



**Hernando County**  
**Planning & Zoning Commission**

Regular Meeting

Minutes

March 13, 2023

**THE MEETING AGENDA AND BACK-UP MATERIAL ARE AVAILABLE ONLINE AT WWW.HERNANDOCOUNTY.US. THE AGENDA AND ATTACHMENTS ARE FINALIZED ONE WEEK PRIOR TO THE HEARING.**

**IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS WITH DISABILITIES NEEDING A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT JESSICA WRIGHT, HERNANDO COUNTY ADMINISTRATION, 15470 FLIGHT PATH DRIVE, BROOKSVILLE, FL 34604, (352) 754-4002. IF HEARING IMPAIRED, PLEASE CALL 1-800-676-3777.**

**IF A PERSON DECIDES TO APPEAL ANY QUASI-JUDICIAL DECISION MADE BY THE BOARD, AGENCY, OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH HEARING OR MEETING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDING, AND THAT, FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.**

**PLEASE NOTE THAT THIS MEETING HAS A START TIME OF 9:00 AM AND ALL ITEMS MAY BE HEARD ANY TIME THERE AFTER.**

**MEETING CALLED TO ORDER**

The public meeting was called to order at 9:00 AM on Monday, March 13, 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](http://www.hernandocounty.us).

<u>Attendee Name</u>	<u>Title</u>
W. Steve Hickey	Vice Chairman
Kathryn Birren	Regular Member
Nicholas Holmes	Regular Member
Gregory Arflack	Alternate Member
Mike Fulford	Alternate Member
James Lipsey	Ex Officio Non-voting Member (School Board Rep.)
Michelle Miller	Planning Administrator

Omar DePablo	Senior Planner
Scott Herring	Public Works Director/County Engineer
Robin Reinhart	Agenda Coordinator

Invocation

Pledge of Allegiance

Poll Commission for Ex Parte Communications

Comm. Hickey lives in Glen Lakes, which is adjacent to H-22-64 item Number 8 on the agenda.

The 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**

Mrs. Miller advised that John Lipsey is out. Some of the Agenda Items were created #5 were uploaded to # 4. of the unified agenda. Item #F staff report was for Item #E.

**RESULT:**        **ADOPTED**  
**MOVER:**        Mike Fulford  
**SECONDER:**    Nicholas Holmes  
**AYES:**         Hickey, Birren, Fulford, Holmes and Arflack

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

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

**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 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.

**PUBLIC HEARINGS**

**UNIFIED AGENDA**

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

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mike Fulford
<b>SECONDER:</b>	Nicholas Holmes
<b>AYES:</b>	Hickey, Birren, Fulford, Holmes and Arflack

**Approval of Minutes for the Planning and Zoning Commission Meeting of October 31, 2022**

**Approval of Minutes for the Planning and Zoning Commission Meeting of November 14, 2022**

**Approval of Minutes for the Planning and Zoning Commission Meeting of December 12, 2022**

**CP1453546 - Cabot Citrus Village Phase I Conditional Plat**

**CP 1451423- Valleybrook Conditional Plat**

**CP 1436707- Whiting Estates Phase II Conditional Plat**

**CP 1447019 Caldera at Sterling Hill Conditional Plat**

**CP 1445908 Approval for Lake Hideaway Pod C Conditional Plat**

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

**SE-22-17 - Matthews Family Limited Partnership:  
Revision to a Special Exception Use Permit for a Place of Public Assembly, Namely a Venue for Special Events and Retreats; East side of Culbreath Road, approximately 600' north of Bobwhite Drive**

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

Comm. Hickey explained the public discussion procedure for speaking.

Joseph Matthews, the petitioner, under oath, discussed the Petition.

The following, under oath, spoke against the petition Mary Mleziva, Lee Roof, Larry Van Fossen, and Stan Mettinger.

Mr. Achillies Thomas, under oath, spoke in favor of the petition.

Joseph Matthews addressed concerns brought forth by public comment.

Commissioners Discussion.

**Motion**

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

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Kathryn Birren
<b>SECONDER:</b>	Mike Fulford
<b>AYES:</b>	Hickey, Birren, Fulford, Holmes and Arflack

**SE-22-16 - Greater Life Church:****Revision to a Special Exception Use Permit to include an Educational Facility; South side of Cortez Boulevard, approximately 550' west of Grove Road**

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

Peter Prestigiancomo, the petitioner, under oath, discussed the petition.

Comm Birren had questions for the petitioner.

**Motion**

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

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mike Fulford
<b>SECONDER:</b>	Nicholas Holmes
<b>AYES:</b>	Hickey, Birren, Fulford, Holmes and Arflack

**H-22-84 - Greater Life Church:****Rezoning from R-1A(Residential) to C-1 (Commercial); South side of Cortez Boulevard, approximately 550' west of Grove Road**

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

Peter Prestigiacomo , the petition, under oath, discussed the petition.

Comm Fulford had questions for staff. Discussion ensued.

**Motion**

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

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Nicholas Holmes
<b>SECONDER:</b>	Kathryn Birren
<b>AYES:</b>	Hickey, Birren, Fulford, Holmes and Arflack

**H-22-88 - SBA Communications Corporation:  
Revision to a Public Service Facility Overlay District for a Communication Tower; West of Linden Road, approximately 940' south of Spring Hill Drive**

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

Comm. Fulford had questions for staff, regarding Communication towers brought to the Board of County Commissioners and how was the past BOCC discussion for another Communication tower.

Jim Porter, representing the petitioner, under oath discussed the petition.

Michelle Ciscia, under oath, spoke against.

Comm. Holmes had questions for the petitioner. Comm. Birren had questions in reference to community risks due to a fall. Mr. DePablo addressed concerns of catastrophic concerns.

**Motion**

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

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mike Fulford
<b>SECONDER:</b>	Nicholas Holmes
<b>AYES:</b>	Hickey, Birren, Fulford, Holmes and Arflack

**H-22-85 - Achillies Thomas AXI VIO Land Holding, Inc:  
Master Plan Revision on Property Zoned PDP(HC)/Planned Development Project (Highway Commercial); North side of Ayers Road, approximately 975' east of US Hwy 41 and the north side of Old Ayers Road, approximately 1,350' from Ayers Road**

Staff requested a 5 minute break. 10:05 to 10:12

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

Jeff Andras, representing the petitioner, under oath, discussed the petition.

Bruce Wilt, under oath, spoke against the Petition.

Mr Andras addressed concerns of the public.

Mr. Achilles Thomas, the petitioner, under oath, discussed the petition and concerns of the citizens.

Comm. Hickey and Comm. Birren had concerns about the petition, being close to the PDP to the east of the project.

**Motion**

A motion was made to recommend the Board of County Commissioners adopt the resolution approving the petitioner’s request.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mike Fulford
<b>SECONDER:</b>	Nicholas Holmes
<b>AYES:</b>	Hickey, Birren, Fulford, Holmes and Arflack

**H-22-87 - Legacy WMD, LLC:**

**Master Plan Revision on Property Zoned PDP(SF)/Planned Development Project (Single Family) with Deviations; South side of San Antonio Road, north of Zeth Road, approximately 600' west of Barclay Avenue**

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

Frank Dicaro, under oath, representing the petitioner, discusses the petition. Also spoke in reference to Using the back road on to San Antonio for use by the owner for his boat and RV. No construction traffic should be allowed on this entrance.

County Engineer, Scott Herring, spoke in reference to the right of way gate for an RV or boat. Should anything else use that gate, for other uses the permit will be revoked .

Mrs. Miller is making these conditions #14 of the staff report. A gate that accommodates RV’s and Boats shall be allowed along the northern entrance road (San Antonio Road). The gate will be permitted via the Right-of-way use permit process.

Comm. Holmes was the dissenting vote.

**Motion**

A motion was made to recommend the Board of County Commissioners adopt the resolution approving the petitioner’s request.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mike Fulford
<b>SECONDER:</b>	Gregory Arflack
<b>AYES:</b>	Hickey, Birren, Fulford and Holmes
<b>NAYES:</b>	Arflack

**H-23-05 - Hernando County Board of County Commissioners:  
Establish a PSFOD/Public Service Facility Overlay District for a Government Building;  
South of Rhanbuoy Road, east of Burnside Parkway and north of Forest Oaks  
Boulevard, approximately 3,000' east of Commercial Way**

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

Project Coordinator, Eric Van De Boogaard, under oath, discussed the petition. Requested to remove the vegetative buffer.

No Public comment.

Comm. Fulford asked being that there was no public comment if the item has been advertised.

Comm. Hickey, Comm. Birren, and Comm. Fulford expressed concerns regarding the wall and landscaping buffer. In conjunction to the buffer and wall being maintained by the county.

**Motion**

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

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mike Fulford
<b>SECONDER:</b>	Kathryn Birren
<b>AYES:</b>	Hickey, Birren, Fulford, Holmes and Arflack

**H-22-64 - Glen Lakes Commons, LLC:  
Master Plan Revision on Property Zoned PDP(MF)/Planned Development Project  
(Multifamily), PDP(GC)/Planned Development Project (General Commercial) and  
PDP(GHC)/Planned Development Project (General Highway Commercial) with  
Deviations; West of Commercial Way and south of Glen Lakes Boulevard**

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

Don Lacey A.I.C.P, under oath, representing the petition, discussed the petition.

Comm. Holmes, Comm. Hickey, and Comm. Birren discussed concerns for the hotel on the master plan.

The following spoke , under oath, against the petition: Richard Matula, Carol Kalina, Janice Neal, Dean Stiles, Doug Pollock, Dick Rowland, William Herinn, Kathy Haddas, Arlene Checkman, Jacqueline Harmon.

Don Lacey addressed concerns of Hotel, and Assisted Living Facility. He stated that a traffic study is in the works.

Comm. Fulford, advised of the commissions ability. Comm. Fulford, Comm. Holmes, Comm. Birren, and Comm. Hickey , Do not support the 4 stories buildings and expressed concerns about traffic.

Robert Gomes , petitioner, under oath, he is removing the 53', traffic study discussed entrances and exists. Advising he would be good with 45', to flip the hotel, extending the frontage to Grizzle Bear Ln.

Closing public comment.

Comm. Fulford, Comm. Holmes, Comm. Birren discussed concerns of the petition of the hotel height and rotating the position.

Kyle Benda advised of Code.

Mrs. Miller advised that the ALF and the Storage are at 45' has already been approved. Hotel to be placed perpendicular to the Glen Lakes wall, as long as its within the 100' Residential Protection Standards boundary which limits commercial building heights to 20'. In this configuration, windows facing Glen Lakes shall be accent hallway windows. If the hotel is positioned outside of the 100', the hotel shall be permitted at 45'.

**Motion**

A motion was made to recommend the Board of County Commissioners adopt the resolution approving the petitioner’s request.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mike Fulford
<b>SECONDER:</b>	Kathryn Birren
<b>AYES:</b>	Birren, Fulford, Holmes and Arflack
<b>NAYES:</b>	Hickey

**COMMISSIONERS AND STAFF ISSUES**

**ADJOURNMENT**

The meeting was adjourned at 12:30 P.M.

**UPCOMING MEETINGS**

**The next regular meeting of the Planning and Zoning Commission is scheduled for Monday, April 10, 2023, beginning at 9:00 AM, in the Commission Chambers**



## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 03/13/2023  
Department: P&Z Agenda Item  
Prepared By: rreinhardt  
Initiator: Aaron Pool  
DOC ID: 11933  
Legal Request Number:  
Bid/Contract Number:

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#### TITLE

Approval of Minutes for the Planning and Zoning Commission Meeting of October 31, 2022

#### BRIEF OVERVIEW

The attached Minutes for the Planning and Zoning Commission Meeting of October 31, 2022, are submitted for review and approval.

#### FINANCIAL IMPACT

N/A

#### LEGAL NOTE

N/A

#### RECOMMENDATION

It is recommended that the Planning and Zoning Commission review the Minutes of the Meeting of October 31, 2022, and consider them for approval.

#### REVIEW PROCESS

Omar DePablo	Approved	02/28/2023 11:33 AM
Michelle Miller	Approved	02/28/2023 1:14 PM



# Hernando County Planning & Zoning Commission

## Regular Meeting

### Minutes

October 31, 2022

#### MEETING CALLED TO ORDER

The public meeting was called to order at 9:00 AM on Monday, October 31, 2022, in the John Law Ayers Room, Government Center, Brooksville, Florida. This meeting was advertised in the Hernando Sun newspaper and the agenda packet was available on-line at [www.hernandocounty.us](http://www.hernandocounty.us).

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

Invocation

Pledge of Allegiance

Poll Commission for Ex Parte Communications

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

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

County Attorney Statement

Assistant County Attorney Ms. Sikora provided the standard admonition that the Planning and Zoning Commission decisions were to be based only on the evidence presented in the quasi-judicial proceedings.

Administering of the Oath

#### STAFF ANNOUNCEMENTS

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

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

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

**Motion**

A motion was made to approve the agenda.

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

**ADOPTION OF THE INFORMATION PACKETS INTO EVIDENCE**

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

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

**Motion**

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

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

**PUBLIC HEARINGS**

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

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

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

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

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

**Motion**

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

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

**H-22-49 - Alexander Pinckney:  
Rezoning from R-1C (Residential) to AR (Agricultural/Residential); Northeast corner of Antietam Drive and Richardson Boulevard**

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

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

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

No public comment was offered by the audience.

**Motion**

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

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

**H-22-62 - Harold and Lorna Barker:  
Rezoning from R-1C (Residential) to AR (Agriculture/Residential); West side of Glenchester Drive, approximately 450' from its intersection with Otter Drive**

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

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

No public comment was offered by the audience.

**Motion**

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

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

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

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

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

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

Matthew Briggs, under oath, spoke against the petition.

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

**Motion**

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

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

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

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

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

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

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

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

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

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

Discussion ensued.

**Motion**

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

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

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

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

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

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

Brian Kiraly, responded to concerns expressed during citizens comments.

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

**Motion**

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

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

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

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

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

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

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

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

**Motion**

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

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

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

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

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

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

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

No public comment was offered by the audience.

**Motion**

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

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

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

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

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

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

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

Franklin Skanks, under oath, spoke against the petition.

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

**Motion**

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

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

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

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

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

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

**Motion**

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

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

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

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

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

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

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

Discussion ensued about performance condition.

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

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

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

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

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

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

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

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

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

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

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

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

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

**Motion**

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

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

**H-22-05 - AWN Spring Hill, LLC:**

**Master Plan Revision on Property Zoned PDP(GHC)/Planned Development Project (General Highway Commercial); Northeast Corner of Cortez Boulevard and Brookridge Central Boulevard**

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

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

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

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

Mark Whitley, under oath, spoke against the petition.

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

Discussion ensued about hours of operation.

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

**Motion**

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

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

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

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

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

No public comment was offered by the audience.

**Motion**

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

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

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

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

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

Planning and Zoning Commission.

Discussion followed about the lot sizes and buffers.

No public comment was offered by the audience.

**Motion**

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

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

**COMMISSIONERS AND STAFF ISSUES**

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

**ADJOURNMENT**

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



## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 03/13/2023  
Department: Planning  
Prepared By: Reinhart  
Initiator: Aaron Pool  
DOC ID: 11934  
Legal Request Number:  
Bid/Contract Number:

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#### TITLE

Approval of Minutes for the Planning and Zoning Commission Meeting of November 14 , 2022

#### BRIEF OVERVIEW

The attached Minutes for the Planning and Zoning Commission Meeting of September 12, 2022, are submitted for review and approval.

#### FINANCIAL IMPACT

N/A

#### LEGAL NOTE

N/A

#### RECOMMENDATION

It is recommended that the Planning and Zoning Commission review the Minutes of the Meeting of November 14, 2022, and consider them for approval.

#### REVIEW PROCESS

Omar DePablo	Approved	02/28/2023 11:33 AM
Michelle Miller	Approved	02/28/2023 1:14 PM



# Hernando County

## Planning & Zoning Commission

### Meeting Minutes

20 North Main Street,  
Brooksville, FL 34601

**Monday, November 14, 2022**

**9:00 AM**

**John Law Ayers Commission  
Chambers, Room 160**

#### Regular Meeting

#### A. MEETING CALLED TO ORDER

The public meeting was called to order at 9:00 AM on Monday, November 2022, in the John Law Ayers Room, Government Center, Brooksville, Florida. This meeting was advertised in the Hernando Sun newspaper and the agenda packet was available on-line at [www.hernandocounty.us](http://www.hernandocounty.us).

<u>Attendee Name</u>	<u>Title</u>
Mike Fulford	Chairman
W. Steve Hickey	Regular Member
Jonathan Mc Donald	Regular Member
Michael Kierzynski	Regular Member
James Lipsey	Ex Officio Non-voting Member (School Board Rep.)
Kyle Benda	Assistant County Attorney
Michelle Miller	Planning Administrator
Omar DePablo	Senior Planner
Todd Crosby	Assistant Public Works Director/County Engineer
Alan Congdon	Administrative Assistant III

**Present**            Commissioner Mike Fulford, Commissioner W. Steven Hickey, Commissioner Michael Kierzynski, and Commissioner Jonathan McDonald

**Excused**            Commissioner Jerry Campbell, and Commissioner Mark Johnson

1. Invocation
2. Pledge of Allegiance
3. Poll Commission for Ex Parte Communications

Jonathan McDonald indicated he had Ex Parte communication.

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

4. 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.

- 5. Administering of the Oath

**B. STAFF ANNOUNCEMENTS**

Staff recommended postponing Item #7 to a date and time certain of December 12, 2022 meeting.

John Carroll and Mark Johnson are no longer members of the Planning and Zoning Commission due to accepting new offices.

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

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

adopted

**Ayes:** Fulford, Hickey, Kierzynski and McDonald

**D. 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 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.

adopted

**Ayes:** Fulford, Hickey, Kierzynski and McDonald

**PUBLIC HEARINGS**

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

- 7. 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 to the Planning and Zoning Commission. Mr. DePablo utilized the overhead projector to show the location of the subject parcel.

The item was not dually advertised, the petitioner did not pick up the signs. Staff is requesting the petition has been postpone to a date time certain of December 12, 2022 at 9:00a.m.

adopted

**Ayes:** Fulford, Hickey, Kierzynski and McDonald

1. SE-22-11 - Donald Whitehead, Jr.:  
Special Exception Use Permit for a Place of Public Assembly, namely, a Venue for Special Events; South of Cortez Boulevard (SR 50) across from Dorsey Smith Road

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

Donald Whitehead Jr., the applicant, under oath, discussed the request with the Planning and Zoning Commission.

No public comment was offered by the audience.

Commissioner Hickey stated that he wanted to have time limits on the events.  
adopted

**Ayes:** Fulford, Hickey, Kierzynski and McDonald

2. SE-22-12 - 3 Horse Distillery, LLC:  
Special Exception Use Permit for a Distillery; East side of Gobbler Run, approximately 3,000' south of Oakfork Trail

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

Cara Ann Groves, representing the petitioner, under oath, discussed the application with Planning and Zoning Commission.

Patrick Tooley, representing the petitioner, under oath, discussed the application with the Planning and Zoning Commission.

Mr. DePablo indicated that staff received an e-mail from a concerned citizen about operating a home business at the site.  
adopted

**Ayes:** Fulford, Hickey, Kierzynski and McDonald

3. SE-22-13 - Nathan Randall:  
Revision to a Special Exception Use Permit for a Place of Public Assembly, namely a Venue for Special Events; Northern terminus of Karry Creek Lane

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

Leanna Randall, the applicant, under oath, discussed the petition with the Planning and Zoning Commission.

Nathan Randall, the applicant, under oath, also discussed the application with the Planning and Zoning Commission.

Jeff Randall, the applicant, under oath, also discussed the application with the Planning and Zoning Commission.

The following people spoke, under oath, against the petition: Karen Hamilton, Leslie Walters, and Robert Hamilton.

The following people spoke under oath, in favor of the petition: Jerry Childers, Terri Kinder, and Deloris Kinder.

Assistant County Attorney, Kyle Benda, discussed the requirements to be considered for the granting of Special Exception Use Permits and discussion ensued.

Jeff Randall, responded to the concerns raised by the citizens during public comment.

Leanna Randall, advised the Commission that they had reached out to the neighbors multiple times and the neighbors have refused to communicate with them.

Nathan Randall, advised he gets the required permits for the tents, and addressed the other concerns.

adopted

**Ayes:** Fulford, Hickey, Kierzynski and McDonald

- 4. H-22-58 - Adam Webster:  
Re-establish a Master Plan for a Property Zoned PDP(GHC)/ Planned Development Project (General Highway Commercial) and add a Specific C-2 Use for Mini-Warehouse; Northwest corner of the intersection of Pythia Place and Linden Drive, approximately 300' north of County Line Road

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

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

Wayne Karastury, representing the petitioner, under oath, also discussed the petition with the Planning and Zoning Commission.

The following people spoke under oath against the petition: Karen Ozjowski, Johanna Garcia, Mary-Jo Artura, and Michelle Nicolini.

Alan Garman, responded to the concerns raised by the citizens during public comment.

Wayne Karastury, responded to concerns raised by the Planning and Zoning Commission.  
 adopted

**Ayes:** Fulford, Hickey, Kierzynski and McDonald

- 5. H-22-67 - Keith Marko:  
 Rezoning from R-1C (Residential) to PDP(RUR)/Planned Development Project (Rural) with a specific AG (Agricultural) Use for Two Miniature Cows; Northeast corner of Rapidan Road and Wharton Avenue

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

Keith Marko, the petitioner, under oath, discussed the request with the Planning and Zoning Commission.

No public comment was offered by the audience.  
 adopted

**Ayes:** Fulford, Hickey, Kierzynski and McDonald

- 6. H-22-23 - A & I Land Association, LLC:  
 Rezoning from AG (Agricultural) to C-4 (Heavy Highway Commercial); South side of Cortez Boulevard (SR 50), approximately 1,000' east of Frisco Road

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

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

No public comment was offered by the audience.

Discussion ensued.

adopted

**Ayes:** Fulford, Hickey, Kierzynski and McDonald

- 8. H-22-28 - Downtown Development Partners, LLC:  
 Rezoning from PDP(SF)/Planned Development Project (Single Family) to PDP(GC)/Planned Development Project (General Commercial); Northeast side of Breakwater Boulevard, approximately 400' west of its intersection with Commercial Way

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

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

The following people spoke against the petition: Rachel Weiner, Ann Odell, Christopher Wright, Leslie Collier-Brown, Richard Powers, Michael Morelli, Don Guillory, John French, William Johnson, Michael Nadeau, David Allan, Angelia Jefferion, Randy Bollert, Bryan Marquart, and Cosmo Donato.

Alan Garman, addressed the concerns raised by the citizens under public comment.

Todd Crosby, Assistant County Engineer, under oath discussed traffic at Breakwater Drive and the frontage road.

Discussion ensued regarding traffic in the area, A motion was made to have a traffic study.  
adopted

**Ayes:** Fulford, Hickey, Kierzynski and McDonald

- 9. H-22-48 - Lonestar Properties NC, Inc.:  
Rezoning from PDP(CP)/Planned Development Project (Corporate Park) to PDP(IND)/Planned Development Project (Industrial); North side of Ayers Road, approximately 2,600' west of Broad Street

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

Isabel Albert, AICP, representing the petitioner, under oath, discussed the application with the Planning and Zoning Commission.

Doloris Mills and Dorreen Bergh, both under oath, spoke against the petition.

Isabel Albert, addressed the concerns expressed during public comment.

Gary Schraut, representing the petitioner, under oath, responded to the concerns raised during public comment  
adopted

**Ayes:** Fulford, Hickey, Kierzynski and McDonald

- 10. H-22-51 - DR Horton:  
Establish a Master Plan on Property Zoned CPDP (Combined Planned Development Project) with Single Family and General Commercial Uses with deviations; East side of Commercial Way, across from Happy Days Drive

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

Clark Hobby, representing the petitioner, under oath, discussed the request with

the Planning and Zoning Commission.

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

The following people spoke under oath against the petition: Carolyn Kuzniewski, Al Martucci, and Michael Monarch.

Clark Hobby, discussed the concerns raised by the citizens during public comment.

Todd Crosby, Assistant County Engineer, addressed the denial of the frontage road wavier.

Discussion ensued.  
adopted

**Ayes:** Fulford, Hickey, Kierzynski and McDonald

**F. COMMISSIONERS AND STAFF ISSUES**

**G. ADJOURNMENT**

The meeting was adjourned at 1:30 P.M.



## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 03/13/2023  
Department: P&Z Agenda Item  
Prepared By: RReinhart  
Initiator: Aaron Pool  
DOC ID: 11935  
Legal Request Number:  
Bid/Contract Number:

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#### TITLE

Approval of Minutes for the Planning and Zoning Commission Meeting of December 12, 2022

#### BRIEF OVERVIEW

The attached Minutes for the Planning and Zoning Commission Meeting of December 12, 2022, are submitted for review and approval.

#### FINANCIAL IMPACT

N/A

#### LEGAL NOTE

N/A

#### RECOMMENDATION

It is recommended that the Planning and Zoning Commission review the Minutes of the Meeting of December 12, 2022, and consider them for approval.

#### REVIEW PROCESS

Omar DePablo	Approved	02/28/2023 11:33 AM
Michelle Miller	Approved	02/28/2023 1:14 PM



# Hernando County

## Planning & Zoning Commission

Regular Meeting

Minutes

December 12, 2022

### MEETING CALLED TO ORDER

The public meeting was called to order at 9:00 AM on Monday, December 12, 2022, in the John Law Ayers Room, Government Center, Brooksville, Florida. This meeting was advertised in the Hernando Sun newspaper and the agenda packet was available on-line at [www.hernandocounty.us](http://www.hernandocounty.us).

<u>Attendee Name</u>	<u>Title</u>
Mike Fulford	Chairman
W. Steve Hickey	Regular Member
Jonathan McDonald	Regular Member
Michael Kierzynski	Regular Member
James Lipsey	Ex Officio Non-voting Member (School Board Rep.)
Kyle Benda	Assistant County Attorney
Michelle Miller	Planning Administrator
Omar DePablo	Senior Planner
Todd Crosby	Assistant County Engineer
Alan Congdon	Administrative Assistant III

Invocation

Pledge of Allegiance

Poll Commission for Ex Parte Communications

Comm. Kierzynski indicated he had ex parte communications with #7.

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 recommended Item (5) H-22-75 Jesus Espinal to be postponed due to signs not being picked up.

## ADOPTION OF THE INFORMATION PACKETS INTO EVIDENCE

Mrs. Miller asked that Item H-22-71 Sobel Fund VII, LLC, be moved to end of the agenda.

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

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

### Motion

#### D. ADOPTION OF THE INFORMATION PACKETS INTO EVIDENCE

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

## PUBLIC HEARINGS

### UNIFIED AGENDA

#### Approval of Minutes for the Planning and Zoning Commission Meeting of September 12, 2022

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

Mrs. Miller asked that Item H-22-71 Sobel Fund VII, LLC, be moved to end of the agenda.

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

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

### Motion

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

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

**LEGISLATIVE AGENDA**

**CPAM-22-05 - Oak Development Group, LLC:  
Small Scale Comprehensive Plan Amendment to Change the Future Land Use Map for a 40.4-acre from Rural to Residential; 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.

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

The following people spoke, under oath, against the petition: Veronica Moore, Vicki Kassetta, Brian Rogers, Bruce Abrahmsen, Helen Moore, Joann Larry, Queeny Reinert, Bella Boyce, Randy McElroy, and John Larry.

Assistant County Attorney Kyle Benda, under oath, addressed concerns expressed by Bruce Abrahmsen.

Gary Schraudt, under oath, spoke in favor of the application.

Cynthia Spidell, responded to the concerns raised by the audience during public comments.

Assistant County Engineer Todd Crosby, under oath, responded to the transportation concerns raised during public comment.

**Motion**

A motion was made to recommend the Board of County Commissioners adopt an Ordinance approving the petitioner's request.

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

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

**SE-22-14 - Elevated Youth Services, Inc.:  
Special Exception Use Permit for a Congregate Care Home; Namely, a Community Residential Home; Southwest Corner of Lincoln Avenue and Hodza Street**

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

Nicole Gladding, representing the petition, under oath, discussed the application with the Planning and Zoning Commission.

The following people spoke under oath in favor of the petition: Leon Begeman, Donna Perkins, and Jeffery Perkins.

**Motion**

A motion was made to approve the Special Exception Use Permit subject to performance conditions.

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

**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**

Staff, and the Planning and Zoning Commission discussed postponing the petition due to additional information being supplied by the petitioner.

**Motion**

A motion was made to postpone the petition to a date and time certain of January 9, 2023 at 9:00 AM.

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

**H-22-30 - Tri-County Development, Inc.:**

**Master Plan Revision on Property Zoned PDP(GC)/Planned Development Project (General Commercial) to add a Specific C-2 use for Mini-Warehouse; North side of County Line Road, approximately 4,200' west of the Suncoast Parkway**

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 petition with the Planning and Zoning Commission.

Alex Deeb, representing 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 subject to unmodified performance conditions.

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

**H-22-59 - Oak Hill Land LLC:**

**Master Plan Revision on Property Zoned CPDP (Combined Planned Development Project) with Deviations; North side of Cortez Boulevard, approximately 800' east of Nightwalker Road**

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 petition with the Planning and Zoning Commission.

No public comment was offered by the audience.

James Lipsey, School Board Representative, under oath, discussed the student generation rate and capacity.

Assistant County Engineer, Todd Crosby, under oath, stated he was ok with decreasing the set-back.

**Motion**

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

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Jonathan McDonald
<b>SECONDER:</b>	W. Steven Hickey
<b>AYES:</b>	Fulford, Hickey, Kierzynski and McDonald

**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 advised the petitioner was not present, and requested the item be postponed to a date and time certain of January 9, 2023.

**Motion**

A motion was made to postpone the petition, due to the applicant not posting the signs. Date in time Certain of January 9, 2023.

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

**H-22-77 - Racetrac Petroleum, Inc.:**

**Master Plan Revision to Include a Rezoning from R-1A (Residential) to PDP(GC)/Planned Development Project (General Commercial) with Deviations; East side of Broad Street (US Hwy 41), between Stromberg Avenue and Highbury Boulevard; along both Sides of Kentucky Street**

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

Maleia Stourm, representing the petitioner, under oath, discussed the petition with the Planning and Zoning Commission.

No public comment was offered by the audience.

Todd Crosby, Assistant County Engineer, under oath, stated that Engineering would work with the applicant.

**Motion**

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

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Jonathan McDonald
<b>SECONDER:</b>	Michael Kierzynski
<b>AYES:</b>	Fulford, Hickey, Kierzynski and McDonald

**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 advised the substantial items that need additional staff discussion.

Darryl Johnston, representing the petitioner, under oath, confirmed there are 14 items, that need additional discussion.

Mrs. Miller indicated that she is comfortable with either postponing or working through it during the meeting.

**Motion**

A motion was made to postpone the petition to a date and time certain of January 9, 2023 at

9:00 AM.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	W. Steven Hickey
<b>SECONDER:</b>	Jonathan McDonald
<b>AYES:</b>	Fulford, Hickey, Kierzynski and McDonald

**COMMISSIONERS AND STAFF ISSUES**

Mrs. Miller advised the Planning and Zoning Commission of an update to the intake and application process.

**ADJOURNMENT**

The meeting was adjourned at 11:14 AM.



## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 03/13/2023  
Department: Planning  
Prepared By: akidd  
Initiator: Aaron Pool  
DOC ID: 11905  
Legal Request Number:  
Bid/Contract Number:

#### **TITLE**

CP1453546 - Cabot Citrus Village Phase I Conditional Plat

#### **BRIEF OVERVIEW**

Conditional Plat approval for Cabot Citrus Village Phase I

#### **FINANCIAL IMPACT**

A matter of policy. No financial impact.

#### **LEGAL NOTE**

The Planning and Zoning Commission has the authority to review this item in accordance with Chapter 26 (Subdivision Regulations), Article II (Procedures for County review and approval), Section 26-21 (procedure for conditional approval of a conditional plat) of the Hernando County Code of ordinances.

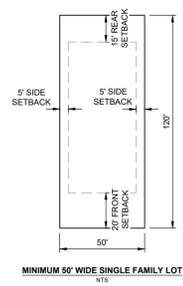
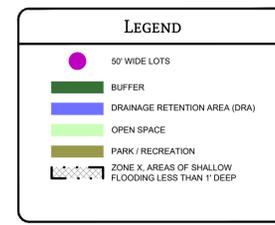
#### **RECOMMENDATION**

Cabot Citrus Village Phase I with performance conditions.

#### **REVIEW PROCESS**

Alaina Kidd	Approved	02/21/2023 11:05 AM
Omar DePablo	Approved	02/23/2023 11:37 AM
Michelle Miller	Approved	02/24/2023 4:33 PM
Aaron Pool	Approved	02/24/2023 4:58 PM

T:\Projects\181-01\Karak\Task\Drawings\181-01-03\_Conditional Plat\Current Plans\181-01-03-01\_Conditional Plat.dwg  
 12/14/2022 8:12:18 AM PLOT BY: karak.wilson



**SITE DATA**  
 OWNER:  
 KARLIK SUSAN TRUST  
 134 VOLLEERS DR  
 BRANCHBURG, NJ 08876  
 APPLICANT:  
 PULTE HOME COMPANY, LLC  
 2602 FALKENBURG ROAD  
 RIVERVIEW, FL 33578  
 PARCEL KEY NO(S): 00377408  
 SECTION/TOWNSHIP/RANGE: 13-23-18  
 CURRENT ZONING: PDP(SF)  
 AREA: 19.48 AC.  
 PROPOSED NO. OF LOTS: 66  
 LOT WIDTH & SIZE:  
 MIN. LOT WIDTH: 50' (DEVIATION FROM 60')  
 MIN. LOT SIZE: 6,000 SQUARE FEET  
 BUILDING SETBACKS:  
 FRONT: 20' (DEVIATION FROM 25')  
 REAR: 15' (DEVIATION FROM 20')  
 SIDE: 5' (DEVIATION FROM 10')

**BUFFERS:**  
 A 20' LANDSCAPE BUFFER IS PROPOSED ALONG THE NORTHERN AND EASTERN BOUNDARIES. A 50' NATURAL VEGETATIVE BUFFER IS PROPOSED ALONG THE WESTERN BOUNDARY ADJACENT TO THE PROPOSED HOMES AND A 20' NATURAL VEGETATIVE BUFFER IS PROPOSED ALONG THE SOUTHERN BOUNDARY. THE WESTERN AND SOUTHERN LANDSCAPE BUFFERS WILL INCLUDE NATURAL VEGETATION PRESERVED AND ENHANCED TO 80% OPACITY WITHIN 3 YEARS OF PLANTING. WHERE SITE GRADING REQUIRES THE REMOVAL OF NATURAL VEGETATION, A VEGETATIVE BUFFER WILL BE LANDSCAPED WITHIN THE BUFFER TRACT CONSISTING OF VEGETATION AND OPACITY CONSISTENT WITH COUNTY STANDARDS AND THE ABOVE MENTIONED ZONING CONDITIONS.

**FLOOD PLAN:**  
 THE PROJECT SITE IS LOCATED IN ZONE "X" PER FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 12050033 (DATED 02/20/12). THE PROJECT SITE CONTAINS SMALL AREAS OF SHALLOW FLOODING LESS THAN 1' DEEP.

NO WETLANDS AND/OR SURFACE WATERS ARE PRESENT.

**FIRE PROTECTION:**  
 FIRE HYDRANTS WILL BE PLACED THROUGHOUT THE COMMUNITY AT A MINIMUM OF 500' CURB LINE DISTANCE INTERVALS WHICH IS CONSISTENT WITH COUNTY STANDARDS. THE PORTABLE WATER SYSTEM WILL BE DESIGNED TO PROVIDE A MINIMUM OF 1,000 GPM FOR USE IN FIREFIGHTING AS REQUIRED BY NFPA GUIDELINES AND AS REQUIRED BY HERNANDO COUNTY.

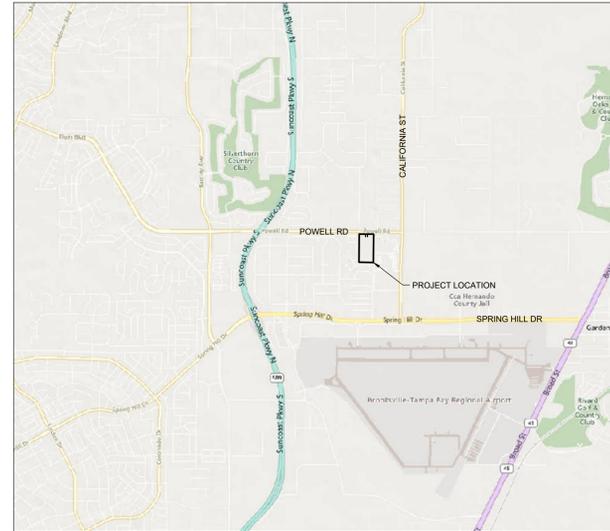
**OWNERSHIP:**  
 BUFFERS, DRA'S, OPEN SPACES, AND PARK AREAS WILL BE SEPARATE TRACTS, OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.

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 RECORDATION 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 SIZE AND LOCATION WILL BE DETERMINED WITH FINAL ENGINEERING DESIGN.

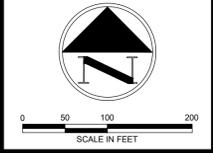
CURVE TABLE					
CURVE No.	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	78.54'	50.00'	90°00'00"	S45° 18' 01"W	70.71'
C2	78.54'	50.00'	90°00'00"	N44° 41' 59"W	70.71'
C3	78.40'	50.00'	89°50'10"	N45° 13' 04"E	70.61'

LAND USE TABLE			
LAND USE	ACRES	DWELLING UNITS / REQ'D AC.	DENSITY
SINGLE FAMILY	9.37	66	
PARK	1.16	1.16	
NATURAL PRESERVATION/BUFFER	1.35	0.97	
ROADS/ROW	3.20		
OPEN SPACE, DRA'S & BUFFER TRACTS	4.40		
TOTAL AREA	19.48		APPROX. 3.39 UNITS/AC



**LEVELUP CONSULTING, LLC**

505 E. JACKSON STREET  
 SUITE 200  
 TAMPA, FLORIDA 33602  
 OFFICE: 813-375-0616  
 WWW.LEVELUPFLORIDA.COM



CONSTRUCTION PLAN REVISIONS	REV. NO.	DATE	REVISION PER COUNTY COMMENTS
	01	12/13/22	REVISED PER COUNTY COMMENTS

**VALLEYBROOK**

CLIENT: PULTE HOME COMPANY, INC.

CONDITIONAL PLAT

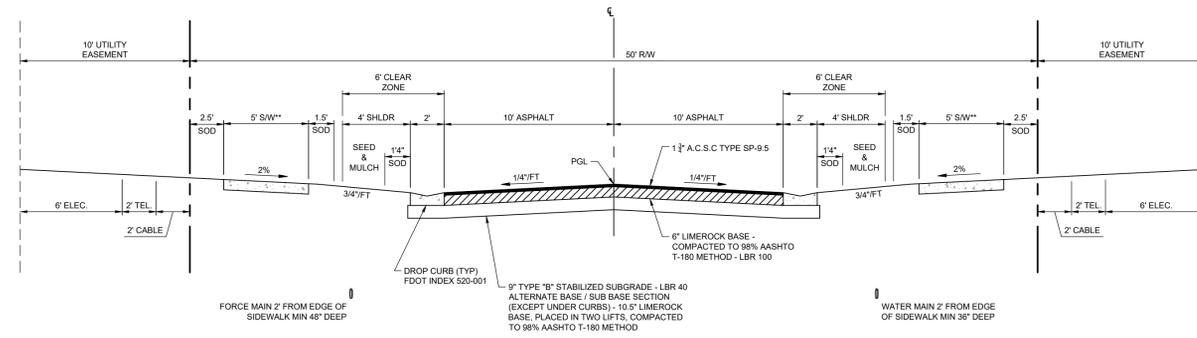
Engineering Business Certificate of Authorization No. 32771  
 Florida Certificate of Authorization No. LC26050638

**BRANDON S. WILSON**  
 FLORIDA LICENSED PROFESSIONAL ENGINEER  
 REGISTRATION NUMBER 79423

PROJECT No. 181-01-03  
 SHEET 1 OF 3



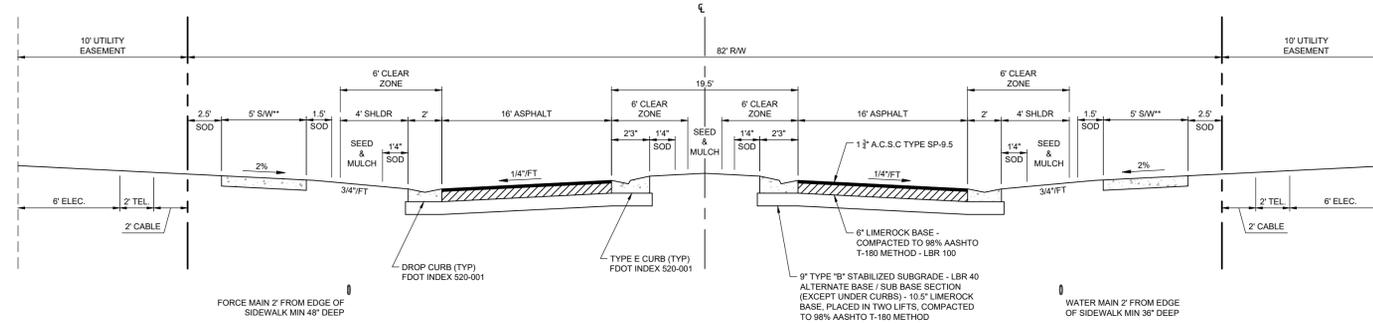
LOCAL ROAD - CLOSED DRAINAGE  
DESIGN SPEED = 30 MPH\*  
HERNANDO COUNTY ROADWAY STANDARD DETAIL (IV-05)



GENERAL NOTES:  
DESIGN SPEED, RIGHT-OF-WAY, AND ROADSIDE DIMENSIONS ARE MINIMUMS. SITE CONDITION MAY REQUIRE INCREASES.  
\* VARIANCE IN HORIZONTAL DESIGN SPEED ALLOWED WITH JUSTIFICATION AND APPROPRIATE SIGNAGE  
\*\* SIDEWALKS IF APPLICABLE  
ALL DIMENSIONS & LABELS ARE TYPICAL

TYPICAL SECTION  
NOT TO SCALE

LOCAL BOULEVARD ENTRANCE - CLOSED DRAINAGE  
DESIGN SPEED = 30 MPH\*



GENERAL NOTES:  
DESIGN SPEED, RIGHT-OF-WAY, AND ROADSIDE DIMENSIONS ARE MINIMUMS. SITE CONDITION MAY REQUIRE INCREASES.  
\* VARIANCE IN HORIZONTAL DESIGN SPEED ALLOWED WITH JUSTIFICATION AND APPROPRIATE SIGNAGE  
\*\* SIDEWALKS IF APPLICABLE  
ALL DIMENSIONS & LABELS ARE TYPICAL

TYPICAL SECTION  
NOT TO SCALE

NOT TO SCALE

CONSTRUCTION PLAN REVISIONS	REV	DATE	REVISIONS
	01	12/13/22	REVISED PER COUNTY COMMENTS

VALLEYBROOK

CLIENT: PULTE HOME COMPANY, INC.

TYPICAL ROADWAY SECTIONS

Engineering Business Certificate of Authorization No. 32771  
Florida Certificate of Authorization No. LC26006638



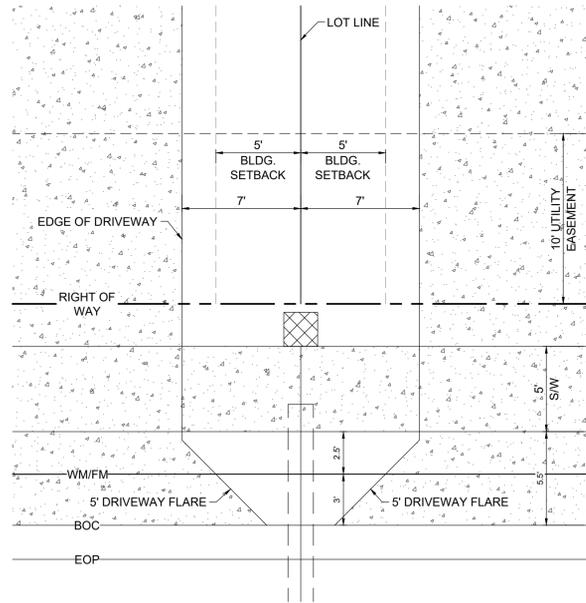
BRANDON S. WILSON  
FLORIDA LICENSED PROFESSIONAL ENGINEER  
REGISTRATION NUMBER 79423

PROJECT No. 181-01-03

SHEET 2 OF 3

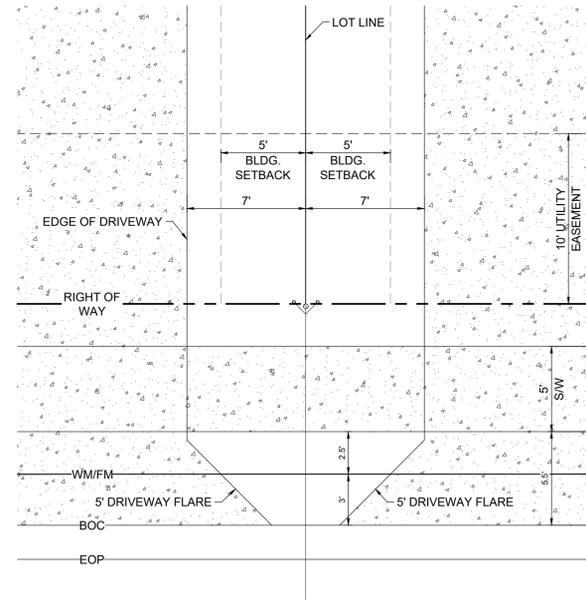
WATER SERVICE LOCATION W/ 5' SIDE YARD SETBACKS

NOT TO SCALE



SEWER SERVICE LOCATION W/ 5' SIDE YARD SETBACKS

NOT TO SCALE



LEVELUP CONSULTING, LLC



505 E. JACKSON STREET  
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TAMPA, FLORIDA 33602  
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NOT TO SCALE

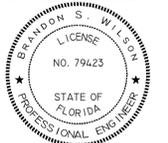
CONSTRUCTION PLAN REVISIONS	REV	DATE	REVISIONS
1	12/13/22		REVISED PER COUNTY COMMENTS

VALLEYBROOK

CLIENT: PULTE HOME COMPANY, INC.

UTILITY DETAILS

Engineering Business Certificate of Authorization No. 32771  
Florida Certificate of Authorization No. LC26969638



BRANDON S. WILSON  
FLORIDA LICENSED PROFESSIONAL ENGINEER  
REGISTRATION NUMBER 79423

PROJECT No. 181-01-03

SHEET 3 OF 3

T:\Projects\181-01-Kwik Track\Drawings\181-01-03\_Conditional Plat\Current Plans\181-01-03-01\_CONDITIONAL\_PLAT.dwg  
12/14/2022 8:13:13 AM PLOTTED BY: branson.wilson

# CP 1451423

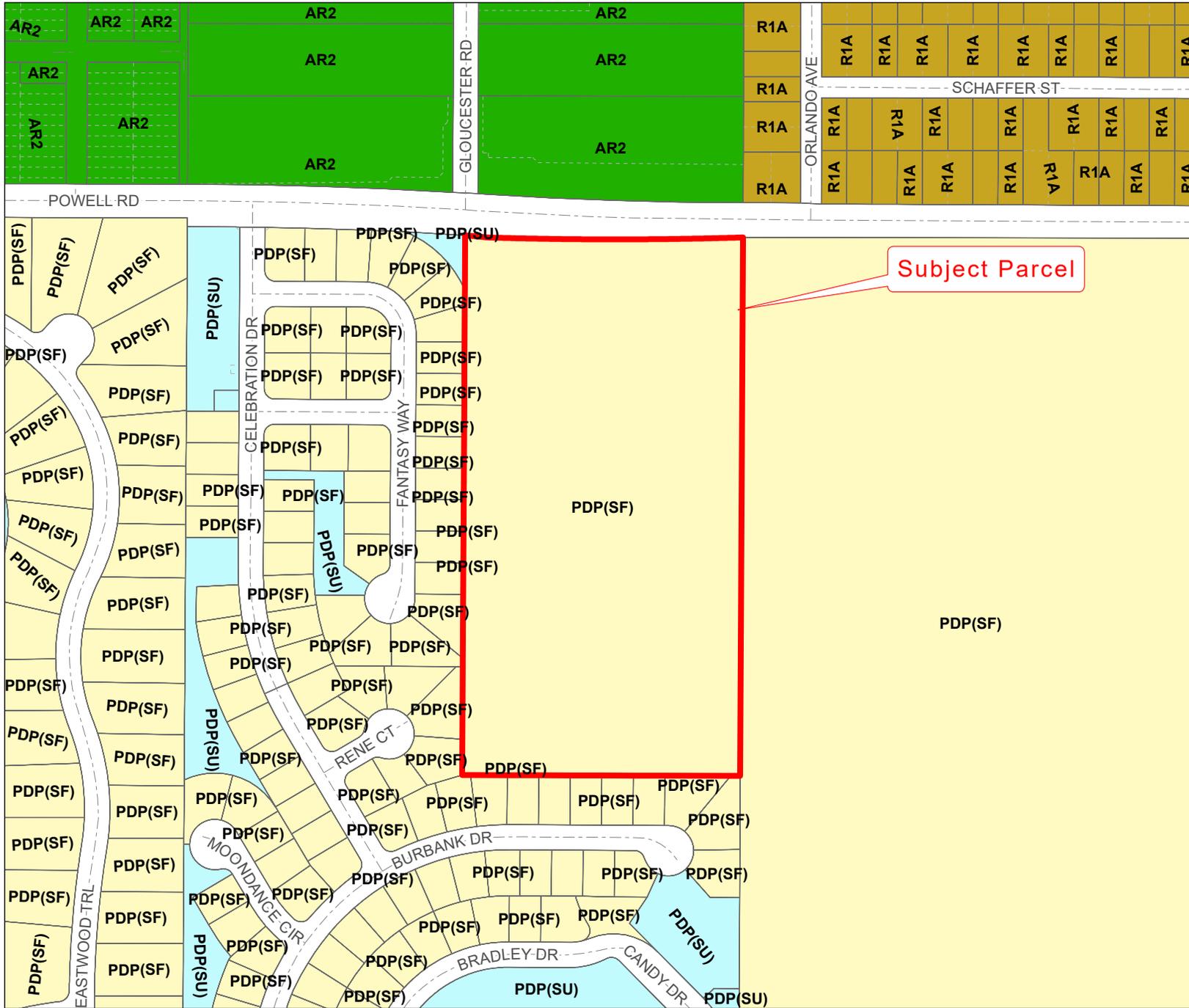
Photo date: 2020

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.



# CP 1451423

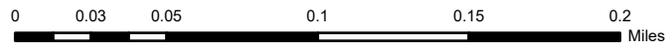
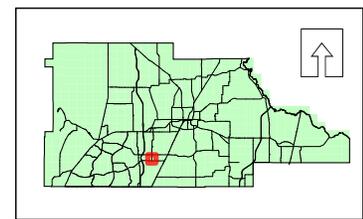
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



**Zoning:**

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: March 13, 2023

**APPLICANT:** Pulte Group

**FILE NUMBER:** 1451423

**PURPOSE:** Conditional Plat Approval for Valleybrook Subdivision

**GENERAL**

**LOCATION:** South side of Powell Road, approximately 1,600' west of California Street

**PARCEL KEY**

**NUMBER:** 377498

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The conditional plat for the Valleybrook Subdivision is for sixty-six (66) single family residential lots on approximately 19.47 +/- acres of undeveloped land, located south side of Powell Road, approximately 1,600' west of California St. west of and adjacent to California Street. The conditional plat has been reviewed by various County agencies and found to be consistent with County standards.

**STAFF RECOMMENDATION:**

It is recommended that the Planning and Zoning Commission approve the conditional plat of the Valleybrook Subdivision with the following performance conditions:

1. The conditional plat shall expire in two (2) years if no further approvals in the subdivision process are obtained.
2. The developer must conform to all Hernando County Facility Design Guidelines.
3. The petitioner shall provide a comprehensive listed species survey prepared by a qualified professional to identify any listed species present prior to clearing or development activities. The petitioner is required to comply with all applicable FWC regulations.
4. 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.

5. A certificate of concurrency has been issued by the planning department for all public facilities except schools. A finding of available capacity or a proportionate share mitigation agreement must be received prior to the approval of the construction drawings for the subject site.

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: August 8, 2022  
Board of County Commissioners: September 13, 2022

**APPLICANT:** Pulte Home Company, LLC

**FILE NUMBER:** H-22-19

**REQUEST:** Rezoning from AG/Agricultural) to PDP(SF)/Planned Development Project (Single Family) with deviations

**GENERAL LOCATION:** South side of Powell Road, approximately 1,600' west of California Street

**PARCEL KEY NUMBERS:** 377498

**PUBLIC INQUIRY WORKSHOP:** April 13, 2022

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### 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 subdivision with 68 units (3.49 DU/AC). The petitioner is proposing lot sizes consisting of 50' widths (6,000 Sq. Ft.) throughout the project.

#### **Deviations Requested:**

The following deviations are requested with this application:

- Waiver of the two means of access. A boulevard entrance is proposed as an alternative.
- Lot Width: 50' (deviation from 60')
- Minimum Setbacks:
  - Front 20' (deviation from 25')
  - Rear: 15' (deviation from 20')
  - Side: 5' (deviation from 10')

**PIW SUMMARY:**

On April 13, 2022, the petitioner held a public inquiry workshop to discuss the proposed project with the surrounding neighbors. The following is a summary of concerns brought forth by the 26 attending citizens:

- Traffic along Powell Road and concerns with Chocachatti Elementary drop-off and pick-up times.
- Pedestrian safety, especially for children walking to and from school.
- Citizen inquired about possible buffers along the western boundary
- Would the project have an HOA and what rules would the HOA have in place for the new project.
- Scheduling of project
- Noise associated with the development of the site

**SITE CHARACTERISTICS:**

**Site Size:** 19.47 acres

**Surrounding Zoning & Land Uses:**

North: AR; Undeveloped, Oakwood Acres  
South: PDP(SF); Deerfield Estates  
East: Chocachatti Elementary and Nature Coast  
West: PDP(SF); Deerfield Estates

**Current Zoning:** AG/(Agricultural)

**Future Land Use Map Designation:** Residential

**ENVIRONMENTAL REVIEW:**

**Soil Type:** Candler Fine Sand

**Habitat:** Sandhill identified as urban open forested 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 wildlife survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.

**Features/  
Resources:**

The subject site falls within a Wellhead Protection Area 2 (WHPA) according to County data resources.

**Comments:**

Residential uses with central services are allowed within Wellhead Protection Areas.

**Protection  
Features:**

There are no Special Protection Areas (SPA) according to County data resources.

**Archaeological  
Review:**

There are no archaeological/historical resources according to County data resources.

**Water Quality  
Review:**

The proposed development is within the Weeki Wachee Priority Focus Area for the Weeki Wachee River Basin Management Action Plan and subject to a nutrient Total Maximum Daily Load (TMDL) for nitrate. Providing information on Florida friendly landscaping techniques and proper fertilizer use is another opportunity to educate property owners on water quality. These materials are designed to address and help reduce nutrient pollution.

**Flood Zone:**

X

**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.

The developer must provide geotechnical and geophysical subsurface testing in accordance with the Hernando County Facility Design Guidelines, including all proposed drainage

retention areas (DRA) within the project to test for subsurface karst features.

**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.

**UTILITIES REVIEW:**

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to these parcels. There is an existing 12-inch water main that runs along the south side of Powell Road. There is an existing 6-inch sewer force main approximately 575 feet to the west at Celebration Drive. HCUD has no objection to the submitted zoning change subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction, with the stipulation that the developer will need to provide utility placement details showing the locations of all utilities on the conditional plat for lots with side setbacks of less than 10 feet.

**Comments:** It should be noted that there are existing capacity issues in this area; off-site improvements will be required for this project.

**ENGINEERING REVIEW:**

The subject site is located on the south side of Powell Road, approximately 1,600' west of California Street. The petitioner has proposed a single boulevard entrance. The project is proposed for 69 units; however, the petitioner has not indicated another means of access and is utilizing the boulevard entrance as an alternative.

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

- A Traffic Access Analysis including a queuing analysis has been completed and accepted by the County Engineer.

- As identified by the Traffic Access Analysis, a westbound left turn lane is warranted. A 400-foot westbound left turn lane is required to be provided on Powell Road at the project entrance.
- The internal subdivision roads will need to meet County standards.
- Driveways will need to meet County standards.
- This site is adjacent to Chocachatti Elementary School on the easterly property line. The site contains two areas of 1% annual chance floodplain.
- This project must also meet the storm drainage design requirements of Southwest Florida Water Management District and Hernando County Facility Design Guidelines.

**LAND USE REVIEW:**

**Setbacks, Lot Width and Sizes:**

The petitioner is proposing the following lot widths and sizes:

Lot Width: 50' (deviation from 60')  
Lot Size: 6,000 square feet

Proposed Building Setbacks:

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

**Comments:** The proposed 50' lots along the west and southern boundary are incompatible with the neighboring 75' wide (Deerfield Estate) lots. A Compatibility Analysis is provided herein, and consideration should be taken for a minimum of 60' lots along said boundaries.

**Buffers:**

The petitioner has indicated a 20' landscape buffer along the northern, southern, and eastern boundaries with a 50' natural vegetative buffer along the west. The proposed 50' buffer will be supplemented where necessary to achieve an 80% opacity.

**Comments:** If approved, the buffer shall be in conformance with the proposed master plan.

**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 proposed treed boulevard entrance from Powell Road and indicated the boulevard entrance would be utilized as an alternative to another mean of access due to limited site access. Staff does not consider the request adverse to the public interest and the County Engineer had no objections to the request.

**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 1.2-acre neighborhood park. The petitioner meets the minimum requirements of the County's LDRs.

**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) areas shall be allowed.

**Comments:** If approved, the petitioner must provide a minimum of five (5) percent 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.

**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 property is located within the Residential land use classification on the adopted Future Land Use Map.

**Future Land Use Map**

**Strategy 1.04A(3):** The **Residential Category** accommodates residential growth clustered in and around urbanized areas and those areas that maximize the efficient use of infrastructure contained in long-range facilities plans of the County.

**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.

**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.

**Strategy 1.04B(2):** Future residential development will be planned to locate where the Residential Category predominates on the Future Land Use Map as determined by the availability of facilities and services, the need to accommodate future growth, the strategies to discourage the proliferation of urban sprawl, and the impacts to natural resources, including groundwater.

**Single-Family Housing**

**Strategy 1.04B(3):** The Residential Category will include zoning for single-family housing, generally averaging a density of 2.5 dwelling units per gross acre to 6.0 dwelling units per gross acre comprised of varying lot sizes and dwelling unit types such as senior housing, villa housing, single family detached housing, and zero lot line housing.

**COMPATIBILITY ANALYSIS:**

The area is characterized by large AR/(Agricultural Residential) lots to the north, a school campus to the east and an established single-family subdivision (Deer Field Estates) to the west and south. Although the petitioner has proposed a 50' buffer along the western property line and a 20' along the south, consideration should be taken in reference to lot size compatibility.

**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(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:** Based on the forgoing Strategies and the necessity for compatibility through buffers and lot size transitions, it is recommended that lot sizes along the west and south property lines be a minimum of 60'. All other lots may remain as 50'

**FINDINGS OF FACT:**

The request for rezoning from AG/Agricultural) to PDP(SF)/Planned Development Project (Single Family) with deviations is appropriate based on the following conclusions:

1. The following requested deviations are justified with appropriate performance conditions:
  - Lot Width: 50' (for lots other than those along the west and south property lines)
  - Minimum Setbacks:
    - Front 20' (deviation from 25')
    - Rear: 15' (deviation from 20')
    - Side: 5' (deviation from 10')
  - Two Means of Access Policy
2. 60' lots should be placed along the west and south property lines in order to provide proper transition towards the larger Deerfield lots.
3. The proposed use is consistent with the County's adopted Comprehensive Plan and 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 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 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 AG/(Agricultural) to PDP(SF)/Planned Development Project (Single Family) 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. A 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 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.
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. Geotechnical subsurface testing and reporting in accordance with Hernando County's Facility Design Guidelines shall be conducted, including all proposed drainage retention areas within the project to test for subsurface karst features.
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. This project must meet the storm drainage design requirements of Southwest Florida Water Management District and Hernando County Facility Design Guidelines.
8. Minimum Lot Widths: 50' (for the project interior and eastern property line)  
60' (along the western and southern property line)
9. Minimum Lot Size: 6,000 square feet
10. Minimum Building Setbacks:
  - Front: 20' (deviation from 25')
  - Rear: 15' (deviation from 20')
  - Side: 5' (deviation from 10')

11. Landscape Buffers:
  - Powell Road: 20'
  - West: 50'
  - East: 20'
  - South: 20'
12. The petitioner shall provide the minimum neighborhood park acreage as required by the County's Land Development Regulations and ensure that this park is pedestrian-accessible for all residents within the development.
13. The petitioner shall preserve the minimum five percent (5%) 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.
14. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.
15. The developer shall provide a utility capacity analysis and shall connect to the central water and sewer systems at time of vertical construction. Furthermore, the developer will be required to provide utility placement details showing the locations of all utilities on the conditional plat for lots with side setbacks of less than 10 feet.
16. The petitioner shall be required to provide a treed boulevard entrance from Powel Road.
17. The petitioner shall provide a 400-foot westbound left turn lane along the project entrance.
18. 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 RECOMMENDATION:**

On August 8, 2022, the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for rezoning from AG/(Agricultural) to PDP(SF)/Planned Development Project (Single Family) with deviations and 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. A wildlife survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.
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  - Side: 5' (deviation from 10')
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The landscape buffers are all to be separate tracts, owned and maintained by the Homeowners' Association. The western and southern landscape buffers will include natural vegetation preserved and enhanced to 80% within 3 years of planting.
12. The petitioner shall provide the minimum neighborhood park acreage as required by the County's Land Development Regulations and ensure that this park is pedestrian-accessible for all residents within the development.
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16. The petitioner shall be required to provide a treed boulevard entrance from Powel Road.
17. The petitioner shall provide a 400-foot westbound left turn lane along the project entrance.
18. 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.

