RESOLUTION NO. 2025 - _____

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 determination to remove the non-conforming status of a portion of the specified parcel 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:	Jason E. Morphet & Ayleen N. Gallahue
APPELLANT:	Jason E. Morphet & Ayleen N. Gallahue (property Owners)
FILE NUMBER:	1506295
REFERENCE:	Appeal of an Administrative Official Determination to remove non-conforming status as to six (6) of the preexisting nine (9) mobile home units in connection with the subject parcel located on an AG (Agricultural) Parcel
GENERAL LOCATION:	West side of Emerson Road, approximately 1,600' north of Powell Road
PARCEL KEY NUMBER:	381722
REQUEST:	Appeal of an Administrative Official Determination to remove non-conforming status on six (6) of the preexisting nine (9) mobile home units in connection with the subject parcel located on an AG (Agricultural) parcel, as enumerated in the BOCC Action, which is incorporated herein by reference and made a part hereof. The representations contained in the appeal 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 shows that the Appellant failed to establish by clear and convincing evidence that the nonconforming use was not discontinued in excess of one year.

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 objective evidence, the BOCC makes the following specific conclusions of law:

1. Because the Appellant failed to establish by clear and convincing evidence that the nonconforming use was not discontinued for a period exceeding one year, the Administrative Official's determination should be affirmed.

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 AFFIRMS the Administrative Official's determination.

ADOPTED IN REGULAR SESSION THE ___ DAY OF _____ 2025.

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