

ORDINANCE NO. 91-31

AN ORDINANCE AMENDING THE HERNANDO COUNTY CODE OF ORDINANCES, APPENDIX A, ZONING ORDINANCE BY AMENDING ARTICLE IV, SECTION 1, PROVIDING FOR ADDITIONAL RESIDENTIAL ZONING DISTRICTS; AMENDING ARTICLE IV, SECTION 2, PROVIDING FOR PERMITTED USES; PROVIDING FOR PERMITTED ACCESSORY STRUCTURES AND USES; PROVIDING FOR SPECIAL EXCEPTION USES; PROVIDING FOR DIMENSION AND AREA REGULATIONS; PROVIDING FOR VEHICLE PARKING AND STORAGE; PROVIDING FOR SPECIAL REGULATIONS; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING AN EFFECTIVE DATE.

SECRETARY OF STATE

OCT 3 9 54 AM '91

FILED

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

SECTION 1. HERNANDO COUNTY CODE OF ORDINANCES, APPENDIX A, ARTICLE IV, SECTION 1. A., IS HEREBY AMENDED BY ADDING A NEW NUMBER (4) TO READ AS FOLLOWS AND RENUMBERING SUBSEQUENT ITEMS:

- 4. R-2.5 Residential District: This district is designed to encourage and protect low-density, single-family development at a maximum density of 2.5 units per acre. The district is designed primarily for new development and is not intended for extensive use in established neighborhoods. Any request for this district within an established neighborhood shall be by petition of owners of sixty-six (66) per cent or more of the area proposed to be rezoned. In established neighborhoods, the minimum land area necessary for consideration of a zoning amendment petition to this district shall be an entire subdivision, subdivision unit or subdivision tract or at least ten (10) acres in size.

HERNANDO COUNTY CODE OF ORDINANCES, APPENDIX A, ARTICLE IV, SECTION 2., IS HEREBY AMENDED TO READ AS FOLLOWS:

Section 2. Residential Districts.

The following regulations shall apply in the Residential Districts as indicated:

A. R-1A residential district

(1) Permitted uses

- (a) Single family dwellings.
- (b) Mobile homes.

(2) Permitted accessory structures and uses:

- (a) Carport, garage or other buildings not used as a dwelling and customarily incidental to the principal use of the premises.
- (b) Accessory uses customarily incidental to the principal use of the premises.

(3) Special exception uses:

- (a) Home occupation.
- (b) Lodging houses.

(4) Dimension and area regulations. The following dimension and area regulations shall apply in the district:

(a) Minimum lot area:

The minimum lot area shall be 6,000 square feet.

(b) Minimum lot width at building line:

The minimum lot width at building line shall be sixty (60) feet.

(c) Minimum front yard requirements:

The minimum front yard requirement shall be twenty-five (25) feet.

Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and front on a street with a waterway to the rear, the front yard shall be twenty (20) 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; except the area between U.S. 19 and Oak Lake Drive on C.R. 578 where the front yard setback shall be twenty-five (25) feet.

(d) Minimum side yard requirement:

The minimum side yard requirement shall be ten (10) feet. Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and do not meet the requirement for lot width at the building line, the side setback shall be seven (7) feet.

(e) Minimum rear yard requirements:

The minimum rear yard requirement shall be twenty (20) feet. Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and the lots front on a street with a waterway to the rear, the rear yard requirement shall be fifteen (15) feet.

(f) Minimum street frontage:

The minimum street frontage shall be fifty (50) feet except those lots which front on the turnarounds of permanent dead-end streets shall be permitted to front on such turnarounds for a minimum distance of thirty (30) feet.

(g) 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.

(h) Maximum building area:

The maximum building area of dwelling shall be thirty-five (35) percent of the lot area.

(i) Maximum building height:

The maximum building height of a building shall be thirty-five (35) feet, and/or two and one-half (2 1/2) stories.

(j) Accessory Structures:

i. Accessory buildings are permitted only in side and rear yards. Such accessory buildings shall be at least five (5) feet from side and rear lot lines.

ii. Non-commercial piers and boat houses are permitted in the side and rear yard, provided the structure is at least five (5) feet from side property lines. No setback is required from lot lines adjoining waterways.

iii. Swimming pools and screened swimming pool enclosures are permitted only in the side or rear yard and must be at least five (5) feet from side and rear property lines.

