

ORDINANCE 86-18

AN ORDINANCE AMENDING THE HERNANDO COUNTY CODE OF ORDINANCES, APPENDIX A ZONING, ARTICLE VI, SECTION 7, SUBSECTION B TO CHANGE THE SIGN POSTING REQUIREMENTS FOR POSTING IN ZONING AMENDMENT PROPOSALS; BY AMENDING ARTICLE V, SECTION 3, SUBSECTION F TO PROVIDE A SIGN POSTING REQUIREMENT FOR SPECIAL EXCEPTIONS, AND VARIANCES; BY AMENDING ARTICLE V, SECTION 4, SUBSECTION A TO INCLUDE CONDITIONAL USES ACCIDENTALLY DELETED DURING THE CODIFICATION PROCESS; BY AMENDING ARTICLE IV, SECTION 7, SUBSECTION B DIMENSIONS AND AREA REGULATIONS OF THE AGRICULTURAL/RESIDENTIAL DISTRICT TO CORRECT ERRORS INTRODUCED DURING THE CODIFICATION PROCESS; BY AMENDING ARTICLE IV, SECTION 3, SUBSECTION D(6) DIMENSIONS AND AREA REQUIREMENTS OF THE COMMERCIAL DISTRICTS TO CORRECT ERRORS INTRODUCED DURING THE CODIFICATION PROCESS; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING AND 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, Article VI, Section 7, Subsection B is hereby amended to read:

(B) Required posting of notice. The petitioner shall, upon adoption of the resolution fixing a date for public hearing on a proposed zoning amendment involving a change in zoning district classification and not less than fifteen (15) days prior to the date set for the public hearing, post sign(s) on the parcel of land for which the change in zoning district classification is proposed.

Such sign shall have the size, the shape, design and color determined by the Administrative Official. Upon such sign shall be printed or otherwise made to appear the following information:

PUBLIC NOTICE  
REZONING HEARING BEFORE  
PLANNING AND ZONING COMMISSION  
AND/OR  
COUNTY COMMISSION  
(as applicable)  
HERNANDO COUNTY, FLORIDA  
(insert date, meeting time, and location)  
PROPOSED TO BE REZONED FROM  
TO

SECRETARY OF STATE  
AUG 15 11 41 AM '85  
FILED

The sign(s) furnished by the Planning and Development Department shall be posted by the applicant along each front lot line with the bottom of the sign at least three feet above grade on the property being considered for rezoning. The sign cards shall be posted at the outer property line along the road or street frontage and shall be clearly visible. If the frontage is in excess of three hundred (300) feet, posting of the signs shall be determined by the Planning and Development Department. In those cases where the property does not have frontage on a road, the sign cards shall be posted at the property corners, and where the access road intersects with the nearest County road.

After the sign is posted, the petitioner shall make an affidavit certifying that he had posted the required sign. The affidavit shall include a description of the parcel of land on which such sign was placed. Such affidavit must be filed with the Administrative Official prior to the public hearing. The County shall make affidavit forms available for use by the applicant.

**SECTION 2.** Hernando County Code of Ordinances, Appendix A, Zoning, Article V, Section 3, Subsection F is hereby amended to read:

(F) Required notice: The Administrative Official shall, upon notification by the Chairman of the Board of the date fixed for the hearing of an Appeal to the Board, cause a notice of the time, place and purpose of such hearing to be published at least ten (10) days prior to the hearing. The Administrative Official shall cause due public notice to be given for all special exceptions. In addition, the Administrative Official shall mail similar notices setting forth the time, place and purpose of the hearing, to the parties in interest. The Administrative Official shall also mail out notices to the owners of every parcel of land within a distance of one hundred fifty (150) feet in any direction from the property line of the land in question if such hearing involves a specific parcel of land. Such notice shall be mailed to the owner's current address of record maintained by the Assessor of Taxes of the Governing Body and shall be postmarked no later than ten (10) days prior to the scheduled hearing date. The Administrative Official shall present an affidavit or mailing certification certifying that he has complied with the notice requirements of this section, along with a list of the persons and addresses to which notices were mailed, at the time of the hearing.

