

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: August 8, 2022

**APPLICANT:** Kenneth and Joan Hahn

**FILE NUMBER:** CU-22-08

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

**GENERAL LOCATION:** West side of Valley Ridge Lane, approximately 1,250' north of Hayman Road

**PARCEL KEY NUMBER:** 001262626

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### APPLICANT'S REQUEST:

The petitioner has submitted a request for the renewal of a Conditional Use Permit for a second residence to continue meeting the daily needs of their special needs son. The petitioner has indicated their son requires supervision but benefits from being in his own home. The petitioner has provided a physician's letter indicating the benefits of their son being near family members to receive the necessary care; the letter is part of the public record file.

### SITE CHARACTERISTICS:

**Site Size:** 9.6 acres

**Surrounding Zoning & 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

**Flood Zone:** C

**UTILITIES REVIEW:**

The Utilities Department has indicated that they currently do not supply water or sewer services to this parcel. Water and sewer services are not available to this location.

**ENGINEERING & TRANSPORTATION REVIEW:**

The site is located on the west side of Valley Ridge Lane, approximately 1,250' north of Hayman Road. Access to the property is via private roads not owned or maintained by Hernando County. The internal subdivision roads connect to Hayman Road, a county owned and maintained roadway. The petitioner has indicated utilizing the existing driveway and proposes no changes to the access. The County Engineer has reviewed the subject request and indicated no engineering related concerns.

**LAND USE REVIEW:**

Minimum County Required AG/(Agricultural) Building Setbacks:

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

The subject request as shown on the petitioner's site plan meets the setbacks of the AG/(Agricultural) zoning district.

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 has the ability to 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 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 & Zoning Commission may approve the request for the renewal of a second residence for a period of up to two (2) years 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 petitioner shall remove the second residence upon termination of the permit, or when the hardship no longer exists.
3. The conditional use shall expire on August 8, 2024.