

**RESOLUTION NO. 2023 - 160**

**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 requested changes in zoning 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:**

**APPLICANT:** Oak Development Group, LLC on behalf of Lesa Bruger, Trustee of Land Trust No. One U/A/D February 2001

**FILE NUMBER:** H-22-76

**REQUEST:** Rezoning from AG/(Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations

**GENERAL LOCATION:** Eastern terminus of Godwit Avenue and Gyrafalcon Avenue and south of Seely Lane

**PARCEL KEY NUMBERS:** 344657

**APPLICATION NOTICE:** Rezoning from AG/(Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations and the Inclusion of a Specific C-2 Use for Mini-Warehouse, is enumerated in the BOCC Action, and is incorporated herein by reference and made a part hereof. For purposes herein, it is presumed that all notice and advertising requirements have been satisfied.

**FINDINGS OF FACT:** ALL of the facts in the record, including the County's staff report memoranda and those facts presented at the public hearings on this matter (Planning and Zoning Commission and BOCC), are incorporated herein by reference and made a material part of this Resolution as integral to the BOCC's Action. The BOCC finds that the record supporting DENIAL of the applicant's request for rezoning from AG/(Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations, is credible and constitutes competent substantial evidence. The BOCC finds further:

1. Board of County Commissioners denied the petitioners request to withdraw the application, and further denied the petitioners original request for a rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) with Deviations

**CONCLUSIONS  
OF LAW:**

The BOCC is authorized to act on this matter pursuant to Chapters 125 and 163, *Florida Statutes*. Accordingly, based on the entire record and based upon competent substantial evidence, the BOCC makes the following specific conclusions of law:

The request to withdraw was denied and action to deny was taken on the petitioners original request for a rezoning from AG (Agricultural) to PDP(SF)/Planned Development Project (Single Family) with Deviations.

**ACTION:**

After due public notice and public hearings (Planning and Zoning Commission and BOCC), and based upon the entire record in this matter, including the findings of fact and conclusions of law above, the BOCC hereby DENIES the applicant's request for a rezoning from AG/(Agricultural) to PDP(SF)/Planned Development Project (Single Family) and PDP(SU)/Planned Development Project (Special Use) with Deviations.

ADOPTED IN REGULAR SESSION THE 8<sup>th</sup> DAY OF August, 2023.

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

Attest: Heidi Krupke, Deputy Clerk  
**Douglas A. Chorvat, Jr.**  
Clerk of Circuit Court & Comptroller

By: Elizabeth Narver  
~~John Allocco~~ **Elizabeth Narver**  
~~Chairman~~ **Vice Chairman**



Approved as to Form and  
Legal Sufficiency

By: Kyle J. Benda