

STAFF REPORT

HEARINGS:	Planning & Zoning Commission: October 9, 2023
APPLICANT:	Timothy Gunsteens and Judy Gunsteens
FILE NUMBER:	CU-23-12
REQUEST:	Conditional Use Permit for a Temporary Security Residence
GENERAL LOCATION:	Cul-De-Sac Terminus of Liberator Court
PARCEL KEY NUMBER:	440874

APPLICANT'S REQUEST

The petitioner has submitted a request for a conditional use permit for a temporary security residence on a 0.79 acre parcel for the construction of a homestead. The proposed security residence is 16' x 50'. The RV is proposed along the southwest corner of the subject site, approximately 100' from the Liberator Court. The parcel has an active building permit for the proposed home.

SITE CHARACTERISTICS

Site Size:	0.79 acres
Surrounding Zoning & Land Uses:	North: PDP(SF); Single Family South: PDP(SF); Single Family East: PDP(SF); Single Family West: PDP(SF); Single Family
Current Zoning:	PDP(SF)/Planned Development Project (Single Family)
Future Land Use Map Designation:	Residential

UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) supplies water to this parcel; sewer service on the account is currently inactive. HCUD has no objection to the requested Conditional Use Permit to allow a temporary RV residence on the parcel while the permanent residence is being built, subject to reactivation of the sewer account at time of vertical construction.

ENGINEERING REVIEW

The site is located at the cul-de-sac terminus of Liberator Court. Access will be via a single family driveway. The County Engineer has reviewed the petitioners request and indicated no engineering related concerns.

LAND USE REVIEW

Proposed RV Setbacks:

- Front: 100'
- Side: 6'
- Rear: 40'

A conditional use permit is intended to be used as a special permit which temporarily allows uses not otherwise permitted by the ordinance. The Commission has the ability to grant a conditional use permit for a period up to two years if they determine that a hardship exists.

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 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 exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a Temporary Security Residence for a period of up to one (1) 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 security residence upon Certificate of Occupancy for the home, or by October 9, 2024, whichever comes first.
3. The petitioner shall apply for reactivation of the sewer account at time of vertical construction.
4. Minimum RV Setbacks:
 - Front: 100'
 - Side: 6'
 - Rear: 40'