

STAFF REPORT

HEARINGS: Planning & Zoning Commission: October 9, 2023

APPLICANT: Frances M. Cain/POA c/o Karen S. Durand

FILE NUMBER: CU-23-11

REQUEST: Conditional Use Permit for a Second Residence

GENERAL LOCATION: North side of Faber Drive, approximately 128' east of Honeysuckle Lane

PARCEL KEY NUMBER: 387717

APPLICANT'S REQUEST:

The petitioner is requesting a conditional use permit for a second residence on a 1.0 acre parcel. The petitioner has indicated the request is to house their son's family while he is in military training and awaiting his permanent assignment. Unfortunately, according to the petitioner, the family is unable to obtain military housing until such a time a permanent duty has been assigned. The petitioner is proposing to utilize a 10'x30' RV as the second home on the site.

SITE CHARACTERISTICS:

Site Size: 1.0 acres

**Surrounding Zoning/
Land Uses:** North: PDP(SF); Undeveloped
South: AR; Single family
East: AR; Single family
West: AR; Single family

Current Zoning: AR/(Agricultural Residential)

**Future Land Use
Map Designation:** Residential

Flood Zone: C

HEALTH DEPARTMENT REVIEW:

The petitioner will be required to meet the Health Department Sanitation Regulations. This may include upgrades to the Onsite Sewage Treatment and Disposal System as necessary.

ENGINEERING & TRANSPORTATION REVIEW:

The subject site is located on the North side of Faber Drive, approximately 128' east of Honeysuckle Lane. The existing access to the property will continue to be utilized. The County Engineer has indicated no engineering related concerns.

LAND USE REVIEW:

Minimum Building Setbacks:

Front: 50'

Side: 10'

Rear: 35'

A conditional use permit is intended to be used as a special permit which temporarily allows uses not otherwise permitted by the ordinance. The P&Z has the ability to grant a conditional use permit for a period up to two years if they determine that a hardship exists. Conditional use permits may be renewed or extended upon reapplication at the end of a two-year period.

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's associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

STAFF RECOMMENDATIONS:

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. The petitioner shall remove the second residence upon termination of the permit, or when the hardship no longer exists.
3. Minimum Building Setbacks:
Front: 50'
Side: 10'
Rear: 35'
4. The conditional use permit shall expire on October 9, 2025.