



## **Hernando County**

### **Planning & Zoning Commission**

John Law Ayers Commission Chambers, Room 160  
20 North Main Street, Brooksville, FL 34601

#### **Regular Meeting**

#### **Agenda**

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**Monday, May 8, 2023 - 9:00 A.M.**

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**THE MEETING AGENDA AND BACK-UP MATERIAL ARE AVAILABLE ONLINE AT [WWW.HERNANDOCOUNTY.US](http://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.**

**A. MEETING CALLED TO ORDER**

1. Invocation
2. Pledge of Allegiance
3. Poll Commission for Ex Parte Communications
4. County Attorney Statement
5. Administering of the Oath

**B. STAFF ANNOUNCEMENTS**

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

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

**PUBLIC HEARINGS**

**E. UNIFIED AGENDA**

Approval of Minutes for the Planning and Zoning Commission Meeting of January 09, 2023.

Approval of Minutes for the Planning and Zoning Commission Meeting of February 13, 2023.

CU-22-13 - Gilles Pierce: Conditional Use Permit for a Temporary Security Residence

CU-23-02 - Penny J Johnson: Conditional Use Permit for Temporary Security Residence and a Temporary Storage Shed

CU-23-03 - Robert V Perry: Conditional Use Permit for Second Residence

CU-23-04 - Jason Tippin: Renewal of a Conditional Use Permit for a Second Residence

SE-23-01 - Timothy Mullins and Debra Mullins: Revision to a Special Exception Use Permit for Community Residential Home, namely an Assisted Living Facility

**F. LEGISLATIVE AGENDA****G. STANDARD AGENDA (BOARD SITTING IN ITS QUASI-JUDICIAL CAPACITY)**

H-23-07 - A. Ventimiglia, Angelo Scarfo: Rezoning from R-1B (Residential) to R-1A (Residential)

**H. COMMISSIONERS AND STAFF ISSUES****I. ADJOURNMENT****UPCOMING MEETINGS**

The next regular meeting of the Planning and Zoning Commission is scheduled for Monday, June 12, 2023, beginning at 9:00 AM, in the Commission Chambers





## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 05/08/2023  
Department: P&Z Agenda Item  
Prepared By: Robin Reinhart  
Initiator: Aaron Pool  
DOC ID: 12173  
Legal Request Number:  
Bid/Contract Number:

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#### TITLE

Approval of Minutes for the Planning and Zoning Commission Meeting of January 09, 2023.

#### BRIEF OVERVIEW

The attached minutes for the Planning and Zoning Commission Meeting of January 09, 2023, 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 January 09, 2023, and consider them for approval.

#### REVIEW PROCESS

Michelle Miller

Approved

04/28/2023 9:15 AM



# Hernando County

## Planning & Zoning Commission

### Regular Meeting

### Minutes

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January 9, 2023

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### MEETING CALLED TO ORDER

The public meeting was called to order at 9:00 AM on Monday, January, 9, 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>
Jonathan McDonald	Chairman
W. Steve Hickey	Vice Chairman
Kathryn Birren	Regular Member
Michael Kierzynski	Regular Member
Nicholas Holmes	Regular Member
Gregory Arflack	Alternate Member
James Lipsey	Ex Officio Non-voting Member (School Board Rep.)
Aaron Pool	Development Services Director
Michelle Miller	Planning Administrator
Omar DePablo	Senior Planner
Scott Herring	Public Works Director/County Engineer
Alan Congdon	Administrative Assistant III
Robin Reinhart	Agenda Coordinator

Invocation

Pledge of Allegiance

Poll Commission for Ex Parte Communications

Comm. Kierzynski daughter across street Lives accross from one of the Developments but hasn't himself had ex parte communications.

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 announced Jim Lipsey Ex Officio Non-voting Member (School Board Rep.) will be late.

## ANNUAL ELECTION OF OFFICERS

### Election of Planning and Zoning Commission Chairman for 2023

#### Motion

A motion was made by Comm. Mike Kierzynski to elect Comm. Jonathan McDonald as Planning and Zoning Commission Chairman. The motion was seconded by Comm. Birren and carried 5-0.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Michael Kierzynski
<b>SECONDER:</b>	Kathryn Birren
<b>AYES:</b>	Hickey, Kierzynski, McDonald, Birren and Holmes
<b>EXCUSED:</b>	Fulford

### Election of Planning and Zoning Commission Vice Chairman for 2023

#### Motion

A motion was made by Comm. Kierzynski to elect Comm. Hickey as Planning and Zoning Commission Vice Chairman. The motion was seconded by Comm. Birren and carried 5-0.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Michael Kierzynski
<b>SECONDER:</b>	Kathryn Birren
<b>AYES:</b>	Hickey, Kierzynski, McDonald, Birren and Holmes
<b>EXCUSED:</b>	Fulford

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

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

#### Motion

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

**RESULT:**       **ADOPTED**  
**MOVER:**       Michael Kierzynski  
**SECONDER:**   Nicholas Holmes  
**AYES:**        Hickey, Kierzynski, McDonald, Birren and Holmes  
**EXCUSED:**     Fulford

## **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 is 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**

E. ADOPTION OF THE INFORMATION PACKETS INTO EVIDENCE

**RESULT:**       **ADOPTED**  
**MOVER:**       W. Steven Hickey  
**SECONDER:**   Michael Kierzynski  
**AYES:**        Hickey, Kierzynski, McDonald, Birren and Holmes  
**EXCUSED:**     Fulford

## **PUBLIC HEARINGS**

### **UNIFIED AGENDA**

Mrs. Miller introduced the unified agenda.

### **Motion**

A Motion was made to adopt the Unified Agenda as submitted.

**RESULT:**       **ADOPTED**  
**MOVER:**       W. Steven Hickey  
**SECONDER:**   Michael Kierzynski  
**AYES:**        Hickey, Kierzynski, McDonald, Birren and Holmes  
**EXCUSED:**     Fulford

### **CU-22-11 - Jeff Powell:**

**Conditional Use Permit for a Temporary Security Residence; Southeast side of Broad Street, approximately 155' north of its intersection with Kollar Street**

### **CU-22-12 - Lowonder Jernigan:**

**Conditional Use Permit for a Second Residence; South side of Snow Hill Road, approximately 1,986' west of Brice Drive**

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

**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. Mr. DePablo utilized the overhead projector to show the location of the subject parcel.

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

Mrs. Miller advised the Planning and Zoning Commission that the watering of the transplanted trees by the Lake in the Woods HOA was not enforceable.

The following people spoke under oath against the petition: Paul McQuarrie, Dr. Lauren Vidia, Consuela Lauer, Evon Caskey, Wayne Burscino, Susan Giordano, Tom St. Claire, Goddfrey Eason, Cathy Groom, Andrew Schwartz, Paula Morton, James Haas, Richard Clayton, Molly Jamison, Catherine Ihsz-Jentschs, George Drumm, Constance Croak, Garry Petti, J.B. Bowles, and Eva Stout.

Bob Schneider, spoke under oath, in favor of the petition.

Assistant County Attorney Kyle Benda, addressed concerns raised during the public comment portion of the hearing.

Comm. Holmes asked staff about the prior vested approvals.

Darryl Johnston, addressed the concerns raised during the public comments portion of the hearing.

Discussion ensued about the future location of the proposed 500 unit multifamily apartment complex and 150 room Hotel.

School Board representative, James Lipsey, advised the Planning and Zoning Commission that the apartments would only generate approximately 94 students and in November there was adequate occupancy.

Mrs. Miller clarified that there are no mobile homes requested for this application. She also discussed the performance condition related to the concerns raised during Public Comment.

County Engineer, Scott Herring, under oath, addressed questions about obtaining an administrative design variance.

Mrs. Miller went over the modifications to the performance conditions with the Planning and Zoning Commission.

**Motion**

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

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	W. Steven Hickey
<b>SECONDER:</b>	Nicholas Holmes
<b>AYES:</b>	Hickey, Kierzynski, McDonald, Birren and Holmes
<b>EXCUSED:</b>	Fulford

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

Jesus Espinal, 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.

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

**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**

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

Jessica Icerman, representing the petitioner, under oath, discussed the request with the Planning and Zoning Commission.

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

The following people spoke under oath against the petition: Bruce Abrahamson, Randy MCElroy, Cedric Bedford, Joseph Purta, Jennifer Berkel, Terrie Dyer, John Larry, Joanna Larry, James Robison, Noreen Phillips.

Gary Schraut, representing the property owner, under oath, spoke on behalf of the petitioner.

Jessica Icerman, addressed the concerns expressed during the public comment period.

County Engineer, Scott Herring, under oath, addressed concerns raised about the roads in the area of the proposed development.

Comm. Birren expressed concerns regarding the roads, and construction access in to the project.

Scott Herring also advised that he wanted the developer to provide construction accesses plan provided to county engineers office.

Comm. Hickey requested construction access be added to the conditions of approval. Mrs. Miller advised that staff will add a performance condition that states that "The developer will need to provide a construction accesses plan to be submitted and approved by the county engineers office."

Comm. McDonald expressed concern about the traffic on Madrid Avenue.

Michael Razor, transportation consultant for the petitioner, under oath, advised that they are in the process of working on a traffic study with the county.

Discussion ensued.

Andrew Eiland, engineer for the petitioner, under oath, addressed concerns about the property's previous use as a shooting range.

### **Motion**

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

**RESULT:** ADOPTED  
**MOVER:** W. Steven Hickey  
**SECONDER:** Kathryn Birren  
**AYES:** Hickey, Kierzynski, McDonald, Birren and Holmes  
**EXCUSED:** Fulford

**H-22-78 - Elizabeth A Richards:**

**Rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2); South side of Solway Drive at its intersection with Octavia Way.**

Mrs. Miller advised they are requesting postponement due in adequate public notice.

**Motion**

A motion was made to request for a postponement due to advertising, the petitioner incurring all re-advertising costs.

**H-22-80 - Sueann Gouin:**

**Rezoning from AR-2 (Agricultural/Residential-2) to AG (Agricultural); North side of Sun Road at its western terminus**

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

Sueann Gouin, the petitioner, under oath discussed the petition with the Planning and Zoning Petition.

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.

**RESULT:** ADOPTED  
**MOVER:** Nicholas Holmes  
**SECONDER:** Michael Kierzynski  
**AYES:** Hickey, Kierzynski, McDonald, Birren and Holmes  
**EXCUSED:** Fulford

**H-22-82 - David Kerns:**

**Rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2); West side of the Southern Terminus of Slingshot Drive**

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

Caroline Justice, representing the petitioner, under oath, discussed the request 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.

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

**H-22-79 - Luis Puerto and Brenda Puerto:**

**Master Plan Revision on Property Zoned PDP(NC)/Planned Development Project (Neighborhood Commercial); North side of County Line Road, approximately 670' east of Cobblestone Drive**

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

The petitioner was not present. Staff is seeking postponement, with the petitioner incurring all re-advertising cost.

**Motion**

A motion was made to postpone the petition to a future hearing with the petitioner incurring all re-advertising costs.

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	W. Steven Hickey
<b>SECONDER:</b>	Nicholas Holmes
<b>AYES:</b>	Hickey, Kierzynski, McDonald, Birren and Holmes
<b>EXCUSED:</b>	Fulford

**H-22-65 - Tri County Development Inc.:**

**Rezoning the from PDP(SU)/Planned Development Project (Special Use) to PDP(MF)/Planned Development Project (Multifamily) with Deviations; Northeast corner of Henderson Street and Mariner 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 request with the Planning and Zoning Commission.

Alex Deeb, the petitioner, under oath, discussed the project with the Planning and Zoning Commission.

No public comment was offered by the audience.

James Lipsey, representing the School Board, asked staff about a formal covenant regarding age restriction. Discussion ensued.

Cliff Manual P.E., representing the applicant, under oath, addressed concerns about the requested deviation from set-backs.

Discussion ensued about YMCA membership and the proposed development.

**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>	Nicholas Holmes
<b>AYES:</b>	Hickey, Kierzynski, McDonald, Birren and Holmes
<b>EXCUSED:</b>	Fulford

**H-22-68 - HDA Architects, Inc.:**

**Rezoning from PDP(CP)/Planned Development Project (Corporate Park) to PDP(GC)/Planned Development Project (General Commercial).; East Side of Anderson Snow Road, approximately 365' north of its intersection with Corporate Boulevard**

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

Mike Noyes, the petitioner, under oath, discussed the petition with the Planning and Zoning Commission.

No public comment was offered by the audience.

Comm. Berrin inquired about sound proofing for the kennel area.

**Motion**

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

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Kathryn Birren
<b>SECONDER:</b>	Michael Kierzynski
<b>AYES:</b>	Hickey, Kierzynski, McDonald, Birren and Holmes
<b>EXCUSED:</b>	Fulford

**H-22-69 - 235 Cobblestone Drive, LLC:**

**Master Plan Revision on Property Zoned PDP(NC)/Planned Development Project (Neighborhood Commercial) with specific C-1 uses and Deviations; Northwest corner of County Line Road and Cobblestone Drive**

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

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

Mathew Rollins, under oath, spoke against the petition.

Don Lacey AICP, addressed the concerns raised by Mr. Rollins. In response to Comm. Hickey, Mr. Lacey indicated the applicant would be ok with increasing the western buffer to 20 feet.

**Motion**

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

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

**H-22-74 - Tim Oldemoppen:****Rezoning from AG (Agriculture), C-2 (Highway Commercial) and R-1B (Residential) to PDP(MH)/Planned Development Project (Mobile Home); West side of Commercial Way (US HWY 19) between its intersection with Lake In The Woods Drive and Brandy Drive**

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

Christopher Hartman, representing the petitioner, under oath, requested a postponement.

**Motion**

A motion was made to postpone the petition to a future hearing date, with the applicant incurring all re-advertising fees.

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

**H-22-81 - Proud Pelican Construction, Inc.:**

**Revision of Master Plan on a Property Zoned PDP(GHC)/ Planned Development Project (General Highway Commercial); Northwest corner of the intersection of Cortez Blvd (SR 50), Barclay Avenue 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 applicant, under oath, discussed the request with the Planning and Zoning Commission.

No public comment was offered by the audience.

Comm. Holmes inquired about a fence along the bay door along the reverse frontage road.

Don Lacey AICP, addressed Comm.Holmes concerns.

**Motion**

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

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

**H-22-83 - Maya Motels, Inc.:**

**Rezoning from C-1 (General Commercial) and C-2 (Highway Commercial) to PDP(MF)/Planned Development Project (Multifamily) with Deviations; North side of Cortez Boulevard (SR 50), approximately 300' west of Deltona Boulevard**

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

Wayne Walker, representing the petitioner, under oath, discussed the request with the Planning and Zoning Commission.

Eugene Gavin, under oath, spoke against the petition.

Wayne Walker addressed the concerns raised by Mr. Gavin.

Discussion ensued about affordable housing.

**Motion**

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

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	Michael Kierzynski
<b>SECONDER:</b>	Kathryn Birren
<b>AYES:</b>	Hickey, Kierzynski, McDonald, Birren and Holmes
<b>EXCUSED:</b>	Fulford

## **COMMISSIONERS AND STAFF ISSUES**

Discussion ensued about the presentation of materials.

Discussion of the unified agenda

## **ADJOURNMENT**

The meeting was adjourned at 2:00 P.M.



## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 05/08/2023  
Department: P&Z Agenda Item  
Prepared By: Robin Reinhart  
Initiator: Aaron Pool  
DOC ID: 12174  
Legal Request Number:  
Bid/Contract Number:

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#### TITLE

Approval of Minutes for the Planning and Zoning Commission Meeting of February 13, 2023.

#### BRIEF OVERVIEW

The attached minutes for the Planning and Zoning Commission Meeting of February 13, 2023, 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 February 13, 2023 and consider them for approval.

#### REVIEW PROCESS

Michelle Miller

Approved

04/28/2023 9:15 AM



**Hernando County**  
**Planning & Zoning Commission**  
**Regular Meeting**  
**Minutes**

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**February 13, 2023**

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**MEETING CALLED TO ORDER**

The public meeting was called to order at 9:00 AM on Monday, February 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).

<b><u>Attendee Name</u></b>	<b><u>Title</u></b>
Jonathan McDonald	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
Alan Congdon	Zoning Inspector
Robin Reinhart	Agenda Coordinator

Invocation

Pledge of Allegiance

Poll Commission for Ex Parte Communications

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. Miler advised the Board of Comm. M. Kierzynski resignation.

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

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

**Motion**

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

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

**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.

**Motion**

D. ADOPTION OF THE INFORMATION PACKETS INTO EVIDENCE

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

**PUBLIC HEARINGS****UNIFIED AGENDA****CP 1445637 Olancho Subdivision Conditional Plat****CP1422384 Oak Hill Villas Conditional Plat**

Com. Holmes wanted to discuss the number of Villas listed on the Agenda.

Alan Garman, representing the petitioner, under oath, discussed the Conditional Plat.

Mrs Miller advised the that the P&Z advised the conditional plat process.

**Motion**

To approve the Unified Agenda



<b>RESULT:</b>	<b>ADOPTED THE CONSENT AGENDA</b>
<b>MOVER:</b>	Mike Fulford
<b>SECONDER:</b>	Kathryn Birren
<b>AYES:</b>	McDonald, Birren, Fulford, Holmes and Arflack
<b>ABSENT:</b>	Hickey and Kierzynski

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

### **H-22-79 - Luis Puerto and Brenda Puerto:**

**Master Plan Revision on Property Zoned PDP(NC)/Planned Development Project (Neighborhood Commercial); North side of County Line Road, approximately 670' east of Cobblestone Drive**

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

Willie Twiggs, representing the petitioner, under oath discussed the petition.

No public comment.

Discussion ensued about the pervious development restrictions on the property.

### **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>	McDonald, Birren, Fulford, Holmes and Arflack

### **H-22-78 - Elizabeth A Richards:**

**Rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2); South side of Solway Drive at its intersection with Octavia Way.**

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

Mrs. Richards, the petitioner, under oath discussed the petition.

No public comment was made.

Board 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>	Mike Fulford
<b>SECONDER:</b>	Gregory Arflack
<b>AYES:</b>	McDonald, Birren, Fulford, Holmes and Arflack

**H-22-42 - Josh Hofstede:**

**Rezoning from R-1A (Residential) and R-1C (Residential) to CPDP to include PDP(REC)/ Planned Development Project (Recreational) and PDP(SF)/ Planned Development Project (Single Family) with a specific R-1-MH use in order to allow Tiny Homes with Deviations; East side of Mitchell Road, approximately 300' north of Edwards Avenue**

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

Mr. Hofstede, the petitioner, under oath, discussed the petition with the board.

Discussion ensued between the board, the petitioner, and staff.

John Lipsey, School Board representative, asked for information with regards to who maybe living in the development.

