

May 16, 2025


MEMORANDUM

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

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

FROM: Cesar Omar DePablo, Development Services Director

SUBJECT: **Conditional Use Actions by the Planning and Zoning Commission on May 12, 2025**



For the Board's information, on May 12, 2025, the Planning and Zoning Commission (P&Z) held a duly advertised public hearing to consider an advertised request for a Conditional Use Permit(s). Attached to this memorandum is (are) the staff report(s) and action(s) of the P&Z on the Conditional Use Permit request(s) at that scheduled public hearing.

A notification letter was sent on Friday, May 16, 2025, to inform the petitioner(s) of the P&Z action(s). According to Appendix A, Zoning, Article V, Section 4(F) of the Hernando County Code of Ordinances, the Board of County Commissioners, by a majority vote, may decide to review any conditional use permit 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, June 11, 2025, (calculated from the date of the P&Z decision), the P&Z decision shall be deemed final and subject only to review by the circuit court.

The review of decision by the BCC would occur on the regular BCC hearing date of Tuesday, July 1, 2025, (calculated from the date of the 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.

P&Z CONDITIONAL USE RESULTS FROM May 12, 2025

West: AR; Single family and Mobile Homes

CONDITIONAL USE RESULTS FROM May 12, 2025

P&Z CONDITIONAL USE RESULTS FROM May 12, 2025

Current Zoning: AG/(Agricultural)

Future Land Use

Map Designation: Rural

Flood Zone: X

UTILITIES REVIEW:

Hernando county Utilities Department does not currently supply water or sewer service to this parcel. Water and sewer service are not available to this parcel. HCUD has no objection to the addition of a small mobile home on the property, subject to Health Department approval of any upgrades that may be required for the existing onsite sewage treatment and disposal system.

ENGINEERING REVIEW:

The County Engineer has reviewed the petitioner's request and has the following comments:

- The site lies within the Willow Sink watershed, within Basin J0210; the basin is closed; the base flood elevation (BFE) is 68.47.
- No Traffic issues

LAND USE REVIEW:

Minimum Building Setbacks required in AG (Agriculture) District where parcels were created prior to adoption of the original Land Use Regulations, Ordinance No. 72-3.

- Front: 75'
-

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:

CONDITIONAL USE RESULTS FROM May 12, 2025

P&Z CONDITIONAL USE RESULTS FROM May 12, 2025

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 RECOMMENDATION:

It is recommended that the Planning and Zoning Commission determine whether a hardship continues to exist; if such a determination is made, the Planning and Zoning Commission may approve the request for a renewal 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 shall 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 expiration of the permit, or when the hardship no longer exists.
3. The conditional use permit shall expire on May 12, 2027.
4. Applicant shall coordinate with the Florida Department of Health for any septic system upgrades.

P&Z CONDITIONAL USE RESULTS FROM May 12, 2025

P&Z ACTION

CONDITIONAL USE RESULTS FROM May 12, 2025

On May 12, 2025, the Planning and Zoning Commission voted 5-0 to approve the request for a renewal for a second residence for a period of up to two (2) years with the following performance conditions:

1. The petitioner shall 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 expiration of the permit, or when the hardship no longer exists.
3. The conditional use permit shall expire on May 12, 2027.
4. Applicant shall coordinate with the Florida Department of Health for any septic system upgrades.