

# STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: October 9, 2023

**APPLICANT:** Pamela J. Merrill

**FILE NUMBER:** CU-23-09

**REQUEST:** Renewal for a Conditional Use Permit for a Second Residence

**GENERAL LOCATION:** Northwest corner of Croom Road and Scott William Trail

**PARCEL KEY NUMBER:** 01250256

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## APPLICANT'S REQUEST:

On August 9, 2021, the Planning and Zoning Commission approved a request for a Conditional Use Permit for a Second Residence (CU2102). The petitioner's current request is for a renewal of the conditional use permit for the second residence on a 4.25 acre parcel. Due to the health of the petitioner's sister, a triple-wide mobile home has been placed on the property to provide the required assistance. The petitioner has provided a letter from a physician indicating that it would be beneficial for the petitioner's sister to live near family members. No changes from the previous approvals are requested.

## SITE CHARACTERISTICS:

**Site Size:** 4.25 acres

**Surrounding Zoning/  
Land Uses:** North: AG; Single family and Mobile Homes  
South: AG; Single family and Mobile Homes  
East: AG; Single family and Mobile Homes  
West: AR; Single family and Mobile Homes

**Current Zoning:** AG/(Agricultural)

**Future Land Use  
Map Designation:** Residential

**Flood Zone:** C

**UTILITIES REVIEW:**

The Hernando County Utilities Department has indicated the subject site is located within the City of Brooksville Utility Department's (CBUD) first right to serve district.

**HEALTH DEPARTMENT REVIEW:**

The Hernando County Health Department has reviewed the application and indicated that the petitioner will be required to meet the Health Department Sanitation Regulations.

**ENGINEERING & TRANSPORTATION REVIEW:**

The subject site is located on the northwest corner of Croom Road and Scott William Trail. The existing access to the property will continue to be utilized. The County Engineer has indicated no engineering related concerns.

**LAND USE REVIEW:**

A conditional use permit is intended to be used as a special permit which temporarily allows uses not otherwise permitted by the ordinance. The P&Z has the ability to grant a conditional use permit for a period up to two years if they determine that a hardship exists. Conditional use permits may be renewed or extended upon reapplication at the end of a two-year period.

**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's 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 determine whether a hardship continues to exist; if such a determination is made, the Planning and Zoning Commission may approve the request for a renewal for a second residence for a period of up to two (2) years. If approved, the conditional use permit should be contingent upon the following:

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 second residence upon termination of the permit, or when the hardship no longer exists.
3. The conditional use permit shall expire on October 9, 2025.