

**RESOLUTION NO. 2024 - \_\_\_\_\_**

**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 the administrative variance granted regarding 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:** Mary Ann Sanitate

**APPELLANT:** William Bell (Neighboring Property Owner)

**VARIANCE NUMBER:** 1486866

**REFERENCE:** Appeal of an Administrative Variance for Setbacks on an AR-2 (Agricultural Residential-2) Parcel

**GENERAL LOCATION:** Northwest corner of Knuckey Road and Lelani Road

**PARCEL KEY NUMBER:** 1012273

**REQUEST:** Appeal of an Administrative Variance for Setbacks on an AR-2 (Agricultural Residential-2) Parcel, as enumerated in the BOCC Action, which is incorporated herein by reference and made a part hereof. The representations contained in the variance 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, being fully informed of the material facts of the matter, finds that the record supporting ratification of the Administrative Variance, and DENIAL of the appeal of the Administrative Variance, to be credible and to constitute competent substantial evidence. In further support thereof, the BOCC makes the following specific findings of fact:

1. The Administrative Official's determination that a dimensional hardship exists for the subject site and the prescribed R-1C (Residential) setbacks are not adverse to the public interest is reasonable under the given facts and conditions.

2. The variance requested by property owner, Mary Ann Sanitate, is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

**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 evidence, the BOCC makes the following specific conclusions of law:

1. The Board of County Commissioners is authorized to approve the variance requested by Ms. Sanitate to begin with.
2. The Board of County Commissioners is authorized to ratify the Administrative Variance.
3. The variance request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

**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 ratifies the Administrative Variance, and DENIES the applicant's appeal of the Administrative Variance.

**ADOPTED IN REGULAR SESSION THE \_\_\_ DAY OF \_\_\_\_\_ 2024.**

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

Attest: \_\_\_\_\_  
**Douglas A. Chorvat, Jr.**  
**Clerk of Circuit Court & Comptroller**

By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
**Chairman**

(SEAL)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: Melissa Tartaglia  
County Attorney's Office