

STAFF REPORT

HEARINGS: Planning & Zoning Commission: January 13, 2024

APPLICANT: Black Horse Realty group, LLC

FILE NUMBER: SE-24-11

PURPOSE: Special Exception Use Permit for an Animal Specialty Establishment and Special Events

GENERAL LOCATION: Eastern terminus of Phillips Road and Arlanie Road

PARCEL KEY NUMBER: 386040

APPLICANT'S REQUEST

The petitioner requests a Special Exception Use Permit for an Animal Specialty Establishment for the purpose of Equestrian Therapy and training and to allow for four (4) recreational vehicle hook-ups for clients. The petitioner has indicated that they will be offering, draft horse driving lessons, riding lessons, day camps for kids, weekend getaways for adults, special events (i.e. birthday parties) and group sessions, to clients to share the benefits of the equine therapeutic session. The petitioner is offering the sessions seven days a week, hours offered change with the seasons.

SITE CHARACTERISTICS

Site Size: 19.6 Acres

Surrounding Zoning & Land Uses:

| | |
|--------|--|
| North: | AG; Mobile Home, Single Family |
| South: | AG; Mobile Home, Single Family |
| East: | AG Special Exception for Eckerd Youth Camp |
| West: | AG; Mobile Home, Single Family |

Current Zoning: AG (Agricultural)

Future Land Use Map Designation: Rural

UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) has indicated they currently do not supply water or sewer service to this parcel. HCUD has no objection to the

requested. The petitioner shall coordinate with the Health Department for appropriate Onsite Sewage Treatment and Disposal System for the proposed RV sites.

ENGINEERING

The subject parcel is located at the eastern terminus of Phillips Road and Arlanie Road. The parcel has a two (2) access drives. No changes are proposed to access. The County Engineer has reviewed the request and indicated the following:

- The parcel is located in Squirrel Prairie Watershed which is an Administrative Watershed. A majority of the parcel is located in the 1% storm/ 100-year floodplain.
- Petitioner shall provide a site plan that shows all the access points.
- Any Public access to the subject property in relation to Therapeutic Equine Facility requires a commercial driveway connection and a right of way use permit.

LAND USE REVIEW

Animal Specialty Establishments are permitted in the AG (Agricultural) district through the Special Exception Process. Animal specialty establishments include activities such as animal boarding, animal husbandry activities, and animal training.

Building Setbacks

Minimum Building Setbacks:

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

Perimeter Setbacks:

The petitioner shall maintain a hundred (100) foot setback from all adjacent property lines.

Lighting

All lighting shall be shielded from the adjacent properties and shall be aimed downward towards the property to prevent spillage on neighboring parcels.

Hours of Operation

Hours of operations for all proposed uses should be limited from 6:00 AM to 10:00 PM. Overnight stays in recreational vehicles shall be limited to approved days and events. Special events shall be limited to 12 events per calendar year.

Farm building setbacks

Regulation of agricultural structures: Land, which is used solely for farming, forestry, fisheries, animal specialty farms, horticultural specialty farms or hunting, trapping and game propagation shall have no regulation imposed as to zoning permits, certificates of use, or height, yard, or location requirements for agricultural buildings, except as otherwise provided in this ordinance.

Special Exception Use Permit

A Special Exception Use Permit is an additional use which may be granted by the Planning and Zoning Commission (P&Z) in accordance with the Land Development Regulations (LDRs). As part of the review, the P&Z must determine that the tract of land is suitable for the type of special exception use proposed by virtue of its location, shape, topography, and nature of surrounding development. The P&Z has the ability to assign reasonable conditions to the approval.

The Special Exception Use Permit is a land use determination only. All applicable development rules would have to be met if the permit is approved. Furthermore, Special Exception Use Permits shall be in compliance with the minimum Special Exception Use General Standards, Appendix A, Article V, Section 8(B) of the Hernando County Code.

If a developer fails to obtain a building permit for the vertical construction of the principal or primary building or the special exception use is not established within a period of not more than two (2) years from the approval date, then the Special Exception Use Permit shall be null and void.

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 large tracts of single family and mobile home residences. Animal Specialty Establishments are permitted uses in Rural districts.

Future Land Use, Rural

Objective 1.04C: The Rural Category allows agriculture, agricultural commercial, agri-industrial, recreation, agritourism and residential land uses of a rural character. Certain neighborhood commercial uses may be allowed subject to locational criteria and performance standards. Residential density is 0.1 dwelling units per gross acre (1 unit per ten gross acres) except where otherwise indicated by the strategies listed herein and incorporated into the land development regulations.

Strategy 1.04A(4): The Rural Category retains and promotes agricultural activities, retains the rural nature and countryside character of a significant portion of the County including rural residential uses with limited agricultural activities, limits residential density and infrastructure outside of recognized urbanizing areas as shown on the Adjusted Urbanized Area Map, and, may be used to recognize properties with natural physical development limitations such as floodplains.

FINDING OF FACTS

The request for a Special Exception Use Permit for an Animal Specialty Establishment and Special Events are consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses with appropriate performance.

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 Concurrence. 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 RECOMMENDATIONS:

It is recommended that the Planning and Zoning Commission approve the petitioner's request for a Special Exception Use Permit for an Animal Specialty Establishment and Special Events 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. Minimum Building Setbacks:
 - Front: 75'
 - Sides: 35'
 - Rear: 50'

3. The RV hookups/pads shall meet the setbacks of the AG (Agricultural) zoning district.
 - Front (west): 75'
 - Side (north and south): 35'
 - Rear (east): 50'
4. The RV sites shall be limited to equestrian therapy, training clients and during special events.
5. The recreational vehicle hookups shall be limited to four (4)
6. All hours of operation shall be 6:00 AM to 10:00 PM.
7. The petitioner shall be limited to twelve (12) events per year.
8. Any onsite lighting associated with events shall be full cutoff fixtures and retain all light on-site to prevent any light spillage onto neighboring uses.
9. The petitioner shall improve all driveways to the property to commercial driveway standards.
10. The petitioner shall obtain a right-of-way use permit.
11. The petitioner shall provide a site plan that shows the access points.
12. The petitioner shall coordinate with the Health Department for appropriate Onsite Sewage Treatment and Disposal System for the proposed RV sites.