



STAFF REPORT

HEARINGS: Planning & Zoning Commission: July 14, 2025
Board of County Commissioners: September 2, 2025
Planning and Zoning Commission: August 11, 2025
Board of County Commissioners: October 7, 2025

APPLICANT: Ady Garcia Rabeiro, Samuel Medina Rivera

FILE NUMBER: H-25-19

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

GENERAL LOCATION: Northeast corner of Riverview Drive and Elaine Drive

PARCEL KEY NUMBER(S): 749159, 32645, 749140

APPLICANT'S REQUEST

The petitioner is requesting a rezoning of this property from R-1C (Residential) to AR (Agricultural/Residential) to allow a small hobby farm. The petitioner has not indicated a time frame for development.

SITE CHARACTERISTICS

Site Size: 6.5 acres

**Surrounding Zoning
& Land Uses:**

Nouth: R-1C Undeveloped
South: R-1C Undeveloped
East: R-1C Undeveloped
West: R-1C Undeveloped

Current Zoning: R-1C (Residential)

**Future Land Use Map
Designation:** Rural

UTILITIES REVIEW

Hernando County Utilities Department (HCUD) does not currently supply water or wastewater service to these parcels. Water and wastewater service are not available. HCUD has no objection to the zoning change from R-1C (Residential) to AR (Agricultural/Residential) to allow a small hobby farm.

Comment: The parcels shall be subject to Health Department approval of any upgrades that may be required for the existing onsite sewage treatment and disposal system.

ENGINEERING REVIEW

The subject parcels are located on the northeast corner of Riverview Drive and Elaine Drive. The County Engineer has reviewed the petitioner's request and provided the following comments:

- The subject parcels will be limited to one (1) driveway.
- Site development must comply with Hernando County Facility Design Guideline standards and meet all Land Development Code requirements.

LAND USE REVIEW

Minimum AR (Agricultural/Residential) Building Setbacks:

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

The AR (Agricultural/Residential) 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 (Agricultural/Residential) 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 one thousand five hundred (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

COMPREHENSIVE PLAN REVIEW

The subject site is within the Rural land use designation; the permitted uses within the AR (Agricultural/Residential) district are consistent with the goals, objectives, and strategies of this land use designation.

Future Land Use Map, Rural Category

Objective 1.04C: The Rural Category allows agriculture, agricultural commercial, agri-industrial, recreation, agritourism and residential land uses of a rural character. Certain neighborhood commercial uses may be allowed subject to locational criteria and performance standards. Residential density is 0.1 dwelling units per gross acre (1 unit per ten gross acres) except where otherwise indicated by the strategies listed herein and incorporated into the land development regulations.

Strategy 1.04C(2): The Rural Category contains areas of predominately platted or divided lands which have a more dense development pattern and character of a rural residential or residential nature that are recognized by existing zoning designations which allow for infill in a manner consistent with the character of the area, but does not allow for expansion into areas designated with lower land use densities.

Strategy 1.04C(3): Notwithstanding the density limitations stated in Objective 1.04C the areas described as recognized infill areas herein may be allowed to infill at densities consistent with the availability of utility services and the existing zoning designations. An appropriate transition shall be maintained between rural/agricultural uses and recognized infill areas to protect the use and enjoyment of land and maintain appropriate development patterns. Specific areas and circumstances where the infill pattern is expected and where infill would allow for more efficient use of existing infrastructure are recognized by this strategy.

Comments: The subject site is within the Rural land use designation; the permitted uses within the AR (Agricultural/Residential) district are consistent with the goals, objectives, and strategies of this land use designation.

FINDING OF FACTS

The request for AR (Agricultural/Residential) zoning is consistent with the Comprehensive Plan and compatible with the surrounding land uses.

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 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 recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from R-1C (Residential) to AR (Agricultural/Residential) in accordance with the staff report.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On August 11, 2025, the Planning and Zoning Commission voted 4-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from R-1C (Residential) to AR (Agricultural/Residential) in accordance with the staff report.