

February 9, 2026

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

VIA: Jeffry Rogers, County Administrator
County Administrator's Office

FROM: Cesar Omar DePablo, Development Services Director
Planning and Zoning Department

**SUBJECT: Special Exception Actions by the Planning and Zoning Commission
on February 9, 2026**

For the Board's information, on February 9, 2026, the Planning and Zoning Commission (P&Z) held a duly advertised public hearing to consider an advertised request for a Special Exception(s). Attached to this memorandum are the staff reports and actions of the P&Z on the special exception requests at that scheduled public hearing.

A notification letter was sent on Wednesday, February 11, 2026, to inform the petitioners of the P&Z actions. According to Appendix A, Zoning, Article V, Section 8(1) of the Hernando County Code of Ordinances, the Board of County Commissioners (BOCC), by a majority vote, may decide to review any special exception decision rendered by the P&Z. If at least a majority (three (3) members) of the governing body do not vote to review the P&Z decision within thirty (30) days, which would be Wednesday, March 11, 2026, the P&Z decision shall be deemed final and subject only to review by the circuit court. The review of the decision by the BOCC shall be at a public hearing held within sixty (60) days of the P&Z decision. The board has the authority to continue, on its own motion, to a later date a final decision on any special exception matter pending before it for review.

The review of decision by the BCC would occur on the regular BCC hearing date of Tuesday, April 7, 2026, (calculated from the date of P&Z decision). "Public notice" for this hearing shall mean publication of notice of the time, place and purpose of such hearing one (1) time in a newspaper of general circulation in the county, such publication to be at least five (5) days prior to such hearing, and such notice shall be posted in a conspicuous place or places around such lots, parcels, or tracts of land as may be involved in the hearing. Affidavit proof of the required publication and posting of the notice shall be presented at the hearing.

The Board may affirm, modify, or reverse the decision of the P&Z at the hearing.

Copies: Applicant's File



STAFF REPORT

HEARINGS: Planning & Zoning Commission: February 9, 2026

APPLICANT: Evelyn Gonzalez

FILE NUMBER: SE-26-01

PURPOSE: Special Exception Use Permit for a Congregate Care Facility namely a Group Home for individuals under the Agency for Persons with Disabilities (APD)

GENERAL LOCATION: Southeastern corner of Mariner Boulevard and Odin Street

PARCEL KEY NUMBER: 576095

APPLICANT’S REQUEST:

The petitioner is requesting a Special Exception Use Permit to expand the existing Group Home known as Mariner Group Home, from six (6) to fourteen (14) residents located at 4432 Mariner Boulevard, Spring Hill, Florida.

The facility is currently certified by the Agency for Persons with Disabilities (APD) to serve six individuals with developmental disabilities. Due to increased demand for residential placements within the community, the applicant seeks to expand its capacity to serve additional individuals awaiting placement through APD.

The proposed expansion will continue to comply with all applicable APD regulations, state licensing standards, Hernando County zoning requirements, and life safety codes, and is intended to provide safe, supervised, and person-centered residential care in a manner compatible with the surrounding area.

SITE CHARACTERISTICS:

Site Size	0.30 Acres
Surrounding Zoning; Land Uses	North: PDP(SF); Developed South: PDP(SF); Developed East: PDP(SF); Developed West: PDP(SF); Developed
Current Zoning:	PDP(SF)

**Future Land Use
Map Designation:** Residential

UTILITIES REVIEW:

Hernando County Utilities Department (HCUD) currently supplies water to this parcel. There is an 8" Force Main that runs parallel to the parcel in the Right of Way. HCUD has no objection to the requested special exemption to increase the number of allowable residents to the assisted living facility (ALF) from the current 6 residents to a total of 14 residents, subject to Health Department approval of any upgrades that may be required for the existing onsite sewage treatment and disposal system. Parcel Key# 576095.

ENGINEERING REVIEW:

The subject site is located on the southeastern corner of Mariner Boulevard and Odin Street. The County Engineer has reviewed the petitioners request and has the following comments:

- No objections to the special exception use, however concerns for parking.
- Where are the employee's and visitors parking their vehicles?
- Parking along the right of way on Mariner Boulevard or Odin Street is not permitted and is subject to enforcement.
- Is there a dedicated handicap space for visitors?

