

The Contractor, Robert Hoskinson, on behalf of Kerrie Best and Charles Fernandez submitted an after the fact seawall (1421401) permit, deck (1421411) permit, and variance (1450899) application to allow a reduction of the rear yard setback from 15' to 0' and to allow an encroachment of 3' for a portion of the deck that cantilevers over a triangulated portion of the seawall.

The variance was denied by the Developmental Services Director, Aaron Pool, due to the applicant not complying with the Riverine Protection Ordinance (RPO) Review:

*The Planning and Zoning Division completed an RPO review and had the following comments: The new screen room (15' x 12') averages 15' from the leading edge of the seawall and can be considered to be outside of the riverine buffer. However, the deck that crosses the riverine buffer and cantilevers over the seawall (18' x14') has been expanded, enlarged, altered and is no longer non-conforming. The portion of this deck that encroaches within the riverine buffer should be removed and the affected portion of the riverine buffer restored with vegetation (grass, shrubs, ground cover, etc.). The site plan should be modified to comply with the riverine protection ordinance. A walkway to the river through the riverine buffer is allowed. Note, permits were not found within the current system for the existing decks.*

On June 13, 2023, the Variance was taken to the Board of County Commissioners to decide if the variance should be approved or denied. A motion was made by the Board of County for the applicant to remove the portion of the deck from the water to the white roof supports, reposition the deck support to be underneath the roof supports, create a steps to the side, and add handrails in accordance with the Florida Building Code and Chapter 23, Article VI, Section 23-210(b)(1) of the Hernando County Code of Ordinances.