

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: October 8, 2007

**APPLICANT:** Virginia Williams

**FILE NUMBER:** CU-07-10

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

### GENERAL

**LOCATION:** South side of Townsend Boulevard, approximately 1,200' west of Seminole Boulevard

### LEGAL

**DESCRIPTION:** A portion of Section 15, Township 21 South, Range 20 East, 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 petitioner has submitted a request for a second residence in order to accommodate the health needs of her father. Due to some recent events, the petitioner has provided a physician's letter requesting that the father be in close proximity to the family in order to facilitate his health needs.

The 4.90 acre site is currently developed with a mobile home and shed. The petitioner proposes placing an additional 24' x 40' mobile home on their property for a second residence. The subject request as shown on the petitioner's site plan meets the setbacks of the Agricultural zoning district.

### SITE CHARACTERISTICS:

**Site Size:** 4.90 acres

**Surrounding Zoning; Land Uses:**

North:	AG; Single Family & Mobile Homes
South:	AG; Single Family & Mobile Homes
East:	AG; Single Family & Mobile Homes
West:	AG; Single Family & Mobile Homes

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

**Future Land Use Map Designation:** Rural

**Flood Zone:** C

**ENVIRONMENTAL REVIEW:**

The Environment Planners have reviewed the request and indicated no environmental related issues with the proposal.

**UTILITIES REVIEW:**

The subject property will be served by an existing well and a septic system. The petitioner will have to apply for the appropriate approvals from the Health Department to provide service for the second residence if the request is approved.

**ENGINEERING & TRANSPORTATION REVIEW:**

The subject property is located on the south side of Townsend Boulevard, approximately 1,200' west of Seminole Boulevard. Townsend Boulevard is an unpaved road that extends to Seminole Boulevard, a paved County road.

The County Engineer has reviewed the request and indicated that Townsend Boulevard is a county maintained road.

**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 Commission 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 Rural land use classification on the adopted Future Land Use Map. The area contains a mix of mobile homes, single family homes and vacant parcels.

The Planning & Zoning Commission has the ability under the County's LDRs to grant a conditional use permit upon making a determination that a hardship exists.

**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 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 RECOMMENDATIONS:**

It is recommended that the Planning and Zoning Commission determine whether a hardship exists; if such a determination is made, the Planning & Zoning Commission 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 the following:

1. The petitioner must obtain all permits from Hernando County and continue to meet all applicable land development regulations, for either construction or use of the property, including receiving development review for the proposed use.
2. The petitioner removing the second residence upon termination of the permit, or when the hardship no longer exists.
3. The petitioner shall meet the requirements of the Health Department for the second residence.