The applicant shall pay all costs and expenses in connection with public notice of such hearings and related notices in addition to any other fee required for Commission and/or Board review and administration.

The applicant shall, upon the setting of the hearing on a proposed variance or special exception and not less than fifteen (15) days prior to the date set for the public hearing, post sign(s) on the parcel of land for which the variance or special exception is proposed.

Such sign shall have the size, the shape, design and color determined by the Administrative Official. Upon such sign shall be printed or otherwise made to appear the following information:

PUBLIC NOTICE  
VARIANCE OR SPECIAL EXCEPTION HEARING  
BOARD OF ADJUSTMENT AND APPEALS  
HERNANDO COUNTY, FLORIDA  
(insert date, meeting time, and location)  
PROPOSED VARIANCE OR SPECIAL EXCEPTION  
(Description of variance or special exception)

The sign(s) furnished by the Planning and Development Department shall be posted by the applicant along each front lot line with the bottom of the sign at least three feet above grade on the property being considered for a variance or special exception. The sign cards shall be posted at the outer property line along the road or street frontage and shall be clearly visible. If the frontage is in excess of three hundred (300) feet, posting of the signs shall be determined by the Planning and Development

Department. In those cases where the property does not have frontage on a road, the sign cards shall be posted at the property corners, and where the access road intersects with the nearest County road.

After the sign is posted, the petitioner shall make an affidavit certifying that he had posted the required sign, including a description of the parcel of land on which such sign was placed. Such affidavit must be filed with the Administrative Official prior to the public hearing. The County shall make such affidavit forms available for use by the applicant.

**SECTION 3.** Hernando County Code of Ordinances, Appendix A, Zoning, Article V, Section 4, Subsection A is hereby amended to read:

A. Permitted Conditional Uses:

- (1) Temporary real estate sales office exclusively for real estate sales of property in a developing subdivision.
- (2) Carnivals, circuses, tent revivals and activities of a similar nature.
- (3) Second principal building on one lot of record in cases of extreme personal hardship, etc.
- (4) Temporary Structures

**SECTION 4.** Hernando County Code of Ordinances, Appendix A, Zoning, Article IV, Section 7, Subsection B is hereby amended to read:

B. Dimension and Area Regulations:

- (1) Minimum lot size shall be one (1) acre.
- (2) Minimum lot widths shall be one hundred (100) feet at the building line.
- (3) Minimum front yard requirements 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 and C.R. 50 front yard requirements shall be 125 feet.
- (4) Minimum side yard shall be ten (10) feet.
- (5) Minimum rear yard shall be thirty-five (35) feet.
- (6) 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.
- (7) Minimum living area: The minimum living area of a dwelling shall be six hundred (600) square feet. For the purpose of this subsection, "minimum living area" shall mean the minimum floor area of a dwelling unit exclusive of carports, breezeways, unenclosed porches, or terraces. Notwithstanding 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. No mobile home shall have a length or width dimension less than twelve (12) feet. 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 perime-

ter of the mobile home and extending from the base of the mobile home to the ground.

**SECTION 5.** Hernando County Code of Ordinances, Appendix A, Zoning, Article IV, Section 3, Subsection D(6) is hereby amended to read:

(6) Maximum building height: In C-1, C-2, and C-4 Commercial Districts, the maximum building height is 45 feet, and/or three stories. In C-3 commercial districts, the maximum building height is 35 feet, and/or two stories. The maximum building height permitted, except within the C-3 Commercial district, may be increased provided one additional foot is added to each of the required yards for each additional foot of building height constructed over the maximum building height permitted. In such cases, the minimum side yard requirement shall be 35 feet plus one additional foot for each additional foot of building height permitted.

**SECTION 6.** 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 7.** 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 8.** 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 5<sup>th</sup>  
DAY OF August, 1986.

BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA

BY: William T. Koenig  
WILLIAM T. KOENIG, III  
CHAIRMAN

ATTEST: Harold W. Brown  
HAROLD W. BROWN, CLERK