(k) Special regulations

i. No mobile home shall have a length or width dimension of less than twelve (12) feet.

ii. All mobile homes must be skirted as part of the placement construction and the skirting must be completed prior to the issuance of the certificate of occupancy. The skirting shall constitute a visual screen of plastic, wood, metal, fiberglass, masonry, or other opaque material placed around the entire perimeter of the mobile home and extending from the base of the mobile home to the ground.

B. R-1B Residential District

(1) Permitted uses

(a) Single family dwellings.

(2) Permitted accessory structures and uses:

(a) Carport, garage or other buildings not used as a dwelling and customarily incidental to the principal use of the premises.

(b) Accessory uses customarily incidental to the principal use of the premises.

(3) Special exception uses:

- (a) Home occupation.
- (b) Lodging houses.

(4) Dimension and area regulations. The following dimension and area regulations shall apply in the district:

(a) Minimum lot area:

The minimum lot area shall be 7,500 square feet.

(b) Minimum lot width at building line:

The minimum lot width at building line shall be seventy-five (75) feet.

(c) Minimum front yard requirements:

The minimum front yard requirement shall be twenty-five (25) feet.

Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and front on a street with a waterway to the rear, the front yard shall be twenty (20) 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; except the area between U.S. 19 and Oak Lake Drive on C.R. 578 where the front yard setback shall be twenty-five (25) feet.

(d) Minimum side yard requirement:

The minimum side yard requirement shall be ten (10) feet. Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and do not meet the requirement for lot width at the building line, the side setback shall be seven (7) feet.

(e) Minimum rear yard requirements:

The minimum rear yard requirement shall be twenty (20) feet. Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and the lots front on a street with a waterway to the rear, the rear yard requirement shall be fifteen (15) feet.

(f) Minimum street frontage:

The minimum street frontage shall be fifty (50) feet except those lots which front on the turnarounds of permanent dead-end streets shall be permitted to front on such turnarounds for a minimum distance of thirty (30) feet.

(g) 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.

(h) Maximum building area:

The maximum building area of dwelling shall be thirty-five (35) percent of the lot area.

(i) Maximum building height:

The maximum building height of a building shall be thirty-five (35) feet, and/or two and one-half (2 1/2) stories.

(j) Accessory Structures:

i. Accessory buildings are permitted only in side and rear yards. Such accessory buildings shall be at least five (5) feet from side and rear lot lines.

ii. Non-commercial piers and boat houses are permitted in the side and rear yard, provided the structure is at least five (5) feet from side property lines. No setback is required from lot lines adjoining waterways.

iii. Swimming pools and screened swimming pool enclosures are permitted only in the side or rear yard and must be at least five (5) feet from side and rear property lines.

C. R-1C Residential District

(1) Permitted uses

(a) Single family dwellings.

(2) Permitted accessory structures and uses:

(a) Carport, garage or other buildings not used as a dwelling and customarily incidental to the principal use of the premises.

(b) Accessory uses customarily incidental to the principal use of the premises.

(3) Special exception uses:

(a) Home occupation

(b) Lodging houses

(4) Dimension and area regulations. The following dimension and area regulations shall apply in the district:

(a) Minimum lot area:

The minimum lot area shall be 10,000 square feet.

(b) Minimum lot width at building line:

The minimum lot width at building line shall

be seventy-five (75) feet.

(c) Minimum front yard requirements:

The minimum front yard requirement shall be twenty-five (25) feet.

Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and front on a street with a waterway to the rear, the front yard shall be twenty (20) 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; except the area between U.S. 19 and Oak Lake Drive on C.R. 578 where the front yard setback shall be twenty-five (25) feet.

(d) Minimum side yard requirement:

The minimum side yard requirement shall be ten (10) feet. Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and do not meet the requirement for lot width at the building line, the side setback shall be seven (7) feet.

(e) Minimum rear yard requirements:

The minimum rear yard requirement shall be twenty (20) feet. Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and the lots front on a street with a waterway to the rear, the rear yard requirement shall be fifteen (15) feet.

(f) Minimum street frontage:

The minimum street frontage shall be fifty (50) feet except those lots which front on the turnarounds of permanent dead-end streets shall be permitted to front on such turnarounds for a minimum distance of thirty (30) feet.

(g) 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.

(h) Maximum building area:

The maximum building area of dwelling shall be thirty-five (35) percent of the lot area.

(i) Maximum building height:

The maximum building height of a building shall be thirty-five (35) feet, and/or two and one-half (2 1/2) stories.

