

STAFF REPORT

HEARINGS: Board of County Commissioners: December 3, 2024

APPLICANT: William and Bailey Cada

FILE NUMBER: 1486601

PURPOSE: Class D Subdivision Appeal

GENERAL

LOCATION: Lying 37.7 feet North of Filbert Road

PARCEL KEY

NUMBER: 1583245

APPLICANT'S REQUEST:

The petitioner is requesting a for relief from the strict application of the subdivision regulations on the specified parcel(s) in Hernando County, Florida, due to **HARDSHIP**, as more fully described below.

The subject site is a 10.0 AG (Agricultural) parcel. The Class D Subdivision for William and Bailey Cada is to create (2) two parcels, Parcel A will be 7.5 acres and Parcel B will be 2.5 acres. The proposed lot sizes are a result of the overall parcel being bisected by a large powerline easement. The area has comparable size lots. It is the petitioners desire to maintain ownership of the majority of the land. The petitioners purchased the land over 2 years ago with the dream of building it into a farm/ranch. Using a different permaculture/conservation approach to farming by conserving the environment and bringing back nature/wildlife into their farming practices. Due to the property's non-parent parcel status, the petitioner would need to split the parcel in order to maintain ownership of the majority of the land. The parcel is located 37.7 feet north of Filbert Road.

The survey has been reviewed by the Planning Department; found not to be within County standards for a Class D Subdivision according to Sec. 26-3. Class D (2) a. i. "Each lot must be created from a parent parcel". The Department of Public Works has Approved the driveway location.

STAFF RECOMMENDATION:

It is recommended that the Board of County Commissioners approve the Class D subdivision with the following conditions:

- (1) Petition for relief from hardship. A petition for relief from hardship shall be made by any developer who feels the provisions of this chapter, if complied with, would

place upon them an undue burden. The petition shall include all data and other information required by the board of county commissioners including at least the following:

- (2) A complete set of plans and specifications in accordance with which the construction has been or is being accomplished, if such exists, or a general written explanation of the construction effort with a complete description of all provisions the developer is making to assure construction quality.
- (3) A written proposal defining the developer's desired methods of completing the project. The proposal shall indicate specifically which provisions of this chapter the developer wishes to be excepted from.
- (4) The governing body, upon review of the petition, may approve the subdivision provided the governing body has determined that the ordinance has placed an undue hardship upon the developer and:
- (5) All lots proposed to be created under the board of county commissioner's approval meet the minimum lot size of the zoning district in which the subdivision is to be located and conforms with the policies of the comprehensive plan.
- (6) All lots have a minimum of a fifteen-foot access/utility easement to provide access to the parcel.
- (7) Each deed of conveyance entered into and executed shall contain a legend setting forth in bold type a reference to the subdivision regulations and a statement that "subject land is contained within a subdivision which has not been formally platted and said county has absolutely no obligation to maintain or improve roads and thoroughfares within the subdivision."