

ORDINANCE NO. 86-30

AN ORDINANCE AMENDING THE HERNANDO COUNTY CODE OF ORDINANCES APPENDIX A, ZONING REGULATIONS BY: AMENDING ARTICLE III, SECTION G, MODEL HOMES TO PROVIDE STANDARDS FOR LOCATIONS OF MODEL HOMES; TO PROVIDE PROCEDURES FOR PERMIT ISSUANCE; TO PROVIDE FOR A TIME PERIOD FOR A MODEL HOME TO REMAIN IN A NEIGHBORHOOD; PROVIDING FOR A RENEWAL PROCEDURE; 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 III, SECTION 3, SUBSECTION G AS AMENDED TO READ:

[G.] Model Homes

1. Model homes may be approved in developing residential areas to provide examples of builder's floor plans and options (e.g. porches, Florida rooms, garages, carports, etc.) for promoting the sale of homes to be built elsewhere in the residential development in which the model is located.
2. Model homes in a residential area are intended for later use solely as a dwelling after the approved sales time period lapses. (Model homes erected in commercial areas are intended for later use solely as a commercial unit unless the model home is to be relocated by the owner after its useful life as a model home.)
3. Model homes may be approved for an initial sales period of three years to a licensed building contractor in Hernando County in single family residential zoning districts. Model homes may be approved for a licensed building contractor in Hernando County for an initial sales period of five (5) years in a multi-family zoning district which allows the placement of at least three dwelling units provided the parking for the model home or center is located entirely on-site.
4. Model home or model home center approval is by the granting of a conditional use permit pursuant to Article V, Section 4. (The permit time period will begin 120 working days (six months) from the granting of the permit or the granting of the certificate of occupancy, whichever is sooner.) The time year period may be extended just prior to termination for two (2) additional three (3) year periods or fraction thereof after a rehearing and granting of approval by the Planning and Zoning Commission provided the Commission determines that the model home or center is not out of character with the surrounding neighborhood. The Planning and Zoning Commission may establish conditions for approval that will ensure the model center does not adversely affect the character of the

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neighborhood. In addition to the allowed two (2) extensions of up to three (3) additional years, extensions may be granted by the Planning and Zoning Commission for an additional two (2) year period if hardship exists. A hardship shall not be found based solely upon economic conditions.

5. Model homes shall provide either off site or on-site parking in conformity with the following requirements:
 - a. Parking shall be provided for model homes or centers according to the following schedule:
 1. Four (4) spaces shall be provided for one (1) model home.
 2. Seven (7) spaces shall be provided for two (2) model homes.
 3. For each additional model home two (2) additional spaces shall be provided.
 - b. Parking spaces shall contain a minimum of 200 square feet per space.
 - c. Model homes or model home centers may utilize mulch for the parking areas to minimize the disruption of the residential neighborhood.
 - d. Parking may be provided on a separate lot adjacent to the center provided the parking area is buffered from all surrounding lots to provide visual relief and separation between the land uses. The lot utilized for parking must be included in the Conditional Use Permit authorizing the model home or center.
 - e. If parking for the model home or center is to be located on a separate lot, the lot or center should be designed so that the access to the parking lot is off of a minor street if possible. If the access must be off of the major street, the entrance to the parking lot must comply with the parking access requirements contained in this Chapter.
 - f. Model homes or centers may utilize up to ten (10) feet of County right-of-way contiguous to the lot for a portion of the required parking area for the model home or center provided the parking area is located on a minor street with a minimum of forty feet between any space and the intersection of the right-of-way lines of the nearest intersection.
 - g. If asphalt or other durable material is utilized for the parking area, the applicant must provide engineered plans indicating how the storm water drainage from the impervious areas will be handled on-site and how the proposed improvements will affect the overall drainage.
6. Upon the termination of any Conditional Use Permit for a model home or model home center, the CUP holder shall ensure that the driveways of the model(s) have been extended to the edge of pave-

ment of the frontage street and that the swales on the property have been restored to ensure the proper drainage flow.

7. Model homes shall be use solely for the purposes set forth in subparagraph 1 herein unless the other use is consistent with the Land Use Regulations. No commercial use, including utilization of the model as a real estate sales office, shall be permitted unless otherwise permitted by the Land Use Regulations. Such unauthorized utilization may result in the revocation of the permit.
8. Model homes may be located in Model Home Centers in commercial districts where such centers are permitted or special exception uses.
9. Appeals of the Commission's decision in granting or denying conditional use permits or any extensions thereto shall be to the Board of County Commissioners and shall be made in writing within thirty (30) days of the Commission's decision.

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 is 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 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
25th DAY OF November, 1986.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

BY


LEONARD F. TRIA, CHAIRMAN

ATTEST


HAROLD W. BROWN, CLERK

SEAL