

STAFF REPORT

HEARINGS: Planning & Zoning Commission: May 12, 2025

APPLICANT: Christopher Rossey

FILE NUMBER: CU-25-02

REQUEST: Conditional Use Permit for a Second Residence

GENERAL LOCATION: Harrison Steet, approximately 800' east of Weeping Willow Street

PARCEL KEY NUMBER: 107869

APPLICANT'S REQUEST:

The petitioner's request is for approval of a Conditional Use Permit for a Second Residence on a 2.40-acre parcel in the Porterfield's Garden Acres subdivision. The petitioner shares a home with his son and family. Due to the health of the petitioner's wife, placement of a mobile home on the property is requested to provide a secondary living area allowing for privacy and medical assistance. The petitioner has provided a letter from a physician indicating that it would be beneficial for the petitioner's wife to live near family members for continuing care.

SITE CHARACTERISTICS:

Site Size: 2.40 acres

**Surrounding Zoning/
Land Uses:** North: Harrison Street; 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:** Rural

Flood Zone: X

UTILITIES REVIEW:

Hernando county Utilities Department does not currently supply water or sewer service to this parcel. Water and sewer service are not available to this parcel. HCUD has no objection to the addition of a small mobile home on the property, subject to Health Department approval of any upgrades that may be required for the existing onsite sewage treatment and disposal system.

ENGINEERING REVIEW:

The County Engineer has reviewed the petitioner's request and has the following comments:

- The site lies within the Willow Sink watershed, within Basin J0210; the basin is closed; the base flood elevation (BFE) is 68.47.
- No Traffic issues

LAND USE REVIEW:

Minimum Building Setbacks required in AG (Agriculture) District where parcels were created prior to adoption of the original Land Use Regulations, Ordinance No. 72-3.

- Front: 75'
- Side: 35'
- Rear: 50'

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 RECOMMENDATION:

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 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 conditional use permit shall expire on May 12, 2027.
4. Applicant shall coordinate with the Florida Department of Health for any septic system upgrades.