

STAFF REPORT

HEARINGS: Planning & Zoning Commission: August 11, 2025

APPLICANT: Chinwendu Calis Nnagbo

FILE NUMBER: SE-25-09

PURPOSE: Special Exception Use Permit for an Assisted Living Facility

GENERAL LOCATION: South side of Lagoon Road, approximately 580 feet from Skylark Road and 277 feet from Pinehurst Drive.

PARCEL KEY NUMBER: 233553

APPLICANT'S REQUEST:

The petitioner is requesting a Special Exception Use Permit to expand an Assisted Living Facility. The site currently has six (6) residents and is proposing to increase the number of allowable residents to fourteen (14). The Facility is proposing to have two (2) qualified employees per shift twenty-four (24) hours a day including both day and evening shifts. Visiting hours will be every day from 9:00am-9:00pm allowing family members to visit while also preserving quiet hours for residents. Parking requirements are based on a ratio of 0.3 spaces per bed in addition to one (1) ADA-accessible parking space.

SITE CHARACTERISTICS:

Site Size: 7.5 acres

Surrounding Zoning;
Land Uses: North: PDP(SF): Single Family
South: PDP(SF): Single Family
East: AG: Single Family
West: PDP(SF): Single Family

Current Zoning: PDP(SF)/Planned Development Project (Single Family)

Future Land Use
Map Designation: Residential

Flood Zone: X

UTILITIES REVIEW:

Hernando County Utilities Department (HCUD) currently provides water service to this parcel. Wastewater service is not available to this parcel. HCUD has no objection the requested special exemption to increase the number of allowable residents at the Assisted Living Facility (ALF) from the current 6 residents to a total of ten (10) residents, subject to Health Department approval of any required upgrades to the existing onsite sewage treatment and disposal system.

ENGINEERING REVIEW:

The subject site is located on the South side of Lagoon Road. Approximately five-hundred eight (580) feet from Skylark Road and two-hundred seventy-seven (277) feet from Pinehurst Drive. The County Engineer has reviewed the petitioners request and has the following comments:

- On-Street Parking is not permitted by ordinance. All parking must be contained on site.

LAND USE REVIEW:

The subject property is in the Spring Hill Unit 3 Subdivision and is designated Planned Development Project/Single Family. The surrounding properties have been developed as Single Family.

In accordance with County Land Development Regulations (LDR), if a developer fails to obtain a building permit for the vertical construction of the principal or primary building within a period of not more than two (2) years from the approval date or the special exception use is not established during this period, then the special exception use permit shall be null and void.

EXISTING BUILDING SETBACKS:

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

PARKING:

The minimum Land Development Regulations (LDRs) would require 0.3 parking spaces per bed, based on maximum occupancy. The Land Development Regulations (LDRs) indicate that an Assisted Living Facility may have up to fifty (50) percent of the required parking spaces (including aisles) surfaced with grass, lawn, or other materials as designated in the County parking lot standards; however, if parking demand is such that said grass, lawn or other material is caused to be damaged or destroyed to the extent that said grass or lawn ceases to grow, or the other material otherwise causes a nuisance to the neighborhood, then paving may be required by the Zoning Administrator.

Comments: Parking requirements are calculated for an Assisted Living Facility at a rate of 0.3 spaces per bed with a maximum of fourteen (14) beds. This special exception will require four (4) parking spaces, including one (1) ADA-accessible parking space.

LIGHTING:

The petitioner has not indicated any provisions for lighting of the subject property. If approved, the petitioner must provide full cutoff fixtures to retain all light on-site and prevent any light spillage onto neighboring residential uses.

BUFFERS:

A five (5) foot natural vegetated buffer enhanced to eighty (80) percent opacity shall be constructed along the boundary of the property adjacent to existing residential lots.

COMPREHENSIVE PLAN REVIEW:

The subject property is located within the Residential Future Land Use classification on the adopted Future Land Use map. The Hernando County 2040 Comprehensive Growth Strategy Plan provides the principles for guiding land development activities in the County and describes the related programs and strategies that provide the overall guidance for implementing the Plan.

Residential Category of the adopted Comprehensive Plan states:

Objective 1.04B The Residential Category allows primarily single family, duplex, resort and multi-family housing and associated ancillary uses such as recreational and institutional. Office and certain commercial uses may be allowed subject to the locational criteria and performance standards of this Plan. Residential density shall not exceed 22 dwelling units per gross acre.

Strategy 1.04B(1) Commercial and institutional uses within the Residential Category are generally associated with medium and high-density residential development and may include neighborhood commercial, office professional, recreational, schools, and hospitals. Minor public facilities that do not unduly disturb the peaceful enjoyment of residential use may also be allowed.

Comments: An Assisted Living Facility (ALF) is permitted in all zoning districts as a special exception use.

FINDINGS OF FACT:

1. A Special Exception Use Permit for an Assisted Living Facility is appropriate based on consistency with the Comprehensive Plan and compatibility with the surrounding areas and subject to appropriate performance conditions.
2. The proposed project shall require a commercial review for any upgrades to the building necessary based on the increased resident count.

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 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. Homeowners' 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 Assisted Living Facility (ALF), with the following performance conditions:

1. The petitioner shall obtain all permits from Hernando County and other applicable regulatory 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 proposed project shall require a commercial review.
3. A five (5) foot natural vegetated buffer enhanced to eighty (80) percent opacity shall be constructed along the boundary of the property adjacent to existing residential lots.
4. Minimum Building Setbacks:
 - Front: 25'
 - Side: 10'
 - Side: 15'
 - Rear: 20'
5. Parking requirements are calculated for an Assisted Living Facility at a rate of 0.3 spaces per bed with a maximum of fourteen (14) beds this will require four (4) parking spaces including one (1) ADA-accessible parking space.
6. The Petitioner shall be required to have up to fifty (50) percent of the required parking spaces (including aisles) surfaced with grass, lawn or other materials as designated in the County parking lot standards; however, if parking demand is such that said grass, lawn or other material is caused to be damaged or destroyed to the extent that said grass or lawn ceases to grow, or the other material otherwise causes a nuisance to the neighborhood, then paving may be required by the Zoning Administrator.
7. Health Department approval of any required upgrades to the existing onsite sewage treatment and disposal system
8. The petitioner shall provide full cutoff fixtures, to retain all light on-site and prevent any light spillage onto neighboring residential uses.
9. The site shall be developed in accordance with the site plan as provided by the applicant and attached to this application.
10. The petitioner shall coordinate with the Hernando County Development Services Department, Building Division, for any upgrades to the building necessitated by the increased resident count.
11. If the petitioner fails to obtain a building permit for the vertical construction of the principal or primary building within a period of not more than two (2) years

from the approval date or the special exception use is not established during this period, then the special exception use permit shall be null and void.