

December 8, 2025

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

VIA: Jeffry Rogers, County Administrator
County Administrator's Office

FROM: Cesar Omar DePablo, Development Services Director
Planning and Zoning Department

**SUBJECT: Special Exception Actions by the Planning and Zoning Commission
on December 8, 2025**

For the Board's information, on December 8, 2025, the Planning and Zoning Commission (P&Z) held a duly advertised public hearing to consider an advertised request for a Special Exception(s). Attached to this memorandum are the staff reports and actions of the P&Z on the special exception requests at that scheduled public hearing.

A notification letter was sent on Wednesday, December 10, 2025, to inform the petitioners of the P&Z actions. According to Appendix A, Zoning, Article V, Section 8(1) of the Hernando County Code of Ordinances, the Board of County Commissioners (BOCC), by a majority vote, may decide to review any special exception decision rendered by the P&Z. If at least a majority (three (3) members) of the governing body do not vote to review the P&Z decision within thirty (30) days, which would be Wednesday, January 7, 2026, the P&Z decision shall be deemed final and subject only to review by the circuit court. The review of the decision by the BOCC shall be at a public hearing held within sixty (60) days of the P&Z decision. The board has the authority to continue, on its own motion, to a later date a final decision on any special exception matter pending before it for review.

The review of decision by the BCC would occur on the regular BCC hearing date of Tuesday, February 3, 2026, (calculated from the date of P&Z decision). "Public notice" for this hearing shall mean publication of notice of the time, place and purpose of such hearing one (1) time in a newspaper of general circulation in the county, such publication to be at least five (5) days prior to such hearing, and such notice shall be posted in a conspicuous place or places around such lots, parcels, or tracts of land as may be involved in the hearing. Affidavit proof of the required publication and posting of the notice shall be presented at the hearing.

The Board may affirm, modify, or reverse the decision of the P&Z at the hearing.

Copies: Applicant's File



STAFF REPORT

HEARINGS: Planning & Zoning Commission: December 8, 2025

APPLICANT: David L Merrit and Lynette M. Merritt

FILE NUMBER: SE-25-12

PURPOSE: Special Exception Use Permit for a limited at-home monument business

GENERAL LOCATION: East side of Weatherly Road Approximately 250 feet from Richbarn Road

PARCEL KEY NUMBER: 366035, 366197

APPLICANT'S REQUEST:

The petitioner is requesting a Special Exception Use Permit for a limited at-home monument business on two adjacent parcels located on Weatherly Road. The request is to allow the continued use of the property for a monument business. Together, the parcels total approximately 8.3 acres and are identified by Key Nos. 366035 and 366197.

The property includes two buildings. On Key No. 366035, there is a 1,330-square-foot single-family home with pole barns located behind it. This is the primary work area where sandblasting and monument inscription take place inside a booth. On Key No. 366197, there is a 2,400-square-foot garage that will be used for indoor storage of monuments when needed.

The business, Merritt Monuments, Inc., has operated at this location for several years. All activities are conducted indoors or screened from public view, and there are no customer visits to the property. Only one employee is typically on site.

SITE CHARACTERISTICS:

Site Size	8.3 Acres
Surrounding Zoning; Land Uses	North: AG; land use South: Weather Rd East: AR2; Developed West: Weather Rd
Current Zoning:	AR2
Future Land Use Map Designation:	Rural

UTILITIES REVIEW:

Hernando County Utilities Department (HCUD) does not currently supply water or wastewater service to these parcels. Water and wastewater service are not available to these parcels. HCUD has no objection to the requested special exemption to allow a monuments business to be ran out of the parcels.

ENGINEERING REVIEW:

The subject site is located on the East side of Weatherly Road Approximately 250 feet from Richbarn Road. The Hernando County Engineer has reviewed the petitioner's request and has no issues or concerns.

LAND USE REVIEW:

The petitioner is requesting a Special Exception Use Permit for a limited at-home monument business.

The property is well-buffered by existing trees and vegetation, which will remain in place. All structures meet or exceed Hernando County setback requirements. Approval of this request will allow the applicants to continue operating their small, locally owned business in a way that is compatible with surrounding properties and consistent with County regulations.

BUILDING SETBACKS:

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

BUFFERS:

North: 20' Natural Vegetative Buffer with permanent screening
South: 20' Natural Vegetative Buffer with permanent screening
East: 20' Natural Vegetative Buffer with permanent screening
West: 20' Natural Vegetative Buffer with permanent screening

Comments: The adjacent properties are zoned AG/ Agriculture and AR2/ Agriculture Residential. Due to residential standards staff recommends a 20-foot landscape buffer.

