

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 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: 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 on six (6) of the preexisting nine (9) mobile home units in connection with the subject parcel located on an AG (Agricultural) Parcel

GENERAL LOCATION: East 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 supporting APPROVAL of the appeal of the Administrative Official Determination to be credible and to constitute competent substantial objective evidence. In further support thereof, the BOCC makes the following specific findings of fact:

1. That the nonconforming use was not discontinued for a period exceeding 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 nonconforming use was not discontinued for a period exceeding one year, the Administrative Official's determination should be quashed.

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 Official's determination and quashes the said 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