

**STAFF REPORT**

Planning & Zoning Commission: July 11, 2005

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**APPLICANT:** Hernando Oaks, LLC **FILE NUMBER:** CU-05-09

**PURPOSE:** Conditional Use Permit for a Temporary Structure, Namely a Golf Cart Storage Building

**GENERAL**

**LOCATION:** Northwest of Delacroix Drive and Esplande Court, approximately 2,500' west of US 41

**LEGAL**

**DESCRIPTION:** A portion of Section 5, Township 23 South, Range 19 East, Hernando County, FL

**FILE STATUS:** All requirements necessary to conduct the public hearing have been satisfied.

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**CITIZEN RESPONSE:** FOR: 0 AGAINST: 0

**STAFF FINDINGS:**

<u>Surrounding Zoning</u>	<u>Surrounding Land Uses</u>
North: C/PDP	Golf course
South: C/PDP, PDP(SF)	Golf course, single family
East: C/PDP	Golf course
West: C/PDP	Golf course

**SUMMARY OF REQUEST**

The petitioner requests a renewal of a conditional use permit for a temporary structure, namely a golf cart storage building. The subject property is located northwest of Delacroix Drive and Esplande Court, approximately 2,500' west of US 41.

**FACTUAL INFORMATION**

1. The property is currently zoned C/PDP.
2. The Hernando Oaks PDP was approved in November 1999; master plan revisions have been approved in April 2000 and October 2002.
3. The property comprises approximately 5.15 acres.

4. Hernando Oaks is currently under development; the temporary structure has already been constructed on the property.
5. The site contains majestic and specimen trees.
6. The subject property has access from Delacroix Drive, a private platted roadway in Hernando Oaks.
7. The subject property is located within a residential land use classification on the adopted Future Land Use Map.
8. The on-site soil types include Blichton loamy fine sand and Flemington fine sandy loam.
9. The property is located in a flood zones C and AH.
10. The subject property contains a Class 1 wetland, but no WHPAs or SPAs, according to County data resources.
11. The Utilities Department has indicated that central water and sewer are available to serve the subject site.
12. There are adequate public facilities available to serve the subject property.
13. The subject property is located within Hernando Oaks, a multiple use development currently under construction. The surrounding area will be characterized by golf course and single family villa residences.
14. A permanent golf cart storage structure would be allowed at the proposed location; however a temporary structure would not, therefore it is necessary for the petitioner to seek a conditional use permit approval.

#### **STAFF DISCUSSION**

The petitioner has submitted a request to renew a conditional use permit for a temporary golf cart storage structure in an area designated as a golf course on the Hernando Oaks Master Plan. The structure has an aluminum frame, with fabric-coated sides and a gravel floor. The petitioner has indicated the structure has electrical service, as the structure is used to store and charge golf carts overnight. The plan indicates 75 golf carts will be stored within the structure. The petitioner has indicated the carts are secured by pulling chainlink fence across the structure's openings overnight. The petitioner has indicated the structure requires no additional parking facilities or employees; the structure is accessed by maintenance workers, not by golfers. The petitioner has indicated the

intention to remove the temporary structure once a permanent golf clubhouse and golf cart storage facility are built.

A permanent structure would be allowed, however a temporary structure would not, therefore it is necessary for the petitioner to seek a conditional use permit approval.

Staff does not object to the renewal of the approval of the use for up to two (2) years to allow the petitioner to temporarily store golf carts. The intent of the conditional use permit would be to allow the temporary structure until a permanent building is constructed to store the golf carts. Since the temporary structure is located within a developing subdivision, it is the staff's position that the petitioner's request is consistent with the intent of the conditional use permit.

County development regulations allow a conditional use permit for a temporary structure for a period of up to two (2) years. A petitioner may reapply to extend the length of a conditional use permit; however, the maximum time frame allowed for each approval is two (2) years.

The site plan submitted indicates the structure contains 5,200 square feet. The structure is located adjacent to the golf club's parking lot. The structure is accessed at either end via gravel pathways.

County data resources indicate the subject property contains wetlands and a portion of the site is in the AH flood zone. Due to these conditions, the staff recommends that if the request is approved, no storage of batteries or automotive lubricants should be allowed within the structure.

The City of Brooksville has no objection to the request.

### **FINDINGS OF FACT**

The proposed site is located in an area designated residential on the adopted Future Land Use Map. Recreational land uses are allowed in the residential land use category. The area is currently being developed with the golf club and single family villa residential uses. The master plan revision approved in 2002 indicates the surrounding area will be characterized by the golf course, clubhouse, driving range, resort residential/villa residential uses and open space.

It is the staff's opinion that the request is consistent with the Comprehensive Plan and will not adversely impact the surrounding area.

**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. 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.**

**STAFF RECOMMENDATION:**

The Planning staff recommends the Planning and Zoning Commission approve the Conditional Use Permit for a Temporary Structure, Namely a Golf Cart Storage Building for a period of two (2) years because it is staff's opinion that the request will not adversely affect the surrounding area. Approval should be conditioned upon the following performance conditions:

1. The petitioner must maintain all permits from Hernando County and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. No storage of batteries or automotive lubricants shall be allowed within the structure.
3. The temporary structure shall be constructed generally in conformance with the site plan.

**P&Z ACTION:**

The P&Z voted 5-0 to approve the Conditional Use Permit for a Temporary Structure, Namely a Golf Cart Storage Building for a period of two (2) years with the following modified performance conditions:

1. The petitioner must maintain all permits from Hernando County and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. No storage of batteries or automotive lubricants shall be allowed within the structure.
3. The temporary structure shall be constructed generally in conformance with the site plan.
4. The petitioner removing the temporary structure upon termination of the permit, or when the permanent structure has been built.