Edith Pitman, under oath, spoke against the petition.

Predam Moghaddan, and Justin Noe, under oath, spoke in favor of the petition..

Assistant County Attorney Mr. Benda, spoke in reference to setting possible future precedence coming in the future.

Mr. Hofstede responded to public comment.

Mrs. Miller proposed the addition of 2 additional performance conditions, in regards to address school board concerns, and the operational needs of the communities.

Discussion ensued with Board members and Mrs Miller.

Staff recommended postponement until after the BOCC had taken formal action tiny home recommendations and community guidelines.

**Motion**

A motion was made to postpone the application to a future hearing date pending the direction from the Board of County Commissioners on tiny homes, with the applicant incurring all re-advertising expenses.

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

## RECESS

A brief recess occurred from 10:42 AM until 10:47AM.

## COMMISSIONERS AND STAFF ISSUES

There were no issues to discuss.

### **Discussion of Governmental of Sunshine Law and Quasi-Judicial Procedures.**

Assistant County Attorney Kyle Benda presented the annual information on Florida's Sunshine Law and Quasi-Judicial Procedures to the board.

## ADJOURNMENT

The meeting was adjourned at 12:05 P.M.



## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 05/08/2023  
Department: P&Z Agenda Item  
Prepared By: Robin Reinhart  
Initiator: Aaron Pool  
DOC ID: 12139  
Legal Request Number:  
Bid/Contract Number:

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#### TITLE

CU-22-13 - Gilles Pierce: Conditional Use Permit for a Temporary Security Residence

#### BRIEF OVERVIEW

##### Request:

Conditional Use Permit for a Temporary Security Residence

##### General Location:

North side of Grindstone Drive, approximately 115' from its intersection with Table Rock Drive

#### 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 determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a Temporary Security Residence for a period of up to one (1) year with performance conditions.

#### REVIEW PROCESS

Cayce Dagenhart	Approved	04/17/2023	7:50 AM
Omar DePablo	Approved	04/17/2023	7:55 AM
Michelle Miller	Approved	04/17/2023	2:38 PM
Aaron Pool	Approved	04/18/2023	8:12 AM
Kyle Benda	Approved	04/18/2023	8:57 AM

## STAFF REPORT

---

<b>HEARINGS:</b>	Planning & Zoning Commission: May 8, 2023
<b>APPLICANT:</b>	Gilles Pierce
<b>FILE NUMBER:</b>	CU-22-13
<b>REQUEST:</b>	Conditional Use Permit for a Temporary Security Residence
<b>GENERAL LOCATION:</b>	North side of Grindstone Drive, approximately 115' from its intersection with Table Rock Drive
<b>PARCEL KEY NUMBER:</b>	833726

---

### APPLICANT'S REQUEST

The petitioner has submitted a request for a conditional use permit for a temporary security residence on a 0.5-acre parcel for the construction of a homestead. The proposed security residence is 8' x 30'. The RV will continue to provide security for the site and allow the petitioner to be near the home during its completion over the next year.

### SITE CHARACTERISTICS

<b>Site Size:</b>	0.5 acres
<b>Surrounding Zoning &amp; Land Uses:</b>	North: R-1C (Residential) South: R-1C (Residential) East: R-1C (Residential) West: R-1C (Residential)
<b>Current Zoning:</b>	R-1C (Residential)
<b>Future Land Use Map Designation:</b>	Residential

### UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. Water and sewer service are not available to this parcel. HCUD has no objection to the requested Conditional Use to allow occupancy of a temporary RV dwelling on site during final months of construction of the permanent residence being built.

### ENGINEERING REVIEW

The site is located on the north side of Grindstone Drive, approximately 115' from its intersection with Table Rock Drive. The Engineering Department has reviewed the request

and indicated the following: This site is entirely within Flood Zone “AE, (El. 65.0)”, Access is limited by flooding.

## LAND USE REVIEW

Minimum Building Setbacks Required in the R-1C (Residential) District:

- Front: 25'
- Side: 7'
- Rear: 20'

A conditional use permit is intended to be used as a special permit which temporarily allows uses not otherwise permitted by the ordinance. The Commission has the ability to grant a conditional use permit for a period up to two years if they determine that a hardship exists.

## NOTICE OF APPLICANT RESPONSIBILITY

*The conditional use permit process is a land use determination and does not constitute a permit for either construction, 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 determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a Temporary Security Residence for a period of up to one (1) year 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 remove the security residence upon termination of the permit, or when the hardship no longer exists.
3. The petitioner must receive Health Department approval of an appropriate Onsite Sewage Treatment and Disposal System. This approval shall be provided to the zoning department as a part of the conditional use permit.
4. The conditional use shall expire on May 8, 2024. At this time the applicant may apply for a renewal for an additional two years.

# CU-22-13

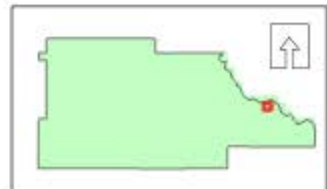
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



**Zoning:**

AC	PDP(HC)
AG	PDP(HMC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(MH)
C4	PDP(NC)
CITY	PDP(OP)
CM1	PDP(P8F)
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

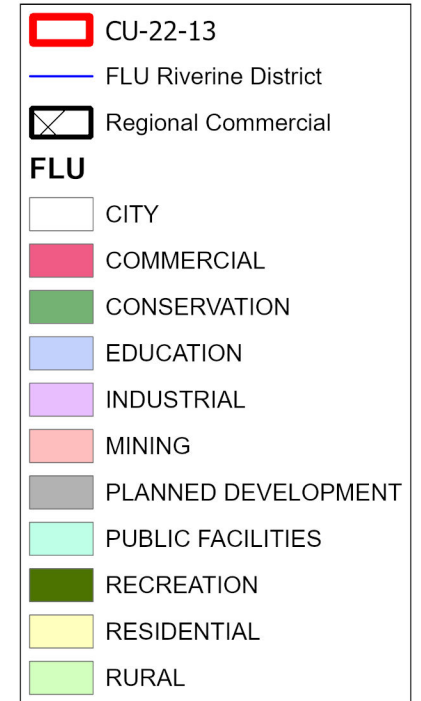
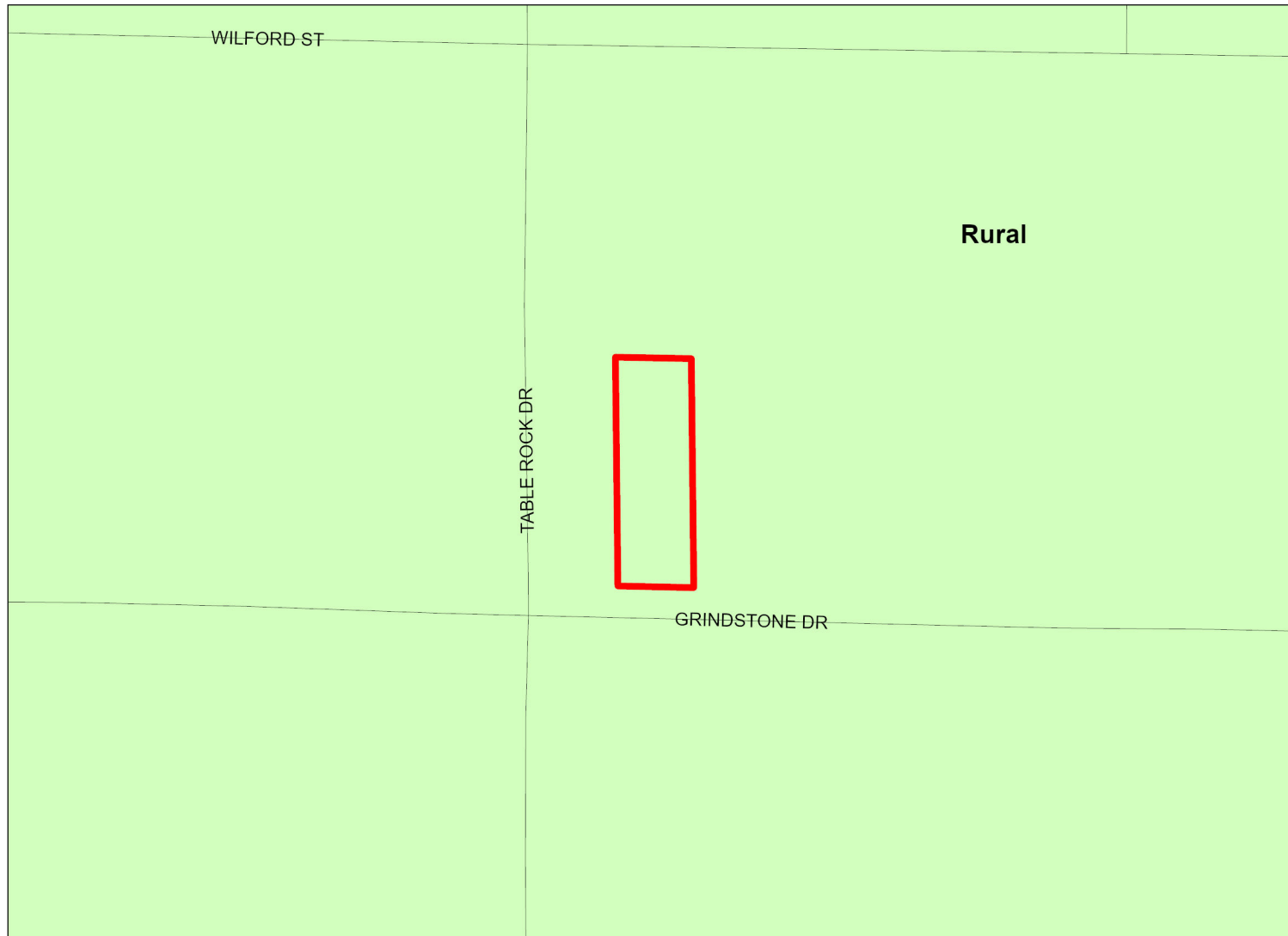
City Zoning Pending



# Hernando County Comprehensive Plan Map

Existing Future Land Use: CU-22-13

Version Date: 07/14/2022



## 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.

0 0.01 0.03 0.05 0.08 0.1 Miles



Date of mapping: 03/06/2023





# CU-22-13

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.







# **SURVEYOR'S NOTES:**

- 1.) This Survey has been prepared without the benefit of an Abstract of Title or Title Commitment and is subject to any Deductions, Limitations, Restrictions, Reservations, or other Easements of Record. No instruments of record reflecting easements, rights-of-way, and/or ownership were furnished this survey except as shown.
- 2.) There may be additional Easements, Restrictions and/or Reservations affecting this property that may or may not be found in the public records of this county.
- 3.) No information on adjoining property owners or adjoining property recording information was provided to this surveyor.
- 4.) The Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
- 5.) This Survey does not reflect or determine ownership lines, lines affected by adverse use, lines of conflicting/overlapping deeds, or other lines that may otherwise be determined by a court of law.
- 6.) This Survey is of visible above ground features only. No underground foundations, structures, installations or improvements have been located unless otherwise shown herein.
- 7.) Underground utility locations and identifications shown herein are between the utilities visible above ground appurtenances and do not necessarily show all utility locations.
- 8.) This Survey has been prepared expressly for the named entities and is not transferable. No other person or entity is entitled to rely upon or re-use this survey for any purpose whatsoever without the express written consent of W. KEMP MORRIS JR. and the certifying Professional Surveyor and Mapper.
- 9.) Nothing herein shall be construed to give any rights or benefits to anyone other than those certified to on this survey.
- 10.) Flood Zone and/or Flood Zone Lines if shown are approximate and are based upon scaled interpretation from the Flood Insurance Rate Map as published by the Federal Emergency Management Agency.
- 11.) Flood Zone determination is based on the Flood Insurance Rate Map as published by the Federal Emergency Management Agency and does not imply that the property will or will not be free from flooding and damage. Larger Floods than that predicated on said Map can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. The Flood Insurance Rate Map states in the Notes to user that "This Map is for Insurance Purposes Only" and any damages that result from reliance on this section shall not create liability on the part of W. KEMP MORRIS JR. or the signing Professional Surveyor.
- 12.) Fences shown along the boundaries of this survey are approximate and fence ownership not determined. The fence lies at property corners or at specifically designated points or based upon field location. Fence lines along other property boundaries meander and are approximate. Prior to the reconstruction of any fences it would be prudent to have the boundary line staked.
- 13.) Printed dimensions shown on the Map of Survey supersede scaled dimensions. There may be items drawn out of scale to graphically show their location.
- 14.) Reproduction of this survey is expressly forbidden.
- 15.) Survey only valid for 90 days from last date of Field Survey.
- 16.) The words "Certified To," as shown and used herein, means an expression of the Professional Surveyor's opinion regarding the facts of the survey based on his best knowledge, information and belief, and that it thus constitutes neither a guarantee nor a warranty, either expressed or implied.
- 17.) Acceptance of this survey plot or use of the corner monuments found or set during the performance of the field survey hereby limit the undersigned liability related to professional negligent acts, errors, or omissions to an amount not to exceed the fee charged.
- 18.) This survey is a representation of existing field conditions at the time of the field survey and is based on found existing monumentation in the field.
- 19.) Accuracy: the expected use of surveyed lands, as classified in the Minimum Technical Standards (SJ-17, Florida Administrative Code), is "Rural". The minimum relative distance accuracy for this type of boundary is one foot in five thousand feet. The accuracy obtained by field-measured control measurements and calculations was found to exceed this requirement.
- 20.) "x" Denotes distance not supported by Field Measurement.
- 21.) The purpose of the Survey is to obtaining a Boundary Survey.
- 22.) Map of Survey is being certified according to the Last date of Field Survey and not the Signature date.
- 23.) This Survey shall not be filed for public records without the Surveyor's knowledge and consent.
- 24.) Dimensions shown herein are in feet and decimal parts thereof and are based on the definition of a foot as adopted by the United States Bureau of Standards and refer to the horizontal plane.
- 25.) This property was Surveyed based on the Land Description as shown herein which was provided by the client.

Copyright 2020 - W. KEMP MORRIS JR.  
Professional Surveyor & Mapper

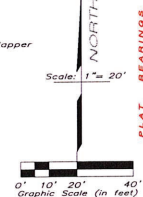
## **SURVEY OF: (DESCRIPTION AS FURNISHED)**

The East 1/2 of Lot 16, Block 16, RIDGE MANOR ESTATES UNIT No. 4, according to the plat thereof recorded in Plat Book 11, Page(s) 1-22, inclusive, of the Public Records of Hernando County, Florida.

## **SURVEYOR'S LEGEND**

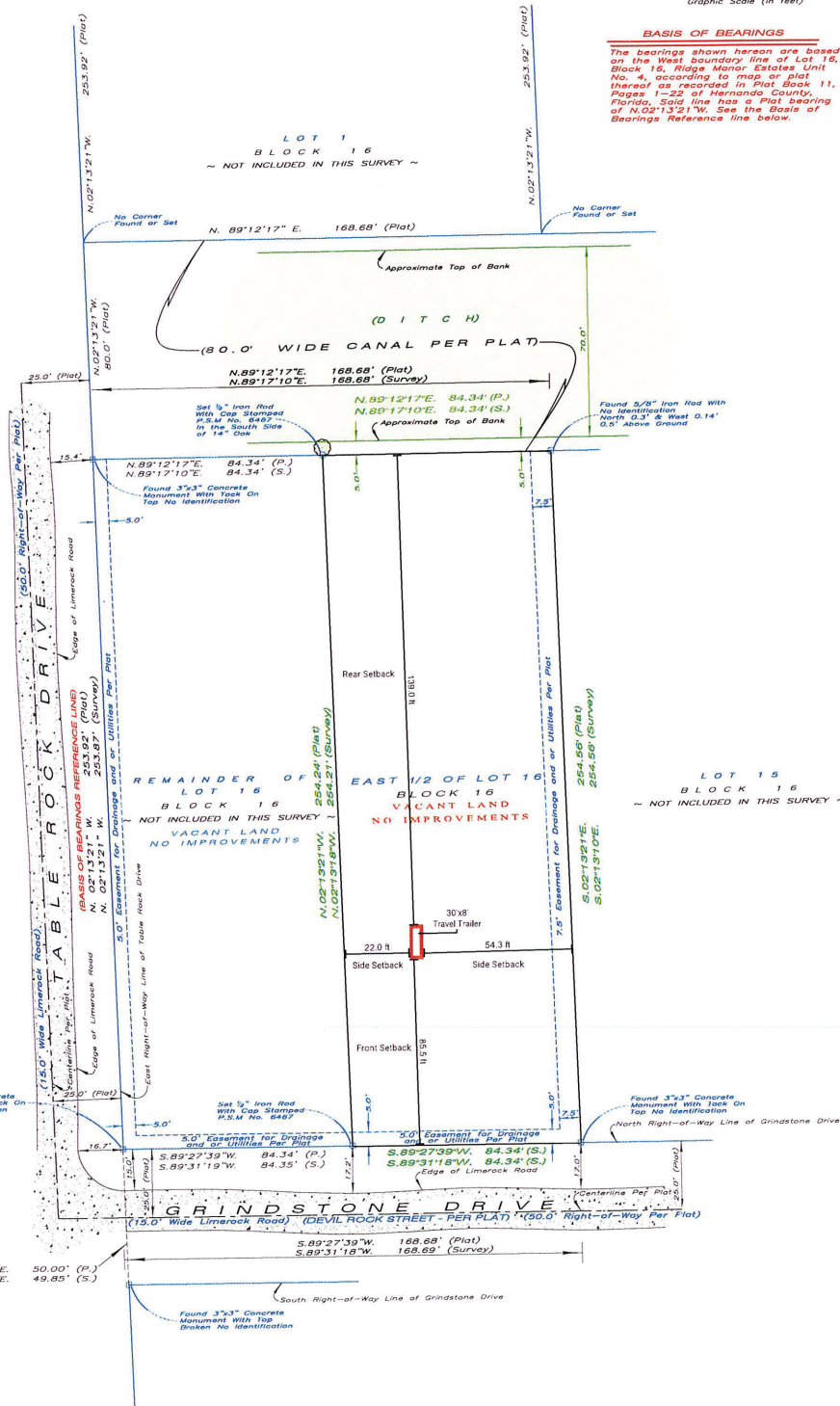
- (P) ----- Plot Dimension
- (S) ----- Survey Dimension
- P.S.M. ----- Professional Surveyor & Mapper

Job Number: 0420-005



## **BASIS OF BEARINGS**

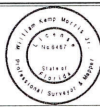
The bearings shown herein are based on the West boundary line of Lot 16, Block 16, Ridge Manor Estates Unit No. 4, according to map or plat thereof as recorded in Plat Book 11, Pages 1-22 of Hernando County, Florida. Said line has a Plot bearing of N.02°13'21"W. See the Basis of Bearings Reference line below.



