

AN ORDINANCE AMENDING THE HERNANDO COUNTY CODE OF ORDINANCES, APPENDIX A, ZONING ORDINANCE; BY AMENDING APPENDIX A, ARTICLE I, SECTION 3. DEFINITIONS, THROUGH ADDITION; BY AMENDING APPENDIX A, ARTICLE III, SPECIFIC REGULATIONS, SECTION 3. SPECIFIC USE REGULATIONS. (F), COMMERCIAL VEHICLES AND EQUIPMENT; BY AMENDING ARTICLE IV, SECTION 6. RURAL DISTRICTS (C) AGRICULTURAL/RESIDENTIAL DISTRICT, THROUGH DELETION; BY CREATING APPENDIX A, ARTICLE IV, SECTION 13, AGRICULTURAL/RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, that the following provisions are hereby enacted:

SECTION 1. BY AMENDING APPENDIX A, ARTICLE I, SECTION 3, DEFINITIONS, THROUGH ADDITION AS FOLLOWS:

108. *Commercial Vehicles:*

- a. A vehicle with a gross vehicle weight in excess of 10,000 pounds and utilized for commercial purposes; or,
- b. A van with a width of more than eighty (80) inches and utilized for commercial purposes; or,
- c. A vehicle with a gross vehicle weight of less than 10,000 pounds that has been modified with a utility body, tank or other similar commercial attachments, and utilized for commercial purposes.

109. *Commercial Equipment:* truck trailers, construction equipment, lawn equipment and similar devices utilized for commercial purposes

SECTION 2. BY AMENDING APPENDIX A, ARTICLE III, SPECIFIC REGULATIONS, SECTION 3. SPECIFIC USE REGULATIONS. (F), COMMERCIAL VEHICLES AND EQUIPMENT, AS FOLLOWS:

F. Commercial vehicles and equipment:

1. The parking of commercial vehicles and equipment is unlawful in all residential zoning districts, residential planned development projects, mobile home planned development projects, R-1MH district, C-3 mobile home park districts and all agricultural/residential districts unless the equipment or vehicle is being utilized in connection with a construction or service activity being conducted in the immediate area. Service activity does not include the service or maintenance of commercial vehicles or equipment. Commercial equipment such as a utility trailer, lawn equipment or construction equipment, may be stored on the premises if they are stored inside or in an area not visible from the streets or other property.
2. A special exception use permit may be applied for pursuant to Article V, Section 8. Special Exception Use Regulations of this ordinance on parcels zoned AR, AR-1 or AR-2 in order to park one (1) commercial vehicle provided the property is a minimum of 2½ acres in size, and further provided the property has access by a road wherein commercial vehicles are not prohibited or restricted.
3. One (1) commercial vehicle is allowed to be parked on an agriculturally zoned parcel. A special exception use permit may be applied for pursuant to Article V, Section 8. Special Exception Use Regulations of this ordinance in the agricultural district to park additional commercial vehicles provided the property is a minimum of 2½ acres in size, and further provided the property has access by a road wherein commercial vehicles are not prohibited or restricted. This section is not intended to limit the parking of commercial vehicles in the AG district when the vehicles are associated with a permitted AG use on the property.
4. The parking of commercial vehicles and equipment is unlawful in the C-1, C-2, C-3, OP, CM-1, CM-2, AC, PDP(GHC), PDP(GCD), PDP(HCD), PDP(NCD), and PDP(OP) districts unless the commercial vehicle and equipment is associated with the permitted use of the property.

SECTION 3. BY AMENDING ARTICLE IV, SECTION 6. RURAL DISTRICTS. (C), AGRICULTURAL/ RESIDENTIAL THROUGH DELETION.

SECTION 4. BY CREATING APPENDIX A, ARTICLE IV, SECTION 13. AGRICULTURAL/RESIDENTIAL DISTRICTS, AS FOLLOWS:

Section 13. Agricultural/Residential Districts

A. The following regulations apply to agricultural/residential district's as indicated:

- (1) *Permitted Uses:*

- (a) *All agricultural/residential districts*
 - i. Limited cultivated crops
 - ii. Grazing livestock at the rate of one mature animal and offspring less than one year of age, per acre.
 - iii. Poultry and swine for home consumption maintained at least seventy-five (75) feet from adjacent property.
 - iv. Horticultural specialty farms
 - v. Accessory structures related to the principal use of the land.
- (b) *Agricultural/Residential:*
 - i. Single-family dwellings
- (c) *Agricultural/Residential-1 districts:*
 - i. Mobile homes
- (d) *Agricultural/Residential-2 districts:*
 - i. Single-family dwellings
 - ii. Mobile homes

(2) *Dimension and Area Regulations:*

- (a) *Lot Area:* The minimum lot area shall be one (1) acre.
- (b) *Building height:* The maximum building height shall not exceed forty-five (45) feet.
- (c) *Lot widths:* The minimum lot width at the building line shall be one hundred (100) feet. Lots on curves shall have a minimum street frontage of fifty (50) feet.
- (d) *Front Yard:* The minimum front yard requirement in the Agricultural/Residential District shall be fifty (50) feet. Along U.S. 19, S.R. 50, U.S. 41, U.S. 98, U.S. 301, C.R. 578, C.R. 485, and C.R. 50 front yard requirements shall be one hundred twenty-five (125) feet.
- (e) *Side yard:* The minimum side yard requirement shall be ten (10) feet.
- (f) *Rear yard:* The minimum rear yard requirement shall be thirty-five (35) feet.