**BOCC ACTION:**

On September 13, 2022, the Board of County Commissioners voted 3-2 to adopt Resolution 2022-166 approving the petitioner's request for rezoning from AG/(Agricultural) to PDP(SF)/Planned Development Project (Single Family) with deviations and 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. A wildlife survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.
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17. The petitioner shall provide a 400-foot westbound left turn lane along the project entrance.
18. 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.
19. **Developer must let the homeowners know that they live next to a school which means noise.**
20. **Petitioner will work with the County Engineer to determine turn lanes.**



## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 03/13/2023  
Department: Planning  
Prepared By: akidd  
Initiator: Aaron Pool  
DOC ID: 11903  
Legal Request Number:  
Bid/Contract Number:

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#### TITLE

CP 1451423- Valleybrook Conditional Plat

#### BRIEF OVERVIEW

Conditional Plat approval for Valleybrook

#### FINANCIAL IMPACT

A matter of policy. No financial impact.

#### LEGAL NOTE

The Planning and Zoning Commission has the authority to review this item in accordance with Chapter 26 (Subdivision Regulations), Article II (Procedures for County review and approval), Section 26-21 (procedure for conditional approval of a conditional plat) of the Hernando County Code of ordinances.

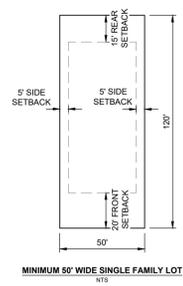
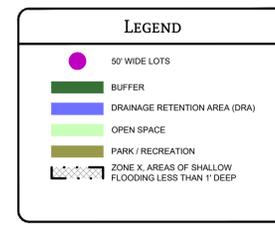
#### RECOMMENDATION

Valleybrook with performance conditions.

#### REVIEW PROCESS

Alaina Kidd	Approved	02/21/2023	10:52 AM
Omar DePablo	Approved	02/23/2023	11:30 AM
Michelle Miller	Approved	02/24/2023	4:24 PM
Aaron Pool	Approved	02/24/2023	4:59 PM

T:\Projects\181-01\Karak\Task\Drawings\181-01-03\_Conditional Plat\Current Plans\181-01-03-01\_Conditional Plat.dwg  
 12/14/2022 8:12:18 AM PLOTTED BY: hanson.wilson



**SITE DATA**  
 OWNER:  
 KARLIK SUSAN TRUST  
 134 VOLLERS DR  
 BRANCHBURG, NJ 08876  
 APPLICANT:  
 PULTE HOME COMPANY, LLC  
 2602 FALKENBURG ROAD  
 RIVERVIEW, FL 33578  
 PARCEL KEY NO(S): 00377408  
 SECTION/TOWNSHIP/RANGE: 13-23-18  
 CURRENT ZONING: PDP(SF)  
 AREA: 19.48 AC.  
 PROPOSED NO. OF LOTS: 66  
 LOT WIDTH & SIZE:  
 MIN. LOT WIDTH: 50' (DEVIATION FROM 60')  
 MIN. LOT SIZE: 6,000 SQUARE FEET  
 BUILDING SETBACKS:  
 FRONT: 20' (DEVIATION FROM 25')  
 REAR: 15' (DEVIATION FROM 20')  
 SIDE: 5' (DEVIATION FROM 10')

**BUFFERS:**  
 A 20' LANDSCAPE BUFFER IS PROPOSED ALONG THE NORTHERN AND EASTERN BOUNDARIES. A 50' NATURAL VEGETATIVE BUFFER IS PROPOSED ALONG THE WESTERN BOUNDARY ADJACENT TO THE PROPOSED HOMES AND A 20' NATURAL VEGETATIVE BUFFER IS PROPOSED ALONG THE SOUTHERN BOUNDARY. THE WESTERN AND SOUTHERN LANDSCAPE BUFFERS WILL INCLUDE NATURAL VEGETATION PRESERVED AND ENHANCED TO 80% OPACITY WITHIN 3 YEARS OF PLANTING. WHERE SITE GRADING REQUIRES THE REMOVAL OF NATURAL VEGETATION, A VEGETATIVE BUFFER WILL BE LANDSCAPED WITHIN THE BUFFER TRACT CONSISTING OF VEGETATION AND OPACITY CONSISTENT WITH COUNTY STANDARDS AND THE ABOVE MENTIONED ZONING CONDITIONS.

**FLOOD PLAN:**  
 THE PROJECT SITE IS LOCATED IN ZONE "X" PER FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 12050033 (DATED 02/20/12). THE PROJECT SITE CONTAINS SMALL AREAS OF SHALLOW FLOODING LESS THAN 1' DEEP.

NO WETLANDS AND/OR SURFACE WATERS ARE PRESENT.

**FIRE PROTECTION:**  
 FIRE HYDRANTS WILL BE PLACED THROUGHOUT THE COMMUNITY AT A MINIMUM OF 500' CURB LINE DISTANCE INTERVALS WHICH IS CONSISTENT WITH COUNTY STANDARDS. THE PORTABLE WATER SYSTEM WILL BE DESIGNED TO PROVIDE A MINIMUM OF 1,000 GPM FOR USE IN FIREFIGHTING AS REQUIRED BY NFPA GUIDELINES AND AS REQUIRED BY HERNANDO COUNTY.

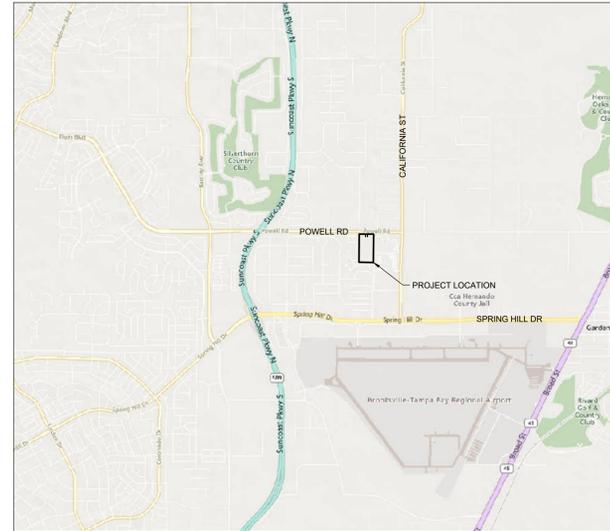
**OWNERSHIP:**  
 BUFFERS, DRA'S, OPEN SPACES, AND PARK AREAS WILL BE SEPARATE TRACTS, OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.

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 RECORDATION 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 SIZE AND LOCATION WILL BE DETERMINED WITH FINAL ENGINEERING DESIGN.

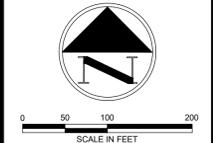
CURVE TABLE					
CURVE No.	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	78.54'	50.00'	90°00'00"	S45° 18' 01"W	70.71'
C2	78.54'	50.00'	90°00'00"	N44° 41' 59"W	70.71'
C3	78.40'	50.00'	89°50'10"	N45° 13' 04"E	70.61'

LAND USE TABLE			
LAND USE	ACRES	DWELLING UNITS / REQ'D AC.	DENSITY
SINGLE FAMILY	9.37	66	
PARK	1.16	1.16	
NATURAL PRESERVATION/BUFFER	1.35	0.97	
ROADS/ROW	3.20		
OPEN SPACE, DRA'S & BUFFER TRACTS	4.40		
TOTAL AREA	19.48		APPROX. 3.39 UNITS/AC



**LEVELUP CONSULTING, LLC**

505 E. JACKSON STREET  
 SUITE 200  
 TAMPA, FLORIDA 33602  
 OFFICE: 813-375-0616  
 WWW.LEVELUPFLORIDA.COM



CONSTRUCTION PLAN REVISIONS	REV	DATE	REVISION PER COUNTY COMMENTS
	01	12/13/22	

**VALLEYBROOK**

CLIENT: PULTE HOME COMPANY, INC.

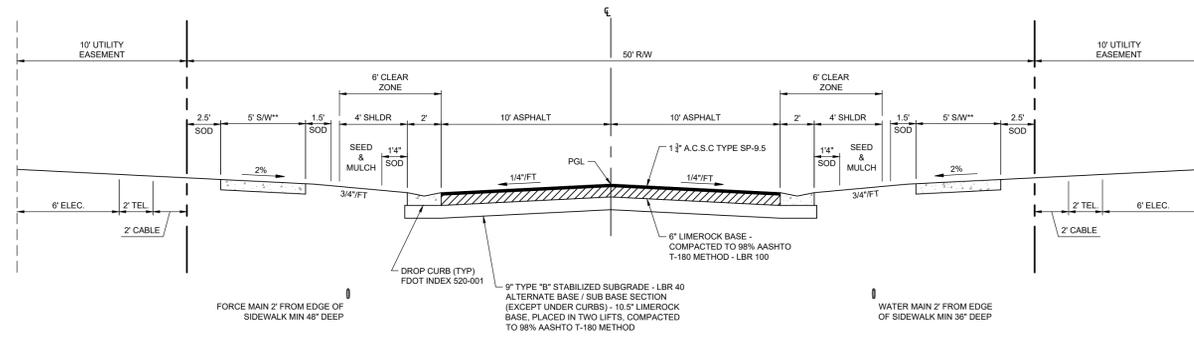
CONDITIONAL PLAT

Engineering Business Certificate of Authorization No. 32771  
 Florida Certificate of Authorization No. LC26050638

**BRANDON S. WILSON**  
 FLORIDA LICENSED PROFESSIONAL ENGINEER  
 REGISTRATION NUMBER 79423

PROJECT No. 181-01-03  
 SHEET 1 OF 3

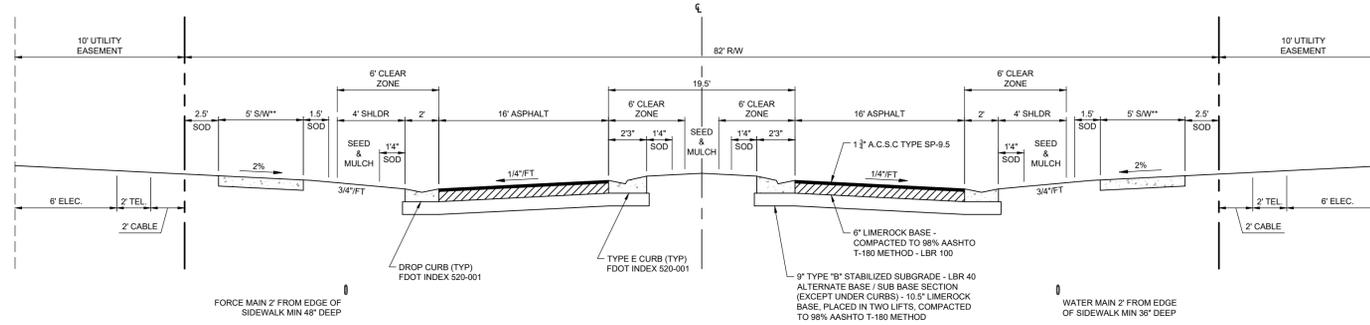
LOCAL ROAD - CLOSED DRAINAGE  
 DESIGN SPEED = 30 MPH\*  
 HERNANDO COUNTY ROADWAY STANDARD DETAIL (IV-05)



TYPICAL SECTION  
 NOT TO SCALE

GENERAL NOTES:  
 DESIGN SPEED, RIGHT-OF-WAY, AND ROADSIDE DIMENSIONS ARE MINIMUMS. SITE CONDITION MAY REQUIRE INCREASES.  
 \* VARIANCE IN HORIZONTAL DESIGN SPEED ALLOWED WITH JUSTIFICATION AND APPROPRIATE SIGNAGE  
 \*\* SIDEWALKS IF APPLICABLE  
 ALL DIMENSIONS & LABELS ARE TYPICAL

LOCAL BOULEVARD ENTRANCE - CLOSED DRAINAGE  
 DESIGN SPEED = 30 MPH\*



TYPICAL SECTION  
 NOT TO SCALE

GENERAL NOTES:  
 DESIGN SPEED, RIGHT-OF-WAY, AND ROADSIDE DIMENSIONS ARE MINIMUMS. SITE CONDITION MAY REQUIRE INCREASES.  
 \* VARIANCE IN HORIZONTAL DESIGN SPEED ALLOWED WITH JUSTIFICATION AND APPROPRIATE SIGNAGE  
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 ALL DIMENSIONS & LABELS ARE TYPICAL

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 CONSULTING, LLC



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NOT TO SCALE

CONSTRUCTION PLAN REVISIONS	REV	DATE	REVISIONS
	01	12/13/22	REVISED PER COUNTY COMMENTS

VALLEYBROOK

CLIENT: PULTE HOME COMPANY, INC.

TYPICAL ROADWAY SECTIONS

Engineering Business Certificate of Authorization No. 32771  
 Florida Certificate of Authorization No. LC26006638



BRANDON S. WILSON  
 FLORIDA LICENSED PROFESSIONAL ENGINEER  
 REGISTRATION NUMBER 79423

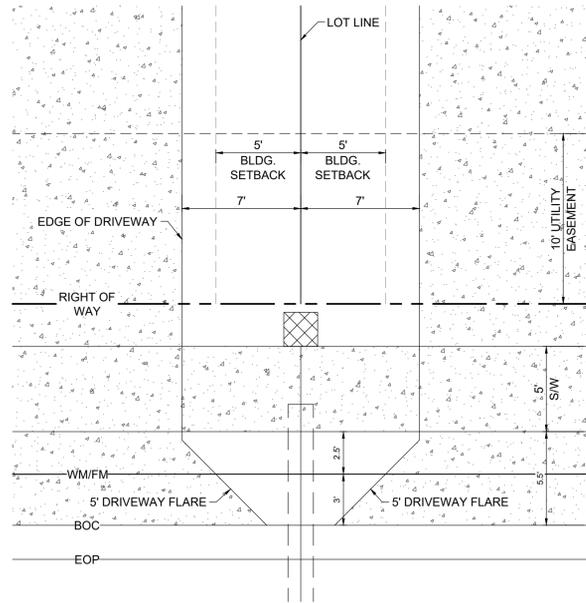
PROJECT No. 181-01-03

SHEET 2 OF 3

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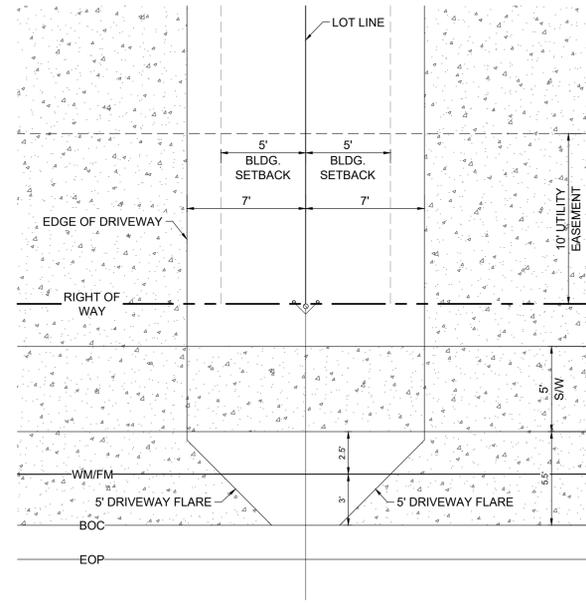
WATER SERVICE LOCATION W/ 5' SIDE YARD SETBACKS

NOT TO SCALE



SEWER SERVICE LOCATION W/ 5' SIDE YARD SETBACKS

NOT TO SCALE



LEVELUP CONSULTING, LLC



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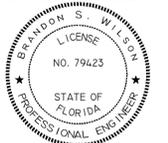


CONSTRUCTION PLAN REVISIONS	REV	DATE	REVISIONS
Δ	01	12/13/22	REVISED PER COUNTY COMMENTS

VALLEYBROOK

CLIENT: PULTE HOME COMPANY, INC.  
UTILITY DETAILS

Engineering Business Certificate of Authorization No. 32771  
Florida Certificate of Authorization No. LC2696633



BRANDON S. WILSON  
FLORIDA LICENSED PROFESSIONAL ENGINEER  
REGISTRATION NUMBER 79423

PROJECT No. 181-01-03

SHEET 3 OF 3

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12/13/22 8:13:13 AM PLOTTED BY: brandon.wilson

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: March 13, 2023

**APPLICANT:** Pulte Group

**FILE NUMBER:** 1451423

**PURPOSE:** Conditional Plat Approval for Valleybrook Subdivision

**GENERAL**

**LOCATION:** South side of Powell Road, approximately 1,600' west of California Street

**PARCEL KEY**

**NUMBER:** 377498

---

The conditional plat for the Valleybrook Subdivision is for sixty-six (66) single family residential lots on approximately 19.47 +/- acres of undeveloped land, located south side of Powell Road, approximately 1,600' west of California St. west of and adjacent to California Street. The conditional plat has been reviewed by various County agencies and found to be consistent with County standards.

**STAFF RECOMMENDATION:**

It is recommended that the Planning and Zoning Commission approve the conditional plat of the Valleybrook Subdivision with the following performance conditions:

1. The conditional plat shall expire in two (2) years if no further approvals in the subdivision process are obtained.
2. The developer must conform to all Hernando County Facility Design Guidelines.
3. The petitioner shall provide a comprehensive listed species survey prepared by a qualified professional to identify any listed species present prior to clearing or development activities. The petitioner is required to comply with all applicable FWC regulations.
4. 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.

5. A certificate of concurrency has been issued by the planning department for all public facilities except schools. A finding of available capacity or a proportionate share mitigation agreement must be received prior to the approval of the construction drawings for the subject site.

# CP 1451423

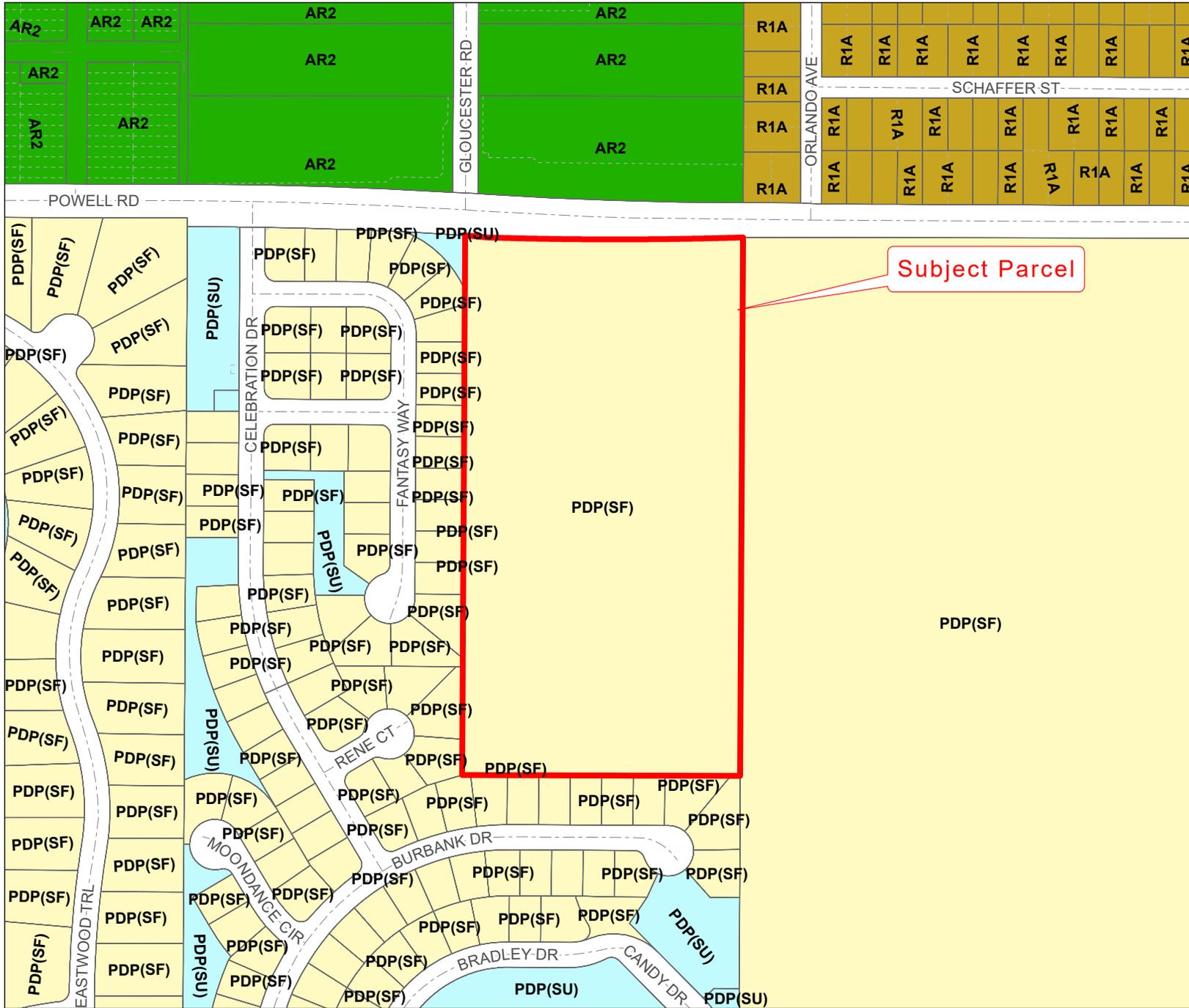
Photo date: 2020

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.



# CP 1451423

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.

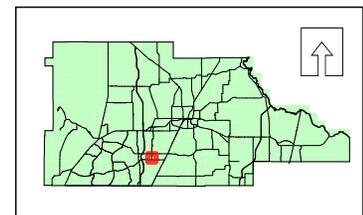


Subject Parcel

### Zoning:

- |  |          |
|--|----------|
|  | PDP(HC)  |
|  | AC       |
|  | PDP(HHC) |
|  | PDP(HID) |
|  | AG       |
|  | PDP(IND) |
|  | AR       |
|  | PDP(LI)  |
|  | AR1      |
|  | PDP(MF)  |
|  | AR2      |
|  | PDP(MH)  |
|  | C1       |
|  | PDP(MF)  |
|  | C2       |
|  | PDP(NC)  |
|  | C3       |
|  | PDP(OP)  |
|  | C4       |
|  | PDP(PSF) |
|  | CITY     |
|  | CM1      |
|  | PDP(REC) |
|  | CM2      |
|  | PDP(RR)  |
|  | CPDP     |
|  | PDP(RUR) |
|  | CV       |
|  | PDP(SF)  |
|  | I1       |
|  | PDP(SU)  |
|  | I2       |
|  | R1A      |
|  | M        |
|  | R1B      |
|  | OP       |
|  | R1C      |
|  | PDP(AF)  |
|  | R1MH     |
|  | PDP(CM)  |
|  | R2       |
|  | PDP(CP)  |
|  | R2.5     |
|  | PDP(GC)  |
|  | R3       |
|  | PDP(GHC) |
|  | RC       |
|  | RM       |

City Zoning Pending



## STAFF REPORT

---

**HEARINGS:** Planning & Zoning Commission: August 8, 2022  
Board of County Commissioners: September 13, 2022

**APPLICANT:** Pulte Home Company, LLC

**FILE NUMBER:** H-22-19

**REQUEST:** Rezoning from AG/Agricultural) to PDP(SF)/Planned Development Project (Single Family) with deviations

**GENERAL LOCATION:** South side of Powell Road, approximately 1,600' west of California Street

**PARCEL KEY NUMBERS:** 377498

**PUBLIC INQUIRY WORKSHOP:** April 13, 2022

---

### 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 subdivision with 68 units (3.49 DU/AC). The petitioner is proposing lot sizes consisting of 50' widths (6,000 Sq. Ft.) throughout the project.

#### **Deviations Requested:**

The following deviations are requested with this application:

- Waiver of the two means of access. A boulevard entrance is proposed as an alternative.
- Lot Width: 50' (deviation from 60')
- Minimum Setbacks:
  - Front 20' (deviation from 25')
  - Rear: 15' (deviation from 20')
  - Side: 5' (deviation from 10')

**PIW SUMMARY:**

On April 13, 2022, the petitioner held a public inquiry workshop to discuss the proposed project with the surrounding neighbors. The following is a summary of concerns brought forth by the 26 attending citizens:

- Traffic along Powell Road and concerns with Chocachatti Elementary drop-off and pick-up times.
- Pedestrian safety, especially for children walking to and from school.
- Citizen inquired about possible buffers along the western boundary
- Would the project have an HOA and what rules would the HOA have in place for the new project.
- Scheduling of project
- Noise associated with the development of the site

**SITE CHARACTERISTICS:**

**Site Size:** 19.47 acres

**Surrounding Zoning & Land Uses:**

North: AR; Undeveloped, Oakwood Acres  
South: PDP(SF); Deerfield Estates  
East: Chocachatti Elementary and Nature Coast  
West: PDP(SF); Deerfield Estates

**Current Zoning:** AG/(Agricultural)

**Future Land Use Map Designation:** Residential

**ENVIRONMENTAL REVIEW:**

**Soil Type:** Candler Fine Sand

**Habitat:** Sandhill identified as urban open forested 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 wildlife survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.

**Features/  
Resources:**

The subject site falls within a Wellhead Protection Area 2 (WHPA) according to County data resources.

**Comments:**

Residential uses with central services are allowed within Wellhead Protection Areas.

**Protection  
Features:**

There are no Special Protection Areas (SPA) according to County data resources.

**Archaeological  
Review:**

There are no archaeological/historical resources according to County data resources.

**Water Quality  
Review:**

The proposed development is within the Weeki Wachee Priority Focus Area for the Weeki Wachee River Basin Management Action Plan and subject to a nutrient Total Maximum Daily Load (TMDL) for nitrate. Providing information on Florida friendly landscaping techniques and proper fertilizer use is another opportunity to educate property owners on water quality. These materials are designed to address and help reduce nutrient pollution.

**Flood Zone:**

X

**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.

The developer must provide geotechnical and geophysical subsurface testing in accordance with the Hernando County Facility Design Guidelines, including all proposed drainage

retention areas (DRA) within the project to test for subsurface karst features.

**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.

**UTILITIES REVIEW:**

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to these parcels. There is an existing 12-inch water main that runs along the south side of Powell Road. There is an existing 6-inch sewer force main approximately 575 feet to the west at Celebration Drive. HCUD has no objection to the submitted zoning change subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction, with the stipulation that the developer will need to provide utility placement details showing the locations of all utilities on the conditional plat for lots with side setbacks of less than 10 feet.

**Comments:** It should be noted that there are existing capacity issues in this area; off-site improvements will be required for this project.

**ENGINEERING REVIEW:**

The subject site is located on the south side of Powell Road, approximately 1,600' west of California Street. The petitioner has proposed a single boulevard entrance. The project is proposed for 69 units; however, the petitioner has not indicated another means of access and is utilizing the boulevard entrance as an alternative.

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

- A Traffic Access Analysis including a queuing analysis has been completed and accepted by the County Engineer.

- As identified by the Traffic Access Analysis, a westbound left turn lane is warranted. A 400-foot westbound left turn lane is required to be provided on Powell Road at the project entrance.
- The internal subdivision roads will need to meet County standards.
- Driveways will need to meet County standards.
- This site is adjacent to Chocachatti Elementary School on the easterly property line. The site contains two areas of 1% annual chance floodplain.
- This project must also meet the storm drainage design requirements of Southwest Florida Water Management District and Hernando County Facility Design Guidelines.

**LAND USE REVIEW:**

**Setbacks, Lot Width and Sizes:**

The petitioner is proposing the following lot widths and sizes:

Lot Width: 50' (deviation from 60')  
Lot Size: 6,000 square feet

Proposed Building Setbacks:

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

**Comments:** The proposed 50' lots along the west and southern boundary are incompatible with the neighboring 75' wide (Deerfield Estate) lots. A Compatibility Analysis is provided herein, and consideration should be taken for a minimum of 60' lots along said boundaries.

**Buffers:**

The petitioner has indicated a 20' landscape buffer along the northern, southern, and eastern boundaries with a 50' natural vegetative buffer along the west. The proposed 50' buffer will be supplemented where necessary to achieve an 80% opacity.

**Comments:** If approved, the buffer shall be in conformance with the proposed master plan.

**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 proposed treed boulevard entrance from Powell Road and indicated the boulevard entrance would be utilized as an alternative to another mean of access due to limited site access. Staff does not consider the request adverse to the public interest and the County Engineer had no objections to the request.

**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 1.2-acre neighborhood park. The petitioner meets the minimum requirements of the County's LDRs.

**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) areas shall be allowed.

**Comments:** If approved, the petitioner must provide a minimum of five (5) percent 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.

**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 property is located within the Residential land use classification on the adopted Future Land Use Map.

**Future Land Use Map**

**Strategy 1.04A(3):** The ***Residential Category*** accommodates residential growth clustered in and around urbanized areas and those areas that maximize the efficient use of infrastructure contained in long-range facilities plans of the County.

**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.

**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.

**Strategy 1.04B(2):** Future residential development will be planned to locate where the Residential Category predominates on the Future Land Use Map as determined by the availability of facilities and services, the need to accommodate future growth, the strategies to discourage the proliferation of urban sprawl, and the impacts to natural resources, including groundwater.

**Single-Family Housing**

**Strategy 1.04B(3):** The Residential Category will include zoning for single-family housing, generally averaging a density of 2.5 dwelling units per gross acre to 6.0 dwelling units per gross acre comprised of varying lot sizes and dwelling unit types such as senior housing, villa housing, single family detached housing, and zero lot line housing.

**COMPATIBILITY ANALYSIS:**

The area is characterized by large AR/(Agricultural Residential) lots to the north, a school campus to the east and an established single-family subdivision (Deer Field Estates) to the west and south. Although the petitioner has proposed a 50' buffer along the western property line and a 20' along the south, consideration should be taken in reference to lot size compatibility.

**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(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:** Based on the forgoing Strategies and the necessity for compatibility through buffers and lot size transitions, it is recommended that lot sizes along the west and south property lines be a minimum of 60'. All other lots may remain as 50'

**FINDINGS OF FACT:**

The request for rezoning from AG/Agricultural) to PDP(SF)/Planned Development Project (Single Family) with deviations is appropriate based on the following conclusions:

1. The following requested deviations are justified with appropriate performance conditions:
  - Lot Width: 50' (for lots other than those along the west and south property lines)
  - Minimum Setbacks:
    - Front 20' (deviation from 25')
    - Rear: 15' (deviation from 20')
    - Side: 5' (deviation from 10')
  - Two Means of Access Policy
2. 60' lots should be placed along the west and south property lines in order to provide proper transition towards the larger Deerfield lots.
3. The proposed use is consistent with the County's adopted Comprehensive Plan and 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 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 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 AG/(Agricultural) to PDP(SF)/Planned Development Project (Single Family) 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. A 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 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.
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. Geotechnical subsurface testing and reporting in accordance with Hernando County's Facility Design Guidelines shall be conducted, including all proposed drainage retention areas within the project to test for subsurface karst features.
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. This project must meet the storm drainage design requirements of Southwest Florida Water Management District and Hernando County Facility Design Guidelines.
8. Minimum Lot Widths: 50' (for the project interior and eastern property line)  
60' (along the western and southern property line)
9. Minimum Lot Size: 6,000 square feet
10. Minimum Building Setbacks:
  - Front: 20' (deviation from 25')
  - Rear: 15' (deviation from 20')
  - Side: 5' (deviation from 10')

11. Landscape Buffers:
  - Powell Road: 20'
  - West: 50'
  - East: 20'
  - South: 20'
12. The petitioner shall provide the minimum neighborhood park acreage as required by the County's Land Development Regulations and ensure that this park is pedestrian-accessible for all residents within the development.
13. The petitioner shall preserve the minimum five percent (5%) 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.
14. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.
15. The developer shall provide a utility capacity analysis and shall connect to the central water and sewer systems at time of vertical construction. Furthermore, the developer will be required to provide utility placement details showing the locations of all utilities on the conditional plat for lots with side setbacks of less than 10 feet.
16. The petitioner shall be required to provide a treed boulevard entrance from Powel Road.
17. The petitioner shall provide a 400-foot westbound left turn lane along the project entrance.
18. 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 RECOMMENDATION:**

On August 8, 2022, the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for rezoning from AG/(Agricultural) to PDP(SF)/Planned Development Project (Single Family) with deviations and 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. A 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 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.
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. Geotechnical subsurface testing and reporting in accordance with Hernando County's Facility Design Guidelines shall be conducted, including all proposed drainage retention areas within the project to test for subsurface karst features.
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. This project must meet the storm drainage design requirements of Southwest Florida Water Management District and Hernando County Facility Design Guidelines.
8. Minimum Lot Widths: 50' ~~(for the project interior and eastern property line)~~  
~~60' (along the western and southern property line)~~
9. Minimum Lot Size: 6,000 square feet
10. Minimum Building Setbacks:
  - Front: 20' (deviation from 25')
  - Rear: 15' (deviation from 20')
  - Side: 5' (deviation from 10')
11. Landscape Buffers:
  - Powell Road: 20'
  - West: 50'
  - East: 20'
  - South: 20'

The landscape buffers are all to be separate tracts, owned and maintained by the Homeowners' Association. The western and southern landscape buffers will include natural vegetation preserved and enhanced to 80% within 3 years of planting.
12. The petitioner shall provide the minimum neighborhood park acreage as required by the County's Land Development Regulations and ensure that this park is pedestrian-accessible for all residents within the development.
13. The petitioner shall preserve the minimum five percent (5%) 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.
14. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.
15. The developer shall provide a utility capacity analysis and shall connect to the central water and sewer systems at time of vertical construction. Furthermore, the developer will be required to provide utility placement details showing the locations of all utilities on the conditional plat for lots with side setbacks of less than 10 feet.

16. The petitioner shall be required to provide a treed boulevard entrance from Powel Road.
17. The petitioner shall provide a 400-foot westbound left turn lane along the project entrance.
18. 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.

**BOCC ACTION:**

On September 13, 2022, the Board of County Commissioners voted 3-2 to adopt Resolution 2022-166 approving the petitioner's request for rezoning from AG/(Agricultural) to PDP(SF)/Planned Development Project (Single Family) with deviations and 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. A 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 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.
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. Geotechnical subsurface testing and reporting in accordance with Hernando County's Facility Design Guidelines shall be conducted, including all proposed drainage retention areas within the project to test for subsurface karst features.
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7. This project must meet the storm drainage design requirements of Southwest Florida Water Management District and Hernando County Facility Design Guidelines.
8. Minimum Lot Widths: 50' ~~(for the project interior and eastern property line)~~  
60' ~~(along the western and southern property line)~~
9. Minimum Lot Size: 6,000 square feet
10. Minimum Building Setbacks:
  - Front: 20' (deviation from 25')
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11. Landscape Buffers:
  - Powell Road: 20'
  - West: 50'
  - East: 20'
  - South: 20'

The landscape buffers are all to be separate tracts, owned and maintained by the Homeowners' Association. The western and southern landscape buffers will include natural vegetation preserved and enhanced to 80% within 3 years of planting.

12. The petitioner shall provide the minimum neighborhood park acreage as required by the County's Land Development Regulations and ensure that this park is pedestrian-accessible for all residents within the development.
13. The petitioner shall preserve the minimum five percent (5%) 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.
14. The petitioner shall submit a fire protection plan with the conditional plat in accordance with Hernando County LDRs.
15. The developer shall provide a utility capacity analysis and shall connect to the central water and sewer systems at time of vertical construction. Furthermore, the developer will be required to provide utility placement details showing the locations of all utilities on the conditional plat for lots with side setbacks of less than 10 feet.
16. The petitioner shall be required to provide a treed boulevard entrance from Powel Road.

17. The petitioner shall provide a 400-foot westbound left turn lane along the project entrance.
18. 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.
19. **Developer must let the homeowners know that they live next to a school which means noise.**
20. **Petitioner will work with the County Engineer to determine turn lanes.**



## Planning & Zoning Commission

Meeting: 03/13/2023  
Department: Planning  
Prepared By: akidd  
Initiator: AARON POOL  
DOC ID: 11902  
Legal Request Number:  
Bid/Contract Number:

### AGENDA ITEM

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#### TITLE

CP 1436707- Whiting Estates Phase II Conditional Plat

#### BRIEF OVERVIEW

Conditional Plat approval for Whiting Estates Phase II

#### FINANCIAL IMPACT

A matter of policy. No financial impact.

#### LEGAL NOTE

The Planning and Zoning Commission has the authority to review this item in accordance with Chapter 26 (Subdivision Regulations), Article II (Procedures for County review and approval), Section 26-21 (procedure for conditional approval of a conditional plat) of the Hernando County Code of ordinances.

#### RECOMMENDATION

Whiting Estates Phase II with performance conditions.

#### REVIEW PROCESS

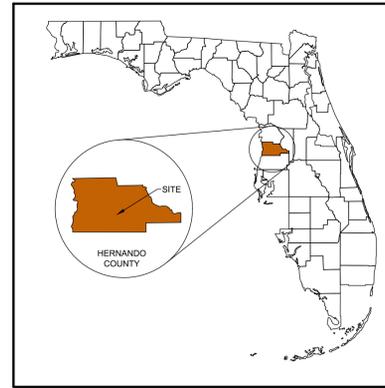
Alaina Kidd	Approved	02/21/2023 10:39 AM
Omar DePablo	Approved	02/23/2023 11:30 AM
Michelle Miller	Approved	02/24/2023 4:24 PM
Aaron Pool	Approved	02/24/2023 4:59 PM

# WHITING ESTATES PHASE II

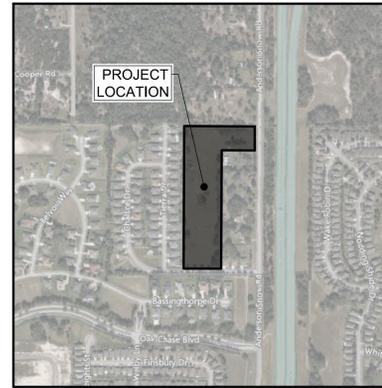
A PROPERTY LOCATED IN  
SECTION 34, TOWNSHIP 23 SOUTH, RANGE 18 EAST  
HERNANDO COUNTY, FLORIDA

### LEGAL DESCRIPTION

THE SOUTH 150.27 FEET OF THE NORTH 210.27 FEET OF THE EAST 1/2 OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 23 SOUTH, RANGE 18 EAST, HERNANDO COUNTY, FLORIDA, LESS THE EAST 40 FEET FOR ROAD RIGHT-OF-WAY.



Vicinity Map  
NOT TO SCALE



Location Map  
NOT TO SCALE

SHEET INDEX	
SHEET NO.	SHEET TITLE
1	COVER SHEET
2	CONDITIONAL PLAT

### SITE DATA

SITE ADDRESSES: 1037 ANDERSON SNOW RD  
SPRING HILL, FL 34609

PARCEL KEY NO.: 379101

SITE AREA: 10.84 AC±

ZONING: PDP (SF) H-21-57  
FUTURE LAND USE: RESIDENTIAL

EXISTING USE: RESIDENTIAL  
PROPOSED USE: 29 SINGLE FAMILY LOT RESIDENTIAL

DENSITY: 29 UNITS / 10.84 AC = 2.68 DU / AC

OPEN SPACE: 6.58 AC±

NATURAL VEGETATION: 5% MIN.

BUILDING SETBACKS:  
FRONT: 20'  
SIDE: 7.5'  
REAR: 20'

MINIMUM LOT WIDTH: 75'  
MINIMUM LOT SIZE: 10,500 SF  
MAXIMUM NUMBER OF UNITS: 30

STORMWATER POND: HOA  
FIRE PROTECTION: HERNANDO COUNTY  
WATER SERVICE: HERNANDO COUNTY  
WASTEWATER SERVICE: HERNANDO COUNTY  
ROAD: HERNANDO COUNTY

FEMA:  
THE PROPERTY DESCRIBED HEREON IS LOCATED IN FLOOD ZONE "X" & "A" PER FLOOD INSURANCE RATE MAP NO. 12053C0328D, COMMUNITY NO. 120110, PANEL 0328D, EFFECTIVE DATE 02/02/2012.

HERNANDO COUNTY:  
THE PROPERTY IS LOCATED WITHIN THE PITHLACHASCOTEE RIVER / BEAR CREEK WATERSHED. THE PROPERTY (NODE NC9357) HAS A FLOOD ELEVATION OF 59.52' (NAVD88). THE ADJACENT PROPERTY (NODE NC9358) HAS A FLOOD ELEVATION OF 62.19' (NAVD88), WHICH ENROACHES ONTO THE SUBJECT PROPERTY.

### IMPROVEMENTS

- 50' PUBLIC R-O-W:
- SIDEWALK
- CURB
- ROADWAY
- WATER MAIN DISTRIBUTION SYSTEM
- SANITARY SEWER COLLECTION SYSTEM
- STORMWATER CONVEYANCE SYSTEM
- STREET TREES & LANDSCAPING

REVISIONS:  
2024-12-12 REV. PER HERNANDO COUNTY COMMENTS (TT)  
2024-12-18 REV. PER HERNANDO COUNTY COMMENTS (JAN)

DATE: 2024-01-07  
DRAWN BY: KNR  
CHECKED BY: TCA  
JOB NO.: 2210049

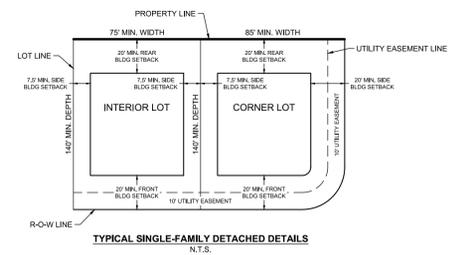
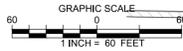
TODD C. AMADEN No. 59967  
PROFESSIONAL ENGINEER

WHITING ESTATES PHASE II  
HERNANDO COUNTY, FLORIDA  
COVER SHEET

WILLIAM RYAN HOMES  
3925 COCONUT PALM DR., SUITE 117  
TAMPA, FL 33619  
PHONE: (813) 627-9040

**LANDMARK**  
Engineering & Surveying Corporation  
8515 Palm River Road | Tampa, Florida 33619  
(813) 621-7841 (813) 664-1832 (fax)  
www.llesc.com | C.A. # 28014

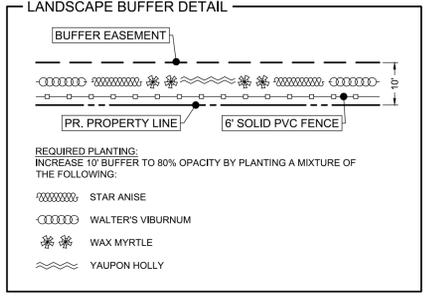
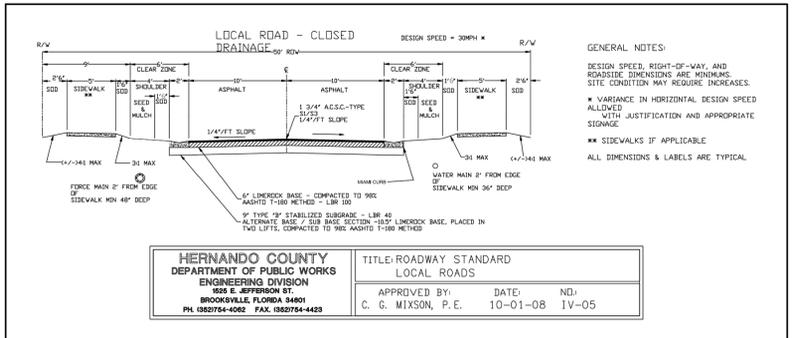
1



**STREET LIGHTING NOTES**

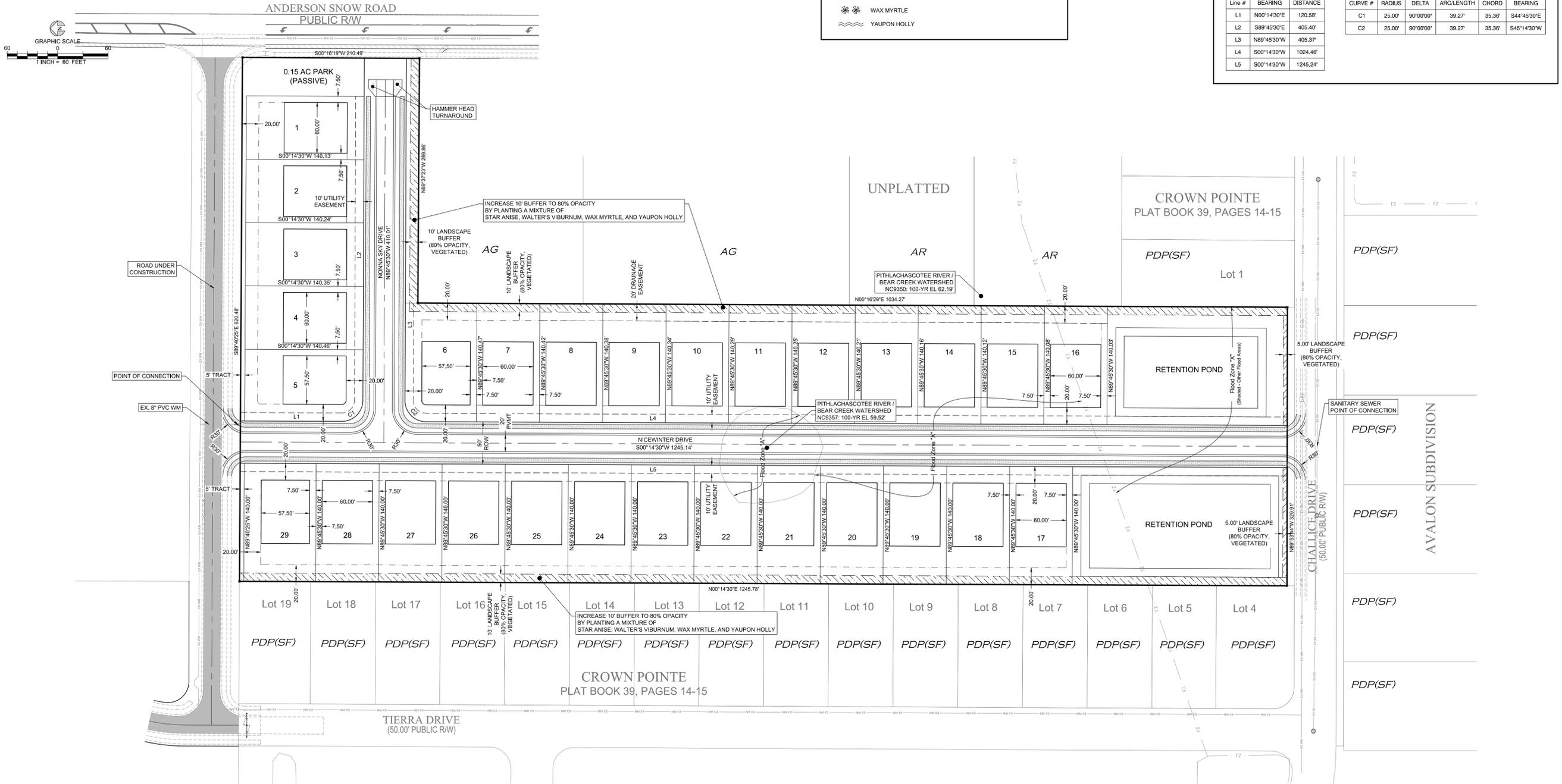
DEVELOPER (OR THEIR REPRESENTATIVE) TO SCHEDULE A SITE MEETING WITH HCUD AND THE POWER COMPANY TO DISCUSS LIGHT POLE PLACEMENT PRIOR TO INSTALLATION TO RESOLVE CONFLICTS WITH THE PROPOSED WATER AND SEWER SERVICES. IF A UTILITY CONFLICT EXISTS AND THE LIGHT POLE CANNOT BE RELOCATED THE DEVELOPER WILL BE RESPONSIBLE TO RELOCATE OR CONVERT THE EXISTING HCUD SERVICE LINE TO INDIVIDUAL SERVICE LINES IF NOT ALREADY EXISTING.

STREET LIGHTING MUST MEET CLEAR ZONE AND BREAKAWAY REQUIREMENTS.



**RIGHT OF WAY GEOMETRY**

LINE TABLE			CURVE TABLE					
Line #	BEARING	DISTANCE	CURVE #	RADIUS	DELTA	ARC LENGTH	CHORD	BEARING
L1	N00°14'30"E	120.58'	C1	25.00'	90°00'00"	39.27'	35.36'	S44°45'30"E
L2	S89°45'30"E	405.40'	C2	25.00'	90°00'00"	39.27'	35.36'	S45°14'30"W
L3	N89°45'30"W	405.37'						
L4	S00°14'30"W	1024.46'						
L5	S00°14'30"W	1245.24'						



REVISIONS:  
2022-01-07 REV PER HERNANDO COUNTY COMMENTS (TT)  
2022-12-16 REV PER HERNANDO COUNTY COMMENTS (JAN)

DATE: 2022-01-07  
DRAWN BY: KNR  
CHECKED BY: TCA  
JOB NO.: 2210049

WHITING ESTATES PHASE II  
HERNANDO COUNTY, FLORIDA

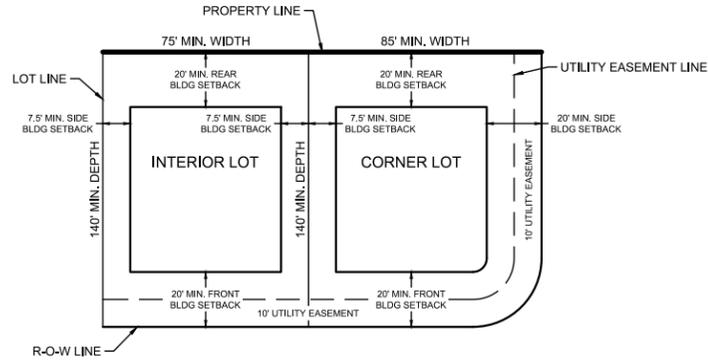
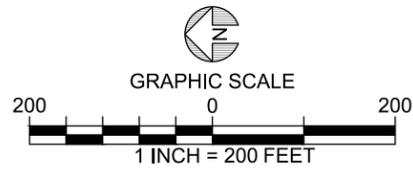
CONDITIONAL PLAT

WILLIAM RYAN HOMES  
3925 COCONUT PALM DR., SUITE 117  
TAMPA, FL 33619  
PHONE: (813) 627-9040

**LANDMARK**  
Engineering & Surveying Corporation  
8515 Palm River Road | Tampa, Florida 33619  
(813) 621-7841 | (813) 664-1832 (fax)  
www.landmark.com | C.A. # 28014

2

TODD C. AMADEN No. 59967  
PROFESSIONAL ENGINEER



TYPICAL SINGLE-FAMILY DETACHED DETAILS  
N.T.S.

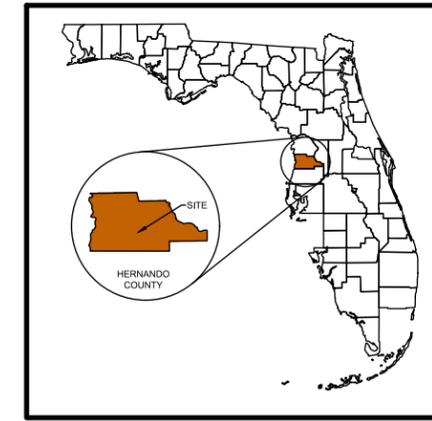
**STREET LIGHTING NOTES**

DEVELOPER (OR THEIR REPRESENTATIVE) TO SCHEDULE A SITE MEETING WITH HCUD AND THE POWER COMPANY TO DISCUSS LIGHT POLE PLACEMENT PRIOR TO INSTALLATION TO RESOLVE CONFLICTS WITH THE PROPOSED WATER AND SEWER SERVICES. IF A UTILITY CONFLICT EXISTS AND THE LIGHT POLE CANNOT BE RELOCATED THE DEVELOPER WILL BE RESPONSIBLE TO RELOCATE OR CONVERT THE EXISTING HCUD SERVICE LINE TO INDIVIDUAL SERVICE LINES IF NOT ALREADY EXISTING.

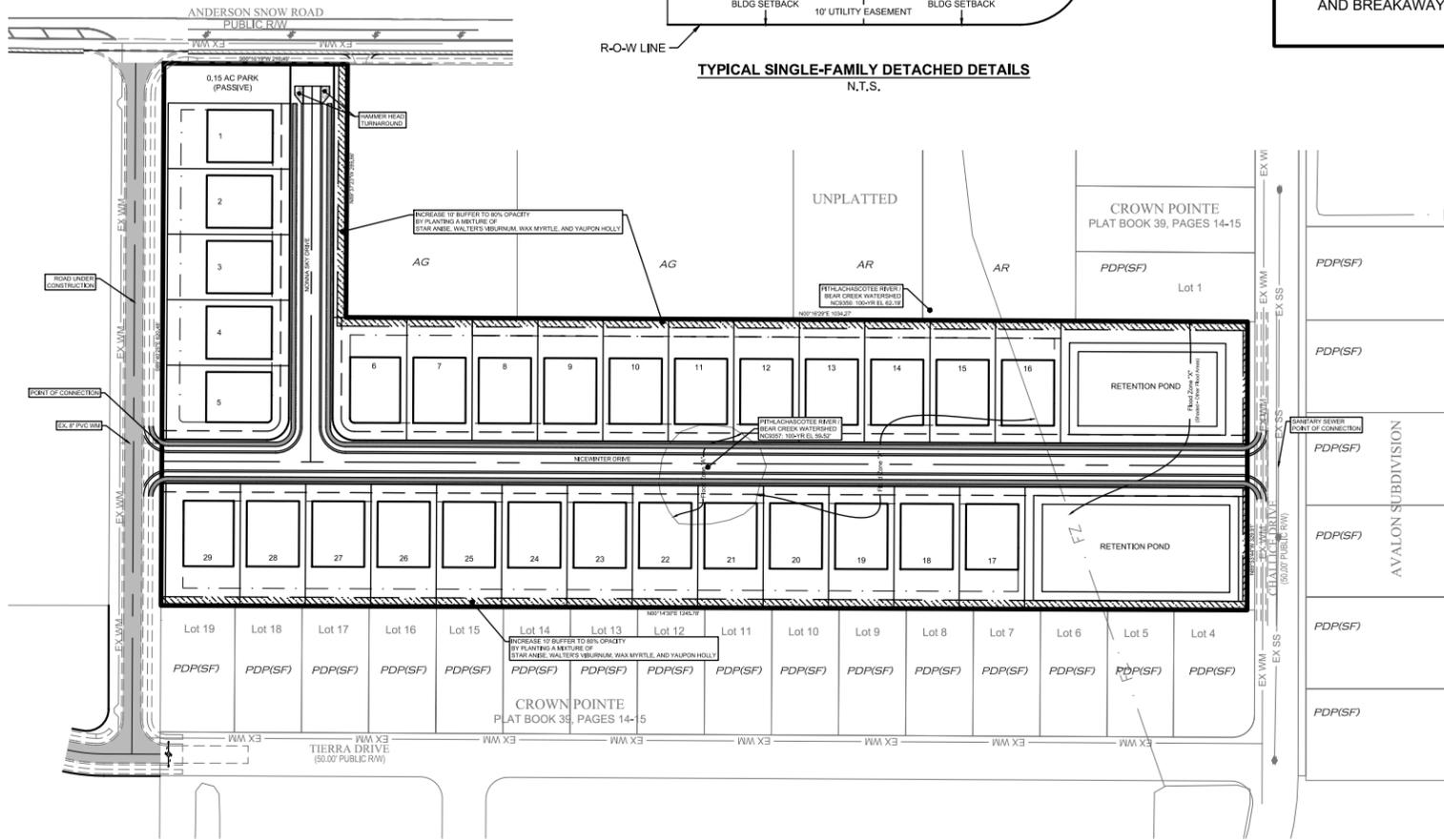
STREET LIGHTING MUST MEET CLEAR ZONE AND BREAKAWAY REQUIREMENTS.



Location Map  
NOT TO SCALE



Vicinity Map  
NOT TO SCALE



**SITE DATA**

**SITE ADDRESSES:** 1037 ANDERSON SNOW RD  
SPRING HILL, FL 34609

**PARCEL KEY NO.:** 379101

**SITE AREA:** 10.84 AC±

**ZONING:** PDP (SF) H-21-57  
**FUTURE LAND USE:** RESIDENTIAL

**EXISTING USE:** RESIDENTIAL  
**PROPOSED USE:** 29 SINGLE FAMILY LOT RESIDENTIAL

**DENSITY:** 29 UNITS / 10.84 AC = 2.68 DU / AC

**OPEN SPACE:** 6.58 AC±

**NATURAL VEGETATION:** 5% MIN.

**BUILDING SETBACKS:**  
FRONT: 20'  
SIDE: 7.5'  
REAR: 20'

**MINIMUM LOT WIDTH:** 75'  
**MINIMUM LOT SIZE:** 10,500 SF  
**MAXIMUM NUMBER OF UNITS:** 30

**STORMWATER POND:** HOA  
**FIRE PROTECTION:** HERNANDO COUNTY  
**WATER SERVICE:** HERNANDO COUNTY  
**WASTEWATER SERVICE:** HERNANDO COUNTY  
**ROAD:** HERNANDO COUNTY

**FEMA:**  
THE PROPERTY DESCRIBED HEREON IS LOCATED IN FLOOD ZONE "X" & "A" PER FLOOD INSURANCE RATE MAP NO. 12053C0328D, COMMUNITY NO. 120110, PANEL 0328D, EFFECTIVE DATE 02/02/2012.

**HERNANDO COUNTY:**  
THE PROPERTY IS LOCATED WITHIN THE PITHLACHASCOTEE RIVER / BEAR CREEK WATERSHED. THE PROPERTY (NODE NC9357) HAS A FLOOD ELEVATION OF 59.52' (NAVD88). THE ADJACENT PROPERTY (NODE NC9350) HAS A FLOOD ELEVATION OF 62.19' (NAVD88), WHICH ENCLOSES ONTO THE SUBJECT PROPERTY.

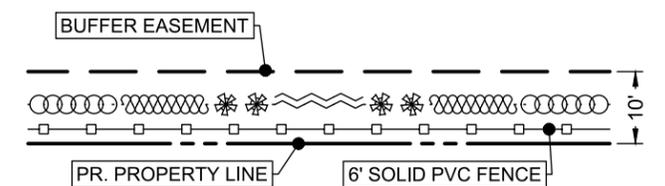
**LEGAL DESCRIPTION**

THE SOUTH 150.27 FEET OF THE NORTH 210.27 FEET OF THE EAST 1/2 OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 23 SOUTH, RANGE 18 EAST, HERNANDO COUNTY, FLORIDA, LESS THE EAST 40 FEET FOR ROAD RIGHT-OF-WAY.

**IMPROVEMENTS**

- 50' PUBLIC R-O-W:
  - SIDEWALK
  - CURB
  - ROADWAY
  - WATER MAIN DISTRIBUTION SYSTEM
  - SANITARY SEWER COLLECTION SYSTEM
  - STORMWATER CONVEYANCE SYSTEM
  - STREET TREES & LANDSCAPING

**LANDSCAPE BUFFER DETAIL**



**REQUIRED PLANTING:**  
INCREASE 10' BUFFER TO 80% OPACITY BY PLANTING A MIXTURE OF THE FOLLOWING:

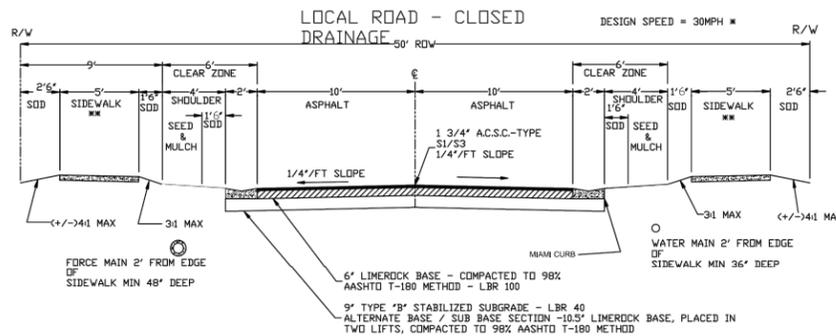
- STAR ANISE
- WALTER'S VIBURNUM
- WAX MYRTLE
- YAUPON HOLLY

**GENERAL NOTES:**

DESIGN SPEED, RIGHT-OF-WAY, AND ROADSIDE DIMENSIONS ARE MINIMUMS. SITE CONDITION MAY REQUIRE INCREASES.

- ★ VARIANCE IN HORIZONTAL DESIGN SPEED ALLOWED WITH JUSTIFICATION AND APPROPRIATE SIGNAGE
- ★★ SIDEWALKS IF APPLICABLE

ALL DIMENSIONS & LABELS ARE TYPICAL



**HERNANDO COUNTY**  
DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
1628 E. JEFFERSON ST.  
BROOKSVILLE, FLORIDA 34801  
PH. (352)754-4082 FAX. (352)754-4423

TITLE: ROADWAY STANDARD  
LOCAL ROADS

APPROVED BY: C. G. MIXSON, P.E. DATE: 10-01-08 NO.: IV-05

DATE: 2022-07-07	CHECKED BY: TCA	DATE: 2022-07-07	CHECKED BY: TCA
DESIGNED BY: RHR	DATE: 2022-07-07	DESIGNED BY: RHR	DATE: 2022-07-07
WHITING ESTATES PHASE II		HERNANDO COUNTY, FLORIDA	
CONDITIONAL PLAT		CONDITIONAL PLAT	
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## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: March 13, 2023

**APPLICANT:** William Ryan Homes

**FILE NUMBER:** 1436707

**PURPOSE:** Conditional Plat Approval for Olancha Road

**GENERAL**

**LOCATION:** North side of Challice Drive, approximately 450' west of Anderson Snow Road

**PARCEL KEY**

**NUMBER:** 379101

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The conditional plat for the Whiting Estates Phase II is for Forty-nine (49) single family residential lots on approximately 10.38 +/- acres of undeveloped land, located north side of Challice Drive, approximately 450' west of Anderson Snow Road.

