

STAFF REPORT

HEARINGS: Board of County Commissioners Land Use Meeting: June 3, 2025

APPLICANT: DAVID & NYDIA COLLINS

FILE NUMBER: 1503848

PURPOSE: Class D Subdivision Appeal

GENERAL

LOCATION: Approximately 949.0 feet West of Chesaco Road

PARCEL KEY

NUMBER: 1765799

APPLICANT'S REQUEST:

The petitioner is requesting a relief from the strict application of the subdivision regulations on the specified parcel(s) in Hernando County, Florida, due to the hardships more fully described below.

The subject site is a 17.55 AG (Agricultural) parcel and is approximately 949.0 feet West of Chesaco Road. The site is part of an unrecorded subdivision (approved 1996) and is therefore not considered a parent parcel. To subdivide the parcel, the petitioner must apply through the Class D subdivision process.

The Class D Subdivision for David & Nydia Collins is to create (2) two parcels, Parcel A will be 14.8 acres and Parcel B will be 2.75 acres. It is the petitioners desire to be able to gift their son the 2.75 acre parcel to build a home when he completes his college education.

HARDSHIP:

The survey has been reviewed by the Planning Department and has been found not to be within County standards for a Class D Subdivision according to Sec. 26-3. Class D (2) a. i. "Each lot must be created from a parent parcel". The minimum parcel size requirement for a non-parent parcel in the AG (Agricultural) district requires 10.0 acres for each parcel, the petitioners request would not qualify.

STAFF RECOMMENDATION:

It is recommended that the Board of County Commissioners approve the Class D subdivision with the following conditions:

- (1) Petition for relief from hardship. A petition for relief from hardship shall be made by any developer who feels the provisions of this chapter, if complied with, would place upon them an undue burden. The petition shall include all data and other information required by the board of county commissioners including at least the following:
- (2) A complete set of plans and specifications in accordance with which the construction has been or is being accomplished, if such exists, or a general written explanation of the construction effort with a complete description of all provisions the developer is making to assure construction quality.
- (3) A written proposal defining the developer's desired methods of completing the project. The proposal shall indicate specifically which provisions of this chapter the developer wishes to be excepted from.
- (4) The governing body, upon review of the petition, may approve the subdivision provided the governing body has determined that the ordinance has placed an undue hardship upon the developer and:
- (5) All lots proposed to be created under the board of county commissioner's approval meet the minimum lot size of the zoning district in which the subdivision is to be located and conforms with the policies of the comprehensive plan.
- (6) All lots have a minimum of a fifteen-foot access/utility easement to provide access to the parcel.
- (7) 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."
- (8) The Department of Public Works has approved the driveway location.