

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: October 7, 2024  
Board of County Commissioners: December 10, 2024

**APPLICANT:** Timothy and Amber Fiori

**FILE NUMBER:** H-24-43

**REQUEST:** Rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2)

**GENERAL LOCATION:** East side of Hope Hill Road approximately 775' south of Cortez Boulevard.

**PARCEL KEY NUMBER:** 858423

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### APPLICANT'S REQUEST

The petitioners are requesting a rezoning of their 3.7 acre parcel from R-1C (Residential) to AR-2 (Agricultural/Residential 2). The petitioner has indicated a desire to utilize their property for small livestock. The parcel does not have any existing home and they are proposing a manufactured home.

### SITE CHARACTERISTICS:

**Site Size:** 3.7 acres

**Surrounding Zoning & Land Uses:**

North:	PDP MF; Single Family
South:	R-1C; Single Family
East:	R-1C; Single Family
West:	R-1C; Single Family

**Current Zoning:** R-1C (Residential)

**Future Land Use Map Designation:** Residential

### UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) reviewed the application and states this parcel is located within the City of Brooksville Utility Department's (CBUD) first right to serve district; please contact CBUD for any utility related comments.

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**ENGINEERING REVIEW**

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

- The applicable FEMA FIRM panel number is number 12053C0192D, effective on 2/2/2012.
- A paved driveway apron connection to Hope Hill Rd is required. The driveway apron shall meet the requirements of the Hernando County Facility Design Guideline IV-26/Residential Driveway.
- The petitioner must obtain a Right of Way Use permit to install the driveway apron.

**LAND USE REVIEW**

Minimum AR-2 (Agricultural/Residential) Building Setbacks:

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

The AR district is designed to allow the continued development of low-density, single-family housing as well as mobile homes. The Hernando County Code of Ordinances, Appendix A, Article IV, Section 13 identifies the permitted uses within the AR-2 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 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.

- (d) Agricultural/Residential-2:
  - i. Single-family dwellings
  - ii. Mobile homes

**COMPREHENSIVE PLAN REVIEW:**

The subject is located within the Residential Future Land Use designation on the County’s adopted Comprehensive Plan. The petitioner’s parcel is located directly off Hope Hill Road. Existing residential lots within the area contain a variety of single-family and mobile homes as well as AR-2 zoning.

**Future Land Use, Residential Category**

Objective 1.04B: The Residential Category includes zoning for multi-family housing generally averaging 7.5 dwelling units per gross acre up to 22 dwelling units per gross acre in order to provide for a diversity of housing choices. Multifamily housing should be located within, or in close proximity to urban areas shown on the Adjusted Urbanized Area Map, or near shopping and employment centers or within Planned Development Projects.

Objective 1.04B Mobile homes are recognized as an affordable housing choice in the Residential Category, providing for compatibility with surrounding land uses and served at the site by appropriate infrastructure and services in accordance with Residential Category standards. Direct access to an arterial or major collector roadway is required to facilitate emergency evacuation.

*Comments:* The parcel is within the residential land use classification and is surrounded by acres in size. The proposed rezoning is consistent with the strategies for residential density and the pattern of land development on the surrounding parcels.

**FINDINGS OF FACT**

A rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential) is appropriate based on consistency with the County’s adopted Comprehensive Plan and the development patterns within the Residential Land Use.

**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-2 (Agricultural/Residential-2).

**PLANNING AND ZONING ACTION:**

On October 7, 2024, the Planning and Zoning Commission voted 3-1 to recommend the Board of County Commissioners adopt a Resolution approving the petitioner's request for a rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential-2).