(j) Accessory Structures:

- i. Accessory buildings are permitted only in side and rear yards. Such accessory buildings shall be at least five (5) feet from side and rear lot lines.
- ii. Non-commercial piers and boat houses are permitted in the side and rear yard, provided the structure is at least five (5) feet from side property lines. No setback is required from lot lines adjoining waterways.
- iii. Swimming pools and screened swimming pool enclosures are permitted only in the side or rear yard and must be at least five (5) feet from side and rear property lines.

D. R-2.5 Residential District

(1) Permitted uses

- (a) Single family dwellings.

(2) Permitted accessory structures and uses:

- (a) Carport, garage or other buildings not used as a dwelling and customarily incidental to the principal use of the premises.
- (b) Accessory uses customarily incidental to the principal use of the premises.

(3) Special exception uses:

- (a) Home occupation

(4) Dimension and area regulations. The following dimension and area regulations shall apply in the district:

(a) Minimum lot area:

The minimum lot area shall be 13,000 square feet for any lot created after the effective date of the resolution rezoning the area to the R-2.5 District.

(b) Minimum lot width at building line:

The minimum lot width at building line shall be seventy-five (75) feet.

(c) Minimum front yard requirements:

The minimum front yard requirement shall be twenty-five (25) feet.

Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and front on a street with a waterway to the rear, the front yard shall be twenty (20) 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; except the area between U.S. 19

and Oak Lake Drive on C.R. 578 where the front yard setback shall be twenty-five (25) feet.

(d) Minimum side yard requirement:

The minimum side yard requirement shall be ten (10) feet. Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and do not meet the requirement for lot width at the building line, the side setback shall be seven (7) feet.

(e) Minimum rear yard requirements:

The minimum rear yard requirement shall be twenty (20) feet. Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and the lots front on a street with a waterway to the rear, the rear yard requirement shall be fifteen (15) feet.

(f) Minimum street frontage:

The minimum street frontage shall be fifty (50) feet except those lots which front on the turnarounds of permanent dead-end streets shall be permitted to front on such turnarounds for a minimum distance of thirty (30) feet.

(g) 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.

(h) Maximum building area:

The maximum building area of dwelling shall be thirty-five (35) percent of the lot area.

(i) Maximum building height:

The maximum building height of a building shall be thirty-five (35) feet, and/or two and one-half (2 1/2) stories.

(j) Accessory Structures and Buildings:

i. Accessory buildings are permitted only in side and rear yards. Such accessory buildings shall be at least five (5) feet from side and rear lot lines except where those lot lines abut rivers, golf courses or lakes.

ii. Swimming pools and screened swimming pool enclosures on lots that do not abut golf courses, rivers and lakes are permitted only in the side or rear yard and must be at least five (5) feet from side and rear property lines.

iii. On lots that abut golf courses, detached accessory buildings are not permitted in

the rear yard. Screened swimming pool enclosures shall meet the rear yard requirement for principal buildings.

- iv. On lots that abut rivers and lakes, screened swimming pool enclosures and accessory buildings, except boat houses, shall meet the rear yard requirement for principal buildings.
- v. Non-commercial piers and boat houses are permitted in the side and rear yard, provided the structure is at least five (5) feet from side property lines. No setback is required from lot lines adjoining waterways except where required by other regulatory standards.
- vi. On lots that abut golf courses, rivers, or lakes, the maximum height for fences located in the rear yard, other than chain link fences, shall be four (4) feet. For chain link fences located in the rear yard, the maximum height shall be six (6) feet. All fences located in the rear yard shall be constructed so as not to impair sight lines.

(k) Vehicle Parking and Storage:

- i. Vehicles with a gross vehicle weight of 10,000 pounds or less which are built for or which have received major modifications to the chassis or body for business purposes shall not be parked on any lot within the district unless the vehicle is stored in an enclosed building or in an area so that the vehicle is not visible from streets or other properties. Examples of regulated vehicles include but are not limited to: box vans, tank trucks, buses, wreckers, or dump bodies.

(l) Special Regulations:

- i. On lots that abut golf courses, recreational vehicles, boats and similar items shall be stored only in the side yard or in an enclosed building. If stored in the side yard the unit must be at least five (5) feet from the side lot line.
- ii. Visitors may temporarily park a recreational vehicle in an area not meeting the standard contained in Item i. for a maximum cumulative time period of three (3) days within any ninety (90) day period.
- iii. No business activity shall be allowed which involves the pick up and delivery of materials, other than those small businesses traditionally operated from a residence such as cosmetics, home care products, book keeping services, seamstress, or other such businesses conducted solely within the residence without external signage or activities.

