



## Legislation Details (With Text)

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**Status:** Agenda Ready  
**File created:** 11/18/2023  
**In control:** Board of County Commissioners  
**On agenda:** 12/12/2023  
**Final action:**  
**Enactment date:**  
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**Title:** Variance Petition Submitted by Drew Moyer

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Zoning Appeal Application, 2. Staff Report, 3. Letter of Hardship, 4. Section 3. Appeals and Variances, 5. Moyer APO, 6. Citizen Comment, 7. Approval Resolution, 8. Denial Resolution, 9. Affidavit of Publication of Legal Ad CLK23-183, 10. Public Comment Form - Doug Davenport, 11. Public Comment -Johanna Herrington, 12. Approved Resolution No. 2023-246

Date	Ver.	Action By	Action	Result
12/12/2023	1	Board of County Commissioners		

### TITLE

Variance Petition Submitted by Drew Moyer

### BRIEF OVERVIEW

The applicant requests a variance to the Hernando County MuniCode Side yard and Rear Setbacks for the primary residence. The applicant requests a 20' reduction on the north side, changing the setback from 35' to 15', and a 15' reduction in the setbacks on the rear changing the setbacks from 50' to 35'.

### LOCATION

N1/2 of NE1/4 of SW1/4 of NE1/4 Less W 430 FT of S253 FT Thereof Less W50 FT aka par in class I Sub as

### CURRENT ZONING

AG / Agricultural

### ORDINANCE STANDARDS

Appendix A - Zoning, Article IV. - Zoning District Regulations, Section 6. Rural Districts, (7) dimension and area regulations, (b) single-family dwelling not accessory to the principal agricultural use of the premises, iv. Side yard: The minimum side yard requirement shall be thirty-five (35) feet. v. Rear yard: The minimum rear yard requirement shall be fifty (50) feet.

### SURROUNDING ZONING & LAND USE

North: AG / Single-Family

South: AG / Single-Family

East: AG/ Vacant

West: AG/ Single Family

## **CONCLUSIONS**

The applicant requests a variance to the Hernando County MuniCode Side yard and Rear Setbacks for the primary residence. The applicant requests a 20' reduction on the north side, changing the setback from 35' to 15', and a 15' reduction in the setbacks on the rear changing the setbacks from 50' to 35'. Per Muni Code Appendix A - Zoning, Article IV. - Zoning District Regulations, Section 6. Rural Districts, (7) dimension and area regulations, (b) single-family dwelling not accessory to the principal agricultural use of the premises, iv. Side yard: The minimum side yard requirement shall be thirty-five (35) feet. v. Rear yard: The minimum rear yard requirement shall be fifty (50) feet.

## **FINANCIAL IMPACT**

A matter of policy.

## **LEGAL NOTE**

The Board is authorized to consider the variance request pursuant to Hernando County Code of Ordinances, Appendix A, Article V, Section 3, and Chapters 125 and 163 of the Florida Statutes.

## **RECOMMENDATION**

It is recommended that the Board review the variance, find the request is consistent with the review criteria of Section 3 Appeals and Variances. This request does not negatively impact the parcel, neighborhood, or community, nor does it change the character of the neighborhood. As well as Appendix A - Zoning, Article IV. - Zoning District Regulations, Section 6. Rural Districts, (7) dimension and area regulations, (b) single-family dwelling not accessory to the principal agricultural use of the premises, iv. Side yard: The minimum side yard requirement shall be thirty-five (35) feet. v. Rear yard: The minimum rear yard requirement shall be fifty (50) feet. It is further recommended that the Board authorize the Chairperson's signature on the attached associated resolution.