

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: May 14, 2007

**APPLICANT:** Greg P Sr. and Mae Ann Shebosky

**FILE NUMBER:** CU-07-07

**PURPOSE:** Conditional Use Permit for a Second Residence

### GENERAL

**LOCATION:** East side of Endsley Road, approximately 2,775' south of Powell Road

### LEGAL

**DESCRIPTION:** A portion of Section 15, Township 23 South, Range 19 East, of Hernando County, FL

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

### CITIZEN

**RESPONSE:** Correspondence received as of the date of this report? Yes  No

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### APPLICANT'S REQUEST:

The petitioners have submitted a request for a conditional use permit for a temporary residence on a 5.0 acre parcel. The second residence will be for the petitioners's mother. The petitioners have indicated the parent needs to be close to the petitioners in order to be properly cared for. The petitioners have provided a letter from a physician indicating the parent suffers from multiple medical conditions which have impaired mobility.

The site plan submitted indicates one newly built permanent structure with an older mobile home. The petitioner has recently finished construction of the new structure and proposes to utilizing the older mobile home residence for the petitioners's mother. The mobile home residence is 23.5' x 55', containing approximately 1,292 square feet. The second residence meets the County's setbacks.

### SITE CHARACTERISTICS:

**Site Size:** 5.0 acres

**Surrounding Zoning; Land Uses:** North: AG; Single Family; Mobile Homes  
South: AG; Undeveloped  
East: AG; Single Family

West: AG; Single Family; Mobile Homes

**Current Zoning:** AG/(Agricultural)

**Future Land Use Map Designation:** Rural

**Flood Zone:** C

**ENGINEERING & TRANSPORTATION REVIEW:**

The County Engineer and Transportation Planner have reviewed the subject request and had no comments.

**UTILITIES REVIEW:**

Hernando County Utilities Department has indicated that due to distance from utility infrastructure, it would not be economically feasible to require connection at this time.

**LAND USE REVIEW:**

A conditional use permit is intended to be used as a special permit which temporarily allows uses not otherwise permitted by the ordinance. The P&Z has the ability to grant a conditional use permit for a period up to two years if they determine that a hardship exists.

**COMPREHENSIVE PLAN REVIEW:**

The subject property is located within a residential land use classification. The area contains a mix of mobile homes, single family homes and undeveloped parcels. The placement of a temporary second residence at this location would not be detrimental to the surrounding area.

Under the County LDRs, the Planning & Zoning Commission determines whether a hardship exists and, if such a determination is made, the Planning & Zoning Commission may approve the Conditional Use Permit for a second residence for a period of up to two (2) years.

**NOTICE OF APPLICANT RESPONSIBILITY:**

*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 Concurrence. 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 RECOMMENDATIONS:**

It is recommended that the Planning and Zoning Commission determine whether a hardship exists and, if such a determination is made, the Planning and Zoning may approve the second residence on the parcel for a period of up to two (2) years. If approved, the conditional use permit should be contingent upon:

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. The petitioner removing the second residence upon termination of the permit, or when the hardship no longer exists.