The conditional plat has been reviewed by various County agencies and found to be consistent with County standards. A certificate of concurrency has been issued for this conditional plat.

**STAFF RECOMMENDATION:**

It is recommended that the Planning and Zoning Commission approve the conditional plat of the Whiting Estates subdivision with the following performance conditions:

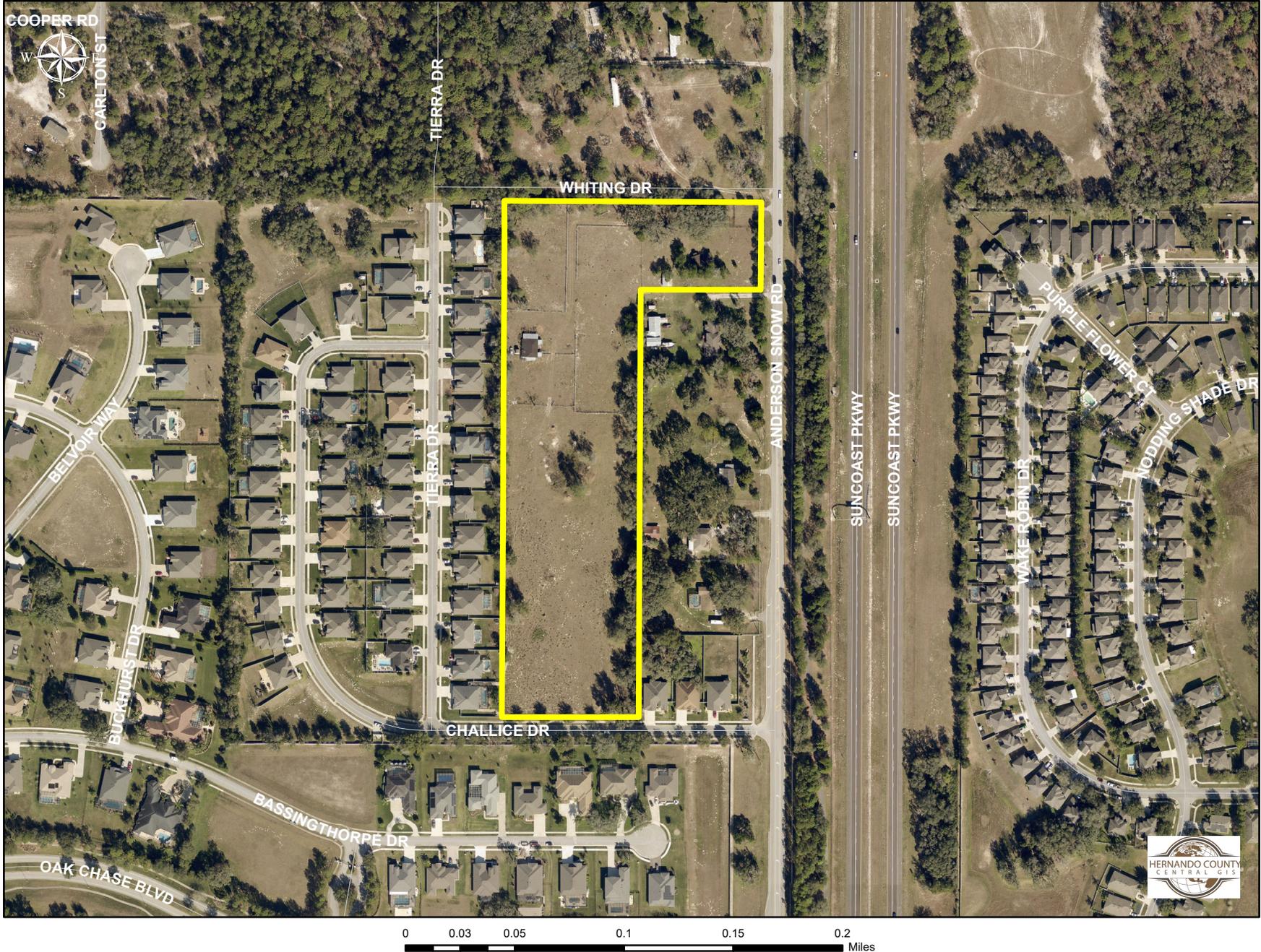
1. The conditional plat shall expire in two (2) years if no further approvals in the subdivision process are obtained.
2. The developer must conform to all Hernando County Facility Design Guidelines.
3. The petitioner shall provide a comprehensive listed species survey prepared by a qualified professional to identify any listed species present prior to clearing or development activities. The petitioner is required to comply with all applicable FWC regulations.
4. 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.



# CP 1436707

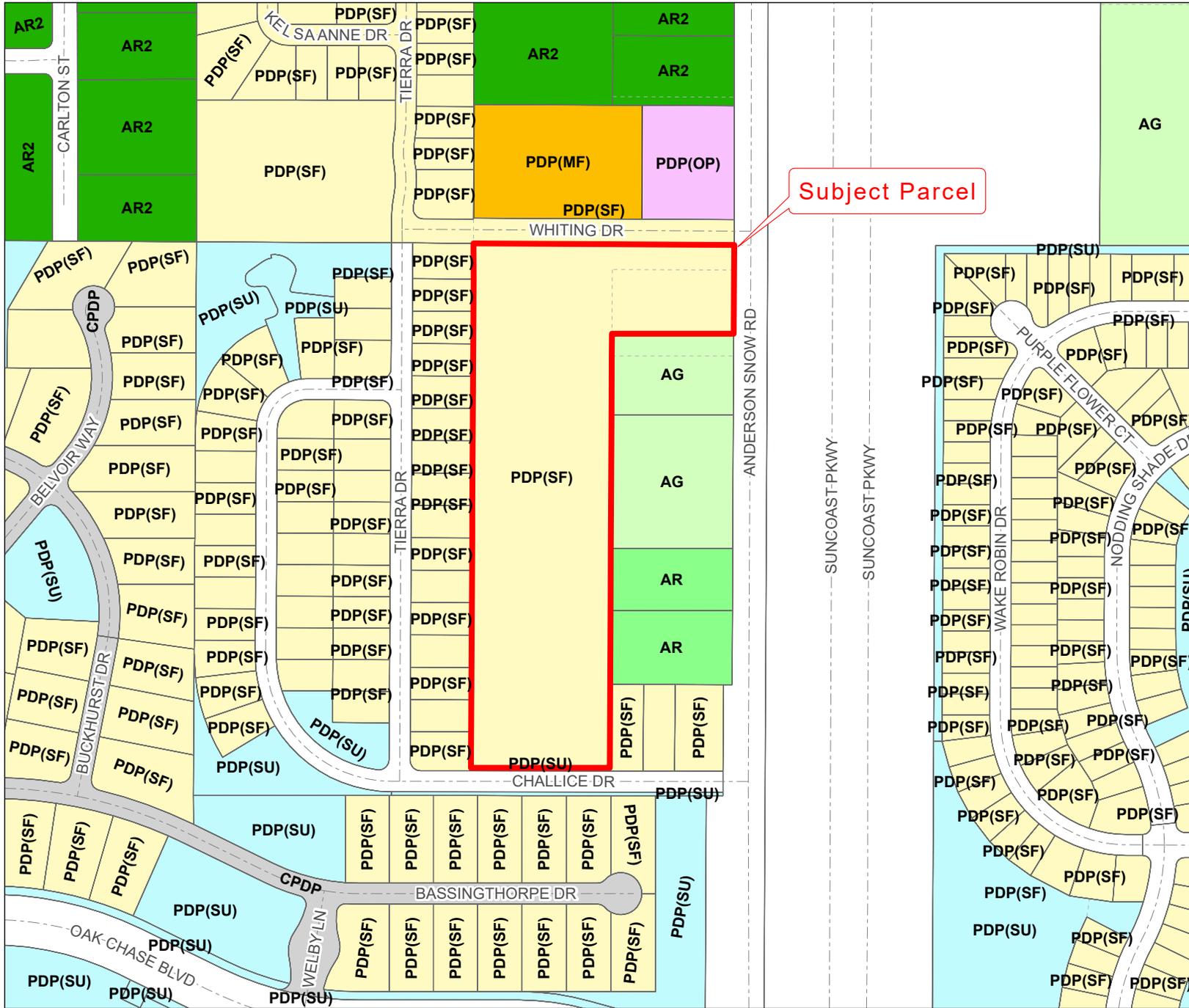
Photo date: 2020

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.



# CP 1436707

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.

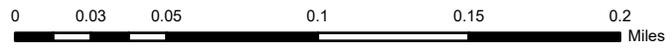
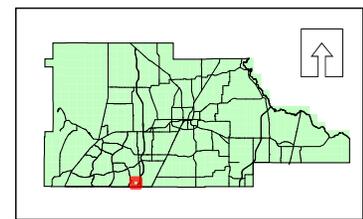


Subject Parcel

**Zoning:**

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: August 8, 2022  
Planning & Zoning Commission: September 12, 2022  
Board of County Commissioners: September 13, 2022  
Board of County Commissioners: October 11, 2022

**APPLICANT:** William Ryan Homes Florida, Inc.

**FILE NUMBER:** H-22-50

**REQUEST:** Master Plan Revision on Property Zoned PDP(SF)/ Planned Development Project (Single-Family) with Deviations

### GENERAL

**LOCATION:** North side of Challice Drive, approximately 450' west of Anderson Snow Road

### PARCEL KEY

**NUMBER:** 00379101

---

### APPLICANT'S REQUEST:

On December 14, 2021, the Board of County Commissioners approved the petitioner's request for a rezoning from PDP(MF)/ Planned Development Project (Multifamily) to PDP(SF)/ Planned Development Project (Single-Family) with Deviations (H2157) in order to develop the 10.38-acre site with 30 single family lots. Since its approval, the petitioner has initiated the conditional plat process and is actively seeking development.

The petitioner's current request is for a master plan revision in order to revise condition #9 (see below) to include the required 10' perimeter buffer as part of the single-family lots. The petitioner has indicated this will ensure that there is no dead space between the property line and required fence. Additionally, the relocation of the buffer will be protected through a HOA restriction as a non-buildable easement. This modification will also prevent the 10,500 square foot lots from having to be reduced in size. The petitioner seeks no other changes to the previously approved master plan and all other performance conditions will remain in full force and effect.

#### **Condition #9**

The petitioner shall provide a 10' landscape buffer and 6' fence along the perimeter of the project. The buffer shall be designated as a separate tract on the final subdivision plat and in the HOA documents, owned and maintained

by HOA. A landscape plan shall be provided at the time of construction plan review.

**SITE CHARACTERISTICS:**

**Site Size:** 10.83 acres

**Surrounding Zoning & Land Uses:** North: CPDP; Undeveloped (Multifamily and Office Professional)  
 South: PDP(SF); Avalon Subdivision  
 East: AG & AR; Single-Family  
 West: PDP(SF); Crown Pointe Subdivision

**Current Zoning:** AG/(Agricultural)

**Future Land Use Map Designation:** Residential

**LAND USE REVIEW:**

**Buffers:**

The petitioner has proposed a 10' landscape buffer with 6' fence along the perimeter of the subject site. The 10' buffer is proposed as part of the single family lots and will be protected from encroachment by HOA recorded restrictions.

**Comments:** Staff has reviewed the petitioner’s request and supports their proposal of including the 10’ within the lots and ensuring the 10’ buffer is protected via HOA restrictions. The revision would still meet the intent of the buffer by protecting the perimeter of the development from having structures along the fence line. The buffer easement shall be shown and labeled on construction drawings.

**COMPREHENSIVE PLAN REVIEW:**

The subject site is in a Residential Land Use Designation on the County’s Comprehensive Plan. The area is characterized by single family residential uses to the west, large remaining agricultural tracts to the east, and an undeveloped multifamily tract to the north.

**Future Land Use Map**

**Strategy 1.04A(3):** The **Residential Category** accommodates residential growth clustered in and around urbanized areas and those areas that maximize the efficient use of infrastructure contained in long-range facilities plans of the County.

**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.

**Strategy 1.04B(2):** Future residential development will be planned to locate where the Residential Category predominates on the Future Land Use Map as determined by the availability of facilities and services, the need to accommodate future growth, the strategies to discourage the proliferation of urban sprawl, and the impacts to natural resources, including groundwater.

**Single-Family Housing**

**Strategy 1.04B(3):** The Residential Category will include zoning for single-family housing, generally averaging a density of 2.5 dwelling units per gross acre to 6.0 dwelling units per gross acre comprised of varying lot sizes and dwelling unit types such as senior housing, villa housing, single family detached housing, and zero lot line housing.

**Comments:** The petitioners request will not adversely affect the scope of the development or be adverse to neighboring parcels.

**FINDINGS OF FACT:**

Master Plan Revision on Property Zoned PDP(SF)/ Planned Development Project (Single-Family) with Deviations is consistent with the County’s adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all recommended 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 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 rezoning from PDP(MF)/ Planned Development Project (Multifamily) to PDP(SF)/ Planned Development Project (Single-Family) 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 shall provide a 10' perimeter landscape buffer within the lots and shall ensure the protection of the 10' buffer via a HOA restricted easement. A 6' fence shall be provided along the perimeter of the project. The 10' buffer easement shall be shown and labeled on all construction drawings.
3. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of Board of County Commissioners approval. Failure to submit the revised plan will result in no further development permits being issued.
4. All previously approved performance conditions shall remain in full force and effect with the exception of condition #9 modified herein.
  2. A wildlife survey shall be prepared by a qualified professional to identify listed species present prior to development activities. The petitioner is required to comply with all applicable FWC regulations.
  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. Geotechnical subsurface testing and reporting in accordance with Hernando County's Facility Design Guidelines shall be conducted for all drainage retention ponds within the project.
  5. The developer shall connect to the central water and sewer systems at time of vertical construction.

6. The petitioner shall preserve the minimum five percent (5%) 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.
  
7. 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.
  
8. Minimum Setbacks, Lot Widths, Number of Units and Lot Sizes:
  - Front: 20' (deviation from 25')
  - Side: 7.5' (deviation from 10')
  - Rear: 20'
  - Minimum Lot Width: 75'
  - Minimum Lot Size: 10,500 square feet
  - Maximum Number of Units: 30
  
10. 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.
  
11. The petitioner shall provide a full connection to the north at time of development.

**P&Z RECOMMENDATION**

On August 8, 2022, the Planning and Zoning Commission voted 5-0 to postpone the petitioner’s request for a Master Plan Revision on Property Zoned PDP(SF)/ Planned Development Project (Single-Family) with Deviations to a future hearing date, with the applicant incurring all readvertising costs.

**P&Z RECOMMENDATION:**

On September 12, 2022, 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(MF)/ Planned Development Project (Multifamily) to PDP(SF)/ Planned Development Project (Single-Family) with Deviations and 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 petitioner shall provide a 10’ perimeter landscape buffer within the lots and shall ensure the protection of the 10’ buffer via a HOA restricted easement. A 6’ fence shall be provided along the perimeter of the project. The 10’ buffer easement shall be shown and labeled on all construction drawings.
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4. All previously approved performance conditions shall remain in full force and effect with the exception of condition #9 modified herein.
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  - 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.

- Geotechnical subsurface testing and reporting in accordance with Hernando County’s Facility Design Guidelines shall be conducted for all drainage retention ponds within the project.
- The developer shall connect to the central water and sewer systems at time of vertical construction.
- The petitioner shall preserve the minimum five percent (5%) 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.
- 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.
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  - Minimum Lot Width: 75'
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  - Maximum Number of Units: 30
- 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.
- The petitioner shall provide a full connection to the north at time of development.

**5. No construction traffic shall be permitted on Challice Drive.**

**BOCC ACTION**

On September 13, 2022, the Board of County Commissioner voted 5-0 to postpone the petitioner's request for a Master Plan Revision on Property Zoned PDP(SF)/Planned Development Project (Single-Family) with Deviations to their October 11, 2022, hearing.

**BOCC ACTION:**

On October 11, 2022, the Board of County Commissioners voted 5-0 to adopt Resolution 2022-198 approving the petitioner’s request for a rezoning from PDP(MF)/ Planned Development Project (Multifamily) to PDP(SF)/ Planned Development Project (Single-Family) with Deviations and 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 petitioner shall provide a 10’ perimeter landscape buffer within the lots and shall ensure the protection of the 10’ buffer via a HOA restricted easement. A 6’ fence shall be provided along the perimeter of the project. The 10’ buffer easement shall be shown and labeled on all construction drawings.
3. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of Board of County Commissioners approval. Failure to submit the revised plan will result in no further development permits being issued.
4. All previously approved performance conditions shall remain in full force and effect with the exception of condition #9 modified herein.
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  - Minimum Setbacks, Lot Widths, Number of Units and Lot Sizes:
    - Front: 20' (deviation from 25')
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  - 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.
  - The petitioner shall provide a full connection to the north at time of development.
5. No construction traffic shall be permitted on Challice Drive. Challice Drive shall remain fully barricaded either by natural and/or supplemental barriers on the side of the road external to the development until construction is completed. The construction plans for the development shall include the construction access plan for the site as approved by the Department of Public Works



## AGENDA ITEM

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### TITLE

CP 1447019 Caldera at Sterling Hill Conditional Plat

### BRIEF OVERVIEW

Conditional Plat Approval Caldera at Sterling Hill

### FINANCIAL IMPACT

No financial impact

### LEGAL NOTE

The Planning and Zoning Commission has the authority to review this item in accordance with Chapter 26 (Subdivision Regulations), Article II (procedures for County review and approval), Section 26-21 (procedure for conditional approval of a conditional plat) of the Hernando County Code of Ordinances.

### RECOMMENDATION

Caldera at Sterling Hill with performance conditions.

### REVIEW PROCESS

Alaina Kidd	Approved	02/17/2023	5:20 PM
Omar DePablo	Approved	02/21/2023	10:27 AM
Michelle Miller	Approved	02/21/2023	2:44 PM
Aaron Pool	Escalated	02/23/2023	6:19 PM
Michelle Miller	Delegated	02/24/2023	4:25 PM
Aaron Pool	Approved	02/24/2023	4:58 PM

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: March 13, 2023

**APPLICANT:** Pulte Group

**FILE NUMBER:** 1447019

**PURPOSE:** Conditional Plat Approval Caldera at Sterling Hill

**GENERAL LOCATION:** Southern terminus of Sterling Hill Boulevard

**PARCEL KEY NUMBER:** 377611

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The conditional plat for the Caldera at Sterling Hill subdivision is for eight hundred fourteen (814) single family residential lots on approximately 253.8 +/- acres of undeveloped land, located at the southern terminus of Sterling Hill Boulevard.

The conditional plat has been reviewed by various County agencies and found to be consistent with County standards. A certificate of concurrency has been issued for this conditional plat.

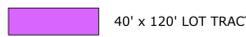
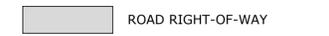
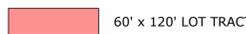
### **STAFF RECOMMENDATION:**

It is recommended that the Planning and Zoning Commission approve the conditional plat of the Caldera at Sterling Hill Subdivision with the following performance conditions:

1. The conditional plat shall expire in two (2) years if no further approvals in the subdivision process are obtained.
2. The developer must conform to all Hernando County Facility Design guidelines.
3. The petitioner shall provide a comprehensive listed species survey prepared by a qualified professional to identify any listed species present prior to clearing or development activities. The petitioner is required to comply with all applicable FWC regulations.
4. 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.

5. Geotechnical subsurface testing and reporting in accordance with Hernando County's Facility Design guidelines shall be conducted for all drainage retention ponds within the project.

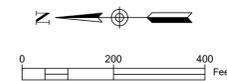
**LEGEND**

	40' x 120' LOT TRACT		DRAINAGE RETENTION AREA		PRESERVED/PLANTED NATURAL VEGETATION
	50' x 120' LOT TRACT		GREEN SPACE / BUFFER		ROAD RIGHT-OF-WAY
	60' x 120' LOT TRACT		PARK / RECREATION		FUTURE ROAD RIGHT-OF-WAY

LAND USE TABLE			
LAND USE	ACRES	DWELLING UNITS	DENSITY
SINGLE FAMILY	133.65	814	
RECREATIONAL	9.55	(8.14 AC REQ.)	
BUFFERS & IMPROVED NATURAL VEGETATION AREA	17.90	(7% OR 17.76 ACRES PRESERVED VEGETATION REQUIRED)	
OPEN SPACE	10.14		
DRAINAGE	34.52		
RIGHT-OF-WAY & RESERVED RIGHT-OF-WAY	49.54		
<b>TOTAL AREA</b>	<b>255.30</b>	<b>814</b>	<b>APPROX. 3.19 UNITS/ACRE</b>

LOT BREAKDOWN							
LOT SIZE	POD A	POD B	POD C	POD D	POD E	POD F	TOTAL
40' x 120'	4	74	134	0	0	22	234
50' x 120'	4	107	110	0	69	42	332
60' x 120'	113	29	28	62	8	8	248
<b>TOTAL</b>	<b>121</b>	<b>210</b>	<b>272</b>	<b>62</b>	<b>77</b>	<b>72</b>	<b>814</b>

**SITE DATA**  
**OWNER/APPLICANT:**  
 PULTE GROUP  
 2662 FALKENBURG ROAD  
 RIVERVIEW, FL 33578  
**PARCEL KEY NO.** 00377611  
**SECTION/TOWNSHIP/RANGE:** 12/23S/18E  
**CURRENT ZONING:** PDP(SF)  
**AREA = 253.8 AC**  
**PROPOSED MAXIMUM NO. OF LOTS:** 814  
**BUILDING SETBACKS:**  
 FRONT: 25'  
 SIDE: 5'  
 REAR: 15'  
**PERIMETER SETBACKS(INCLUSIVE OF THE VEGETATIVE BUFFER):**  
 NORTH: 35'  
 SOUTH: 35'  
 EAST: 65'(ALONG PODS D, E AND F)  
 EAST: 45'(REMAINING EASTERN PROPERTY LINE)  
 WEST: 45'



**LOCATION MAP**  
N.T.S.

CURVE TABLE		CURVE TABLE		CURVE TABLE		CURVE TABLE	
CURVE NO.	RADIUS	CURVE NO.	RADIUS	CURVE NO.	RADIUS	CURVE NO.	RADIUS
C1	1000.00	C14	100.00	C27	50.00	C40	75.00
C2	2100.00	C15	300.00	C28	300.00	C41	100.00
C3	700.00	C16	300.00	C29	400.00	C42	300.00
C4	300.00	C17	1110.00	C30	1250.00	C43	50.00
C5	200.00	C18	50.00	C31	140.00	C44	50.00
C6	900.00	C19	1860.00	C32	600.00	C45	400.00
C7	1000.00	C20	50.00	C33	700.00	C46	300.00
C8	100.00	C21	50.00	C34	300.00	C47	75.00
C9	100.00	C22	1560.00	C35	100.00	C48	75.00
C10	102.50	C23	50.00	C36	50.00	C49	75.00
C11	595.00	C24	400.00	C37	200.00	C50	75.00
C12	505.00	C25	950.00	C38	100.00	C51	200.00
C13	300.00	C26	100.00	C39	115.00		

**BUFFERS:** THE BUFFER TRACTS INDICATED ON THIS PLAN WILL CONSIST OF NATURAL VEGETATION PRESERVED AND ENHANCED TO 80% OPACITY WITHIN 3 YEARS OF PLANTING. THE BUFFERS SHALL INCLUDE A BLACK CHAIN LINK FENCE ON THE CALDERA SIDE OF THE PROPERTY.

**FLOODPLAIN:** THE PROJECT IS LOCATED ON FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL 12053C0307D, EFFECTIVE 02/02/2012. ACCORDING TO THE FIRM, THE PROPERTY CONTAINS SMALL AREAS OF FLOOD ZONE X-SHADED, AREAS OF SHALLOW FLOODING LESS THAN 1 FOOT DEEP.

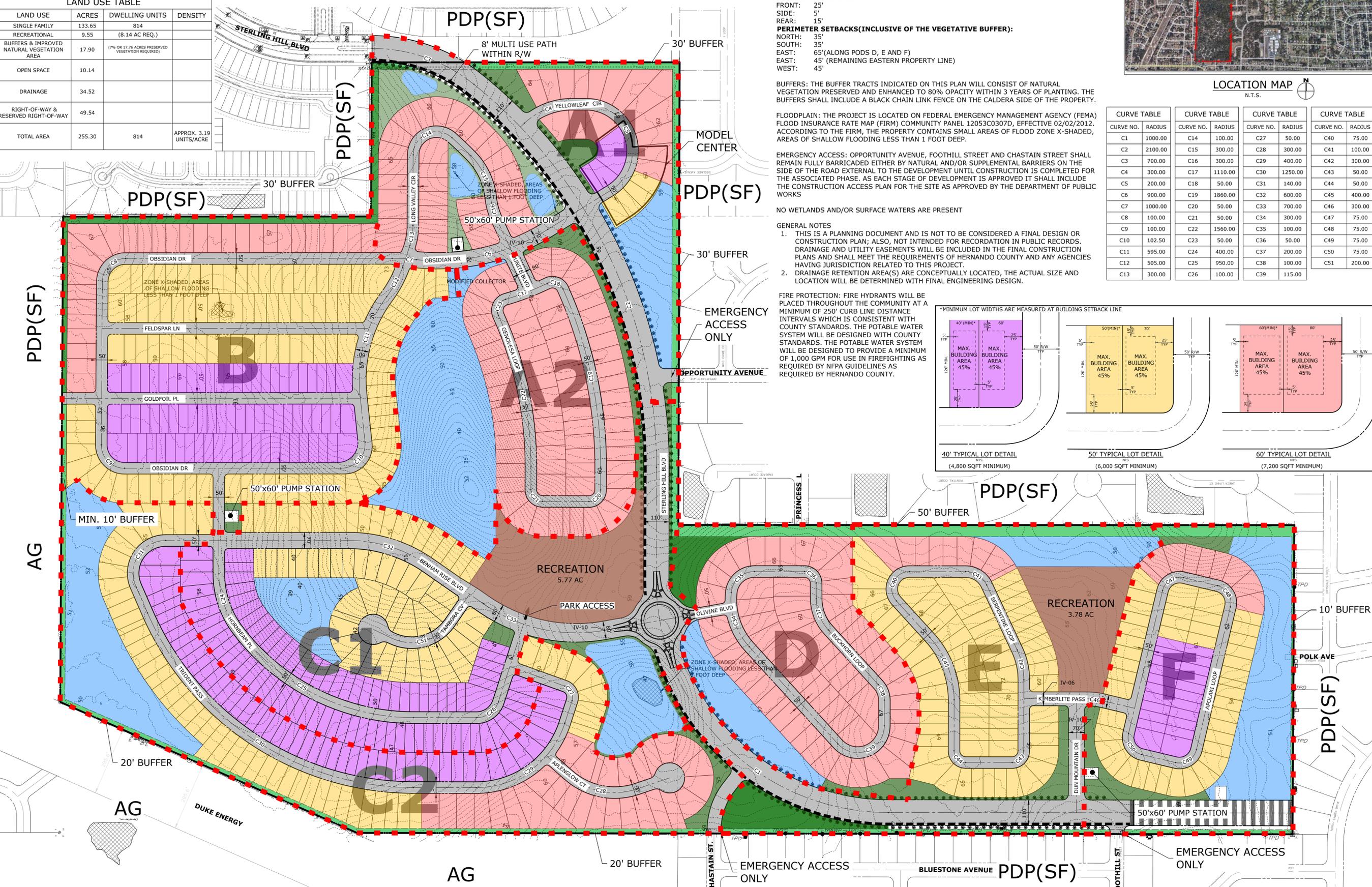
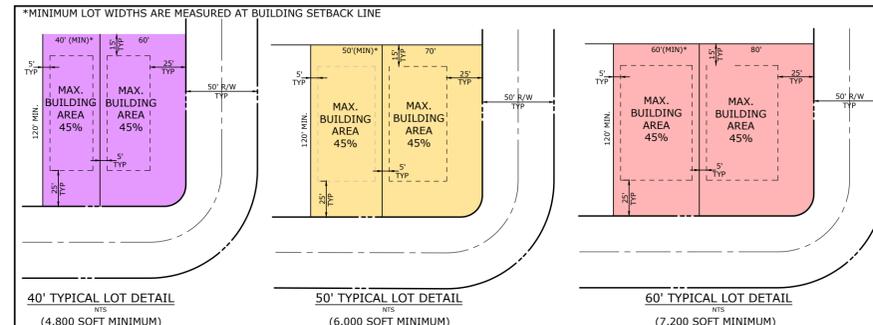
**EMERGENCY ACCESS:** OPPORTUNITY AVENUE, FOOTHILL STREET AND CHASTAIN STREET SHALL REMAIN FULLY BARRICADED EITHER BY NATURAL AND/OR SUPPLEMENTAL BARRIERS ON THE SIDE OF THE ROAD EXTERNAL TO THE DEVELOPMENT UNTIL CONSTRUCTION IS COMPLETED FOR THE ASSOCIATED PHASE. AS EACH STAGE OF DEVELOPMENT IS APPROVED IT SHALL INCLUDE THE CONSTRUCTION ACCESS PLAN FOR THE SITE AS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS

NO WETLANDS AND/OR SURFACE WATERS ARE PRESENT

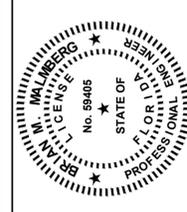
**GENERAL NOTES**

- 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. 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.
- DRAINAGE RETENTION AREA(S) ARE CONCEPTUALLY LOCATED, THE ACTUAL SIZE AND LOCATION WILL BE DETERMINED WITH FINAL ENGINEERING DESIGN.

**FIRE PROTECTION:** FIRE HYDRANTS WILL BE PLACED THROUGHOUT THE COMMUNITY AT A MINIMUM OF 250' CURB LINE DISTANCE INTERVALS WHICH IS CONSISTENT WITH COUNTY STANDARDS. THE POTABLE WATER SYSTEM WILL BE DESIGNED 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.



**CONDITIONAL PLAT**  
**CALDERA AT STERLING HILL**



**Coastal**  
 Engineering  
 Surveying  
 Environmental  
 Transportation  
 Management  
 engineering associates, inc.  
 966 Candlelight Boulevard - Brooksville - Florida 34601  
 (352) 796-9423 - Fax (352) 799-8359  
 EB-000142

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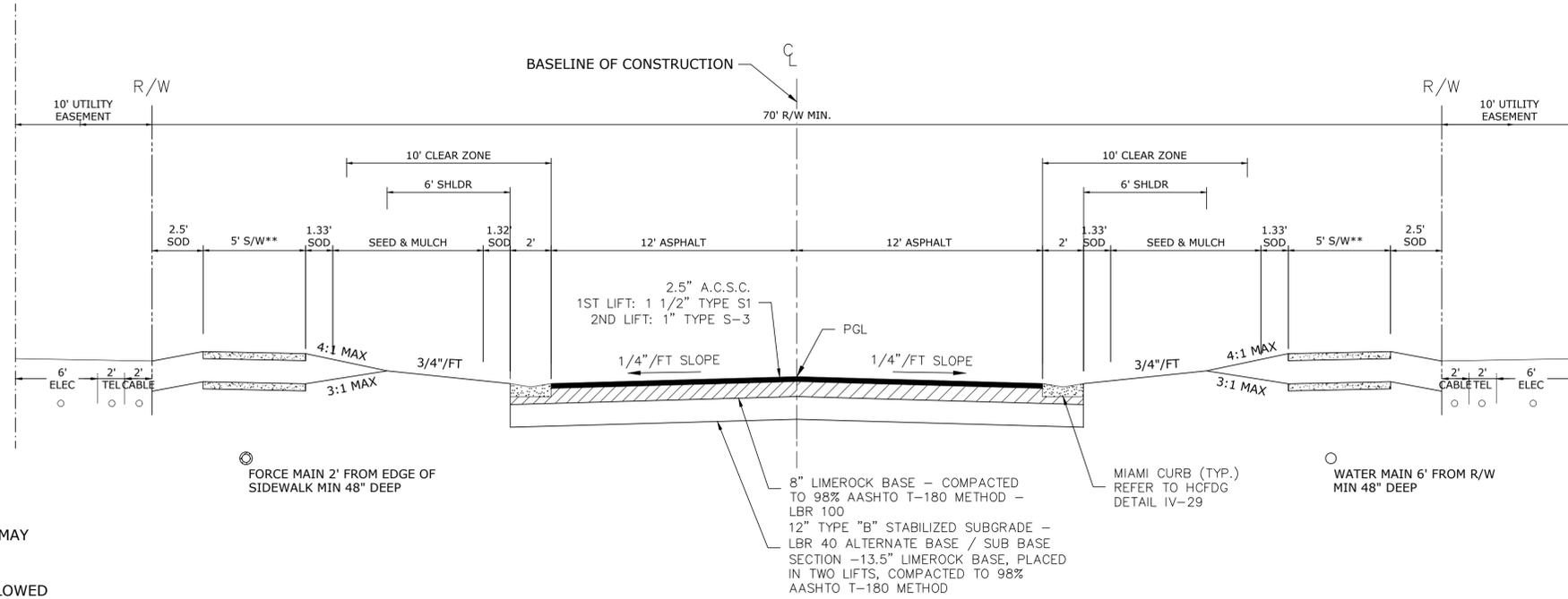
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# COLLECTOR / 2 LANE ROAD - CLOSED DRAINAGE

DESIGN SPEED = 40 MPH\*

HERNANDO COUNTY ROADWAY STANDARD DETAL (IV-10)



**GENERAL NOTES:**  
DESIGN SPEED, RIGHT-OF-WAY, AND ROADSIDE DIMENSIONS ARE MINIMUMS. SITE CONDITION MAY REQUIRE INCREASES.

\* VARIANCE IN HORIZONTAL DESIGN SPEED ALLOWED WITH JUSTIFICATION AND APPROPRIATE SIGNAGE

\*\* SIDEWALKS IF APPLICABLE

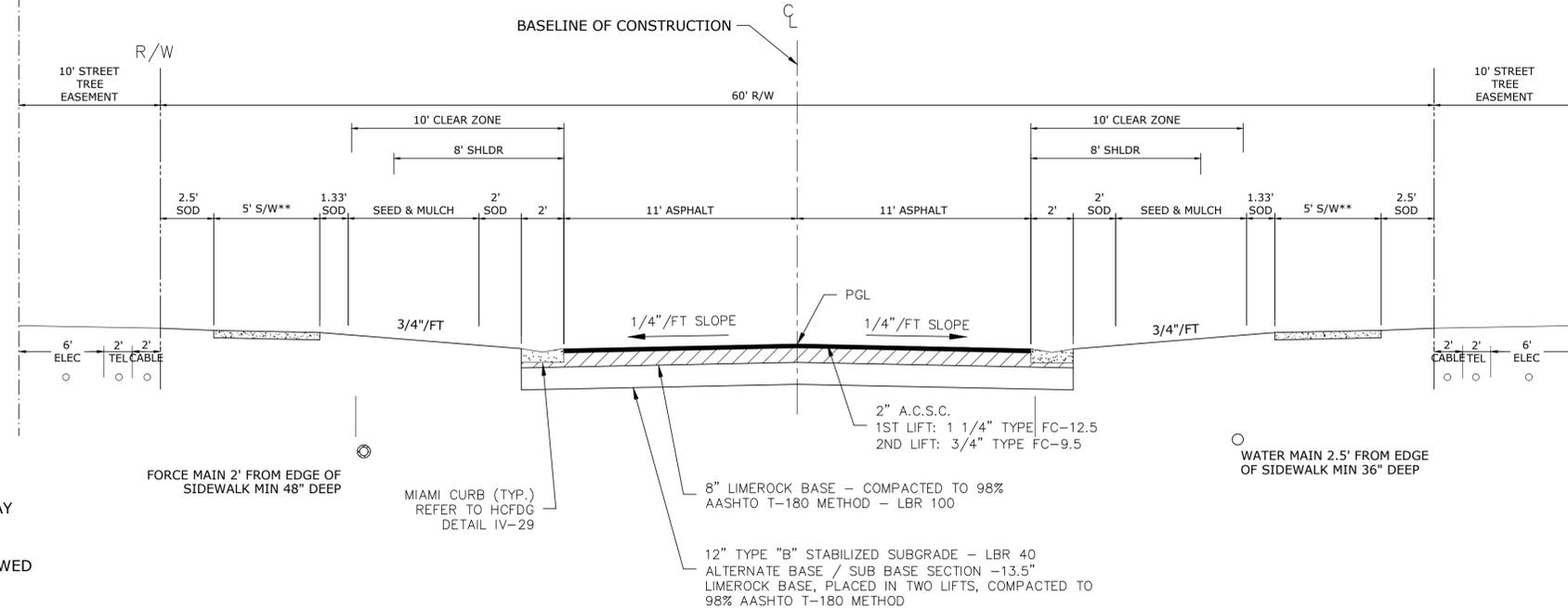
ALL DIMENSIONS & LABELS ARE TYPICAL AND SHOWN IN FEET UNLESS LABELED OTHERWISE

TYPICAL SECTION  
NOT TO SCALE

# MAJOR LOCAL/COMMERCIAL LOCAL 2 LANE ROAD - CLOSED DRAINAGE

DESIGN SPEED = 35 MPH\*

HERNANDO COUNTY ROADWAY STANDARD DETAL (IV-06)



**GENERAL NOTES:**  
DESIGN SPEED, RIGHT-OF-WAY, AND ROADSIDE DIMENSIONS ARE MINIMUMS. SITE CONDITION MAY REQUIRE INCREASES.

\* VARIANCE IN HORIZONTAL DESIGN SPEED ALLOWED WITH JUSTIFICATION AND APPROPRIATE SIGNAGE

\*\* SIDEWALKS IF APPLICABLE

ALL DIMENSIONS & LABELS ARE TYPICAL AND SHOWN IN FEET UNLESS LABELED OTHERWISE

TYPICAL SECTION  
NOT TO SCALE

TYPICAL SECTIONS

CALDERA AT STERLING HILL



**Coastal**  
engineering associates, inc.  
966 Candlelight Boulevard - Brooksville - Florida 34601  
(352) 796-9423 - Fax (352) 799-8359  
EB-0000142

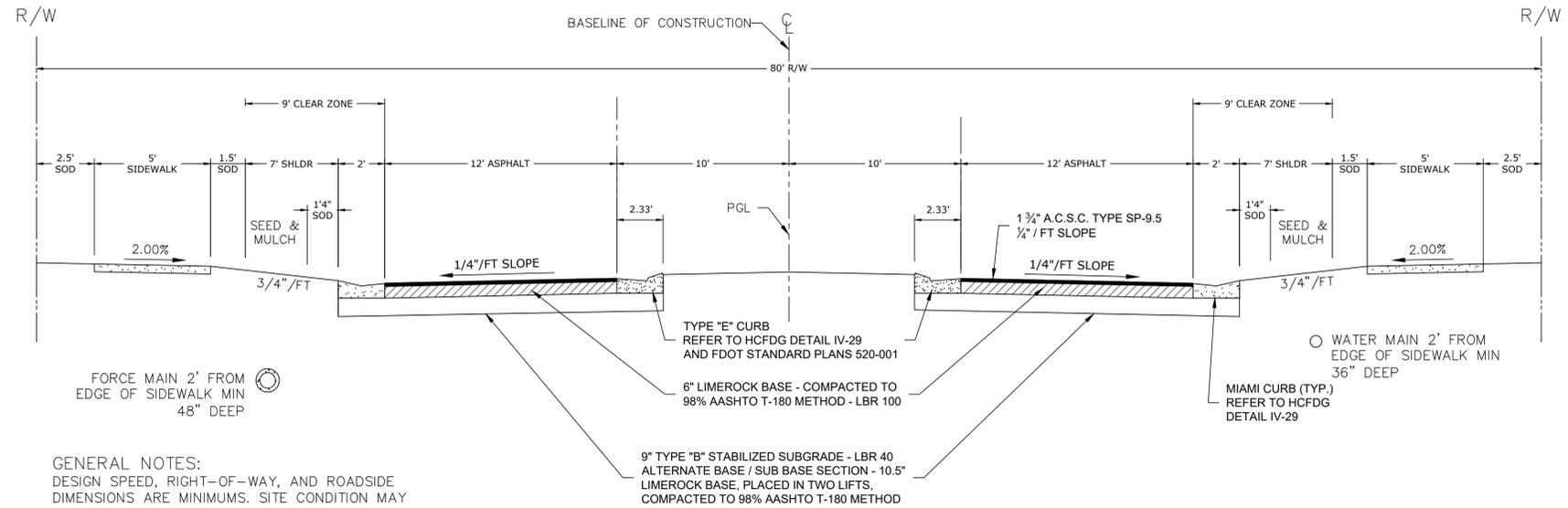
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# MODIFIED COLLECTOR / DIVIDED 2 LANE ROAD - CLOSED DRAINAGE DESIGN SPEED = 30 MPH\*

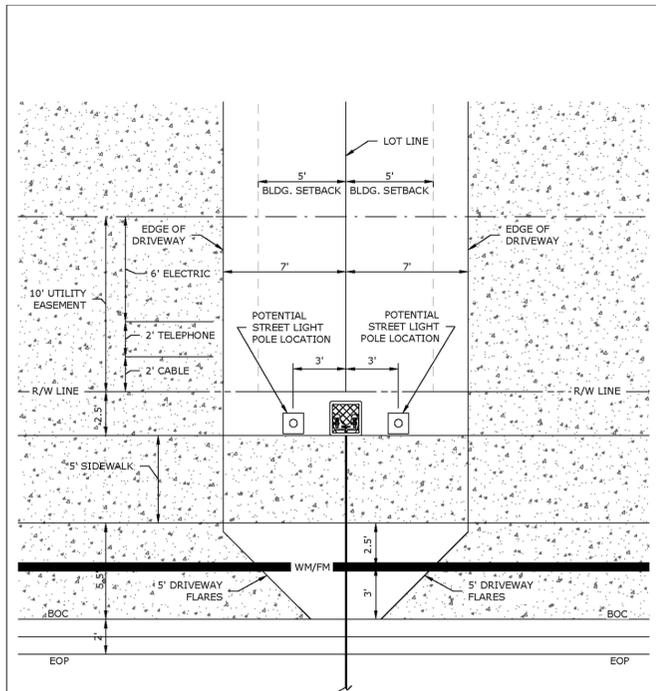


GENERAL NOTES:  
DESIGN SPEED, RIGHT-OF-WAY, AND ROADSIDE DIMENSIONS ARE MINIMUMS. SITE CONDITION MAY REQUIRE INCREASES.

\* VARIANCE IN HORIZONTAL DESIGN SPEED ALLOWED WITH JUSTIFICATION AND APPROPRIATE SIGNAGE

ALL DIMENSIONS & LABELS ARE TYPICAL

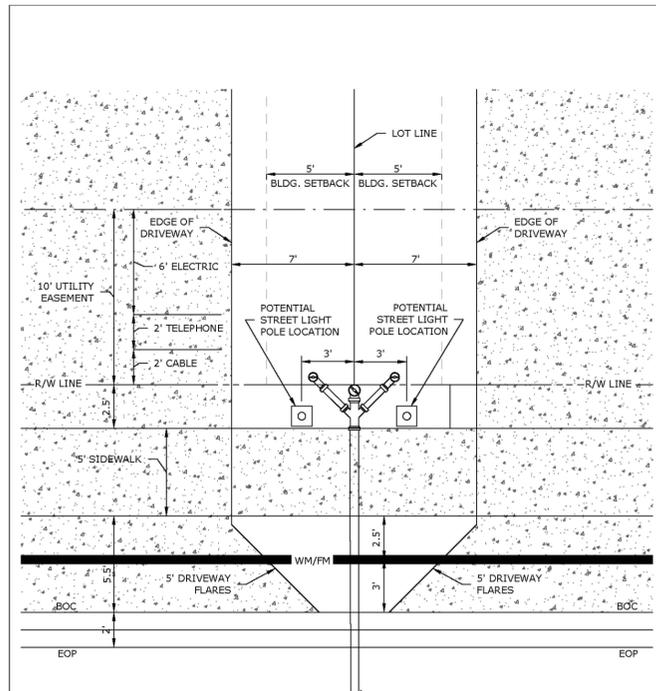
ENTRANCE ROAD TO POD A  
TYPICAL SECTION  
NOT TO SCALE



1" = 5' SCALE

<b>Coastal</b> <small>Engineering Planning Surveying Environmental Traffic Transportation Construction Management</small>	STANDARD UTILITY LOCATION W/ 5' SETBACKS	DATE 06/21/21
	WATER SERVICE	1

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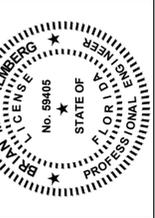
1" = 5' SCALE

<b>Coastal</b> <small>Engineering Planning Surveying Environmental Traffic Transportation Construction Management</small>	STANDARD UTILITY LOCATION W/ 5' SETBACKS	DATE 06/21/21
	SANITARY SEWER SERVICE	2

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CALDERA AT STERLING HILL



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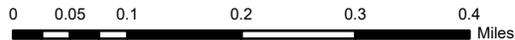
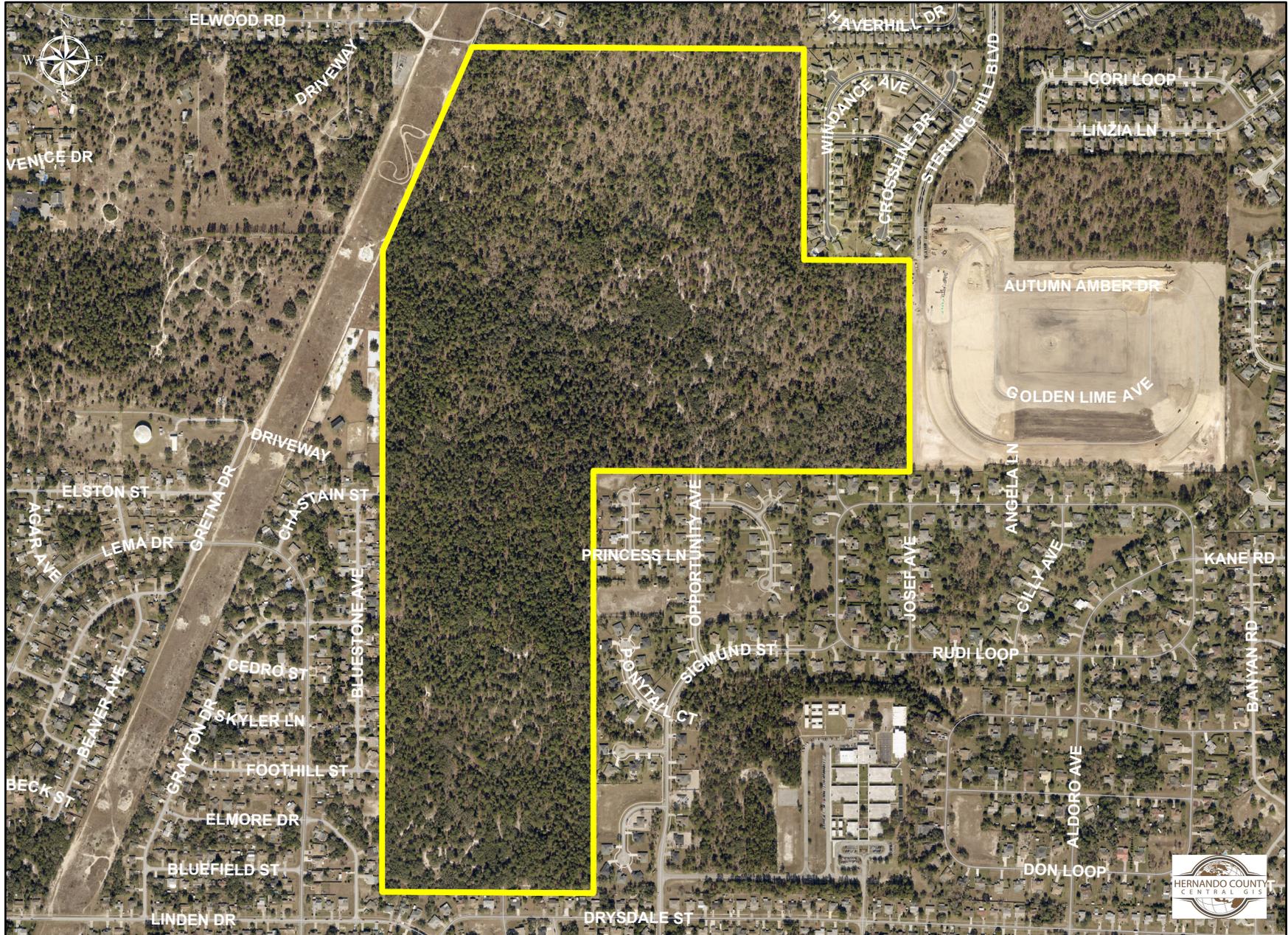
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# CP 1447019

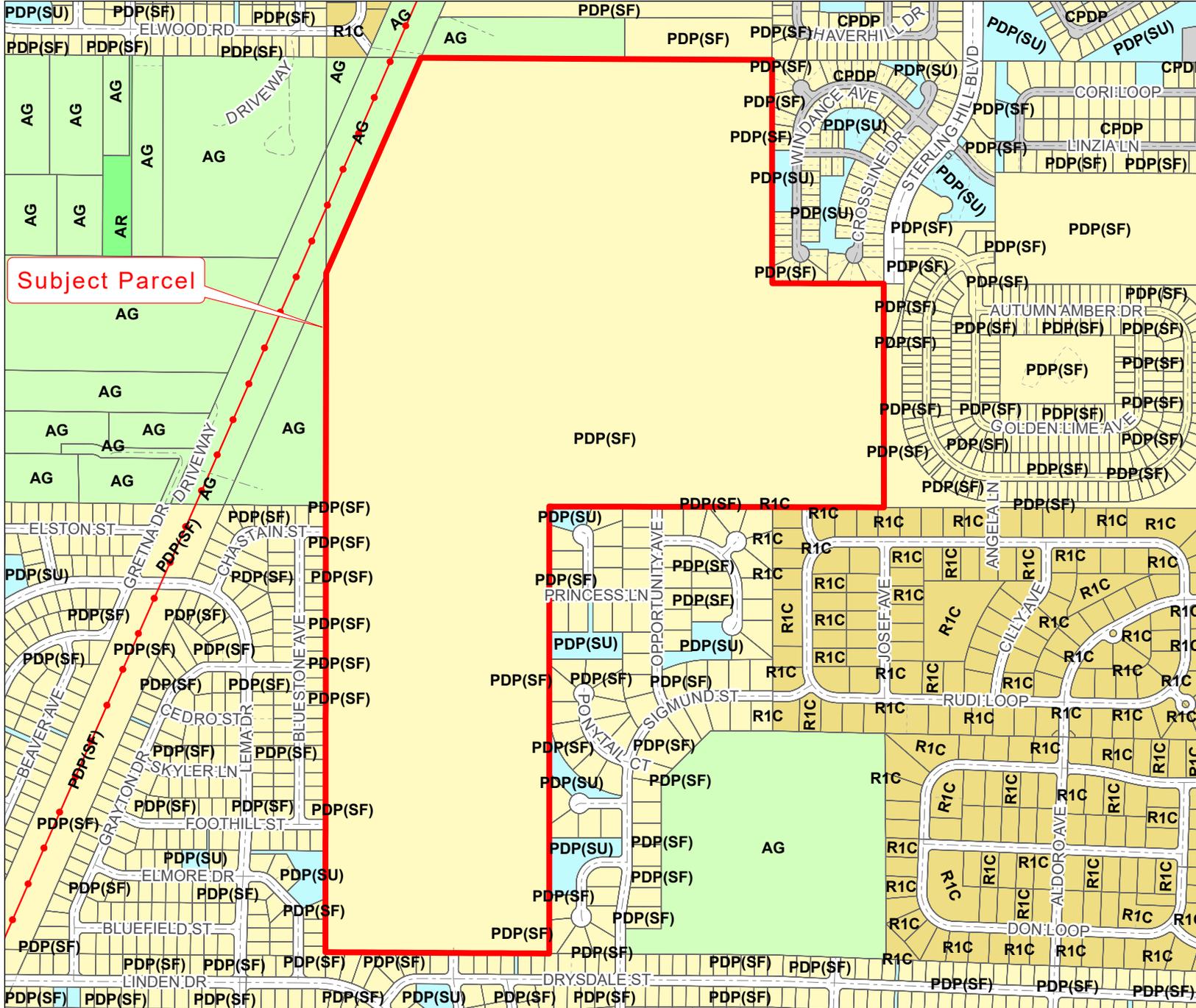
Photo date: 2020

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.



# CP 1447019

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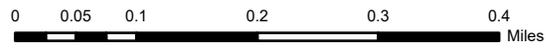
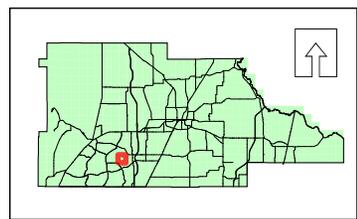


Subject Parcel

**Zoning:**

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: July 11, 2022  
Board of County Commissioners: July 26, 2022

**APPLICANT:** Pulte Group

**FILE NUMBER:** H-22-04

**REQUEST:** Rezoning from AG/(Agricultural) to PDP(SF)/Planned Development Project (Single Family) with deviations

**GENERAL LOCATION:** Southern Terminus of Sterling Hills Boulevard

**PARCEL KEY NUMBERS:** 377611

**PUBLIC INQUIRY WORKSHOP:** March 29, 2022

---

### APPLICANT'S REQUEST:

The subject site is a 253.8-acre parcel located at the southern terminus of Sterling Hills Boulevard. The petitioner has submitted a request to rezone the site from AG/(Agricultural) to PDP(SF)/Planned Development Project (Single Family) with deviations to develop an 815-unit single-family subdivision. This subdivision is proposed to consist of seven (7) unique residential pods with varying lot sizes as listed below.

Pod	General Location	Lot Sizes Proposed
A	Northeast boundary	Primarily 60'x120', small number of 40'x120' and 50'x120'
B	Northernmost boundary	50'x120' exterior 40'x120' interior
C	Northwestern boundary	50'x120' exterior 40'x120' interior Small portion of 60'x120' along southern cul-de-sac
D	Central portion	60'x120'
E	South central portion	50'x120'
F	Southernmost portion	50'x120' exterior 40'x120' interior

**Deviations Requested:**

The petitioner has requested the following deviations as part of this rezoning application:

- Minimum lot width: 40' and 50' (deviation from 60')
- Minimum lot size: 4,800 square feet (deviation from 6,000 square feet)

**Public Information Workshop:**

A Public Information Workshop (PIW) was held on this site on March 29, 2022. The following concerns were identified by residents attending the workshop:

- Compatibility of lot sizes with adjacent residential neighborhoods;
- Connection from the proposed development to existing residential roads;
- Capacity of the schools in the area;
- Amenities provided within the development to potential residents;
- Health issues from burning of trees once taken down in the development; and
- Ownership and maintenance of Sterling Hills Boulevard.

Staff analysis and comments regarding these items have been incorporated where appropriate in the staff report.

**SITE CHARACTERISTICS:**

<b>Site Size:</b>	253.8 acres
<b>Surrounding Zoning &amp; Land Uses:</b>	North: AG; PDP(SF); existing residential development South: PDP(SF); existing residential development East: PDP(SF); existing residential development West: AG; PDP(SF); existing residential development
<b>Current Zoning:</b>	AG/(Agricultural)
<b>Future Land Use Map Designation:</b>	Residential

**ENVIRONMENTAL REVIEW:**

<b>Soil Type:</b>	Candler Fine Sand
<b>Hydrologic Features:</b>	Vegetated relic sinks are present. Elevation ranges from 73-feet to 32-feet based on SWFWMD GIS topographic contour layer. The property does not have wetlands according to County data resources. Small areas of floodplain are

associated with relic sinkholes. The property falls within a Class 1 and 2 Wellhead Protection Areas (WHPA-1 and WHPA-2).

**Comment:** Residential uses with central services are allowable within the WHPA-1 and 2.

**Protection Features:** Relic sinks have the potential to be Special Protection Area (SPA). Some are proposed for drainage retention areas (DRAs). Untreated stormwater shall not be discharged to a SPA.

**Water Quality Review:** The proposed development is within the Weeki Wachee Priority Focus Area for the Weeki Wachee River Basin Management Action Plan and subject to a nutrient Total Maximum Daily Load (TMDL) for nitrate. Providing information on Florida friendly landscaping techniques and proper fertilizer use is another opportunity to educate property owners on water quality. These materials are designed to address and help reduce nutrient pollution.

**Archaeological Features:** This property has two archaeological resources according to County data resources, largely on the power easement.

**Habitat:** 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). The narrative states that gopher tortoises are present based on a preliminary environmental site visit.

**Flood Zone:** X

**Comment:** This project is located within the Weeki Wachee Basin identified by FDEP as contributing nutrients to the Weeki Wachee Riverine System. The developer shall provide new property owners with written program materials and owners shall be encouraged to utilize Florida-Friendly Landscaping™ Program principles, techniques, and landscaping.

The petitioner shall meet the minimum recommendations of the Florida Yards & Neighborhoods (FYN) Program for design techniques and principles for all required landscaping.

Development of common areas and landscape plans must comply with the Florida-Friendly Landscaping™ principles.

A comprehensive listed species survey (floral and faunal) shall be prepared by a qualified professional to identify any listed species present on the property. A Florida Fish and Wildlife Conservation Commission (FWC) permit will be required prior to site alterations. The petitioner is required to comply with all applicable FWC regulations.

Geotechnical subsurface testing and reporting in accordance with the County’s Facility Design Guidelines shall be conducted for all drainage retention areas (DRAs) within the project area (required for Class A subdivisions). Relic sinks that are not tested as part of the stormwater design shall be evaluated by geotechnical and geophysical methods to rule out karst features and designation as a Special Protection Area (SPA).

**SCHOOL DISTRICT REVIEW:**

The proposed development will generate the following students for the Hernando County School System, according to the student generation rates:

Grades	Distribution	Students
PK – 5 <sup>th</sup>	46%	124
6-8	23%	62
9-12	31%	84

At elementary, middle, and high school levels, adequate capacity is available and will be reserved in the assigned Concurrency Service Areas (CSAs) of Pine Grove ES, Powell MS, and Central HS, in which the proposed subdivision is located.

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 Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. There are multiple potential connection points for water surrounding this parcel. There is a 6-inch sewer force main at the southern end of Sterling Hill 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, with the stipulation that the developer will need to provide utility placement details showing the locations of all utilities on the conditional plat for lots with side setbacks of less than 10 feet.

**TRANSPORTATION REVIEW:**

The subject site is located at the southern end of Sterling Hills Boulevard, surrounded by existing residential development. The petitioner has proposed multiple access points to the development – the extension of Sterling Hills Boulevard, Chastain Street, Foothill Street and Opportunity Avenue. All these access points except Opportunity Avenue have been proposed as full access points to the development.

**MPO Review:**

The extension of Sterling Hills Boulevard from the current terminus to Linden Drive is identified as an unfunded need on the 2045 LRTP Roadway Network plan. Additionally, the extension of Elwood Road from Swallow Nest Road to Sterling Hill Boulevard has been identified as an unfunded need (to a 2 lane roadway). This future configuration is not addressed; there is a possible future connection identified into Chastain. Access to the west of the project to distribute traffic from the development should be a consideration.

**Engineering Review:**

The County Engineer reviewed the petitioner’s original submittal and provided the following comments:

- The Department of Public Works received a Traffic Analysis for this project; however, it is for only 815 Dwelling Units. The submitted narrative states the project is proposed for 888 dwelling units. Verification is required as to the number of units. The Traffic Analysis may need to be updated with final number of units.
- Connection to all stub streets is required to provide better distribution of traffic
- Connection to Opportunity Avenue is required. Connection cannot be an emergency access only.
- The roadways will need to meet County standards.
- This site contains a small area of floodplain less than 1 foot deep. Development must comply with SWFWMD ERP (South West Florida Water

Management District Environmental Resource Permitting) and Hernando County Facility Design Guideline storm drainage regulations.

- A map extract from the Wiscon Watershed is attached showing the sub-basin boundaries impacting the site (307-377611). Please refer to these when submitting drainage plans.

Subsequent to the initial submittal, the petitioner revised the master plan and narrative to connect to all stub streets for the better distribution of traffic and also reduced the number of lots requested to 815 consistent with the traffic analysis.

The County Engineer and the Planning Department reviewed the revised master plan and traffic analysis and determined the following:

- The connection to Opportunity Avenue must be a full access, not an emergency access. This will allow for a better distribution and disbursement of traffic.
- A roundabout should be constructed at the intersection of Sterling Hills Boulevard and the internal road adjacent to Pod B.
- The existing transportation network can support the applicant's request for 815 units; there is clarification necessary regarding improvements proposed by the applicant that must be provided prior to conditional plat.

## **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 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 four access points into the proposed development – the southern extension of Sterling Hills Boulevard

and connections to 3 existing local residential roads: Opportunity Avenue, Foothill Street and Chastain Street.

The petitioner has not shown a treed boulevard roadway access into the development. If the master plan is approved, the petitioner shall continue Sterling Hills Boulevard as a treed boulevard entrance, utilizing landscaping similar in size and scale as previously planted for continuity of design.

**Perimeter Setbacks and Buffers:**

The petitioner has proposed a 25' perimeter setback around the entire development. This setback does not include the perimeter buffers as listed below.

**Perimeter Buffers**

The petitioner has proposed the following perimeter buffers for the development on the master plan:

- North: 10'
- South: 10'
- West: 10'
- East: 30'

**Lot Sizes, Widths and Setbacks:**

The petitioner has proposed the following lot widths sizes for the development. These lot sizes are distributed throughout the development in various combinations.

<b>Lot Width</b>	<b>40'</b>	<b>50'</b>	<b>60'</b>
<b>Front Setback</b>	25'	25'	25'
<b>Side Setback</b>	5' (Dev. from 10')	5' (Dev. from 10')	5' (Dev. from 10')
<b>Rear Setback</b>	15' (Dev. from 20')	15' (Dev. From 20')	15' (Dev. from 20')
<b>Lot Size (Sq. Ft)</b>	4,800 square feet (Dev. from 6,000)	6,000 square feet	7,200 square feet

**Comments:** Further analysis of the lot sizes, setbacks and buffers are provided under the Comprehensive Plan Review portion of the staff report.

