

STAFF REPORT

HEARINGS: Planning & Zoning Commission: May 8, 2023

APPLICANT: Jason Tippin

FILE NUMBER: CU-23-04

REQUEST: Renewal of a Conditional Use Permit for a Second Residence

GENERAL LOCATION: East side of Wishbone Rd. approximately 383' from its intersection with Mondon Hill Rd.

PARCEL KEY NUMBER: 1336307

APPLICANT'S REQUEST

The petitioner has submitted a request for the renewal of a conditional use permit for a second residence on a 1.9-acre parcel for the construction of a homestead on a separate property. The request is due to unforeseen delays in construction. Originally the builder provided a completion timeline of 270 days after "start of construction." Since the commencement of the contract the completion date has been moved out three times with the new date at the end of March. The petitioner is requesting an extension to cover the overlap in the Conditional Use Permits' date and provide an additional buffer should construction be delayed once again.

SITE CHARACTERISTICS

Site Size: 1.9 acres

Surrounding Zoning & Land Uses:
North: AG (Agricultural)
South: AG (Agricultural)
East: AG (Agricultural)
West: AG (Agricultural)

Current Zoning: AG (Agricultural)

Future Land Use Map Designation: Rural

UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) has indicated that they do 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 requested Conditional Use extension allowing a temporary RV dwelling on site due to the delayed construction of the permanent residence being built.

ENGINEERING REVIEW

The site is located at the East side of Wishbone Rd. approximately 383' from its intersection with Mondon Hill Rd. The Engineering Department has reviewed the request and indicated that they have no concerns about this request.

LAND USE REVIEW

Minimum Building Setbacks Required in the AG (Agricultural) District:

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

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 Renewal of a Conditional Use Permit for a Second 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. No attachments or other structures shall be erected on the property or attached to the RV.
3. The proposed RV shall meet the setbacks of the AG/ (Agricultural) zoning district.
 - Front: 75'
 - Side: 25'
 - Rear: 50'

4. Water shall be provided from the main house via hookup and septage shall be emptied and disposed of at a Health Department approved location.
5. The Conditional Use Permit shall expire on May 8, 2024.