

**From:** [Bryant, Linda C.](#)  
**To:** [Ordinances](#)  
**Cc:** [County Ordinances](#)  
**Date:** Wednesday, August 25, 2021 2:19:14 PM  
**Attachments:** [Hernando20210825 Ordinance2021\\_15 Ack.pdf](#)

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FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**LAUREL M. LEE**  
Secretary of State

August 25, 2021

Honorable Doug Chorvat, Jr.  
Hernando County Clerk's Office  
20 North Main Street, Rm. 362  
Brooksville, Florida 34601

Attention: Ms. Heidi Kurppe, Deputy Clerk

Dear Mr. Chorvat:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2021-15, which was filed in this office on August 25, 2021.

Sincerely,

Anya Grosenbaugh  
Program Administrator

AG/lb



- 1 (b) Such activities shall occupy no more than twenty-five percent (25%) of the total habitable  
2 floor area of the residence. Note: Use of more than ten percent (10%) of the total habitable floor  
3 area may trigger additional building code requirements, including permits; contact the Building  
4 Department should be consulted. The activities shall comply with any relevant local, state and  
5 federal regulations with respect to the use, storage or disposal of any corrosive, combustible or  
6 other hazardous or flammable or liquids.
- 7 (c) The home occupation shall be conducted entirely within the residence or entirely within  
8 an accessory structure. The activities of the limited business activity are secondary to the use of  
9 the property as a residence. Retail transactions may only be conducted within the residence.
- 10 (d) There is no outside appearance of the limited business activity, including signage and  
11 signs on vehicles. Vehicles and trailers used in connection with the business activity must be  
12 parked in legal parking spaces that are not located in the right of way, on or over a sidewalk, or  
13 on any unimproved surfaces at the residence.
- 14 (e) ~~No advertising will contain the physical address of the home occupation location,~~  
15 ~~including signs on vehicles.~~
- 16 (f e) ~~No employees, or customers, other than residents of the home, will go to or from the~~  
17 ~~residence, other than private tutoring or lessons. Employees of the Home Occupation must also~~  
18 reside in the residential dwelling, except that a total of two employees or independent contractors  
19 who do not reside in the residence may work at the Home Occupation. The Home Occupation  
20 may have additional remote employees that do not work at the residential dwelling.
- 21 (g f) Vehicular traffic will be consistent with normal traffic generated within the zoning  
22 category.
- 23 (h g) Noise will be consistent with that volume of noise normally generated by a residence in  
24 the applicable zoning category and noise shall not be attributed to the limited business activity.
- 25 (i h) There will be no visible storage of any business related materials, commercial vehicles,  
26 or equipment associated with the limited business activity. Commercial vehicles may only be  
27 parked or stored as provided for in Article III, Section 3.
- 28 (j) ~~There will be no change in the structural integrity (exterior appearance) of the structure~~  
29 ~~from that permitted by the rules of the district.~~
- 30 (k i) The volume of delivery trucks shall not be in excess of what is normally associated with  
31 a residential use in a neighborhood. In no case shall trucks greater than 2 axles make deliveries  
32 associated with the limited incidental business use.
- 33 (l j) The "by right" limited business activity shall comply with all of the criteria in this section,  
34 and a deviation from the criteria shall require an application for, and compliance with the criteria  
35 for a limited business activity "by exception."