**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 petitioner has identified locations on the proposed master plan for neighborhood parks but has not defined the specific acreage for each park pod. If the master plan is approved, the petitioner shall be required to set aside 3.0 acres as dedicated park space. Due to the size and scale of the development, this park site should be split into three (3) separate pods, at a minimum of 1.0 acre per each pod, located throughout the development. These pods should be placed in the following approximate locations, with specific locations to be defined at the time of conditional plat:

- Park Pod 1: Between residential Pods B and C (not currently shown on master plan)
- Park Pod 2: North side of Sterling Hills Boulevard, between Pods C and D (as currently shown on master plan)
- Park Pod 3: Southern end of development, between Pods E and F (as currently shown on master plan)

Additionally, specific amenities as identified in the Public Information Workshop (i.e., dog park, amenity center, etc.) must be incorporated into the plan at the time of conditional plat.

**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 shall set aside 17.76 acres for the preservation of natural vegetation within the development.

**Open Space and Trail System**

The petitioner has proposed a multiuse path within the right-of-way along Sterling Hills Boulevard and a potential pedestrian path within the buffer along the western boundary of the site, adjacent to the Duke Energy Power Line.

The site shall be designed to provide multipurpose pathways to integrate the neighborhood parks within the Caldera development and provide for multimodal access throughout neighborhood. The multipurpose pathways shall be a minimum of eight (8) feet wide with an appropriate treed buffer on both sides based upon the scale and intensity of adjoining uses. These pathways shall incorporate pedestrian scale lighting and, where possible, take advantage of drainage features and other open space opportunities, incorporating pedestrian scale landscaping and seating areas.

No multipurpose pathways shall be placed within the vegetated buffers along the perimeter of the development or within those areas reserved for the preservation of natural vegetation.

**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. If approved, the petitioner shall submit a fire protection plan with the Conditional Plat in accordance with Hernando County LDRs.

**COMPREHENSIVE PLAN REVIEW:**

**Future Land Use Element**

**Future Land Use Map**

**Strategy 1.04A(3):** The Residential Category accommodates residential growth clustered in and around urbanized areas and those areas that maximize the efficient use of infrastructure contained in long-range facilities plans of the County.

**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.

**Single-Family Housing**

**Strategy 1.04B(3):** The Residential Category will include zoning for single-family housing, generally averaging a density of 2.5 dwelling units per gross acre to 6.0 dwelling units per gross acre comprised of varying lot sizes and dwelling unit types such as senior

housing, villa housing, single family detached housing, and zero lot line housing.

**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(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 lots within Pod A are primarily 60'x120' (7,200 square feet). These lot sizes are only slightly smaller than the lots along the eastern perimeter, adjacent to this pod (approximately 8,400 square feet.) The petitioner should remove the 40' and 50' lots from this pod and make all the lots 7,200 square feet consistent with the existing residential development to the east.

The lots along the exterior of Pod B are proposed to be 6,000 square feet, which is 29% smaller than the existing residential lots adjacent to the east. To ensure compatibility with the surrounding neighborhoods and a transition of lot sizes within the development, it is recommended that the petitioner place 60' lots along the perimeter of Pod B adjacent to the existing residential development and make all the internal lots within the pod 50' wide. This would eliminate the 40' wide lots from this pod and decrease the density within the pod.

There are no compatibility issues with the lot sizes proposed for Pod C.

The largest lots in Pod D are approximately one-third smaller than the lots immediately adjacent to the east. To ensure compatibility with that existing residential development, it is recommended that the developer increase the minimum lot

size to 80' along the perimeter where adjacent to existing residential lots.

It is also recommended that the external lots within Pod E be increased to 80' along the eastern perimeter, with a transition to 60' for the remainder of the perimeter lots. The 50' lots proposed internal to this pod do not cause any compatibility concerns.

It is recommended that the lots within Pod F at the southernmost end of the development be increased to 60' where adjacent to existing residential development, with a transition to 50' wide in the remainder of the pod.

In addition to the lot size adjustments proposed for the development, the following buffer revisions are proposed:

- Increase the buffer along the eastern property boundary from 30' to 50' and augment to 80% opacity within 3 years of planting and install a black chain-link fence on the Caldera side of the property.
- Increase the buffer along the western property line where adjacent to existing residential to 30', augment to 80% opacity within 3 years of planting and install a black chain-link fence on the Caldera side of the property.

The following revisions to the perimeter setbacks are also proposed to accommodate the increased buffers for the development:

- North: 35' (inclusive of the vegetative buffer)
- South: 35' (inclusive of the vegetative buffer)
- East: 75' (inclusive of vegetative buffer)
- West: 55' (inclusive of vegetative buffer)

**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:**

In addition to the increase in buffers along the perimeter of the development, it is recommended that the petitioner include green space as part of an overall trail and pedestrian plan between residential Pods B, C, D and E. These green spaces should connect the neighborhood park pods and be integrated into an overall pedestrian plan for the community.

**Conservation Element**

**Archaeological Resource Protection**

**Objective 10.05A:** The County shall protect archaeological sites and resources through monitoring and regulation of activities that might adversely affect such resources.

**Strategy 10.05A(1):** Coordinate with the State of Florida, through the use of the most recent Florida Master Site File data to map and catalog archaeological sites and to identify the potential for archaeological resources on proposed development sites early in the review process.

**Strategy 10.05A(2):** A Cultural Resource Assessment Survey (CRAS I) performed by a qualified professional in accordance with the guidelines published by the Florida Bureau of Archaeological Research should be performed for all proposed development sites on land with characteristics for a high probability of occurrence or where resources are indicated on the Florida Master Site File or other acceptable data source. High probability of occurrence includes property located within 1,200 feet of a river, freshwater swamp, permanent freshwater pond or lake, or within 200 feet of a significant historical sinkhole. Review and acceptance of the survey by the Florida Department of State is required prior to proceeding with development.

**Strategy 10.05A(3):** The County should allow flexible site development and land use standards for the purpose of protecting significant cultural resources. If resources cannot be avoided or preserved on site as part of the development plan, the County and the applicant shall consult with the Florida Department of State regarding acceptable alternative protection methods.

**Strategy 10.05A(4):** The County shall prohibit disturbance of significant archaeological sites, whether or not the site was previously identified, and require that if any accidental disturbance occurs, construction must be suspended, and the information reported immediately in accordance with the requirements of Florida Statutes.

**Comments:** This property has two archaeological resources according to County data resources, largely on the power easement. The developer is required to coordinate with the Florida Department of State to determine if a Cultural Resource Assessment is required. Based on the outcome of the cultural resource assessment, if required, the developer may be required to make alterations to the site design to preserve significant archaeological and cultural resources.

**FINDINGS OF FACT:**

A rezoning from AG/(Agricultural) to PDP(SF)/Planned Development Project (Single Family) with deviations is appropriate with the following revisions:

- The removal of the 40' and 50' lots from Pod A, making all the lots 7,200 square feet, consistent with the existing residential development to the East;
- The placement of 60' lots along the perimeter of Pod B and making all internal lots 50', reducing the overall density within the pod and providing greater compatibility with the existing residential surrounding it;
- Increasing the minimum lot width to 80' in Pod D, creating compatibility with the larger, established lots, adjacent thereto;
- Increasing the minimum lot size of the lots along the eastern perimeter of Pod E to 80' and increasing the remainder of the perimeter lots to 60' ;
- Increasing the perimeter lots at the southern boundary, where adjacent to existing residential, to 60' ;
- Increasing the buffer along the eastern property boundary from 30' to 50' and augmenting to 80% opacity within 3 years of planting;

- Increase the buffer along the western property line where adjacent to existing residential to 30';
- Placing a black chain-link fence on the Caldera side of the property anywhere a buffer is planted, to increase privacy and separation between the developments;
- Creating an integrated open space and trail system to integrate all the neighborhood parks and features; and
- Protecting the Archaeological Features on the site.

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 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 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 a resolution adopting the petitioner's request for a rezoning from AG/(Agricultural) to PDP(SF)/Planned Development Project (Single Family) 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. At each conditional plat, the petitioner shall be required to provide the following land use entitlement tracking:
  - Number of units requested versus total allowed for entire development;
  - Neighborhood Park acreage included in submission versus total required for development; and

- Land set aside for natural vegetation included in submission versus total required for development.
- 3. A comprehensive listed species 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. Any listed floral species found on site shall be relocated to the vegetative buffers to the greatest extent possible.
- 4. 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.
- 5. 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.
- 6. The petitioner shall contact the Florida Division of Historical Resources Review and Compliance Section to determine if a cultural survey is required. Based on the outcome of the cultural resource assessment, if required, the developer may be required to make alterations to the site design to preserve significant archaeological and cultural resources.
- 7. The developer must provide geotechnical and geophysical testing in accordance with the Hernando County Facility Design Guidelines including all proposed drainage retention areas (DRA). Relic sinks that are not tested as part of the drainage retention system shall undergo geotechnical testing to determine if they are Special Protection Areas. If a Special Protection Area is identified, the petitioner shall either be required to abandon the SPA or modify the development plan to prohibit development over the karst features.
- 8. 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.

9. The developer shall provide a water and sewer capacity analysis and connect to central water and sewer systems at the time of vertical construction.
10. The developer shall provide utility placement details showing the locations of all utilities with the conditional plat.
11. The developer shall connect to all stub streets (Opportunity Avenue, Foothill Street and Chastain Street) for better distribution and disbursement of traffic. The connection to Opportunity Avenue shall be a full access, not an emergency access.
12. Development must comply with SWFWMD ERP (South West Florida Water Management District Environmental Resource Permitting) and Hernando County Facility Design Guideline storm drainage regulations.
13. A roundabout should be constructed at the intersection of Sterling Hills Boulevard and the internal road adjacent to Pod B.
14. A traffic analysis has been submitted by the petitioner and has been reviewed by the County Engineer. All required improvements identified in the traffic analysis shall be the responsibility of the developer.
15. The petitioner shall continue Sterling Hills Boulevard as a treed boulevard entrance into the development, utilizing landscaping similar in size and scale as previously planted for continuity of design.
16. Minimum Lot Widths and Sizes by Pod:

<b>Pod</b>	<b>Lot Widths Permitted/ Location within Pod</b>	<b>Lot Sizes Permitted</b>
<b>A</b>	60'	7,200 square feet
<b>B</b>	60' where adjacent to existing residential	7,200 square feet
	50' all other lots	6,000 square feet
<b>C</b>	40' interior	4,800 square feet
	50' exterior	6,000 square feet
	60' along southern cul-de-sac	7,200 square feet
<b>D</b>	80' where adjacent to existing residential	9,600 square feet
	60' all other lots	7,200 square feet
<b>E</b>	80' along eastern perimeter where adjacent to existing residential	9,600 square feet
	60' remainder of perimeter lots	7,200 square feet
	50' interior lots	6,000 square feet
<b>F</b>	60' where adjacent to existing residential	7,200 square feet
	50' remaining lots	6,000 square feet

17. Minimum Buffers are as follows:

- North: 10'
- South: 10'
- East: 50'
- West: 30'

These buffers are all to be separate tracts, owned and maintained by the Homeowners' Association, with natural vegetation preserved and enhanced to to 80% opacity within 3 years of planting. The buffers shall also include a black chain length fence on the Caldera side of the property.

18. Perimeter setbacks (inclusive of the vegetative buffer):

- North: 35'
- South: 35'
- East: 75'
- West: 55'

19. The neighborhood park acreage shall be split into three (3) separate pods, at a minimum of 1.0 acre per each pod, located throughout the development. These pods should be placed in the following approximate locations, with specific locations to be defined at the time of conditional plat:

- Park Pod 1: Between residential pods B and C
- Park Pod 2: North side of Sterling Hills Boulevard, between pods C and D
- Park Pod 3: Southern end of development, between pods E and F

Additionally, specific amenities as identified in the Public Information Workshop (i.e., dog park, amenity center, etc.) shall be identified at the time of conditional plat.

20. The petitioner shall set aside 17.76 acres for the preservation of natural vegetation within the development.

21. The site shall be designed to provide multipurpose pathways to integrate the neighborhood parks within the Caldera development and provide for multimodal access throughout neighborhood. The multipurpose pathways shall be a minimum of eight (8) feet wide with an appropriate treed buffer on both sides based upon the scale and intensity of adjoining uses. These pathways shall incorporate pedestrian scale lighting and, where possible, take advantage of drainage features and other open space opportunities, incorporating pedestrian scale landscaping and seating areas.

22. No multipurpose pathways shall be placed within the vegetated buffers along the perimeter of the development or within those areas reserved for the preservation of natural vegetation.
23. If approved, the petitioner shall submit a fire protection plan with the Conditional Plat in accordance with Hernando County LDRs.
24. The developer shall generate a project absorption schedule; this schedule shall be updated on an annual basis upon actual home occupancy and shall be provided to the Hernando County School District and the Hernando County Planning Department.
25. The petitioner is limited to a maximum number of 818 single-family units, in accordance with the traffic access analysis.
26. 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 RECOMMENDATION:**

On July 11, 2022, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners approve a resolution adopting the petitioner's request for a rezoning from AG/(Agricultural) to PDP(SF)/Planned Development Project (Single Family) with deviations and 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. At each conditional plat, the petitioner shall be required to provide the following land use entitlement tracking:
  - Number of units requested versus total allowed for entire development;
  - Neighborhood Park acreage included in submission versus total required for development; and
  - Land set aside for natural vegetation included in submission versus total required for development.
3. A comprehensive listed species 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. Any listed floral species found on site shall be relocated to the vegetative buffers to the greatest extent possible.
4. 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.
5. 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.
6. The petitioner shall contact the Florida Division of Historical Resources Review and Compliance Section to determine if a cultural survey is required. Based on the outcome of the cultural resource assessment, if required, the developer may be required to make alterations to the site design to preserve significant archaeological and cultural resources.

7. The developer must provide geotechnical and geophysical testing in accordance with the Hernando County Facility Design Guidelines including all proposed drainage retention areas (DRA). Relic sinks that are not tested as part of the drainage retention system shall undergo geotechnical testing to determine if they are Special Protection Areas. If a Special Protection Area is identified, the petitioner shall either be required to abandon the SPA or modify the development plan to prohibit development over the karst features.
8. 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.
9. The developer shall provide a water and sewer capacity analysis and connect to central water and sewer systems at the time of vertical construction.
10. The developer shall provide utility placement details showing the locations of all utilities with the conditional plat.
11. The developer shall provide emergency access connections to all stub streets (Opportunity Avenue, Foothill Street and Chastain Street) for better distribution and disbursement of traffic. These access connections shall be designed to meet all full access requirements as identified in the Hernando County Facility Design Guidelines and may be converted to full access connections based on need, demand and public benefit as approved by the County Engineer. This language shall be included on the master plan and all development plans for the site. The connection to Opportunity Avenue shall be a full access, not an emergency access.
12. Development must comply with SWFWMD ERP (South West Florida Water Management District Environmental Resource Permitting) and Hernando County Facility Design Guideline storm drainage regulations.
13. A roundabout ~~should~~ shall be constructed ~~at the intersection of Sterling Hills Boulevard and the internal road adjacent to Pod B.~~ at a location as approved by the County Engineer.

- 14. A traffic analysis has been submitted by the petitioner and has been reviewed by the County Engineer. All required improvements identified in the traffic analysis shall be the responsibility of the developer.
- 15. The petitioner shall continue Sterling Hills Boulevard as a treed boulevard entrance into the development, utilizing landscaping similar in size and scale as previously planted for continuity of design.
- 16. Minimum Lot Widths and Sizes by Pod:

Pod	Lot Widths Permitted/ Location within Pod	Lot Sizes Permitted
A	60'	7,200 square feet
B	60' where adjacent to existing residential	7,200 square feet
	50' all other lots	6,000 square feet
C	40' interior	4,800 square feet
	50' exterior	6,000 square feet
	60' along southern cul-de-sac	7,200 square feet
D	<del>80'</del> <u>60'</u> where adjacent to existing residential	<del>9,600</del> <u>7,200</u> square feet
	60' all other lots	7,200 square feet
E	<del>80'</del> <u>60'</u> along eastern perimeter where adjacent to existing residential	<del>9,600</del> <u>7,200</u> square feet
	60' remainder of perimeter lots	7,200 square feet
	50' interior lots	6,000 square feet
F	60' where adjacent to existing residential	7,200 square feet
	50' remaining lots	6,000 square feet

\*If Pod A is used as a sales center, it can have a mix of 40' and 50' lots against the drainage retention area.

- 17. Minimum Buffers are as follows:
  - North: 10'
  - South: 10'
  - East: 50' (along Pods D, E and F)
  - East: 30' (remaining eastern property line)
  - West: 30' (where adjacent to existing residential)
  - West: 20' (remaining western property line)

These buffers are all to be separate tracts, owned and maintained by the Homeowners' Association, with natural vegetation preserved and enhanced to to 80% opacity within 3 years of planting. The buffers shall also include a black chain length fence on the Caldera side of the property.

- 18. Perimeter setbacks (inclusive of the vegetative buffer):

North:	35'
South:	35'
East:	<u>75' 65' (along Pods D, E and F)</u>
East:	<u>45' (remaining eastern property line)</u>
West:	<u>55' (South of Chastain)</u>
West:	<u>45' (North of Chastain)</u>

19. The neighborhood park acreage shall be split into three (3) separate pods, at a minimum of 1.0 acre per each pod, located throughout the development. These pods should be placed in the following approximate locations, with specific locations to be defined at the time of conditional plat:

- Park Pod 1: Between residential pods B and C
- Park Pod 2: North side of Sterling Hills Boulevard, between pods C and D
- Park Pod 3: Southern end of development, between pods E and F

Additionally, specific amenities as identified in the Public Information Workshop (i.e., dog park, amenity center, etc.) shall be identified at the time of conditional plat.

20. The petitioner shall set aside 17.76 acres for the preservation of natural vegetation within the development.

21. The site shall be designed to provide multipurpose pathways to integrate the neighborhood parks within the Caldera development and provide for multimodal access throughout neighborhood. The multipurpose pathways shall be a minimum of eight (8) feet wide ~~with an appropriate treed buffer on both sides based upon the scale and intensity of adjoining uses.~~ These pathways and shall incorporate pedestrian scale lighting and, where possible, take advantage of drainage features and other open space opportunities, incorporating pedestrian scale landscaping and seating areas. At the time of conditional plat, a cross section of the multipurpose path shall be provided to the planning department for review and approval.

22. No multipurpose pathways shall be placed within the vegetated buffers along the perimeter of the development or within those areas reserved for the preservation of natural vegetation.

23. If approved, the petitioner shall submit a fire protection plan with the Conditional Plat in accordance with Hernando County LDRs.

24. The developer shall generate a project absorption schedule; this schedule shall be updated on an annual basis upon actual home occupancy and shall be provided to the Hernando County School District and the Hernando County Planning Department.
25. The petitioner is limited to a maximum number of ~~848~~ 841 single-family units, in accordance with the traffic access analysis.
26. 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.



## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 03/13/2023  
Department: Planning  
Prepared By: akidd  
Initiator: Aaron Pool  
DOC ID: 11897  
Legal Request Number:  
Bid/Contract Number:

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#### TITLE

CP 1445908 Approval for Lake Hideaway Pod C Conditional Plat

#### BRIEF OVERVIEW

Conditional Plat Approval for Lake Hideaway Pod C

#### FINANCIAL IMPACT

No financial impact

#### LEGAL NOTE

The Planning and Zoning Commission has the authority to review this item in accordance with Chapter 26 (Subdivision Regulations), Article II (procedures for County review and approval), Section 26-21 (procedure for conditional plat) of the Hernando County Code of Ordinances.

#### RECOMMENDATION

Lake Hideaway Pod C Subdivision with performance conditions.

#### REVIEW PROCESS

Alaina Kidd	Approved	02/17/2023	4:23 PM
Omar DePablo	Approved	02/21/2023	10:27 AM
Michelle Miller	Approved	02/21/2023	2:43 PM
Aaron Pool	Escalated	02/23/2023	6:19 PM
Michelle Miller	Delegated	02/24/2023	4:25 PM
Aaron Pool	Approved	02/24/2023	4:57 PM

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: March 13, 2023

**APPLICANT:** Hawk Lake Hideaway LLC

**FILE NUMBER:** 1445908

**PURPOSE:** Conditional Plat Approval for Lake Hideaway Pod C

**GENERAL**

**LOCATION:** North of Star Road, south of Hexam Road, east of Commercial Way (US19)

**PARCEL KEY**

**NUMBER:** 344577 & 344540

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The conditional plat for the Lake Hideaway Pod C subdivision is for Two hundred eighty-two (282) single family residential lots on approximately 896 +/- acres of undeveloped land, located north of Star Road, south of Hexam Road, east of Commercial Way (US 19)

The conditional plat has been reviewed by various County agencies and found to be consistent with County standards. A certificate of concurrency has been issued for this conditional plat.

**STAFF RECOMMENDATION:**

It is recommended that the Planning and Zoning Commission approve the conditional plat of the Lake Hideaway Pod C Subdivision with the following performance conditions:

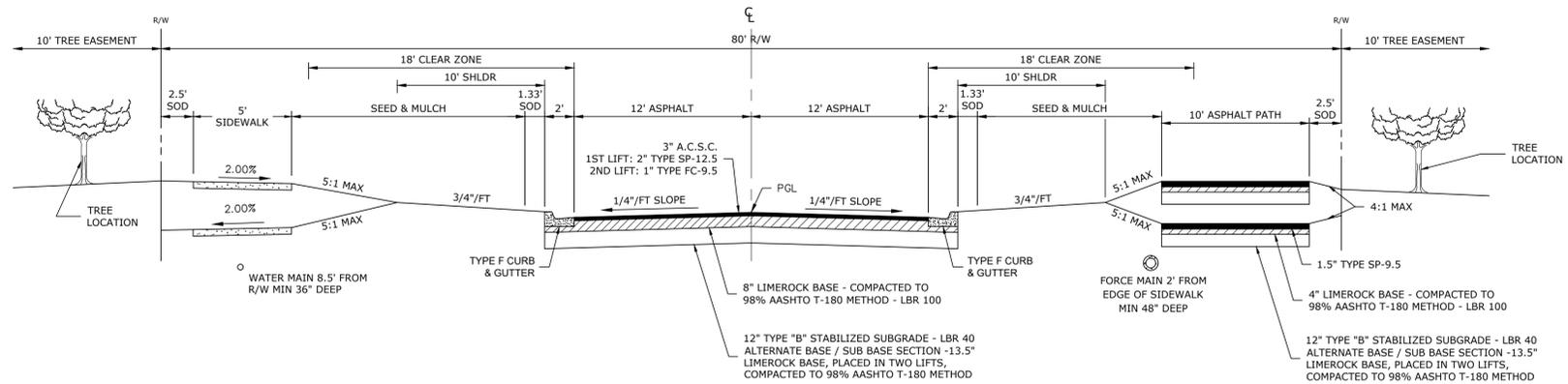
1. The conditional plat shall expire in two (2) years if no further approvals in the subdivision process are obtained.
2. The developer must conform to all Hernando County Facility Design guidelines.
3. The petitioner shall provide a comprehensive listed species survey prepared by a qualified professional to identify any listed species present prior to clearing or development activities. The petitioner is required to comply with all applicable FWC regulations.
4. 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.

5. The petitioner must remove the DRA label that was left near the southeast corner in the 50-foot vegetated perimeter buffer on the revised conditional plat.



MODIFIED MAJOR COLLECTOR / 2 LANE ROAD - CLOSED DRAINAGE

DESIGN SPEED = 45 MPH\*  
MODIFIED HERNANDO COUNTY ROADWAY STANDARD DETAIL (IV-13)



EAGLE SHORE DRIVE TYPICAL SECTION  
NOT TO SCALE

GENERAL NOTES:

DESIGN SPEED, RIGHT-OF-WAY, AND ROADSIDE DIMENSIONS ARE MINIMUMS. SITE CONDITION MAY REQUIRE INCREASES.

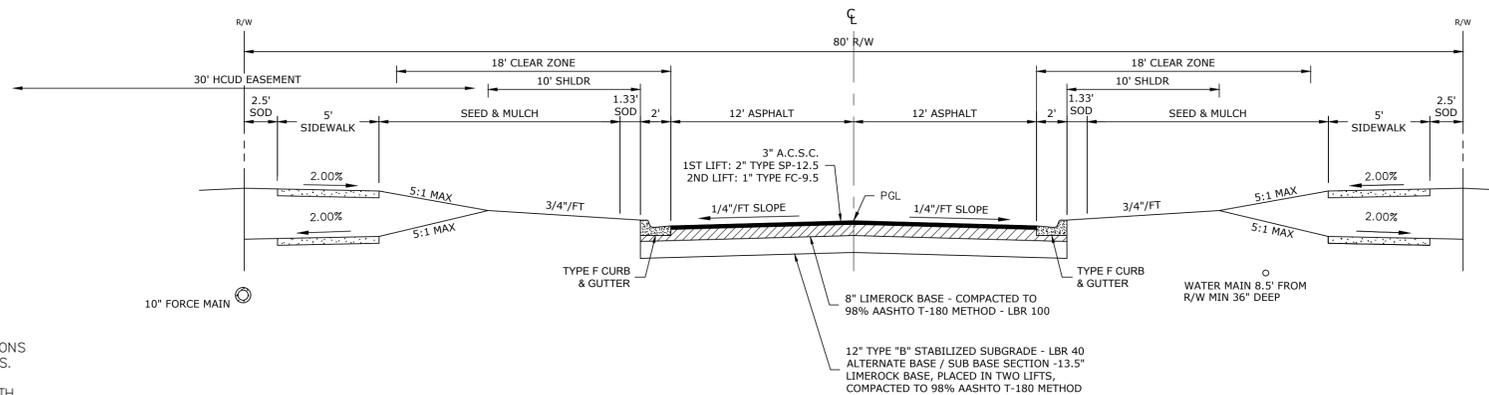
\* VARIANCE IN HORIZONTAL DESIGN SPEED ALLOWED WITH JUSTIFICATION AND APPROPRIATE SIGNAGE

\*\* SIDEWALKS IF APPLICABLE

ALL DIMENSIONS & LABELS ARE TYPICAL AND SHOWN IN FEET UNLESS LABELED OTHERWISE

MODIFIED MAJOR COLLECTOR / 2 LANE ROAD - CLOSED DRAINAGE

DESIGN SPEED = 45 MPH\*  
MODIFIED HERNANDO COUNTY ROADWAY STANDARD DETAIL (IV-13)



NORTH/SOUTH ROADWAY TYPICAL SECTION  
NOT TO SCALE

GENERAL NOTES:

DESIGN SPEED, RIGHT-OF-WAY, AND ROADSIDE DIMENSIONS ARE MINIMUMS. SITE CONDITION MAY REQUIRE INCREASES.

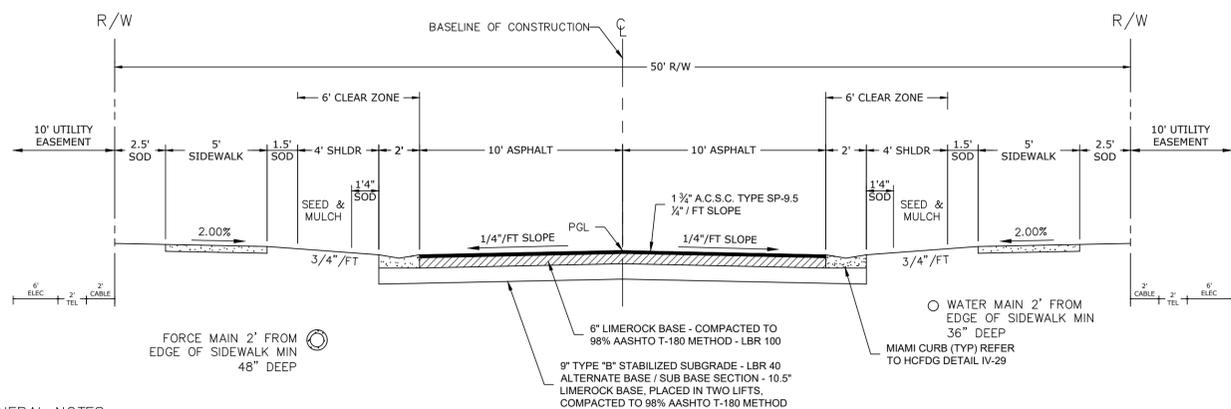
\* VARIANCE IN HORIZONTAL DESIGN SPEED ALLOWED WITH JUSTIFICATION AND APPROPRIATE SIGNAGE

\*\* SIDEWALKS IF APPLICABLE

ALL DIMENSIONS & LABELS ARE TYPICAL AND SHOWN IN FEET UNLESS LABELED OTHERWISE

LOCAL ROAD - CLOSED DRAINAGE

DESIGN SPEED = 30 MPH\*  
HERNANDO COUNTY ROADWAY STANDARD DETAIL (IV-05)



LOCAL ROADS TYPICAL SECTION  
NOT TO SCALE

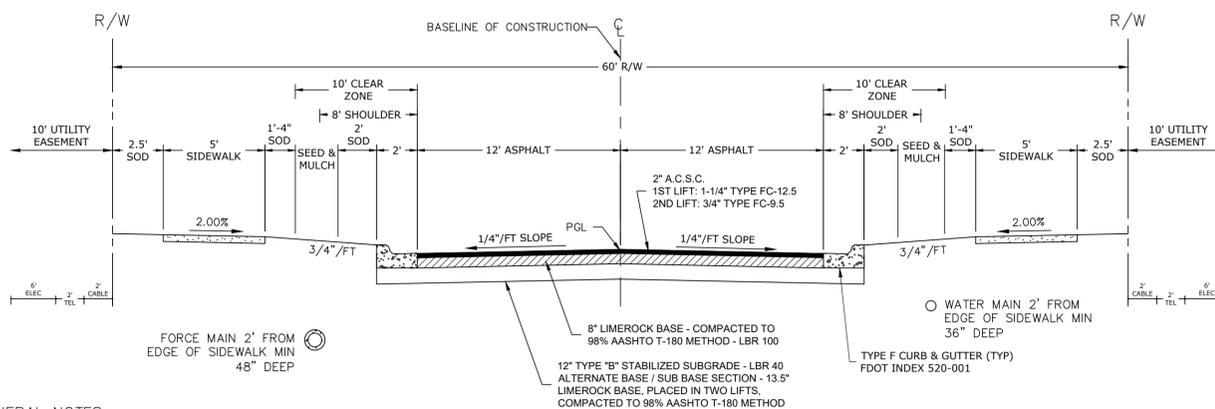
GENERAL NOTES:  
DESIGN SPEED, RIGHT-OF-WAY, AND ROADSIDE DIMENSIONS ARE MINIMUMS. SITE CONDITION MAY REQUIRE INCREASES.

\* VARIANCE IN HORIZONTAL DESIGN SPEED ALLOWED WITH JUSTIFICATION AND APPROPRIATE SIGNAGE

ALL DIMENSIONS & LABELS ARE TYPICAL

MAJOR LOCAL 2 LANE ROAD - CLOSED DRAINAGE

DESIGN SPEED = 35 MPH\*  
HERNANDO COUNTY ROADWAY STANDARD DETAIL (IV-06)



NORTH & EAST ENTRANCE ROADWAY TYPICAL SECTION  
NOT TO SCALE

GENERAL NOTES:  
DESIGN SPEED, RIGHT-OF-WAY, AND ROADSIDE DIMENSIONS ARE MINIMUMS. SITE CONDITION MAY REQUIRE INCREASES.

\* VARIANCE IN HORIZONTAL DESIGN SPEED ALLOWED WITH JUSTIFICATION AND APPROPRIATE SIGNAGE

ALL DIMENSIONS & LABELS ARE TYPICAL

TYPICAL SECTIONS

LAKE HIDEAWAY POD C

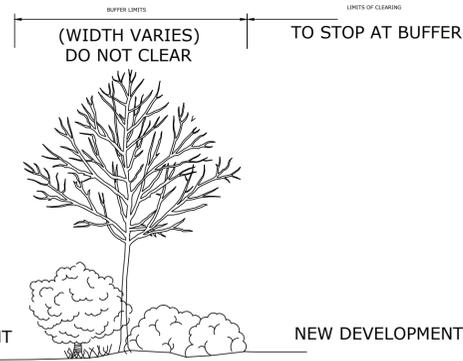
Engineering  
Surveying  
Environmental  
Transportation  
Construction Management

**Coastal**  
engineering associates, inc.

966 Candlelight Boulevard - Brooksville, Florida 34601  
(352) 796-9423 - Fax (352) 799-8359  
EB-0000142

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DATE	REV. BY/REV. NO.	REVISION

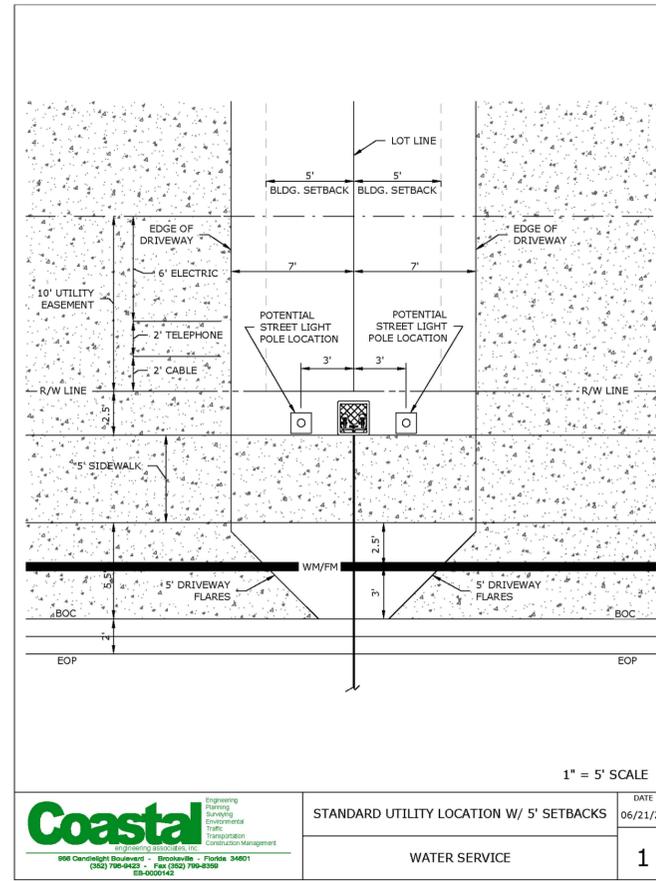


**BUFFER NOTE:**

ALL REQUIRED BUFFERS SHALL REMAIN UNDISTURBED DURING SITE DEVELOPMENT WITH THE EXCEPTION OF DEAD TREES AND EXOTIC INVASIVE SPECIES WHICH SHALL BE REMOVED. EXISTING VEGETATION SHALL BE RETAINED AND, IF NECESSARY, ENHANCED WITH LOW WATER USE FLORIDA FRIENDLY LANDSCAPING APPROVED UNDER THE FLORIDA YARDS AND NEIGHBORHOODS PROGRAM TO ACHIEVE AN OPACITY OF 80%. OPAQUE FENCING WILL NOT BE USED TO SATISFY THE BUFFER REQUIREMENT AND IF INSTALLED SHALL BE PLACED WITH THE BUFFER OUTSIDE OF THE FENCE. WHERE EXISTING VEGETATION IS ENHANCED, PLANS AND A PLANTING SCHEDULE SHALL BE PREPARED BY A FLORIDA REGISTERED LANDSCAPE ARCHITECT FOR REVIEW AND APPROVAL BY THE COUNTY. LANDSCAPE PLAN APPROVAL AND BUFFER ENHANCEMENT SHALL BE COMPLETED AND INSPECTED PRIOR TO RELEASE OF THE SUBDIVISION PERFORMANCE SECURITY. ALL REQUIRED BUFFERS SHALL BE IN A DEDICATED TRACT OR EASEMENT GRANTED TO THE HOMEOWNERS ASSOCIATION OR CDD, INCLUDED IN THE HOMEOWNERS ASSOCIATION, OR CDD DOCUMENTS, AND SHOWN ON THE FINAL SUBDIVISION PLAT.

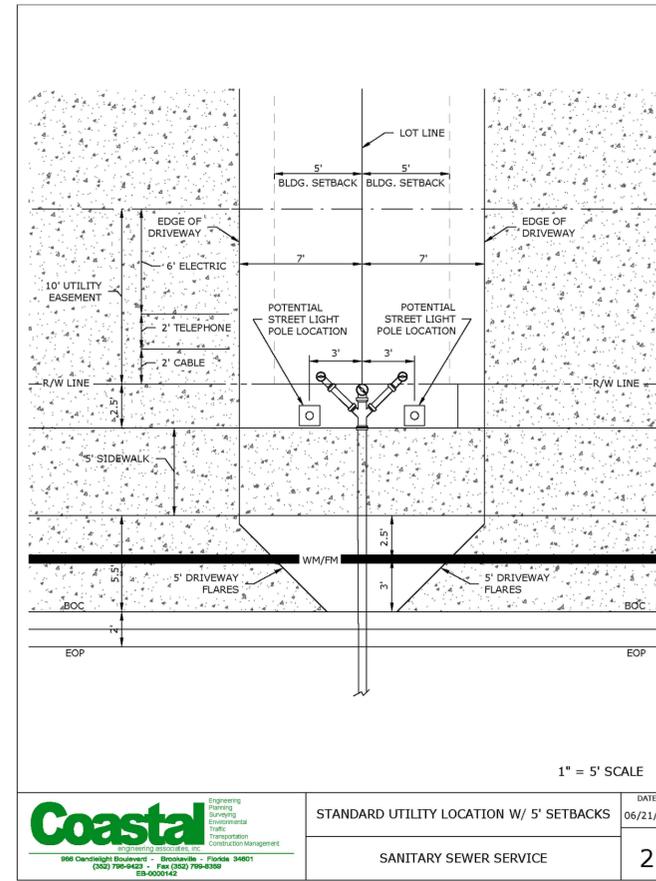
**WOODLAND WATERS VEGETATED BUFFER DETAIL**  
NOT TO SCALE

AN 8' BLACK CHAIN LINK FENCE SHALL BE PLACED ON THE LAKE HIDEAWAY SIDE OF THE BUFFER



<p>Engineering Planning Surveying Site/Environmental Traffic Transportation Construction Management</p> <p>966 Candlelight Boulevard - Brooksville - Florida 34601 (352) 796-9423 - Fax (352) 799-8359 EB-0000142</p>	STANDARD UTILITY LOCATION W/ 5' SETBACKS	DATE 06/21/21
	WATER SERVICE	1

PRINTED: 04/25/2022 - 3:18pm PRINTED BY: JB PATH: S:\\_CAD\Blocks\STD Util Loc Details.dwg



<p>Engineering Planning Surveying Site/Environmental Traffic Transportation Construction Management</p> <p>966 Candlelight Boulevard - Brooksville - Florida 34601 (352) 796-9423 - Fax (352) 799-8359 EB-0000142</p>	STANDARD UTILITY LOCATION W/ 5' SETBACKS	DATE 06/21/21
	SANITARY SEWER SERVICE	2

PRINTED: 04/25/2022 - 3:24pm PRINTED BY: JB PATH: S:\\_CAD\Blocks\STD Util Loc Details.dwg

TYPICAL SECTIONS

LAKE HIDEAWAY POD C

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(352) 796-9423 - Fax (352) 799-8359  
EB-0000142

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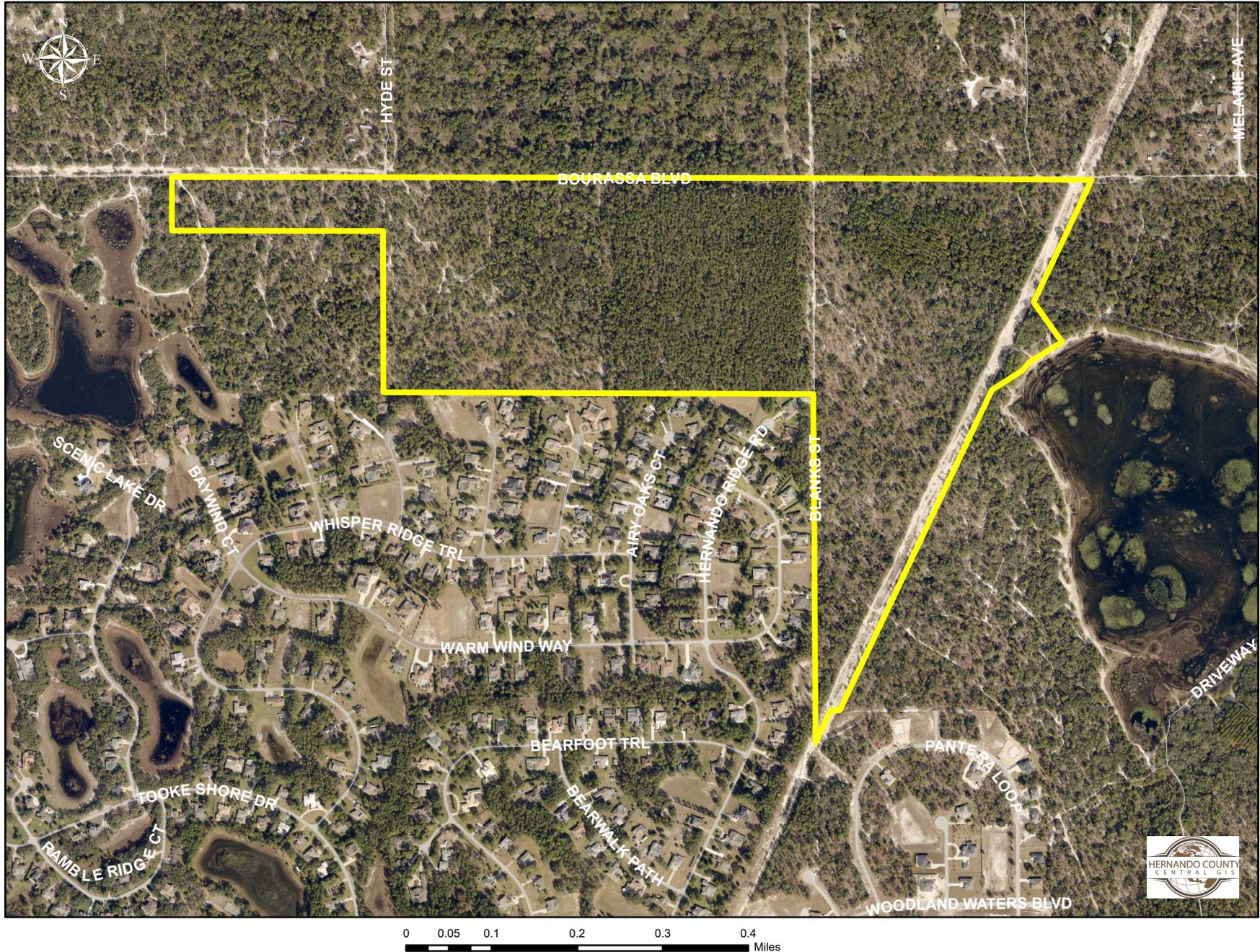
DATE	REV. BY/REV. NO.	REVISION

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

# CP 1445908

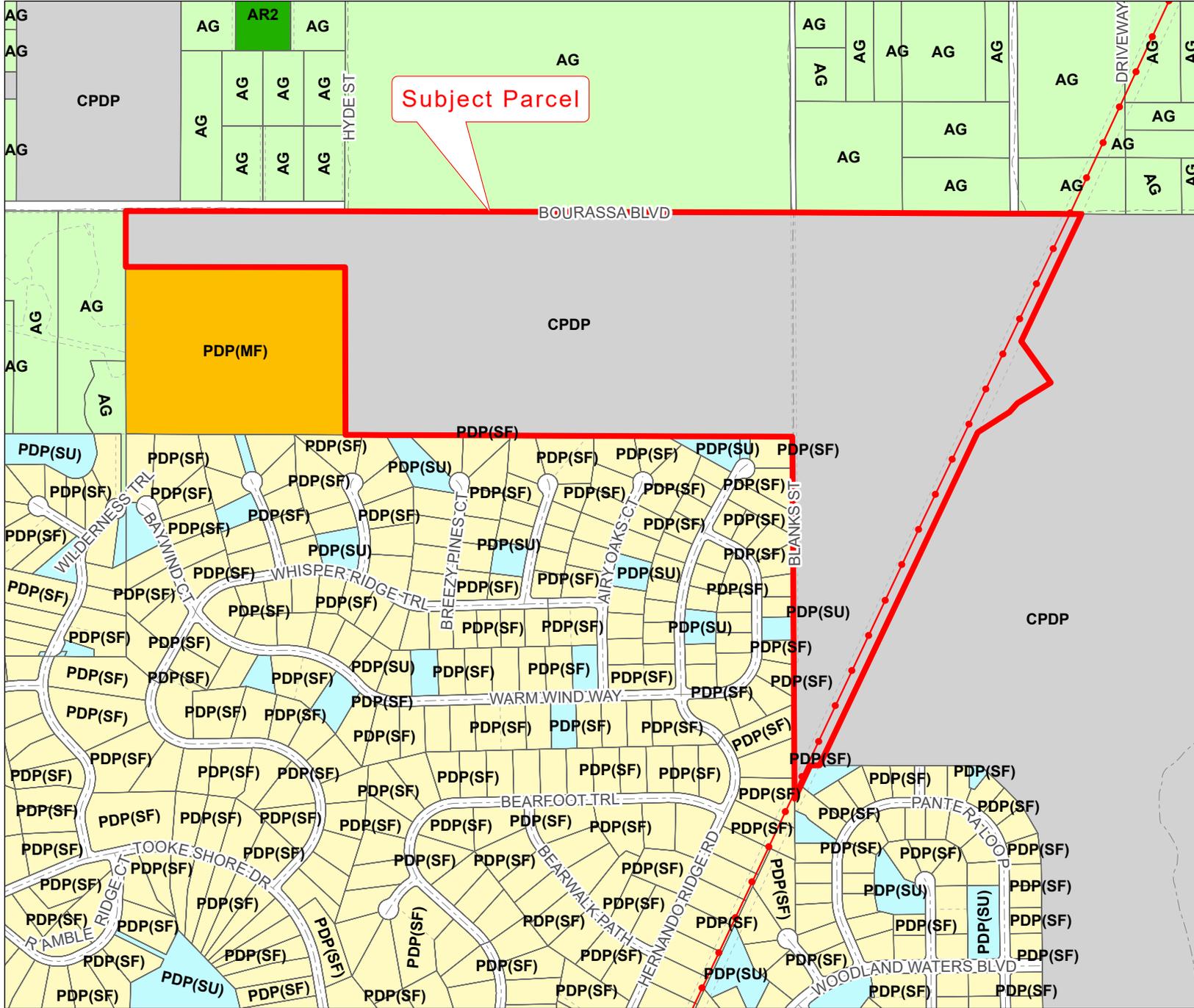
Photo date: 2020

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.



# CP 1445908

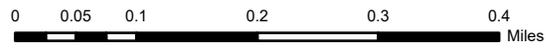
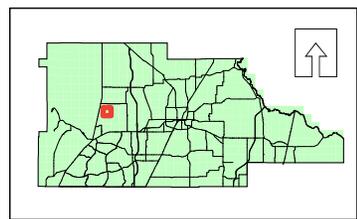
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



**Zoning:**

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: January 10, 2022  
Board of County Commissioners: February 8, 2022

**APPLICANT:** Hawk Land Investors New, LLC

**FILE NUMBER:** H-21-10

**REQUEST:** Master Plan Revision on Property Zoned CPDP/(Combined Planned Development Project), including PDP(SF)/Planned Development Project (Single Family), PDP(MF)/Planned Development Project (Multifamily), PDP(OP)/Planned Development Project (Office Professional), PDP(REC)/Planned Development Project (Recreation) and PDP(NC)/Planned Development Project (Neighborhood Commercial) with specific C-1/(General Commercial) uses with Deviations

### GENERAL

**LOCATION:** North and south sides of Bourassa Boulevard between Needham Court and Blanks Street

### PARCEL KEY

**NUMBERS:** 339716, 343131, 344540, 344577, 741914, 741932, 742021, 822765, 1400763

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### APPLICANT'S REQUEST:

On February 9, 2010, the subject site was approved for a rezoning from AG/(Agricultural), C-2/(Highway Commercial) and PDP(SF)/Planned Development Project (Single Family) to C-PDP/(Combined Planned Development Project) to establish a master plan with deviations. This master plan was approved in accordance with a Development of Regional Impact (DRI) for the property that was approved on February 13, 2008.

The petitioner's current request is a Master Plan Revision on Property Zoned CPDP/(Combined Planned Development Project), including PDP(SF)/Planned Development Project (Single Family), PDP(MF)/Planned Development Project (Multifamily), PDP(OP)/Planned Development Project (Office Professional), PDP(REC)/Planned Development Project (Recreation) and PDP(NC)/Planned Development Project (Neighborhood Commercial) with specific C-1/(General Commercial) uses with deviations. This Master Plan Revision includes a companion application to abandon the DRI and establish an updated Development Agreement which will be scheduled for consideration by the Board of County Commissioners on February 8<sup>th</sup>, 2022, in conjunction with the Master Plan Revision.

## **ENVIRONMENTAL REVIEW**

The Environmental Planning Division has reviewed the petitioner's request and has the following comments:

- If archaeological artifacts are discovered during Development construction, the Developer shall stop construction in that area and immediately notify the County, WRPC, DEO and the Division of Historical Resources of the Florida Department of State; and
- Invasive plant species shall be removed during the development process as required by the associated permitting agencies, environmental reports and development review processes.

## **UTILITIES REVIEW**

The Hernando County Utilities Department has no objection to the proposed Master Plan Revision, with the following comments:

- The developer shall be required to connect to water and sewer; and
- The developer shall be required to set-aside 5 acres along Hexam Drive as depicted on the Master Plan for the expansion of the utilities plant (addressed in the proposed Development Agreement).

## **ENGINEERING REVIEW**

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

- The developer shall be required to dedicate right-of-way for the expansions of Star Road, Hexam Road and Weeping Willow Drive as required (addressed in the proposed Development Agreement);
- A traffic signal shall be installed at Bourassa Boulevard and Commercial Way at the developer's sole expense with no impact fee credits (addressed in the proposed Development Agreement);
- All other road improvements shall be completed in accordance with Exhibit D of the Development Agreement; and
- Five years after approval of this Master Plan, and continuing every 600<sup>th</sup> unit thereafter until buildout, the Developer shall complete and submit updated Traffic Impact Monitoring (TIM) studies in accordance with the requirements of the County Engineer.

**LAND USE REVIEW**

**Land Uses and Development Intensity:**

The petitioner has requested the following entitlements outlined in the Land Use Schedule below. Supporting and ancillary facilities as enumerated in the approved development agreement for the site, include 5 acres for an HCUD potable water facility, 6 acres for community recreation (Lagoon), up to 6 acres for a potential charter school site, 2 acres for a Fire Station site and up to 1 acre for a potential substation for the Hernando County Sheriff’s Office.

Land Use <sup>1</sup>	Units	Square Feet	Acres
<b>Phase 1</b>			
Single Family Attached (Townhouses)	644		
Senior Adult Attached Housing	656		
Single-Family Detached Housing	2,400		
Fire Station Site			2 acres
Community Recreation (Lagoon)			6 acres
Community Recreation Area – Supportive Commercial/Retail		25000	
Public Safety			1 acre
Water Plant Expansion			5 acres
Charter School			6 acres
<b>Subtotal (Phase 1)</b>	<b>3,700</b>	<b>25,000</b>	
<b>Phase 2 <sup>2</sup></b>			
Commercial		25,000	
Office		150,000	
<b>Subtotal (Phase 2)</b>		<b>175,000</b>	
<b>Total Project</b>	<b>3,700</b>	<b>200,000</b>	

Development types permitted within the designated areas shown on the master plan shall be as follows:

**A. Commercial Area**

The commercial pod south of Hexam Road identified within Pod E of the Master Plan is designated Neighborhood Commercial, and includes up to 50,000 Sq. Ft., subject to the uses permitted by the C-3 zoning district.

The following C-1 uses also are permitted:

- a. Veterinary clinics with air conditioned, sound-attenuated runs
- b. Restaurants-Limited to 75 seats

<sup>1</sup> Land Uses may be exchanged in accordance with the Land Use Equivalency Matrix, approved as part of the Lake Hideaway Development Agreement. All land use exchanges must be approved, in writing, by the Hernando County Planning Department

<sup>2</sup> All Phase 2 entitlements are to be located within Pod E on the master plan

- c. Convenience goods stores Limited to 4 vehicle fueling stations
- d. Pharmacies-Limited to 2,500 square feet
- e. Indoor commercial amusement establishments
- f. Antique stores
- g. Dry cleaning establishments
- h. Business Training Schools
- i. Retail Food Stores
- j. Domestic Business Establishment
- k. Comparison Goods Store-Limited to 2,500 square feet per establishment

**B. Office**

The Office (OFF) uses are designated PDP-OP and will allow all OP/Office Professional zoning district uses. These uses will be exclusively located within Pod E of the associated Master Plan.

**C. Residential Areas (SF/MF)**

- a. Single-family detached, single-family detached zero lot line and single-family attached residential units may be developed at different land use densities, lot sizes, and product varieties. Any increase in Single-Family units can not result in a reduction of open space.
- b. Multi-family residential units (1,300 units total) may be developed at different land use densities. At least 30 of those units shall be set aside for those residents making less than 80% of the area median income as identified by the Florida Housing Finance Corporation.
- c. Ancillary uses associated with a recreation/clubhouse may be permitted and designated PDP(REC), including maintenance facilities, restrooms, dining, banquet facilities, recreation center, health club or spa, pool, exercise facilities, meeting rooms and similar supporting uses for other recreation facilities.
- d. Pod A shall be permitted to have a temporary sales center or similar use, and landscaping/ development signage along the western property boundary/US 19.
- e. The project will have up to 656 age-restricted units

**Buffers, Setbacks and Lot Dimensions:**

The petitioner has requested the following perimeter setbacks for the proposed development:

- From US 19: 75'
- From Hexam Road: 35'
- From Star Road: 35'
- From Weeping Willow Street Right-of-Way: 0'
- From South Boundary of Pod C: 100'
- From all other project boundaries: 35'

Perimeter setbacks from Hexam Road and Star Road shall be measured from the edge of the new rights-of-way reserved for the future expansion, as identified in the master plan.

The petitioner has requested the following minimum internal lot setbacks and dimensional criteria and deviations:

**Non-Residential:**

- Front (Structure to Parking): 5'
- Front (Structure to Public right-of-way): 0'
- Side (Structure to Structure): 5'
- Side (Structure to Parking): 5'
- Side (Structure to Public right-of-way): 0'
- Rear (Structure to Parking): 5'
- Rear (Structure to Public right of way): 0'
- Maximum Lot Coverage: 100%

**Comments:** When non-residential lots are adjacent to the project perimeter, the perimeter setbacks shall govern setbacks for individual development areas as appropriate.

**Residential (single-family detached lots):**

- Front (Primary Structure): 10' (Deviation from 25')
- Front (Garage Door): 20'
- Side: 5' (Deviation from 10')
- Rear (Primary structure): 15' (Deviation from 20')
- Rear (Accessory structure): 5'
- Minimum Lot size: 4,000 ft<sup>2</sup> (Deviation from 6,000 ft<sup>2</sup>)
- Minimum Lot width: 40' (Deviation from 60')
- Maximum Lot Coverage (Primary Structure): 75%
- Maximum Lot Coverage (Accessory Structure): 15%

**Residential (single-family, zero Lot Line)**

- Front: 10' (Deviation from 25')
- Side (Primary Structure - Internal): 0' (Deviation from 10')
- Side (Primary Structure – External): 10'
- Side (Accessory Structure): 5'
- Building Separation: 10'
- Rear (Primary Structure): 15' (Deviation from 20')
- Rear (Accessory Structure): 5'
- Minimum Lot Size: 4000 ft<sup>2</sup> (Deviation from 6,000 ft<sup>2</sup>)
- Minimum Lot Width: 40' (Deviation from 60)
- Maximum Lot Coverage (Primary Structure): 75%

- Maximum Lot Coverage (Accessory Structure): 15%

**Residential (single-family attached):**

- Front (Primary Structure): 0' (Deviation from 25')
- Front (Garage Door): 20'
- Side (Primary Structure): 0' (Deviation from 10')
- Building Separation: 10'
- Rear: 0' (Deviation from 20')
- Minimum Lot Size: 900 ft<sup>2</sup> (Deviation from 6,000 ft<sup>2</sup>)
- Minimum Lot Width: 15' (Deviation from 60')

**Residential (multi-family building with common parking):**

- Front (Primary Structure): 0' (Deviation from 25')
- Side: 0' (Deviation from 15')
- Rear: 0' (Deviation from 20')
- Garage Door: 20'
- Maximum Lot Coverage: 100% (Primary structure)

**Maximum Building Heights:**

- Non-Residential Height: 65' (deviation from 45')
- Multi-Family Height: 65' (deviation from 45')
- Single Family Attached Height: 45' (deviation from 35')
- Single Family Detached Height: 35'

The petitioner shall develop the Lake Hideaway community with the following perimeter buffers and in accordance with the cross-sections included with the master plan:

- **Hexam Road (Northernmost Project Boundary):** 35' vegetative buffer, measured from the southern edge of the 30' right-of-way preserved for future Hexam Road expansions.
- **Star Road (Southernmost Project Boundary):** 35' vegetative buffer, measured from the northern edge of the 20' right-of-way preserved for future Star Road expansions.
- **Southern and Eastern Buffers where Adjacent to Woodland Waters Subdivision:** 50' vegetative buffer. This buffer shall be developed and maintained in accordance with the Buffer Note included as a detail to this Master Plan.

**COMPREHENSIVE PLAN REVIEW:**

**Future Land Use Mapping Criteria**

**Residential Category:** The Residential Category is designed to accommodate a variety of residential and support uses at varying densities and types located in areas primarily clustered in and around the

Adjusted Urbanized Area and those areas that maximize the efficient use of existing and planned infrastructure.

**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.

**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:** The majority of the subject site is located in the residential land use category on the Future Land Use Map. The primary uses requested for the areas within the Residential land use category are single- and multi-family residential and include some age restricted units. The community recreation area (PDP/REC) is a supportive use to create a sense of place for the neighborhood and will also be open to the public; the proposed neighborhood commercial and office uses are also ancillary to the residential uses. Other uses include a site for a potential fire station, a site for a potential Charter School and a site for an expansion of the water treatment plant on Hexam Road.

**FINDINGS OF FACT:**

A Master Plan Revision on Property Zoned CPDP/(Combined Planned Development Project), including PDP(SF)/Planned Development Project (Single-Family), PDP(MF)/Planned Development Project (Multifamily), PDP(OP)/Planned Development Project (Office Professional), PDP(REC)/Planned Development Project (Recreation) and PDP(NC)/Planned Development Project (Neighborhood Commercial) with specific C-1/(General Commercial) uses with deviations is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all recommended 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 Master Plan Revision on Property Zoned CPDP/(Combined Planned Development Project), including PDP(SF)/Planned Development Project (Single Family), PDP(MF)/Planned Development Project (Multifamily), PDP(OP)/Planned Development Project (Office Professional), PDP(REC)/Planned Development Project (Recreation) and PDP(NC)/Planned Development Project (Neighborhood Commercial) with specific C-1/(General Commercial) uses 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 (unless provided otherwise in the approved Development Agreement), for either construction or use of the property, and complete all applicable development review processes.

2. The project is approved for the entitlements outlined in the Land Use Schedule below. Supporting and ancillary facilities are also approved as enumerated in the approved development agreement for the site, including 5 acres for an HCUD potable water facility, 6 acres for community recreation (Lagoon), up to 6 acres for a potential charter school site, 2 acres for a Fire Station site and up to 1 acre for a potential substation for the Hernando County Sheriff’s Office.

Land Use <sup>3</sup>	Units	Square Feet	Acres
<b>Phase 1</b>			
Single-Family Attached (Townhouses)	644		
Senior Adult Attached Housing	656		
Single-Family Detached Housing	2,400		
Fire Station Site			2 acres
Community Recreation (Lagoon)			6 acres
Community Recreation Area – Supportive Commercial/Retail		25000	
Public Safety			1 acre
Water Plant Expansion			5 acres
Charter School			6 acres
<b>Subtotal (Phase 1)</b>	<b>3,700</b>	<b>25,000</b>	
<b>Phase 2 <sup>4</sup></b>			
Commercial		25,000	
Office		150,000	
Subtotal (Phase 2)		<b>175,000</b>	
<b>Total Project</b>	<b>3,700</b>	<b>200,000</b>	

*Note: the project is approved for up to 656 age-restricted dwelling units. All age-restricted units shall be approved by the School District and enumerated in an agreement recorded in the public record.*

3. At each conditional plat, the petitioner shall be required to provide the following land use entitlement tracking:
  - Number of units and square foot of nonresidential requested versus total allowed for entire development;
  - Percentage allocation to affordable and/or senior housing
4. The Developer shall generate a project absorption schedule, differentiating age-restricted and nonage-restricted dwelling units. This schedule shall be updated on an

<sup>3</sup> Land Uses may be exchanged in accordance with the Land Use Equivalency Matrix, approved as part of the Lake Hideaway Development Agreement. All land use exchanges must be approved, in writing, by the Hernando County Planning Department

<sup>4</sup> All Phase 2 entitlements are to be located within Pod E on the master plan

annual basis based upon actual home occupancy and shall be provided to the Hernando County School District and the Hernando County Planning Department.

- 5. The petitioner shall maintain the following perimeter setbacks for the proposed development:

From US 19:	75'
From Hexam Road:	35'
From Star Road:	35'
From Weeping Willow Street Right-of-Way:	0'
From South Boundary of Pod C:	100'
From all other project boundaries:	35'

Perimeter setbacks from Hexam Road and Star Road shall be measured from the edge of the new rights-of-way reserved for the future expansion, as identified in the master plan.

