



April 29, 2025

Hernando County Board of County Commissioners  
20 N Main St # 460  
Brooksville, FL 34601

Re: Appeal of Decision for 1487658 Emerson Road – Nonconforming Use Determination

To the Hernando County Board of County Commissioners,

Please allow this letter to serve as a confirmation of Mr. Jason Morphet's appeal regarding the removal of the nonconforming use of the property located at 5025 Emerson Road, Brooksville, Florida. In a nutshell, Mr. Jason E. Morphet and Ms. Ayleen N. Gallahue purchased a ten (10) acre parcel in Brooksville, Florida, with the easterly three (3) acres zoned as a legally nonconforming nine (9) unit mobile home park, and intended to renovate it and utilize it as a mobile home park, and made said purchase and improvements based upon the assurances and determinations of Hernando County officials and staff, only to be informed years later that the property lost its nonconforming status, based upon reasons that contradict determinations made previously by Hernando County officials and staff. At this point Mr. Morphet and Ms. Gallahue has suffered severe financial damages, based upon detrimentally relying on the various determinations of Hernando County's officials and staff, only to have officials and staff rescind previous determinations, of which Mr. Morphet and Ms. Gallahue relied upon.

More specifically, what has transpired is as follows:

1. On October 25, 2022, Mr. Jason E. Morphet and Ayleen N. Gallahue purchased the Skyline Mobile Home Park (also known as Skyline Trailer Court), located at 5025 Emerson Road, Brooksville, Florida, a ten 10 acre parcel zoned for eight plus one mobile homes on a configured on the easterly three acre section of said parcel.
2. Prior to this purchase, though, Jason Morphet confirmed, in writing, with Hernando County officials to receive a determination of the zoning of the property, as well as the permitting steps needed to replace units that had been removed.
3. During discussions with the previous owner, Mr. Morphet and Ms. Gallahue were told the same information that they had received from Hernando County officials in October of 2022 that was given to the previous owner in October of 2021. This confirmed the determination of the zoning of the property. *Please see Exhibit "A."*
4. Also at the same time, Hernando County staff provided Mr. Morphet and Ms. Gallahue with a determination letter from the Hernando County Development Department. *Please see Exhibit "B."*
5. Contained in the determination letter is that statement that "whenever a nonconforming **use** has been discontinued for a period of one year, no nonconforming use may be reestablished on the premises." ***Emphasis*** added.



6. At that time and currently, the nonconforming use had never been discontinued. It has always remained a mobile home park. In communications subsequent, Mr. Morphet has been emphatic that he and Ms. Gallahue were continuing the use as a mobile home park.

7. On March 15, 2023, Mr. Morphet received an internal email from Hernando County Zoning officials where Jennifer Soch emailed other Zoning offices, informing the property was zoned for eight mobile homes plus one owner's mobile home. *Please see Exhibit "C."*

8. Once the property was acquired and improvement started, the property owner was in constant contact with Hernando County officials and staff, taking the necessary steps requested by Hernando County staff in replacing and upgrading the various units. Various departments interacted with Hernando County Zoning and all were advised that this was a mobile home park zoned for eight plus one units and that the owner never waived in not maintaining this as a mobile home park with eight plus one units. *Please see composite Exhibit "D."*

9. In addition, at all times during the discussions, Hernando County officials and staff never waived in their determination that it was a legal nonconforming and that it did not lose said status.

At this point, Mr. Morphet and Ms. Gallahue have detrimentally relied on Hernando County officials and staff and not only in the acquisition of the property, of which without the determination of Hernando County officials and staff they would not have purchased the property, but also for the development costs expended at the tasks requested by Hernando County officials and staff for permitting, as well as purchasing the mobile homes needed prior to the recent determination by Mr. Omar DePablo. Mr. Morphet and Ms. Gallahue are not only burdened with the cost of the purchasing the mobile homes but also the cost of storage while going through this ordeal.

Mr. Morphet and Ms. Gallahue were told multiple times, in writing and verbally, that the park was a legal nonconforming mobile home park and did not lose its nonconforming status because the property has never been abandoned as a mobile home park for a consecutive 365 days. Mr. Morphet and Ms. Gallahue, at any time, have never demoed or removed any rentable permitted mobile homes from the property. The property still has the same permitted, rentable mobile homes since the purchase of the property in October 2022. It had always been an eight plus one mobile park, with status confirmed by Hernando County, and in addition, Mr. Morphet has done nothing to jeopardize, other than to follow the steps prescribed by Hernando County officials and staff. But for Hernando County providing official guidance and a determination that the non-conforming status had not been lost, Mr. Morphet and Ms. Gallahue would not be in this situation.

Regarding the Hernando County's Letter of Nonconforming Determination, Mr. Morphet and Ms. Gallahue object to the determination, as was even provided in the Letter, said determination was based upon a records request, of which no records were found, and did not affirmatively state, or provide any credible evidence, that the mobile home park usage was ever discontinued. An incorrect conclusion is provided, without providing any of the elements necessary to justify said determination.

As previously stated, Mr. Morphet and Ms. Gallahue have been damaged. Having three mobile homes versus nine mobile homes absolutely hinders the investment opportunity for funding and development of improvements and infrastructure of the mobile home park. It goes without saying that the costs for improvements and beautification spread over nine mobile homes instead of three mobile homes allows for the distribution of costs over more occupants, which ultimately calls in to question the financial viability of maintaining the park. What was designed as a

retirement investment strategy for a local couple, and a way to beautify the area, has turned out, thus far, to be a disaster. As such, Mr. Jason E. Morphet and Ms. Ayleen N. Gallahue appeal the determination by Mr. Omar DePablo of the loss of nonconforming status of 5025 Emerson Road, Brooksville, Florida.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Walter Sowa, III, Esq.", with a stylized flourish at the end.

Walter Sowa, III, Esq.