1 2. *(Limited Business Activities - by exception)*. Limited business activities (Home  
2 Occupation) that do not meet the requirements for limited business activities set forth in  
3 paragraph L.1 above, may be permitted by approval of a Special Exception pursuant to Article  
4 V, Section VIII, Hernando County Zoning Code, subject to compliance with all the following  
5 criteria and standards:

6 (a) Such business activities are incidental and subordinate to the principal residential use of  
7 the premises and the home occupation will not change the principal character of the site as a  
8 residence. ~~Customer traffic shall be minimal, and may only be approved by the Special Exception~~  
9 ~~Permit. There will be no change in the structural integrity (exterior appearance) of the structure~~  
10 ~~from that permitted by the rules of the residential district.~~

11 (b) ~~Such activities shall occupy no more than twenty five percent (25%) of the total habitable~~  
12 ~~floor area of the residence. Note: Use of more than ten percent (10%) of the total habitable floor~~  
13 ~~area may trigger additional building code requirements, including permits; contact the Building~~  
14 ~~Department.~~

15 (e ~~b~~) The Home Occupation shall be conducted entirely within the residence or entirely within  
16 an accessory structure unless otherwise authorized by approval of the Special Exception Permit.

17 (d ~~c~~) There is no outside appearance of the limited business activity, except that a single "on-  
18 site" sign shall be permitted in accordance with Section 25.5-17.

19 (e) ~~No advertising will contain the physical address of the location of the Home Occupation,~~  
20 ~~including signs on vehicles.~~

21 (f) ~~The Home Occupation involves the employment of no more than one (1) person who~~  
22 ~~does not reside at the residence.~~

23 (g ~~d~~) Vehicular traffic will be consistent with normal traffic generated within the zoning  
24 category. Parking associated with the home occupation shall only be required in accordance with  
25 the primary use of the site as a residence where no business is conducted.

26 (h ~~c~~) Noise will be consistent with that volume of noise normally generated by a residence in  
27 the applicable zoning category, and noise shall not be attributed to the limited business activity.

28 (i ~~f~~) There will be no visible storage of any business related materials, commercial vehicles,  
29 or equipment unless specific authorization is granted by approval of the Special Exception  
30 Permit. Commercial vehicles may only be parked or stored as provided for in Article III, Section  
31 3.

32 (j) ~~There will be no change in the structural integrity (exterior appearance) of the structure~~  
33 ~~from that permitted by the rules of the district.~~

1 (k g) The volume of delivery trucks shall not be in excess of what is normally associated with  
2 a residential use in a neighborhood. In no case shall trucks greater than 2 axles make deliveries  
3 associated with the limited incidental business use.

4 (l h) The applicant for a limited business activities "by exception" shall not transfer the permit  
5 to another owner or lessee of the property.

6 (m i) The "by exception" limited business activity shall comply with all of the criteria in this  
7 section, and a deviation from the criteria shall not be granted unless specifically authorized by  
8 this section.

9 (n j) Additional performance criteria may be prescribed by the Special Exception Permit to  
10 ensure compliance with the criteria of this section and to ensure that the "by exception" limited  
11 business does not impact the surrounding neighborhood.

12 **Section 2. Severability.** It is declared to be the intent of the Board of County  
13 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this  
14 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect  
15 the validity of the remaining portions of this ordinance.

16 **Section 3. Inclusion in the Code.** It is the intention of the Board of County  
17 Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of this  
18 Ordinance shall become and be made a part of the Code of Ordinances of Hernando County,  
19 Florida. To this end, the sections of this Ordinance may be renumbered or relettered to accomplish  
20 such intention, and that the word "ordinance" may be changed to "section," "article," or any other  
21 appropriate designation.

22 **Section 4. Conflicting Provisions Repealed.** All ordinances or parts of ordinances in  
23 conflict with the provisions of this ordinance are hereby repealed.

24 **Section 5. Effective Date.** This ordinance shall take effect immediately upon receipt of  
25 official acknowledgment from the office of the Secretary of State of Florida that this ordinance  
26 has been filed with said office.

1 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF

2 HERNANDO COUNTY in Regular Session this 24<sup>th</sup> day of August 2021.

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

Attest: Heidi Kuyper, D.C.  
DOUG CHORVAT, JR.  
Clerk  
*for*

By: [Signature]  
JOHN ALLOCCO  
Chairman



Approved for Form and Legal Sufficiency  
[Signature]  
Assistant County Attorney