

**HERNANDO COUNTY CONDITIONAL USE PERMIT
OR SPECIAL EXCEPTION USE PERMIT PETITION**



Application request (check one):

- ☐ Conditional Use Permit
☐ Special Exception Use Permit

PRINT OR TYPE ALL INFORMATION

File No. _____ Official Date Stamp:

SE-25-01 updated application

Date: 1/2/2025

[APPLICANT NAME:] CM Home Builders, Inc. by Victor Molina, Vice President

Address: 28601 Saint Joe Rd.

City: Dade City State: FL Zip: 33525

Phone: _____ Email: cmhomebuildersinc@gmail.com

Property owner's name: (if not the applicant) _____

[REPRESENTATIVE/CONTACT NAME:] Kyle J. Benda, Esq.

Company Name: Benda Law

Address: 270 N. Broad St.

City: Brooksville State: FL Zip: 34601

Phone: 3522325757 Email: kyle@bendalawfirm.com

[HOME OWNERS ASSOCIATION:] ☐ Yes ☒ No (if applicable provide name) _____

Contact Name: _____

Address: _____ City: _____ State: _____ Zip: _____

[PROPERTY INFORMATION:]

1. PARCEL(S) **KEY** NUMBER(S): 384514 and 11658 11
2. SECTION 26, TOWNSHIP 23, RANGE 19
3. Current zoning classification: AG
4. Desired use: Special Exception Use Permit for Parking of Commercial Vehicles
5. Size of area covered by application: 4.2 acres
6. Highway and street boundaries: Culbreath and Ayers Road
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No
8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed: _____)

PROPERTY OWNER AFFIDAVIT

I, Victor Molina, as Vice President of CM Home Builders, Inc., have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

☐ I am the owner of the property and am making this application OR

☒ I am the owner of the property and am authorizing (applicant): _____

and (representative, if applicable): Kyle J. Benda, Esq.

to submit an application for the described property.

Signature of Property Owner

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 31st day of December, 20 24, by Victor Molina who is personally known to me or produced driver's license as identification.

Signature of Notary Public

Effective Date: 11/8/16 Last Revision: 11/8/16



KYLE J. BENDA
Notary Public
State of Florida
Comm# HH517532
Expires 4/17/2028

Notary Seal/Stamp

**HERNANDO COUNTY CONDITIONAL USE PERMIT
OR SPECIAL EXCEPTION USE PERMIT PETITION**



Application request (check one):

☐ Conditional Use Permit

☐ Special Exception Use Permit

PRINT OR TYPE ALL INFORMATION

File No. 04125 Official Date Stamp:

**SE-25-01
RECEIVED**

JAN 02 REC'D

Hernando County
Zoning Division

Date: 1/2/2025

APPLICANT NAME: Kyle J. Benda, Esq.

Address: 28601 Saint Joe Rd.

City: Dade City

State: FL

Zip: 33525

Phone: _____ Email: cmhomebuildersinc@gmail.com

Property owner's name: (if not the applicant) _____

REPRESENTATIVE/CONTACT NAME: Kyle J. Benda, Esq.

Company Name: Benda Law

Address: 270 N. Broad St.

City: Brooksville

State: FL

Zip: 34601

Phone: 3522325757 Email: kyle@bendalawfirm.com

HOME OWNERS ASSOCIATION: ☐ Yes ☒ No (if applicable provide name) _____

Contact Name: _____

Address: _____ City: _____ State: _____ Zip: _____

PROPERTY INFORMATION:

1. PARCEL(S) **KEY** NUMBER(S): 384514 and 1165811
2. SECTION 26, TOWNSHIP 23, RANGE 19
3. Current zoning classification: AG
4. Desired use: Special Exception Use Permit for Parking of Commercial Vehicles
5. Size of area covered by application: 4.2 acres
6. Highway and street boundaries: Culbreath and Ayers Road
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No
8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed: _____)

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☒ I am the owner of the property and am authorizing (applicant): _____

and (representative, if applicable): Kyle J. Benda, Esq.

to submit an application for the described property.

[Signature]
Signature of Property Owner

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 31st day of December, 2024, by Victor Molina who is personally known to me or produced driver's license as identification.

[Signature]
Signature of Notary Public



KYLE J. BENDA
Notary Public
State of Florida
Comm# HH517532
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CM Home Builders, Inc. Special Exception Use Permit Application Narrative

The applicant requests a special exception use permit to allow the parking of commercial vehicles¹ in the agricultural zoning district. By right, the applicant, as the owner of the parcel, is permitted to park one commercial vehicle pursuant to Appendix A, Article III, Section 3F(3) of the Hernando County Code of Ordinances (“Code”). The applicant seeks to park two additional commercial vehicles on the property, for a total of three parked commercial vehicles.

A proposed site plan is incorporated as **Exhibit 1**.

Proposed use and its relation to the property

The applicant’s property is comprised of two parcels that have been merged together for a total size of 4.2 acres that is zoned agricultural. While the applicant is able to park one commercial vehicle by right on the property, the applicant requests a special exception use permit to park two additional commercial vehicles. The following commercial vehicles will be parked at the property: (1) a semi-truck with a trailer to accommodate an excavator or other equipment; and (2) a small Mack dumpster truck with an international flatbed.

The proposed parking area will be 130 feet east to west and 200 feet north to south with no paving planned.

Existing and future structures

There are no structures on the parcel other than a small 15 foot by 15 foot shed that houses the well on the property. This small shed is 107.94 feet from the east property line and Culbreath Road, 109.44 feet to the south property line and Ayers Road, 164.31 feet to the north property line, and 494.63 feet from the west property line. No other structures are planned for the property.

Access and parking

The access to the property is on Culbreath Road, but access is possible from Ayers Road if improvements are made. No improvements from Ayers Road are planned for this property.

¹ “Commercial vehicles” are defined as one of the following: (1) a “vehicle with a gross vehicle weight in excess of 10,000 pounds and utilized for commercial purposes”; (2) a “van with a width of more than eighty (80) inches and utilized for commercial purposes”; or (3) a “vehicle with a gross vehicle weight of less than 10,000 pounds that has been modified with a utility body, tank, or other similar commercial attachments, and utilized for commercial purposes. App. A, Article I, Section 3(27), Code.