



STAFF REPORT

HEARINGS: Planning & Zoning Commission: January 12, 2026

APPLICANT: Bryan A. and Nancy L. Pell

FILE NUMBER: CU-25-11

REQUEST: Conditional Use Permit for a Second Residence Due to Medical Hardship

GENERAL LOCATION: West Side of Barclay Road between Smithfield Ave and approximately 650 feet North of Irving St.

PARCEL KEY NUMBER: 130799

APPLICANT'S REQUEST

The petitioner has submitted a request for a Conditional Use Permit for a second residence due to a medical hardship. The family's physician has recommended that the petitioners' son move into the second residence to provide for an on-site caregiver.

SITE CHARACTERISTICS

Site Size	4.5 Acres
Surrounding Zoning; Land Uses	North: AR2; Agricultural Residential 2 South: AR2; Agricultural Residential 2 East: ROW & AR2; Agricultural Residential 2 West: ROW & AR2; Agricultural Residential 2
Current Zoning:	AR2 (Agricultural Residential 2)
Future Land Use Map Designation:	Rural

UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) currently supplies water service to this parcel. Wastewater service is currently not available. HCUD has no objection to allow a mobile home on the parcel, subject to connection to existing water meter when mobile home is installed.

Comment: The petitioner must obtain a septic permit through the Hernando County Health Department and a well permit through the Southwest Florida Water Management District.

ENGINEERING REVIEW

The site is located on the West Side of Barclay Road between Smithfield Ave and approximately 650 feet North of Irving St. The Hernando County Department of Public Works Engineering has no objections to the conditional use for a 2nd residence.

The applicants need to be advised that there is a road widening project for Barclay Ave., which will require up to 55-feet of right of way along Barclay Ave. This project is currently in design and will be some time before the exact amount of right of way needed will be determined.

LAND USE REVIEW

Minimum Building Setbacks Required in the Agricultural Residential 2 District:

- Barclay Road: 50'
- Smithfield Ave: 50'
- Side: 10'

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 can grant a conditional use permit for a period up to two years if they determine that a hardship exists.

NOTICE OF APPLICANT RESPONSIBILITY

The conditional use permit process is a land use determination and does not constitute a permit for either construction, 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 Conditional Use Permit for a Second Residence Due to Medical Hardship with the following performance conditions:

1. The petitioner shall 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 second residence upon expiration of the permit, or when the hardship no longer exists.
3. The applicants should be aware that Barclay Ave. is scheduled for a road-widening project that may require up to 55 feet of right-of-way. The project is still in design, so the exact amount needed has not yet been determined.
4. The conditional use permit shall expire on January 12, 2028.