

STAFF REPORT

HEARINGS: Planning & Zoning Commission: July 11, 2022
Board of County Commissioners: August 9, 2022

APPLICANT: Flammer Ford of Spring Hill, Inc.

FILE NUMBER: H-22-43

REQUEST: Rezoning from C-1/(General Commercial) to C-2/(Highway Commercial)

GENERAL LOCATION: East side of Middlesex Drive, approximately 500' south of Toucan Drive

PARCEL KEY NUMBERS: 183571

APPLICANT'S REQUEST:

The petitioner is requesting a rezoning from C-1/(General Commercial) to C-2/(Highway Commercial) to bring a 1.24-acre portion of the 4.86-acre parent tract into conformance with the current and long standing use (automotive dealership). The property consists of eleven (11) Weeki Wachee Acres Unit 1 lots that have been merged. In 1985 the showroom was constructed and now straddles (Lot 18) a C-1/(General Commercial) zoning designation. The petitioner only seeks to rezone those lots currently C-1/(General Commercial). No other changes are requested.

SITE CHARACTERISTICS:

Site Size: 1.24 Acres (4.86 Parent Tract)

Surrounding Zoning & Land Uses:

North:	C-2; Cabinet Shop, Automotive Repair Shop
South:	C-3; Automotive Repair Shop
East:	C-1; Church, Retail Plaza
West:	PDP(GC), R-1A; Dealership Parking Area, Single Family

Current Zoning: C-1/(General Commercial) and C-2/(Highway Commercial)

**Future Land Use
Map Designation:** Commercial

ENVIROMENTAL REVIEW:

The subject site is entirely developed. There are no environmental related concerns with the request.

UTILITIES REVIEW:

The Hernando County Utilities Department (HCUD) currently supplies water and sewer service to this parcel.

ENGINEERING REVIEW:

The petitioner has indicated no changes to the current use or modifications to the site; therefore, review by the Engineering Department is not required. Any future modifications to the subject property will be subject to all permits from Hernando County and any other applicable agency.

LAND USE REVIEW:

As indicated by the petitioner, three (3) parcels are currently nonconforming with the County LDRs for the existing use. The existing use is limited to the C-2/ (Highway Commercial) zoning district. The specific C-2/(Highway Commercial) uses required are Automotive dealer establishments, including the principal selling of used cars and Automobile dealer establishments for the principal selling of new cars with service establishments including body shops.

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.

COMPREHENSIVE PLAN REVIEW:

Future Land Use Map

Strategy 1.04A(6): The Commercial Category provides for commercial uses including products and services along major corridors and at roadway intersections to serve residents and visitors on both a localized and regionalized basis. The Commercial Category recognizes existing commercial use corridors along U.S. Highway 19 and State Route 50 and existing and

planned commercial nodes at intersections of arterial and/or collector roads. The Commercial Category includes small unmapped existing commercial properties. The Commercial Category also recognizes the ability to designate infill parcels for commercial use lying in proximity to and between, but not necessarily contiguous to, other existing commercially designated properties. 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.

Commercial Strip Development

Strategy 1.04G(6): The existing areas of strip commercial development depicted on the Future Land Use Map include U.S. Highway 19 from County Line Road north to SR-50 and the SR-50 corridor

from Oak Hill Hospital to Colorado Street. Strategy 1.04G(7): A scattered unplanned commercial development pattern shall be discouraged. A development pattern of strip commercial is not desirable, and the creation of new strip commercial areas is not allowed with the exception of infill development that reduces the need for additional curb cuts and provides for a frontage road, or cross access. Other than infill, the establishment of new commercial areas or expansion of existing commercial areas is expected through the use of commercial nodes or mixed use projects using the planned development review process that support the commercial component and minimize curb cuts.

Comments: The subject site is part of an existing approved commercial development. The sole change requested is to bring three (3) parcels into conformance with County LDRs. This request is consistent with the Comprehensive Plan.

FINDINGS OF FACT:

A rezoning from C-1/(General Commercial) to C-2/(Highway Commercial) is appropriate based on consistency with the Comprehensive Plan and compatibility with the surrounding areas.

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 the petitioner's request for a Rezoning from C-1/ (General Commercial) to C-2/(Highway Commercial).