

ORDINANCE NO.: 2007- 07

AN ORDINANCE RELATING TO LAND DEVELOPMENT REGULATIONS FOR MODEL HOMES; PROVIDING FOR SEVERABILITY AND INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. Model homes:

(A) Model homes are a permitted use in all residential or commercial areas to provide examples of builders' products for promoting the sale of homes to be built elsewhere in Hernando County.

(B) 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.

(C) Model homes may be approved for a period with a maximum duration of eleven (11) years upon application therefor by a licensed building contractor in Hernando County in single-family residential zoning districts. Model homes may be approved for a period with a maximum duration of eleven (11) years upon application therefor by a licensed building contractor in Hernando County in a multifamily zoning district, which approval shall allow the placement of at least three (3) dwelling units, provided the parking for the model home or center is located entirely on-site. There is no maximum duration for a model home in a commercially zoned area.

(D) Model home or model home center authorization is by staff review for compliance with the land development regulations and any other applicable provisions of the Hernando County Code of Ordinances. Any durational limitations pursuant to subsection (C) herein shall run from the issue date of the certificate of

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JEROME L. HERRINGTON
TALLAHASSEE, FLORIDA

occupancy. Any such period may be extended prior to termination for an additional two-year period by the granting of a conditional use permit by the Planning and Zoning Commission if hardship exists. A hardship shall not be found based solely upon economic conditions.

(E) Model homes shall provide either off-site or on-site parking in conformity with the following requirements:

(1) Parking shall be provided for model homes or centers according to the following schedule:

- a. Four (4) spaces shall be provided for one model home.
- b. Seven (7) spaces shall be provided for two (2) model homes.
- c. For each additional model home two (2) additional spaces shall be provided.

(2) Parking spaces shall contain a minimum of two hundred (200) square feet per space with the minimum dimensions measuring ten feet by twenty feet (10' × 20').

(3) Model homes or model home centers may utilize mulch for the parking areas to minimize the disruption of the residential neighborhood.

(4) 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 zoning approval authorizing the model home or center.

(5) 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 the land development regulations.

(6) 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 (40) feet between any space and the intersection of the right-of-way lines of the nearest intersection, and a minimum set back of fifteen (15) feet from adjacent property boundaries.

(7) If a model home or model home center has access only to a collector or arterial street, all of the parking and circulation area must be contained on the lot or lots. Access to parking spaces must be designed to prevent traffic from backing into the travel way of the street.

(8) If asphalt or other durable material is utilized for the parking area, the applicant must provide engineered plans indicating how the stormwater drainage from the impervious areas will be handled on-site and how the proposed improvements will affect the overall drainage.

(9) Model homes or model home centers constructed on commercial lots must meet the minimum commercial parking standards.

(F) Upon the termination of any model home or model home center, the operator shall ensure that the driveways of the model(s) have been extended to the edge of pavement of the frontage street and that the swales on the property have been restored to ensure the proper drainage flow.

(G) Model homes shall be used solely for the purposes set forth in subsection (A) 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 county approval for the model home or model home center.

(H) An appeal of the denial of the model home or model home center by the administrative official or pursuant to departmental plans review shall be to the board of county commissioners and shall be made in writing within thirty (30) days of the written decision being appealed.

SECTION 2. Severability.

It is declared to be the intent of the board of county commissioners that if any section, subsection, clause, sentence, phrase, or provision of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining portions of this ordinance.

SECTION 3. Inclusion in 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, any section or subsection of this Ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate designation. It is the further specific intent of the Board that the provisions of Section 1 herein shall replace the existing provisions of Appendix A, Article III, Section 3, subsection G. of the current codified land development regulations in the Hernando County Code of Ordinances.

SECTION 4. Effective date.

This ordinance shall take effect immediately upon receipt of official acknowledgment from the office of the Secretary of State of Florida that this ordinance has been filed with said office.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY in Regular Session this 26th day of June, 2007.

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



Attest: 
KAREN NICOLAI
Clerk

By: 
JEFF STABINS
Chairman