



March 23, 2023

**PETITION FOR RELIEF FROM HARDSHIP**

**TO:** Honorable Chairman and Members of the Board of County Commissioners

**FROM:** Gary Shraut, c/o Jett Florida Realty, LLC (Developer and Property Buyer-Under-Contract)

**SUBJECT: Request to Appeal the Denial to Subdivide Parcel Key No. 1353671  
Section 02, Township 23, Range 17; File No: 1458451 Class D Subdivision**

---

**BACKGROUND**

Mr. Gary Shraut is the real estate broker representing the subject property owner, Hafcortez17 LLC (“Seller”). Jett Florida Realty, LLC is the contracted Buyer of the undeveloped subject property with intention to develop it and construct a new Taco Bell restaurant (currently under permitting review). Buyer will own and operate the newly constructed franchise with employees recruited from the local labor market.

Although the subject property is ~7.5 acres, Buyer and Seller entered into a Purchase Sale Agreement in November of 2021 for a 5.6-acre portion thereof, contingent upon Buyer’s ability to subdivide the real estate (“5.6 Acre Parcel”). In February of 2022, Buyer and Seller entered into a second Purchase Sale Agreement for the balance of the property, or the remaining ~2.0 acres (“2.0 Acre Parcel”), which is also contingent upon Buyer’s ability to subdivide the real estate.

Buyer has since gathered considerable survey work, performed extensive environmental and geological analysis, test-fitted the entire ~7.5 acres for the safest and best placement of the restaurant, and finally has submitted its civil engineering and architectural drawings for permitting. Buyer has submitted its Class D Application for Subdivision, which subsequently did not meet Hernando County’s Ordinance regarding Class D subdivision and was therefore denied under Section 26-3(e) Class D (2)b.i.—Each lot must be created from a parent parcel with frontage on an existing county maintained street or private street built and maintained to county standards.

**REQUEST**

Buyer is requesting this Chairman and the Members of the Board of County Commissioners to approve its request to subdivide the property and to consider the Buyer’s burden if subdivision of the property was not approved by this Board. Apart from the financial burden, it is not feasible for the Buyer to overcome the significant challenges it discovered on the 5.6 Acre Parcel during its extensive survey and geological analysis performed by local third-party professionals. The overall site is already highly constrained by its geometry, however, additional challenges associated with wetlands, storm water management, and cavernous and unraveling sinkholes, particularly on the “5.6 Acre Parcel”, have exceeded the Buyer’s capacity to safely and effectively develop the entire property, thus Buyer is requesting the ability to subdivide the parcel. Please see attached exhibits including the survey work and geological hazards located on the property. Buyer and Seller’s real estate broker are confident other



**Jett Florida Bells, LLC**  
186 Seven Farms Drive, Suite F # 396  
Daniel Island, SC 29492

potential buyers have the expertise needed to step in and safely and effectively develop the 5.6 Acre Parcel, once subdivided. If Buyer receives this Board's approval to subdivide, then it will be the Buyer's intention to proceed with its plans to develop the 2.0 acres.

Regarding Buyer's Class D Subdivision Application's compliance with Section 26-3(e) Class D (2)i, Buyer can confirm the subject property is NOT a parent parcel, however, all lots, if approved for subdivision, would still comply with that provision of the Section requiring each lot to have frontage on an existing county maintained street or private street and maintained to county standards. The Buyer believes all lots proposed to be created under the Board's potential approval to subdivide would indeed meet the minimum lot size, will maintain its conformity with policies of the comprehensive plan, and have a minimum of fifteen-foot access/utility easement to provide access to the parcel.

Thank you sincerely for your time and consideration. For any requests for additional information, please email or call Don Willis using the contact information below.

Kind regards,

A handwritten signature in blue ink that reads "D Willis". The signature is written in a cursive, flowing style.

Don Willis  
Vice President of Real Estate  
Jett Florida Bells, LLC  
[don@jemrestaurants.com](mailto:don@jemrestaurants.com)  
843-509-5556