

STAFF REPORT

HEARINGS: Planning & Zoning Commission: August 12, 2024

APPLICANT: Yoana Iturriaga

FILE NUMBER: SE-24-07

PURPOSE: Special Exception Use Permit for (2) two Additional Commercial Vehicle Parking

GENERAL

LOCATION: South side of Crowell Road, approximately 1,700' west of Sunshine Grove Road

PARCEL KEY

NUMBER: 423143

APPLICANT'S REQUEST:

The petitioner is requesting a Special Exception Use Permit for Commercial Vehicles in order to park (2) two additional Commercial Vehicles on their parcel. The subject site is a 2.5 acre AG(Agricultural) parcel. County LDRs make provisions for the parking of a single commercial vehicle on an AG(Agricultural) when the commercial vehicle is operated by the legal residents of the parcel; however, requires a Special Exception Use Permit for any additional commercial vehicles. The subject site is located 1,700' west of Sunshine Grove Road and surrounded by Agricultural parcels.

SITE CHARACTERISTICS:

Site Size: 2.5 acres

Surrounding Zoning and Land Uses:

North: AG; Single Family
South: AG; Single Family
East: AG; Single Family
West: AG; Single Family

Current Zoning: AG (Agricultural)

Future Land Use

Map Designation: Rural

UTILITIES REVIEW:

Hernando County Utilities Department (HCUD) does not currently provide water or sewer service to this parcel. Water and sewer service are not available to this parcel. HCUD has no objection to the request.

ENGINEERING REVIEW:

The subject site is located on the south side of Crowell Road, approximately 1,700' west of Sunshine Grove Road. The petitioner has indicated utilizing their existing driveway for the proposed use. No information on what type of trucks was provided.

- Assuming the proposed trucks are semi-trucks with trailers, the driveway apron will be required to be improved to commercial standards within 90 days of special exception approval.
- Driveway apron installation will require a Right of Way Use Permit issued by the Dept. of Public Works.

LAND USE REVIEW:

Specific Regulations

One (1) commercial vehicle, operated by the legal residents of the parcel, is allowed to be parked on an agriculturally zoned parcel. A special exception use permit may be applied for pursuant to Article V, Section 8. Special Exception Use Regulations of this ordinance in the agricultural district to park additional commercial vehicles, operated by the legal residents of the parcel, provided the property is a minimum of 2½ acres in size. This section is not intended to limit the parking of commercial vehicles in the AG district when the vehicles are associated with a permitted AG use on the property.

Comments: The petitioner owns the subject 2.5 acre site and therefore meets the minimum County LDRs requirements. The petitioner and spouse are the legal residents of the parcel.

Building Setbacks

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

Comments: If approved, any commercial vehicle and/or equipment must meet the building setbacks of the AG(Agricultural) zoning district.

A special exception use permit is an additional use which may be granted by the Planning and Zoning Commission (P&Z) in accordance with the Land Development Regulations (LDRs). As part of the review, the P&Z must determine

that the tract of land is suitable for the type of special exception use proposed by virtue of its location, shape, topography, and nature of surrounding development. The P&Z has the ability to assign reasonable conditions to the approval.

The special exception use permit is a land use determination only. All applicable development rules would have to be met if the permit is approved. Furthermore, Special Exception Use Permits shall be in compliance with the minimum Special Exception Use General Standards, Appendix A, Article V, Section 8(B) of the Hernando County Code.

If a developer fails to obtain a building permit for the vertical construction of the principal or primary building or the special exception use is not established within a period of not more than two (2) years from the approval date, then the special exception use permit shall be null and void.

FINDINGS OF FACT:

The request for a Special Exception Use Permit for Commercial Vehicle Parking is appropriate based on the following conclusions:

The proposed use is compatible with the surrounding area, is not adverse to the public interest; and is consistent with the County's adopted Comprehensive Plan.

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 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 RECOMMENDATIONS:

It is recommended that the Planning and Zoning Commission partially approve the petitioner's request for a Special Exception Use Permit for (1) one additional Commercial Vehicle Parking, with the following performance conditions:

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 commercial vehicle shall be parked in accordance with the minimum setbacks of the AG (Agricultural).
3. The commercial vehicle shall be parked in a location screened from the view of adjoining right-of-way and adjacent parcels.
4. A 6' opaque fence must be erected within 90 Days of the Approved Special Exception Permit.
5. The subject site shall be limited to the parking of (1) one additional commercial vehicle.