

STAFF REPORT

HEARINGS: Planning & Zoning Commission: May 12, 2025
Board of County Commissioners: July 1, 2025

APPLICANT: Mavaro LLC TTEE

FILE NUMBER: H-25-03

REQUEST: Rezoning from AG (Agricultural) to AR-2 (Agricultural/Residential 2)

GENERAL LOCATION: Frontage on Sunshine Grove Road approximately 667 feet north of Sorrel Street

PARCEL KEY NUMBER: 102800

APPLICANT'S REQUEST

The petitioner is requesting a rezoning of their 4.7-acre parcel from AG (Agricultural) to AR-2 (Agricultural/Residential 2). The petitioner would like to rezone to subdivide the parcel into 2 lots. The minimum size of a newly created agricultural parcel is one unit per 10.0 acres. The parcel currently does not meet the size requirements to subdivide. Rezoning the parcel to AR-2 (Agricultural Residential 2) would allow one unit per acre.

SITE CHARACTERISTICS:

Site Size: 4.7 acres

Surrounding Zoning & Land Uses:

North:	AG; Agriculture
South:	AG; Agriculture
East:	AG; Agriculture
West:	AG; Agriculture

Current Zoning: AG (Agricultural)

Future Land Use Map Designation: Rural

ENGINEERING REVIEW:

The subject parcel is located approximately 667 feet north of Sorrel Street with frontage on Sunshine Grove Road.

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

- The site lies within the Wiscon watershed, within Basin A0230; the basin is closed; the base flood elevation (BFE) is 71.04.
- Improve driveway apron to current County standards, Refer to Hernando County Facility Design Guideline IV-26
- Ensure appropriate access to second residence, (follow Class D requirement) create a 15-foot access easement.

UTILITIES REVIEW

Hernando County Utilities does not currently supply water or sewer service to this parcel. Water service is not available. There is a 16" force main that runs along the power lines in the back of the property. HCUD has no objection to the zoning change from AG to AR2, subject to Health Department approval of any proposed onsite sewage treatment and disposal system.

LAND USE REVIEW:

Minimum AR-2 (Agricultural/Residential)2 Building Setbacks:

- Front: 50'
- Side: 10'
- Rear: 35'

The AR-2 district is designed to allow the continued development of low-density, single-family housing. The Hernando County Code of Ordinances, Appendix A, Article IV, Section 13 identifies the permitted uses within the AR zoning district as follows:

A. The following regulations apply to agricultural/residential districts as indicated:

(1) Permitted uses:

(a) All agricultural/residential districts:

- i. Aquaculture
- ii. Grazing livestock at the rate of one mature animal and offspring less than one year of age, per acre.

- iii. Poultry and swine for home consumption maintained at least seventy-five (75) feet from adjacent property.
 - iv. Horticultural specialty farms, including the cultivation of crops.
 - v. Accessory structures related to the principal use of the land.
 - vi. Pigeon aviaries with a maximum of 1,500 square feet of area devoted to housing pigeons per acre.
 - vii. Sales on the premises of permitted agricultural products produced on the premises: provided that where such products are sold from roadside stands, such stand shall be set back a safe distance from any public street right-of-way and shall provide for automobile access and off-street parking space in such a manner so as to not create an undue traffic hazard on the street on which such roadside stand is located.
- (d) Agricultural/residential-2:
- i. Single-family dwellings
 - ii. Mobile homes

COMPREHENSIVE PLAN REVIEW:

The subject property is located within the Rural Land Use designation on the County's adopted Comprehensive Plan. The petitioner's parcel is located on Sunshine Grove Road; the parcels immediately across the street are AG (Agricultural); however, they are similar in size to the anticipated lot size to be created through this rezoning and subsequent subdivision.

Rural Category

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.

Comments: The proposed rezoning is consistent with the strategies for rural density and the pattern of land development on the surrounding parcels.

FINDINGS OF FACT:

A rezoning from AG (Agricultural) to AR-2 (Agricultural/Residential 2) is appropriate based on consistency with the Objectives for the Rural Land Use Classification within the County's adopted Comprehensive Plan.

NOTICE OF APPLICANT RESPONSIBILITY

The rezoning 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 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 recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from AG (Agricultural) to AR-2 (Agricultural/Residential 2).