

STAFF REPORT

HEARINGS: Board of County Commissioners: January 28, 2025

APPLICANT: Ryan Stephens and Jennifer Tell

FILE NUMBER: 1493141

PURPOSE: Class D Subdivision Appeal

**GENERAL
LOCATION:** Lying 63.5 Feet north of Wise Owl Road.

**PARCEL KEY
NUMBER:** 1830736

APPLICANT'S REQUEST:

The petitioner is requesting a 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.

The subject site is a 6.97 AG (Agricultural) parcel. The Class D Subdivision for Ryan Stephens and Jennifer Tell is to create (2) two parcels, Parcel 1 will be 2.505 +/- acres and Parcel 2 will be 4.97 +/- acres. It is the petitioners desire to create a parcel that would be more affordable and accessible for families wanting to have a decent size family farm to be able to grow their own vegetables & raise livestock. Due to the property's non-parent parcel status, the petitioner would need to split the parcel to provide an opportunity for a family to own a few acers to live off the land as nature intended. The parcel lies 63.5 Feet northwest of Wise Owl Road.

The survey has been reviewed by the Planning Department; 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 Department of Public Works has Approved the driveway location.

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."