

**RESOLUTION NO. 2023 - 181**

**WHEREAS**, Hernando County has adopted subdivision regulations pursuant to Chapters 125, 163 and 177, *Florida Statutes*, which authorize the County to regulate the division 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) considered the requested Petition 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.

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

**PETITIONER:** Elizabeth A. Hickey, Trustee of the Rickie L. Hill and Elizabeth A. Hill Trust U/A/D July 5, 1988

**FILE NUMBER:** 1466959

**PURPOSE:** To divide 10 acres into two parcels creating Parcel 1 (6.77acres) and Parcel 2 (3.0 acres)

**GENERAL**

**LOCATION:** A portion of Section 33, Township 21 South, Range 18 East, lying approximately 3606 feet south of Centralia Road

**PARCEL KEY:** 973343

**REQUEST:** The Petitioner was denied a Class D Subdivision to divide 10 acres into two parcels creating Parcel 1 (6.77 acres) and Parcel 2 (3.0 acres) for failing to meet all the requirements for a Class D Subdivision in Section 26-3(e) of the Hernando County Ordinance Code. Therefore, the Petitioner requests relief from the strict application of the Class D Subdivision regulations in Section 26-3(e) of the Hernando County Ordinance Code due to **HARDSHIP**, pursuant to Section 26-3(f) of the Hernando County Ordinance Code.

**FINDINGS**

**OF FACT:** ALL of the facts and conditions presented to the BOCC in connection with 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 that the testimony and record supporting APPROVAL of the Petitioner's request to be

credible and to constitute competent substantial evidence. In further support thereof, the BOCC makes the following specific findings of fact:

1. The Petition meets the application requirements in Section 26-3(f) of the Hernando County Ordinance Code for relief due to **HARDSHIP**.
2. The strict application of the Class D Subdivision regulations in Section 26-3(e) of the Hernando County Ordinance Code would place an undue burden on the Petitioner.

**CONCLUSIONS  
OF LAW:**

The BOCC is authorized to act on this matter pursuant to Chapters 125, 163 and 177, *Florida Statutes*. Accordingly, after hearing testimony, being fully advised in the record, and based upon competent substantial evidence, the BOCC makes the following specific conclusions of law:

1. The Petition meets the application requirements in Section 26-3(f) of the Hernando County Ordinance Code for relief due to **HARDSHIP**.
2. The strict application of the Class D Subdivision regulations in Section 26-3(e) of the Hernando County Ordinance Code would place an undue burden on the Petitioner.

**ACTION:**

Based upon the record in this matter and all of the findings of fact and conclusions of law above, the BOCC hereby APPROVES the Petitioner's request for relief from the strict application of the Class D Subdivision regulations in Section 26-3(e) of the Hernando County Ordinance Code due to **HARDSHIP**, subject to the following conditions, pursuant to Section 26-3(f) of the Hernando County Ordinance Code:

1. All lots shall meet the minimum lot size of the zoning district in which the subdivision is located and shall conform with the policies of the comprehensive plan.
2. All lots shall have a minimum fifteen-foot access/utility easement to provide access to the parcel(s).
3. 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."

ADOPTED IN REGULAR SESSION THE 12th DAY OF SEPTEMBER 2023.

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

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

By: [Signature]  
**John Allocco**  
Chairman

(SEAL)



Approved as to Form and Legal Sufficiency

By: [Signature]  
County Attorney's Office