- (g) *Lot frontage:* All lots shall front on a street for a minimum distance of one hundred (100) feet except on dead-end streets, where frontage shall be a minimum of fifty (50) feet.
- (h) *Minimum living area:* The minimum living area of a dwelling shall be six hundred (600) square feet. For the purposes of this subsection, "minimum living area" shall mean the minimum floor area of a dwelling unit exclusive of carports, breezeways, unenclosed porches, or terraces. In accordance with the provisions of this subsection, the minimum living or floor area of a mobile home will be six hundred (600) square feet exclusive of all attachments, and no mobile home shall be permitted to be attached or detached in a manner that would be inconsistent with the original manufacturer's design standards. No mobile home shall have a length or width dimension less than twelve (12) feet, not including pop-outs and attachments. All mobile homes must be skirted within 30 days from the issuance of a certificate of occupancy. The skirting shall constitute a visual screen of new materials, or material in acceptable condition, consisting of aluminum, pressure treated wood, masonry, or other acceptable material normally used for mobile home skirting and be placed around the entire perimeter of the mobile home and extending from the base of the mobile [home] to the ground.

Applicants applying for a building permit to place a used mobile home shall either provide proof of a current and valid inspection by the Department of Motor Vehicles or be inspected by the Hernando County Development Department prior to the issuance of a building permit to set the mobile home. The inspection will be conducted by the Building Division and is designed to protect the public health, safety, and welfare. The inspection will be conducted in areas of fire safety, electrical, plumbing, mechanical, and overall construction of the mobile home.

If the inspection of the mobile home determines that the unit is not repairable, no building permit shall be issued.

No applicant applying to place a mobile home shall perform any repair work or commence set up of the mobile home until a building permit has been secured.

Any deficiencies noted in the inspection report shall be corrected prior to the issuance of a certificate of occupancy.

Standards for used mobile home inspections will be adopted by resolution of the Hernando County Board of County Commissioners, and will be consistent with State standards regulating used mobile homes.

(3) *Special Exception Uses:*

- (a) For the AR, A/R-1 and A/R-2 districts:
 - i. Home occupations
 - ii. Bed and breakfast establishments
 - iii. Retail sales on the premises of permitted agricultural products and services produced on the premises; provided, that where such products or services are sold from roadside stands, such stand shall be setback from any public street right-of-way at least fifty (50) feet and shall be provided with automobile access and off-street parking space in such a manner so as to not create an undue traffic hazard on the street on which such roadside stand is located.
- (b) A/R-1:
 - i. Single-family dwellings

(4) *Special Regulations:*

- (a) No odor nor dust producing substance nor use, except in connection with cultivation of permitted uses, shall be permitted within seventy-five (75') feet of a property line.
- (b) No products shall be publicly displayed nor offered for sale from the roadsides unless a special exception use permit is obtained.
- (c) All accessory buildings shall be located at least ten (10) feet from the side or rear property lines, or no closer to the front property line than the front yard requirement for the district. If a single-family dwelling is on, or will be on the premises in the future, the accessory building shall be no nearer than fifteen (15) feet to such dwelling.

SECTION 5. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this ordinance, for any reason, is held to be unconstitutional, void or invalid, the validity of the remaining portions of said ordinance shall not be affected thereby.

SECTION 6. VIOLATIONS

Enforcement of this ordinance shall be in accordance with the provisions of the Code of Ordinances for Hernando County, Section 2. Administration, Article III. Code Enforcement, but shall not prohibit the County from enforcing this ordinance by any other means or methods allowed by law.

SECTION 7. INCLUSION INTO THE CODE

The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of Hernando County (Land Development Regulations) as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

SECTION 8. EFFECTIVE DATE

This Ordinance shall be effective upon receipt of the official acknowledgment from the office of the Secretary of State of the State of Florida that this Ordinance has been filed with said office.

**ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS IN REGULAR SESSION
THIS 13th DAY OF OCTOBER, 1998.**



**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest:

Karen Nicolai
KAREN NICOLAI, Clerk

By:

Hannah M. Robinson
HANNAH M. ROBINSON, Chairwoman