The multifamily or nonresidential use located on such lot shall be permanently screened from the adjoining and contiguous properties by a wall, fence, and/or approved enclosures. Such screening shall have a minimum height of five (5) [feet] and a maximum height of eight (8) feet, or an evergreen hedge with a minimum height of five (5) feet at the time of planting.

The petitioner shall be required to enhance the buffer to meet residential protection design standards.

Residential Protection Standards:

The subject site shall be subject to the following Residential Protection Standards, in accordance with Appendix A, Article VIII, Section 6.

- There shall be no speakers or other sound equipment located within 100 feet of any single-family residential district property line.
- There shall be no buildings containing alcoholic beverage dispensation establishments, convenience stores, or automotive and truck repair establishments located within 100 feet of any single-family residential district property line.
- No commercial activities which include customer entrances, drive-up windows, ordering boxes, or loading/unloading areas shall be allowed to operate between the hours of 12 midnight and 7:00 a.m. within 100 feet of any single-family residential district property line.
- No building within 100 feet of any single-family residential district property line shall be more than 20 feet in height.
- All loading bays and loading docks must be a minimum of 100' from any single-family residential district property line. Additionally, all loading bays and loading docks must be screened from view from the public right-of-way or single-family residential district property line. Screening may include landscape plantings, berms, fences or walls.
- Air conditioning and/or other operational equipment must be oriented away from single family residentially zoned property or screened to minimize noise impacts and reduce visual incompatibility to the single family residentially zoned property. Screening may include landscape plantings, berms, fences or walls.

Parking:

The applicant shall be required to provide adequate parking in accordance with the Land Development Regulations at the time of site plan approval

COMPREHENSIVE PLAN REVIEW:

The subject property is located within the Rural land use classification on the adopted Future Land Use Map. The area is characterized by rural residential uses.

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 Special Exception Use Permit for a Monument Business would not impact the rural nature of this parcel.

FINDINGS OF FACT:

The requested Special Exception Use Permit for limited at-home monument business, is appropriate based on consistency with the Comprehensive Plan and compatibility with the

surrounding land uses.

NOTICE OF APPLICANT RESPONSIBILITY:

The special exception 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. Homeowners' 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.

The applicant, property owner, or developer is responsible for ensuring the performance conditions established herein are provided to all contractors performing work for this project. All applications submitted for development activity on this project are expected to comply with the performance conditions established herein.

STAFF RECOMMENDATIONS:

It is recommended that the Planning and Zoning Commission approve the petitioner's request for a Special Exception Use Permit for a limited at-home monument business 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 be required to comply with all applicable Southwest Florida Water Management District, Florida Fish and Wildlife Conservation Commission, and Florida Department of Environmental Protection permitting requirements.
3. Building Setbacks

Front:	50'
Side:	10'
Rear:	35'
4. Buffers

North:	20' Natural Vegetative Buffer
South:	20' Natural Vegetative Buffer
East:	20' Natural Vegetative Buffer
West:	20' Natural Vegetative Buffer
5. The multifamily or nonresidential use located on such lot shall be permanently screened from the adjoining and contiguous properties by a wall, fence, and/or approved enclosures. Such screening shall have a minimum height of five (5) [feet] and a

maximum height of eight (8) feet, or an evergreen hedge with a minimum height of five (5) feet at the time of planting.

6. Residential Protection Standards:

The subject site shall be subject to the following Residential Protection Standards, in accordance with Appendix A, Article VIII, Section 6.

- There shall be no speakers or other sound equipment located within 100 feet of any single-family residential district property line.
- There shall be no buildings containing alcoholic beverage dispensation establishments, convenience stores, or automotive and truck repair establishments located within 100 feet of any single-family residential district property line.
- No commercial activities which include customer entrances, drive-up windows, ordering boxes, or loading/unloading areas shall be allowed to operate between the hours of 12 midnight and 7:00 a.m. within 100 feet of any single-family residential district property line.
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- Air conditioning and/or other operational equipment must be oriented away from single family residentially zoned property or screened to minimize noise impacts and reduce visual incompatibility to the single family residentially zoned property. Screening may include landscape plantings, berms, fences or walls.

7. The applicant shall be required to provide adequate parking in accordance with the Land Development Regulations at the time of site plan approval for employee parking.

PLANNING AND ZONING RECOMMENDATIONS:

On December 8, 2025, the Planning and Zoning Commission voted 3-2 to deny the petitioner's request for a Special Exception Use Permit for a limited at-home monument business.