

CONDITIONAL USE PERMIT CU-24-06

STAFF REPORT

RECOMMENDATIONS/ACTIONS

STAFF RECOMMENDATION TO PLANNING & ZONING COMMISSION MAY3, 2024

It is recommended that the Planning and Zoning Commission approve the request for a Conditional Use Permit for a Second Residence for a period of up to two (2) years. If approved, the Conditional Use Permit should be contingent upon performance Conditions listed in **Appendix A** of this Staff Report.

INTRODUCTORY INFORMATION

HEARINGS: Planning & Zoning Commission: May 13, 2024

APPLICANT: Frank and Vilmarie Fraser

FILE NUMBER: CU-24-06

REQUEST: Conditional Use Permit for a Second Residence

GENERAL LOCATION: Northeast corner of Yontz Road and Cheever Road

PARCEL KEY NUMBER: 1283890

APPLICANT’S REQUEST:

The petitioner is requesting a Conditional Use Permit for a second residence on a 3.2 acre parcel due to the personal needs of their daughter. The request is for a 12’x48’ RV as a second residence. The petitioner has provided documentation attesting to the needs hardship of their daughter and the benefits of their daughter living near family.

SITE CHARACTERISTICS:

Site Size: 3.2 acres

Surrounding Zoning & Land Uses: North: AG; Single Family
South: AG; Single Family
East: AG; Single Family
West: AG; Single Family

Current Zoning: AG/(Agricultural)

Future Land Use Map Designation: Rural

Flood Zone: C

UTILITIES REVIEW:

The Hernando County Utilities Department (HCUD) has indicated the subject site is located within the City of Brooksville Service area.

Comments: The request will be subject to Health Department approval for an adequate Disposal System.

FLORIDA DEPARTMENT OF HEALTH REVIEW:

According to the Florida Department of Health in Hernando County, the petitioner will be permitted to dispose of waste off-site by pumping out the holding tank; however, best handling practices should be in place to avoid spillage and ground contamination.

ENGINEERING & TRANSPORTATION REVIEW:

The subject site is located on the northeast corner of Yontz Road and Cheever Road. The petitioner has indicated utilizing the existing driveway and proposes no changes to the existing access. The County Engineer has reviewed the subject request and indicated no engineering related concerns.

LAND USE REVIEW:

Minimum County Required AG/(Agricultural) Building Setbacks:

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

Comments: The proposed RV must meet the setbacks of the AG/ (Agricultural) zoning district.

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 Concurrence. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

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

**APPENDIX A
STAFF RECOMMENDATION TO PLANNING AND ZONING
COMMISSION**

APPENDIX A – STAFF RECOMMENDATION TO PLANNING & ZONING COMMISSION:

It is recommended that the Planning and Zoning Commission approve the request for a Conditional Use Permit for a Second Residence for a period of up to two (2) years. If approved, the Conditional Use Permit should be contingent upon the following:

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 in accordance with the Health Department standards.
5. The Conditional Use Permit shall expire on May 13, 2026.