

STAFF REPORT

HEARINGS: Planning & Zoning Commission: December 9, 2024
Board of County Commissioners: January 28, 2024

APPLICANT: Exempt Per Public Record

FILE NUMBER: H-24-61

REQUEST: Rezoning from R-1A (Residential) to AR-2 (Agricultural/Residential-2)

GENERAL LOCATION: South of Pointview Road, approximately 205' east of the intersection of Pointview Road and Fort Dade Avenue

PARCEL KEY NUMBER(S): 1006039

APPLICANT'S REQUEST

The petitioner is requesting a rezoning of this property from R-1A (Residential) to AR-2 (Agricultural/Residential-2) to allow fencing on the front of the property and the allowance of livestock in the future. The sole structure on the property sits 321 feet from the main road.

The subject site is located along Fort Dade Avenue. This area is predominately AR-2 (Agricultural/Residential-2) and R-1A (Residential). Both of these zoning districts permit mobile homes by right.

SITE CHARACTERISTICS

Site Size: 3.10 Acres

Surrounding Zoning;
Land Uses: North: R-1A (Residential), AR-2 (Agriculture Residential 2)
South: AR-2 (Agriculture Residential 2)
East: R-1A (Residential)
West: R-1A (Residential)

Current Zoning: R-1A (Residential)

Future Land Use
Map Designation: Rural

UTILITIES REVIEW

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 requested zoning change.

ENGINEERING REVIEW

The subject property is located South of Pointview Road, approximately 205' east of the intersection of Pointview Road and Fort Dade Avenue. The County Engineer has reviewed the petitioner's request and indicated no engineering related concerns.

LAND USE REVIEW

The permitted uses in the AR (Agricultural/Residential) district are:

(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 is located within the Rural Land Use designation on the County's adopted Comprehensive Plan.

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 subject site is located along Fort Dade Avenue. This area is predominately AR-2 (Agricultural/Residential-2) and R-1A (Residential). Both of these zoning districts permit mobile homes by right, which makes the request compatible with the existing uses.

FINDING OF FACTS

A rezoning from R-1A (Residential) to AR-2 (Agricultural/Residential) is appropriate based on consistency with the County's adopted Comprehensive Plan and the development patterns in the surrounding area.

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 R-1A (Residential) to AR-2 (Agricultural/Residential-2)

PLANNING & ZONING COMMISSION ACTION:

On December 9, 2024, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from R-1A (Residential) to AR-2 (Agricultural/Residential-2).