

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

Date: January 25, 2023

File No. H2310 Official Date Stamp:
Received
FEB 10 2023
Planning Department
Hernando County, Florida

APPLICANT NAME: M. Daniel Construction, Inc.

Address: 4435 Baseball Pond Road
City: Brooksville State: FL 34602 Zip: 34602
Phone: 352-279-5933 Email: michael@mdanielinc.com
Property owner's name: (if not the applicant)

REPRESENTATIVE/CONTACT NAME: Darryl W. Johnston, Esq.

Company Name: Johnston Law Group, P.A.
Address: 29 S. Brooksville Ave.
City: Brooksville State: FL Zip: 34601
Phone: 352-796-5124 Email: dwj@djohnstonlaw.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): 344354
2. SECTION 15, TOWNSHIP 22 South, RANGE 18 East
3. Current zoning classification: PSF and Mining and AG
4. Desired zoning classification: AG
5. Size of area covered by application: 140.5 acres
6. Highway and street boundaries: Sunshine Grove Road
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? [X] Yes [] 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 AFFIDAVIT

I, Michael Daniel, as President, 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):

- [X] 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):
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 25 day of January, 2023, by Michael Daniel 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

LETTER OF AUTHORIZATION

January 25, 2023

Michelle Miller
Hernando County Planning
1653 Blaise Dr.
Brooksville, Fl. 34601

Received

FEB 10 2023

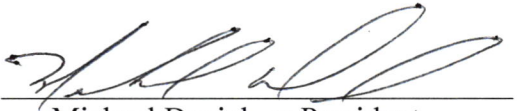
Planning Department
Hernando County, Florida

RE: Rezoning to AG - Key No. 344354

Dear Ms. Miller:

Please allow this to serve as a Letter of Authorization for Darryl W. Johnston, Esq., of Johnston Law Group, P.A., to represent M. Daniel Construction, Inc. in the rezoning petition for the above-referenced property.

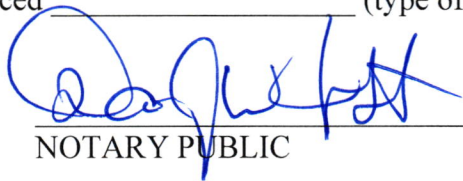
M. Daniel Construction, Inc.

By 
Michael Daniel, as President

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 25th day of January, 2023 by Michael Daniel, as President, who is personally known to me or who has produced _____ (type of identification) as identification.

Seal:


NOTARY PUBLIC



NARRATIVE – M. DANIEL CONSTRUCTION, INC.

Proposal

This is a 150.1 acre parcel that is split zoned as Mining and the eastern ten (10) acres as Agricultural. There is a public service facility overlay for a construction and debris landfill (“C & D”) on a portion of the western side of the property. This overlay has been in effect for more than a decade. The owner desires to expand the PSF overlay for the C & D to the eastern boundary of the mining portion of its property. The process to accomplish this is to rezone the property to Agricultural (AG) while simultaneously pursuing the PSF modification and Conditional Use application.

The subject property is currently used as a C & D landfill and a sand mine. Access to the subject is from Sunshine Grove Road. Zoning to the north is mining, to the south is AGSchool, and to the west and east is agricultural.

This is a request to rezone to AG as part of the process to expand the C & D east to the western boundary of the agricultural zoned property on Petitioner’s land. The buffers and setbacks for the C & D shall be per code.

Site and Environmental Characteristics

Most of the site has historically been used as a sand mine. The western part, included with the approved PSF for a C & D, has been used as a C & D since its approval.

The entire site is within Zone X and does not lie within a flood zone. All surface water will be properly permitted and drained to approved drainage retention areas. There are no wetlands or water features.

There are no known endangered or protected species on site.

Site Plan

The proposed site plan is attached. There are no new buildings contemplated. No deviations are requested. The existing roadway network is capable of accommodating the expansion, and there will not be upgrades to signals or roadway network due to this site’s traffic volume.

Hernando County Solid Waste Services has expressed support for the expansion.

Conclusion

This expansion of the existing PSF is consistent with the County’s comprehensive plan and is compatible with the surrounding land uses. The rezoning of the property to Agricultural will not be adverse to the public. We request approval of this rezoning as stated above.

