

STAFF REPORT

HEARINGS: Planning & Zoning Commission: January 09, 2023

APPLICANT: Jeff Powell

FILE NUMBER: CU-22-11

REQUEST: Conditional Use Permit to for a Temporary Security Residence

GENERAL LOCATION: Southeast side of Broad Street, approximately 155' north of its intersection with Kollar Street

PARCEL KEY NUMBER: 197815

APPLICANT'S REQUEST:

The petitioner has submitted a request for a conditional use permit for a temporary security residence on a 1.3-acre parcel for the construction of a homestead; the petitioner has previously received approval for a 6-month temporary travel trailer permit that has since expired. The proposed security residence is 8' x 25'. The RV will continue to provide security for the site and allow the petitioner to be near the home during its renovation / reconstruction over the next year.

SITE CHARACTERISTICS:

Site Size: 1.3 acres

Surrounding Zoning & Land Uses:
North: R-1A (Residential-1A), Single-family home
South: R-1A (Residential-1A), Undeveloped
East: R-1A (Residential-1A), Single-family home
West: R-1B (Residential-1B), Single-family home

Current Zoning: R-1A (Residential-1A)

Future Land Use Map Designation: Residential

UTILITIES REVIEW:

The Hernando County Utilities Department (HCUD) has reviewed the petitioner's request and indicated the following:

- 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 Conditional Use Permit to allow a travel trailer to be placed on site while home is being built, subject to Health Department approval of an appropriate Onsite Sewage Treatment and Disposal System.

ENGINEERING REVIEW:

The Hernando County Engineering Department has reviewed the requested and indicated that the property is located outside the 1% annual chance floodplain.

LAND USE REVIEW:

Minimum County setbacks required in the R-1A (Residential-1) district are:

- Front: 25'
- Side: 10'
- Rear: 20'

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 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 determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission may approve the request for a temporary security 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. The petitioner shall remove the security residence upon termination of the permit, or when the hardship no longer exists.
3. The petitioner must receive Health Department approval of an appropriate Onsite Sewage Treatment and Disposal System. This approval shall be provided to the zoning department as a part of the conditional use permit.
4. The conditional use shall expire on January 9, 2024. At this time the applicant may apply for a renewal for an additional two years.