M. to 5:00 P.M. The subject property will be sharing the lot with a fully developed auto repair shop on the south side of the property that is currently in business.

### SITE CHARACTERISTICS

**Site Size:** 0.90 acres

**Surrounding Zoning; Land Uses:** North:PDP(GC); Developed  
South:PDP(GHC); Developed  
East:PDP(SF); Single Family  
West:PDP(GHC); Undeveloped

**Current Zoning:** PDP(GHC)/ Planned Development Project (General Highway Commercial)

**Future Land Use Map Designation:** Commercial

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**ENVIRONMENTAL REVIEW**

**Soil Type:** Candler Fine Sand

**Comment:** The subject site has been disturbed due to vehicle and boat storage. Although the parcel is Candler Fine Sand, no gopher tortoise activity is suspected. Petitioner shall coordinate with FWC in the event a burrow is found.

**Hydrologic Features:** The property does not contain any wetlands, or Wellhead Protection Areas (WHPAs) according to County data resources.

**Protection Features:** The property does not contain SPAs or archaeological or historical resources according to County data resources.

**Flood Zone:** X

**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. Florida Friendly Landscaping™ Program and materials are designed to address and help reduce nutrient pollution.

**UTILITIES REVIEW**

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

- HCUD currently supplies commercial water services to this parcel.
- Sewer service is not available to this parcel.
- HCUD has no objection to the request subject to Health Department approval of any improvements that may be necessary to the existing Onsite Sewage Treatment and Disposal System due to the increased usage.

**ENGINEERING REVIEW**

The subject site is located on the east side of Linden Drive approximately 565 feet from Spring Hill Drive. The County Engineer has reviewed the petitioner's request and provided the following comments:

- The petitioner shall upgrade the driveway apron (from Linden Drive) to commercial standards.
- The petitioner must demonstrate that stormwater is managed, obtain a Southwest Florida Water Management District Environmental Resource Permit if necessary.

## LAND USE REVIEW

### **Building Setbacks**

#### Minimum Building Setbacks

- Front: 75'
- Side: 20'
- Rear: 35'

### **Buffers**

A buffer shall be required between a Planned Development Project land use which is multifamily or non-residential and a land use, external to the PDP, which is residential, agricultural-residential, or agricultural.

**Comments:** The nonresidential use located on such lot shall be permanently screened from the adjoining and contiguous properties by a wall, opaque 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.

### **Parking**

The petitioner has indicated a mobile office building. The minimum parking requirements for an Automobile Dealership is 2 spaces per 1,000 square feet.

**Comments:** If 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.

## COMPREHENSIVE PLAN REVIEW

The subject property is located within a Commercial land use classification on the adopted Future Land Use Map. The area is characterized by commercial to the north and west, and residential to the south and east. The property is part of the original Spring Hill master plan commercial node.

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**Future Land Use Map**

**Strategy 1.04A(6):** The **Commercial Category** provides for commercial uses including products and services along major corridors and at roadway intersections to serve residents and visitors on both a localized and regionalized basis. The Commercial Category recognizes existing commercial use corridors along U.S. Highway 19 and State Route 50 and existing and planned commercial nodes at intersections of arterial and/or collector roads. The Commercial Category includes small unmapped existing commercial properties. The Commercial Category also recognizes the ability to designate infill parcels for commercial use lying in proximity to and between, but not necessarily contiguous to, other existing commercially designated properties.

**Commercial Category**

**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 areas. 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 proposed use is consistent with the Commercial Future Land Use category.

## **FINDING OF FACTS**

The request for a rom PDP(GHC)/ Planned Development Project (General Highway Commercial) to PDP(GC) Planned Development Project (General Commercial with a Specific C-2 use for an Automobile Dealership is compatible with surrounding zoning districts with appropriate 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 to rezone from PDP(GHC)/Planned Development Project (General Highway Commercial) to PDP(GHC)/Planned Development Project (General Highway Commercial) with a specific C-2/(Highway Commercial) Use for an Automobile Dealership Establishment 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 petitioner shall provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring properties.
3. The nonresidential use located on such lot shall be permanently screened from the adjoining and contiguous properties by a wall, opaque 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.

4. The petitioner shall meet the minimum requirements of Florida Friendly Landscaping™ publications and design techniques, principles, materials, and plantings for required landscaping.
5. Minimum Building Setbacks:  
Front: 75'  
Side: 20'  
Rear: 35'
6. The minimum parking requirements for an Automobile Dealership is two (2) spaces per 1,000 square feet.
7. The petitioner shall upgrade the driveway apron (from Linden Drive) to commercial standards.
8. The petitioner shall provide a revised plan in compliance with all the performance conditions within thirty (30) calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

**PLANNING & ZONING COMMISSION RECOMMENDATION:**

On February 10, 2025, 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 rezoning from PDP(GHC)/ Planned Development Project (General Highway Commercial) to PDP(GC) Planned Development Project (General Commercial with a Specific C-2 use for an Automobile Dealership with the following unmodified 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.
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**BOCC ACTION**

On May 6, 2025, the Board of County Commissioners voted 5-0 to adopt a resolution approving the petitioner's request for a rezoning from PDP(GHC)/ Planned Development Project (General Highway Commercial) to PDP(GC) Planned Development Project (General Commercial with a Specific C-2 use for an Automobile Dealership with the following unmodified 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.
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