- iv. No business activity shall be allowed which involves the manufacturing of any product.
- v. All tools, maintenance equipment, and similar devices associated with any business entity shall be stored in an enclosed building or an area so that the equipment is not visible from streets or other properties.

E. RM Residential District

(1) Permitted uses

- (a) Mobile Homes

(2) Permitted accessory structures and uses:

- (a) Carport, garage or other buildings not used as a dwelling and customarily incidental to the principal use of the premises.
- (b) Accessory uses customarily incidental to the principal use of the premises.

(3) Special exception uses:

- (a) Home occupation

(4) Dimension and area regulations. The following dimension and area regulations shall apply in the district:

(a) Minimum lot area:

The minimum lot area shall be 7,500 square feet.

(b) Minimum lot width at building line:

The minimum lot width at building line shall be seventy-five (75) feet.

(c) Minimum front yard requirements:

The minimum front yard requirement shall be twenty-five (25) feet.

Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and front on a street with a waterway to the rear, the front yard shall be twenty (20) 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; except the area between U.S. 19 and Oak Lake Drive on C.R. 578 where the front yard setback shall be twenty-five (25) feet.

(d) Minimum side yard requirement:

The minimum side yard requirement shall be ten (10) feet. Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and do not meet the requirement for lot width at the building line, the side setback shall be seven (7) feet.

(e) Minimum rear yard requirements:

The minimum rear yard requirement shall be twenty (20) feet. Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and the lots front on a street with a waterway to the rear, the rear yard requirement shall be fifteen (15) feet.

(f) Minimum street frontage:

The minimum street frontage shall be fifty (50) feet except those lots which front on the turnarounds of permanent dead-end streets shall be permitted to front on such turnarounds for a minimum distance of thirty (30) feet.

(g) 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.

(h) Maximum building area:

The maximum building area of dwelling shall be thirty-five (35) percent of the lot area.

(i) Maximum building height:

The maximum building height of a building shall be thirty-five (35) feet, and/or two and one-half (2 1/2) stories.

(j) Accessory Structures:

i. Accessory buildings are permitted only in side and rear yards. Such accessory buildings shall be at least five (5) feet from side and rear lot lines.

ii. Non-commercial piers and boat houses are permitted in the side and rear yard, provided the structure is at least five (5) feet from side property lines. No setback is required from lot lines adjoining waterways.

iii. Swimming pools and screened swimming pool enclosures are permitted only in the side or rear yard and must be at least five (5) feet from side and rear property lines.

(k) Special regulations

i. No mobile home shall have a length or width dimension of less than twelve (12) feet.

ii. All mobile homes must be skirted as part of the placement construction and the skirting must be completed prior to the issuance of the certificate of occupancy.

The skirting shall constitute a visual screen of plastic, wood, metal, fiberglass, masonry, or other opaque material placed around the entire perimeter of the mobile home and extending from the base of the mobile home to the ground.

E. R-2 Residential District

(1) Permitted uses

- (a) Single family dwellings
- (b) Two family dwellings

(2) Permitted accessory structures and uses:

- (a) Carport, garage or other buildings not used as a dwelling and customarily incidental to the principal use of the premises.
- (b) Accessory uses customarily incidental to the principal use of the premises.

(3) Special exception uses:

- (a) Home occupation
- (b) Lodging houses

(4) Dimension and area regulations. The following dimension and area regulations shall apply in the district:

(a) Minimum lot area:

- i. The minimum lot area shall be 7,500 square feet for single family dwellings.
- ii. The minimum lot area shall be 12,000 square feet for two family dwellings.

(b) Minimum lot width at building line:

The minimum lot width at building line shall be seventy-five (75) feet.

(c) Minimum front yard requirements:

The minimum front yard requirement shall be twenty-five (25) feet.

Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and front on a street with a waterway to the rear, the front yard shall be twenty (20) 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; except the area between U.S. 19 and Oak Lake Drive on C.R. 578 where the front yard setback shall be twenty-five (25) feet.

(d) Minimum side yard requirement:

The minimum side yard requirement shall be ten (10) feet. Where lots are created prior to

the adoption of the original Land Use Regulations, Ordinance No. 72-3, and do not meet the requirement for lot width at the building line, the side setback shall be seven (7) feet.