The survey depicted here is not covered by professional liability insurance.

## **CERTIFIED TO:** Matthew Pierce

Subdivision: RIDGE MANOR ESTATES UNIT NO. 4	Section: 23	Township: 22	Range: 21	Plat Book: 11	Page: 1-2
Last Date of Field Survey: April 30, 2020	Field Book: 30	Pages: 81-82	Party Chief: K. Morris Jr.	Drawn By: K. Morris Jr.	Checked By: K. Morris Jr.
- REVISIONS -					
Description	Job No.	Date	Dem.	Ch'd	P.C.



## **MAP OF BOUNDARY SURVEY**

Date of Signature

Not valid without the signature and the original raised seal of a Florida Licensed Surveyor & Mapper

**W. KEMP MORRIS JR.**  
Professional Surveyor & Mapper  
Florida Registration Number 6487

27172 Ernest Lee Road  
Brooksville, Florida 34602  
Phone No. (813) 949-3636  
MorrisSurveying@gmail.com





**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

Date: 12/8/2022

File No. C2213 Official Date Stamp:

Received

DEC 09 2022

Planning Department  
Hernando County, Florida

PAID 1-20-23

**APPLICANT NAME:** Gilles Pierce

Address: 35155 Grindstone Drive

City: \_\_\_\_\_ State: FL Zip: 33597

Phone: 352-770-9825 Email: Gillespierce@yahoo.com

Property owner's name: (if not the applicant) Matthew Pierce

**REPRESENTATIVE/CONTACT NAME:** Gilles Pierce

Company Name: N/A

Address: 35155 Grindstone Drive

City: Webster State: FL Zip: 33597

Phone: 352-770-9825 Email: Gillespierce@yahoo.com

**HOME OWNERS ASSOCIATION:** ☐ Yes ☒ No (if applicable provide name) \_\_\_\_\_

Contact Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

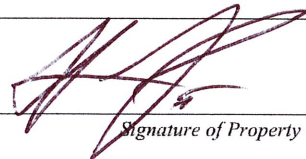
**PROPERTY INFORMATION:**

1. PARCEL(S) **KEY** NUMBER(S): R123-122-21-0890-0160-0160/Key#833726
2. SECTION 23, TOWNSHIP 22, RANGE 21
3. Current zoning classification: R1C
4. Desired use: Single Family Residential Dwelling
5. Size of area covered by application: .49 acres
6. Highway and street boundaries: Grindstone Drive and Tablerock Drive
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 AFFIDAVIT**

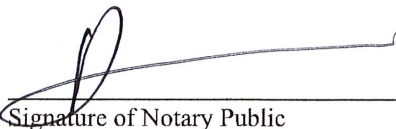
I, Matthew Pierce, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

- ☐ I am the owner of the property and am making this application **OR**  
☒ I am the owner of the property and am authorizing (applicant): Gilles Pierce  
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 8 day of December, 20 22, by Matthew Pierce who is personally known to me or produced FLDL as identification.

  
Signature of Notary Public



David Flores Vicente  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG337570  
Expires 5/22/2023

Effective Date: 11/8/16 Last Revision: 11/8/16

PRINT FORM

CLEAR FORM

Notary Seal/Stamp

Matthew Pierce

Gilles Pierce

Hernando County Conditional Use Permit Application

12/8/2022

Narrative Description: Request/Project

The owners of 35155 Grindstone Drive, Parcel Number R123-122-21-0890-0160-0160, Key Number 833726, Section 23, Township 22, Range 21, would like to occupy a Travel Trailer temporarily during the months necessary to complete construction of a Single Family Dwelling, as per Hernando County Zoning's Code of Ordinances R-1C Residential District permitted uses, subcategory C, article (1)(a), and according to Hernando County Zoning Division's Travel Trailer Ordinance. Which is available to many owners and residents throughout Hernando County. R-1C is not a Zoning District which allows for the use of Mobile Homes/Travel Trailers, although the owners are applying for Conditional Use of the property which would allow for temporary use of a Travel Trailer under the above mentioned Hernando County Zoning Ordinances once approved.

Thank You,

Sincerely, Matthew and Gilles Pierce

Received

DEC 09 2022

Planning Department  
Hernando County, Florida



## AGENDA ITEM

---

### TITLE

CU-23-02 - Penny J Johnson: Conditional Use Permit for Temporary Security Residence and a Temporary Storage Shed

### BRIEF OVERVIEW

**Request:**

Conditional Use Permit for Temporary Security Residence and a Temporary Storage Shed

**General Location:**

East side of 8th Isle Dr., approximately 111' from its intersection with Gulf Coast Drive.

### 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 determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a Conditional Use Permit for Temporary Security Residence and a Temporary Storage Shed for a period of up to one (1) year with performance conditions.

### REVIEW PROCESS

Cayce Dagenhart	Approved	04/17/2023	7:52 AM
Omar DePablo	Approved	04/17/2023	7:55 AM
Michelle Miller	Approved	04/17/2023	2:39 PM
Aaron Pool	Approved	04/18/2023	8:12 AM
Kyle Benda	Approved	04/18/2023	9:08 AM

## STAFF REPORT

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<b>HEARINGS:</b>	Planning & Zoning Commission: May 8, 2023
<b>APPLICANT:</b>	Penny Johnson
<b>FILE NUMBER:</b>	CU-23-02
<b>REQUEST:</b>	Conditional Use Permit for Temporary Security Residence and a Temporary Storage Shed
<b>GENERAL LOCATION:</b>	East side of 8th Isle Dr., approximately 111' from its intersection with Gulf Coast Dr.
<b>PARCEL KEY NUMBER:</b>	163780

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### APPLICANT'S REQUEST

The petitioner has submitted a request for a conditional use permit for a temporary security residence on a 0.2 acre parcel for the construction of their home, and a temporary storage shed for safe storage of building materials.

### SITE CHARACTERISTICS

<b>Site Size:</b>	2.4 acres
<b>Surrounding Zoning &amp; Land Uses:</b>	North: R-1B (Residential) South: R-1B (Residential) East: Water, R-1B (Residential) West: R-1B (Residential)
<b>Current Zoning:</b>	R-1B (Residential)
<b>Future Land Use Map Designation:</b>	Residential

### UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. There is an existing 2-inch water main on the west side of 8<sup>th</sup> Isle Drive. There is an existing 8-inch sewer gravity main in 8<sup>th</sup> Isle Drive. HCUD has no objection to the request subject to connection to the central water and sewer systems at time of vertical construction of the permanent residence.

NOTE: If sewer service is desired while RV is on site, please contact HCUD Sewer Operations for details.

## ENGINEERING REVIEW

The site is located on the East side of 8th Isle Dr., approximately 111' from its intersection with Gulf Coast Dr. The Engineering Department has reviewed the request and indicated the following: This property is located in Coastal Zone "AE, (El.13)", on the coastal side of the Limit of Moderate Wave Action Line (LiMWA).

## LAND USE REVIEW

Minimum Building Setbacks Required in the R-1B (Residential) District where parcels were created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and the lots front on a street with a waterway to the rear:

- Front: 20'
- Side: 10'
- Rear: 15'

A conditional use permit is intended to be used as a special permit which temporarily allows uses not otherwise permitted by the ordinance. The Commission can grant a conditional use permit for a period up to two years if they determine that a hardship exists.

## NOTICE OF APPLICANT RESPONSIBILITY

*The conditional use permit process is a land use determination and does not constitute a permit for either construction, 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 determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a Conditional Use Permit for Temporary Security Residence and a Temporary Storage Shed for a period of up to one (1) year 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 proposed RV shall meet the setbacks of the R-1B (Residential) zoning district.
  - Front: 20'
  - Side: 10'
  - Rear: 15'
3. The Conditional Use Permit shall expire on May 8, 2024.

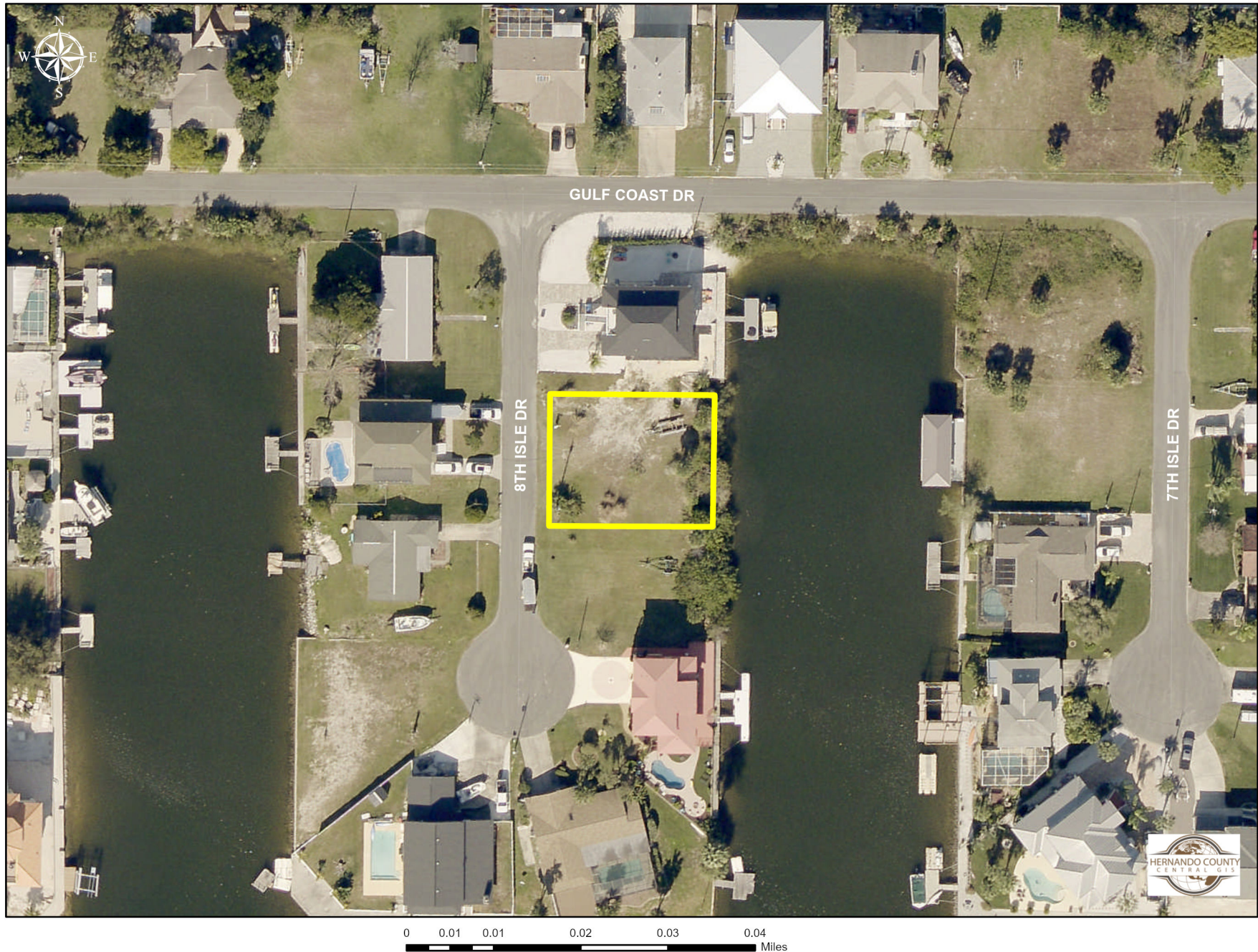


4. The petitioner shall be required to connect to the central water and sewer systems at time of vertical construction of the permanent residence. If sewer service is desired while RV is on site, the petitioner shall coordinate with HCUD Sewer Operations for details.

# CU-23-02

Photo date: 2020

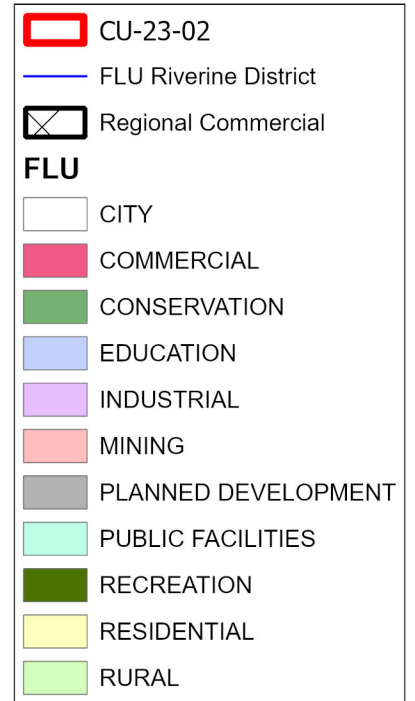
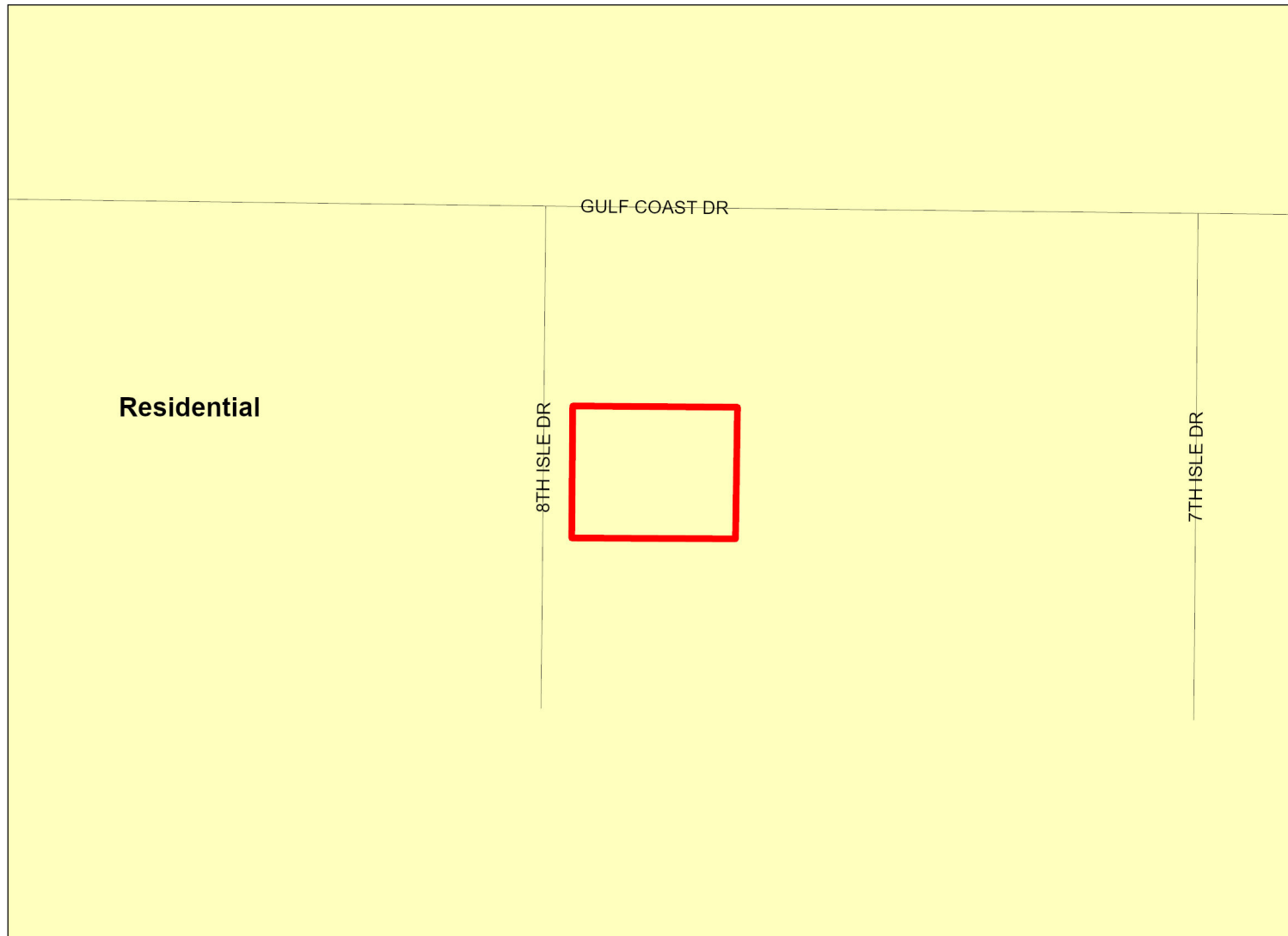
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



# Hernando County Comprehensive Plan Map

Existing Future Land Use: CU-23-02

Version Date: 07/14/2022



## 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.

0 0.01 0.01 0.03 0.04 0.06 Miles



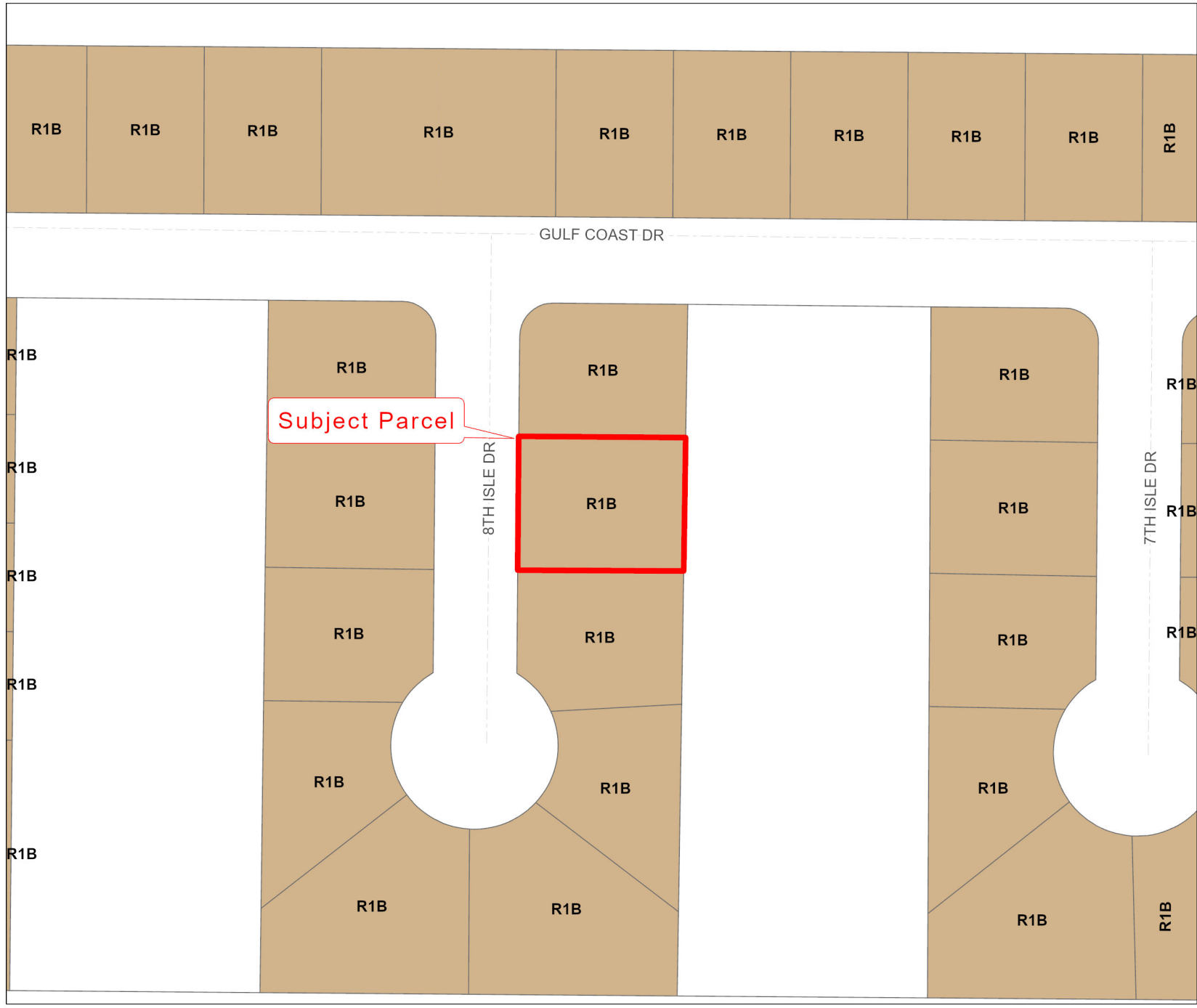
Date of mapping: 03/06/2023





# CU-23-02

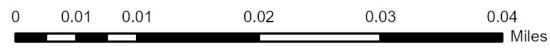
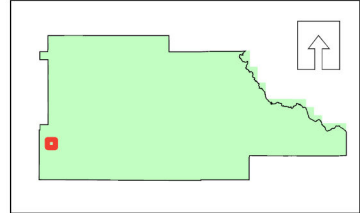
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



