

STAFF REPORT

HEARINGS: Planning & Zoning Commission: April 14, 2025
Planning & Zoning Commission: May 12, 2025
Board of County Commissioners: July 1, 2025

APPLICANT: Francisco Herrera

FILE NUMBER: H-24-76

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

GENERAL

LOCATION: North of Square Stone Street, approximately 250' west of the intersection of Split Stone Drive and Square Stone Street.

PARCEL KEY

NUMBER(S): 022406

APPLICANT'S REQUEST

The petitioner is requesting a rezoning of the subject property from R-1C (Residential) to AR-2 (Agricultural/Residential) to allow for placement of a mobile home. There are no existing structures on the property.

SITE CHARACTERISTICS

Site Size: 1.2 acres

Surrounding Zoning;

Land Uses: North: R-1C (Residential); Single Family Residence

South: R-1C (Residential); Undeveloped

East: R-1C (Residential); Single Family Residence

West: AR-2 (Agricultural/Residential)

Current Zoning: R-1C(Residential)

Future Land Use

Map Designation: Rural

UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) reviewed the petitioner's application and provided the following comments:

- HCUD does not currently supply water or sewer service to this parcel. Water and sewer services are not available to the parcel.
- HCUD has no objection to the requested zoning change from R-1C (Residential) to AR-2 (Agricultural/ Residential) to allow placement of a mobile home on the property, subject to the Health Department approval of an appropriate onsite sewage treatment and disposal system.

ENGINEERING REVIEW

The subject property is located north of Square Stone Street, approximately 250' west of the intersection of Split Stone Drive and Square Stone Street. The County Engineer has reviewed the petitioner's request and has indicated no engineering related concerns.

LAND USE REVIEW

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

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

The AR-2 District is designed to allow the continued development of low-density, single-family housing, characterized by an established mixture of both conventional single-family dwellings and mobile homes. The AR-2 district is not to be utilized for future development. 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

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.

Comments: The subject parcel is in the Rural future land use category, surrounded by residential parcels ranging in size from 1.0 and 1.20 acres. The proposed use and lot size is compatible with surrounding parcels. The subject parcel is residential, which is consistent with the Rural future land use category.

FINDING OF FACTS

A rezoning from R-1C (Residential) to AR-2 (Agricultural/Residential) is appropriate based on consistency with the County's adopted Comprehensive Plan, subject to the staff report.

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 (Agriculture/Residential).

P & Z ACTION:

On April 14, 2025, the Planning and Zoning Commission voted 5-0 to postpone the petitioners request until May 12, 2025, hearing. The postponement would allow for further discussions on the petitioner's intent.

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 (Agriculture/Residential).