- 6. The petitioner shall maintain the following minimum internal lot setbacks and dimensional criteria:

**Non-Residential:**

Front (Structure to Parking):	5'
Front (Structure to Public right-of-way):	0'
Side (Structure to Structure):	5'
Side (Structure to Parking):	5'
Side (Structure to Public right-of-way):	0'
Rear (Structure to Parking):	5'
Rear (Structure to Public right of way):	0'
Maximum Lot Coverage:	100%

When non-residential lots are adjacent to the project perimeter, the perimeter setbacks shall govern setbacks for individual development areas as appropriate.

**Residential (single-family detached lots):**

Front (Primary Structure):	10'	(Deviation from 25')
Front (Garage Door):	20'	
Side:	5'	(Deviation from 10')
Rear (Primary structure):	15'	(Deviation from 20')
Rear (Accessory structure):	5'	
Minimum Lot size:	4,000 ft <sup>2</sup>	(Deviation from 6,000 ft <sup>2</sup> )
Minimum Lot width:	40'	(Deviation from 60')
Maximum Lot Coverage (Primary Structure):	75%	
Maximum Lot Coverage (Accessory Structure):	15%	

**Residential (single-family, zero Lot Line)**

Front:	10'	(Deviation from 25')
Side (Primary Structure - Internal):	0'	(Deviation from 10')
Side (Primary Structure – External):	10'	
Side (Accessory Structure):	5'	
Building Separation:	10'	
Rear (Primary Structure):	15'	(Deviation from 20')
Rear (Accessory Structure):	5'	
Minimum Lot Size:	4000 ft <sup>2</sup>	(Deviation from 6,000 ft <sup>2</sup> )
Minimum Lot Width:	40'	(Deviation from 60)
Maximum Lot Coverage (Primary Structure):	75%	
Maximum Lot Coverage (Accessory Structure):	15%	

**Residential (single-family attached):**

Front (Primary Structure):	0'	(Deviation from 25')
Front (Garage Door):	20'	
Side (Primary Structure):	0'	(Deviation from 10')
Building Separation:	10'	
Rear:	0'	(Deviation from 20')
Minimum Lot Size:	900 ft <sup>2</sup>	(Deviation from 6,000 ft <sup>2</sup> )
Minimum Lot Width:	15'	(Deviation from 60')

**Residential (multi-family building with common parking):**

Front (Primary Structure):	0'	(Deviation from 25')
Side:	0'	(Deviation from 15')
Rear:	0'	(Deviation from 20')
Garage Door:	20'	
Maximum Lot Coverage:	100%	(Primary structure)

**Maximum Building Heights:**

Non-Residential Height:	65'	(deviation from 45')
Multi-Family Height:	65'	(deviation from 45')
Single Family Attached Height:	45'	(deviation from 35')
Single Family Detached Height:	35'	

7. The petitioner shall develop the Lake Hideaway community with the following perimeter buffers and in accordance with the cross-sections included with the master plan:
  - **Hexam Road (Northernmost Project Boundary):** 35' vegetative buffer, measured from the southern edge of the 30' right-of-way preserved for future Hexam Road expansions.
  - **Star Road (Southernmost Project Boundary):** 35' vegetative buffer, measured from the northern edge of the 20' right-of-way preserved for future Star Road expansions.

- **Southern and Eastern Buffers where Adjacent to Woodland Waters**  
**Subdivision:** 50' vegetative buffer. This buffer shall be developed and maintained in accordance with the Buffer Note included as a detail to this Master Plan.
  
- 8. All streets internal to the project may be public or private with the exception of the major internal collector road which shall be public. Private roads within single family or multifamily tracts may be gated with provision for emergency vehicle access in accordance with the requirements of the Hernando County Fire and Emergency Services Department and the Hernando County Facility Design Guidelines.
  
- 9. The development shall be limited to one access on Star Road and one on Hexam Road.
  
- 10. Development types permitted within the designated areas shown on the master plan shall be as follows:
  - A. Commercial Area**  
The commercial pod south of Hexam Road identified within Pod E of the Master Plan is designated Neighborhood Commercial, and includes up to 50,000 Sq. Ft., subject to the uses permitted by the C-3 zoning district.  
The following C-1 uses also are permitted:
    - a. Veterinary clinics with air conditioned, sound-attenuated runs
    - b. Restaurants-Limited to 75 seats
    - c. Convenience goods stores Limited to 4 vehicle fueling stations
    - d. Pharmacies-Limited to 2,500 square feet
    - e. Indoor commercial amusement establishments
    - f. Antique stores
    - g. Dry cleaning establishments
    - h. Business Training Schools
    - i. Retail Food Stores
    - j. Domestic Business Establishment
    - k. Comparison Goods Store-Limited to 2,500 square feet per establishment
  
  - B. Office**  
The Office (OFF) uses are designated PDP-OP and will allow all OP/Office Professional zoning district uses. These uses will be exclusively located within Pod E of the associated Master Plan.
  
  - C. Residential Areas (SF/MF)**
    - a. Single-family detached, single-family detached zero lot line and single-family attached residential units may be developed at different land use densities, lot sizes, and product varieties. Any increase in Single Family units can not result in a reduction of open space.

- b. Multi-family residential units (1,300 units total) may be developed at different land use densities. At least 30 of those units shall be set aside for those residents making less than 80% of the area median income as identified by the Florida Housing Finance Corporation.
- c. Ancillary uses associated with a recreation/clubhouse may be permitted and designated PDP(REC), including maintenance facilities, restrooms, dining, banquet facilities, recreation center, health club or spa, pool, exercise facilities, meeting rooms and similar supporting uses for other recreation facilities.
- d. Pod A shall be permitted to have a temporary sales center or similar use, and landscaping/ development signage along the western property boundary/US 19.
- e. The project will have up to 656 age-restricted units

***Single Family Residential Area Design Standards***

- a. Single-family, single-family semi-detached or single-family attached uses shall not exceed 45 percent (deviation from 35%) building area coverage within each phase of development.
- b. All proposed single-family dwellings shall meet the minimum standards for determination of similarity in exterior appearance within the individual pod of development as provided for in Article II, General Regulations, Section 2, General Regulations for Structures and Uses.
- c. The maximum number of single-family attached dwelling units per building is 8 units.
- d. Deviation is granted from the subdivision roadway standards for the Typical Townhome with Common areas as shown on the master plan.
- e. Single Family Pods more than 50 dwelling units shall provide dual access or boulevard and emergency access
- f. All multifamily development shall meet the minimum Multifamily Design Standards of the County's LDRs.

**D. Residential Protection Standards**

The master plan and the Design Standards affirm that the commercial use portion of the development will comply with the county's "residential protection standards" as outlined in Hernando County Code of Ordinances.

**E. Lighting**

Enhanced lighting beyond minimum standards shall be required as follows:

- a. Lighting throughout the Development shall be designed to shield the night sky. Shielding means a fixture, either directly from the lamp or indirectly from a fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.
- b. Internal residential area lighting shall be decorative, not exceed 12 feet in height with full cut-off fixtures.

- c. Street and parking lot lighting shall be oriented downward with full cut-off fixtures. Fifty percent of all lighting fixtures within parking lots shall be turned off within one hour after closing or between 10:00 pm and sunrise, whichever occurs first.
  - d. Neighborhood/Retail, Office, Recreation/Clubhouse and public or private recreational facility lighting shall not exceed 20-feet in height and shall be full cut of fixtures and shall only be illuminated while in use. The illumination must be extinguished by an automatic shutoff device between the hours of 11:00 pm and sunrise, or one hour after the termination of the event and/or use, whichever occurs first.
  - e. Solar streetlighting shall be allowed within public or private road rights-of-way areas and may be privately owned and/or operated by the HOA, CDD or the Developer, at the Developer's discretion.
11. Covenant, Conditions and Restrictions (CC&Rs) will be established to govern development within the C/PDP. The CC&Rs shall implement the applicable requirements of the zoning and associated Development Agreement and provide for enforcement by the Property Owners Association. The CC&Rs will be submitted to Hernando County for review and comment prior to final plat approval for each phase. The CC&Rs shall be recorded against those portions of the Development subject to such plat.
12. A geotechnical report prepared by a qualified professional shall be used in the design and layout of the Lake Hideaway project and shall be submitted to the County at time of and in connection with the conditional platting of each phase to ascertain that the Developer has used its best efforts to avoid adverse impacts to sensitive karst and subsurface features in the overall project design and layout of the project.
13. Any proposed security fencing along the perimeter of Lake Hideaway will be constructed of non-masonry, non-opaque materials. The fence will be designed to blend into the natural landscape of the area and will be supplemented with natural vegetation and screening landscaping as necessary. Other natural materials such as wood, stone or brick may be used in conjunction with project identification and entry monumentation features.
14. Five years after approval of this Master Plan, and continuing every 600<sup>th</sup> unit thereafter until buildout, the Developer shall complete and submit updated Traffic Impact Monitoring (TIM) studies in accordance with the requirements of the County Engineer.
15. With the submittal of construction plans for each phase, the Developer shall provide the following materials for review:
- Soil borings shall be used to verify that a minimum of five (5) feet of suitable soil cover is maintained between each drainage retention area (DRA) bottom

and any subsurface limestone rock strata, limestone pinnacles or potential karst connections. In the event another regulatory agency with jurisdiction requires a greater separation depth than 5', compliance with that agency's greater depth shall be required.

- BMPs for wetland protection (if applicable); control of siltation and turbidity during construction; minimization of site disturbance and wind erosion.
  - Low Impact Development (LID) design techniques (where reasonably feasible) as part of the stormwater plan.
16. If archaeological artifacts are discovered during Development construction, the Developer shall stop construction in that area and immediately notify the County, WRPC, DEO, and the Division of Historical Resources of the Florida Department of State.
  17. Invasive plant species shall be removed during the development process as required by the associated permitting agencies, environmental reports and development review processes.
  18. The master plan shall remain valid as long as the development proceeds in accordance with the terms of the Development Agreement.
  19. All the foregoing performance conditions are intended to conform to the associated Development Agreement for Lake Hideaway, and not to alter any requirement or condition of the Development Agreement. In the event of a conflict between the Development Agreement, these conditions, and any County land use regulations or ordinances, the Development Agreement shall supersede and control. This notwithstanding, any applicable County Ordinance containing additional details or regulations, which do not conflict with the provisions of the Development Agreement, shall govern the actions of the developer.
  20. 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 RECOMMENDATION:**

On January 10, 2022, 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), including PDP(SF)/Planned Development Project (Single-Family), PDP(MF)/Planned Development Project (Multifamily), PDP(OP)/Planned Development Project (Office Professional), PDP(REC)/Planned Development Project (Recreation) and PDP(NC)/Planned Development Project (Neighborhood Commercial) with specific C-1/(General Commercial) uses with deviations 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 (unless provided otherwise in the approved Development Agreement), for either construction or use of the property, and complete all applicable development review processes.
2. The project is approved for the entitlements outlined in the Land Use Schedule below. Supporting and ancillary facilities are also approved as enumerated in the approved development agreement for the site, including 5 acres for an HCUD potable water facility, 6 acres for community recreation (Lagoon), up to 6 acres for a potential charter school site, 2 acres for a Fire Station site and up to 1 acre for a potential substation for the Hernando County Sheriff’s Office.

Land Use <sup>5</sup>	Units	Square Feet	Acres
<b>Phase 1</b>			
Single-Family Attached (Townhouses)	644		
Senior Adult Attached Housing	656		
Single-Family Detached Housing	2,400		
Fire Station Site			2 acres
Community Recreation (Lagoon)			6 acres
Community Recreation Area – Supportive Commercial/Retail		25000	
Public Safety			1 acre
Water Plant Expansion			5 acres
Charter School			6 acres
<b>Subtotal (Phase 1)</b>	<b>3,700</b>	<b>25,000</b>	
<b>Phase 2 <sup>6</sup></b>			

<sup>5</sup> Land Uses may be exchanged in accordance with the Land Use Equivalency Matrix, approved as part of the Lake Hideaway Development Agreement. All land use exchanges must be approved, in writing, by the Hernando County Planning Department

<sup>6</sup> All Phase 2 entitlements are to be located within Pod E on the master plan

Commercial		25,000	
Office		150,000	
Subtotal (Phase 2)		<b>175,000</b>	
<b>Total Project</b>	<b>3,700</b>	<b>200,000</b>	

*Note: the project is approved for up to 656 age-restricted dwelling units. All age-restricted units shall be approved by the School District and enumerated in an agreement recorded in the public record.*

3. At each conditional plat, the petitioner shall be required to provide the following land use entitlement tracking:
  - Number of units and square foot of nonresidential requested versus total allowed for entire development;
  - Percentage allocation to affordable and/or senior housing
4. The Developer shall generate a project absorption schedule, differentiating age-restricted and nonage-restricted dwelling units. This schedule shall be updated on an annual basis based upon actual home occupancy and shall be provided to the Hernando County School District and the Hernando County Planning Department.
5. The petitioner shall maintain the following perimeter setbacks for the proposed development:

From US 19:	75'
From Hexam Road:	35'
From Star Road:	35'
From Weeping Willow Street Right-of-Way:	0'
From South Boundary of Pod C:	100'
From all other project boundaries:	35'

Perimeter setbacks from Hexam Road and Star Road shall be measured from the edge of the new rights-of-way reserved for the future expansion, as identified in the master plan.

6. The petitioner shall maintain the following minimum internal lot setbacks and dimensional criteria:

**Non-Residential:**

Front (Structure to Parking):	5'
Front (Structure to Public right-of-way):	0'
Side (Structure to Structure):	5'
Side (Structure to Parking):	5'
Side (Structure to Public right-of-way):	0'
Rear (Structure to Parking):	5'
Rear (Structure to Public right of way):	0'
Maximum Lot Coverage:	100%

When non-residential lots are adjacent to the project perimeter, the perimeter setbacks shall govern setbacks for individual development areas as appropriate.

**Residential (single-family detached lots):**

Front (Primary Structure):	10'	(Deviation from 25')
Front (Garage Door):	20'	
Side:	5'	(Deviation from 10')
Rear (Primary structure):	15'	(Deviation from 20')
Rear (Accessory structure):	5'	
Minimum Lot size:	4,000 ft <sup>2</sup>	(Deviation from 6,000 ft <sup>2</sup> )
Minimum Lot width:	40'	(Deviation from 60')
Maximum Lot Coverage (Primary Structure):	75%	
Maximum Lot Coverage (Accessory Structure):	15%	

**Residential (single-family, zero Lot Line)**

Front:	10'	(Deviation from 25')
Side (Primary Structure - Internal):	0'	(Deviation from 10')
Side (Primary Structure – External):	10'	
Side (Accessory Structure):	5'	
Building Separation:	10'	
Rear (Primary Structure):	15'	(Deviation from 20')
Rear (Accessory Structure):	5'	
Minimum Lot Size:	4000 ft <sup>2</sup>	(Deviation from 6,000 ft <sup>2</sup> )
Minimum Lot Width:	40'	(Deviation from 60')
Maximum Lot Coverage (Primary Structure):	75%	
Maximum Lot Coverage (Accessory Structure):	15%	

**Residential (single-family attached):**

Front (Primary Structure):	0'	(Deviation from 25')
Front (Garage Door):	20'	
Side (Primary Structure):	0'	(Deviation from 10')
Building Separation:	10'	
Rear:	0'	(Deviation from 20')
Minimum Lot Size:	900 ft <sup>2</sup>	(Deviation from 6,000 ft <sup>2</sup> )
Minimum Lot Width:	15'	(Deviation from 60')

**Residential (multi-family building with common parking):**

Front (Primary Structure):	0'	(Deviation from 25')
Side:	0'	(Deviation from 15')
Rear:	0'	(Deviation from 20')
Garage Door:	20'	
Maximum Lot Coverage:	100%	(Primary structure)

**Maximum Building Heights:**

Non-Residential Height:	65'	(deviation from 45')
Multi-Family Height:	65'	(deviation from 45')
Single Family Attached Height:	45'	(deviation from 35')
Single Family Detached Height:	35'	

7. The petitioner shall develop the Lake Hideaway community with the following perimeter buffers and in accordance with the cross-sections included with the master plan:
  - **Hexam Road (Northernmost Project Boundary):** 35' vegetative buffer, measured from the southern edge of the 30' right-of-way preserved for future Hexam Road expansions.
  - **Star Road (Southernmost Project Boundary):** 35' vegetative buffer, measured from the northern edge of the 20' right-of-way preserved for future Star Road expansions.
  - **Southern and Eastern Buffers where Adjacent to Woodland Waters Subdivision:** 50' vegetative buffer. This buffer shall be developed and maintained in accordance with the Buffer Note included as a detail to this Master Plan.
8. All streets internal to the project may be public or private with the exception of the major internal collector road which shall be public. Private roads within single family or multifamily tracts may be gated with provision for emergency vehicle access in accordance with the requirements of the Hernando County Fire and Emergency Services Department and the Hernando County Facility Design Guidelines.
9. The development shall be limited to one access on Star Road and one on Hexam Road.
10. Development types permitted within the designated areas shown on the master plan shall be as follows:

**F. Commercial Area**

The commercial pod south of Hexam Road identified within Pod E of the Master Plan is designated Neighborhood Commercial, and includes up to 50,000 Sq. Ft., subject to the uses permitted by the C-3 zoning district.

The following C-1 uses also are permitted:

- l. Veterinary clinics with air conditioned, sound-attenuated runs
- m. Restaurants-Limited to 75 seats
- n. Convenience goods stores Limited to 4 vehicle fueling stations
- o. Pharmacies-Limited to 2,500 square feet
- p. Indoor commercial amusement establishments
- q. Antique stores
- r. Dry cleaning establishments
- s. Business Training Schools

- t. Retail Food Stores
- u. Domestic Business Establishment
- v. Comparison Goods Store-Limited to 2,500 square feet per establishment

**G. Office**

The Office (OFF) uses are designated PDP-OP and will allow all OP/Office Professional zoning district uses. These uses will be exclusively located within Pod E of the associated Master Plan.

**H. Residential Areas (SF/MF)**

- f. Single-family detached, single-family detached zero lot line and single-family attached residential units may be developed at different land use densities, lot sizes, and product varieties. Any increase in Single Family units can not result in a reduction of open space.
- g. Multi-family residential units (1,300 units total) may be developed at different land use densities. At least 30 of those units shall be set aside for those residents making less than 80% of the area median income as identified by the Florida Housing Finance Corporation.
- h. Ancillary uses associated with a recreation/clubhouse may be permitted and designated PDP(REC), including maintenance facilities, restrooms, dining, banquet facilities, recreation center, health club or spa, pool, exercise facilities, meeting rooms and similar supporting uses for other recreation facilities.
- i. Pod A shall be permitted to have a temporary sales center or similar use, and landscaping/ development signage along the western property boundary/US 19.
- j. The project will have up to 656 age-restricted units

***Single Family Residential Area Design Standards***

- g. Single-family, single-family semi-detached or single-family attached uses shall not exceed 45 percent (deviation from 35%) building area coverage within each phase of development.
- h. All proposed single-family dwellings shall meet the minimum standards for determination of similarity in exterior appearance within the individual pod of development as provided for in Article II, General Regulations, Section 2, General Regulations for Structures and Uses.
- i. The maximum number of single-family attached dwelling units per building is 8 units.
- j. Deviation is granted from the subdivision roadway standards for the Typical Townhome with Common areas as shown on the master plan.
- k. Single Family Pods more than 50 dwelling units shall provide dual access or boulevard and emergency access
- l. All multifamily development shall meet the minimum Multifamily Design Standards of the County's LDRs.

**I. Residential Protection Standards**

The master plan and the Design Standards affirm that the commercial use portion of the development will comply with the county's "residential protection standards" as outlined in Hernando County Code of Ordinances.

**J. Lighting**

Enhanced lighting beyond minimum standards shall be required as follows:

- f. Lighting throughout the Development shall be designed to shield the night sky. Shielding means a fixture, either directly from the lamp or indirectly from a fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.
- g. Internal residential area lighting shall be decorative, not exceed 12 feet in height with full cut-off fixtures.
- h. Street and parking lot lighting shall be oriented downward with full cut-off fixtures. Fifty percent of all lighting fixtures within parking lots shall be turned off within one hour after closing or between 10:00 pm and sunrise, whichever occurs first.
- i. Neighborhood/Retail, Office, Recreation/Clubhouse and public or private recreational facility lighting shall not exceed 20-feet in height and shall be full cut of fixtures and shall only be illuminated while in use. The illumination must be extinguished by an automatic shutoff device between the hours of 11:00 pm and sunrise, or one hour after the termination of the event and/or use, whichever occurs first.
- j. Solar streetlighting shall be allowed within public or private road rights-of-way areas and may be privately owned and/or operated by the HOA, CDD or the Developer, at the Developer's discretion.

11. Covenant, Conditions and Restrictions (CC&Rs) will be established to govern development within the C/PDP. The CC&Rs shall implement the applicable requirements of the zoning and associated Development Agreement and provide for enforcement by the Property Owners Association. The CC&Rs will be submitted to Hernando County for review and comment prior to final plat approval for each phase. The CC&Rs shall be recorded against those portions of the Development subject to such plat.

12. A geotechnical report prepared by a qualified professional shall be used in the design and layout of the Lake Hideaway project and shall be submitted to the County at time of and in connection with the conditional platting of each phase to ascertain that the Developer has used its best efforts to avoid adverse impacts to sensitive karst and subsurface features in the overall project design and layout of the project.

13. Any proposed security fencing along the perimeter of Lake Hideaway will be constructed of non-masonry, non-opaque materials. The fence will be designed to

- blend into the natural landscape of the area and will be supplemented with natural vegetation and screening landscaping as necessary. Other natural materials such as wood, stone or brick may be used in conjunction with project identification and entry monumentation features.
14. Five years after approval of this Master Plan, and continuing every 600<sup>th</sup> unit thereafter until buildout, the Developer shall complete and submit updated Traffic Impact Monitoring (TIM) studies in accordance with the requirements of the County Engineer.
  15. With the submittal of construction plans for each phase, the Developer shall provide the following materials for review:
    - Soil borings shall be used to verify that a minimum of five (5) feet of suitable soil cover is maintained between each drainage retention area (DRA) bottom and any subsurface limestone rock strata, limestone pinnacles or potential karst connections. In the event another regulatory agency with jurisdiction requires a greater separation depth than 5', compliance with that agency's greater depth shall be required.
    - BMPs for wetland protection (if applicable); control of siltation and turbidity during construction; minimization of site disturbance and wind erosion.
    - Low Impact Development (LID) design techniques (where reasonably feasible) as part of the stormwater plan.
  16. If archaeological artifacts are discovered during Development construction, the Developer shall stop construction in that area and immediately notify the County, WRPC, DEO, and the Division of Historical Resources of the Florida Department of State.
  17. Invasive plant species shall be removed during the development process as required by the associated permitting agencies, environmental reports and development review processes.
  18. The master plan shall remain valid as long as the development proceeds in accordance with the terms of the Development Agreement.
  19. All the foregoing performance conditions are intended to conform to the associated Development Agreement for Lake Hideaway, and not to alter any requirement or condition of the Development Agreement. In the event of a conflict between the Development Agreement, these conditions, and any County land use regulations or ordinances, the Development Agreement shall supersede and control. This notwithstanding, any applicable County Ordinance containing additional details or regulations, which do not conflict with the provisions of the Development Agreement, shall govern the actions of the developer.

20. 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.

**BOCC ACTION:**

On February 8, 2022, the Board of County Commissioners voted 5-0 to adopt Resolution 2022-40 approving the petitioner’s request for a Master Plan Revision on Property Zoned CPDP/(Combined Planned Development Project), including PDP(SF)/Planned Development Project (Single-Family), PDP(MF)/Planned Development Project (Multifamily), PDP(OP)/Planned Development Project (Office Professional), PDP(REC)/Planned Development Project (Recreation) and PDP(NC)/Planned Development Project (Neighborhood Commercial) with specific C-1/(General Commercial) uses with deviations 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 (unless provided otherwise in the approved Development Agreement), for either construction or use of the property, and complete all applicable development review processes.
2. The project is approved for the entitlements outlined in the Land Use Schedule below. Supporting and ancillary facilities are also approved as enumerated in the approved development agreement for the site, including 5 acres for an HCUD potable water facility, 6 acres for community recreation (Lagoon), up to 6 acres for a potential charter school site, 2 acres for a Fire Station site and up to 1 acre for a potential substation for the Hernando County Sheriff’s Office.

Land Use <sup>i</sup>	Units	Square Feet	Acres
<b>Phase 1</b>			
Single-Family Attached (Townhouses)	644		
Senior Adult Attached Housing	656		
Single-Family Detached Housing	2,400		
Fire Station Site			2 acres
Community Recreation (Lagoon)			6 acres
Community Recreation Area – Supportive Commercial/Retail		25,000	
Public Safety			1 acre
Water Plant Expansion			5 acres
Charter School			6 acres
<b>Subtotal (Phase 1)</b>	<b>3,700</b>	<b>25,000</b>	
<b>Phase 2 <sup>ii</sup></b>			
Commercial		25,000	
Office		150,000	
<b>Subtotal (Phase 2)</b>		<b>175,000</b>	
<b>Total Project</b>	<b>3,700</b>	<b>200,000</b>	

*Note: the project is approved for up to 656 age-restricted dwelling units. All age-restricted units shall be approved by the School District and enumerated in an agreement recorded in the public record.*

3. At each conditional plat, the petitioner shall be required to provide the following land use entitlement tracking:
  - Number of units and square foot of nonresidential requested versus total allowed for entire development;
  - Percentage allocation to affordable and/or senior housing
4. The Developer shall generate a project absorption schedule, differentiating age-restricted and nonage-restricted dwelling units. This schedule shall be updated on an annual basis based upon actual home occupancy and shall be provided to the Hernando County School District and the Hernando County Planning Department.
5. The petitioner shall maintain the following perimeter setbacks for the proposed development:

From US 19:	75'
From Hexam Road:	35'
From Star Road:	35'
From Weeping Willow Street Right-of-Way:	0'
From South Boundary of Pod C:	100'
From all other project boundaries:	35'

Perimeter setbacks from Hexam Road and Star Road shall be measured from the edge of the new rights-of-way reserved for the future expansion, as identified in the master plan.

6. The petitioner shall maintain the following minimum internal lot setbacks and dimensional criteria:

**Non-Residential:**

Front (Structure to Parking):	5'
Front (Structure to Public right-of-way):	0'
Side (Structure to Structure):	5'
Side (Structure to Parking):	5'
Side (Structure to Public right-of-way):	0'
Rear (Structure to Parking):	5'
Rear (Structure to Public right of way):	0'
Maximum Lot Coverage:	100%

When non-residential lots are adjacent to the project perimeter, the perimeter setbacks shall govern setbacks for individual development areas as appropriate.

**Residential (single-family detached lots):**

Front (Primary Structure):	10'	(Deviation from 25')
Front (Garage Door):	20'	
Side:	5'	(Deviation from 10')
Rear (Primary structure):	15'	(Deviation from 20')
Rear (Accessory structure):	5'	
Minimum Lot size:	4,000 ft <sup>2</sup>	(Deviation from 6,000 ft <sup>2</sup> )
Minimum Lot width:	40'	(Deviation from 60')
Maximum Lot Coverage (Primary Structure):	75%	
Maximum Lot Coverage (Accessory Structure):	15%	

**Residential (single-family, zero Lot Line)**

Front:	10'	(Deviation from 25')
Side (Primary Structure - Internal):	0'	(Deviation from 10')
Side (Primary Structure – External):	10'	
Side (Accessory Structure):	5'	
Building Separation:	10'	
Rear (Primary Structure):	15'	(Deviation from 20')
Rear (Accessory Structure):	5'	
Minimum Lot Size:	4000 ft <sup>2</sup>	(Deviation from 6,000 ft <sup>2</sup> )
Minimum Lot Width:	40'	(Deviation from 60)
Maximum Lot Coverage (Primary Structure):	75%	
Maximum Lot Coverage (Accessory Structure):	15%	

**Residential (single-family attached):**

Front (Primary Structure):	0'	(Deviation from 25')
Front (Garage Door):	20'	
Side (Primary Structure):	0'	(Deviation from 10')
Building Separation:	10'	
Rear:	0'	(Deviation from 20')
Minimum Lot Size:	900 ft <sup>2</sup>	(Deviation from 6,000 ft <sup>2</sup> )
Minimum Lot Width:	15'	(Deviation from 60')

**Residential (multi-family building with common parking):**

Front (Primary Structure):	0'	(Deviation from 25')
Side:	0'	(Deviation from 15')
Rear:	0'	(Deviation from 20')
Garage Door:	20'	
Maximum Lot Coverage:	100%	(Primary structure)

**Maximum Building Heights:**

Non-Residential Height:	65'	(deviation from 45')
Multi-Family Height:	65'	(deviation from 45')
Single Family Attached Height:	45'	(deviation from 35')
Single Family Detached Height:	35'	

7. The petitioner shall develop the Lake Hideaway community with the following perimeter buffers and in accordance with the cross-sections included with the master plan:

- **Hexam Road (Northernmost Project Boundary):** 35' vegetative buffer, measured from the southern edge of the 30' right-of-way preserved for future Hexam Road expansions.
- **Star Road (Southernmost Project Boundary):** 35' vegetative buffer, measured from the northern edge of the 20' right-of-way preserved for future Star Road expansions.
- **Southern and Eastern Buffers where Adjacent to Woodland Waters**  
**Subdivision:** 50' vegetative buffer. This buffer shall be developed and maintained in accordance with the Buffer Note included as a detail to this Master Plan. An 8' black security chain link fence shall be placed on the Lake Hideaway side of the buffer.

8. All streets internal to the project may be public or private with the exception of the major internal collector road which shall be public. Private roads within single family or multifamily tracts may be gated with provision for emergency vehicle access in accordance with the requirements of the Hernando County Fire and Emergency Services Department and the Hernando County Facility Design Guidelines.

9. The development shall be limited to one access on Star Road and one on Hexam Road.

10. Development types permitted within the designated areas shown on the master plan shall be as follows:

**A. Commercial Area**

The commercial pod south of Hexam Road identified within Pod E of the Master Plan is designated Neighborhood Commercial, and includes up to 50,000 Sq. Ft., subject to the uses permitted by the C-3 zoning district.

The following C-1 uses also are permitted:

- a. Veterinary clinics with air conditioned, sound-attenuated runs
- b. Restaurants-Limited to 75 seats
- c. Convenience goods stores Limited to 4 vehicle fueling stations
- d. Pharmacies-Limited to 2,500 square feet
- e. Indoor commercial amusement establishments
- f. Antique stores
- g. Dry cleaning establishments

- h. Business Training Schools
- i. Retail Food Stores
- j. Domestic Business Establishment
- k. Comparison Goods Store-Limited to 2,500 square feet per establishment

**B. Office**

The Office (OFF) uses are designated PDP-OP and will allow all OP/Office Professional zoning district uses. These uses will be exclusively located within Pod E of the associated Master Plan.

**C. Residential Areas (SF/MF)**

- a. Single-family detached, single-family detached zero lot line and single-family attached residential units may be developed at different land use densities, lot sizes, and product varieties. Any increase in Single Family units can not result in a reduction of open space.
- b. Multi-family residential units (1,300 units total) may be developed at different land use densities. At least 30 of those units shall be set aside for those residents making less than 80% of the area median income as identified by the Florida Housing Finance Corporation.
- c. Ancillary uses associated with a recreation/clubhouse may be permitted and designated PDP(REC), including maintenance facilities, restrooms, dining, banquet facilities, recreation center, health club or spa, pool, exercise facilities, meeting rooms and similar supporting uses for other recreation facilities.
- d. Pod A shall be permitted to have a temporary sales center or similar use, and landscaping/ development signage along the western property boundary/US 19.
- e. The project will have up to 656 age-restricted units

***Single Family Residential Area Design Standards***

- a. Single-family, single-family semi-detached or single-family attached uses shall not exceed 45 percent (deviation from 35%) building area coverage within each phase of development.
- b. All proposed single-family dwellings shall meet the minimum standards for determination of similarity in exterior appearance within the individual pod of development as provided for in Article II, General Regulations, Section 2, General Regulations for Structures and Uses.
- c. The maximum number of single-family attached dwelling units per building is 8 units.
- d. Deviation is granted from the subdivision roadway standards for the Typical Townhome with Common areas as shown on the master plan.
- e. Single Family Pods more than 50 dwelling units shall provide dual access or boulevard and emergency access

- f. All multifamily development shall meet the minimum Multifamily Design Standards of the County's LDRs.

**D. Residential Protection Standards**

The master plan and the Design Standards affirm that the commercial use portion of the development will comply with the county's "residential protection standards" as outlined in Hernando County Code of Ordinances.

**E. Lighting**

Enhanced lighting beyond minimum standards shall be required as follows:

- a. Lighting throughout the Development shall be designed to shield the night sky. Shielding means a fixture, either directly from the lamp or indirectly from a fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.
  - b. Internal residential area lighting shall be decorative, not exceed 12 feet in height with full cut-off fixtures.
  - c. Street and parking lot lighting shall be oriented downward with full cut-off fixtures. Fifty percent of all lighting fixtures within parking lots shall be turned off within one hour after closing or between 10:00 pm and sunrise, whichever occurs first.
  - d. Neighborhood/Retail, Office, Recreation/Clubhouse and public or private recreational facility lighting shall not exceed 20-feet in height and shall be full cut of fixtures and shall only be illuminated while in use. The illumination must be extinguished by an automatic shutoff device between the hours of 11:00 pm and sunrise, or one hour after the termination of the event and/or use, whichever occurs first.
  - e. Solar streetlighting shall be allowed within public or private road rights-of-way areas and may be privately owned and/or operated by the HOA, CDD or the Developer, at the Developer's discretion.
11. Covenant, Conditions and Restrictions (CC&Rs) will be established to govern development within the C/PDP. The CC&Rs shall implement the applicable requirements of the zoning and associated Development Agreement and provide for enforcement by the Property Owners Association. The CC&Rs will be submitted to Hernando County for review and comment prior to final plat approval for each phase. The CC&Rs shall be recorded against those portions of the Development subject to such plat.
12. A geotechnical report prepared by a qualified professional shall be used in the design and layout of the Lake Hideaway project and shall be submitted to the County at time of and in connection with the conditional platting of each phase to ascertain that the Developer has used its best efforts to avoid adverse impacts to sensitive karst and subsurface features in the overall project design and layout of the project.

13. Any proposed security fencing along the perimeter of Lake Hideaway will be constructed of non-masonry, non-opaque materials. The fence will be designed to blend into the natural landscape of the area and will be supplemented with natural vegetation and screening landscaping as necessary. Other natural materials such as wood, stone or brick may be used in conjunction with project identification and entry monumentation features.
14. Five years after approval of this Master Plan, and continuing every 600<sup>th</sup> unit thereafter until buildout, the Developer shall complete and submit updated Traffic Impact Monitoring (TIM) studies in accordance with the requirements of the County Engineer.
15. With the submittal of construction plans for each phase, the Developer shall provide the following materials for review:
  - Soil borings shall be used to verify that a minimum of five (5) feet of suitable soil cover is maintained between each drainage retention area (DRA) bottom and any subsurface limestone rock strata, limestone pinnacles or potential karst connections. In the event another regulatory agency with jurisdiction requires a greater separation depth than 5', compliance with that agency's greater depth shall be required.
  - BMPs for wetland protection (if applicable); control of siltation and turbidity during construction; minimization of site disturbance and wind erosion.
  - Low Impact Development (LID) design techniques (where reasonably feasible) as part of the stormwater plan.
16. If archaeological artifacts are discovered during Development construction, the Developer shall stop construction in that area and immediately notify the County, WRPC, DEO, and the Division of Historical Resources of the Florida Department of State.
17. Invasive plant species shall be removed during the development process as required by the associated permitting agencies, environmental reports and development review processes.
18. The master plan shall remain valid as long as the development proceeds in accordance with the terms of the Development Agreement.
19. All the foregoing performance conditions are intended to conform to the associated Development Agreement for Lake Hideaway, and not to alter any requirement or condition of the Development Agreement. In the event of a conflict between the Development Agreement, these conditions, and any County land use regulations or ordinances, the Development Agreement shall supersede and control. This notwithstanding, any applicable County Ordinance containing additional details or

regulations, which do not conflict with the provisions of the Development Agreement, shall govern the actions of the developer.

20. The location and design of the lagoon will require a Master Plan Revision.

~~20.~~21. 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.

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<sup>i</sup> *Land Uses may be exchanged in accordance with the Land Use Equivalency Matrix, approved as part of the Lake Hideaway Development Agreement. All land use exchanges must be approved, in writing, by the Hernando County Planning Department*

<sup>ii</sup> *All Phase 2 entitlements are to be located within Pod E on the master plan*



## AGENDA ITEM

### TITLE

SE-22-17 - Matthews Family Limited Partnership:  
Revision to a Special Exception Use Permit for a Place of Public Assembly, Namely a Venue for Special Events and Retreats; East side of Culbreath Road, approximately 600' north of Bobwhite Drive

### BRIEF OVERVIEW

**Request:**

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

**General Location:**

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

### FINANCIAL IMPACT

A matter of policy. There is no financial impact

### LEGAL NOTE

The Planning and Zoning Commission has jurisdiction over the subject application; the Commission has the ability to approve special exceptions with appropriate conditions and safeguards or deny special exceptions not in harmony with the Land Development Regulations. The Applicable Criteria for a special exception are contained in Appendix A, (Zoning Code) Article V, Section 8. The Special Exception must be consistent with the Comprehensive Plan.

### 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 performance conditions.

### REVIEW PROCESS

Omar DePablo	Approved	02/23/2023	11:38 AM
Michelle Miller	Approved	02/24/2023	4:31 PM
Aaron Pool	Approved	02/24/2023	4:58 PM
Kyle Benda	Approved	02/24/2023	5:07 PM

**RESULT:**     **ADOPTED**  
**MOVER:**     Kathryn Birren  
**SECONDER:** Mike Fulford  
**AYES:**       Hickey, Birren, Fulford, Holmes and Arflack

# STAFF REPORT

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**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

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## 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.

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**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 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'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 Trails
  - 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.

**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. 4227 Official Date Stamp:  
**Received**  
**DEC 09 2022**  
 Planning Department  
 Hernando County, Florida

Date: 12/7/2022

**APPLICANT NAME:** Matthews Family Limited Partnership

Address: 2248 Culbreath Rd  
 City: Brooksville State: FL Zip: 34602  
 Phone: 352-398-2448 Email: papajoe@mflps.org  
 Property owner's name: (if not the applicant) JOSEPH MATTHEWS

**REPRESENTATIVE/CONTACT NAME:** Matthews Family Limited Partnership

Company Name: Jim Orr  
 Address: 10028 Preston Rd  
 City: Brooksville State: FL Zip: 34601  
 Phone: 352-232-5167 Email: jorr268411@aol.com

**HOME OWNERS ASSOCIATION:**  Yes  No (if applicable provide name) \_\_\_\_\_

Contact Name: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**PROPERTY INFORMATION:**

1. PARCEL(S) **KEY** NUMBER(S): 383999
2. SECTION 24, TOWNSHIP 23, RANGE 19
3. Current zoning classification: AG with Special Exception to Operate a Dude Ranch
4. Desired use: Amend AG with Special Exception to include Activites Center- Please see narrative
5. Size of area covered by application: 120
6. Highway and street boundaries: Culbreath Rd/Ayers Rd
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 AFFIDIVAT**

I, Joseph Matthews, 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): \_\_\_\_\_  
 and (representative, if applicable): Jim Orr  
 to submit an application for the described property.

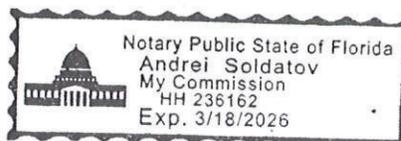
Joseph Matthews  
 Signature of Property Owner

STATE OF FLORIDA  
 COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 08 day of December, 2022, by Matthews Joseph Edward who is personally known to me or produced Fl.Dk as identification.

\_\_\_\_\_  
 Signature of Notary Public

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



Notary Seal Stamp



The Permit  
**TECH**

PO Box 15133, Brooksville, FL 34604  
352-585-8326- CELL  
THEPERMITTECH@GMAIL.COM

## PROJECT NARRATIVE

12/9/2022

*Proposal:*

*a. Proposed use and its relation to the parcel of property;*

The proposed structure is an Activity Center for use by the Farm's Guests.

*b. Existing and future structures; and*

The revision requested is an Activity Center for assembly uses in addition to the previously approved structures.

*c. Access and parking.*

This is an Accessory Structure. No additional parking demand is anticipated.

*d. If applicable, hours of operation and number of employees;*

Existing Staff will attend to the structure, no additional employees will be required.



The Permit  
**TECH**

PO BOX 15133, BROOKSVILLE, FL 34604  
352-585-8326- CELL  
THEPERMITTECH@GMAIL.COM

## PROJECT NARRATIVE

12/9/2022

Received  
FEB 08 2023  
Planning Department  
Hernando County, Florida

*Proposal:*

*a. Proposed use and its relation to the parcel of property;*

The proposed structure is an Activity Center and Bath House for use by the Farm's Guests.

*b. Existing and future structures; and*

The revision requested is an Activity Center for assembly uses and a Bath House in addition to the previously approved structures.

*c. Access and parking.*

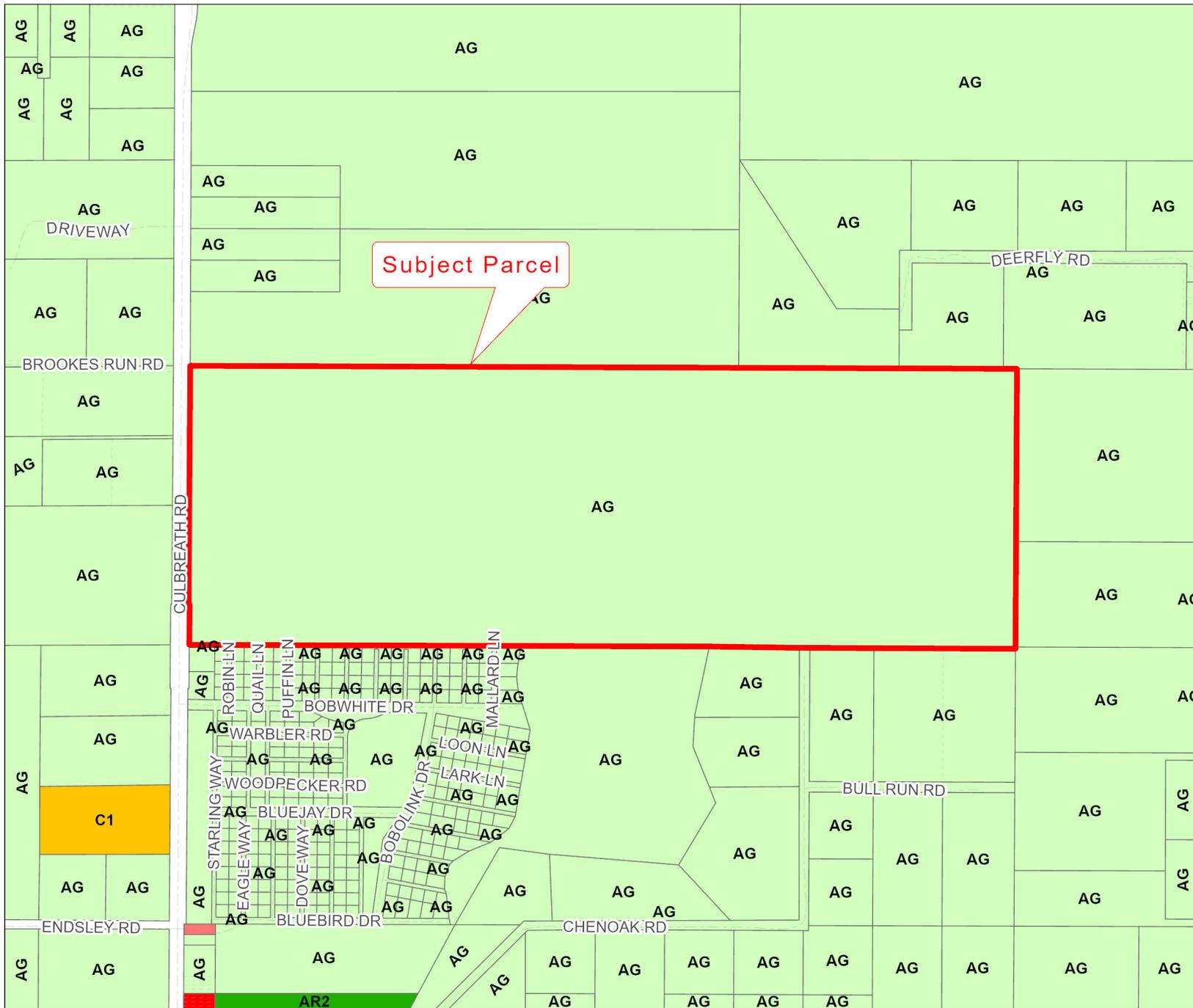
This is an Accessory Structure and a Bath House. No additional parking demand is anticipated.

*d. If applicable, hours of operation and number of employees;*

Existing Staff will attend to the structures, no additional employees will be required.

# SE-22-17

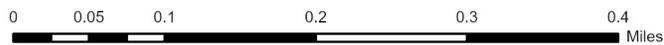
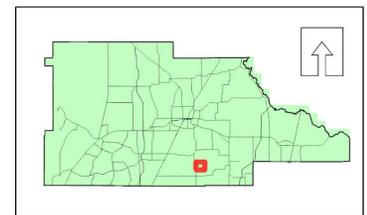
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



**Zoning:**

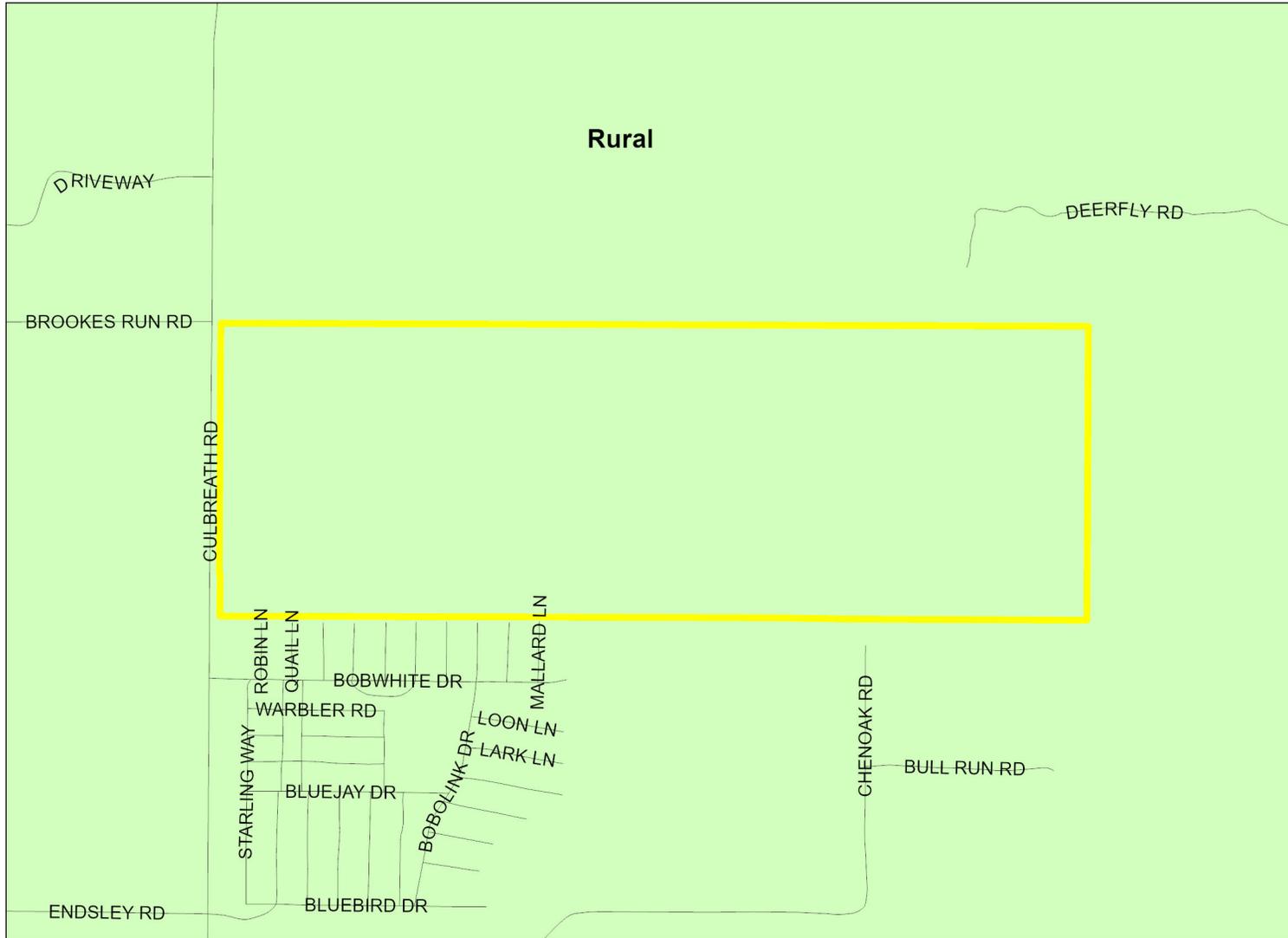
AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



# Hernando County Comprehensive Plan Map

Existing Future Land Use: SE-22-17  
Version Date: 07/14/2022



**SE-22-17**

FLU Riverine District

Regional Commercial

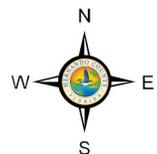
**FLU**

- CITY
- COMMERCIAL
- CONSERVATION
- EDUCATION
- INDUSTRIAL
- MINING
- PLANNED DEVELOPMENT
- PUBLIC FACILITIES
- RECREATION
- RESIDENTIAL
- RURAL

**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.



Date of mapping: 01/27/2023



# SE-22-17

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.



**Zoning:**

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HD)
AR1	PDP(IND)
AR2	PDP(L)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

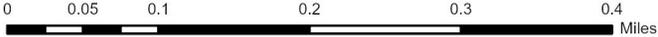
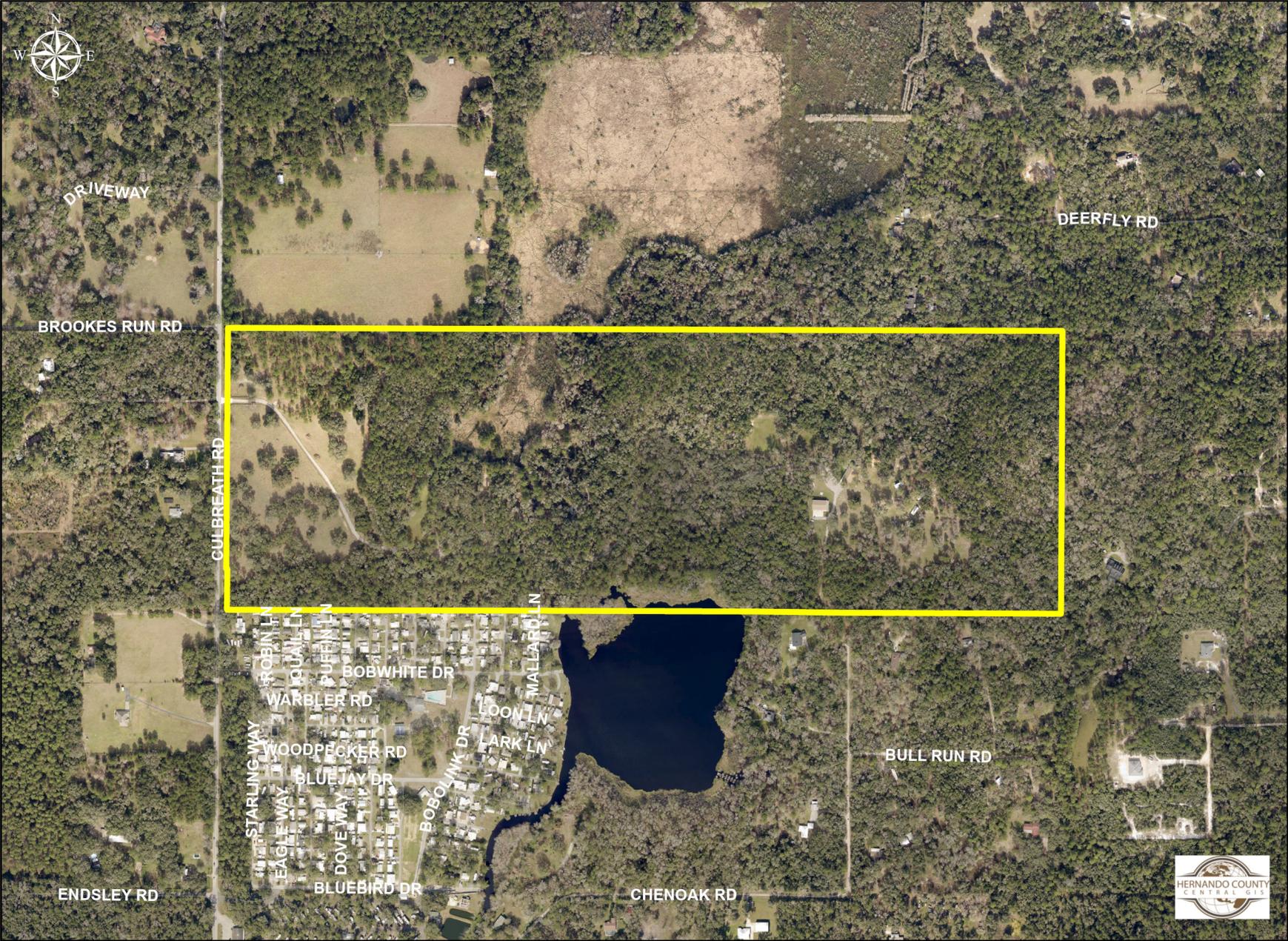
City Zoning Pending



# SE-22-17

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.



## APPENDIX A - ZONING

### ARTICLE V. - ADMINISTRATION

#### Section 8. - **Special exception use regulations.**

Special exception uses may be permitted in those zoning districts where designated by this ordinance but only when specifically approved by the planning and zoning commission in accordance with the provisions hereunder. All special exception uses shall be subject to the following regulations unless otherwise stated in this article.

- A. **Powers and duties.** In considering the granting of a special exception permit, the planning and zoning commission shall have the following powers and duties:
- (1) The Commission shall hear and decide on applications for special exception use permits; to decide such questions as are involved in the determination of when special exceptions should be granted; to grant special exceptions with appropriate conditions and safeguards; to deny special exceptions when not in harmony with the purpose and intent of the Land Development Regulations.
  - (2) In granting any special exception, the Commission shall find that such grant will not adversely affect the public interest.
  - (3) In granting any special exception, the Commission may prescribe appropriate conditions and safeguards in conformity with the Land Development Regulations. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of this ordinance.
  - (4) If a developer fails to obtain a building permit for the vertical construction of the principal or primary building within a period of not more than two (2) years from the approval date or the special exception use is not established during this period, then the special exception use permit shall be null and void.
  - (5) Where deemed appropriate by the Commission, an application for a special exception may be approved as a conditional use subject to the limitations and requirements thereof, including reasonable time limits on such use.
- B. **Special exception general standards.** All special exception uses shall be subject to the following regulations:
- (1) *Uses.* A special exception use shall be used for only those buildings, uses and accessory buildings specifically indicated, and shall not exceed the maximum size, density, intensity, number of units or other measurement or limiting factors so indicated, in the approval of the special exception use.

(2) *Compatibility.* The tract of land must be suitable for the type of special exception use proposed by virtue of its location, shape, topography and the nature of surrounding development.

(3) **Standards.** Required standards and regulations for special exception uses and buildings are as follows:

(a) All special exception uses shall be subject to the general regulations for structures and uses, lots and yards and vehicles contained in this ordinance for principal building and single lot development as well as the specific dimension and area regulations for lots and structures in the specific zoning district in which the special exception use is proposed.

(b) Minimum lot frontage on a street shall be sufficient to permit properly spaced and located access points designed to serve the type of special exception use proposed. The proposed use shall not attract inappropriate traffic volumes, noise or congestion. Wider spacing between access points and intersection street right-of-way lines should be required when the lot has more than the minimum required frontage on a street. All access points shall be specifically approved by the administrative official.

(c) All buildings should be located an adequate distance from all property lines and street right-of-way lines. Greater building setback lines should be required when the lot has more than the minimum lot area required or when deemed necessary to protect surrounding properties.

(d) Landscaped separation shall be provided along all property lines and along all streets serving the premises in conformance with the Hernando County Community Appearance Ordinance and as required by the planning and zoning commission. The premises shall be permanently screened from adjoining and contiguous properties by a wall, fence, evergreen hedge and/or other approved enclosure when deemed necessary to buffer the special exception use from surrounding areas.

(e) The use shall be of a similar architectural scale to existing neighborhood development or take advantage of an existing building for its purposes.

(f) Visual and functional conflict between the proposed use and nearby neighborhood uses, if existent, shall be minimal.

(g) For special exception uses on local streets, traffic generation rates and traffic distribution rates associated with the proposed use will be reviewed to determine whether they exceed those typically associated with local street traffic.

(5) **Special exception runs with the land.** A special exception applies to the property for which it is granted and not to the individual who applies for it. A special exception which has not been discontinued as provided for herein, voluntarily relinquished by the property owner or has become void by operation of law is transferable to any future owner of the land, but it cannot: (i) be transferred by the applicant/property owner to a different site; (ii) be expanded as to size, density, intensity, number of units or other measurement or limiting factor(s) imposed in connection with its original approval; (iii) be changed as to approved use, or (iv) have new uses added, Further, the special exception shall become null and void if the parcel of land granted the special exception is reduced in size from the original approval size, the use for which the special exception is granted is discontinued for a period of two (2) consecutive years or the property owner voluntarily relinquishes the special exception use by notifying the county in writing. Nothing herein shall prevent a property owner that has lost, discontinued or relinquished any special exception use from reapplying by filing a new application and paying all required fees.



## AGENDA ITEM

### TITLE

SE-22-16 - Greater Life Church:  
Revision to a Special Exception Use Permit to include an Educational Facility; South side of Cortez Boulevard, approximately 550' west of Grove Road

### BRIEF OVERVIEW

**Request:**

Revision to a Special Exception Use Permit to include an Educational Facility

**General Location:**

South side of Cortez Boulevard, approximately 550' west of Grove Road

### FINANCIAL IMPACT

A matter of policy. There is no financial impact.

### LEGAL NOTE

The Planning and Zoning Commission has jurisdiction over the subject application; the Commission has the ability to approve special exceptions with appropriate conditions and safeguards or deny special exceptions not in harmony with the Land Development Regulations. The Applicable Criteria for a special exception are contained in Appendix A, (Zoning Code) Article V, Section 8. The Special Exception must be consistent with the Comprehensive Plan.

### RECOMMENDATION

It is recommended that the Planning and Zoning Commission approve the petitioner's request for a revision to a Special Exception Use Permit to include an Educational Facility with performance conditions.

### REVIEW PROCESS

Cayce Dagenhart	Approved	02/23/2023	2:16 PM
Omar DePablo	Escalated	02/27/2023	6:18 PM
Michelle Miller	Delegated	02/28/2023	11:03 AM
Omar DePablo	Approved	02/28/2023	11:41 AM
Michelle Miller	Approved	02/28/2023	1:20 PM
Aaron Pool	Approved	03/01/2023	10:29 AM
Kyle Benda	Approved	03/01/2023	12:06 PM

**RESULT:**     **ADOPTED**  
**MOVER:**     Mike Fulford  
**SECONDER:** Nicholas Holmes  
**AYES:**       Hickey, Birren, Fulford, Holmes and Arflack



# STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: March 14, 2023

**APPLICANT:** Great Life Church, Inc.

**FILE NUMBER:** SE-22-16

**REQUEST:** Revision to a Special Exception Use Permit to expand the existing Special Exception Use Permit to include a second parcel and to allow Educational Facilities, specifically portable classrooms

**GENERAL LOCATION:** South side of Cortez Boulevard, approximately 550' west of Grove Road

**PARCEL KEY NUMBERS:** 346897, 346904

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## APPLICANT'S REQUEST

The petitioner is requesting the expansion of an existing Special Exception Use Permit to include a second parcel (parcel key 646904) and to add Educational Facility to allow for the construction of portable classrooms. The current Special Exception Use Permit applies to Parcel Key 346897 and is for a Place of Public Assembly, specifically a church. As their Private Christian Day School grows and the need arises, the petitioner would like the opportunity to move the school to the subject parcels.

In a companion request, the petitioner applied to rezone parcel key 346897 from a split zoning of R-1A (Residential) and C-1 (General Commercial) to C-1 (General Commercial) for the entire property. If the rezoning request is approved, both parcels listed in this application would be C-1 (General Commercial).

## SITE CHARACTERISTICS

**Site Size:** 9.7 acres

**Surrounding Zoning & Land Uses:**

North: PDP(GHC)/ Planned Development Project (General Highway Commercial); Partially developed

South: AR-2 (Agricultural/Residential-2), Special Exception Use overlay for Medical/Hospital

East: C-2 (Commercial-2); Pinebrook Medical Facility

West: C-1 (Commercial), Outdoor Commercial Activity, and undeveloped. PDP(SF)/ Planned Development Project (Single Family); Undeveloped

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<b>Current Zoning:</b>	R-1A (Residential) and C-1 (General Commercial)
<b>Future Land Use Map Designation:</b>	Commercial
<b>Flood Zone:</b>	X with small portions of parcel key 346904, along the northwest parking area within the AZ flood zone.

## UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) reviewed the petitioner's request and has indicated that central water and sewer is currently provided to the subject site. HCUD has no objection to the requested Special Exception Use Permit for education to allow construction of portable classrooms on both parcels based on growth/demand for the private day school.

The expansion/development of parcel key 346904 requires a utility capacity analysis and connection to the existing central water and sewer systems (12-inch water main and 6-inch sewer force main that run along Cortez Boulevard in front of parcel) at time of vertical construction.