(e) Minimum rear yard requirements:

The minimum rear yard requirement shall be twenty (20) feet. Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and the lots front on a street with a waterway to the rear, the rear yard requirement shall be fifteen (15) feet.

(f) Minimum street frontage:

The minimum street frontage shall be fifty (50) feet except those lots which front on the turnarounds of permanent dead-end streets shall be permitted to front on such turnarounds for a minimum distance of thirty (30) feet.

(g) 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.

(h) Maximum building area:

The maximum building area of dwelling shall be thirty-five (35) percent of the lot area.

(i) Maximum building height:

The maximum building height of a building shall be thirty-five (35) feet, and/or two and one-half (2 1/2) stories.

(j) Accessory Structures:

i. Accessory buildings are permitted only in side and rear yards. Such accessory buildings shall be at least five (5) feet from side and rear lot lines.

ii. Non-commercial piers and boat houses are permitted in the side and rear yard, provided the structure is at least five (5) feet from side property lines. No setback is required from lot lines adjoining waterways.

iii. Swimming pools and screened swimming pool enclosures are permitted only in the side or rear yard and must be at least five (5) feet from side and rear property lines.

G. R-3 Residential District

(1) Permitted uses

(a) Single family dwellings

- (b) Two family dwellings
 - (c) Multi family dwellings containing up to twelve (12) dwelling units.
- (2) Permitted accessory structures and uses:
- (a) Carport, garage or other buildings not used as a dwelling and customarily incidental to the principal use of the premises.
 - (b) Accessory uses customarily incidental to the principal use of the premises.
- (3) Special exception uses:
- (a) Home occupation
 - (b) Lodging houses
 - (c) Boarding houses
- (4) Dimension and area regulations. The following dimension and area regulations shall apply in the district:
- (a) Minimum lot area:
 - i. The minimum lot area shall be 7,500 square feet for single family dwellings.
 - ii. The minimum lot area shall be 12,000 square feet for two family dwellings.
 - iii. For multi family dwellings (containing three or more dwelling units) the minimum lot area shall be 12,000 square feet plus 3,000 square feet for each additional dwelling unit over the first two (2) dwelling units.
 - (b) Minimum lot width at building line:

The minimum lot width at building line shall be seventy-five (75) feet.
 - (c) Minimum front yard requirements:

The minimum front yard requirement shall be twenty-five (25) feet.

Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and front on a street with a waterway to the rear, the front yard shall be twenty (20) 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; except the area between U.S. 19 and Oak Lake Drive on C.R. 578 where the front yard setback shall be twenty-five (25) feet.
 - (d) Minimum side yard requirement:

The minimum side yard requirement shall be ten (10) feet. Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and do not

meet the requirement for lot width at the building line, the side setback shall be seven (7) feet.

(e) Minimum rear yard requirements:

The minimum rear yard requirement shall be twenty (20) feet. Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and the lots front on a street with a waterway to the rear, the rear yard requirement shall be fifteen (15) feet.

(f) Minimum street frontage:

The minimum street frontage shall be fifty (50) feet except those lots which front on the turnarounds of permanent dead-end streets shall be permitted to front on such turnarounds for a minimum distance of thirty (30) feet.

(g) 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.

(h) Maximum building area:

The maximum building area shall be forty-five (45) percent of the lot area.

(i) Maximum building height:

The maximum building height is forty-five (45) feet and/or three (3) stories. No building shall exceed three (3) stories, or forty-five (45) feet in the R-3 district unless one foot shall be added to the required front and side yards for each foot of building height over forty-five (45) feet in addition to the general yard requirements for the zoning district.

(j) Accessory Structures:

i. Accessory buildings are permitted only in side and rear yards. Such accessory buildings shall be at least five (5) feet from side and rear lot lines.

ii. Non-commercial piers and boat houses are permitted in the side and rear yard, provided the structure is at least five (5) feet from side property lines. No setback is required from lot lines adjoining waterways.

iii. Swimming pools and screened swimming pool enclosures are permitted only in the side or rear yard and must be at least five (5) feet from side and rear property lines.