**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



CANAL / REAR / EAST

80'

100' NORTH SIDE

## Site Plan:

Hernando Beach

Unit 7 BIK 91 LOT 2

ORB 366 PG 45

Parcel # R12 223 16 2310 0910 0020

Sec 12

Township 23

Rng 16

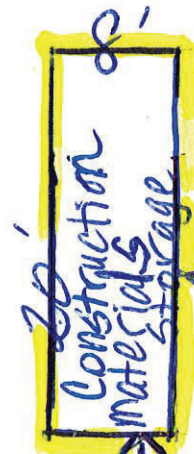
KEY # 00163780

Owner: Commercial Leasing & Sales, LLC

Pres. Penny Johnson



SOUTH SIDE



20'

FRONT ROADWAY → 8th Isle Drive

electric pole

# 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

Date: February 17, 2023

File No. CU-23-02 Official Date Stamp:

Received

FEB 22 2023

Planning Department  
Hernando County, Florida

APPLICANT NAME: Penny J Johnson

Address: 1645 Sun City Plaza, unit 5771 ,

City: Sun City Center

State: Florida

Zip: 33571

Phone: 239-872-4749

Email: penny.clsr@yahoo.com

Property owner's name: (if not the applicant) Commercial Leasing & Sales Representatives, LLC

REPRESENTATIVE/CONTACT NAME: Penny J Johnson

Company Name:

Address:

City:

State:

Zip:

Phone:

Email:

HOME OWNERS ASSOCIATION: ☐ Yes ☒ No (if applicable provide name)

Contact Name:

Address:

City:

State:

Zip:

## PROPERTY INFORMATION:

1. PARCEL(S) **KEY** NUMBER(S): 00163780
2. SECTION 12, TOWNSHIP 23, RANGE 16
3. Current zoning classification: R1 B
4. Desired use: Temporary structure for living quarters (RV) and construction storage (shed)
5. Size of area covered by application: 278 sf (RV) & 160 sf (shed)
6. Highway and street boundaries: 8th Isle Drive / Gulf Coast Drive
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, Penny J Johnson, 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): \_\_\_\_\_

to submit an application for the described property.

STATE OF FLORIDA  
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 22 day of February, 2023, by \_\_\_\_\_ who is personally known to me or produced \_\_\_\_\_ as identification.

Signature of Notary Public

KIM R. HEATH  
NOTARY PUBLIC, STATE OF FLORIDA  
COMMISSION NO. HH 135957  
MY COMM. EXPIRES MAY 31, 2025



KIM R. HEATH  
NOTARY PUBLIC, STATE OF FLORIDA  
COMMISSION NO. HH 135957  
MY COMM. EXPIRES MAY 31, 2025

Notary Seal/Stamp

Effective Date: 11/8/16 Last Revision: 11/8/16



# CONDITIONAL USE PERMIT APPLICATION FOR TEMPORARY STRUCTURE(S) & TEMPORARY USE

February 17, 2023

**Narrative Description of Request** ..... **PROPOSAL**

**Property relating to this request:** *Vacant/ Unimproved Residential Land (R-1B Residential District)*

**Street Address:** *8<sup>th</sup> Isle Drive, Hernando Beach, Florida 34607*

**Temporary Address:** *Provided by Property Appraiser/ Addressing Office: 4388 8<sup>th</sup> Isle Drive ;*

**Key #:** *163780*

**Parcel Number:** *R12-233-16-2310-0910-0020*

**Tax Parcel Info:** *Hernando Beach Unit 7 Blk 91 Lot 2 Orb 366 Pg 45*

*Sec: 12 Township: 23 Rng: 16*

*Subdivision: Hernando Beach Unit 7 (2310)*

*Neighborhood: Gulf Front Zone 2 (GF02)*

**Property Owner:** *Commercial Sales and Leasing, LLC, Penny J Johnson, Owner/ President*

**Contact Information:** *Cellular Phone: 239-872-4749 Email: penny.clsr@yahoo.com*

The Proposed use(s) are for and relate to the above Residential Property and the upcoming construction of a single family residence (**Future Structure**).

The requested structure(s) and use(s) are *temporary living quarters (recreational vehicle)* and *temporary storage (shed)* with *construction materials* and *temporary living items*.

Applicant/ Property Owner is in preconstruction, awaiting final draft of building plans for submission to structural engineer. Building permit application for new construction of primary residence on this site, are expected to be submitted to Hernando County Building/ Zoning Department, *within 90 days of approval of Conditional Use Permit*. Completion of construction/ CO is expected within nine (9) months of approval of Residential Building Permit.

Applicant formerly resided in Fort Myers, Lee County, Florida and has paid several thousand dollars to move temporary structures from Fort Myers to above referenced Hernando Beach Property.

Applicant timeline has been delayed due to several adverse conditions, including the destruction caused by hurricane Ian to Fort Myers, the recent rapid increase of both interest rates and construction costs as well as other personal challenges.

I respectfully request approval of a Conditional Use Permit for these temporary structures on said property. I appreciate your time and consideration.

*Penny Johnson D for  
Commercial Leasing & Sales Representative, LLC*



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

## Detail by Entity Name

Florida Limited Liability Company

COMMERCIAL LEASING AND SALES REPRESENTATIVES, LLC

### Filing Information

**Document Number** L19000280272

**FEI/EIN Number** 84-3877392

**Date Filed** 11/12/2019

**Effective Date** 01/01/2020

**State** FL

**Status** ACTIVE

### Principal Address

1645 SUN CITY CENTER PLAZA

5771

SUN CITY CENTER, FL 33571

Changed: 03/23/2022



**Mailing Address**

1645 SUN CITY CENTER PLAZA  
5771  
SUN CITY CENTER, FL 33571

Changed: 03/23/2022

**Registered Agent Name & Address**

JOHNSON, PENNY J  
1645 SUN CITY CENTER PLAZA  
5771  
SUN CITY CENTER, FL 33571

Address Changed: 03/23/2022

**Authorized Person(s) Detail****Name & Address**

Title PRES

JOHNSON, PENNY J  
1645 SUN CITY CENTER PLAZA  
5771  
SUN CITY CENTER, FL 33571

Title VP

Johnson, Jacob Samuel  
1645 SUN CITY CENTER PLAZA  
5771

**SUN CITY CENTER, FL 33571****Annual Reports**

<b>Report Year</b>	<b>Filed Date</b>
2021	02/05/2021
2021	06/30/2021
2022	03/23/2022

**Document Images**

<a href="#">03/23/2022 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">06/30/2021 -- AMENDED ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/05/2021 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">11/12/2019 -- Florida Limited Liability</a>	<a href="#">View image in PDF format</a>

Florida Department of State, Division of Corporations



# HERNANDO COUNTY, FLORIDA

## PROPERTY RECORD CARD

### 2022 FINAL TAX ROLL

1.12

KEY #	00163780	PRINTED	02/22/23	PAGE	1
PARCEL #	R12 223 16 2310 0910 0020	SITUS	8TH ISLE DR		
OWNER(S)	COMMERCIAL LEASING AND SALES REPRESENTATIVES LLC	PARCEL DESCRIPTION	HERNANDO BEACH UNIT 7		
MAILING ADDRESS	1645 SUN CITY CENTER PLZ UNIT 5771	UPDATED	BLK 91 LOT 2		
UPDATED	SUN CITY CENTER FL 33571-8032	01/01/80	ORB 366 PG 45		
03/08/22					

#### MISCELLANEOUS PROPERTY INFORMATION

SQUARE FOOTAGE	8,000	
ACRES	0.20	
AERIAL MAP	7D	
JURISDICTION	C	COUNTY
LEVY CODE	CWES	COUNTY WIDE EMS
NEIGHBORHOOD	GF02	GULF FRONT ZONE 2
SUBDIVISION	2310	HERNANDO BEACH UNIT 7
DOR LAND USE	00	VACANT RESIDENTIAL
NON-AD VALOREM DIST1	36	H.C. FIRE/RESCUE DISTRICT
NON-AD VALOREM DIST2	65	HERNANDO BEACH - SHOAL LINE BLVD LIGH

#### JANUARY 2020 GIS AERIAL



#### 2022-02-00 PROPERTY VALUES

	COUNTY	SCHOOL	SWFWMD	MUNICIPALITY
LAND	156,880	156,880	156,880	
BUILDINGS +	0	0	0	
FEATURES AND OUT BUILDINGS +	0	0	0	
JUST/MARKET VALUE =	156,880	156,880	156,880	
VALUE PRIOR TO CAP	156,880	156,880	156,880	
ASSESSED VALUE	156,880	156,880	156,880	
EXEMPT VALUE -	0	0	0	
TAXABLE VALUE =	156,880	156,880	156,880	
CLASSIFIED USE LAND VALUE 0	AD VALOREM TAXES 2,460.73	NON-AD VALOREM TAXES 105.29		

#### LAND INFORMATION

CODE	DESCRIPTION	AG	LAST UPDT	CAP YEAR	EXC CAP	GRA DE	FRON TAGE	DEPTH	UNITS	MEASURE		ADJ RATE	VALUE
02	RESIDENTIAL	N	2022		Y				8,000.00	SQFT		19.61	156,880

#### BUSINESSES ON PROPERTY

KEY #	BUSINESS NAME	NAICS	BUSINESS TYPE
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#### ADDRESSES ON PROPERTY

SITUS
8TH ISLE DR

#### PROPERTY SALES

SALE DATE	NEW OWNER	CODE	DESCRIPTION	VAC?	INST	OR BOOK	OR PAGE	SALEGRP	VALUE
06/30/21	COMMERCIAL LEASING AND SALES	D	DISQUALIFIED	Y	QC	4021	0242	0	100
04/14/21	JOHNSON PENNY J	Q	QUALIFIED	Y	WD	3985	1147	0	155,000
04/01/20	EVANS JOSEPH E TTEE	X	DISQ SALE /RE	Y	CW	3826	0158	0	100
04/07/11	EVANS DOROTHY L TTEE LIFE ESTA	D	DISQUALIFIED	Y	QC	2815	0433	0	100
07/21/92	SNAVE INC	D	DISQUALIFIED	Y	QC	0874	0240	0	100
05/01/83	CAVANAUGH M TRUSTEE	D	DISQUALIFIED	Y	WD	0523	0902	0	100
01/01/80	HERNANDO BEACH INC		INVALID CODE	N		0000	0000	0	0





# HERNANDO COUNTY, FLORIDA

## PROPERTY RECORD CARD

### 2022 FINAL TAX ROLL

1.12

KEY #	00163780	PRINTED	02/22/23	PAGE	2
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#### PROPERTY SALES

SALE DATE	NEW OWNER	CODE	DESCRIPTION	VAC?	INST	OR BOOK	OR PAGE	SALEGRP	VALUE
01/01/80	SNAVE INC		INVALID CODE	N		0000	0000	0	0

#### PROPERTY APPRAISER INSPECTIONS

INSP. DATE	ROLL	EMPL	CODE	REASON
01/03/23	2023	170	021	VACANT
01/04/18	2018	170	021	VACANT
01/08/13	2013	170	021	VACANT
02/05/09	2009	155	021	VACANT




## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 05/08/2023  
Department: P&Z Agenda Item  
Prepared By: Robin Reinhart  
Initiator: Aarol Pool  
DOC ID: 12141  
Legal Request Number:  
Bid/Contract Number:

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#### TITLE

CU-23-03 - Robert V Perry: Conditional Use Permit for Second Residence

#### BRIEF OVERVIEW

##### Request:

Conditional Use Permit for Second Residence

##### General Location:

South side of Hiawatha Boulevard, across from its intersection with Oakview Drive.

#### 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 determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a Conditional Use Permit for Second Residence for a period of up to two (2) year with performance conditions.

#### REVIEW PROCESS

Cayce Dagenhart	Approved	04/17/2023 7:53 AM
Omar DePablo	Approved	04/17/2023 7:56 AM
Michelle Miller	Approved	04/17/2023 2:40 PM
Aaron Pool	Approved	04/18/2023 8:12 AM
Kyle Benda	Approved	04/18/2023 9:06 AM

## STAFF REPORT

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<b>HEARINGS:</b>	Planning & Zoning Commission: May 8, 2023
<b>APPLICANT:</b>	Robert Perry
<b>FILE NUMBER:</b>	CU-23-03
<b>REQUEST:</b>	Conditional Use Permit for Second Residence
<b>GENERAL LOCATION:</b>	South side of Hiawatha Blvd., across from its intersection with Oakview Dr.
<b>PARCEL KEY NUMBER:</b>	1385

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### APPLICANT'S REQUEST

The applicant is requesting approval to place a second residence on their property, specifically an RV, due to medical hardship. The petitioner has provided a physician's letter indicating the need for assistance in his daily activities; the letter is part of the public record file.

### SITE CHARACTERISTICS

<b>Site Size:</b>	2.4 acres
<b>Surrounding Zoning &amp; Land Uses:</b>	North: AG (Agricultural) South: AG (Agricultural) East: AG (Agricultural) West: AG (Agricultural)
<b>Current Zoning:</b>	AG (Agricultural)
<b>Future Land Use Map Designation:</b>	Rural

### UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. Water and sewer service are not available to this parcel. HCUD has no objection to the request subject to Health Department approval of any upgrades to the Onsite Sewage Treatment and Disposal System that may be necessary.

### ENGINEERING REVIEW

The site is located on the South side of Hiawatha Blvd., across from its intersection with Oakview Dr.. The Engineering Department has reviewed the request and indicated the following: This property is within Flood Zone "X", outside the 1% annual chance floodplain.

**LAND USE REVIEW**

Minimum Building Setbacks Required in the AG (Agricultural) District:

- Front: 75'
- Side: 35'
- Rear: 50'

A conditional use permit is intended to be used as a special permit which temporarily allows uses not otherwise permitted by the ordinance. The Commission can grant a conditional use permit for a period up to two years if they determine that a hardship exists.

**NOTICE OF APPLICANT RESPONSIBILITY**

*The conditional use permit process is a land use determination and does not constitute a permit for either construction, 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 determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a Conditional Use Permit for Second Residence for a period of up to two (2) year 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. No attachments or other structures shall be erected on the property or attached to the RV.
3. Please be advised that soils and habitat are suitable for gopher tortoise. Care should be taken to avoid gopher tortoise burrows while setting up the RV.
4. The proposed RV shall meet the setbacks of the AG (Agricultural) zoning district.
  - Front: 75'
  - Side: 25'
  - Rear: 50'
4. Water shall be provided from the main house via hookup and septage shall be emptied and disposed of at a Health Department approved location.
5. The Conditional Use Permit shall expire on May 8, 2025.

# CU-23-03

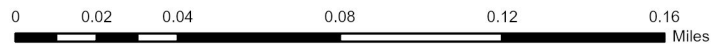
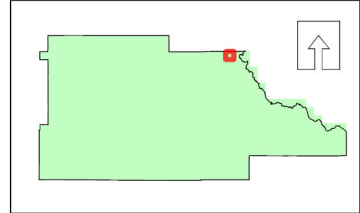
This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.