## ENGINEERING & TRANSPORTATION REVIEW

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

- The easterly of the two sites (parcel key 346904) contains an area of floodplain and a stormwater mitigation area. These do not impact the proposed portable classroom location.
- Development must comply with the Hernando County Facility Design Guidelines and Southwest Florida Water Management District (SWFWMD) Environmental Resource Permit design requirements.
- A Traffic Access Analysis may be required for this project. Refer to Hernando County Facility Design Guidelines IV-18.
- A Frontage Road is required across the entire frontage of Cortez Boulevard. Refer to Hernando County Facility Design Guideline IV-04.
- Parking area and driveway will need to meet County standards. This includes improving the existing rock drive as shown on the submitted site plan/survey. Refer to Hernando County Facility Design Guideline IV-28.

## LAND USE REVIEW

### Minimum Building Setbacks:

- Front (North): 125'
- Side (East and West): 20'
- Rear (South): 35'

A special exception use is an additional use which may be granted by the Planning and Zoning Commission (P&Z) in accordance with the Land Development Regulations (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 authority to assign reasonable conditions to the approval.

Places of Public Assembly and Educational Facilities are both allowable special exception uses in any zoning district provided the appropriate land use approvals are obtained. A special exception use permit shall be granted only for those buildings, uses, and accessory buildings specifically indicated by the Commission.

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 comply with the minimum Special Exception Use General Standards, in Article V, Section 8(B) of the County's Zoning regulations.

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

## COMPREHENSIVE PLAN REVIEW

The area is characterized by commercial and institutional uses. The subject property is located within the Commercial land use classification on the adopted Future Land Use Map. A Place of Public Assembly and Educational Facilities are allowable uses in the Commercial Land Use category.

## FINDING OF FACTS

1. Both requested Special Exception Uses are allowable in C-1 zoning districts.
2. The request is consistent with the County's adopted Comprehensive Plan, is compatible with the surrounding land uses, and is not adverse to the public interest.

## 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. Homeowners 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.*

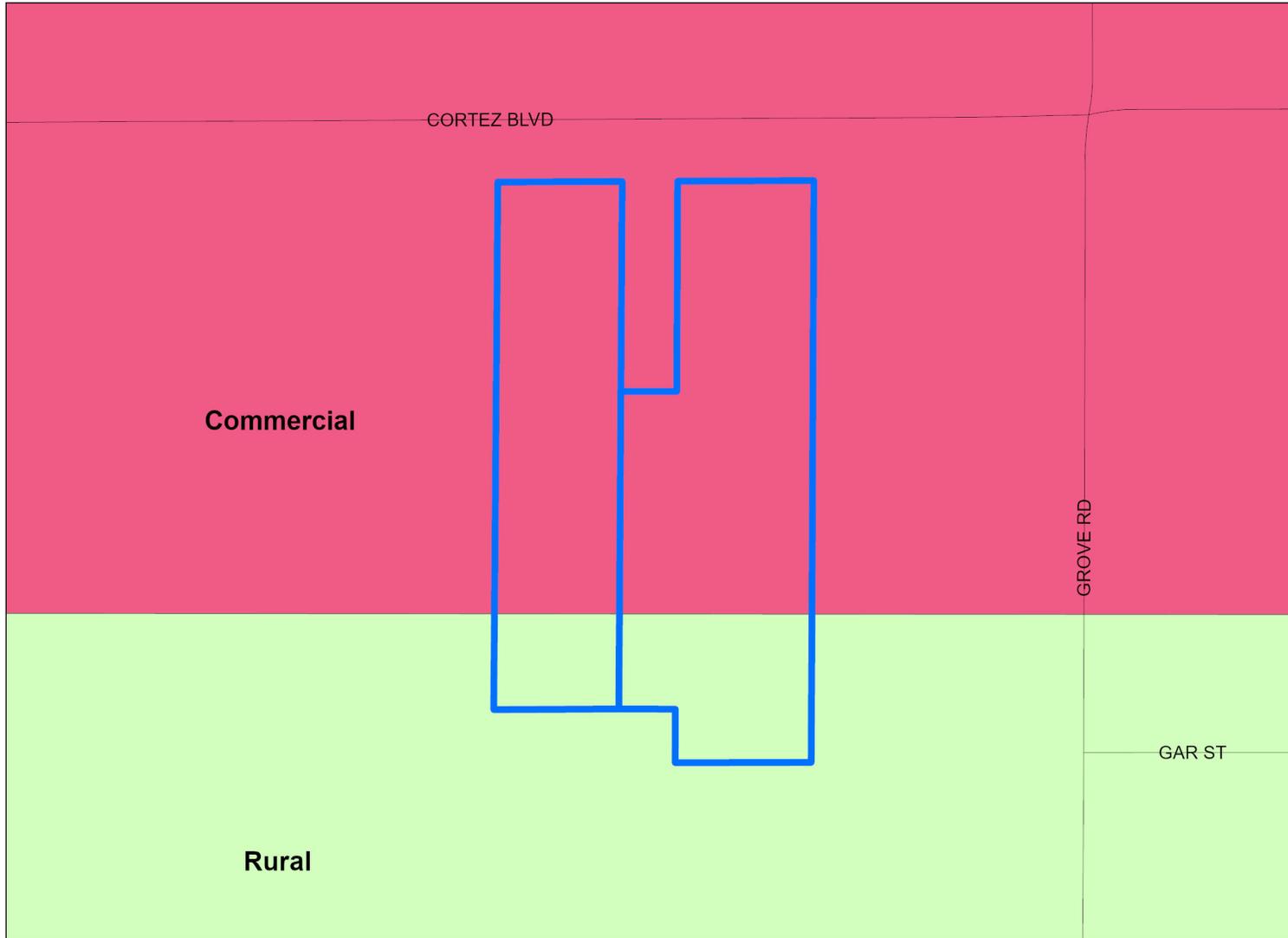
**STAFF RECOMMENDATION:**

It is recommended that the Planning and Zoning Commission approve the petitioner's request for a revision to a Special Exception Use Permit to include a second parcel and add Educational Facilities, specifically portable classroom buildings, 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:
  - Front (North): 125'
  - Side (East and West): 20'
  - Rear (South): 35'
3. Access to the site is limited to the existing driveway.
4. Any future development of the site with additional structures shall require an amendment to the special exception use permit.
5. A utility capacity analysis shall be performed at the time of vertical construction/development of parcel key 346904.
6. A connection to the existing central water and sewer systems (12-inch water main and 6-inch sewer force main that run along Cortez Boulevard in front of parcel) is required at the time of vertical construction. The petitioner shall coordinate with the Hernando County Utilities Department and provide all required utility easement(s) for the site at this time.
6. The petitioner shall construct a frontage road, upon demonstration of need and demand, at no cost to the County.

# Hernando County Comprehensive Plan Map

Existing Future Land Use: SE-22-16  
Version Date: 07/14/2022



**SE-22-16**

**FLU Riverine District**

**Regional Commercial**

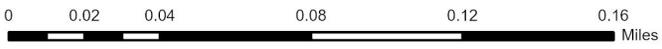
**FLU**

- CITY
- COMMERCIAL
- CONSERVATION
- EDUCATION
- INDUSTRIAL
- MINING
- PLANNED DEVELOPMENT
- PUBLIC FACILITIES
- RECREATION
- RESIDENTIAL
- RURAL

**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.



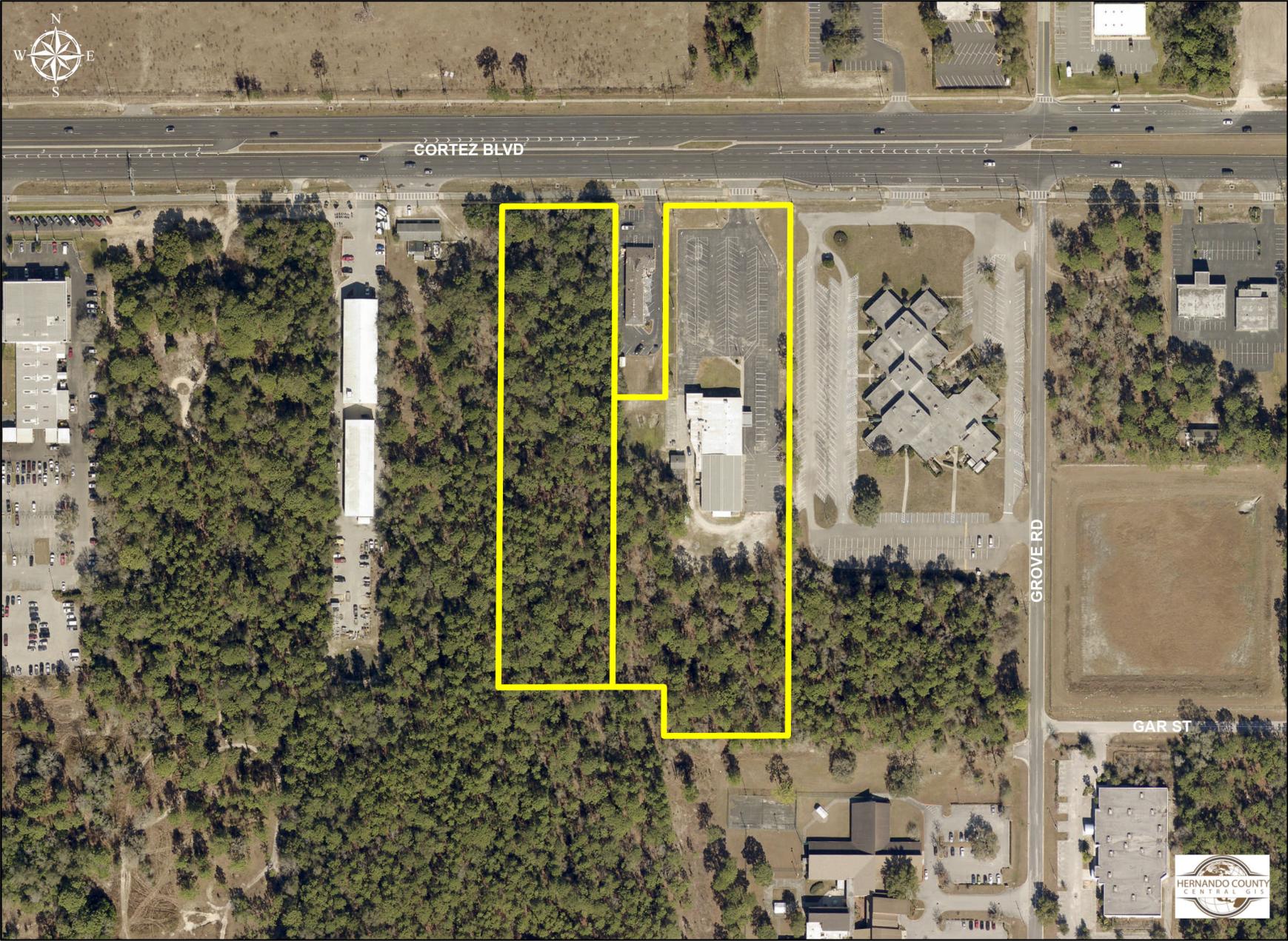
Date of mapping: 01/27/2023



# SE-22-16

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.



0 0.02 0.04 0.08 0.12 0.16 Miles



# SE-22-16

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.

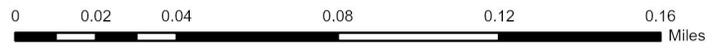
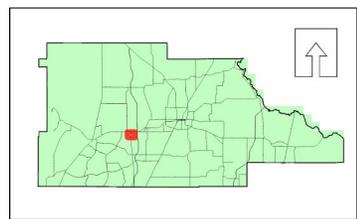


Subject  
Parcels

**Zoning:**

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending





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

File No. SE-22-16 Official Date Stamp:



**Application request (check one):**  
 Conditional Use Permit  
 Special Exception Use Permit

**PRINT OR TYPE ALL INFORMATION**

Received  
 DEC  
 OCT 06 2022

Planning Department  
 Hernando County, Florida

Date: 11-16-22

**APPLICANT NAME:** Great Life Church Inc.

Address: 14494 Cortez Blvd.  
 City: Spring Hill State: FL Zip: 34613  
 Phone: (352) 293-7673 Email: office@greatlifechurch.com  
**Property owner's name:** *(if not the applicant)* \_\_\_\_\_

**REPRESENTATIVE/CONTACT NAME:** Great Life Church Inc.

Company Name: Great Life Church Inc.  
 Address: 14494 Cortez Blvd.  
 City: Spring Hill State: FL Zip: 34613  
 Phone: (352) 293-7673 Email: peter@greatlifechurch.com

**HOME OWNERS ASSOCIATION:**  Yes  No *(if applicable provide name)* \_\_\_\_\_

Contact Name: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

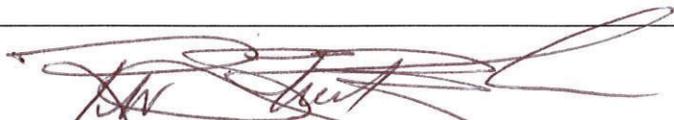
**PROPERTY INFORMATION:**

1. PARCEL(S) **KEY** NUMBER(S): #00346897, #00346904
2. SECTION \_\_\_\_\_, TOWNSHIP \_\_\_\_\_, RANGE \_\_\_\_\_
3. Current zoning classification: 5 acres of C1 general commercial and 4.7 acres of residential
4. Desired use: Educational
5. Size of area covered by application: 9.7 acres
6. Highway and street boundaries: SR 50/ Cortez Blvd.
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 AFFIDIVAT**

I, Stephen Bilsborough, 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)**:

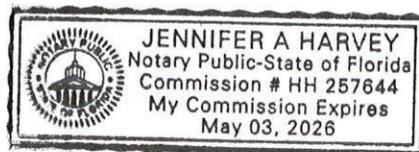
- I am the owner of the property and am making this application **OR**  
 I am the owner of the property and am authorizing *(applicant)*: Great Life Church Inc.  
 and *(representative, if applicable)*: Peter Prestigiacomo  
 to submit an application for the described property.

  
 \_\_\_\_\_  
*Signature of Property Owner*

**STATE OF FLORIDA  
 COUNTY OF HERNANDO**

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of December, 2022, by Stephen Bilsborough who is personally known to me or produced \_\_\_\_\_ as identification.

  
 \_\_\_\_\_  
 Signature of Notary Public



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

*Notary Seal/Stamp*



GREAT LIFE CHURCH

Received

DEC  
OCT 06 2022

Planning Department  
Hernando County, Florida

11-16-22

RE: Special Exception Use Permit

To whom it may concern,

We are requesting to cover our properties, one located at 14494 Cortez Blvd, Spring Hill, FL 34613 and the other to our West on Cortez Blvd, Spring Hill, FL 34613 with a Special Exception Use Permit for Education.

Property information is as follows:

Parcel Key: 00346897 Parcel #: R34 422 18 0000 0010 0000

Parcel Key: 00346904 Parcel #: R34 422 18 0000 0020 0000

Our desire is to move our Private Christian Day School to this property in the future, as our growth continues and the need arises.

Sincerely,

Peter Prestigiacomio  
Director of Operations  
Great Life Church



352.293.7673



office@greatlifechurch.com  
greatlifechurch.com



14494 Cortez Blvd  
Spring Hill, FL, 34613

## APPENDIX A - ZONING

### ARTICLE V. - ADMINISTRATION

#### Section 8. - **Special exception use regulations.**

Special exception uses may be permitted in those zoning districts where designated by this ordinance but only when specifically approved by the planning and zoning commission in accordance with the provisions hereunder. All special exception uses shall be subject to the following regulations unless otherwise stated in this article.

- A. **Powers and duties.** In considering the granting of a special exception permit, the planning and zoning commission shall have the following powers and duties:
- (1) The Commission shall hear and decide on applications for special exception use permits; to decide such questions as are involved in the determination of when special exceptions should be granted; to grant special exceptions with appropriate conditions and safeguards; to deny special exceptions when not in harmony with the purpose and intent of the Land Development Regulations.
  - (2) In granting any special exception, the Commission shall find that such grant will not adversely affect the public interest.
  - (3) In granting any special exception, the Commission may prescribe appropriate conditions and safeguards in conformity with the Land Development Regulations. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of this ordinance.
  - (4) If a developer fails to obtain a building permit for the vertical construction of the principal or primary building within a period of not more than two (2) years from the approval date or the special exception use is not established during this period, then the special exception use permit shall be null and void.
  - (5) Where deemed appropriate by the Commission, an application for a special exception may be approved as a conditional use subject to the limitations and requirements thereof, including reasonable time limits on such use.
- B. **Special exception general standards.** All special exception uses shall be subject to the following regulations:
- (1) *Uses.* A special exception use shall be used for only those buildings, uses and accessory buildings specifically indicated, and shall not exceed the maximum size, density, intensity, number of units or other measurement or limiting factors so indicated, in the approval of the special exception use.

(2) *Compatibility.* The tract of land must be suitable for the type of special exception use proposed by virtue of its location, shape, topography and the nature of surrounding development.

(3) **Standards.** Required standards and regulations for special exception uses and buildings are as follows:

(a) All special exception uses shall be subject to the general regulations for structures and uses, lots and yards and vehicles contained in this ordinance for principal building and single lot development as well as the specific dimension and area regulations for lots and structures in the specific zoning district in which the special exception use is proposed.

(b) Minimum lot frontage on a street shall be sufficient to permit properly spaced and located access points designed to serve the type of special exception use proposed. The proposed use shall not attract inappropriate traffic volumes, noise or congestion. Wider spacing between access points and intersection street right-of-way lines should be required when the lot has more than the minimum required frontage on a street. All access points shall be specifically approved by the administrative official.

(c) All buildings should be located an adequate distance from all property lines and street right-of-way lines. Greater building setback lines should be required when the lot has more than the minimum lot area required or when deemed necessary to protect surrounding properties.

(d) Landscaped separation shall be provided along all property lines and along all streets serving the premises in conformance with the Hernando County Community Appearance Ordinance and as required by the planning and zoning commission. The premises shall be permanently screened from adjoining and contiguous properties by a wall, fence, evergreen hedge and/or other approved enclosure when deemed necessary to buffer the special exception use from surrounding areas.

(e) The use shall be of a similar architectural scale to existing neighborhood development or take advantage of an existing building for its purposes.

(f) Visual and functional conflict between the proposed use and nearby neighborhood uses, if existent, shall be minimal.

(g) For special exception uses on local streets, traffic generation rates and traffic distribution rates associated with the proposed use will be reviewed to determine whether they exceed those typically associated with local street traffic.

(5) **Special exception runs with the land.** A special exception applies to the property for which it is granted and not to the individual who applies for it. A special exception which has not been discontinued as provided for herein, voluntarily relinquished by the property owner or has become void by operation of law is transferable to any future owner of the land, but it cannot: (i) be transferred by the applicant/property owner to a different site; (ii) be expanded as to size, density, intensity, number of units or other measurement or limiting factor(s) imposed in connection with its original approval; (iii) be changed as to approved use, or (iv) have new uses added, Further, the special exception shall become null and void if the parcel of land granted the special exception is reduced in size from the original approval size, the use for which the special exception is granted is discontinued for a period of two (2) consecutive years or the property owner voluntarily relinquishes the special exception use by notifying the county in writing. Nothing herein shall prevent a property owner that has lost, discontinued or relinquished any special exception use from reapplying by filing a new application and paying all required fees.



# Planning & Zoning Commission

Meeting: 03/13/2023  
Department: P&Z Agenda Item  
Prepared By: rreinhardt  
Initiator: Aaron Pool  
DOC ID: 11850  
Legal Request Number:  
Bid/Contract Number:

## AGENDA ITEM

### TITLE

H-22-84 - Greater Life Church:  
Rezoning from R-1A(Residential) to C-1 (Commercial); South side of Cortez Boulevard, approximately 550' west of Grove Road

### BRIEF OVERVIEW

Request:  
Rezoning from R-1A(Residential) to C-1(Commercial)

General Location:  
South side of Cortez Boulevard, approximately 550' west of Grove Road

### 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 a rezoning from R-1A (Residential) to C-1 (General Commercial) in accordance with the staff report.

### REVIEW PROCESS

Cayce Dagenhart	Approved	02/23/2023	2:04 PM
Omar DePablo	Escalated	02/27/2023	6:18 PM
Michelle Miller	Delegated	02/28/2023	11:02 AM
Omar DePablo	Approved	02/28/2023	11:34 AM
Michelle Miller	Approved	02/28/2023	1:17 PM
Aaron Pool	Approved	03/01/2023	10:30 AM
Kyle Benda	Approved	03/01/2023	12:02 PM

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Nicholas Holmes
<b>SECONDER:</b>	Kathryn Birren
<b>AYES:</b>	Hickey, Birren, Fulford, Holmes and Arflack

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: March 14, 2023  
Board of County Commissioners: April 11, 2023

**APPLICANT:** Great Life Church, Inc.

**FILE NUMBER:** H-22-84

**REQUEST:** Rezoning from R-1A (Residential) to C-1 (General Commercial)

**GENERAL LOCATION:** South side of Cortez Boulevard, approximately 550' west of Grove Road

**PARCEL KEY NUMBER:** 346897

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### APPLICANT'S REQUEST

The petitioner is requesting a rezoning of the subject property from R-1A (Residential) to C-1 (General Commercial) to better suit the further development of the property as a church and a school. The property is currently split-zoned with both R-1A and C-1 zoning districts present. Approval of this petition would change the property to a single zoning district.

The petitioner has submitted a companion Special Exception application (SE-22-16) to expand its existing permit to include the subject parcel and allow an educational facility along both the subject key number and parcel 346897.

### SITE CHARACTERISTICS

**Site Size:** 5.8 acres

**Surrounding Zoning;**

**Land Uses:**

North:	PDP(GHC)/ Planned Development Project (General Highway Commercial); Partially developed
South:	AR-2 (Agricultural/Residential-2), Special Use overlay for Medical/Hospital
East:	C-2 (Commercial-2); Pinebrook Medical Facility
West:	C-1 (Commercial), Outdoor Commercial Activity, and undeveloped. PDP(SF)/ Planned Development Project (Single Family); Undeveloped

**Current Zoning:** C-1 (General Commercial), and R-1A (Residential) with a Special Use overlay for Place of Public Assembly (SE-14-05)

**Future Land Use Map Designation:** Commercial

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**ENVIRONMENTAL REVIEW**

- Soils:** Candler Fine Sand
- 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 and submitted during the permitting stage of development. The petitioner is required to comply with all applicable FWC regulations and permitting.
- 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 Undeveloped area is 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). The Developed area is identified as commercial and services.
- 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.
- Comment:** Implementation of Florida Friendly Landscaping™ principles, techniques, and materials designed to conserve water and reduce pollutant loading to Florida's waters is required. This will be addressed during the permitting phase of development.
- Flood Zone:** X with small areas of AE

**UTILITIES REVIEW**

The Hernando County Utilities Department (HCUD) currently supplies water and sewer service to this parcel. HCUD has no objection to the requested zoning change from R-1A to C-1 to allow construction of portable classrooms, 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 site does not contain floodplain (FEMA FIRM 12053C0186D).

- Any development of the site must meet Hernando County Facility Design Guidelines and Southwest Florida Water Management District (SWFWMD) Environmental Resource Permit design requirements.
- No Traffic concerns about the zoning change.

## LAND USE REVIEW

The petitioner has submitted a companion application (SE-22-16) to this request to expand the existing Special Exception Use. The petitioner would like to move the Private Christian Day School to the property in the future as they grow, and a need for expansion arises. Places of Public Assembly and Educational Facilities are special exception uses allowable in the C-1 (General Commercial) zoning district. The petitioner shall be required to meet all minimum requirements of the C-1 (General Commercial) zoning district.

Due to the Single-Family Residential zoning district on the southern property line, the properties in this application will be subject to the residential protection standards when applicable.

## COMPREHENSIVE PLAN REVIEW

### Future Land Use Map

Approximately 1/3 of the southern portion of the subject property is shown as having a "Rural" future land use. The Comprehensive Plan is, however, not parcel specific and is meant to provide guidance with regards to the future development of the County especially along major commercial corridors. The Rural portion of the subject property is considered "infill" per the Comprehensive Plan Strategies.

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. Publicly owned lands along the commercial use corridors that are made available for surplus may be considered to have a Commercial designation, if the agency proceeds through the Comprehensive Plan Amendment process to amend the future land use map, in accordance with Section 163.3184, F.S.

### 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.

## FINDING OF FACTS

1. The subject parcel is currently split zoned as R-1A and C-1.
2. Rezoning the property to C-1 would remove the conflicting zoning districts on the property.
3. The proposed C-1 zone is compatible with surrounding zoning districts.
4. Residential Protection Standards, as necessary, will apply to the subject site at the time of site development.

## 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 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 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 R-1A (Residential) to C-1 (General Commercial).

# H-22-84

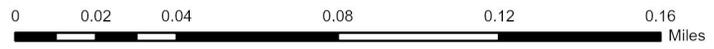
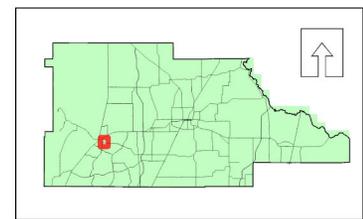
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



**Zoning:**

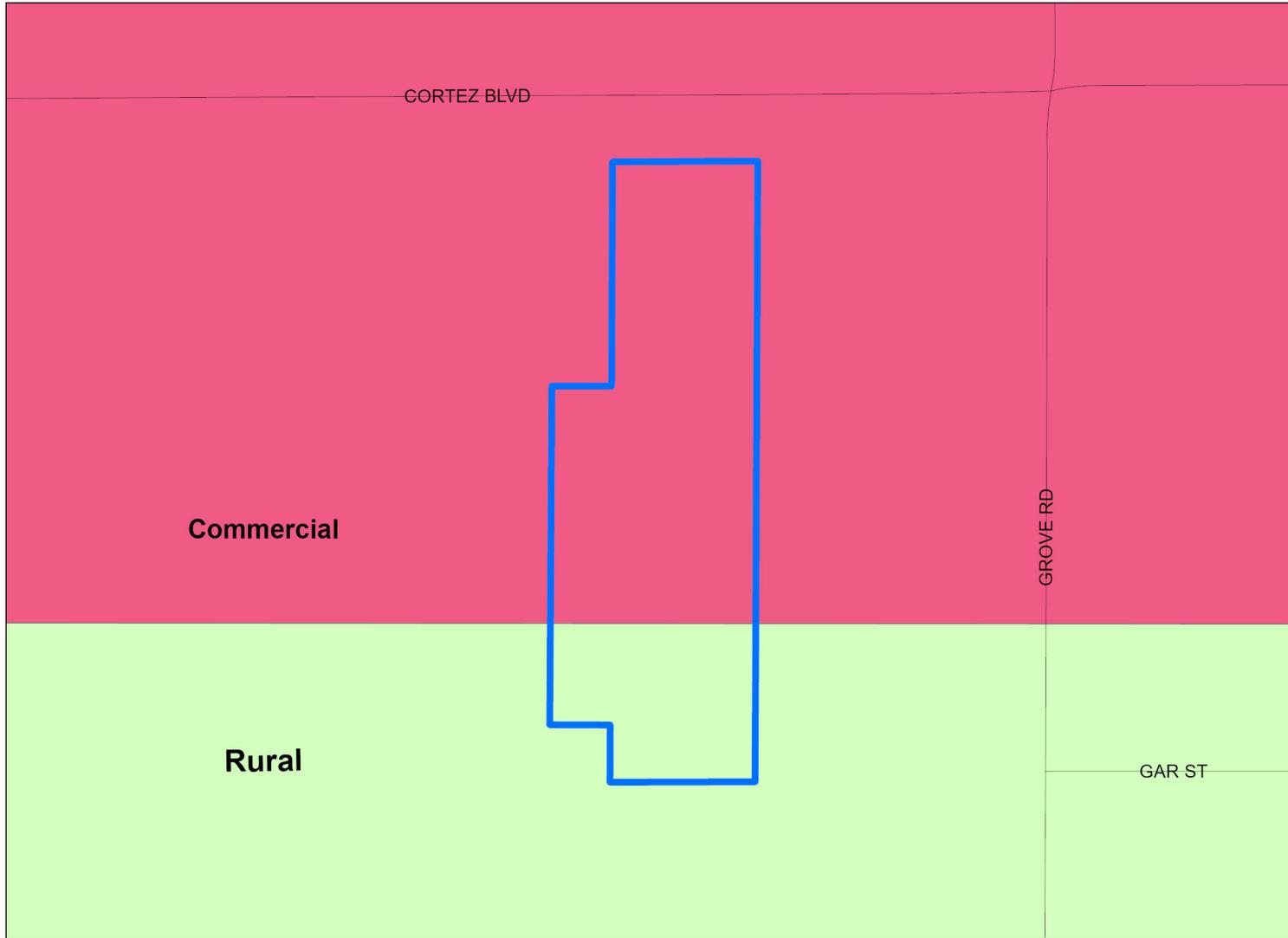
AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



# Hernando County Comprehensive Plan Map

Existing Future Land Use: H-22-84  
Version Date: 07/14/2022

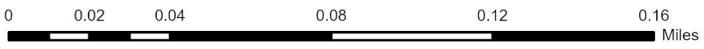


	H-22-84
	FLU Riverine District
	Regional Commercial
<b>FLU</b>	
	CITY
	COMMERCIAL
	CONSERVATION
	EDUCATION
	INDUSTRIAL
	MINING
	PLANNED DEVELOPMENT
	PUBLIC FACILITIES
	RECREATION
	RESIDENTIAL
	RURAL

**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.



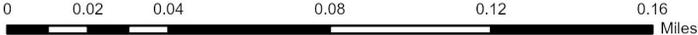
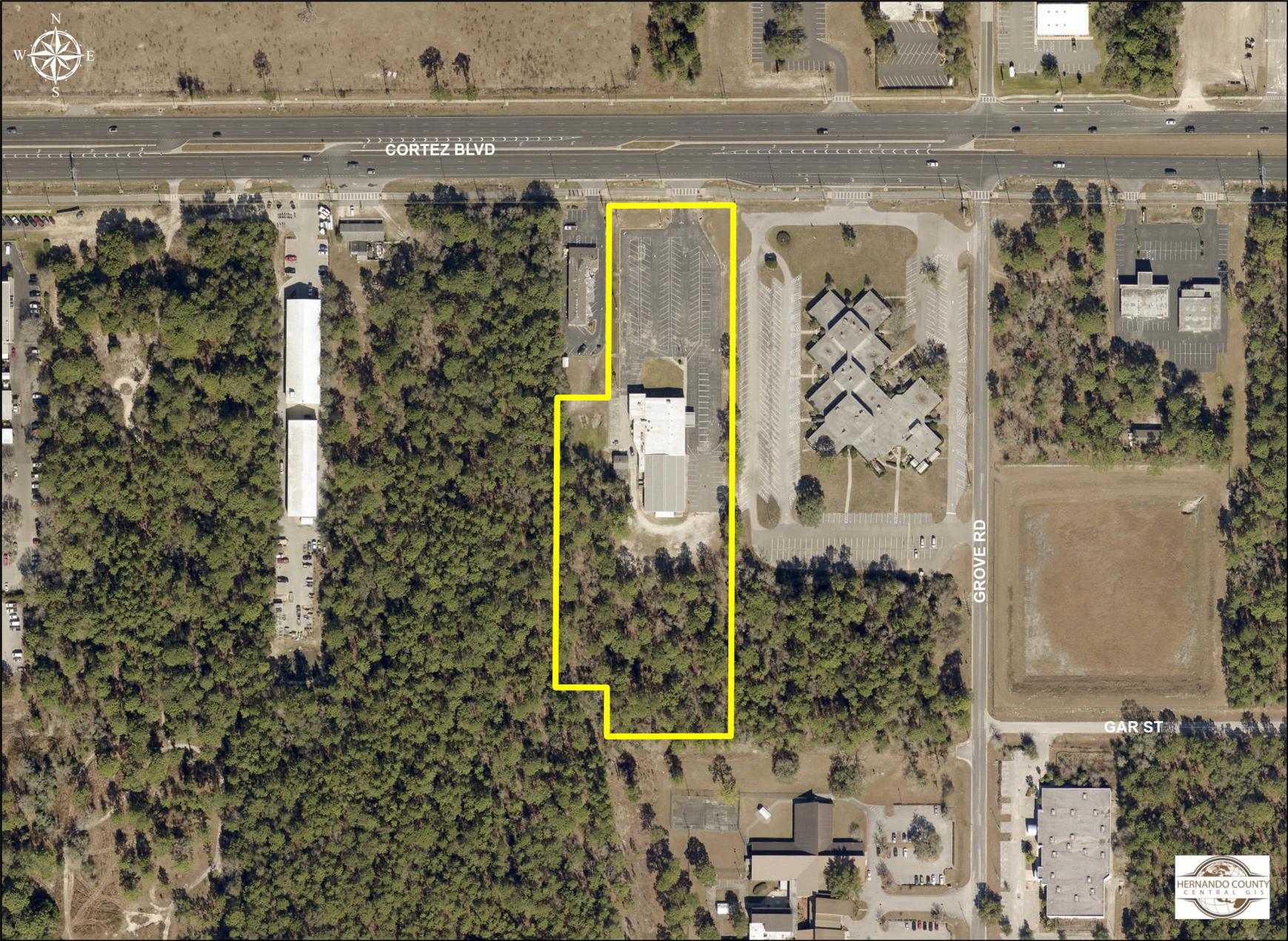
Date of mapping: 01/17/2023



# H-22-84

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.



# H-22-84

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**Zoning:**

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HD)
AR1	PDP(ND)
AR2	PDP(L)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending





HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):

- Rezoning [X] Standard [ ] PDP
Master Plan [ ] New [ ] Revised
PSFOD [ ] Communication Tower [ ] Other
PRINT OR TYPE ALL INFORMATION

File No. H-22-84 Official Date Stamp:

Received

DEC OCT 06 2022

Planning Department
Hernando County, Florida

Date: 11-16-2022

APPLICANT NAME: Great Life Church Inc.

Address: 14494 Cortez Blvd.
City: Spring Hill State: FL Zip: 34613
Phone: (352) 293-7673 Email: office@greatlifechurch.com
Property owner's name: (if not the applicant)

REPRESENTATIVE/CONTACT NAME: Peter Prestigiacom

Company Name: Great Life Church Inc.
Address: 14494 Cortez Blvd.
City: Spring Hill State: FL Zip: 34513
Phone: (352) 293-7673 Email: peter@greatlifechurch.com

HOME OWNERS ASSOCIATION: [ ] Yes [X] No (if applicable provide name)

Contact Name:
Address: City: State: Zip:

PROPERTY INFORMATION:

- 1. PARCEL(S) KEY NUMBER(S): Key #00346897 Parcel #R34 422 18 0000 0010 0000
2. SECTION, TOWNSHIP, RANGE
3. Current zoning classification: Residential
4. Desired zoning classification: C1 Commercial
5. Size of area covered by application: 4.70 acres
6. Highway and street boundaries: SR 50/Cortez Blvd.
7. Has a public hearing been held on this property within the past twelve months? [ ] Yes [X] No
8. Will expert witness(es) be utilized during the public hearings? [ ] Yes [X] No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? [ ] Yes [X] No (Time needed: )

PROPERTY OWNER AFFIDIVAT

I, Stephen Bilsborough, 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):

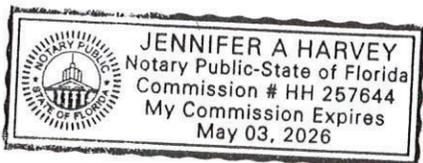
- [ ] I am the owner of the property and am making this application OR
[X] I am the owner of the property and am authorizing (applicant): Great Life Church Inc.
and (representative, if applicable): Peter Prestigiacom
to submit an application for the described property.

Signature of Property Owner

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 6th day of December, 2022, by Stephen Bilsborough who is personally known to me or produced as identification.

Signature of Notary Public



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

Notary Seal/Stamp



GREAT LIFE CHURCH

Received

*DEC*  
OCT 06 2022 *Q*

Planning Department  
Hernando County, Florida

11-16-22

RE: Property Rezoning

To whom it may concern,

We are requesting to rezone our property located at 14494 Cortez Blvd, Spring Hill, FL 34613 to a C1 General Commercial zoning, to the 4.70 acres that is currently residential.

Property information is as follows:

Parcel Key: 00346897 Parcel #: R34 422 18 0000 0010 0000  
4.70 acres currently zoned residential  
1.1 acres currently zoned C1 General Commercial

We believe that this zoning will best represent our future plans.

Sincerely,

Peter Prestigiacomo  
Director of Operations  
Great Life Church



352.293.7673



office@greatlfechurch.com  
greatlfechurch.com



14494 Cortez Blvd  
Spring Hill, FL, 34613



## AGENDA ITEM

### TITLE

H-22-88 - SBA Communications Corporation:  
Revision to a Public Service Facility Overlay District for a Communication Tower; West of Linden Road, approximately 940' south of Spring Hill Drive

### BRIEF OVERVIEW

**Request:**

Revision to a Public Service Facility Overlay District for a Communication Tower

**General Location:**

West of Linden Road, approximately 940' south of Spring Hill Drive Communication Tower

### 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 Public Service Facility (PSF) Overlay District Standards are contained in Article IV, Section 11 together with Communication Tower standards in Article II, Section 2(F). 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 a Revision to a Public Service Facility Overlay District for a Communication Tower with performance conditions.

### REVIEW PROCESS

Omar DePablo	Escalated	02/24/2023	6:18 PM
Michelle Miller	Escalated	02/27/2023	6:19 PM
Aaron Pool	Escalated	02/28/2023	6:19 PM
Michelle Miller	Approved	03/01/2023	4:56 PM
Michelle Miller	Approved	03/01/2023	4:56 PM
Aaron Pool	Approved	03/02/2023	1:10 PM
Kyle Benda	Approved	03/02/2023	2:06 PM

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mike Fulford
<b>SECONDER:</b>	Nicholas Holmes

**AYES:** Hickey, Birren, Fulford, Holmes and Arflack

# STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: March 13, 2023  
Board of County Commissioners: April 11, 2023

**APPLICANT:** SBA Communication Corporation

**FILE NUMBER:** H-22-88

**REQUEST:** Revision to a Public Service Facility Overlay District for a Communication Tower

**GENERAL LOCATION:** West of Linden Road, approximately 940' south of Spring Hill Drive

**PARCEL KEY NUMBER:** 297878

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## APPLICANT'S REQUEST

On September 10, 2008, the Board of County Commissioners (BOCC) approved a request for a Public Service Facility Overlay District for a Communication Tower to construct a 155' monopole communication tower, antennae array and associated operational equipment. As part of the approval, the BOCC conditioned the tower as a monopole tower with all antennas conceal within the tower canister. The petitioners current request is to remove the concealment condition and allow for the antennas to be mounted on the exterior of the tower. The petitioner has indicated that due to 5G technology, the exterior installation would increase the quality of cellular coverage. The request would also better accommodate future growth for carriers. No other changes are being requested.

## SITE CHARACTERISTICS

**Site Size:** 32' x 44' compound on an approximate 0.87-acre parent tract

**Surrounding Zoning & Land Uses:**

North:	PDP(GHC); Undeveloped
South:	PDP(GC); Commercial
East:	PDP(GHC); Commercial
West:	PDP(SF)/PSFOD; Utilities

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

**Future Land Use Map Designation:** Commercial

**LAND USE REVIEW**

The proposed changes are to an existing tower and therefore, existing setbacks are recognized. The subject site is in a mixed residential and commercial area.

<u>Proposed Setbacks</u>	<u>Direction</u>	<u>Land Use</u>
102'	North	PDP(GHC)
75'	South	PDP(GC)
118'	East	PDP(GHC)
64'	West	PDP(SF)/PSFOD

The tower as permitted and constructed did not meet the previous structural design requirements/conditions for a collapse point at 69' height level. Tower hinges and collapse points are meant to avoid, in a catastrophic tower failure scenario, for the tower to either collapse on itself or fall within the boundary of the subject site. The petitioner has provided an engineer's letter stating the following:

While the exact failing mode is difficult to predict, in the extreme wind event when the wind load greatly exceeds the design capacity of the pole, it is our opinion that the first point of failure would likely occur in the section with the highest structural usage which is at the base of structure, resulting in a fall radius of 155' or less.

**Comments:** In the event the tower requires a full upgrade or major structural modification, the tower shall be updated to provide a collapsible point, hinge or any industry standards that safeguard neighboring parcels against catastrophic failure.

The County has an adopted Airport Ordinance which states that any communication tower shall be presumed to be a potential airport obstruction and requires notification to the Federal Aviation Administration (FAA). Additionally, the tower must meet the FAA rules and guidelines regarding lighting which are addressed in the Airport Ordinance.

**COMPREHENSIVE PLAN REVIEW**

The petitioner's request for a 155' high monopole communication tower and associated operational equipment is located within a Commercial Land Use designation on the adopted Future Land Use Map. Communication towers are considered public service facility uses and/or structures which are allowable in any future land use category.

**FINDINGS OF FACT**

The request for a Revision to a Public Service Facility Overlay District for a Communication Tower is appropriate based on the following conclusions:

The Public Service Facility Overlay District for a Communication Tower 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 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 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 Revision to a Public Service Facility Overlay District for a Communication Tower 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. All development must occur generally in compliance with the approved site plan.
3. The tower is approved up to a maximum of 155' in height with an additional 5' lightning rod.
4. The petitioner must provide the name and phone number of the contact person for the facility on a sign on the gate, fence, or access point to the site, whichever is most adjacent to the public access.
5. The proposed tower shall be designed to support a minimum of four (4) users
6. A 6' PVC fence and a 5' landscape buffer shall be maintained along the west property line.
7. Tower shall be a monopole tower and shall allow for the required four (4) users to be located on the exterior of the structure.
8. In the event the tower requires a full upgrade or major structural modification, the tower shall be updated to provide a collapsible point, hinge or any industry standards that safeguard neighboring parcels against catastrophic failure.
9. Permitting of the new tower height shall be contingent upon FAA approval.

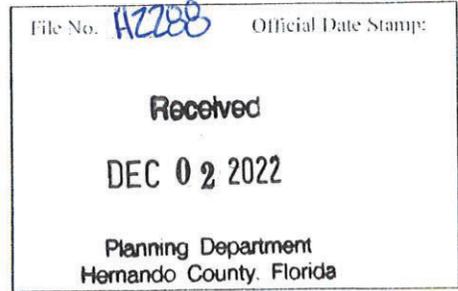
HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

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

Date: September 6, 2022



APPLICANT NAME: SBA Communications Corporation

Address: 8051 Congress Avenue
City: Boca Raton State: FL Zip: 33487-1307
Phone: 561-322-7817 Email: amasuda@sbsite.com
Property owner's name: (if not the applicant) John and Maria Ferrara

REPRESENTATIVE/CONTACT NAME:

Company Name: James J. Porter, Esq./Akerman LLP
Address: 401 East Jackson Street, Suite 1700
City: Tampa State: FL Zip: 33602
Phone: (813) 209-5057 Email: James.Porter@akerman.com

HOME OWNERS ASSOCIATION: [ ] Yes [x] No (if applicable provide name)

Contact Name:
Address: City: State: Zip:

PROPERTY INFORMATION:

- 1. PARCEL(S) KEY NUMBER(S): R32 323 17 5130 0890 0120 Key No. 297878
2. SECTION 21, TOWNSHIP 23, RANGE 18
3. Current zoning classification: Commercial
4. Desired zoning classification: Commercial
5. Size of area covered by application: See zoning drawing filed herein
6. Highway and street boundaries:
7. Has a public hearing been held on this property within the past twelve months? [ ] Yes [x] No
8. Will expert witness(es) be utilized during the public hearings? [ ] Yes [x] No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? [ ] Yes [x] No (Time needed: )

PROPERTY OWNER AFFIDIVAT

I, JOHN FERRARA, 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):

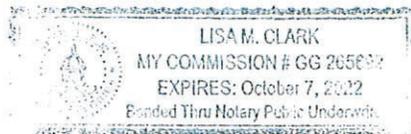
- [ ] I am the owner of the property and am making this application OR
[x] I am the owner of the property and am authorizing (applicant): SBA Communications Corporation
and (representative, if applicable): James J. Porter, Esq./Akerman LLP
to submit an application for the described property.

Signature of Property Owner (handwritten signature)

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 7th day of September, 2022, by John Ferrara who is personally known to me or produced FL/DL as identification.

Signature of Notary Public (handwritten signature)



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

Notary Seal/Stamp

Applicant requests approval for the conversion of an existing cellular communication tower from a stealth monopole design to a traditional monopole design. The tower was originally approved in 2008 (Resolution #2008-179) at a height of 155 feet with a condition of approval that “All antennas be concealed within the tower.” This request would remove that condition and allow antennas to be mounted on the exterior of the tower. The tower would remain in the same location and remain at the current approved height. Approval of this request would allow 5G equipment to be safely installed and would increase the quality of cellular coverage. The request would also better accommodate future growth for carriers.

The subject parcel where the tower is located is zoned commercial. The parcel the tower sits on is zoned as Commercial. The parcel directly to the west is a water treatment facility, and the parcels adjacent to the tower’s parcel are currently unused parcels filled with natural vegetation, which reduces the tower’s overall prominence. A monopole structure will not be visually intrusive to the surrounding properties and uses. The request is consistent with the Comprehensive Plan and compatible with the surrounding area. The request will affirmatively benefit the area by providing enhances cellular coverage and will not negatively impact the neighborhood.



# Tower Engineering Solutions, LLC

October 28, 2022

Re: 155 ft. Monopole  
SBA Site Number: FL40914-T  
SBA Site Name: John & Maria Ferrara  
Site Address: 13764 Linden Drive, Spring Hill, Florida, Hernando County  
TES Job #: 135580

To Whom It May Concern,

This letter is intended to address the fall radius of the existing monopole indicated above.

Now that the structural modifications (TES # 133014 dated 08/15/2022) have been completed The maximum structural usage is 101% at the base. While the exact failing mode is difficult to predict, in the extreme wind event when the wind load greatly exceeds the design capacity of the pole, it is our opinion that the first point of failure would likely occur in the section with the highest structural usage which is at the base of structure, resulting in a fall radius of 155' or less.

Sincerely,

Tawfeeq Alajaj  
Structural Engineer

TOWER ENGINEERING  
SOLUTIONS, LLC  
1320 Greenway Drive Ste 600  
Irving, TX 75038  
CA# 30690



## REQUIRED TOWER APPLICATION INFORMATION

Hernando County will require the following data (which may be a computer printout) for a proposed tower site and each adjacent cell site: <sup>1</sup>

Site name or other identification: 13764 Linden Drive, Spring Hill, FL

Tower owner's name: T-Mobile

Geographic coordinates (NAD83) of proposed location:

Longitude: 82.510186 W Latitude: 28.464292 N

Ground elevation AMSL See attachment

Overall height of the tower above ground level (AGL): See attachment

**For each antenna, including all microwave and sector antennas, the following information is required:**

The height above ground of the center of radiation: See attachment

Azimuth of the main lobe: See attachment

Manufacturer's name See attachment

Antenna type number: See attachment

Frequency band: See attachment

Beam tilt: See attachment

Null-fill parameters (both electrical and mechanical): See attachment

The effective radiated output power of the main radiation lobe: See attachment

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<sup>1</sup>The units for all parameters must be given with the data.

# H-22-88

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**Zoning:**

AC	PDP(HC)
AG	PDP(HC)
AR	PDP(HD)
AR1	PDP(ND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
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PDP(GC)	R3
PDP(GHC)	RC
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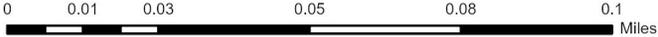
City Zoning Pending



# H-22-88

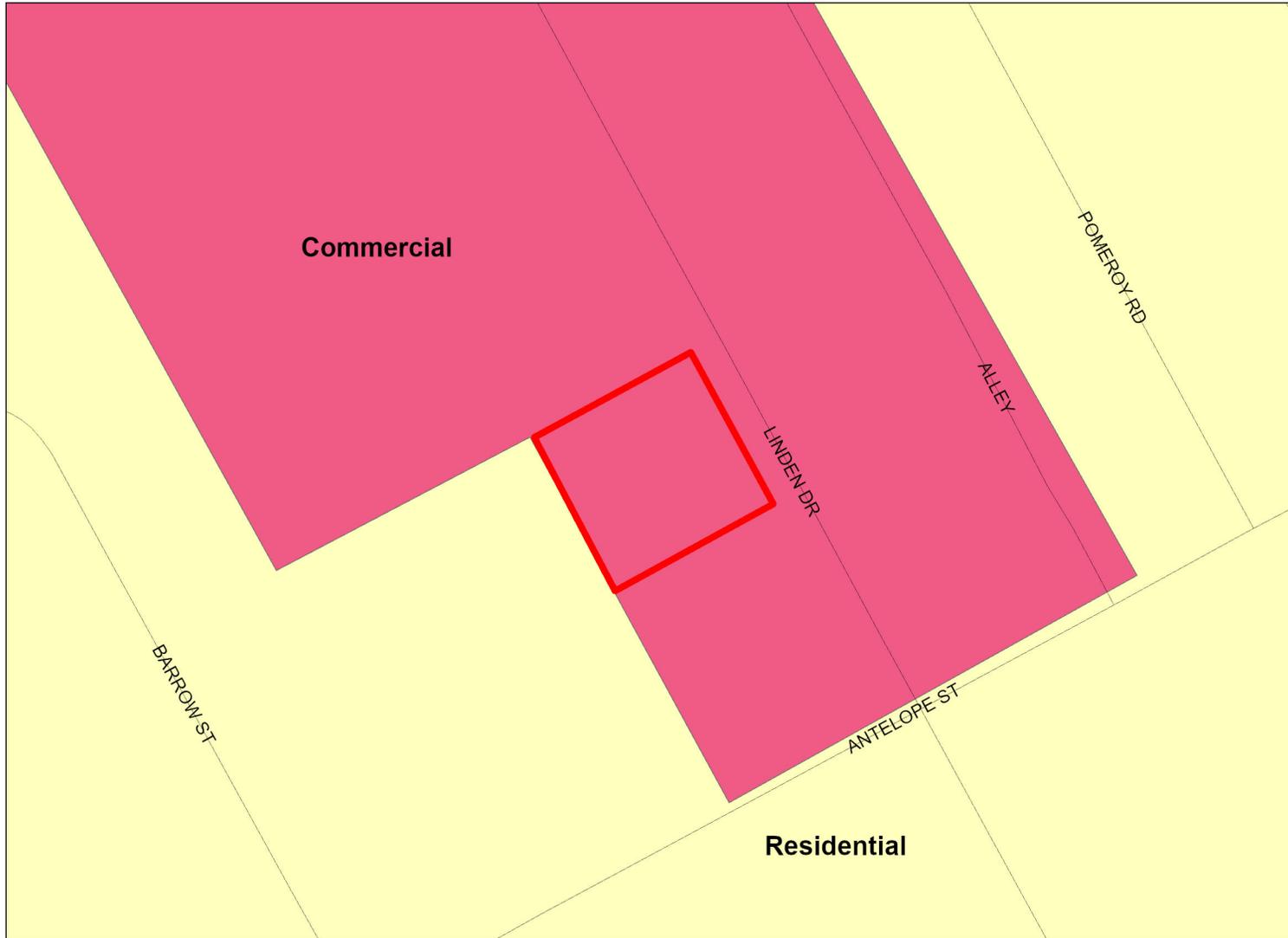
Photo date: 2020

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# Hernando County Comprehensive Plan Map

Existing Future Land Use: H-22-88  
Version Date: 07/14/2022

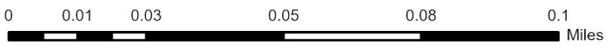


	H-22-88
	FLU Riverine District
	Regional Commercial
<b>FLU</b>	
	CITY
	COMMERCIAL
	CONSERVATION
	EDUCATION
	INDUSTRIAL
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	PLANNED DEVELOPMENT
	PUBLIC FACILITIES
	RECREATION
	RESIDENTIAL
	RURAL

**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.



Date of mapping: 01/27/2023



# H-22-88

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.

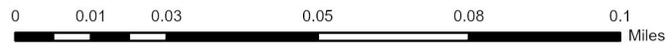
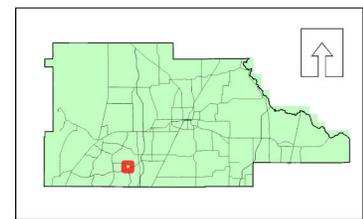


Subject Parcel

**Zoning:**

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending











## AGENDA ITEM

### TITLE

H-22-85 - Achillies Thomas AXI VIO Land Holding, Inc:  
Master Plan Revision on Property Zoned PDP(HC)/Planned Development Project (Highway Commercial); North side of Ayers Road, approximately 975' east of US Hwy 41 and the north side of Old Ayers Road, approximately 1,350' from Ayers Road

### BRIEF OVERVIEW

**Request:**

Master Plan Revision on Property Zoned PDP(HC)/Planned Development Project (Highway Commercial)

**General Location:**

North side of Ayers Road, approximately 975' east of US Hwy 41 and the north side of Old Ayers Road, approximately 1,350' from Ayers Road

### 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(HC)/Planned Development Project (Highway Commercial) with performance conditions.

### REVIEW PROCESS

Omar DePablo	Escalated	02/24/2023	6:18 PM
Michelle Miller	Escalated	02/27/2023	6:19 PM
Aaron Pool	Escalated	02/28/2023	6:19 PM
Michelle Miller	Approved	03/01/2023	4:55 PM
Michelle Miller	Approved	03/01/2023	4:55 PM
Aaron Pool	Approved	03/02/2023	1:09 PM
Kyle Benda	Approved	03/02/2023	2:01 PM

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mike Fulford

**SECONDER:** Nicholas Holmes

**AYES:** Hickey, Birren, Fulford, Holmes and Arflack

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: March 13, 2023  
Board of County Commissioners: April 11, 2023

**APPLICANT:** Achilles Thomas AXI VIO Land Holdings, Inc.

**FILE NUMBER:** H-22-85

**REQUEST:** Master Plan Revision on Property Zoned PDP(HC)/Planned Development Project (Highway Commercial)

**GENERAL LOCATION:** North side of Ayers Road, approximately 975' east of US Hwy 41 and the north side of Old Ayers Road, approximately 1,350' from Ayers Road

**PARCEL KEY NUMBER:** 1088655

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### APPLICANT'S REQUEST

On November 17, 2020, the Board of County Commissioners approved a Master Plan Revision and a rezoning from AG/(Agricultural) and C-2/(Highway Commercial) to PDP(HC)/Planned Development Project (Highway Commercial). The petitioner's request at the time included a master plan revision and a rezoning of a 2.4 acre commercial (C-2) parcel (key number 1088628) along Ayers Road and the remaining 41.92 acre (key number 1088655) agricultural parcel (AG) to PDP(HC)/Planned Development Project (Highway Commercial).

According to the petitioner, over the past two years events have been held in accordance with the prior approval. The master plan revision currently submitted will provide the necessary changes to ensure the project as originally presented is developed. The current request is being made to address the relocation of certain uses – primarily the drag strip - due to flood plain mitigation needs for the site. As part of the master plan revision, the petitioner has relocated the previously approved drag strip from the east property line to the western property line (adjacent to train tracks) and shortened the track. As part of this relocation the petitioner is requesting the elimination of the eastern berm and sound barrier fencing as previously required. Since its approval, the development timeline has been updated as follows:

- Motorsport areas (drag strip, racetrack, drift pad), restrooms, concessions, and other supporting facilities are currently in use and are expected to be fully developed within the next 12-18 months.
- The Concert/amphitheater facility is currently in use. Expanded/permanent facilities are expected to be completed within the next 60-74 months.
- Event center, retail shops, restaurants, and other supporting facilities completed within the next 60-74 months.

**SITE CHARACTERISTICS**

**Site Size:** 54.2 acres

**Surrounding Zoning;  
Land Uses:** North: AG; Undeveloped  
South: AG; Undeveloped, Single Family Home  
East: PDP(SF); Undeveloped  
West: C-2, PDP(HC); Undeveloped

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

**Future Land Use  
Map Designation:** Commercial

**ENVIRONMENTAL REVIEW**

**Soil Type:** Nobleton Fine Sand, Masaryk Fine Sand and Kendrick Fine Sand

**Comments:** Property has commercial development with previous agriculture uses with the northern portion wooded; it is shown as successional hardwood forest, feeding operations, and unimproved/woodland pasture 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).

A comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified professional prior to clearing or development activities. The petitioner is required to comply with all applicable FWC regulations and permitting.

The survey shall include exotic invasive plant species. If present, invasive species shall be removed during development. If invasive species occur within the north-eastern zone following development or within vegetated buffers, they shall be removed/controlled as routine maintenance.

**Protection Features:** The property contains no Wellhead Protection Areas (WHPA) according to County data resources.

**Hydrologic Features:** The subject property contains no wetlands or Special Protection Areas (SPA), according to County data resources.

**Habitat:** The property contains "Feeding Operations" on a majority of the property; The northern most 5.8 acres (mol) is designated "Successional Hardwood Forest" 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.
- Hazardous Materials:** There is potential for proposed activities to result in leaks or small spills of vehicle fluids and use of substances that are contaminants or classified as hazardous or corrosive substances. There will need to be a pollution/ hazard prevention plan or equivalent (developing procedures for operations later). Final project design should implement elements of the plan that relate to construction, containment, or collection.

**UTILITIES REVIEW**

The Hernando County Utilities Department (HCUD) has indicated they currently do not provide water or sewer services to the subject site. HCUD has no objection to the submitted master plan revision.

**AIRPORT REVIEW**

The Airport Manager has reviewed the petitioner's request and indicated the subject property is located within proximity to the approach of Runway 3 (0.8 miles). The Airport will require a 48-hour prior notification of any night-time events in which outdoor tower lighting will be utilized. This will allow appropriate safety advisories to be issued to based and transient aircraft at the airport.

Any person proposing to construct, alter, or allow an obstruction in an airport hazard area, as required by Appendix A, Article X, Section 5 (Airport Zoning Ordinance), shall apply for an airport permit, as applicable. Additionally, all applicable FAA forms shall be completed, and a determination letter shall be filed with the application for a permit.

**ENGINEERING & TRANSPORTATION REVIEW**

The subject site is located on the north side of Ayers Road, approximately 975' east of US Hwy 41 and on the north side of Old Ayers Road, approximately 1,350' from Ayers Road. The petitioner has proposed utilizing the existing access drive along Old Ayers Road for the main facility. Parking will also be available from Old Ayers Road. The petitioner has further indicated utilizing the out-parcel (key number 1088628) along Ayers Road for event parking and exiting of events.

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

- The site contains four areas designated as floodplain. Development within the floodplain will require specific permitting and mitigation and must conform to the Hernando County Facility Design Guidelines and Southwest Florida Water Management District Environmental Resource Permit requirements.
- A Traffic Access Analysis is required for this project. Traffic Access Analysis can be phased or include the entire project. It is to include all aspects of this development. Currently the Department of Public Works Engineering is in discussions with the traffic consultant for this project. Refer to Hernando County Facility Design Guidelines IV-18.
- Parcel Key # 01088628 must be included in this master plan, because this area is used as the exit area for the events and over-flow and Handicap Parking.
- All Driveway connections to County Roads are required to be paved from the travel-way to property line.
- All previous master plan (H2034) performance conditions are still applicable.

**LAND USE REVIEW:**

The petitioner's request for PDP(HC)/Planned Development Project (Highway Commercial will facilitate all the petitioner's proposed uses. The specific use categories are as follows:

**Permitted uses in the C-1 Commercial District:**

- Retail Uses: Comparison goods stores
- All Events: Places of Public Assembly (Events)

**Permitted uses in a C-2 Highway Commercial District:**

- Any use permitted in a C-1 General Commercial District

**Permitted uses in a C-4 Heavy Highway Commercial District:-**

- Light manufacturing with or without outside storage.

**Building Setbacks:**

Previously Approved Building Setback Requirements:

- Old Ayers Road: 35'
- Ayers Road: 75'
- Side: 20' (deviation to 5' for existing building along the railroad track) All others must meet the minimum required setback
- Rear: 35'

**Parking**

The petitioner has indicated that a 3.5 acre grassed area of the subject site has been dedicated to event parking (cars and RV's). The proposed parking area can accommodate approximately 354 parking spaces. Additionally, parcel key # 01088628, previously approved (H2034) is utilized for overflow parking.

**Comments:** If approved, all parking shall be maintained on site and no parking shall be permitted along the right-of-way (Old Ayers Road or Ayers Road). Additionally, any extended RV parking shall be directly associated with events and no RV's shall be parked longer than three (3) consecutive days.

The petitioner is proposing grassed parking for all events. Alternative paving materials including, but not limited to, gravel, millings, porous concrete, shell, stabilized vegetation, and pervious parking areas may be approved by the administrative official based upon certification from a professional engineer that the use/intensity and frequency of use on the alternative paving material will not contribute to erosion or sedimentation. If approved, the petitioner shall coordinate the proposed grassed parking with the administrative official.

County LDRs allow for grassed parking; however, if parking demand is such that said grass, lawn or other material is caused to be damaged or destroyed to the extent that said grass or lawn ceases to grow, or the other material otherwise causes a nuisance to the neighborhood, then paving or repair of the damaged or destroyed area may be required by the administrative official.

**Buffer**

The Hernando County LDR's require that buffers be provided between a Planned Development Project land use which is non-residential and a land use, external to the PDP, which is residential, agricultural-residential, or agricultural.

**Comments:** The subject site is adjacent to commercial along the west, undeveloped agricultural tracts to the north and an undeveloped property with master plan approval for 752 single family units to the east. The petitioner has requested the removal of the required berm and acoustic fence since the drag strip has been relocated to west along the train tracks. Along the east property line a 20' undisturbed buffer with drainage retention ponds and flood mitigation will be provided. While the property to the east is currently undeveloped, the proposed 20' buffer shall be provided to assist with visual and noise (events, drag strip, racecourse) in the event of future development. Buffer will consist of the natural vegetation and supplemented where necessary.

**Noise**

Sources of sound shall conform to the sound level limits by receiving land use as set forth in the County LDR's. The minimum measurement period shall be ten (10) minutes. Sound shall be measured at or within the real property line of the receiving land use. Exceedances accumulating to more than ten (10) percent of the measuring period shall constitute a violation.