Received

FEB 10 2023

Planning Department
Hernando County, Florida



DEPARTMENT OF SOLID WASTE

SOLID WASTE ♦ RECYCLING ♦ SW CODE ENFORCEMENT ♦ FINANCE ♦ HOUSEHOLD HAZARDOUS WASTE

14450 LANDFILL RD ♦ BROOKSVILLE, FLORIDA 34614

P 352.754.4112 ♦ F 352.754.4118 ♦ W www.HernandoCounty.us

June 2, 2022

Mike Daniel, President
Sunshine Grove Landfill
4435 Baseball Pond Road
Brooksville, FL 34602

The Hernando County Solid Waste Department is in full support in your efforts to obtain an expansion at your facility. The County is in need of a construction and demolition disposal facility that provides contractors a convenient location within the County. The disposal facility saves the County landfill space by not putting waste in it that is classified under different DEP rules.

If there is anything that we can assist with do not hesitate.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Harper".

Scott Harper
Solid Waste Services Manager
Hernando County, Florida

Received

FEB 10 2023

Planning Department
Hernando County, Florida

REZONING AND PUBLIC SERVICE FACILITY REVIEWS:

ATTENTION: ACREAGE AND/OR FEE SHALL NOT BE ROUNDED OFF.

PLEASE PROVIDE EXACT CALCULATIONS

Rezoning

- A. Planning Base Fee
- B. Number of Acres 140.5 X \$10 =
- C. Public Notification Fee (See Rates Below)
 - for Applications < 10 acres = \$120
 - for Applications 10 - 100 acres = \$250
 - for Applications > 100 acres = \$350

A.	\$500.00
B.	<u>1405.00</u>
C.	<u>350.00</u>
D. Subtotal	<u>2255.00</u>

- E. Engineering Base Fee
- F. Number of Acres 140.5 X \$2 =

E.	\$250.00
F.	<u>281.00</u>
G. Subtotal	<u>531.00</u>
Total Fee (D + G)	<u>2786.00</u>

Rezoning to Planned Development Project (PDP)

- A. Planning Base Fee
- B. Number of Acres _____ X \$10 =
- C. Public Notification Fee (See Rates Below)
 - for Applications < 10 acres = \$120
 - for Applications 10 - 100 acres = \$250
 - for Applications > 100 acres = \$350

A.	\$1,000.00
B.	
C.	
D. Subtotal	

- E. Engineering Base Fee
- F. Number of Acres _____ X \$2 =

E.	\$250.00
F.	
G. Subtotal	
Total Fee (D + G)	

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Rezoning to Master Plan Revision - Major

- A. Planning Base Fee
- B. Number of Acres _____ X \$5 =
- C. Public Notification Fee (See Rates Below)
 - for Applications < 10 acres = \$120
 - for Applications 10 - 100 acres = \$250
 - for Applications > 100 acres = \$350

A.	\$500.00
B.	
C.	
D. Subtotal	

- E. Engineering Base Fee
- F. Number of Acres _____ X \$2 =

E.	\$250.00
F.	
G. Subtotal	
Total Fee (D + G)	

Master Plan Revision - Minor

\$200.00

Administrative Review of ACTIVE Master Plan Only - contact Planning Department for verification)

Public Service Facility Overlay District (Except Communication Towers)

- A. Planning Base Fee
- B. Number of Acres _____ X \$10 =
- C. Public Notification Fee (See Rates Below)
 - for Applications < 10 acres = \$120
 - for Applications 10 - 100 acres = \$250
 - for Applications > 100 acres = \$350

A.	\$500.00
B.	
C.	
Total Fee (A+B+C)	

Public Service Facility Overlay District for Communication Towers

- A. Planning Base Fee
- B. Number of Acres _____ X \$2 =
- C. Public Notification Fee (See Rates Below)
 - for Applications < 10 acres = \$120
 - for Applications 10 - 100 acres = \$250
 - for Applications > 100 acres = \$350

A.	\$2,750.00
B.	
C.	
Total Fee (A+B+C)	

- D. Professional Fee for RF Consultant (to be calculated during process)

Outstanding Fee:

SEE PAGE TWO FOR ADDITIONAL INFORMATION