**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)
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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

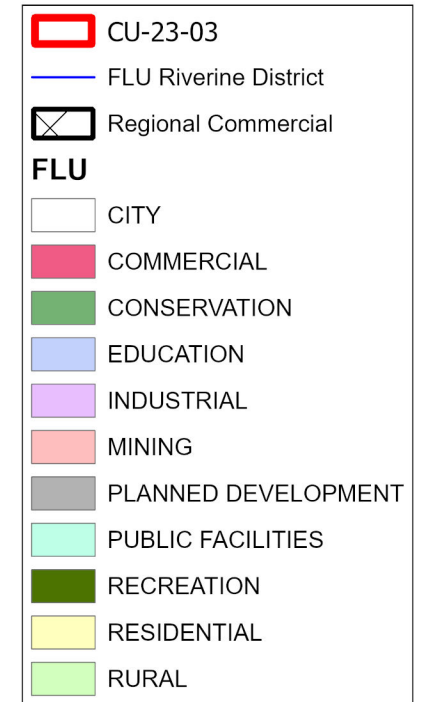
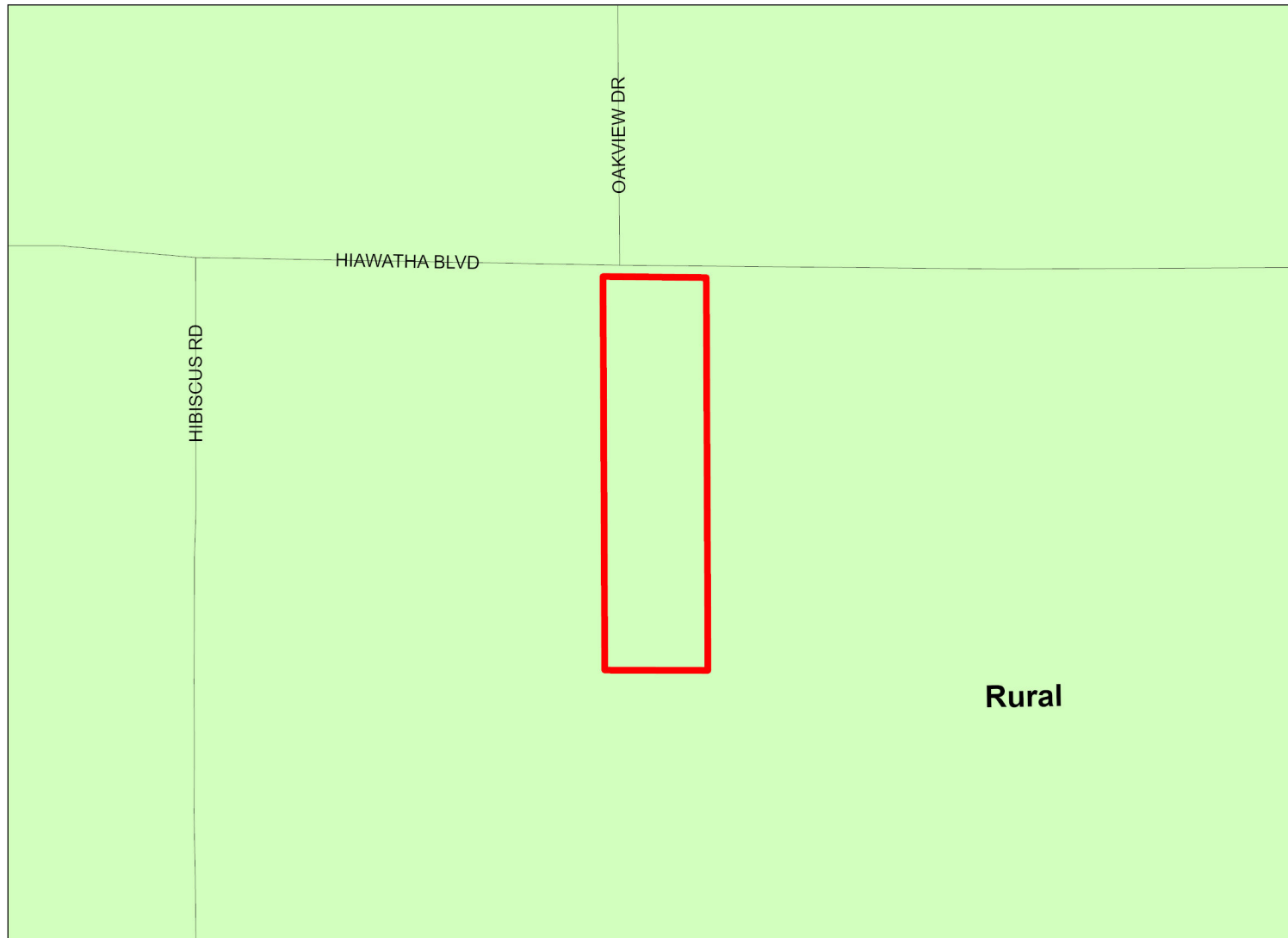




# Hernando County Comprehensive Plan Map

Existing Future Land Use: CU-23-03

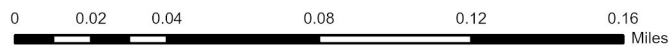
Version Date: 07/14/2022



## 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: 03/06/2023





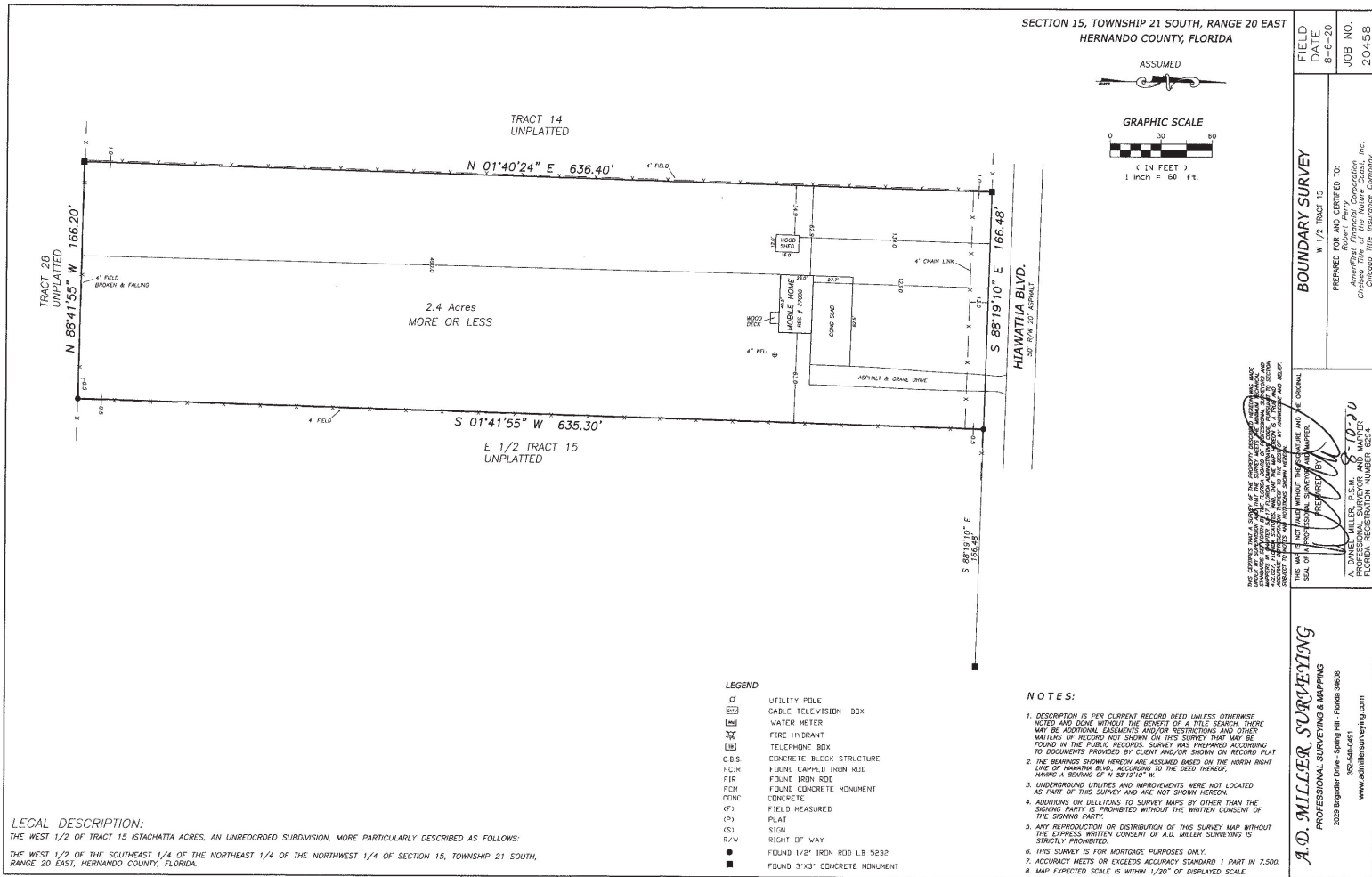
# CU-23-03

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 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. 00-23-03 Official Date Stamp:

Received

FEB 28 2023

Planning Department  
Hernando County, Florida

Date: \_\_\_\_\_

**APPLICANT NAME:** Robert V Perry

Address: 27080 Hiawath Blvd

City: Brooksville

State: FL

Zip: 34601

Phone: 3522382858

Email: Replikartz@aol.com

Kandriafeoutlook.com

Property owner's name: (if not the applicant) \_\_\_\_\_

**REPRESENTATIVE/CONTACT NAME:** Robert V Perry

Company Name: Kandria Feasibility

Address: 8015 Sashow Junction

City: WEEKI WACHT

State: FL

Zip: 34613

Phone: (352) 741-1314

Email: Kandriafeoutlook.com

**HOME OWNERS ASSOCIATION:** ☐ Yes ☒ No (if applicable provide name) \_\_\_\_\_

Contact Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip: \_\_\_\_\_

**PROPERTY INFORMATION:**

1. PARCEL(S) **KEY** NUMBER(S): Key # 00001385 Parcel # R15 121 20 0471 0000 0150
2. SECTION \_\_\_\_\_, TOWNSHIP \_\_\_\_\_, RANGE \_\_\_\_\_
3. Current zoning classification: Acreage
4. Desired use: \_\_\_\_\_
5. Size of area covered by application: \_\_\_\_\_
6. Highway and street boundaries: \_\_\_\_\_
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 AFFIDAVIT**

I, Robert V Perry, 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): \_\_\_\_\_

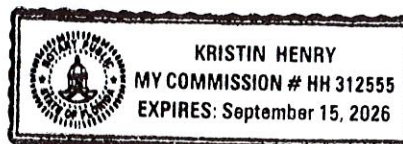
to submit an application for the described property.

Robert V. Perry  
Signature of Property Owner

STATE OF FLORIDA  
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 28 day of Feb, 2023, by Robert Perry who is personally known to me or produced FL DL as identification.


Kristin Henry  
Signature of Notary Public



Effective Date: 11/8/16 Last Revision: 11/8/16

Notary Seal/Stamp

The permit is being  
 asked for an RV/Carrying  
 to be placed on  
 my property for an  
 individual to reside  
 to help me with  
 my daily living activities  
 due to medical reasons.

Robert V. Perry 

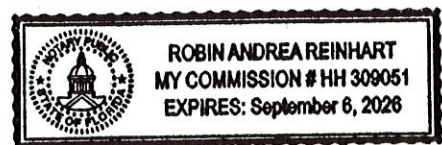
STATE OF FLORIDA  
 COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 28 day of February, 2023  
 by Robert Perry, who is ( ) personally known to me or who ( ✓ ) has produced  
FL DL 218-0 as identification.

Signature of Notary Public

Robin Reinhart

Stamp of Notary Public





Optum Lamar  
605 Lamar Ave  
Brooksville 34601

T 352-796-9990  
F 352-796-2226

[florida.optum.com](http://florida.optum.com)

Re: **Robert Perry**      DOB: **06/18/1944**


Dear **To whom it may concern:**

**Robert Perry** is a current patient of mine and has been diagnosed with:

- **COPD J44.9 and Pulmonary Fibrosis J84.10**

**Robert Perry** will benefit from assistance with **his** activities of daily living (ADL's).

Sincerely,

  
Jeffrey Hall DO  
605 Lamar Avenue  
Brooksville  
Florida  
34601





## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 05/08/2023  
Department: P&Z Agenda Item  
Prepared By: Robin Reinhart  
Initiator: Aaron Pool  
DOC ID: 12142  
Legal Request Number:  
Bid/Contract Number:

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#### TITLE

CU-23-04 - Jason Tippin: Renewal of a Conditional Use Permit for a Second Residence

#### BRIEF OVERVIEW

**Request:**

Renewal of a Conditional Use Permit for a Second Residence

**General Location:**

East side of Wishbone Road approximately 383' from its intersection with Mondon Hill 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 determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a Renewal of a Conditional Use Permit for a Second Residence for a period of up to one (1) year with performance conditions.

#### REVIEW PROCESS

Cayce Dagenhart	Approved	04/17/2023 7:54 AM
Omar DePablo	Approved	04/17/2023 7:56 AM
Michelle Miller	Approved	04/17/2023 2:41 PM
Aaron Pool	Approved	04/18/2023 8:11 AM
Kyle Benda	Approved	04/18/2023 9:05 AM

## STAFF REPORT

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<b>HEARINGS:</b>	Planning & Zoning Commission: May 8, 2023
<b>APPLICANT:</b>	Jason Tippin
<b>FILE NUMBER:</b>	CU-23-04
<b>REQUEST:</b>	Renewal of a Conditional Use Permit for a Second Residence
<b>GENERAL LOCATION:</b>	East side of Wishbone Rd. approximately 383' from its intersection with Mondon Hill Rd.
<b>PARCEL KEY NUMBER:</b>	1336307

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### APPLICANT'S REQUEST

The petitioner has submitted a request for the renewal of a conditional use permit for a second residence on a 1.9-acre parcel for the construction of a homestead on a separate property. The request is due to unforeseen delays in construction. Originally the builder provided a completion timeline of 270 days after "start of construction." Since the commencement of the contract the completion date has been moved out three times with the new date at the end of March. The petitioner is requesting an extension to cover the overlap in the Conditional Use Permits' date and provide an additional buffer should construction be delayed once again.

### SITE CHARACTERISTICS

<b>Site Size:</b>	1.9 acres
<b>Surrounding Zoning &amp; Land Uses:</b>	North: AG (Agricultural) South: AG (Agricultural) East: AG (Agricultural) West: AG (Agricultural)
<b>Current Zoning:</b>	AG (Agricultural)
<b>Future Land Use Map Designation:</b>	Rural

### UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) has indicated that they do not currently supply water or sewer service to this parcel. Water and sewer service are not available to this parcel. HCUD has no objection to the requested Conditional Use extension allowing a temporary RV dwelling on site due to the delayed construction of the permanent residence being built.



## ENGINEERING REVIEW

The site is located at the East side of Wishbone Rd. approximately 383' from its intersection with Mondon Hill Rd. The Engineering Department has reviewed the request and indicated that they have no concerns about this request.

## LAND USE REVIEW

Minimum Building Setbacks Required in the AG (Agricultural) District:

- Front: 75'
- Side: 35'
- Rear: 50'

A conditional use permit is intended to be used as a special permit which temporarily allows uses not otherwise permitted by the ordinance. The Commission has the ability to grant a conditional use permit for a period up to two years if they determine that a hardship exists.

## NOTICE OF APPLICANT RESPONSIBILITY

*The conditional use permit process is a land use determination and does not constitute a permit for either construction, 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 determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a Renewal of a Conditional Use Permit for a Second Residence for a period of up to one (1) year with the following performance conditions:

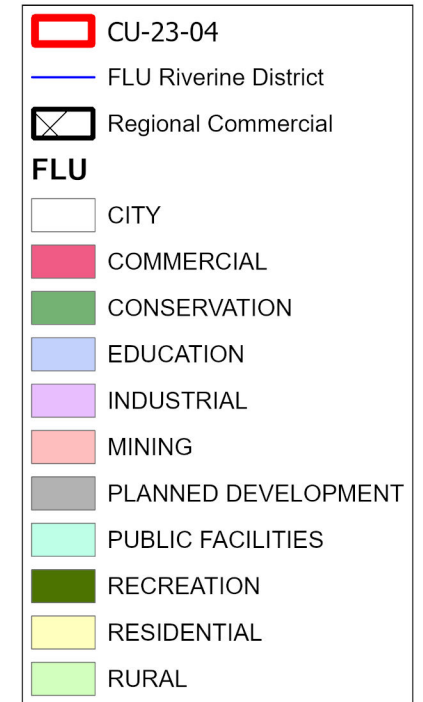
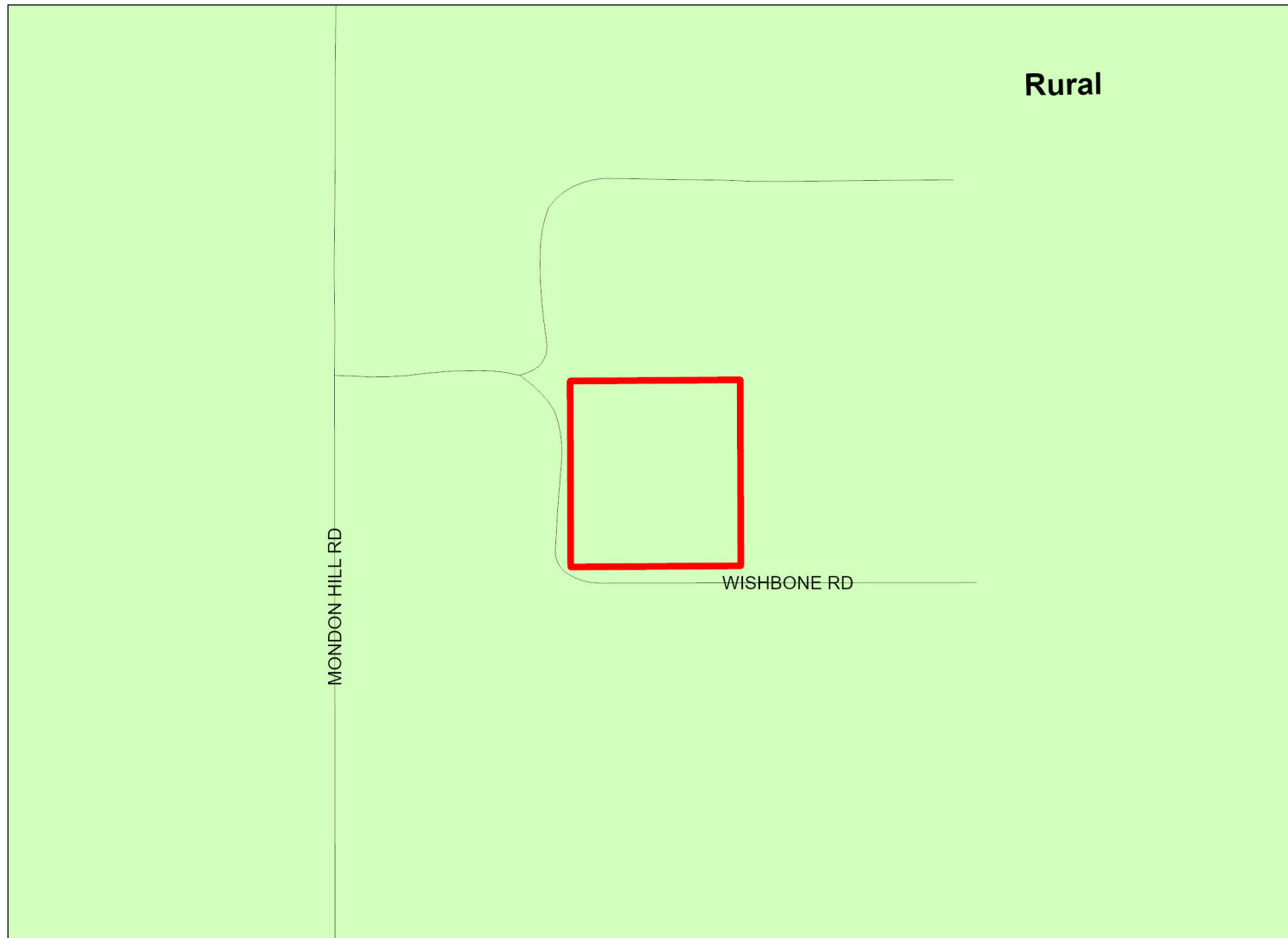
1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. No attachments or other structures shall be erected on the property or attached to the RV.
3. The proposed RV shall meet the setbacks of the AG/ (Agricultural) zoning district.
  - Front: 75'
  - Side: 25'
  - Rear: 50'

4. Water shall be provided from the main house via hookup and septage shall be emptied and disposed of at a Health Department approved location.
5. The Conditional Use Permit shall expire on May 8, 2024.