Sources of sound shall also conform to the "instantaneous" maximum sound levels by receiving land use as set forth in County LDR's. The minimum measurement period shall be ten (10) minutes. Sound shall be measured at or within the real property line of the receiving land use. A single "instantaneous" occurrence above the maximum sound level shall constitute a violation.

**Sound level limits:**

Receiving Land Use

Receiving Land Use	Time	Sound Level Limit (DbA)
Residential, institutional, public space, or recreational district areas for sound levels measured at the property line	7:00 AM-9:00 PM	60
Agricultural, agricultural/residential, conservation, or rural district areas for sound levels measured at the residence	9:00 PM-7:00 AM	55
Commercial district areas	7:00 AM-9:00 PM	65
	9:00 PM-7:00 AM	60
Agricultural, agricultural/residential, conservation, industrial, mining, or rural district areas for sound levels measured at the property line	At all times	75

(For defining receiving land use within the C/PDP (combined) mixed use zoning district, C/PDP will be classified according to the area land use in question – residential, commercial, industrial, and so forth.)

**Maximum sound level**

Receiving Land Use	Time	Sound Level Limit (DbA)
Residential, institutional, public space, or recreational district areas for sound levels measured at the property line	7:00 AM-9:00 PM	70
Agricultural, agricultural/residential, conservation, or rural district areas for sound levels measured at the residence	9:00 PM-7:00 AM	60
<b>Commercial District Areas</b>	<b>7:00 AM-9:00 PM</b>	<b>75</b>
	<b>9:00 PM-7:00 AM</b>	<b>65</b>
Agricultural, agricultural/residential, conservation, industrial, mining, or rural district areas for sound levels measured at the property line	At all times	85

**Comment:** The petitioner has indicated that associated noise expected from the property will be equivalent to a high-revving engine which ranges from 50 to 105 decibels. The petitioner is proposing a natural 20' vegetative buffer along the eastern property line in order act as a sound reduction barrier. If approved, the proposed buffering must be sufficient to reduce noise levels from the events and racetracks to levels that comply with the noise ordinance.

**COMPREHENSIVE PLAN REVIEW:**

The subject site is in an area characterized by commercial and large undeveloped tracts of land. The site is located within a Commercial node along the US Hwy 41 and Ayers Road intersection.

**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(3):** When reviewing requests to designate new commercial areas or zonings apart from nodes depicted on the Future Land Use Map, the County will be guided by the commercial node strategies provided herein and the need to provide for a range of commercial uses.

**Comments:** The site is contiguous to and can be considered an extension of the existing US Hwy 41 and Ayers Road commercial node.

**Mapping Criteria:** The Commercial Category includes commercial corridors along U.S. 19 and S.R. 50 and designated commercial nodes at intersections of arterial and/or collector roads intended primarily for commercial development with a wide variety of uses. 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:** The site is located within a commercial node. Therefore, the request is consistent with the land use strategies of the Comprehensive Plan.

**FINDINGS OF FACT:**

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

- The relocation of the drag strip from the eastern property line to the west, along the train trucks, is supported and will not require the acoustic fencing along the east.
- Full cut-off lighting fixtures will not be required; however, lighting shall be designed in such a way to prevent off-site spillage.
- The master plan is consistent with the County’s adopted Comprehensive Plan and the surrounding land uses subject to 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 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. Homeowners 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 Master Plan Revision on Property Zoned PDP(HC)/Planned Development Project (Highway Commercial) 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. All onsite lighting must be retained on-site to prevent any light spillage onto neighboring residential uses.
3. Minimum Building and Site Alteration Setback Requirements:
  - Old Ayers Road: 35'
  - Ayers Road: 75'
  - Side: 20' (deviation to 5' for existing building along the railroad track) All others must meet the minimum required setback
  - Rear: 35'
4. A Traffic Access Analysis is required for this project. Traffic Access Analysis can be phased or include the entire project. It is to include all aspects of this development.
5. The petitioner shall provide a wildlife survey to identify any listed species prior to clearing or development activities. Additionally, a Floral survey shall be provided to include exotic invasive plant species. If present, invasive species shall be removed

- during development. If invasive species occur within the north-eastern zone following development or within vegetated buffers, they shall be removed/controlled as routine maintenance.
6. The entire east property line shall include the installation of a 20' wide buffer consisting of natural vegetation and supplemented where necessary.
  7. All parking shall be maintained on site and no parking shall be permitted along the right-of-way (Old Ayers Road or Ayers Road).
  7. All previous conditions of approval (H2043) shall be in full force and effect with the expectation of those modified herein.
    - Adequate restroom facilities in accordance with the requirements of the Health Department shall be provided for all events.
    - The petitioner shall provide to the County a pollution/hazard prevention plan or equivalent to address leaks or small spills of vehicle fluids and use of substances that are contaminants or classified as hazardous or corrosive. Final project design should implement elements of the plan that relate to construction, containment, or collection.
    - The petitioner shall provide 48-hour notification to the Airport Manager of any night-time events in which outdoor tower lighting is utilized.
    - The petitioner shall apply for and receive all required Airport and FAA permits in accordance with the County LDRs.
    - RV parking shall be limited to event days. RV hookups to water and electric shall be permitted.
    - All outdoor events shall end no later than 1:00 AM with complete clear-out of the property by 2:00 AM.
    - The Hernando County Sheriff's Office or Florida Highway Patrol shall be utilized for traffic control during all events.
    - Grassed parking shall be permitted. In the event increased traffic causes grassed parking areas to deteriorate, the petitioner shall be required to provide a plan for alternative surface for approval by the County's Administrative Official.
    - The petitioner shall install Handicap Parking in accordance with the Florida Accessibility Code.
    - The proposed activities contained in this master plan fit the definition of an officially authorized spectator game under Section 21.136 of the Hernando County Code of Ordinances.
  8. 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.

**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-2285 Official Date Stamp:  
**Received**  
**DEC 07 2022**  
 Planning Department  
 Hernando County, Florida

Date: \_\_\_\_\_

**APPLICANT NAME:** Achilles Thomas AXI VIO Land Holding, Inc.

Address: 17109 Old Ayers Road  
 City: Brooksville State: FL Zip: 34604  
 Phone: 452-667-3261 Email: achilles@fireballbrands.com  
**Property owner's name:** (if not the applicant) Achilles Thomas

**REPRESENTATIVE/CONTACT NAME:** Jeff Andras

Company Name: Andras Construction Services, LLC  
 Address: 460 Hancock Lake Road  
 City: Brooksville State: FL Zip: 34602  
 Phone: 813-482-2581 Email: jeffandras@gmail.com

**HOME OWNERS ASSOCIATION:**  Yes  No (if applicable provide name) \_\_\_\_\_

Contact Name: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**PROPERTY INFORMATION:**

1. PARCEL(S) **KEY** NUMBER(S): 01088655,
2. SECTION 30, TOWNSHIP 23, RANGE 19
3. Current zoning classification: PDP((HC)/Planned Development Project (Highway Commercial)
4. Desired zoning classification: Master plan revisions with the current zoning
5. Size of area covered by application: 54.2 Acres
6. Highway and street boundaries: Old Ayers Road and Ayers Road
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 AFFIDIVAT**

I, Achilles Thomas, 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): Jeff Andras and (representative, if applicable): \_\_\_\_\_ to submit an application for the described property.

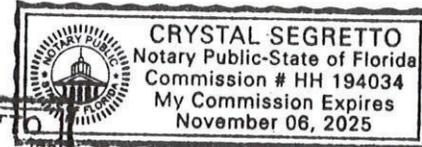
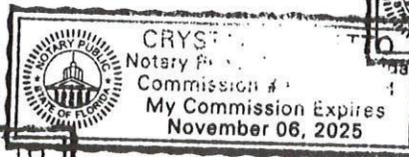
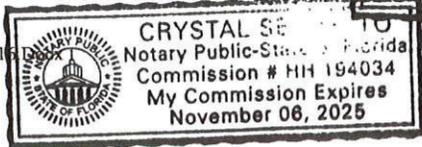
*[Handwritten Signature]*  
 Signature of Property Owner

STATE OF FLORIDA  
 COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 6th day of December, 2022, by Achilles Thomas who is personally known to me or produced \_\_\_\_\_ as identification.

*[Handwritten Signature]*  
 Signature of Notary Public

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



JAN 04 2023

Planning Department  
Hernando County Florida

In consideration of the previous BCC action on November 17, 2020 and the approval of the current master plan, the applicant is submitting this application based on a revised master plan that re-organizes the use of the property into a more neighborhood friendly configuration.

In summary, the intended use of the property remains as defined in Section 21.136 of the Hernando County Code of Ordinances as an “officially authorized spectator game” facility.

From the previous narrative, the following still apply:

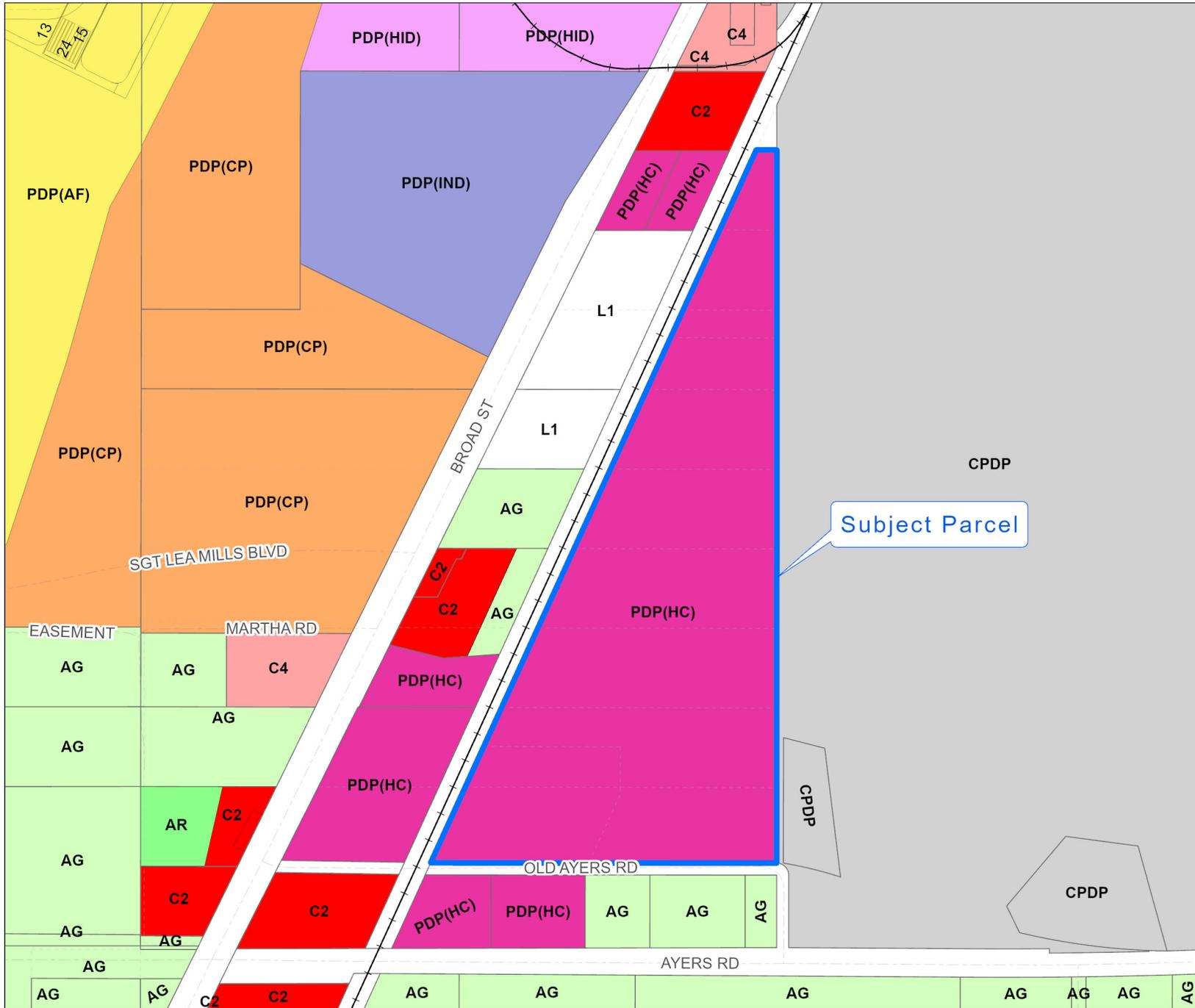
- Over the past two years, since the prior approval, during the initial development of the property, events have been held in accordance with the prior approval.
- The types of events have and will continue to include concerts, weddings, festivals, car shows, swap meets, corporate events, driving games, competitions, etc.... There have been and will continue to be seasonal events, that recurring annually, such as our Speedster Easter, Memorial Day & 4th of July Festivals, MonsterFest, Trunk or Treat (held around Halloween), and other events that support our community and country.
- The number of attendees has and will continue to vary depending on the size of the event and range from 10 to 5,000 people. Parking for events will be located on the property as indicated on the master plan.
- RV parking – will be in accordance with the prior approval conditions.
- Existing onsite water and sanitary facilities have been utilized successfully for all events held over the past two years. For larger events temporary facilities have been brought in as needed. The intent is to add additional onsite septic and/or water facilities as may be need to support the proposed improvements while continuing to bring in temporary facilities for larger events as necessary. Connection to public water and/or sewer is to be at the applicant’s discretion.
- Current trees and brush on the eastern property line will help deter sound and light emanating from the proposed events. Additionally, as noted above, the plan has been re-thought in an effort to direct light and sound away from the adjacent residential property. This includes the relocation of the motorsports areas, concert stage/amphitheater, and other sound/light generating uses as proposed herein.
- There should be little to no dust impact created from the proposed usages. The motorsports pad, drives, and strips will all be paved. Over the past two years of operation the grass parking lots have held up well and have not deteriorated.
- In accordance with the previous zoning conditions, environmental concerns regarding fluid spills and clean up will be addressed in the design and permitting of the project. Specifically, the facility will own and operate equipment needed for the proper maintenance and operation of the facility.
- The approximate time table for the development of the various improvements are as follows:
  - Motorsport areas, restrooms, concessions, and other supporting facilities are currently in use and hope to be fully developed within the next 12-18 months.
  - Concert/amphitheater facilities are currently in use for the majority of events. It is the intent to have expanded/permanent facilities within the next 60-74 months.
  - It is the intent to have the event center, retail shops, restaurants, and other supporting facilities completed within the next 60-74 months.

- Section breakdown as referenced on the master plan:
  - North-eastern zone to be left in existing condition to the greatest extent possible to allow for sound control and to minimize environmental impacts. This area will/may be utilized for storm water ponds and flood plain mitigation as well as grass parking for RVs, spectators, and event participants. This area may also be utilized for park/pond type activities including turf/water related sports, remote controlled car/boats games, etc...
  - Western zone may/will be utilized for car/motorcycle shows, swap meets, driver training classes, motorsports game pads, strips, return drives, road course/go-cart track(s), stage/amphitheater to accommodate concerts, award ceremonies, and like events, participant parking/staging, spectator parking, seating for such events/games, camping, and other outdoor/motorsport type events/activities.
  - Southern zone may/will be utilized for existing Monster Transmission activities. Also proposed for this area is an event/conference center to be used for special events, weddings, parties, trade shows, etc... Future additions to this area may include support facilities such as specialty shops, restaurants, and other type usages. Usages noted in the “western zone” may also take place on this portion of the property.
- Parcel Key number 01088628 is not unified with parcel 01088655 and as such is not to be included in the scope of the attached master plan.

In summary, the revised plan was prepared in an effort to better serve the community while at the same time addressing added infrastructure necessary for the fully developed utilization of the property for the intended use. By relocating the drag strip to the far west side of the property the impact on the flood plain will be minimized, the need for a site built sound barrier eliminated, and concerns over lighting bleeding onto the adjacent residential properties greatly reduced. With this change the use off full cut off fixtures will not be necessary for the majority of the project but will be incorporated into the design if lighting is called for within 200 feet of the east property line.

# H-22-85

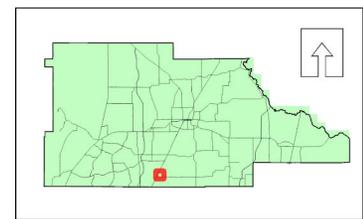
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



**Zoning:**

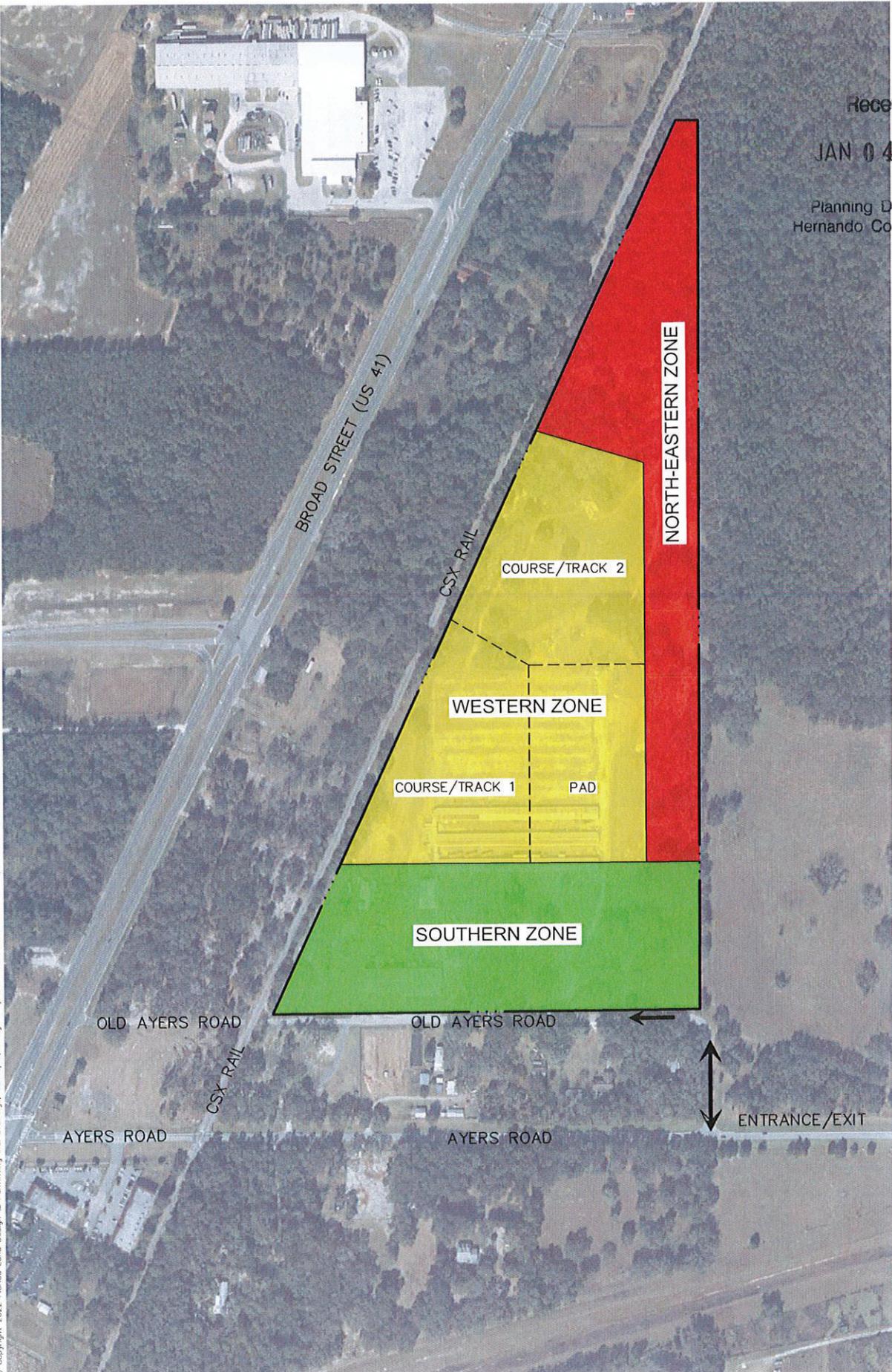
AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



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Received

JAN 04 2023

Planning Department  
Hernando County, Florida





## AGENDA ITEM

### TITLE

H-22-87 - Legacy WMD, LLC:

Master Plan Revision on Property Zoned PDP(SF)/Planned Development Project (Single Family) with Deviations; South side of San Antonio Road, north of Zeth Road, approximately 600' west of Barclay Avenue

### BRIEF OVERVIEW

**Request:**

Master Plan Revision on Property Zoned PDP(SF)/Planned Development Project (Single Family) with Deviations

**General Location:**

South side of San Antonio Road, north of Zeth Road, approximately 600' west of Barclay Avenue

### 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(SF)/Planned Development Project (Single Family) with Deviations and performance conditions.

### REVIEW PROCESS

Omar DePablo	Escalated	02/24/2023	6:18 PM
Michelle Miller	Escalated	02/27/2023	6:19 PM
Aaron Pool	Escalated	02/28/2023	6:19 PM
Michelle Miller	Approved	03/01/2023	4:57 PM
Michelle Miller	Approved	03/01/2023	4:58 PM
Aaron Pool	Approved	03/02/2023	1:09 PM
Kyle Benda	Approved	03/02/2023	2:02 PM

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mike Fulford

**SECONDER:** Gregory Arflack  
**AYES:** Hickey, Birren, Fulford and Holmes  
**NAYES:** Arflack

# STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: March 13, 2023  
Board of County Commissioners: April 11, 2023

**APPLICANT:** Legacy WMD, LLC

**FILE NUMBER:** H-22-87

**REQUEST:** Master Plan Revision on Property Zoned PDP(SF)/Planned Development Project (Single Family) with Deviations

**GENERAL LOCATION:** South side of San Antonio Road, north of Zeth Road, approximately 600' west of Barclay Avenue

**PARCEL KEY NUMBERS:** 1725388, 1725397, 1725404, 1725413, 1725422, 1725379, 1725360

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## APPLICANT'S REQUEST

On October 10, 2007, the Board of County Commissioners approved a Master Plan Revision on the subject site to develop five (5) single family lots, varying in size from 2.35 acres to 3.26 acres (H-07-45). The project was proposed to be gated with the streets being privately owned and maintained by the Homeowners Association.

Since its approval, the amenities have been developed for the subdivision (two ponds and streets). Design concepts have been altered, requiring a master plan revision to modify previously approved performance conditions.

### Requested Deviations

The petitioner's request is to modify the following conditions:

- Reduce all restrictive access easements from 20' to 5'.
- Reduce the landscape buffers along Zeth Court and San Antonio Road from 20' to 5'
- Allow one access point per lot to San Antonio for Lots 3 and 4 exclusively.

## SITE CHARACTERISTICS

**Site Size:** 20.0 acres

### Surrounding Zoning & Land Uses:

North: AR2; Single Family & Mobile Homes  
South: AR2; Undeveloped  
East: AG; Undeveloped  
West: PDP(SF); Sterling Hills

**Current Zoning:** PDP(SF)/Planned Development Project (Single Family)

**Future Land Use Map Designation:** Residential  
**Flood Zone:** C

**ENVIRONMENTAL REVIEW**

**Soil Type:** Candler Fine Sand

**Hydrologic Features:** The subject property contains no wetlands or Special Protection Area (SPA), according to County data resources.

**Protection Features:** The property contains a Class 2 Well Head Protection Areas (WHPA) according to County data resources.

**Habitat:** Sandhill, urban open land, and artificial impoundment/reservoir 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 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.

**UTILITIES REVIEW**

The Hernando County Utilities Department (HCUD) does not currently supply water service to these parcels, however there is an existing 8-inch water main that runs along Shadow Creek Drive. Sewer service is not available to these parcels. HCUD has no objection to the request.

Future development of these parcels is subject to connection to the central water system at time of vertical construction, and Health Department approval of appropriate Onsite Sewage Treatment and Disposal Systems.

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## ENGINEERING REVIEW

The subject site is located south side of San Antonio Road, north of Zeth Road, approximately 600' west of Barclay Avenue. The petitioner has indicated the development has existing access to Zeth Court. Additional access points for Lots 3 and Lots 4 are requested to connect to San Antonio Road.

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

- This subdivision contains an area designated as a stormwater mitigation pond with a floodplain elevation of 54.8'. No stormwater changes are proposed to the original design. The proposed changes will not impact the stormwater system.
- Access to San Antonio Road, currently a limerock road, shall require improvements from the western most side of the driveway access of Lot 3 to Barclay Avenue.

## LAND USE REVIEW

### Building Setbacks

The petitioner has proposed internal lot setbacks to be 20' on all sides except those lots that front the internal road, which will be 50' feet.

#### Previously Approved Perimeter Setbacks:

- South (Zeth Court): 50'
- North (San Antonio Road): 50'
- West (Sterling Hill): 20'
- East (Unplatted AG land): 35'

### Buffers

Per County LDR's, a buffer shall consist of a minimum five-foot landscaped separation distance. 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 requested that the previously approved buffers be reduced from 20' along Zeth Court and San Antonio to the minimum County LDR standard of 5'. With the size of the parcels (none are under 2.2 acres) and complimentary adjacent land uses (single family and undeveloped agricultural land) there is no need for wider buffers to preserve the quality of life and privacy for the residents.

## Access Easements

Restrictive access easements along Zeth Court and San Antonio Road were coupled with the landscape buffers in the previous project design. With the petitioner's request to reduce the size of the buffers along the north and south project boundaries, a reduction in the restrictive access easement would be appropriate. The reduced access easement and landscape buffer does not change the building setback line, which will remain 50' from Zeth Court and San Antonio Road.

There is also a restrictive access easement, for the personal use of the owners, between lots 3 and 4 that is 20' wide (40' total). The petitioner is requesting a reduction in the size of this access easement from 20' to 5' (10' feet total). There is nothing extraordinary about these parcels that would require an easement of this size, and as such, a reduction in the easement does not change the nature or appearance of the project.

## COMPREHENSIVE PLAN REVIEW

The subject property is located within the Residential land use classification on the adopted Future Land Use Map and part of the original Sherman Hills master plan.

### Future Land Use Map

Strategy 1.04A(3): The Residential Category accommodates residential growth clustered in and around urbanized areas and those areas that maximize the efficient use of infrastructure contained in long-range facilities plans of the County.

### 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.

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.

Strategy 1.04B(2): Future residential development will be planned to locate where the Residential Category predominates on the Future Land Use Map as determined by the availability of facilities and services, the need to accommodate future growth, the strategies to discourage the proliferation of urban sprawl, and the impacts to natural resources, including groundwater.

### Single-Family Housing

Strategy 1.04B(3): The Residential Category will include zoning for single-family housing, generally averaging a density of 2.5 dwelling units per gross acre to 6.0 dwelling units per gross acre comprised of varying lot sizes and dwelling unit types such as senior housing, villa housing, single family detached housing, and zero lot line housing.

### FINDINGS OF FACT

A Master Plan Revision on Property Zoned PDP(SF)/Planned Development Project (Single Family) with Deviations, is appropriate based on the following conclusions:

1. The following requested deviations are justified with appropriate performance conditions:
  - Reduce all restrictive access easements from 20' to 5'.
  - Reduce the landscape buffers along Zeth Court and San Antonio Road from 20' to 5'.
  - Allow one access point each to San Antonio for Lots 3 and 4 exclusively.
2. The proposed use is consistent with the County's adopted Comprehensive Plan and 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 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 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 Master Plan Revision on Property Zoned PDP(SF)/Planned Development Project (Single Family) 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 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.
3. 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.
4. The petitioner shall provide a wildlife survey, prepared by a qualified professional prior to any development occurring on the property. Further, copies of any required permits shall be provided prior to the issuance of development permits by Hernando County.
5. Access to San Antonio Road, currently a limerock road, shall require improvements from the western most side of the driveway access of Lot 3 to Barclay Avenue.
6. Restrictive Access Easements:
  - Along Zeth Court: 5' (deviation from 20')
  - Along San Antonio: 5' (deviation from 20')
  - Between lots 3 and 4: 5' (deviation from 20')
7. One access point per lot shall be permitted to San Antonio for Lots 3 and 4 exclusively (deviation from no access permitted).
8. Perimeter Setbacks:
  - North (San Antonio Road): 50'
  - South (Zeth Court): 50'
  - East (Unplanted AG land): 35'
  - West (Sterling Hill): 20'
9. Internal Setbacks:
  - Front (Shadow Creek Drive): 50'
  - Side (between parcels in this project): 20'
  - Lot 2 along the access easement: 20'
10. The petitioner shall conduct a geotechnical survey to determine that affected lots are buildable during the construction plans phase of development.
11. The petitioner shall pave North Road to the project's entrance.
12. The development shall connect to central water system at time of vertical construction and shall obtain Health Department approval for appropriate Onsite Sewage Treatment and Disposal Systems.

13. Landscape Buffers:
  - North (San Antonio Road): 5' (deviation from 20')
  - South (Zeth Court): 5' (deviation from 20')
  - East (Unplatted AG Land): 5'
  - West (Sterling Hill): 5'
  
14. 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-22-87

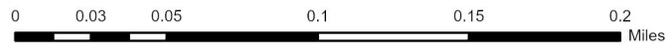
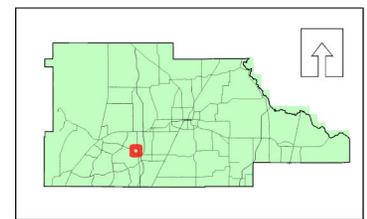
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



**Zoning:**

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending

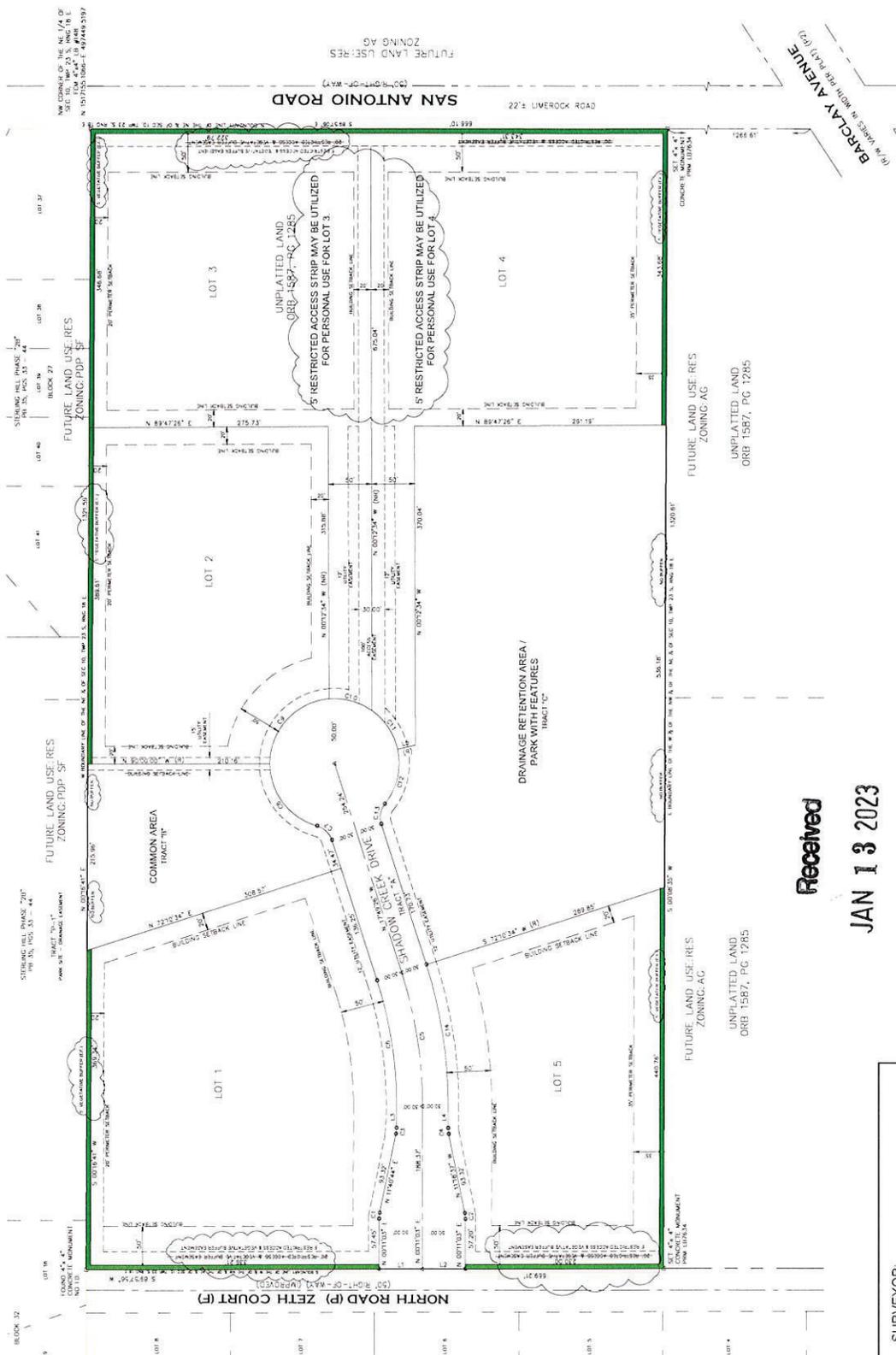


# SILVER FALLS REV MASTER PLAN

A SUBDIVISION OF A PORTION OF SECTION 10, TOWNSHIP 23 SOUTH, RANGE 18 EAST, HERMANO COUNTY, FLORIDA AND A REPLAT OF THE WEST 1/2 OF THE NORTHWEST OF THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 23 S, RANGE 10 E



**LEGEND**  
 O = SET BACK AND PLACEMENT OF "LIMITS" SIGN  
 A = SET BACK AND PLACEMENT OF "LIMITS" SIGN  
 P = PERMANENT REFERENCE MONUMENT  
 PCD = PERMANENT CONTROL POINT  
 T = TIE LINE  
 (H) = HATCH  
 (S) = NON-HATCH



LINE	LENGTH	BEARING
L1	50.00	N89°47'26" E
L2	275.73	S89°47'26" W
L3	275.73	N89°47'26" W
L4	275.73	S89°47'26" E
L5	275.73	N89°47'26" E

**Received**  
**JAN 13 2023**

**SURVEYOR:**  
**GLOBAL SURVEYING OF BROOKSVILLE**  
 10000 W. GULF BLVD. SUITE 100  
 BROOKSVILLE, FL 34601  
 CERTIFICATE OF AUTHORIZATION LB 00764

Planning Department  
 Hernando County, Florida

**PRO-CIVIL-360**  
 CIVIL ENGINEERING, SURVEYING & COMMERCIAL SITE DEVELOPMENT  
 10000 W. GULF BLVD. SUITE 100  
 BROOKSVILLE, FL 34601

REVISED MASTER PLAN  
 SILVER FALLS

HERNANDO COUNTY ZONING AMENDMENT PETITION

File No. H-22-87 Official Date Stamp: Received DEC 07 2022 Planning Department Hernando County, Florida



Application to Change a Zoning Classification

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

Date: 12/7/2022

APPLICANT NAME: Legacy WMD, LLC Address: 20139 Bowman Road City: Spring Hill State: FL Zip: 34610 Phone: 352-442-3409 Email: springhillwell@yahoo.com Property owner's name: (if not the applicant)

REPRESENTATIVE/CONTACT NAME: Alan K. Garman Company Name: ProCivil360, LLC Address: 12 South Main Street City: Brooksville State: FL Zip: 34601 Phone: 352-593-4255 Email: permitting@procivil360.com

HOME OWNERS ASSOCIATION: [ ] Yes [x] No (if applicable provide name) Contact Name: Address: City: State: Zip:

PROPERTY INFORMATION: 1. PARCEL(S) KEY NUMBER(S): 1725388, 1725397, 1725404, 1725413, 1725422 2. SECTION 10, TOWNSHIP 23, RANGE 18 3. Current zoning classification: PDP (SF) 4. Desired zoning classification: same 5. Size of area covered by application: 20 ac 6. Highway and street boundaries: Zeth Court (South), San Antonio Road (North) 7. Has a public hearing been held on this property within the past twelve months? [ ] Yes [x] No 8. Will expert witness(es) be utilized during the public hearings? [ ] Yes [x] No (If yes, identify on an attached list.) 9. Will additional time be required during the public hearing(s) and how much? [ ] Yes [x] No (Time needed: )

PROPERTY OWNER AFFIDIVAT

I, Tracey Kuka, 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 [x] I am the owner of the property and am authorizing (applicant): ProCivil360, LLC and (representative, if applicable): ProCivil360, LLC to submit an application for the described property.

Signature of Property Owner: Tracey Kuka

STATE OF FLORIDA COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 7th day of December, 2022, by Tracey Kuka who is personally known to me or produced FL DL as identification.

Signature of Notary Public: Lida Mago



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

PRINT FORM CLEAR FORM

Notary Seal/Stamp

**ZONING NARRATIVE**

**(Revised 1/13/23)**

**FOR**

**SILVER FALLS MASTER PLAN REVISION**

**Received**

**JAN 13 2023**

**Planning Department  
Hernando County, Florida**

This is an existing development in Hernando County. It lies south of San Antonio Road, north of Zeth Court, west of Barclay Ave., and east of Sterling Hills. It is located in Section 10, Township 23S, Range 18 E, Hernando County, Florida.

The development was constructed in 2010-2011, but the platted lots have remained vacant, under one ownership since that time. No homes have been built. Other amenities have been developed in the common areas. The retention area / park has a very nice waterfall and gazebo for family outings. The entrance is secure and heavily landscaped. The previous family ownership used this as a retreat of sorts.

A different family has purchased the development and seek to begin building their homes and additional private amenities. This application is not for any re-zoning of the land; it is only to revise the master plan in terms of buffers and setbacks.

The existing zoning is PDP Res. **Once again, there is no proposed change to the zoning.** This PDP classification entitled the developer/owner at the time to control his internal setbacks with the previous master plan, but not the perimeter setbacks. The internal setbacks were 50' from the street rights-of-way and 20' side lines. These will remain the same with this revised master plan. Perimeter setbacks are shown on the master plan. These as well will remain unchanged.

South (Zeth Court)	50'
North (San Antonio Road)	50'
West (Sterling Hill)	20'
East (Unplatted AG land)	35'

The proposed revisions are clouded on the submitted master plan. The changes are with the buffers and restricted access easements placed on the plat. PDP regulations call for a minimum of a five (5) foot buffer around the perimeter of the Project. We do not remember the reasoning for the extensive buffers on this project, but would like to change those to the 5' buffers.

As previously stated, the development has been there quite awhile. The perimeter areas have been allowed to grow over those years. To the **west** is residential, and a large common area. There should be no need for an extensive buffer against the west side, since both uses are residential.

To the **east** is unplatted AG land with a Res land use. With the way our County is growing, that AG zoning should not be expected to last long. Someone will want to construct homes there, which would be a similar land use as this development. We have however, maintained the

thirty five (35) foot setback from the east boundary. Once again, this vegetation has been allowed to regenerate since the construction of the development. A five (5) foot buffer should be sufficient to meet the opacity requirements.

Buffers against Zeth Court and San Antonio Road were previously approved as twenty(20) foot buffers. We desire to revise both to five(5) feet which meets the PDP code and will still serve as the restricted access easement.

**Restricted Access Easements:** While thinking this was a good idea in the development of the original project, the idea of this easement on the north side against San Antonio Road needs some re-thinking. Since access to Lots 3 and 4 is through an access easement, it is small. What we are proposing is to maintain this easement, with a five(5) foot width instead of twenty(20) feet. The master plan would carry a caveat which allows the owner of that specific lot to access San Antonio Road with the proper County right-of-way use permit. The location of such cannot be defined on the master plan but should be allowed for personal use. The future owners of these lots may have larger vehicles such as boats or RV's which they may want to bring in through the rear of their proposed homes. This would provide that opportunity. The entire north line is 666' more or less. Allowing access for each of these lots should not impede any traffic on San Antonio; especially since it is for personal use only. The remainder of the development, the other three lots, will not be utilizing those driveway connections.

The restricted access easement along Zeth Court, would remain as is, with the exception it would only be five (5) feet in width instead of twenty(20) feet. The new Owners would like everyone to access the development through the gate, so this should work just fine. As stated previously, the entrance is heavily landscaped. There is no need for the twenty-foot buffer in this area.

**Summary: We would like to:**

1. Reduce all perimeter buffers to meet County code
2. Reduce the restrictive access easement along Zeth Court from 20' to 5'
3. Reduce the landscape buffer along Zeth Court from 20' to 5'
4. Reduce the restrictive access easement along San Antonio from 20' to 5'
5. Reduce the landscape buffer along San Antonio from 20' to 5'
6. Allow two access points to San Antonio for Lots 3 and 4 exclusively.



## AGENDA ITEM

### TITLE

H-23-05 - Hernando County Board of County Commissioners:  
Establish a PSFOD/Public Service Facility Overlay District for a Government Building; South of Rhanbuoy Road, east of Burnside Parkway and north of Forest Oaks Boulevard, approximately 3,000' east of Commercial Way

### BRIEF OVERVIEW

**Request:**

Establish a PSFOD/Public Service Facility Overlay District for a Government Building

**General Location:**

South of Rhanbuoy Road, east of Burnside Parkway and north of Forest Oaks Boulevard, approximately 3,000' east of Commercial 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 applicable Public Service Facility (PSF) Overlay District Standards are contained in Article IV, Section 11. 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 to establish a PSFOD/Public Service Facility Overlay District for a Government Building with performance conditions.

### REVIEW PROCESS

Omar DePablo	Escalated	02/27/2023 6:18 PM
Michelle Miller	Delegated	02/28/2023 11:03 AM
Omar DePablo	Approved	02/28/2023 11:40 AM
Michelle Miller	Approved	02/28/2023 1:22 PM
Aaron Pool	Approved	03/01/2023 10:29 AM
Kyle Benda	Approved	03/01/2023 12:05 PM

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Mike Fulford
<b>SECONDER:</b>	Kathryn Birren

**AYES:** Hickey, Birren, Fulford, Holmes and Arflack

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: March 13, 2023  
Board of County Commissioners: March 28, 2023

**APPLICANT:** Hernando County Board of County Commissioners

**FILE NUMBER:** H-23-05

**REQUEST:** Establish a PSFOD/Public Service Facility Overlay District for a Government Building

**GENERAL LOCATION:** South of Rhanbuoy Road, east of Burnside Parkway and north of Forest Oaks Boulevard, approximately 3,000' east of Commercial Way

**PARCEL KEY NUMBERS:** 944072, 1027908

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### APPLICANT'S REQUEST:

The County is seeking to Establish a PSFOD/Public Service Facility Overlay District for a Government Building to include a building plan and driving course for the Office of the Tax Collector. The existing Office of the Tax Collector is currently located within an approximately 6,000 square feet office in a strip plaza on Forest Oaks Boulevard along with numerous other County and private businesses with limited room to expand. The Hernando County Utilities Division owns 6.7 acres of property adjacent to the site which shall be purchased by the County for the purpose of providing suitable acreage to construct the necessary improvements for a new facility. An additional 4.4 acres of property adjacent to these sites is currently owned by NAMI (National Association for Mental Illness); the County intends to negotiate the purchase of the land and possible preparation of a pad site for NAMI to construct a building in the future. A rezoning for the development of the NAMI portion of the site shall be required.

The Office of the Tax Collector will be approximately 16,000 square feet with exterior covered areas for VIN checks. The construction of a certified driving course per DMV standards allowing for a minimum of three (3) tests to be conducted simultaneously will also be included within the site design. The property's site master planning will include the preparation of an additional future building pad and infrastructure to accommodate an approximate 6,000 square feet structure and required parking areas.

The current zoning on the site is Planned Development Project Highway Commercial (PDP/HC). The proposed Public Service Facility Overlay District will allow all Governmental and Public Facility uses and structures consistent with the PSF approval; however, the site will retain the right to develop all uses consistent with the underlying PDP/HC zoning provided a master plan is approved for those uses. The present request is to develop the entire site consistent with the PSF approval and will not require subsequent master plan submission provided the development of the site is consistent with the PSF approval.

**SITE CHARACTERISTICS:**

**Site Size:** 11.1 acres (The project consists of two parcels; a 6.7 acres parcel Key #944072 and a 4.4 acres Key # 1027908)

**Surrounding Zoning & Land Uses:** North: PDP(SF); Single Family  
South: PDP(MF), R-1B, PSF; Single Family, Duplexes, Undeveloped  
East: PDP(SF), (SU); Single Family, Assisted Living Facility  
West: PDP(SF),(GHC), PSF; Single Family, Health Department

**Current Zoning:** R-1B/(Residential), PDP(SU)/Planned Development Project (Special Use), PSFOD/Public Service Facility Overlay District

**Future Land Use Map Designation:** Residential

**Flood Zone:** X

**ENVIRONMENTAL REVIEW:**

**Soil Type:** Candler Fine Sand

**Habitat:** Property is identified as utilities 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). The parcels are cleared and vacant with gopher tortoises present.

**Comments:** A gopher tortoise burrow survey shall be prepared by a gopher tortoise agent. The petitioner is required to comply with all applicable FWC regulations and permitting.

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

**Archaeological:** The property does not contain any archaeological sites.

**Water Quality:** This project is located within the Weeki Wachee Priority Focus Area (PFA) identified by FDEP as contributing nutrients to the Weeki Wachee Riverine System.

**Comments:** The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for required landscaping.

**UTILITIES REVIEW:**

The Hernando County Utilities Department (HCUD) has indicated they do not currently supply water or sewer service to the subject parcels. There is an existing 6-inch water main that runs along the north side of Rhanbuoy Road, and an existing 6-inch water main that runs along the west and east sides of Burnside Parkway. There is an existing 8-inch sewer gravity main that runs in Rhanbuoy Road, an existing 8-inch/6-inch sewer force main that runs along the south side of Rhanbuoy Road, and an existing 6-inch sewer force main that runs along the eastern property line of Parcel Key #1027908.

HCUD has no objection to the request subject to a water and sewer capacity analysis and connection to the central water and sewer systems at time of vertical construction. The developer is responsible for all on and offsite utility infrastructure improvements to provide utility service and capacity to this site.

**ENGINEERING REVIEW:**

The property is located south of Rhanbuoy Road, east of Burnside Parkway and north of Forest Oaks Boulevard, approximately 3,000' east of Commercial Way. There are three (3) entrances proposed for the project, all having access to Forest Oaks Boulevard. The County Engineer has reviewed the request and indicated the following:

- These properties are located outside the FEMA 1% annual chance floodplain (Sites are Zone X).
- Development must provide a drainage design that meets the requirements of the Hernando County Facility Design Guidelines and South West Florida Water Management District Environmental Resource Permitting process.
- Geotechnical testing that corroborates the variables used in the design will be required.
- The stormwater mitigation pond will require Ground Penetrating Radar (GPD), or similar testing if it is to be maintained by the County. Refer to Hernando County Facility Design Guideline Pg. I-9,M,2b.
- Forest Oaks Drive is classed as a Collector Road. A sidewalk is required along the entire frontage of the Collector Roadway. Refer to Hernando County Facility Design Guideline IV-30.
- The driveway connection will need to meet County standards. Refer to Hernando County Facility Design Guideline IV-25.
- The Parking and Layout will be required to meet County standards. Refer to Hernando County Facility Design Guideline IV-28.
- The right turn Lane into this project will need to meet County standards. Refer to Hernando County Facility Design Guideline IV-19.
- When the future sites are developed, additional turn lanes or pavement modifications, may be required.

**LAND USE REVIEW:**

**Setbacks**

Minimum Building Setbacks

Front: 50'

Side: 20'

Rear: 35'

**Buffers**

The north and west portions of the project (Rhanbuoy Road, Burnside Parkway), which previously was utilized by Utilities as infiltration ponds, has an existing 6' high perimeter wall. It is the intent to keep the wall and make repairs where necessary. If approved, landscaping shall be added on the outside of the wall in order to break up the long stretch of wall and provide additional height buffering for neighboring parcels. All other property lines must meet the minimum commercial landscape standards.

**Lighting**

The petitioner has not indicated any lighting provisions for the proposed uses. If approved, the petitioner will be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring residential parcels. Security lighting shall be shielded from the neighboring residential use to the north.

**Parking**

County LDRs require a minimum of 4.0 parking spaces per 1,000 square feet for the government building.

**Signage**

Signage shall be designed as part of a complete development system. The predominant sign material shall include architectural or split faced block, brick, glass, wood, stucco, artificial stucco, or stone and be compatible with the principal building design.

**Landscaping**

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.

**COMPREHENSIVE PLAN REVIEW:**

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

**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.

**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:** The County is requesting a Public Facility Overlay District for a government center, namely for a the West side Tax Collector Office and driving course. The request is complimentary to the continued development of government and private business office in the area; therefore, public facility is consistent with the Residential Land Use classification.

**FINDINGS OF FACT:**

Establish a PSFOD/Public Service Facility Overlay District for a Government Building is appropriate based on the following conclusion:

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. The proposed use is compatible with the area and not adverse to the public interest.

**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 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 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 to establish a PSFOD/Public Service Facility Overlay District for a Government Building and Educational Facility, 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. All onsite lighting must provide for full cutoff fixtures and retain all light on site to prevent any light spillage onto neighboring properties.

3. Development within the floodplain shall require the appropriate permitting and potential mitigation, and an engineer's certification that there is no adverse impact to off-site properties and that floodplain volume is maintained.
4. Drainage design shall comply with the requirements of the Hernando County Facility Design Guidelines and the Southwest Florida Water Management District Environmental Resource Permitting requirements. Geotechnical testing that corroborates the variables used in the design will be required.
5. The exiting wall shall be updated/repared where necessary and landscaping shall be added on the outside of the wall to break up the long stretch of wall and provide additional height buffering for neighboring parcels. All other property lines must meet the minimum commercial landscape standards.
6. The stormwater mitigation pond will require Ground Penetrating Radar (GPD), or similar testing if it is to be maintained by the County. Refer to Hernando County Facility Design Guideline Pg. I-9,M,2b.
7. Forest Oaks Drive is classed as a Collector Road. A sidewalk is required along the entire frontage of the Collector Roadway. Refer to Hernando County Facility Design Guideline IV-30.
8. The driveway connection will need to meet County standards. Refer to Hernando County Facility Design Guideline IV-25.
9. The Parking and Layout will be required to meet County standards. Refer to Hernando County Facility Design Guideline IV-28.
10. The right turn Lane into this project will need to meet County standards. Refer to Hernando County Facility Design Guideline IV-19.
11. When the future sites are developed, additional turn lanes or pavement modifications, may be required.
12. Minimum Building Setbacks and Height:
  - i. Front: 50'
  - ii. Side: 20'
  - iii. Rear: 35'
13. Signage shall be limited to a monument sign and directional signage complementary to the architecture and design of the overall site.
14. 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.

15. A comprehensive wildlife survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations.
16. A Utility Capacity Analysis and connection to the central water and sewer systems shall be required at the time of vertical construction.
17. The public service facility overlay shall include a campus developed with various government offices. Future expansion, as noted on the master plan, shall not require a master plan revision.
18. The petitioner shall provide a revised plan in compliance with all of the performance conditions within 60 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

# H-23-05

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.



**Zoning:**

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(L)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



# H-23-05

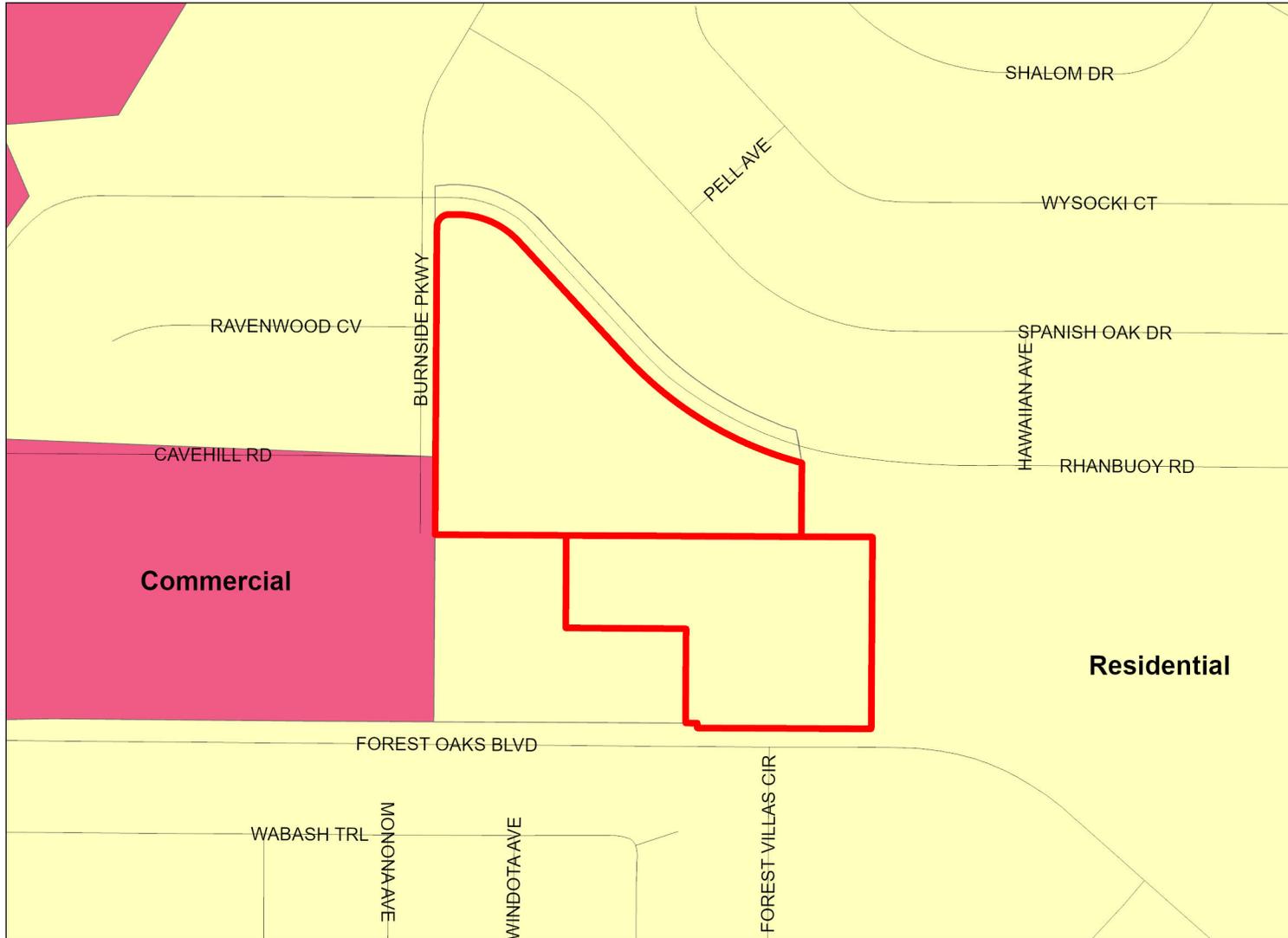
Photo date: 2020

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-23-05  
Version Date: 07/14/2022



**H-23-05**

FLU Riverine District

Regional Commercial

**FLU**

- CITY
- COMMERCIAL
- CONSERVATION
- EDUCATION
- INDUSTRIAL
- MINING
- PLANNED DEVELOPMENT
- PUBLIC FACILITIES
- RECREATION
- RESIDENTIAL
- RURAL

**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.



Date of mapping: 02/08/2023







HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):

- Rezoning [ ] Standard [ ] PDP
Master Plan [x] New [ ] Revised
PSFOD [ ] Communication Tower [ ] Other
PRINT OR TYPE ALL INFORMATION

Date: 07/09/21

File No. H2305 Official Date Stamp:
Received
FEB 02 2023
Planning Department
Hernando County, Florida

APPLICANT NAME: Hernando County Board of County Commissioners

Address: 15470 Flight Path Drive
City: Brooksville State: FL Zip: 34604
Phone: (352) 754-4002 Email: jrogers@hernandocounty.us
Property owner's name: (if not the applicant)

REPRESENTATIVE/CONTACT NAME:

Company Name: Jeff Rogers
Address: 15470 Flight Path Drive
City: Brooksville State: FL Zip: 34604
Phone: (352) 754-4002 Email: jrogers@hernandocounty.us

HOME OWNERS ASSOCIATION: [ ] Yes [x] No (if applicable provide name)

Contact Name:
Address: City: State: Zip:

PROPERTY INFORMATION:

- 1. PARCEL(S) KEY NUMBER(S): 944072, 1027908
2. SECTION 18, TOWNSHIP 23, RANGE 19
3. Current zoning classification: R-1B, PSF
4. Desired zoning classification: PSFOD for Governmental Offices
5. Size of area covered by application: 11.1 AC
6. Highway and street boundaries: South of Rhanbuoy Rd, east of Burnside Pkwy and north of Forest Oaks Blvd
7. Has a public hearing been held on this property within the past twelve months? [ ] Yes [x] No
8. Will expert witness(es) be utilized during the public hearings? [ ] Yes [x] No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? [ ] Yes [x] No (Time needed: )

PROPERTY OWNER AFFIDIVAT

I, Jeff Rogers, 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
[x] I am the owner of the property and am authorizing (applicant): Erik Van De Boogaard
and (representative, if applicable): Erik Van De Boogaard
to submit an application for the described property.

Signature of Property Owner

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this day of , 20, 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

Notary Seal/Stamp

## West Side Center Tax Collector New Building, Driving Course and Future Building Pad Site

The west side Tax Collector's office is currently located within an old strip mall style structure. They are housed in approximately 6,000 sq. ft. of the building along with numerous other County and private business functions with no room to expand. Existing special layouts are not designed for efficiency of operations and functionality.

Patrons currently form long lines outside of the building due to the limited space inside the Tax Collectors area. This is a difficult situation with numerous inherent issues.

The County Utilities Division owns 6.7 acres of property adjacent to the site which would be purchased by the County for the purpose of providing suitable acreage to construct the necessary improvements for a new facility. An additional 4.4 acres of property adjacent to these sites is currently owned by NAMI (acronym) and the County intends to negotiate the purchase of the land and possible preparation of a pad site for NAMI to construct a building in the future. Rezoning is required.

The project will require programming and master site planning to determine proper sizes and layout of the improvements. Design and construction of infrastructure, building and site work to follow.

It is anticipated that the Tax Collector's New Building will be approximate 16,000 sq. ft. with exterior covered areas for VIN checks. The construction of a certified driving course per DMV standards allowing for a minimum of 3 tests to be conducted simultaneously will be required. The property's site master planning will include the preparation of an additional future building pad and infrastructure to accommodate an approximate 6,000 sq. ft. structure and required parking areas.

### Proposal:

- a) Public service overlay
- b) Tax Collector Office and NAMI
- c) Tax Collector 16,000 GSF +/-, Nami 6-7,000 GSF +/-
- d) No code deviations known at this time or anticipated

Received  
FEB 02 2023  
Planning Department  
Hernando County, Florida

### Site Characteristics:

- a) 11 acres
- b) Old utilities site
- c) Gopher tortoises roam the land

### Environmental Considerations:

- a) Not a flood zone
- b) Old utilities site with numerous depressions in the land from water treatment ponds
- c) None
- d) Gopher tortoises
- e) None

An environmental survey was conducted last week



## AGENDA ITEM

### TITLE

H-22-64 - Glen Lakes Commons, LLC:  
Master Plan Revision on Property Zoned PDP(MF)/Planned Development Project (Multifamily), PDP(GC)/Planned Development Project (General Commercial) and PDP(GHC)/Planned Development Project (General Highway Commercial) with Deviations; West of Commercial Way and south of Glen Lakes Boulevard

### BRIEF OVERVIEW

**Request:**

Master Plan Revision on Property Zoned PDP(MF)/Planned Development Project (Multifamily), PDP(GC)/Planned Development Project (General Commercial) and PDP(GHC)/Planned Development Project (General Highway Commercial) with Deviations

**General Location:**

West of Commercial Way and south of Glen Lakes 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 adopt a resolution approving the petitioner’s request for a Master Plan Revision on Property Zoned PDP(MF)/Planned Development Project (Multifamily), PDP(GC)/Planned Development Project (General Commercial) and PDP(GHC)/Planned Development Project (General Highway Commercial) with Deviations with performance conditions.

### REVIEW PROCESS

Cayce Dagenhart	Approved	02/24/2023	9:44 AM
Omar DePablo	Approved	02/28/2023	11:32 AM
Michelle Miller	Approved	02/28/2023	1:24 PM
Aaron Pool	Approved	03/01/2023	10:29 AM
Kyle Benda	Approved	03/01/2023	12:05 PM

**RESULT: ADOPTED**

<p><b>MOVER:</b> Mike Fulford <b>SECONDER:</b> Kathryn Birren <b>AYES:</b> Birren, Fulford, Holmes and Arflack <b>NAYES:</b> Hickey</p>
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# STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: March 13, 2023  
Board of County Commissioners: April 11, 2023

**APPLICANT:** Glen Lakes Commons, LLC

**FILE NUMBER:** H-22-64

**REQUEST:** Master Plan Revision on Property Zoned PDP(MF)/Planned Development Project (Multifamily), PDP(GG)/Planned Development Project (General Commercial) And PDP(GHC)/Planned Development Project (General Highway Commercial) With Specific C-2 Uses And Deviations

**GENERAL LOCATION:** West of Commercial Way and south of Glen Lakes Boulevard

**PARCEL KEY NUMBERS:** 339798, 1150195

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## BACKGROUND

The project was approved by the Board of County Commissioners on March 8, 2022, under File No. H-21-69 Glen Lakes Commons. The petitioner's request was to rezone the property to PDP(MF)/Planned Development Project (Multifamily) with a Congregate Care Facility and PDP(GC)/Planned development Project (General Commercial) with Specific C-2 uses and with Deviations to develop the site with up to seven (7) commercial outparcels and a Life Care and Independent Living Facility.

The overall commercial square footage approved was 180,000 and the congregate care facility was approved for 70 independent units and 140 assisted living units. The petitioner also requested and was approved for the following C-2 uses: drive-in restaurants, mini-warehouse, and tire/automotive accessory establishment. Deviations for setbacks were also granted.

## APPLICANT'S REQUEST

The petitioner is requesting a master plan revision to relocate the Drainage Retention Area (DRA) from the western border of the property to the northwestern project area, creating one large DRA and to increase the building height for the Assisted Living Facility from 45' to 53'.

