

ORDINANCE 88-8

AN ORDINANCE AMENDING THE HERNANDO COUNTY CODE OF ORDINANCES, APPENDIX A, ZONING REGULATIONS BY CREATING ARTICLE V, SECTION 3, SUBSECTION G TO PROVIDE FOR A METHOD OF REVIEW OF THE DECISIONS OF THE BOARD OF ADJUSTMENTS AND APPEALS BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA AS FOLLOWS:

SECTION 1. HERNANDO COUNTY CODE OF ORDINANCES APPENDIX A, ZONING REGULATIONS, ARTICLE V, SECTION 3, SUBSECTION G IS HEREBY CREATED TO READ:

"G. APPEAL BY THE GOVERNING BODY- The Governing Body, by a majority vote, may decide to review any special exception decision rendered by the Zoning Board of Adjustments and Appeals.

The decision of the Governing Body to review such decision must be made within fifteen days of the decision of the Zoning Board of Adjustments and Appeals. If at least a majority (3 members) of the Governing Body do not vote to review the Zoning Board of Adjustments and Appeals decision within fifteen days, the decision of the Zoning Board of Adjustments and Appeals shall be deemed final and subject only to review by circuit court.

The review of the decision by the Governing Body shall be at a public hearing held within twenty-two days of the decision of the Zoning Board of Adjustments and Appeals. Public notice for this subsection 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 two (2) days prior to such hearing, and such notice shall be posted in a conspicuous place or places on or around such lots, parcels or tracts of lands as may be involved in the hearing. Affidavit proof of the required publication and posting of the notice shall be presented at the hearing.

At the public hearing, the Governing Body may affirm, modify or reverse the decision of the Zoning Board of Adjustments and Appeals."

SECTION 2. 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.

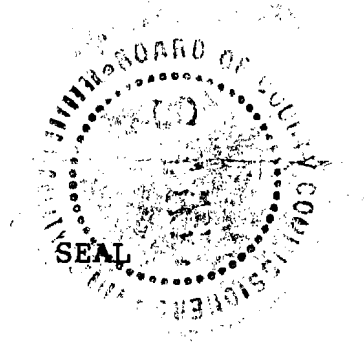
SECTION 3. INCLUSION INTO THE CODE

It is the intention of the Board of County Commissioners of Hernando County, Florida, and it hereby provided, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the sections of this ordinance may be re-numbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate designation.

SECTION 4. EFFECTIVE DATE

This Ordinance shall become effective upon receipt of the official acknowledgement 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 6TH DAY OF APRIL, 1988.



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

BY 
DAVID D. RUSSELL SR., CHAIRMAN

ATTEST 
KAREN NICOLAI, CLERK