

NOTE: Additions/~~Deletions~~ = Language proposed for addition/deletion to existing Code provisions.

1 DWELLINGS WITH ALLOWABLE ADMISTRATIVE OFFICIAL APPROVAL;
2 PROVIDING FOR THE DURATION OF PERMITS FOR TEMPORARY
3 SECOND DWELLINGS AND TEMPORARY SECURITY DWELLINGS WITH
4 ALLOWABLE ADMISTRATIVE OFFICIAL APPROVAL; PROVIDING FOR
5 RENEWAL OF PERMITS WITHIN THE SPECIFIED TIME FRAME;
6 PROVIDING FOR REMOVAL OF PERMITS FOR TEMPORARY SECOND
7 DWELLINGS AND TEMPORARY SECURITY DWELLINGS WITH
8 ALLOWABLE ADMISTRATIVE OFFICIAL APPROVAL UPON
9 OCCURRENCE OF SPECIFIED EVENT(S); AMENDING NOTICE
10 REQUIREMENTS OF PUBLIC HEARINGS TO CORRECT CAPITALIZATION;
11 PROVIDING FOR THE DEFINITION OF EXTREME PERSONAL HARDSHIP;
12 PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE
13 CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS;
14 AND PROVIDING FOR AN EFFECTIVE DATE.

15 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
16 **COMMISSIONERS OF HERNANDO COUNTY:**

17 **Section 1. Amendment of Hernando County Conditional Use Permits in Any**
18 **Zoning District with Planning and Zoning Commission Approval.** Hernando County Code of
19 Ordinances, Appendix A, Article V, Section 4, Paragraph A is amended, and its subsections are
20 renumbered accordingly, to read as follows:

21 A. *Conditional use allowable in any zoning district with planning and zoning commission*
22 *approval:*

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1 (1) Temporary real estate sales office exclusively for real estate sales of property in a
2 developing subdivision.

3 ~~(2) Temporary second principal building on one lot of record in cases of extreme~~
4 ~~personal hardship.~~

5 (2) ~~(3)~~ Temporary structures, other than those permitted by the administrative official
6 pursuant to paragraph C. below.

7 (3) ~~(4)~~ Temporary uses, other than those permitted by the administrative official pursuant
8 to paragraph C. below, or as accessory uses and structures in all commercial
9 districts.

10 ~~(5) Seasonal sales of plants or plant materials which are not accessory to churches,~~
11 ~~schools or fraternal organizations as principal uses of property.~~

12 (4) ~~(6)~~ Uses allowable by special exception use permit.

13 **Section 2. Amendment of Hernando County Conditional Use Permits Allowable**
14 **with Administrative Official Approval.** Hernando County Code of Ordinances, Appendix A,
15 Article V, Section 4, Paragraph C, Subsection (5) is renumbered as Subsection (7), and Subsection
16 (5) and Subsection (6) are added to Paragraph C to read as follows:

17 C. *Conditional use permits allowable with administrative official approval:*

18 ...

19 (5) A temporary second dwelling unit may approved on one lot of record in cases of
20 extreme personal hardship.

21 (a) A temporary dwelling unit may be permitted in any residential, agricultural, or
22 agricultural/residential zoned district.

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- 1 (b) A temporary dwelling unit may include a mobile home or recreation vehicle
2 (RV). Final determination shall be made by the Administrative Official or
3 designee.
- 4 (c) A temporary second dwelling unit may be approved by the Administrative
5 Official or designee for up to two (2) years and may be renewed with evidence
6 that such extreme personal hardship continues to exist. A temporary dwelling
7 unit permit shall have a maximum time period of up to ten (10) years.
- 8 (6) A temporary security dwelling unit may be approved on one lot of record when the
9 primary dwelling unit building permit has been submitted to the County and/or the
10 primary dwelling is actively under construction.
- 11 (a) A temporary security dwelling unit may be permitted in any residential,
12 agricultural, or agricultural/residential zoned district.
- 13 (b) A temporary security dwelling unit may include a mobile home or recreational
14 vehicle (RV). Final determination shall be made by the Administrative Official
15 or designee.
- 16 (c) A temporary security dwelling unit may be approved by the Administrative
17 Official or designee for up to one (1) year and may be renewed in six (6) month
18 intervals until such time the building or construction of the primary dwelling is
19 completed. The temporary security dwelling shall be removed upon issuance of
20 a Certificate of Occupancy (C.O.).
- 21 (7) ~~(5)~~ The administrative official may approve the placement of temporary shelters on
22 residential properties following a declared state of emergency in the manner

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1 provided therefore in Hernando County Code, Appendix A, Article III, Section
2 3(E)(6), as it may be amended.

3 **Section 3. Amendment of Hernando County Conditional Use Permits Notice**
4 **Requirements of Public Hearing.** Hernando County Code of Ordinances, Appendix A, Article V,
5 Section 4, Paragraph D, Subsection (5)(a) is amended to read as follows:

6 D. *Application procedure for conditional uses that require planning and zoning commission*
7 *approval:*

8 ...

9 (5) Notice requirements for public:

10 (a) If a public hearing before the planning and zoning commission or Bboard of
11 County Commissioners is required or requested by appeal hereunder, upon
12 fixing a date for the public hearing the applicant shall provide sign notice by
13 posting the property with a public notice sign as supplied by the planning
14 department. The notice shall be posted in a conspicuous location at the front lot
15 line at least ten (10) days prior to the scheduled hearing date. It is the
16 responsibility of the applicant to ensure that the sign(s) are appropriately posted
17 and remain on the property during the public hearing process in a legible
18 condition. If the condition of the sign(s) deteriorate through the process, it shall
19 be the responsibility of the applicant to repost the property at no cost to the
20 county. Failure to maintain the signs in accordance with this section may result
21 in a delay of the public hearing process. The applicant shall be responsible for
22 removal of the sign(s) within ten (10) days of the date the decision on the

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1 applicant's application becomes final or the date of appeal of a commission or
2 governing body decision for judicial determination, whichever comes first.
3 Failure to timely remove any such sign(s) is prohibited.

4 ...

5 **Section 4. Amendment of Hernando County Definitions.** Hernando County Code of
6 Ordinances, Appendix A, Article I, Section 3, Paragraph 49 is redesignated as Paragraph 50 and
7 subsequent paragraphs are renumbered accordingly, and a new Paragraph 49 is added to read as
8 follows:

9 The words defined below are words which have special or limited meanings as used in this
10 ordinance and might not otherwise be clear. Words whose meaning is self-evident as used in this
11 ordinance are not defined here. Words used in the present tense shall include the future; the
12 singular includes the plural, and vice versa; the word "shall" is mandatory; the word "may" is
13 permissive.

14 ...

15 49. *Extreme Personal Hardship: An extreme special or specified circumstance that:*

16 (1) is not the result of the applicant's or any previous owner's actions,

17 (2) is beyond the applicant's control, and

18 (3) substantially or exceptionally limits the reasonable use of the property and cannot
19 reasonably be corrected or avoided.

20 ...

21 **Section 5. Severability.** It is declared to be the intent of the Board of County
22 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this

