

# STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: November 4, 2024  
Board of County Commissioners: December 17, 2024

**APPLICANT:** William Z. Fout and Vanessa Fox

**FILE NUMBER:** H-24-52

**REQUEST:** Rezoning from R-1C (Residential) to AR (Agricultural/Residential)

**GENERAL LOCATION:** West side of Mountain Mockingbird Road, approximately 370' north of Hexam Road

**PARCEL KEY NUMBER:** 719574

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## APPLICANT'S REQUEST

The petitioner is requesting a rezoning of the subject site from R-1C (Residential) to AR (Agricultural/Residential) for the purpose of having a horse on their 2.40 acre parcel. The property has an existing 1,566 square foot home. No other changes are proposed for the parcel.

## SITE CHARACTERISTICS

**Site Size:** 2.40 acres

**Surrounding Zoning;  
Land Uses:** North:R-1C; Residential  
South:R-1C; Residential  
East:R-1C; Residential  
West:R-1C; Residential

**Current Zoning:** R-1C (Residential)

**Future Land Use  
Map Designation:** Residential

## UTILITIES REVIEW

Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel and water and sewer services are not available. HCUD has no objection to the requested zoning change.

## ENGINEERING REVIEW

The property is located on west side of Mountain Mockingbird Road, approximately 370' north of Hexam Road. The parcel has an existing home and driveway. No changes are being proposed. The County Engineer has reviewed the petitioners' request and indicated no stormwater or traffic concerns.

## LAND USE REVIEW

Minimum AR (Agricultural/Residential) Building Setbacks:

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

The AR 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.

(b) Agricultural/Residential:

- i. Single-family dwellings

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## COMPREHENSIVE PLAN REVIEW

### Residential Mapping Criteria

The Residential Category is designed to accommodate a variety of residential and support uses at varying densities and types located in areas primarily clustered in and around the Adjusted Urbanized Area and those areas that maximize the efficient use of existing and planned infrastructure.

### Residential Category

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.

**Comments:** The parcel is within the Residential Land Use classification and is surrounded by residential parcels that are 1.25 acres or larger. The AR (Agricultural Residential) district is a low density (1 DU/AC) transitional district that provides for quasi agricultural uses.

The area is predominately R-1C (Residential) which limits development to site built homes. The petitioner is requesting AR (Agricultural Residential) which also limits structures to site built homes. The change in zoning would not affect the character of the surrounding area but would allow one (1) hooved animal per acre. The petitioner's parcel is 2.40 acres. The parcel acreage would afford the petitioner two (2) hooved animals. The petitioner has proposed a single horse.

## FINDINGS OF FACT

The request for a rezoning from R-1C (Residential) to AR (Agricultural/Residential) is appropriate based on consistency with the County's adopted Comprehensive Plan and 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 Concurrence. 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 rezoning from R-1C (Residential) to AR (Agricultural/Residential)