

STAFF REPORT

HEARINGS: Planning & Zoning Commission: August 12, 2024

APPLICANT: Heather Swezey

FILE NUMBER: CU-24-09

REQUEST: Conditional Use Permit for a Temporary Security Residence Associated with the Construction of a House

GENERAL LOCATION: South side of Birmingham Avenue, approximately 160' east of Allen Drive.

PARCEL KEY NUMBER: 82314

APPLICANT'S REQUEST

The petitioner is requesting a Conditional Use Permit for a Temporary Security Residence, namely a Recreational Vehicle (RV), in order to provide security and monitoring of their home during construction. The petitioner has indicated that their home is currently under construction and is scheduled to be completed within the next 6 months.

SITE CHARACTERISTICS

Site Size: 1.8 acres

Surrounding Zoning & Land Uses:

North: PDP(SF); Single Family

South: R1C; Single Family

East: R1C; Single Family

West: R1C; Single Family

Current Zoning: R1C (Residential)

Future Land Use Map Designation: Residential

UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) 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 requested Conditional Use to allow a second RV dwelling on site for an individual to provide daily medical assistance needed by the applicant, subject to Health Department approval of any upgrades to the Onsite Sewage Treatment and Disposal System that may be necessary.

ENGINEERING REVIEW

The site is located on the South side of Birmingham Avenue, approximately 160' east of Allen Drive. The Engineering Department has reviewed the request and indicated the following: This property is within Flood Zone "X", outside the 1% annual chance floodplain.

LAND USE REVIEW

Minimum Building Setbacks Required in the R1C District:

- Front: 25'
- Side: 10'
- Rear: 20'

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 **Error! Reference source not found.** for a period of up to one (1) year 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. No attachments or other structures shall be erected on the property or attached to the RV.
3. Please be advised that soil and habitat are suitable for gopher tortoise. Care should be taken to avoid gopher tortoise burrows while setting up the RV.
4. The proposed RV shall meet the setbacks of the R1C zoning district.
 - Front: 25'

- Side: 10'
 - Rear: 20'
5. Water shall be provided from the main house via hookup and septage shall be emptied and disposed of at a Health Department approved location.
 6. The Conditional Use Permit shall expire on August 12, 2025.