Comments: Prior to utilization of the subject site for the Congregate Care Facility, the petitioner shall submit for a commercial use permit that addresses all necessary site development improvements and transportation considerations identified by the County Engineer.

LAND USE REVIEW:

The subject property is in the Spring Hill Subdivision and is designated as Planned Development Project/Single Family. This parcel and the surrounding properties have been developed as Single Family.

In accordance with County Land Development Regulations (LDR), 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.

EXISTING BUILDING SETBACKS:

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

PARKING:

The minimum Land Development Regulations (LDRs) would require 0.3 parking spaces per bed, based on maximum occupancy. The Land Development Regulations (LDRs) indicate that a Congregate Care Facility may have up to fifty (50) percent of the required

parking spaces (including aisles) surfaced with grass, lawn, or other materials as designated in the County parking lot standards; however, if parking demand is such that said grass, lawn or other material is caused to be damaged or destroyed to the extent that said grass or lawn ceases to grow, or the other material otherwise causes a nuisance to the neighborhood, then paving may be required by the Zoning Administrator.

Comments: Parking requirements are calculated for a Congregate Care Facility at a rate of 0.3 spaces per bed with a maximum of fourteen (14) beds. The applicant shall be required to provide adequate parking in accordance with the Land Development Regulations at the time of site plan approval

LIGHTING:

The petitioner has not indicated any provisions for lighting of the subject property. If approved, the petitioner must provide full cutoff fixtures to retain all light on-site and prevent any light spillage onto neighboring residential uses.

COMPREHENSIVE PLAN REVIEW:

The subject property is located within the Residential Future Land Use classification on the adopted Future Land Use map. The Hernando County 2040 Comprehensive Growth Strategy Plan provides the principles for guiding land development activities in the County and describes the related programs and strategies that provide the overall guidance for implementing the Plan.

Residential Category of the adopted Comprehensive Plan states:

Objective 1.04B: The Residential Category allows primarily single family, duplex, resort and multi-family housing and associated ancillary uses such as recreational and institutional. Office and certain commercial uses may be allowed subject to the locational criteria and performance standards of this Plan. Residential density shall not exceed 22 dwelling units per gross acre.

Strategy 1.04B(1) Commercial and institutional uses within the Residential Category are generally associated with medium and high-density residential development and may include neighborhood commercial, office professional, recreational, schools, and hospitals. Minor public facilities that do not unduly disturb the peaceful enjoyment of residential use may also be allowed.

Comments: A Congregate Care Facility namely a Group Home is permitted in all zoning districts as a special exception use.

FINDINGS OF FACT:

1. A Special Exception Use Permit for a Congregate Care Facility namely a Group Home is appropriate based on consistency with the Comprehensive Plan and compatibility with the surrounding areas and subject to appropriate performance conditions.
2. The proposed project shall require a commercial review for any upgrades to the building necessary based on the increased resident count.

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 Special Exception Use Permit for a Congregate Care facility namely a Group Home for individuals under the Agency for Persons with Disabilities (APD), with the following performance conditions:

1. The petitioner shall obtain all permits from Hernando County and other applicable regulatory 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 project shall require a commercial review.
3. Coordination with and approval from the Health Department of any upgrades that may be required for the existing onsite sewage treatment and disposal system.
4. Prior to utilization of the subject site for the Congregate Care Facility, the petitioner shall submit for a commercial use permit that addresses all necessary site development improvements and transportation considerations identified by the County Engineer.
5. Applicant shall provide parking to include Handicap parking spaces and employee/visitor parking.
6. Parking along the right of way of Mariner Boulevard or Odin Street is not permitted and is subject to enforcement.
7. Parking requirements are calculated for a Congregate Care Facility at a rate of 0.3 spaces per bed with a maximum of fourteen (14) beds this will require four (4) parking spaces including one (1) ADA-accessible parking space.
8. The petitioner shall provide full cutoff fixtures, to retain all light on-site and prevent any light spillage onto neighboring residential uses.

