

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: May 8, 2023

**APPLICANT:** Robert Perry

**FILE NUMBER:** CU-23-03

**REQUEST:** Conditional Use Permit for Second Residence

**GENERAL LOCATION:** South side of Hiawatha Blvd., across from its intersection with Oakview Dr.

**PARCEL KEY NUMBER:** 1385

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### APPLICANT'S REQUEST

The applicant is requesting approval to place a second residence on their property, specifically an RV, due to medical hardship. The petitioner has provided a physician's letter indicating the need for assistance in his daily activities; the letter is part of the public record file.

### SITE CHARACTERISTICS

**Site Size:** 2.4 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) 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 request subject to Health Department approval of any upgrades to the Onsite Sewage Treatment and Disposal System that may be necessary.

### ENGINEERING REVIEW

The site is located on the South side of Hiawatha Blvd., across from its intersection with Oakview Dr.. The Engineering Department has reviewed the request and indicated the following: This property is within Flood Zone "X", outside the 1% annual chance floodplain.

## 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 can 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 Conditional Use Permit for Second Residence for a period of up to two (2) 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. Please be advised that soils and habitat are suitable for gopher tortoise. Care should be taken to avoid gopher tortoise burrows while setting up the RV.
4. 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, 2025.