H. R-R Residential District

- (1) Permitted uses
 - (a) Resort dwellings
 - (b) Single family dwellings
 - (c) Two family dwellings
 - (d) Multi family dwellings containing up to twelve (12) dwelling units.
- (2) Permitted accessory structures and uses:
 - (a) Carport, garage or other buildings not used as a dwelling and customarily incidental to the principal use of the premises.
 - (b) Accessory uses customarily incidental to the principal use of the premises.
- (3) Special exception uses:
 - (a) Home occupation
 - (b) Lodging houses
 - (c) Boarding houses
 - (d) Community centers
 - (e) Clubhouses
 - (f) Gift shops
 - (g) Recreational facilities
 - (h) Rental stores
 - (i) Restaurants
- (4) Dimension and area regulations. The following dimension and area regulations shall apply in the district:
 - (a) Minimum lot area:
 - i. The minimum lot area shall be 7,500 square feet for single family dwellings.
 - ii. The minimum lot area shall be 12,000 square feet for two family dwellings.
 - iii. For multi family dwellings (containing three or more dwelling units) the minimum lot area shall be 12,000 square feet plus 3,000 square feet for each additional dwelling unit over the first two (2) dwelling units.
 - (b) Minimum lot width at building line:

The minimum lot width at building line shall be seventy-five (75) feet.
 - (c) Minimum front yard requirements:

The minimum front yard requirement shall be twenty-five (25) feet.

Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and front on a street with a waterway to the rear, the front yard shall be twenty (20) 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; except the area between U.S. 19 and Oak Lake Drive on C.R. 578 where the front yard setback shall be twenty-five (25) feet.

(d) Minimum side yard requirement:

The minimum side yard requirement shall be ten (10) feet. Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and do not meet the requirement for lot width at the building line, the side setback shall be seven (7) feet.

(e) Minimum rear yard requirements:

The minimum rear yard requirement shall be twenty (20) feet. Where lots are created prior to the adoption of the original Land Use Regulations, Ordinance No. 72-3, and the lots front on a street with a waterway to the rear, the rear yard requirement shall be fifteen (15) feet.

(f) Minimum street frontage:

The minimum street frontage shall be fifty (50) feet except those lots which front on the turnarounds of permanent dead-end streets shall be permitted to front on such turnarounds for a minimum distance of thirty (30) feet.

(g) 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.

(h) Maximum building area:

The maximum building area shall be forty-five (45) percent of the lot area.

(i) Maximum building height:

The maximum building height is forty-five (45) feet and/or three (3) stories. No building shall exceed three (3) stories, or forty-five (45) feet in the R-R district unless one foot shall be added to the required front and side yards for each foot of building height over forty-five (45) feet in addition to the general yard requirements for the zoning district.

(j) Accessory Structures:

- i. Accessory buildings are permitted only in side and rear yards. Such accessory buildings shall be at least five (5) feet from side and rear lot lines.
 - ii. Non-commercial piers and boat houses are permitted in the side and rear yard, provided the structure is at least five (5) feet from side property lines. No setback is required from lot lines adjoining waterways.
 - iii. Swimming pools and screened swimming pool enclosures are permitted only in the side or rear yard and must be at least five (5) feet from side and rear property lines.
- (k) Special regulations: To reduce conflicts with existing or future residential districts and resort residential districts, the following regulations shall apply:
- i. All structures in R-R districts shall be on a central sewer system.
 - ii. There shall be no access points from a R-R district to an adjacent residential district.
 - iii. R-R districts shall provide and maintain a minimum setback for all structures of thirty-five (35) feet for side and rear yards that are adjacent to a residential district. The outer most portion of the required thirty-five (35) foot setback bordering the parcel and adjacent to the residential district shall consist of a five (5) foot landscaped separation strip. The resort usage of such a lot shall be permanently screened from the adjacent residential properties by a wall, fence, evergreen hedge and/or other approved enclosures. Such screening shall be located within the required separation strip and shall have a minimum height of five (5) feet and a maximum height of eight (8) feet.
 - iv. The operation of a resort dwelling in addition to being located in an R-R district is further defined as a commercial operation wherein the owner, or any agent or manager acting on behalf of the owner is required to obtain an occupational license within Hernando County. Any use of property prior to the effective date of this ordinance as a resort dwelling constitutes a commercial use of property and any such use within a non-commercial zoning district constitutes a zoning violation.

SECTION 3. 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 4. INCLUSION INTO THE CODE

The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of Hernando County, and the 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 5. 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 24th DAY OF SEPTEMBER, 1991.

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

BY *Harold D. Varvel*
HAROLD D. VARVEL, CHAIRMAN

SEAL

ATTEST *Karen Nicolai*
KAREN NICOLAI, CLERK *DC*

I hereby certify that the foregoing is a true and correct copy of the original.
Karen Nicolai, Clerk Circuit Court Hernando County, Florida
By: *Karen Nicolai* D.C.