# Hernando County Comprehensive Plan Map

Existing Future Land Use: CU-23-04

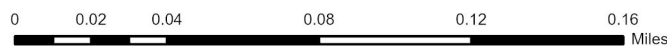
Version Date: 07/14/2022



## 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: 03/07/2023





# CU-23-04

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.





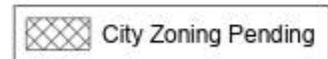
# CU-23-04

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**Zoning:**

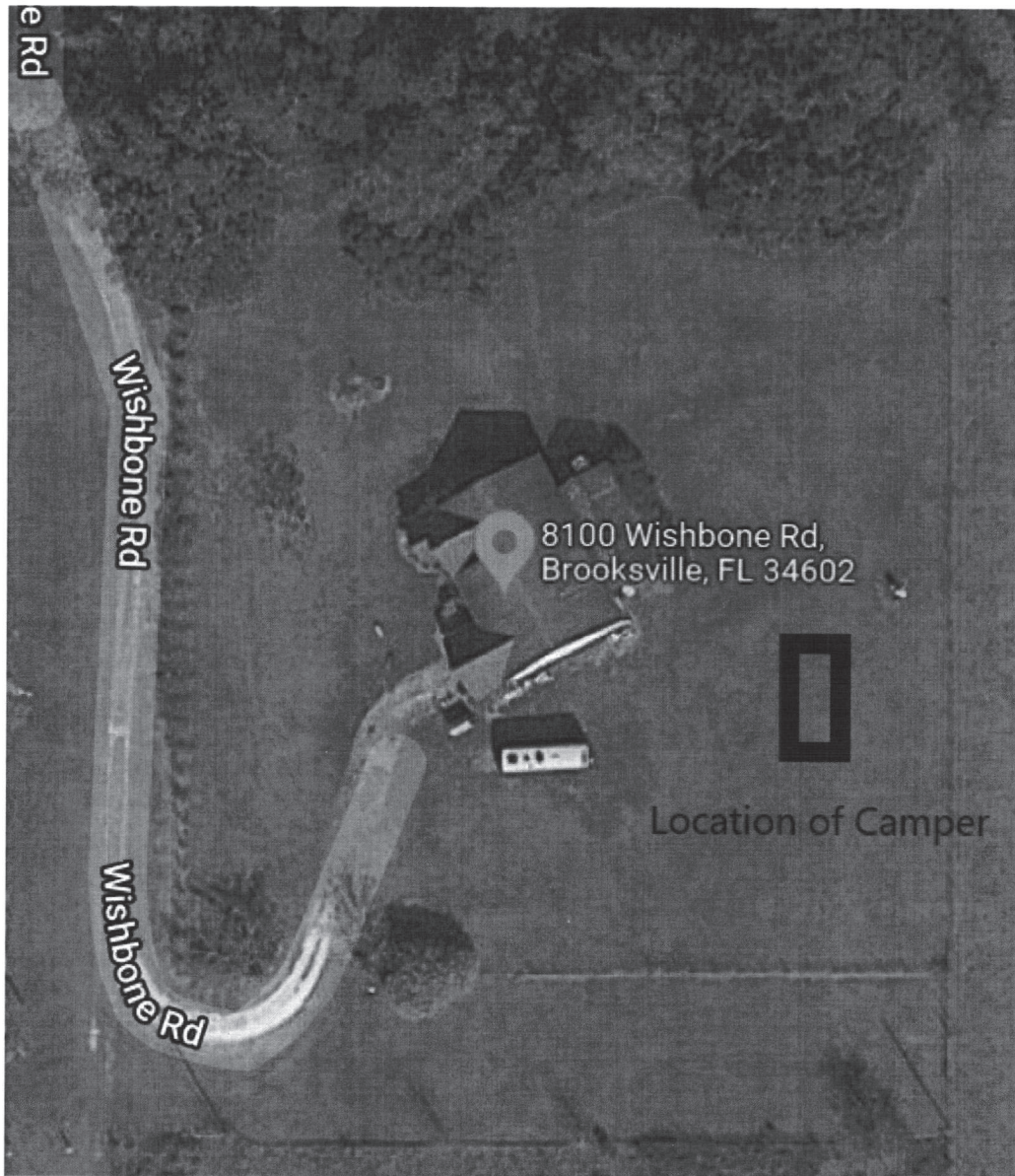
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AG	PDP(HMC)
AR	PDP(HID)
AR1	PDP(IND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(MC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(SC)	R3
PDP(GHC)	RC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



Received

MAR 02 2023

Planning Department  
Hernando County, Florida





**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. \_\_\_\_\_ Official Date Stamp:

**Received**

**MAR 02 2023**

Planning Department  
Hernando County, Florida

Date: 03/02/2023

**APPLICANT NAME:**

Address: 8100 Wishbone Rd  
City: Brooksville State: FL Zip: 34602  
Phone: 352-630-0114 Email: jtippin443@hotmail.com  
Property owner's name: (if not the applicant) William G. Tippin

**REPRESENTATIVE/CONTACT NAME:**

Company Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**HOME OWNERS ASSOCIATION:** ☐ Yes ☒ No (if applicable provide name) \_\_\_\_\_

Contact Name: N/A  
Address: N/A City: N/A State: - Zip: -

**PROPERTY INFORMATION:**

1. PARCEL(S) **KEY** NUMBER(S): 01336307
2. SECTION 27, TOWNSHIP 22, RANGE 20
3. Current zoning classification: AgriCol + rural
4. Desired use: Conditional Use Permit - extension (File Number CU-21-07)
5. Size of area covered by application: \_\_\_\_\_
6. Highway and street boundaries: Mendon Hill Rd / Wishbone 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 AFFIDAVIT**

I, William G. Tippin, 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

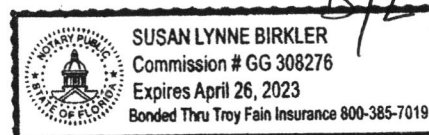
☒ I am the owner of the property and am authorizing (applicant): Jason Tippin  
and (representative, if applicable): \_\_\_\_\_  
to submit an application for the described property.

William G. Tippin  
Signature of Property Owner

STATE OF FLORIDA  
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 2nd day of March, 2023, by William G. Tippin who is personally known to me or produced Florida as identification.

Susan Lynne Birkler  
Signature of Notary Public



Effective Date: 11/8/16 Last Revision: 11/8/16

Notary Seal/Stamp

To Whom It May Concern:

I am applying for a second Conditional Use Permit for a Temporary Secondary Residence at this location. My first permit was approved for just one year, which ends on 03/14/2023. Due to delays with the construction of my future home, we are in a position where we need to extend our stay at this current location.

Originally our builder, Palmwood Construction, provided a date of completion to be 270 days after "start of construction." That is defined by the contract as "the date on which footings are poured, or in the case of monolithic footings and slab the day rough plumbing is inspected by the Building Department." Per the contract, that date of completion should have been 10/23/2022. As that date approached, I had to apply for an extension on the construction phase of my loan. Palmwood Construction provided an estimated date of completion to be 10/26/2022.

As that date approached, I had to apply for another extension. Palmwood Construction provided a new estimated date of completion to be 02/01/2023. Two weeks after that date passed, my Superintendent provided a new date of completion to be 03/23/2023. This date is beyond the date my permit expires. I never expected to be in this position.

I am only trying to provide a safe place for my family to live until my house is completed. I do not want to be in this position but that is out of my hands.

I have attached supporting documents, to include my construction contract, signed extension requests to my bank, and emails from the builder providing the most recent provided date of completion. Thank You for your consideration.



Jason Tippin

**Received**

**MAR 02 2023**

Planning Department  
Hernando County, Florida

**CORRECTED**  
**HERNANDO COUNTY PLANNING DEPARTMENT**  
**CONDITIONAL USE PERMIT**

Received

**Date of Approval by Planning & Zoning Commission:** March 14, 2022

**Date of Correction by Planning & Zoning Commission:** May 9, 2022

MAR 02 2023

**File Number:** CU-21-07

**Zoning Classification:** AG

Planning Department  
Hernando County, Florida

**Property Owner or Agent:** Jason Tippin

**Address:** 8100 Wishbone Road, Brooksville, FL 34602

**Subject Parcel Key #:** 01336307

The following conditional use of the property described by the subject parcel key number was granted this petitioner pursuant to action under the authority of the Hernando County Land Use Regulations.

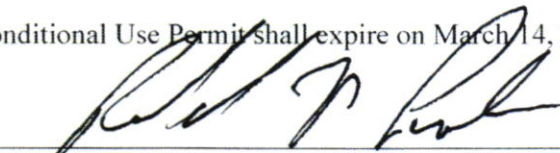
**Time Period Approved by Commission:** One (1) year

**Conditional Use Expiration Date:** March 14, 2023

**Description of Use:** Conditional Use Permit for a second residence to be placed on the subject parcel for a one (1) year time period with the following stipulations:

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. No attachments or other structures shall be erected on the property or attached to the RV.
3. The proposed RV shall meet the setbacks of the AG/ (Agricultural) zoning district.  
Front: 75'  
Side: 35'  
Rear: 50'
4. Water shall be provided from the main house via hookup and septage shall be emptied and disposed of at a Health Department approved location.
5. The petitioner shall be required to comply with all code enforcement actions.
6. The Conditional Use Permit shall expire on March 14, 2023.

**Planning Director:**



Ronald F. Pianta, AICP, Director of Planning and Zoning Services  
Hernando County Planning Department

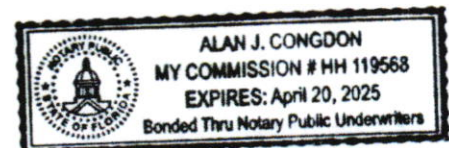
**STATE OF FLORIDA**  
**COUNTY OF HERNANDO**

On this the 11 day of MAY, 2022, before me personally appeared Ronald F. Pianta, and whose name is subscribed to the within instrument, and he acknowledged that he executed it.

WITNESS my hand and official seal.



NOTARY PUBLIC, STATE OF FLORIDA



✓ Personally known to me ✓ DID NOT take an oath

[SEAL]

Distribution upon Signatures: Original to Applicant / Zoning Department / Code Enforcement / File Copy



Received

MAR 02 2023

Planning Department  
Hernando County, Florida**Re: Tippin 1772 Completion Date**

Juan &lt;juan@palmwoodconstruction.com&gt;

Tue 2/14/2023 9:54 PM

To: Jason Tippin &lt;jtippin443@hotmail.com&gt;; Chris Glover &lt;chris@palmwoodconstruction.com&gt;

Cc: Michelle Jacoby <michelle@palmwoodconstruction.com>; Cheri Cappello  
<cheri@palmwoodconstruction.com>; Aleyah Knight <aleyah@palmwoodconstruction.com>

Ideally we should be able to close by the 23<sup>rd</sup> of March, but we'll of course try to complete it sooner as long as things line up. As you're aware of the items you wanted us to correct have pushed the timeline a bit. Due to those corrections more material had to be ordered and while awaiting materials tile subs had other jobs that had to continue to complete. No excuses, just giving clarity on the more recent delays. The current critical path remaining:

Removing and re-installing the tile(in the middle of that is replacing and reinstalling and durock or drywall that gets damage in the demo process), Plumbing Trim Out, Early release, AC first start, LVP acclimation and install, trim out, 2nd paint, final grade, driveway, Sod, final inspections, and CO.

PLEASE CONFIRM RECEIPT OF THIS MESSAGE! THANKS!

Warm Regards,

Juan Rodriguez, M.B.A.

Superintendent

Palmwood Construction

8245 River Country Dr., Ste. 2137

Springhill, FL 34607

Cell:(813)610-1361

Ofc:(352)597-2100

Em: juan@palmwoodconstruction.com

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**From:** Jason Tippin <jtippin443@hotmail.com>**Sent:** Tuesday, February 14, 2023 9:19 PM**To:** Chris Glover <chris@palmwoodconstruction.com>**Cc:** Juan <juan@palmwoodconstruction.com>; Michelle Jacoby <michelle@palmwoodconstruction.com>**Subject:** Tippin 1772 Completion Date

Hello,



## AGENDA ITEM

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### TITLE

SE-23-01 - Timothy Mullins and Debra Mullins: Revision to a Special Exception Use Permit for Community Residential Home, namely an Assisted Living Facility

### BRIEF OVERVIEW

**Request:**

Revision to a Special Exception Use Permit for Community Residential Home, namely an Assisted Living Facility

**General Location:**

Northeast corner of Canterbury Street and Mead Drive

### 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 approve the petitioner's request for a revision to a Special Exception Use Permit for Community Residential Home, namely an Assisted Living Facility, with performance conditions.

### REVIEW PROCESS

Omar DePablo	Approved	04/17/2023	7:56 AM
Michelle Miller	Approved	04/17/2023	2:42 PM
Aaron Pool	Approved	04/18/2023	8:10 AM
Kyle Benda	Approved	04/18/2023	8:59 AM



## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: April 10, 2023

**APPLICANT:** Timothy Mullins

**FILE NUMBER:** SE-23-01

**REQUEST:** Revision to a Special Exception Use Permit for Community Residential Home, namely an Assisted Living Facility

**GENERAL LOCATION:** Northeast corner of Canterbury Street and Mead Drive

**PARCEL KEY NUMBER:** 456009

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### APPLICANT'S REQUEST:

On December 11, 2017, the Planning and Zoning Commission approved a revision to a Special Exception Use Permit for a Community Residential Home, namely an Assisted Living Facility in order to increase the number of beds from eight (8) to twelve (12); however, ten (10) beds were ultimately approved. The petitioner's current request is to remodel the facility/home and add an additional bedroom and half bath, which would result in accommodations for four (4) new beds (14 total beds). The petitioner has indicated renovations will not alter the residential aesthetics of the home.

### SITE CHARACTERISTICS:

**Site Size:** 0.25

**Surrounding Zoning;  
Land Uses:** North: AG; undeveloped  
South: PDP(MF); Multifamily  
East: PDP(MF); Multifamily  
West: PDP(MF); Multifamily

**Current Zoning:** PDP(MF)/Planned Development Project (Multifamily)

**Future Land Use  
Map Designation:** Residential

**Flood Zone:** C

**UTILITIES REVIEW:**

The Utilities Department has indicated that central water and sewer are currently provided to the subject site.

**ENGINEERING & TRANSPORTATION REVIEW:**

The site is located on the northeast corner of Canterbury Street and Mead Drive. The petitioner has indicated utilizing the existing driveway and a recently created paved parking area along Mead Drive. The County Engineer has reviewed the request and indicated the following:

- Applicant must comply with all previous Special Exception performance conditions prior to pursuing Special Exception to expand conditions.
- No parking shall be permitted in the right-of-way.
- Dedicated paved handicap parking space shall be provided.

**LAND USE REVIEW:**

The petitioner has submitted a request for a revision to a special exception use permit for a community residential home. Community residential facilities are special exception uses that may be approved in all zoning categories.

**Minimum Building Setbacks:**

Front:	25'
Side:	10'
Rear:	20'

County LDRs requires a minimum of 0.3 parking spaces per bed for an Assisted Living Facility. The petitioner is proposing a total of fourteen (14) beds which requires five (5) parking spaces. The petitioner has provided six (6) parking spaces (four along the front and 2 along the side) for the proposed expansion.

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, Article V, Section 8(B).

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 subject property is located within a Residential Land Use classification on the adopted Future Land Use map. Land uses allowed within the Residential category include office professional, retail, recreation, offices, minor public facilities and minor institutional uses.

The Housing Element of the adopted Comprehensive Plan states:

**Objective 3.04B** Adequate sites will be available to accommodate group home facilities and foster care facilities as licensed by the Florida Department of Children and Families.

**Comment:** Group home facilities are either permitted uses or special exception uses in a variety of zoning classifications throughout the County.

**FINDING OF FACTS:**

The request for a Revision to a Special Exception Use Permit for Community Residential Home, namely an Assisted Living Facility is appropriate based on the following conclusion:

1. The proposed 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 petitioner has requested an increase in beds from 10 to 14 beds. Based on the improvements made to the property for parking and the proposed expansion of the facility/home, staff has no objections to the increase in beds.

**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. 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 RECOMMENDATIONS:**

It is recommended that the Planning and Zoning Commission approve the petitioner's request for a revision to a Special Exception Use Permit for Community Residential Home, namely an Assisted Living 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. The facility shall be limited to a maximum of fourteen (14) beds.
3. The petitioner shall provide the minimum parking requirements on-site and provide a dedicated paved handicap parking space.
4. No parking shall be permitted in the right-of-way.
5. Any additional residents shall require an amendment to the special exception use permit.