P&Z SPECIAL EXCEPTION RESULTS FROM MAY 13, 2024, PG. 6

9. The petitioner shall coordinate with the Hernando County Development Services Department, Building Division, for any upgrades to the building necessitated by the increased resident count.

10. If the petitioner 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.

PLANNING AND ZONING COMMISSION:

On February 9, 2026, the Planning and Zoning Commission voted 5-0 to approve the petitioner's request to withdrawal their application.



STAFF REPORT

HEARINGS: Planning & Zoning Commission: February 9, 2026

APPLICANT: Julie Vadell and Sabato Del Pozzo

FILE NUMBER: SE-26-02

PURPOSE: Special Exception Use Permit for Family Mausoleum

GENERAL LOCATION: North side of Rester Drive at the intersection of Kindlewood Trail

PARCEL KEY NUMBER: 973520

APPLICANT’S REQUEST:

The petitioner is requesting approval of a Special Exception Use Permit to allow the construction of a Family Mausoleum on their property. This request is made to honor and preserve the petitioner’s family bond and legacy. The proposed mausoleum would serve as a dedicated place where family members may gather, reflect, and maintain a lasting connection across generations.

SITE CHARACTERISTICS:

Site Size	5 Acres
Surrounding Zoning; Land Uses	North: Agriculture; Developed South: ROW/Agriculture; Right of way / Developed East: Agriculture; Developed West: Agriculture; Developed
Current Zoning:	Agricultural
Future Land Use Map Designation:	Agricultural

UTILITIES REVIEW:

Hernando County Utilities Department (HCUD) does not currently supply water or wastewater service to this parcel. Water and wastewater are not available to this parcel. HCUD has no objections to the special exemption to allow a Mausoleum on the property

ENGINEERING REVIEW:

The subject property is on the North side of Restor Road. Department Of Public Works has no objections to the proposed use of a mausoleum.

LAND USE REVIEW:

Existing Building Setbacks:

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

Buffers:

- Rear 20'
- Sides 20'

Comments: The adjacent properties are zoned AG/ Agricultural. Due to residential standards, staff recommends a 20-foot landscape buffer. While the adjacent parcels are not residentially zoned, there are residential homes on the parcels surrounding the subject site.

COMPREHENSIVE PLAN REVIEW:

The subject property is located within the Rural land use classification on the adopted Future Land Use Map. The area is characterized by Rural uses.

Comments: The proposed family mausoleum is consistent with the Hernando County Comprehensive Plan's Rural Future Land Use objectives to retain and promote agricultural activities and preserve rural character, as the use is low intensity, accessory in nature, and compatible with long-range land use goals for rural/agricultural areas.

FINDINGS OF FACT:

A Special Exception Use Permit for a Family Mausoleum is allowed by right in all zoning districts. The proposed use is consistent with the Hernando County Comprehensive Plan and is compatible with surrounding land uses, as it is a low-intensity, accessory use that does not adversely impact the character of the area.

1. The mausoleum shall be constructed in compliance with Florida Statutes Chapter 497 and in accordance with the Florida Building Code, as applicable.

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.

The applicant, property owner, or developer is responsible for ensuring the performance conditions established herein are provided to all contractors performing work for this project. All applications submitted for development activity on this project are expected to comply with the performance conditions established herein.

STAFF RECOMMENDATIONS:

It is recommended that the Planning and Zoning Commission approve the petitioner's request for a Special Exception Use Permit for Family Mausoleum, 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 be required to comply with all applicable Southwest Florida Water Management District, Florida Fish and Wildlife Conservation Commission, and Florida Department of Environmental Protection permitting requirements.
3. Building Setbacks

Front:	75'
Side:	35'
Rear:	50'
4. Buffers

Rear Buffer	20'
Sides	20'
5. The mausoleum shall be constructed in compliance with Florida Statutes Chapter 497 and in accordance with the Florida Building Code, as applicable.

PLANNING AND ZONING COMMISSION:

On February 9, 2026, the Planning and Zoning Commission voted 4-1 to deny the petitioner's request for a Special Exception Use Permit for a Mausoleum.