### Deviations Requested:

The petitioner seeks a deviation in the maximum building height for the Assisted Living Facility to accommodate a hipped roof:

- Maximum Building Height: 53' (deviation from 45')

**SITE CHARACTERISTICS**

<b>Site Size:</b>	22.5 acres
<b>Surrounding Zoning &amp; Land Uses:</b>	North: PDP(GHC); Glen Lakes Golf and Country Club South: AG; Undeveloped East: PDP(GC); Undeveloped West: PDP(SF); Glen Lakes
<b>Current Zoning:</b>	PDP(GHC)/ Planned Development Project (General Highway Commercial), PDP(MF)/ Planned Development Project (Multi-Family), PDP(GHC)/Planned Development Project (General Highway Commercial)
<b>Future Land Use Map Designation:</b>	Commercial and Residential

**ENVIRONMENTAL REVIEW**

<b>Soil Type:</b>	Candler Fine Sand/0-5% Slopes, Tavares Fine Sand/0-5% Slopes
<b>Comments:</b>	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 during the construction plans stage of development. The petitioner is required to comply with all applicable FWC regulations and permitting.
<b>Protection Features:</b>	There are no Protection Features (Wellhead Protection Areas (WHPA) and Special Protection Areas (Special Protected Areas (SPAs)) on this site according to county data.
<b>Hydrologic Features:</b>	There are no Hydrologic Features (Sinkholes, Karst Sensitive Areas, and Wetlands) on this property according to county data.
<b>Habitat:</b>	This property is designated as Urban Open Pine, and Residential High Density >5 DU/Acre 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).
<b>Water Quality:</b>	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.
<b>Comments:</b>	The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, plantings, and for required buffers, as applicable.

Natural vegetation is to be retained in the buffers and enhanced with trees and vegetation to meet 80% opacity requirement.

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.

**Flood Zone:** X, with a small portion of AE

## UTILITIES REVIEW

The Hernando County Utilities Department (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 10-inch sewer force main that runs along the north side of Glen Lakes Boulevard, and an existing 20-inch sewer force main that runs along the east side of Commercial Way.

HCUD has no objection to the proposed revised use for the southern portion of Parcel Key 1150195 to accommodate stormwater retention. HCUD had previously commented no objection to the proposed project for Parcel Key 339798 (H-21-69) to include an Assisted Living Facility along with 7 commercial lots, 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 lies between the Glen Lakes community and US Highway 19, just south of the Glen Lakes entrance. The County Engineer has reviewed the petitioner's request and indicated the following:

- The site contains one small area of Flood Zone AE, (El. 24.4) and an existing DRA at the intersection of Glen Lakes Blvd.
- Traffic Access Analysis is required and shall include queuing analysis.
- Any improvements identified by the Traffic Access Analysis will be the developer's responsibility to install.
- All roads and driveways shall be built to Hernando County Standards.
- Parking Layout shall meet Hernando County Parking Lot Standards.
- Access Management and Drainage permits required from the Florida Department of Transportation.
- Previous Master Plan performance conditions of H-21-69 remain in full force and effect.

## LAND USE REVIEW

There is no requested change of use for this project. All previously approved performance conditions stand and are outlined in the Recommendations section of this staff report.

## Building Height

The petitioner has requested an increase in the maximum building height from 45' to 53' to accommodate a hipped roof instead of a flat one. The petitioner states they will not be increasing the living area or number of floors in the building. The residential protection standards remain applicable on the westernmost lots of the development. Buildings over 20' in height must be at least 100' from the western property line and the mini-warehouse storage may only open toward the east of the property (facing U.S. Highway 19).

## Land Use Provisions of the previous approval (H-21-69)

### Buffer Requirement

A 30' natural vegetative buffer (enhanced where needed to achieve to 80% opacity) along the western boundary of the site, where development parcels are adjacent to existing residential lots.

The remaining areas must meet the minimum buffer requirements of the Commercial Design Standards and Community Appearance Ordinance. A buffer landscape plan shall be provided at the time of site development.

### Lighting

The petitioner is required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring residential parcels. Security lighting shall be shielded from the neighboring residential use to the north.

### Parking

County Land Development Regulations (LDRs) require a minimum of 4.0 parking spaces per 1,000 square feet of commercial use. Additionally, 2.0 parking spaces per 100 units of self-storage capacity and 0.3 parking spaces per bed for congregate care facilities.

The petitioner shall provide a minimum of 63 parking spaces for the congregate care facility. The petitioner shall meet the minimum parking requirements of the County LDRs.

### Retail Development Standards:

This project will consist of 180,000 square feet of commercial which will be integrated with the proposed multifamily. Although the project does not meet the Large Retail development square footage of 65,000, specific standards are being applied from the Large Retail Development Standards due to the mixed-use complexity and size of the project.

- 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.

- Any noise producing machinery or equipment (refrigeration units, air conditioning, chillers, etc.) for the commercial outparcels shall be placed on the roof and screened by a parapet wall with a similar architectural style as the building.
- 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.
- All outdoor lighting shall meet the specific use regulations for commercial lighting under Article III.
- All on site advertising signs, including out parcels, 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 this code.
- 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 this code. Size sizes and location shall meet the minimum requirements of the County LDR's.

### Landscape

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.

## **COMPREHENSIVE PLAN REVIEW**

As previously documented in file H-21-69, the proposed uses are consistent with the 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 approving the petitioner's request for a Master Plan Revision and 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 petitioner shall provide a wildlife survey, prepared by a qualified professional prior to any development occurring on the property. Furthermore, copies of any required permits shall be provided prior to the issuance of development permits by Hernando County.
3. Minimum Building Setbacks, square footage and building height:

Perimeter Setbacks:

- East: 75' (deviation from 125')
- North/South: 20'
- West: 45'

Internal Setbacks:

- Front (from the internal road): 35'
- Side (North & South): 10' (deviation from 20')
- Rear (East & West): 15' (deviation from 35')

Maximum Building Height:

- 53' for the ALF (deviation from 45')
- 45' for all other lots

Maximum Commercial square footage: 180,000 square feet

4. A cross access easement or agreement between the commercial outparcels shall be provided at the time of subdivision plat approval.
5. The petitioner shall provide a Traffic Access Analysis in accordance with the requirements of the County Engineer at the time of permitting. The Traffic Access Analysis shall include a queuing analysis and a signal warrant analysis at Glen Lakes Boulevard and Commercial Way (US Highway19). Any improvements identified and required by the Traffic Access Analysis, which could include off-site public improvements, will be the responsibility of the developer.
6. A utility capacity analysis and connection to the central water and sewer systems is required at the time of vertical construction.
7. All roads and driveways shall be built to Hernando County Standards.
8. Parking layout shall meet Hernando County Parking Lot Standards. The petitioner shall provide a minimum of 63 parking spaces for the congregate care facility.

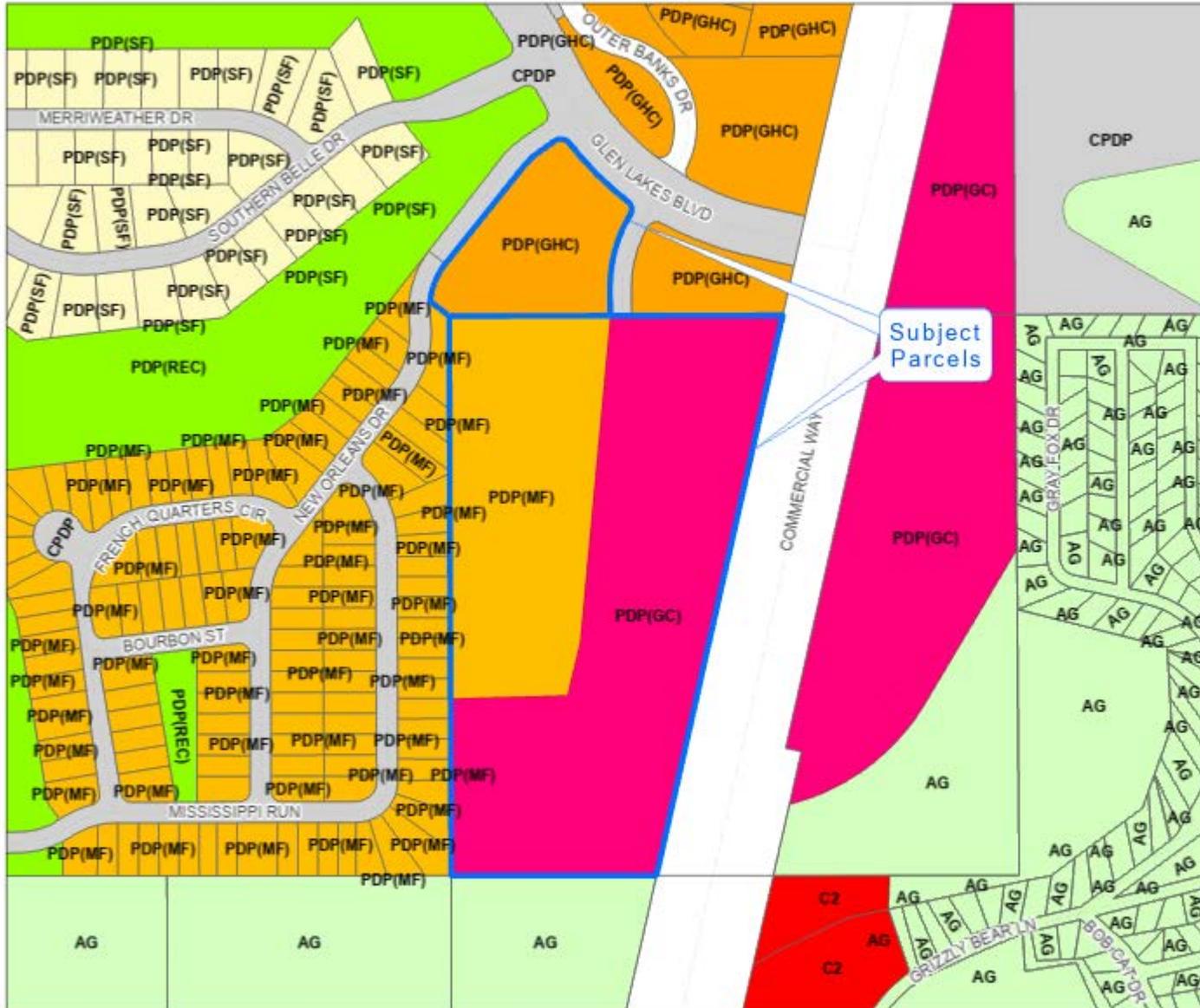
9. Access Management and Drainage permits required from the Florida Department of Transportation.
10. Geotechnical subsurface testing and reporting in accordance with the County's Facility Design Guidelines shall be conducted for all Drainage Retention Areas (DRA) within the proposed project. This condition cannot be waived.
11. The mixed-use development (commercial and multifamily) shall be limited to a single pedestal sign along Commercial Way (US Highway 19). The sign size shall meet the minimum requirement of the County LDRs.
12. 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.
13. This project is subject to the Residential Protection Standards. These standards will be applied at the time of site development for the applicable parcels.
14. The mini-warehouse storage may only open toward the east of the property (facing U.S. Highway 19).
15. Any noise producing machinery or equipment (refrigeration units, air conditioning, chillers, etc.) for nonresidential buildings shall be placed on the roof and screened by a parapet wall with a similar architectural style as the building, or placed behind the buildings, screened from view from the public right of way and enhanced by landscaping and/or wall.
16. The commercial development shall provide a lighting plan at the time of development which complies with the lighting standards for Large Retail Development.
17. The development must provide detailed elevation plans and/or renderings and site plans illustrating the proposed facade and site design at the time of permitting. The site and building design must demonstrate compliance with the County's design standards for large retail development, and shall use architectural features, textures and materials consistent with the other development in the area.
18. 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.
19. The developer shall provide a water and sewer capacity analysis at the time of conditional plat in accordance with the requirements of the Hernando County Utilities Department.
20. The petitioner shall provide a 30' natural vegetative buffer, enhanced to 80% opacity, along the western boundary of the subject site. The remaining areas shall meet the minimum buffer requirements of the Commercial Design Standards and

the Community Appearance Ordinance. A buffer landscape plan shall be provided at the time of site development.

21. C-2 uses shall be limited to drive-in restaurants, mini-warehouse, and tire/automotive accessory establishment.
22. The site is approved for a congregate care facility with 70 dependent units and 140 assisted living units.
23. The congregate care facility shall have safe and convenient access through sidewalks, crosswalks, and bicycle/pedestrian paths to the commercial uses.
24. Access to Commercial Way (US Highway 19) from the individual parcels must be approved by FDOT.
25. 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-22-64

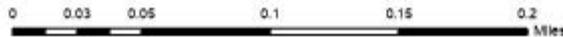
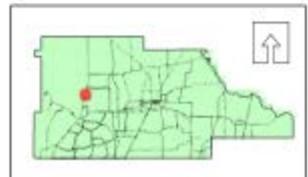
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



**Zoning:**

	AC		PDP(GC)
	AG		PDP(HHC)
	AR		PDP(HID)
	AR1		PDP(IND)
	AR2		PDP(LI)
	C1		PDP(MF)
	C2		PDP(MH)
	C3		PDP(MG)
	C4		PDP(NG)
	CITY		PDP(OP)
	CM1		PDP(PDF)
	CM2		PDP(REC)
	CPDP		PDP(RR)
	CV		PDP(RUR)
	I1		PDP(SF)
	I2		PDP(SU)
	M		R1A
	OP		R1B
	PDP(AF)		R1C
	PDP(CM)		R1MH
	PDP(CP)		R2
	PDP(GC)		R2.5
	PDP(GHC)		R3
			RC
			RM

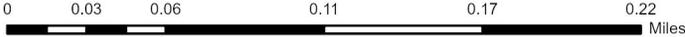
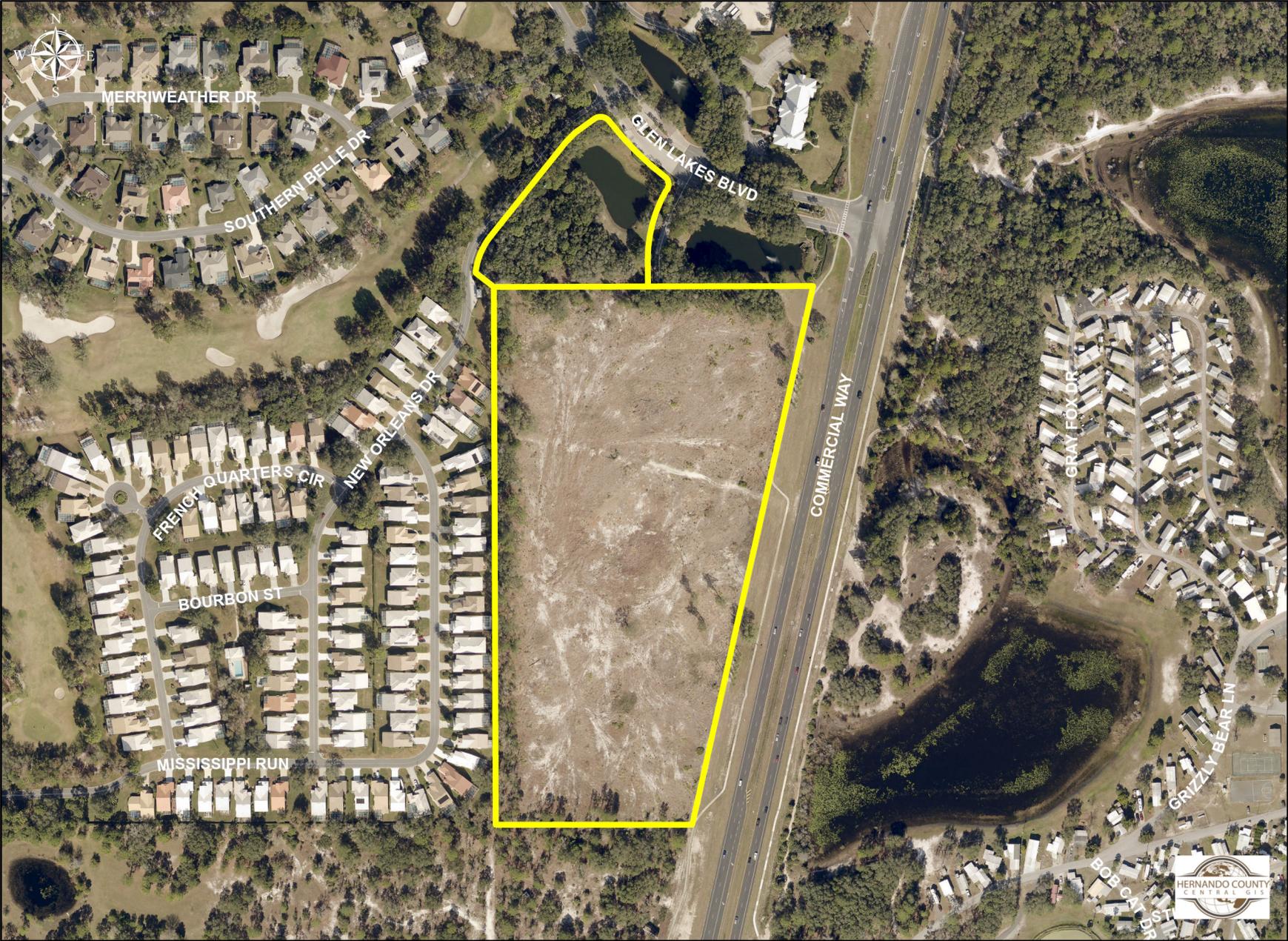
City Zoning Pending



# H-22-64

Photo date: 2020

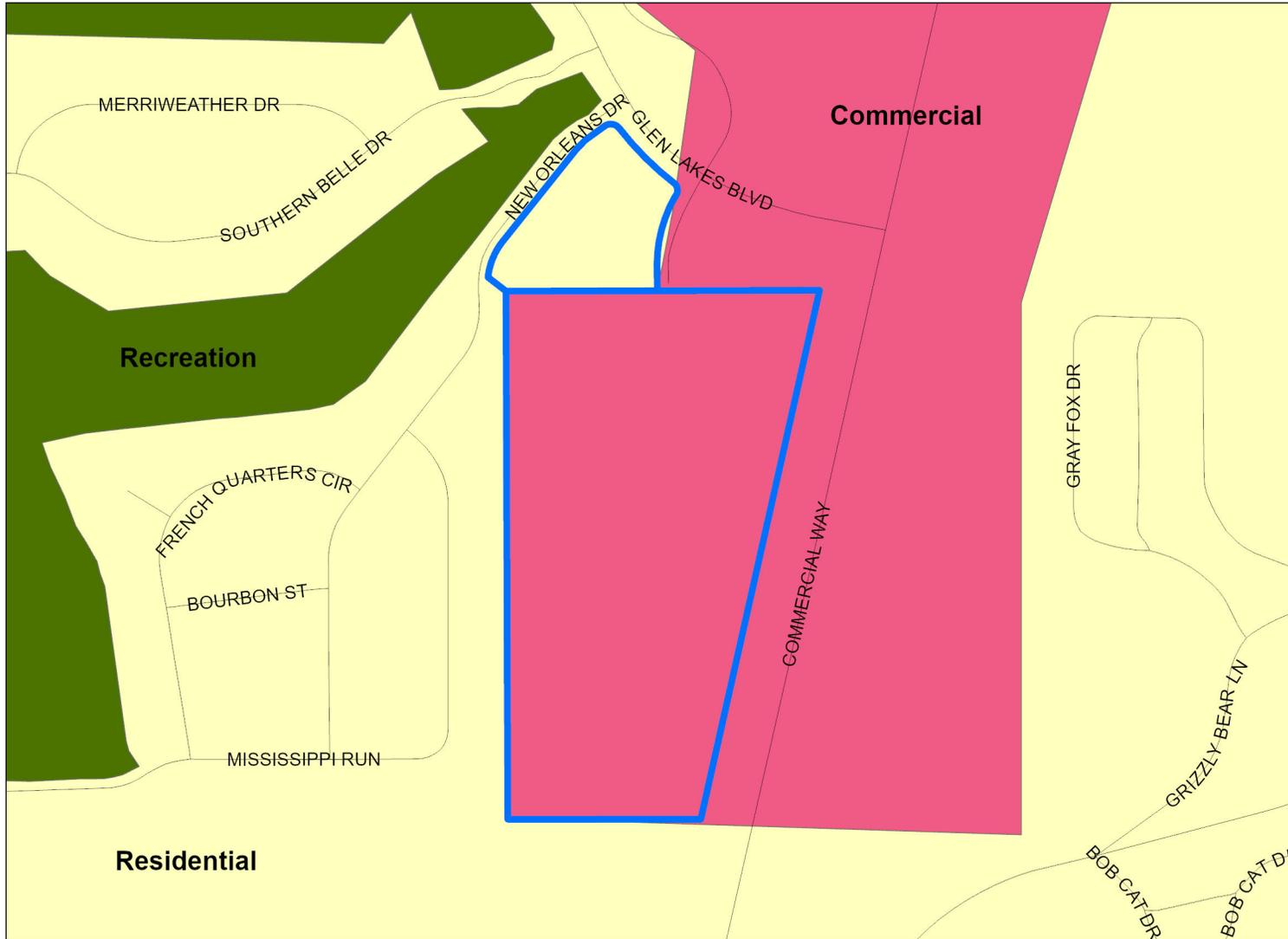
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# Hernando County Comprehensive Plan Map

Existing Future Land Use: H-22-64

Version Date: 07/14/2022



	H2264
	FLU Riverine District
	Regional Commercial
<b>FLU</b>	
	CITY
	COMMERCIAL
	CONSERVATION
	EDUCATION
	INDUSTRIAL
	MINING
	PLANNED DEVELOPMENT
	PUBLIC FACILITIES
	RECREATION
	RESIDENTIAL
	RURAL

**Future Land Use Map**

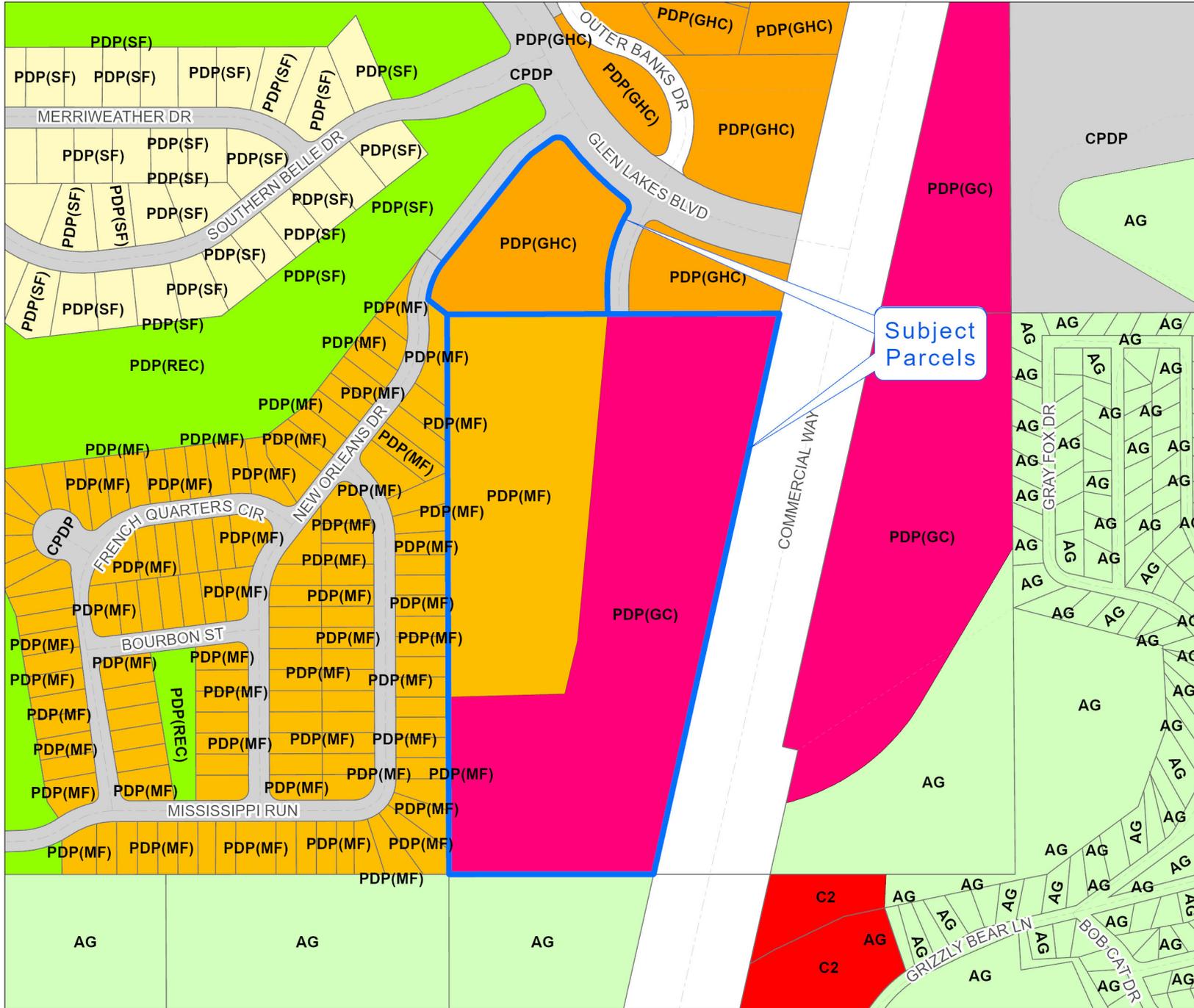
PLEASE REFER TO THE TEXT PORTION OF THE COMPREHENSIVE PLAN IN CONJUNCTION WITH THE USE OF THE FUTURE LAND USE MAP SERIES.

NOTE: THE RIVERINE DISTRICT IS SHOWN AS A LINE SETBACK PARALLEL TO THE WEEKI WACHEE, MUD AND WITHLACOOCHEE RIVERS.



# H-22-64

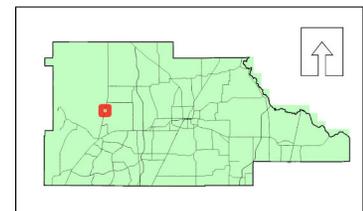
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.

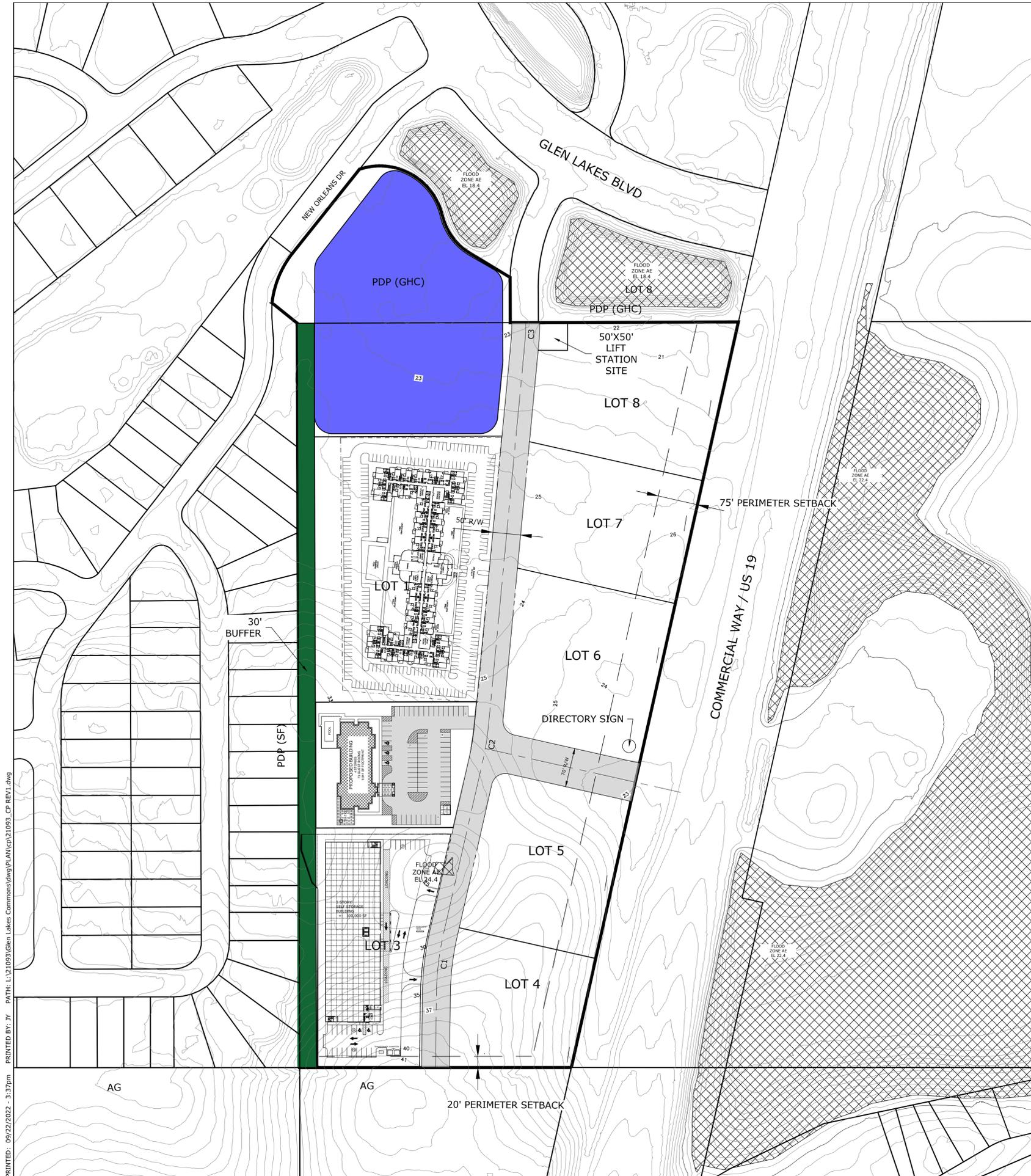


**Zoning:**

AC	PDP(HC)
AG	PDP(HHC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending





**SITE DATA**

**OWNER/APPLICANT:**  
 GLEN LAKES COMMONS  
 13904 NORTH BOULEVARD  
 TAMPA, FL 33613

**PARCEL KEY NO.** 00339798

**AREA:** APPROX. 21.37 ACRES

**SECTION/TOWNSHIP/RANGE:** 13/22S/17E

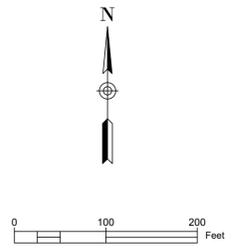
**CURRENT ZONING:** PDP (GHC) WITH C-2 USES

**PROPOSED NO. OF LOTS:** 8 MAXIMUM

**PERIMETER BUILDING SETBACKS:**  
 EAST - 75' (US 19/COMMERCIAL WAY) (DEVIATION FROM 125')  
 NORTH/SOUTH - 20'  
 WEST - 45'

**LEGEND**

- DRA
- SITE SIGN
- DIRECTORY SIGN



**BUFFERS:** 30' NATURAL VEGETATION WHERE SHOWN ON THE REZONING MASTER PLAN.

**INTERNAL BUILDING SETBACKS:**  
 FRONT - 35'  
 SIDE - 10'  
 REAR - 15'

**FEMA FIRM COMMUNITY PANELS:** FEMA PANEL 12053C 0158D, EFFECTIVE DATE OF FEBRUARY 2, 2012. ONE VERY SMALL AREA OF ZONE AE IS LOCATED ON THE PROPERTY. ZONE AE IS A SPECIAL FLOOD HAZARD AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD WITH BASE FLOOD ELEVATIONS DETERMINED.

**WETLANDS:** NO WETLANDS ARE LOCATED ON THE PROPERTY.

**FIRE PROTECTION:** FIRE MAIN STUB OUTS WILL BE PROVIDED FOR EACH LOT. FIRE FLOW REQUIREMENTS WILL BE EVALUATED ON FINAL ENGINEERING FOR EACH LOT BASED ON INDUSTRIAL BUILDING REQUIREMENTS.

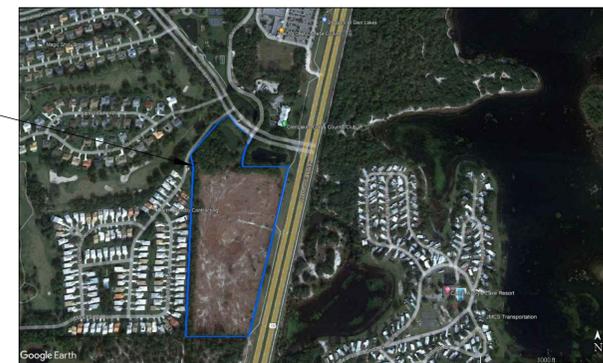
**GENERAL NOTES:**

- 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. DRAINAGE AND UTILITY EASEMENT WILL BE INCLUDED IN THE FINAL CONSTRUCTION PLANS AND SHALL MEET THE REQUIREMENT OF HERNANDO COUNTY AND ANY AGENCIES HAVING JURISDICTION RELATED TO THIS PROJECT.
- DRAINAGE RETENTION AREAS (DRA) ARE CONCEPTUALLY LOCATED. THE ACTUAL SIZE AND LOCATION WILL BE DETERMINED WITH FINAL ENGINEERING DESIGN.
- MAX BUILDING HEIGHT IS 53'. 45' TO EAVES AND GUTTERS AND 53' TOTAL BUILDING HEIGHT. BUILDINGS WILL REMAIN A MAXIMUM OF 4 STORIES.

CURVE TABLE					
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD DISTANCE	CHORD BEARING
C1	012°08'54.74"	500.00	106.02'	105.82'	S06°45'41.47"W
C2	007°23'09.90"	500.00	64.46'	64.41'	S09°08'33.89"W
C3	005°37'50.43"	400.00	39.31'	39.29'	S02°38'03.72"W

LAND USE TABLE				
LAND USE	ACRES	LOTS	DENSITY	UNITS
COMMERCIAL LOTS	11.56	7	180,000 SF	
CONGREGATE CARE FACILITY	3.40	1		210
ROAD RIGHT-OF-WAY	1.95			
PRESERVED VEGETATION	0.98			
DRAINAGE	3.50			
<b>TOTAL</b>	<b>21.4</b>	<b>8</b>	<b>180,000 SF</b>	<b>210</b>

PROJECT LOCATION



PRINTED: 09/22/2022 - 3:37pm

PATH: L:\21093\Glen Lakes Commons\dwg\PLAN\cp\21093\_CP\_REV1.dwg

CONDITIONAL PLAT

GLEN LAKES COMMONS

Engineering  
 Surveying  
 Environmental  
 Transportation  
 Communication Management  
**Coastal**  
 engineering associates, inc.  
 966 Candlelight Boulevard - Brooksville, Florida 34601  
 (352) 796-9423 - Fax (352) 799-8359  
 EB-0000142

REUSE OF DOCUMENT  
 THIS DOCUMENT IS THE PROPERTY OF COASTAL ENGINEERING ASSOCIATES, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF COASTAL ENGINEERING ASSOCIATES, INC.  
 DRAWING INVALID UNLESS SIGNED, DATED & SEALED BY REGISTERED PROFESSIONAL

DATE	REV. BY/REV. NO.	REVISION

SHEET  
**1**  
 JOB No.: 21093

HERNANDO COUNTY ZONING AMENDMENT PETITION

File No. H2264 Official Date Stamp:



Application to Change a Zoning Classification

Application request (check one):

- Rezoning [ ] Standard [x] PDP
Master Plan [ ] New [ ] Revised
PSFOD [ ] Communication Tower [ ] Other
PRINT OR TYPE ALL INFORMATION

Received
AUG 03 2022
Planning Department
Hernando County, Florida

Date: July 25, 2022

APPLICANT NAME: Glen Lakes Commons, LLC

Address: 13904 N. Boulevard
City: Tampa State: FL Zip: 33613
Phone: Email: bob@sitetokey.com
Property owner's name: (if not the applicant) ARC Glenlakes LLC

REPRESENTATIVE/CONTACT NAME: Donald R. Lacey, A.I.C.P.

Company Name: Coastal Engineering Associates, Inc.
Address: 966 Candlelight Boulevard
City: Brooksville State: FL Zip: 34604
Phone: (352) 848-3661 Email: dlacey@coastal-engineering.com

HOME OWNERS ASSOCIATION: [ ] Yes [x] No (if applicable provide name)

Contact Name:
Address: City: State: Zip:

PROPERTY INFORMATION:

- 1. PARCEL(S) KEY NUMBER(S): 00339798,1150195
2. SECTION 13, TOWNSHIP 22 South, RANGE 17 East
3. Current zoning classification: PDP (GHC), PDP(MF)
4. Desired zoning classification: PDP (GHC) with C-2 Uses
5. Size of area covered by application: 22.5 acres
6. Highway and street boundaries: US 19/Commercial Way and Glen Lakes Boulevard
7. Has a public hearing been held on this property within the past twelve months? [x] Yes [ ] No
8. Will expert witness(es) be utilized during the public hearings? [ ] Yes [x] No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? [ ] Yes [x] No (Time needed: )

PROPERTY OWNER AFFIDIVAT

I, Rick Arrighi, 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):

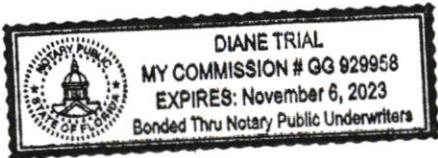
- [ ] I am the owner of the property and am making this application OR
[x] I am the owner of the property and am authorizing (applicant): Coastal Engineering Associates, Inc.
and (representative, if applicable): Donald R. Lacey, A.I.C.P
to submit an application for the described property.

Signature of Property Owner

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 28th day of July, 2022, by Rick Arrighi who is personally known to me or produced as identification.

Signature of Notary Public



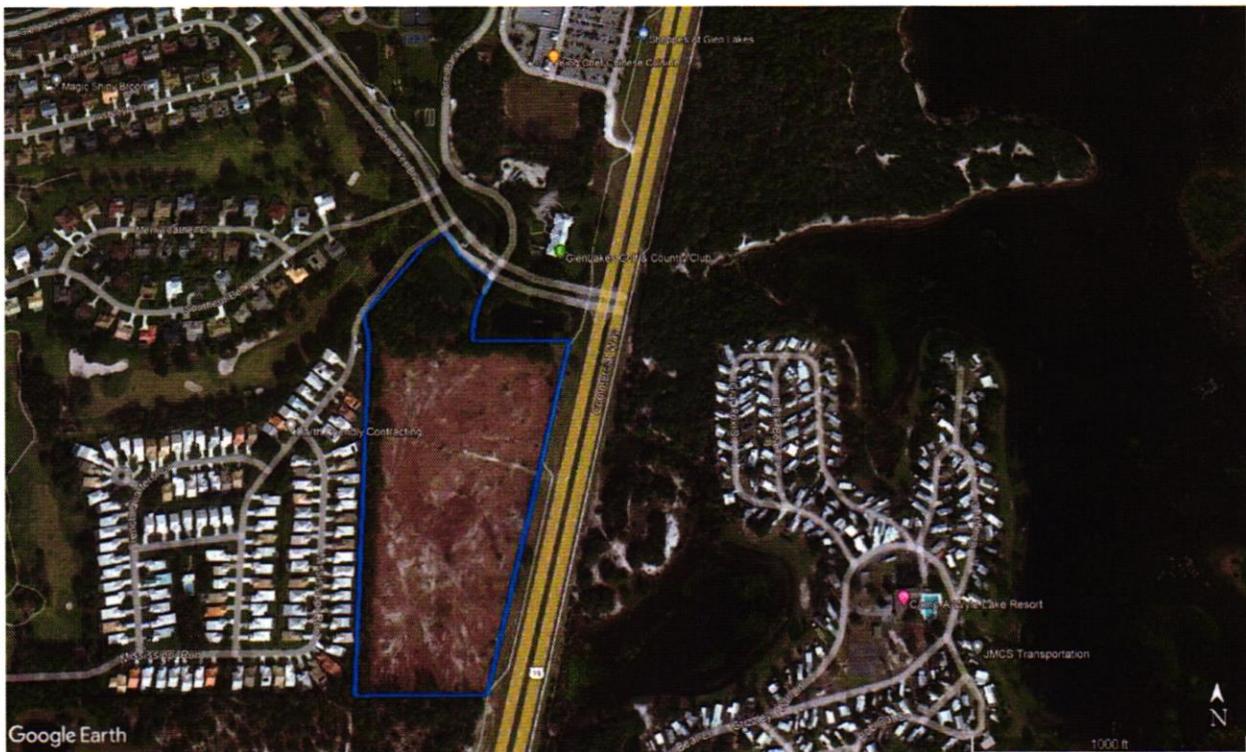
Effective Date: 11/8/16 Last Revision: 11/8/16

Notary Seal/Stamp

**GLEN LAKES COMMONS  
PARCEL KEY #s 00339798 & 1150195  
REZONING NARRATIVE**

**GENERAL**

The subject property, consisting of approximately 22.5 acres, is located west of US 19/Commercial Way and south of Glen Lakes Boulevard in Section 13, Township 22 South, Range 17 East, Hernando County, Florida. The property covered by this application is identified by the Hernando County Property Appraiser (HCPA) as Key Nos. 00339798 & 1150195. Refer to Figure 1 for the project Aerial Location Map.



**Figure 1. Glen Lakes Commons – Key No. 339798 & 1150195 Aerial Location Map**

Current zoning on both parcels is Planned Development Project (PDP) General Highway Commercial (GHC). Refer to Figure 2 for the project area Current Zoning Map. The zoning conditions and master plan for Parcel Key # 339798 were recently updated. Parcel Key # 1150195 is part of the Glen Lakes PDP. Parcel Key # 339798 is located in a Commercial future land use (FLU) designation as found on the Hernando County Comprehensive Plan FLU Map. Parcel Key # 1150195 has both Residential and Commercial future land use (FLU) designations. Refer to Figure 3 for the project area FLU Map.

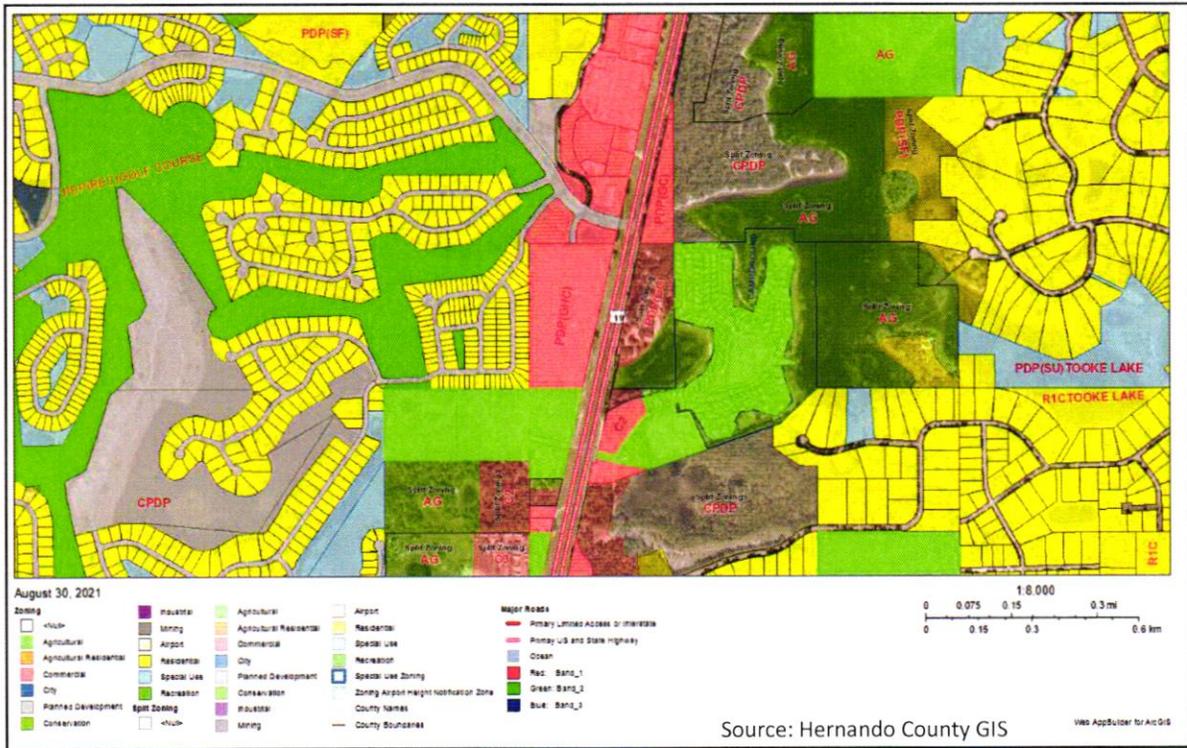


Figure 2. Glen Lakes Commons – Key No. 339798 & 1150195 Current Zoning Map

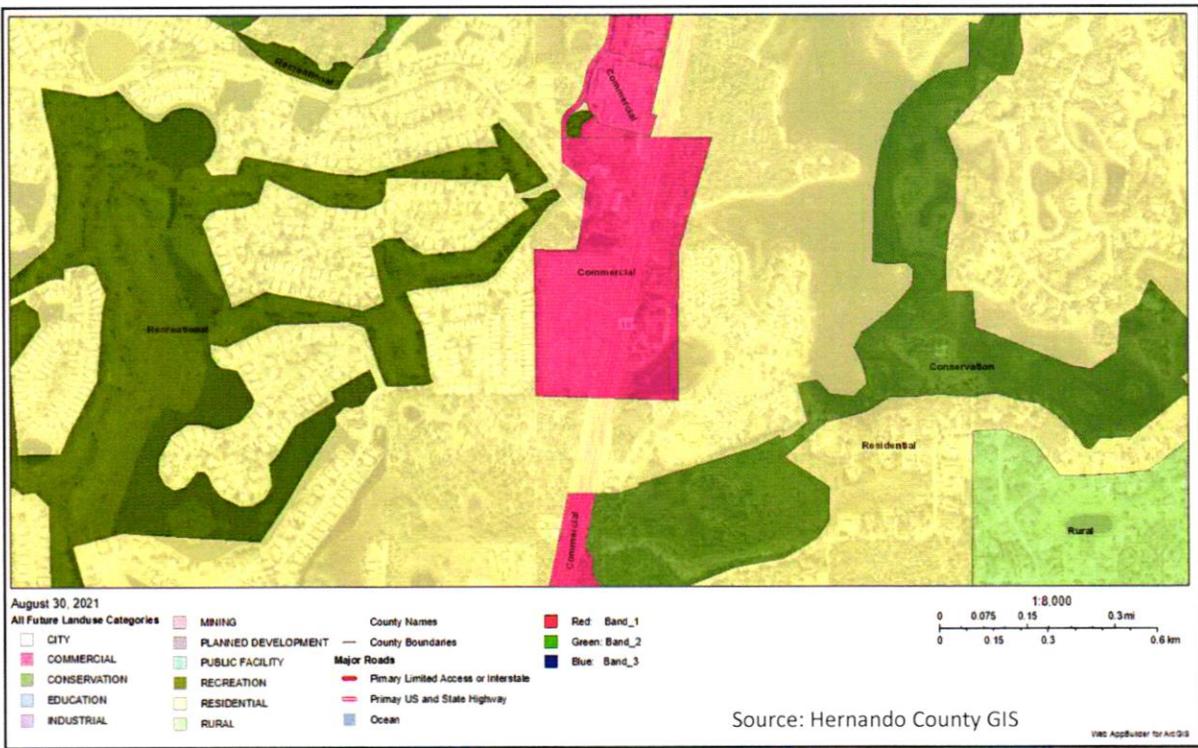


Figure 3. Glen Lakes Commons – Key No. 339798 & 1150195 FLU Map

Current Zoning surround Key No. 00339798 includes:

North: PDP (GHC)

South: Agricultural (AG)

East: US 19/Commercial Way

West: PDP Multi-family (MF)

## APPLICANT'S REQUEST

During preliminary engineering of the recently approved Glen Lakes Commons on Parcel Key # 339798, it was determined that the most logical location for stormwater retention would be along the common border of the two parcels. The applicant's request is essentially to allow the southern portion of Parcel Key # 1150195 to be utilized to accommodate some of the drainage retention from Glen Lakes Commons as depicted on the enclosed revised master plan. This southern portion of Parcel Key # 1150195 has been previously approved for multifamily housing. The northern portion of Parcel Key # 1150195, which accommodates stormwater retention from Glen Lakes Boulevard, will remain undisturbed. There is no request for additional development entitlements for Glen Lakes Commons and no buildings or parking will be constructed on Parcel Key # 1150195.

The proposed revised use (from multifamily to stormwater retention) for the southern portion of Parcel Key # 1150195 will result in a reduction in potential traffic on Glen Lakes Boulevard. As maintained green space stormwater retention, it will also have less visual impact than multifamily housing. There would also be the ability to provide some landscaping along the adjacent residential street (New Orleans Drive).

As shown the attached revised master plan, the project will still consist of a maximum of eight (8) parcels/lots, with the northwestern lot projected to be an ALF and the southwestern lot projected to be climate-controlled storage. The most active of the commercial lots (restaurants, retail, etc.) will lie adjacent to US 19. The great majority of Glen Lakes Commons traffic will enter and exit directly to/from US 19 at the proposed directional median (left turn entrance, right turn entrance/exit) mid-way between the median cuts at Glen Lakes Boulevard and Grizzley Bear Lane. US 19 has excellent level of service in this area. This project entrance will lead directly to a reverse frontage road, which will provide access to all parcels within the commercial subdivision. The reverse frontage road will allow for connection to the existing frontage road across Glen Lakes and will provide a point of connection to the adjacent property to the south.

A 30' natural vegetation buffer (enhanced where needed) will be provided along the western boundary of the site, where development parcels are adjacent to existing residential lots to the west. The soils consist primarily of Candler fine sands, which drain very well and are conducive to commercial development. Hernando County Utilities (sewer and potable water) are available along US 19. Building heights will not exceed 3 stories.

## SETBACKS AND BUFFERS

### BUILDING SETBACKS

Front: 75' – US 19/Commercial Way (this is a previously approved deviation from 125', due to the provision of a reverse frontage road)

Front: 35' – from reverse frontage road

Side: 10'  
Rear: 35'

#### **BUFFER**

A 30' natural vegetation buffer tract, enhanced where needed, will be provided along the subject project where development parcels are adjacent to existing residential lots to the west. The buffer will not be provided where drainage retention areas will be constructed.

#### **PROPOSED ZONING MASTER PLAN**

Attached.

#### **DRAFT OF PROTECTIVE COVENANTS**

Protective covenants will be prepared for maintenance of common infrastructure.

#### **PRELIMINARY ENGINEERING REPORT**

##### **Topography & Drainage**

The property consists of elevations ranging from 34' mean sea level (MSL) to 44' MSL. A common drainage retention area will be constructed along the northern boundary of the two parcels.

##### **Floodplain**

The project is located on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) community panel 12053C 0158D, effective date of February 2, 2012. According to the FIRM panel, one very small area of Zone AE is located on the Parcel Key # 339798. The existing drainage retention area on Parcel Key # 1150195 is also designated as Zone AE. The remainder of the overall property is within Zone X (areas outside the 0.2% annual chance floodplain). Zone AE is a special flood hazard area subject to inundation by the 1% annual chance flood with base flood elevations determined. Refer to Figure 4 for the project FEMA Floodplain Map.

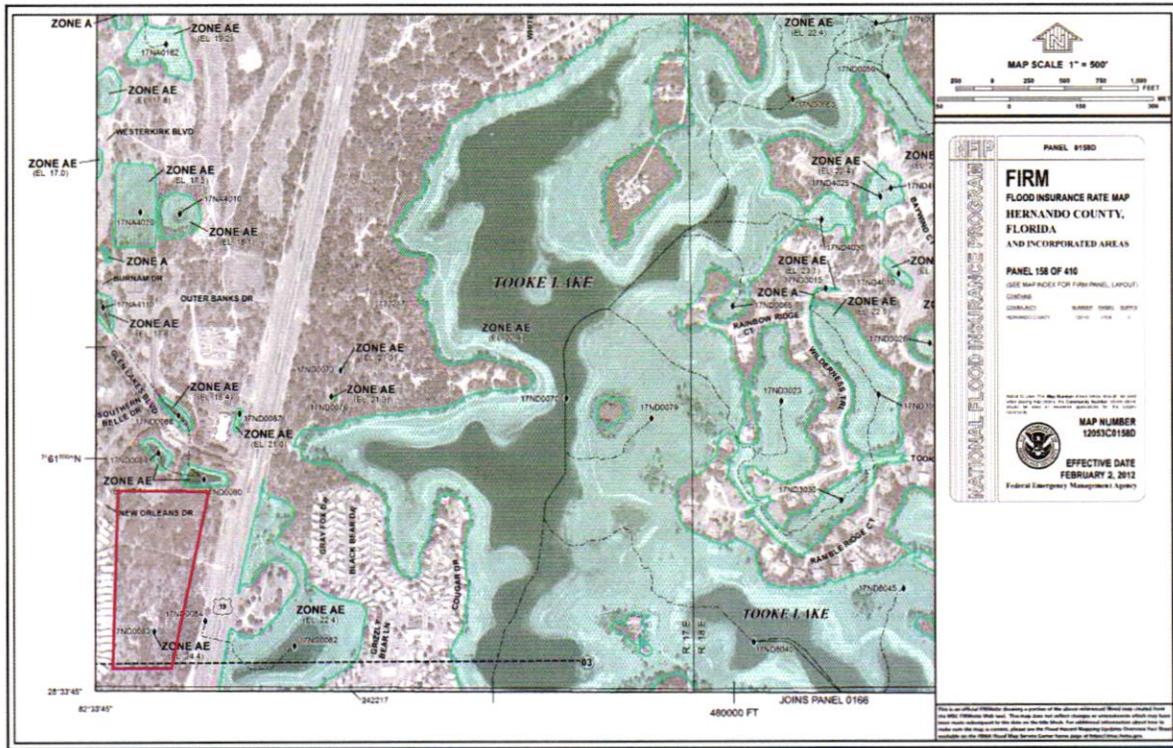


Figure 4. Glen Lakes Commons - Key No. 00339798 & 1150195 FEMA Floodplain Map

### Soils

The soil type located on the subject property consist of Candler fine sand, 0 to 5 percent slopes (90.5%) and Tavares fine sand, 0 to 5 percent slopes (9.5%). Both are conducive to development. Refer to Figure 5 for the project area soils map.

### Environmental

The following are the results of the environmental site visit.

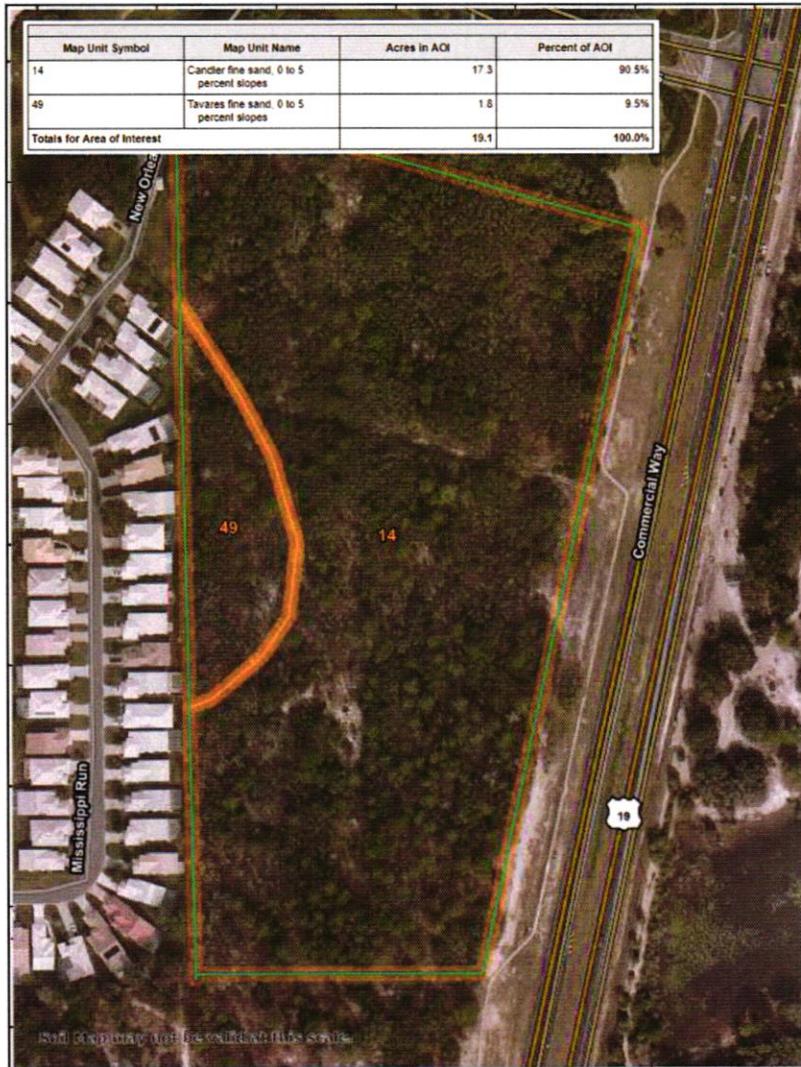


Figure 5. Glen Lakes Commons - Key No. 339798 & 1150195 Soils Map

entrance location will be requested from the Florida Department of Transportation. This project entrance will lead directly to a reverse frontage road, which will provide access to all parcels within the commercial subdivision. The reverse frontage road will allow for connection to the existing frontage road across Glen Lakes and will provide a point of connection to the adjacent property to the south. US 19/Commercial Way has excellent level of service in this area. A traffic access analysis will be completed at the conditional plat phase.

### SEWER AND WATER/FIRE PROTECTION

The property is within the Hernando County Utility Department (HCUD) service area. Potable water and sanitary sewer are both available. Sufficient water lines and hydrants will be constructed in the commercial subdivision to meet fire protection requirements and a Utility Service Analysis will be provided to HCUD with the conditional plat submittal.

- Tree species consist of sand pine scrub live oak, and cherry laurel trees.
- Groundcover consists of wiregrass, pine straw, and leaf litter.
- Gopher tortoise burrows are present. No other state of federally listed species were detected.
- Other than the existing drainage retention area on Parcel Key # 1150195, no wetlands or other surface waters are present.
- No evidence of karst features on this parcel; however, the adjacent Hernando County parcel containing a DRA, may possibly be a relic sink.

### DEVELOPMENT SCHEDULE

Development is anticipated to occur in 2022.

### ADEQUATE ACCESS

As shown the attached master plan, the project will be accessed directly from US 19 at location approximately mid-way between the median cuts at Glen Lakes Boulevard and Grizzley Bear Lane. A median cut at the project

**PREVIOUS DEVELOPMENT APPROVALS:**

Parcel Key # 339798 was recently approved for the Glen Lakes Commons commercial project (PDP(GHC) on March 14<sup>th</sup>, 2022). Parcel Key Number 1150195 is part of the Glen Lakes PDP, which has been approved and modified several times, starting in the 1980s.

**DEVIATIONS: (This was previously approved with Glen Lakes Commons)**

**BUILDING SETBACKS**

Front: 75' – US 19/Commercial Way (this is a deviation from 125', due to the provision of a reverse frontage road)

H-22-64

**HUGH DEAN STILES**  
**ATTORNEY AT LAW**  
9482 Mississippi Run  
Weeki Wachee FL. 34613  
February 18, 2023

Received  
FEB 25 2023

Planning Department  
Hernando County, Florida

**TO:** Omar DiPalo  
1653 Blaise Drive  
Brooksville, FL 34601

**RE:** Letter Regarding Comments  
and Concerns On Proposed  
Construction By Glen Lakes  
Commons On Parcel 00339798

Dear Mr. DiPalo:

Attached please find an outline of the comments and concerns of the residents of Glen Lakes regarding the proposed construction on the above mentioned parcel. As you can see from the map of the proposal this parcel shares a common boundary with Glen Lakes Villages which is a single family residential area. The applicant proposes to build four story buildings with an overall height of some 53 feet. The buildings would be placed some 50 feet from the common line with the single family homes. This would have numerous detrimental impacts on the quality of life now enjoyed by the residents. It has also been estimated that the homes backing up to the proposed construction will suffer a diminution in value by losing approximately 20% of their equity value. Who will compensate the property owners for their losses?

The attached outline sets forth the areas of concern regarding the proposed construction and the matters which the residents believe have not been taken into consideration or fully addressed by the applicant. While this area is zoned commercial, it is in a residential area. The height of the proposed structures is not in keeping with the type of buildings that are found in the area. Most commercial construction on this end of the County consists of single story buildings with few if any over two stories.

This proposed construction appears to be solely concerned with maximizing profit to the current owners with little regard for integration into the area where it will be situated

If you have any questions or comments please contact me at (916)276-2171 or by email at [dean@stiles.org](mailto:dean@stiles.org) also, would you please let me know when the meeting of the Planning and Zoning Commission will be held to discuss this application.

Thank you for your consideration.



Hugh Dean Stiles  
President, GlenLakes, Villa One HOA

**Attached:** Outline of Concerns

Lack of complete consideration/communication with GL residents  
Developer only to prepare area for construction of seven parcels  
Maximizing Profit only goal for zoning requests

Diminution in Value

Four or five story building within fifty feet of residential area  
Rural area  
Drainage/Wetlands

Security

No security for GL residents  
Increased usage by public drawn to area by development  
Decreased security for GL residents

Traffic

Traffic Study  
Should be done prior to approval to determine issues and cost  
Glenlakes blvd is Private Road for residents and their guests  
All roads Including Glenlakes blvd and Outer Banks south of GLB were  
deeded to the HOA by the owners.

Noise

Main entrance of ALF and Hotel and for all proposed construction.

Light and Air

53 feet from back of property  
Prior proposal limited to two stories  
ALFs in county only two stories in residential areas.  
Shadow from direct sun until afternoon

Utilities impact

Increased Water usage  
Impact on GL residents diminished pressure  
Increased Sewer usage  
Where will sewage go  
Adverse impact on GL residents  
Smell

Use of GL Facilities

Golf course open to public

Fire Equipment

Large enough to take care of multistory building  
Ambulance use  
Who bears cost of increased service

Evacuation

Hurricane  
Mandatory evacuation zone west of HW19  
Many residents do not drive  
Interference with existing residents evacuation ability