# SE-23-01

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(HMC)
AR	PDP(HIO)
AR1	PDP(IIND)
AR2	PDP(LI)
C1	PDP(MF)
C2	PDP(MH)
C3	PDP(MC)
C4	PDP(OC)
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-23-01

Photo date: 2020

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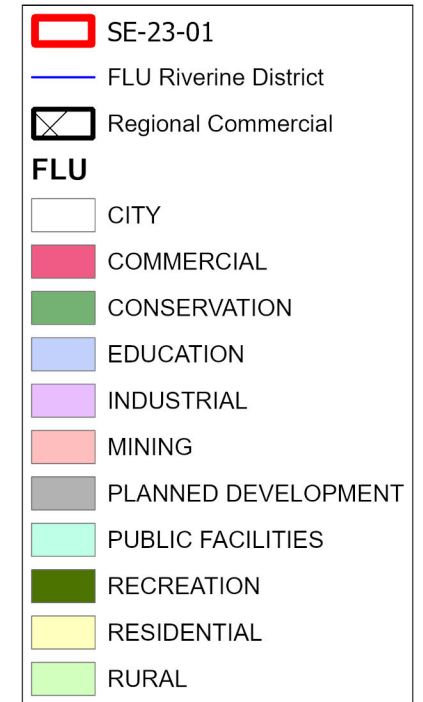
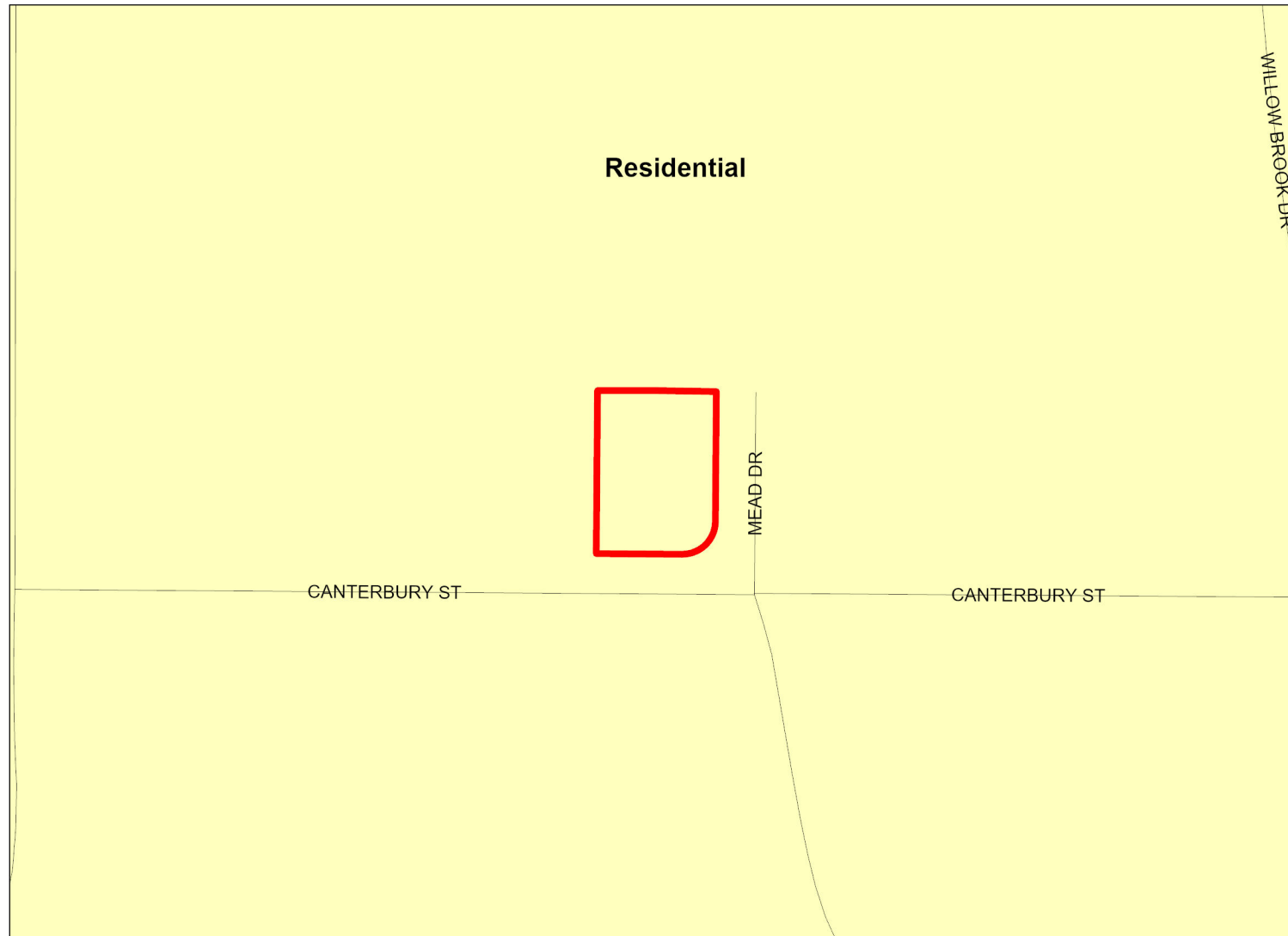




# Hernando County Comprehensive Plan Map

Existing Future Land Use: SE-23-01

Version Date: 07/14/2022



## 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.

0 0.01 0.02 0.04 0.06 0.08 Miles

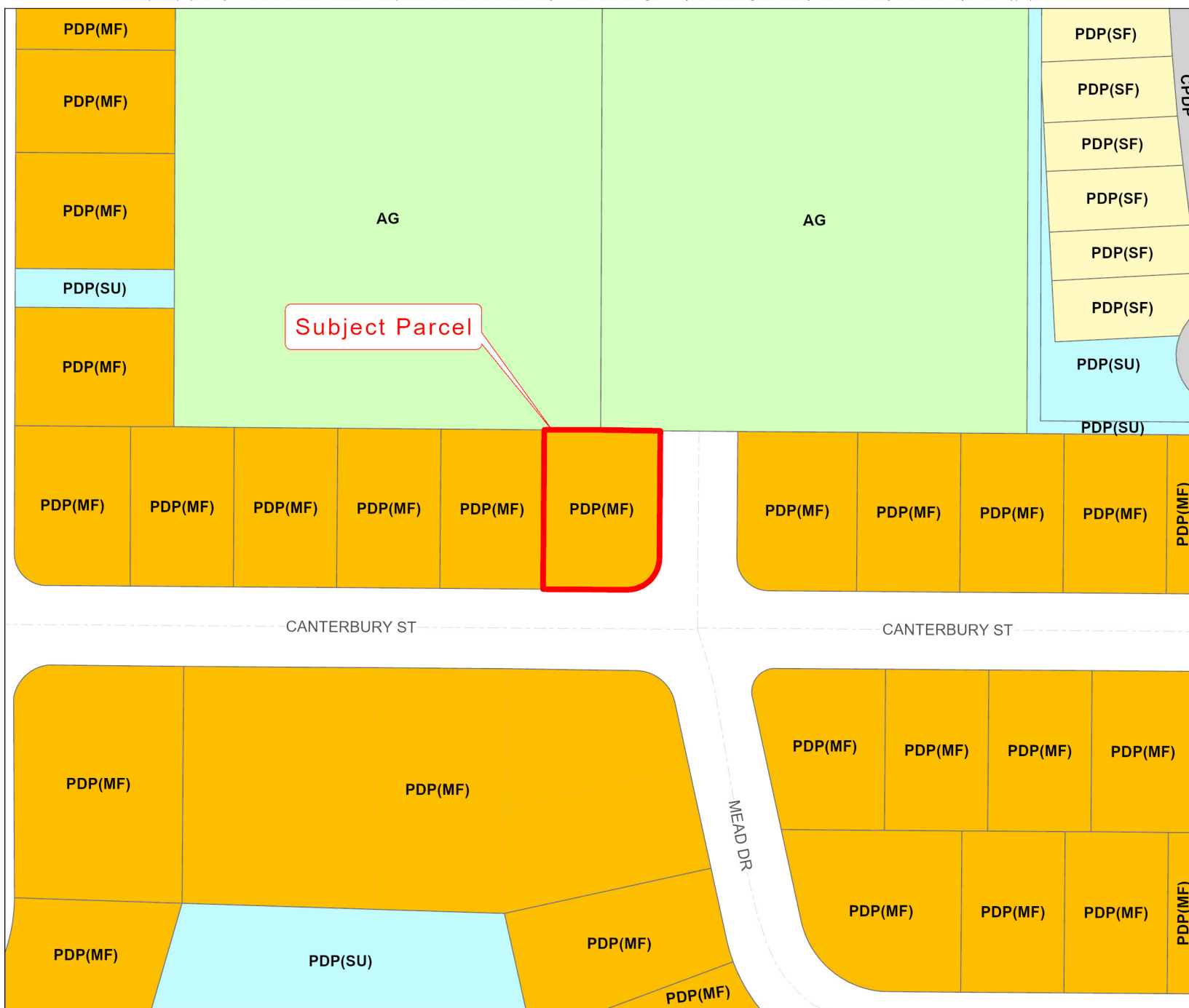


Date of mapping: 02/14/2023






















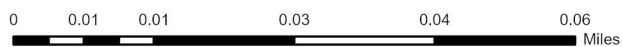
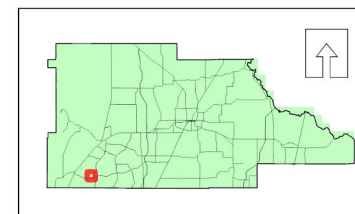
**SE-23-01**

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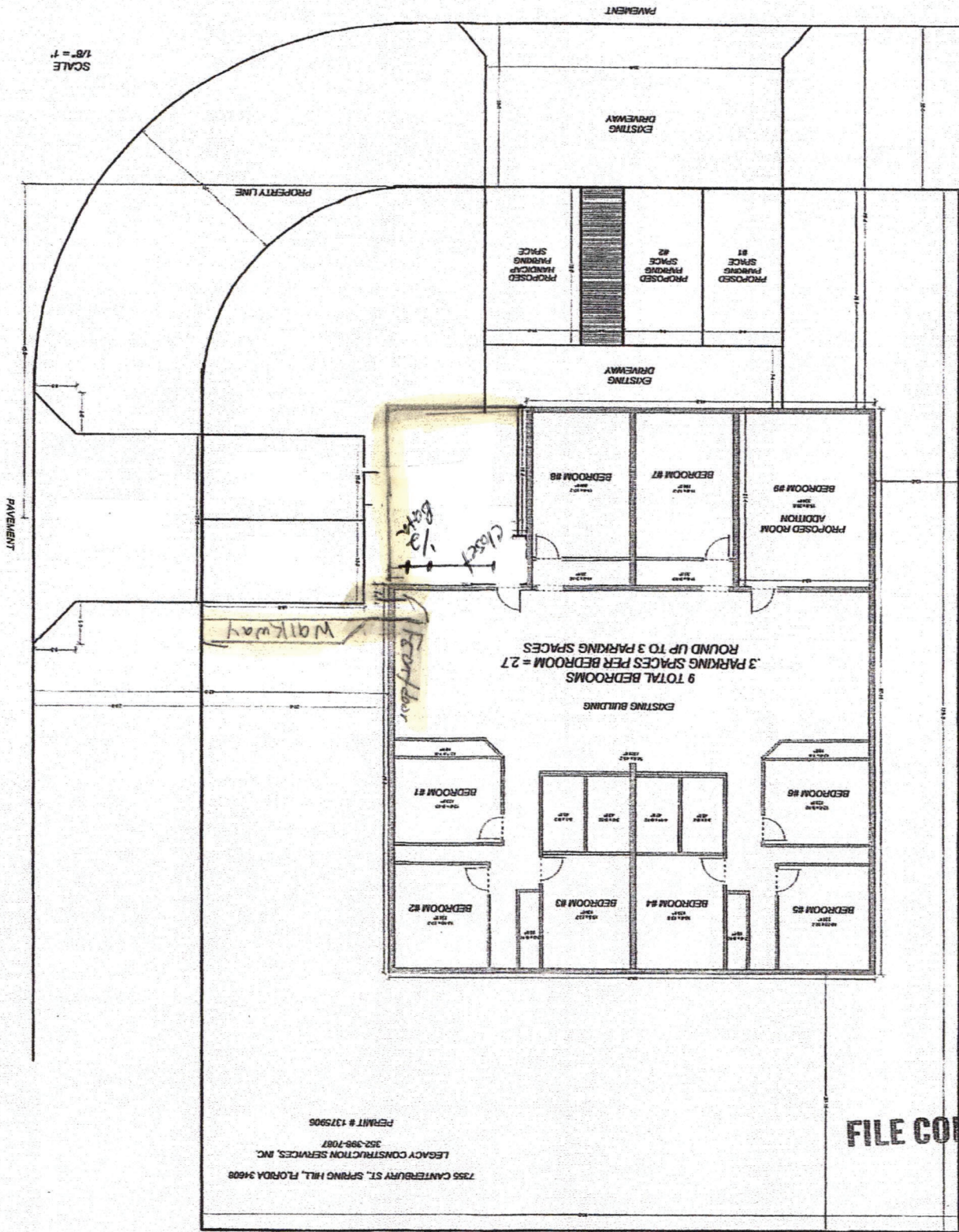
### Zoning:

 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



existing  
new Proposed



7355 CANTERBURY ST., SPRING HILL, FLORIDA 34608  
LEGACY CONSTRUCTION SERVICES, INC.  
352-398-7087  
PERMIT # 1375906

FILE COPY

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**HERNANDO COUNTY CONDITIONAL USE PERMIT  
OR SPECIAL EXCEPTION USE PERMIT PETITION**

File No. SE2301 Official Date Stamp:



**Application request (check one):**

- ☐ Conditional Use Permit  
☒ Special Exception Use Permit

**PRINT OR TYPE ALL INFORMATION**

Received

FEB 08 2023

Planning Department  
Hernando County, Florida

Date: 2/9/2023

**APPLICANT NAME:** Timothy Mullins and Deborah Mullins

Address: 270 Longleaf Ct

City: Spring Hill

State: FL

Zip: 34609

Phone: 352.217.8137

Email: debimullins4@gmail.com

Property owner's name: (if not the applicant) \_\_\_\_\_

**REPRESENTATIVE/CONTACT NAME:** Timothy Mullins and Deborah Mullins

Company Name: Timothy Mullins and Deborah Mullins

Address: 270 Longleaf Ct

City: Spring Hill

State: FL

Zip: 34609

Phone: 352.217.8137

Email: debimullins4@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): 00456009
2. SECTION 32, TOWNSHIP 23, RANGE 17
3. Current zoning classification: PDP(MF)
4. Desired use: Add square footage and beds to existing assisted living facility
5. Size of area covered by application: 0.25 acres
6. Highway and street boundaries: Canterbury St
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, Timothy Mullins and Deborah Mullins, 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): \_\_\_\_\_

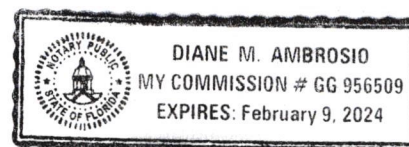
to submit an application for the described property.

Timothy Mullins / Deborah Mullins  
Signature of Property Owner

**STATE OF FLORIDA  
COUNTY OF HERNANDO**

The foregoing instrument was acknowledged before me this 9 day of February, 2023, by Timothy Mullins and Deborah Mullins who is personally known to me or produced Davis as identification. License

Diane M. Ambrosio  
Signature of Notary Public



Effective Date: 11/8/16 Last Revision: 11/8/16

Notary Seal/Stamp



## Canterbury Arms Assisted Living

We would like to add one bedroom a half Bathroom, move the Front door to the side of the house where there is a window and add four more beds to my license, total of 14.



## Planning & Zoning Commission

### AGENDA ITEM

Meeting: 05/08/2023  
Department: P&Z Agenda Item  
Prepared By: Robin Reinhart  
Initiator: Aaron Pool  
DOC ID: 12144  
Legal Request Number:  
Bid/Contract Number:

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#### TITLE

H-23-07 - A. Ventimiglia, Angelo Scarfo: Rezoning from R-1B (Residential) to R-1A (Residential)

#### BRIEF OVERVIEW

**Request:**

Rezoning from R-1B (Residential) to R-1A (Residential)

**General Location:**

North of the intersection of Campbell Drive and Carol Drive

#### 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 to rezone the property from rezoning from R-1B (Residential) to R-1A (Residential).

#### REVIEW PROCESS

Omar DePablo	Approved	04/17/2023	7:57 AM
Michelle Miller	Approved	04/17/2023	2:42 PM
Aaron Pool	Approved	04/18/2023	8:10 AM
Kyle Benda	Approved	04/18/2023	8:58 AM

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission:  
Board of County Commissioners:

**APPLICANT:** A. Ventimiglia, Angelo Scarfo

**FILE NUMBER:** H-23-07

**REQUEST:** Rezoning from R-1B (Residential) to R-1A (Residential)

**GENERAL LOCATION:** North of the intersection of Campbell Dr. and Carol Dr.

**PARCEL KEY NUMBERS:** 132449

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### APPLICANT'S REQUEST

The petitioner is requesting a rezoning of the subject property from R-1B (Residential) to R-1A (Residential) to provide a greater range of housing options. The applicant would like to place a mobile home on the property.

### SITE CHARACTERISTICS

**Site Size:** 6,600 square feet

**Surrounding Zoning;  
Land Uses:**

North:	CPDP (Combined Planning Development Project); with RV and Mobile Home uses.
South:	R-1B (Residential); Single Family Homes
East:	R-1B (Residential); Single Family Homes
West:	PDP(MH)/ Planned Development Project (Mobile Home); Mobile Homes

**Current Zoning:** R-1B (Residential)

**Future Land Use  
Map Designation:** Residential

### ENVIRONMENTAL REVIEW

**Soils:** Kendrick Fine Sand 5%-5% Slopes

**Protection Features:** There are neither Protection Features (Wellhead Protection Areas (WHPA) nor Special Protection Areas (Special Protected Areas (SPAs) on this site according to county data.

<b>Hydrologic Features:</b>	The subject parcel is in a karst sensitive area.
<b>Habitat:</b>	The subject property is designated Residential High Density >5 Dwelling Units per 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 subject property is within the Chassahowitzka River Basin Management Action Plan (BMAP), and the Chassahowitzka Outstanding Florida Springs (OFS) Group.
<b>Flood Zone:</b>	The subject property is an X flood zone.

## UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) has provided the following comment: this property is located within the City of Brooksville Utility Department's (CBUD) first right to serve district; contact CBUD (City of Brooksville Utility Department) for any utility related comments.

## ENGINEERING REVIEW

The County Engineer has reviewed the petitioner's request and provided the following comment: A residential driveway apron permit is required. Please refer to the Hernando County Facility Design Guideline IV -26

## LAND USE REVIEW

The subject property is on the perimeter of the Damac Estates Subdivision. The adjacent parcel on the western property line is a part of the Damac Modular Home Park, and the adjacent parcel on the northern property line is a large-scale RV and mobile home development. The rezoning of the subject parcel will not create any discord within the surrounding properties.

## COMPREHENSIVE PLAN REVIEW

### Future Land Use Map

The subject property is designated as Residential on the 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.
- Strategy 1.04B(8): Mobile homes are recognized as an affordable housing choice in the Residential Category, providing for compatibility with surrounding land uses and served at the site by appropriate infrastructure and services in accordance with Residential Category standards. Direct access to an arterial or major

collector roadway is required to facilitate emergency evacuation.

## FINDING OF FACTS

1. The subject parcel is located between single family homes and mobile homes.
2. The requested Mobile Home use is consistent with the Residential Future Land Use category.

