

RESOLUTION NO. 2024 - _____

WHEREAS, Hernando County has adopted zoning regulations pursuant to Section 125.01(1) and Chapter 163, *Florida Statutes*, which authorize the County to regulate the use of land in the unincorporated areas of Hernando County, Florida, and take action on the request herein; and

WHEREAS, the Hernando County Board of County Commissioners (BOCC) conducted a duly advertised public hearing to consider the appeal of an administrative variance on the specified parcels in Hernando County, Florida, as more fully described below;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, AS FOLLOWS:

PROPERTY OWNER: Mary Ann Sanitate

APPELLANT: William Bell (Neighboring Property Owner)

VARIANCE NUMBER: 1486866

REFERENCE: Appeal of an Administrative Variance for Setbacks on an AR-2 (Agricultural Residential-2) Parcel

GENERAL LOCATION: Northwest corner of Knuckey Road and Lelani Road

PARCEL KEY NUMBER: 1012273

REQUEST: Appeal of an Administrative Variance for Setbacks on an AR-2 (Agricultural Residential-2) Parcel, as enumerated in the BOCC Action, which is incorporated herein by reference and made a part hereof. The representations contained in the variance application are incorporated herein by reference and made a part hereof and are relied upon by the County to be true and correct. For purposes herein, it is presumed that all notice and advertising requirements have been satisfied.

FINDINGS OF FACT: ALL of the facts and conditions set forth in the County's staff memoranda and presented to the BOCC by the appellant and staff in connection with the public hearing in this matter are incorporated herein by reference and made a material part of this Resolution as integral to the BOCC's Action. The BOCC finds the record supporting APPROVAL of the appeal of the Administrative Variance to be credible and to constitute competent substantial evidence. In further support thereof, the BOCC makes the following specific findings of fact:

1. The Administrative Variance as to the subject property was unauthorized and should be quashed.

**CONCLUSIONS
OF LAW:**

The BOCC is authorized to act on this matter pursuant to Chapters 125 and 163, *Florida Statutes*. Accordingly, after public hearing and testimony, being fully advised in the record, and based upon competent substantial evidence, the BOCC makes the following specific conclusions of law:

1. The Administrative Variance as to the subject property was unauthorized.

ACTION:

After due public notice and based upon the entire record in this matter, including the findings of fact and conclusions of law above, the BOCC hereby APPROVES the applicant's appeal of the Administrative Variance and quashes the Administrative Variance as to the subject property.

ADOPTED IN REGULAR SESSION THE ___ DAY OF _____ 2024.

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

Attest: _____
Douglas A. Chorvat, Jr.
Clerk of Circuit Court & Comptroller

By: _____
Brian Hawkins
Chairman

(SEAL)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: Melissa Tartaglia
County Attorney's Office