## NOTICE OF APPLICANT RESPONSIBILITY

*The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.*

*The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowner associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.*

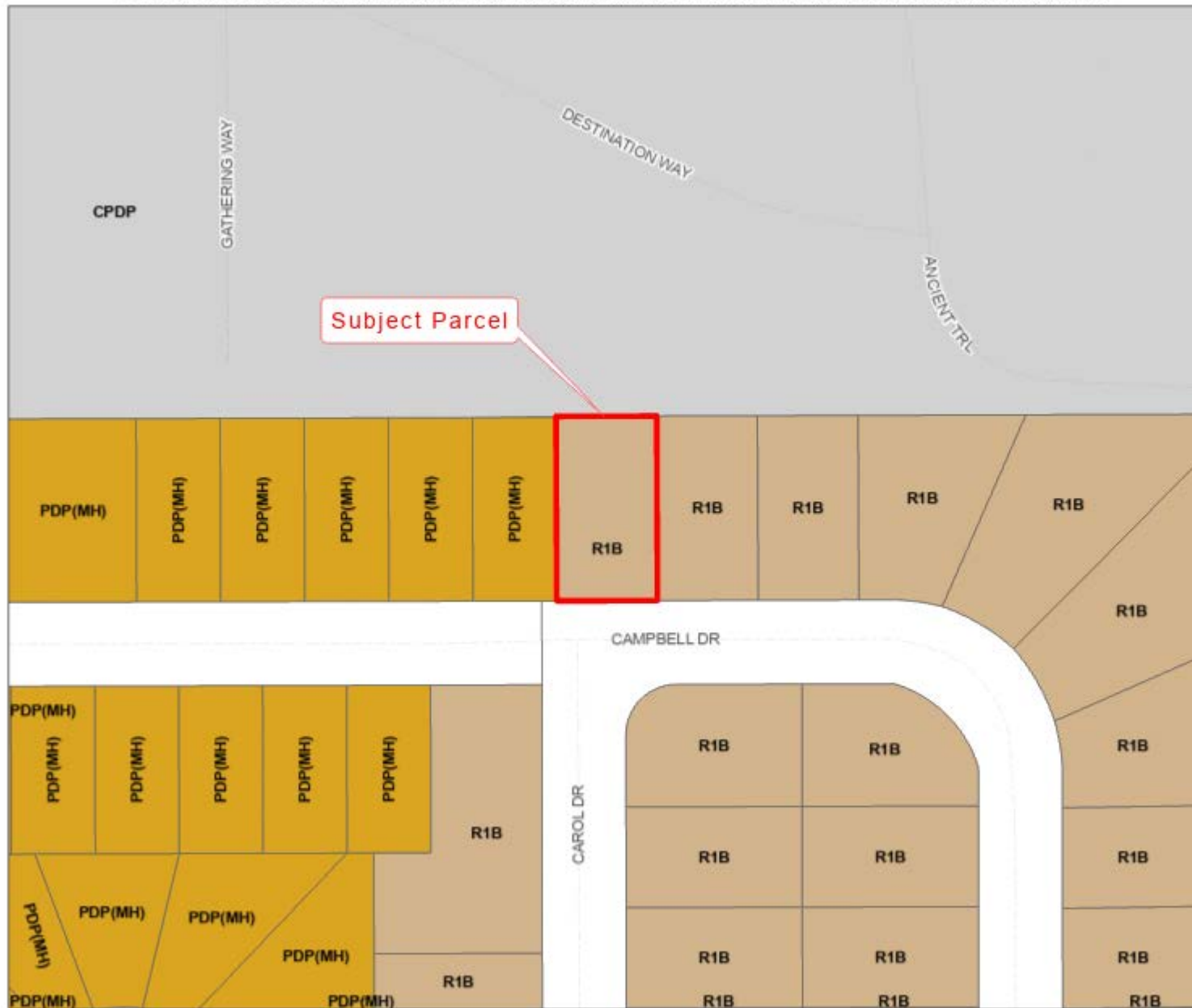
## STAFF RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request to rezone the property from rezoning from R-1B (Residential) to R-1A (Residential).



# H-23-07

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(MI)
C4	PDP(MJ)
CITY	PDP(MK)
CM1	PDP(MN)
CM2	PDP(MO)
CPDP	PDP(MP)
CV	PDP(MR)
I1	PDP(MS)
I2	PDP(MT)
M	PDP(MU)
OP	PDP(MV)
PDP(AF)	PDP(MW)
PDP(CM)	PDP(MX)
PDP(CP)	PDP(MY)
PDP(GC)	PDP(MZ)
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City Zoning Pending





# H-23-07

Photo date: 2020

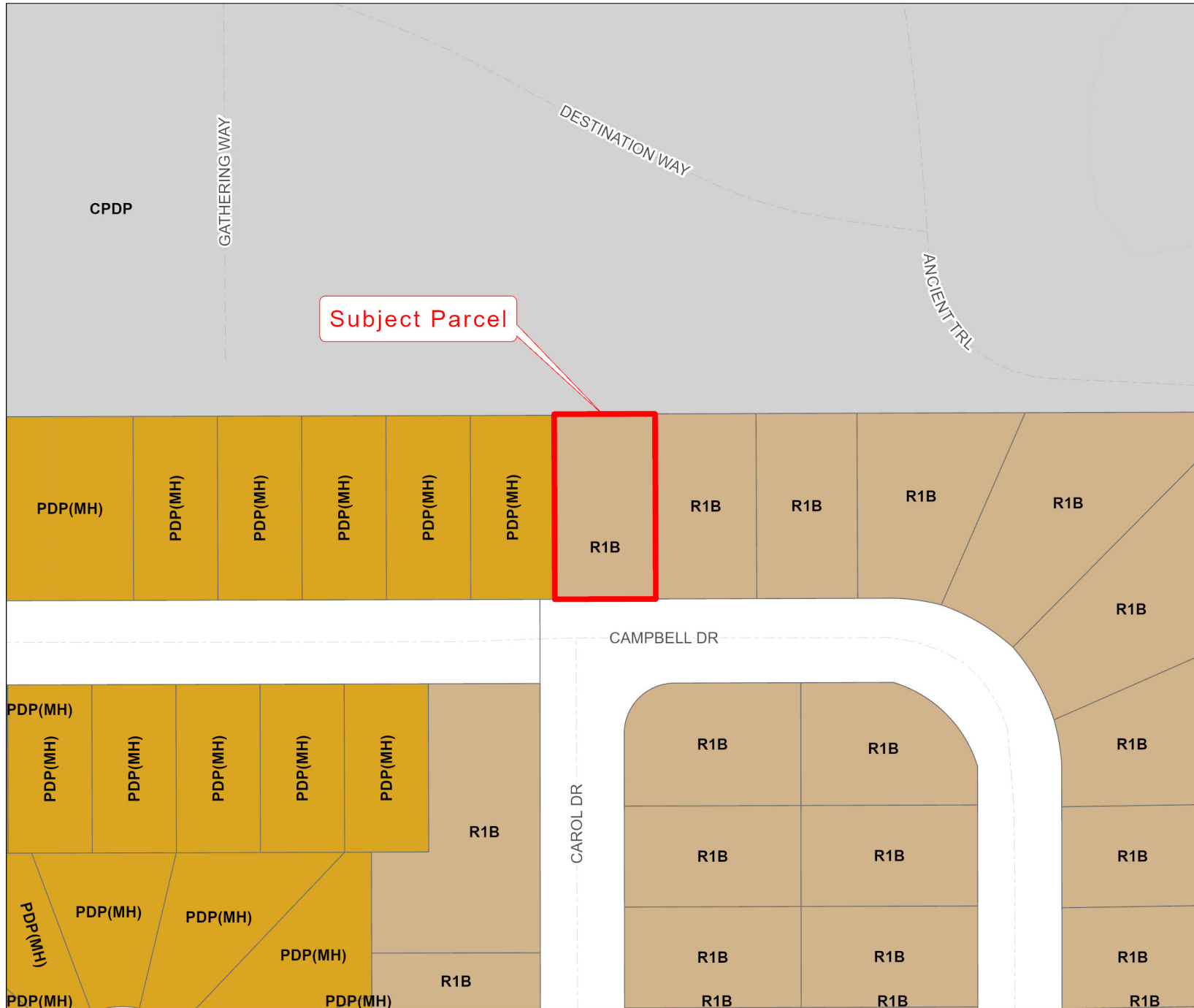
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# H-23-07

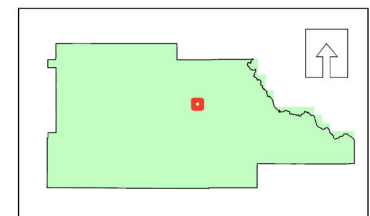
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## Zoning:

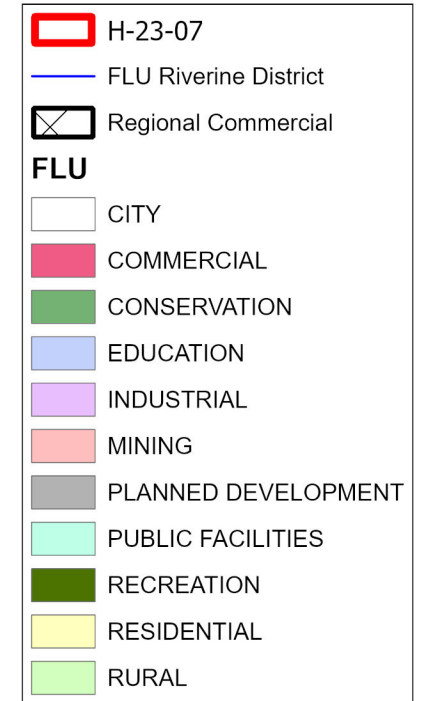
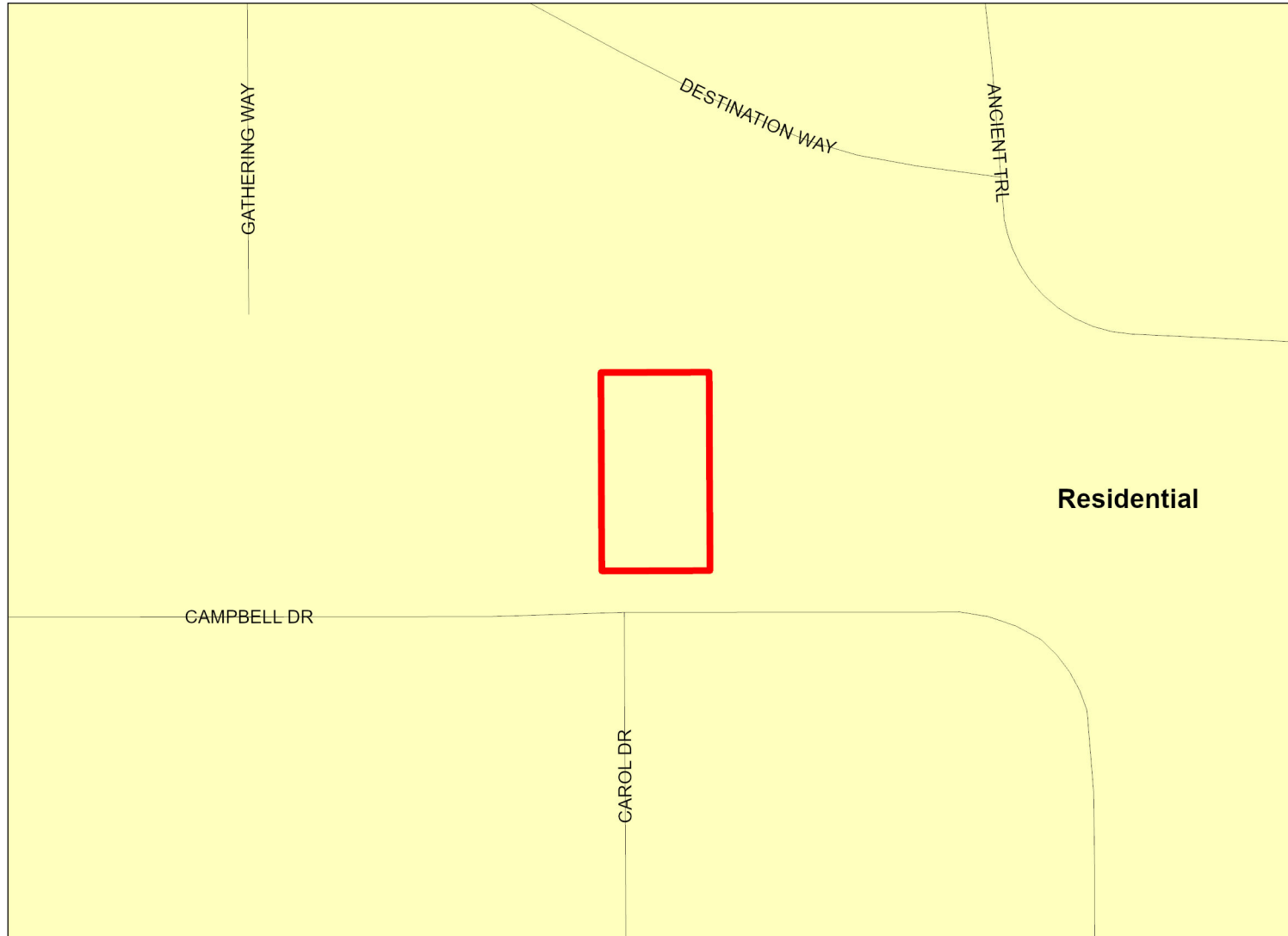
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C2	PDP(MH)
C3	PDP(NC)
C4	PDP(OP)
CITY	PDP(PSF)
CM1	PDP(REC)
CM2	PDP(RR)
CPDP	PDP(RUR)
CV	PDP(SF)
I1	PDP(SU)
I2	R1A
M	R1B
OP	R1C
PDP(AF)	R1MH
PDP(CM)	R2
PDP(CP)	R2.5
PDP(GC)	R3
PDP(GHC)	RC
	RM

City Zoning Pending



# Hernando County Comprehensive Plan Map

Existing Future Land Use: H-23-07  
Version Date: 07/14/2022



## 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.

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Date of mapping: 03/07/2023

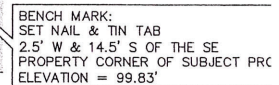
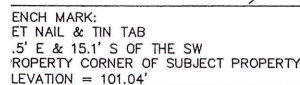
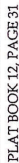
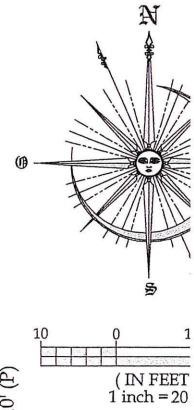
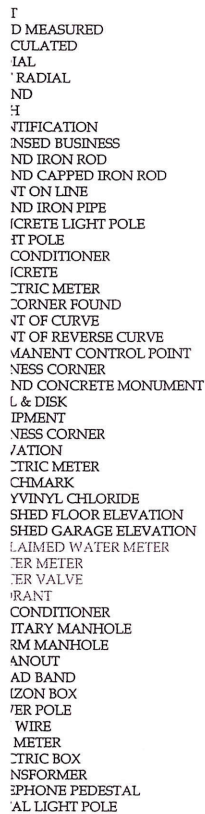


# BOUNDARY AND TOPOGRAPHIC SURVEY

UNPLATTED

S89°47'50"E 60' (P)

S89°47'50"E 59.85' (C)



## CAMPBELL DRIVE

21' ASPHALT PAVEMENT ~ 50' RIGHT OF WAY (P)

**IFICATIONS:**

Scarfo  
tte Ventimiglia

**LEGAL DESCRIPTION:**

Lot 102, Damac Estates First Addition, according to the map or plat thereof as recorded in Plat Book 6, Pages 65, of the Public Records of Hernando County, Florida.

## SURVEYOR'S REPORT

1. This survey not valid unless embossed or stamped with a surveyor's seal.
2. Underground encroachments such as utilities and foundations, that may exist, have not been located.
3. This survey was prepared without the benefit of a Title Commitment, Title Opinion or Ownership and Encumbrance Report there may be easements, rights of way or other encumbrances that are not shown on this survey that may be found in the P of Hernando County, Florida.
4. Legal description shown herein in accord with that shown in the Warranty Deed recorded in Instrument No. 2022074885, of Records of Hernando County, Florida.
5. Subject property lies within Flood Zone "X", according to Flood Insurance Rate Map 12153C0184D, prepared by the Federal Management Agency, last revised February 2, 2012.
6. Bearings shown herein are based upon recorded plat, holding the South line of subject property, said line also being the No way line of Campbell Drive as being N 89 degrees 47'50"W.
7. Attention is directed to the fact that this survey may have been reduced or enlarged in size due to reproduction. this should consideration when obtaining scaled data.
8. This survey is based on found monumentation and does not reflect or determine ownership.
9. Elevations shown herein are relative to the North American Vertical Datum (NAVD) of 1988.
10. On-site bench marks are delineated within the framework of the survey drawing.
11. Parent Benchmark: Pasco County BM Q 606 located at the Intersection of Campbell Drive and Highway 41. Elevation 85.23' I
12. This survey drawing was prepared for the exclusive use of the party or parties certified to below for the express purpose sta

LINE TABLE		
LINE	LENGTH	BEARING
L1(P)	8.90'	S89°47'50"E
L1(F)	8.92'	N89°30'10"E



# 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**

Date: 1/31/2023

File No. H-23-07 Official Date Stamp:

Received

JAN 31 2023

Planning Department  
Hernando County, Florida

### APPLICANT NAME:

A. Ventimiglia; Angelo Scarfo

Address: 7 Franklin St

City: Port Jervis

State: N.Y. Zip: 12771

Phone: 816 205 3266 Email: sandyymia40@gmail.com

Property owner's name: (if not the applicant)

### REPRESENTATIVE/CONTACT NAME:

Company Name:

Address:

City:

State: Zip:

Phone: Email:

### HOME OWNERS ASSOCIATION:

☐ Yes ☐ No (if applicable provide name)

Contact Name:

Address: City: State: Zip:

### PROPERTY INFORMATION:

1. PARCEL(S) KEY NUMBER(S): R11 222 19 1650 0000 1020 (132449) CW
2. SECTION lot 102, TOWNSHIP Brooksville, RANGE
3. Current zoning classification: REB
4. Desired zoning classification: REA
5. Size of area covered by application: 60' by 110' 6600 Sq Ft
6. Highway and street boundaries: Campbell & Carol
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, A. Ventimiglia Angelo Scarfo, 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):

to submit an application for the described property.

Angelo J Scarfo  
angel j scarfo

Antanella Ventimiglia Scarfo

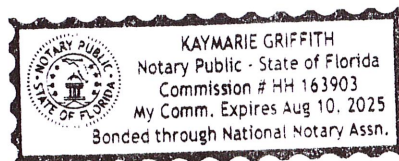
Signature of Property Owner

### STATE OF FLORIDA

### COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of January, 2023, by Aventimiglia Ventimiglia who is personally known to me or produced NY DL as identification.

Kaymarie G Griffith  
Signature of Notary Public



Effective Date: 11/8/16 Last Revision: 11/8/16

Notary Seal/Stamp

key # 132449

parcel ID # R11-222-19-1650-0000-1020

We Request to Rezone from R1B to  
R1A to ALLOW mobile home because  
adjacent neighbor has mobile home.

the size of mobile home will be  
24' wide by 48' in about 4 months,  
it will be near mobile home.

*Angelo J. Scarfo*

x Kaymarie A. Griffith

4/31/23

