



DEPARTMENT OF DEVELOPMENT SERVICES

PLANNING & ZONING DIVISION

1653 BLAISE DRIVE ■ BROOKSVILLE, FLORIDA 34601

P 352.754.4057 www.HernandoCounty.us

December 13, 2024

William & Debra Goldman
18733 Phillips Road
Masaryktown, FL 34604-6970

RE: Key No. 1314839
Section 33, Township 23, Range 19 East
File No: 1493948 - Class D Subdivision

Dear Mr. & Mrs. Goldman,

This letter is the formal notice to you of County denial of your request to create a Class D subdivision requesting the creation of two (2) parcels. Your request is denied because the proposed subdivision does not meet Hernando County's Ordinance regarding Class D subdivision, to-wit:

1. **Sec. 26-3(e) Class D (2)i – Each lot must be created from a parent parcel and each lot must have frontage on an existing county maintained street or private street built and maintained to county standards.**

Under Chapter 26 of the Hernando County Ordinance Code, there is a mechanism in the subdivision regulations by which you may appeal this denial to the Board of County Commissioners. Chapter 26-3(f) states:

(f) 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:

- (1) 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.
- (2) 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.

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:

- (1) 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.
- (2) All lots have a minimum of a fifteen-foot access/utility easement to provide access to the parcel.
- (3) 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."**

(g) Petition for relief from family hardship. A petition for relief from family hardship may be filed by any person who feels the provisions of this chapter, if complied with, would place upon them an undue burden on their ability to transfer land to family members. The petition shall include all data and other information required by the board of county commissioners including at least the following:

(1) A map on which is indicated an accurate representation of the proposed subdivision. The map shall clearly indicate the access to be provided and any improvements to be provided in the project. The petition will include the prospective recipient of each tract and his/her relationship to the grantor.

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 family and:

(1) 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.

(2) All lots have a minimum of a fifteen-foot access/utility easement to provide access to the parcel.

(3) 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.**"

(4) **All lots must be transferred to an immediate family member and must provide for a reverter clause in the deed returning the land to the grantor if the transferred parcel does not remain in the ownership of a family member for a minimum of two (2) years from the date of transfer.**

If you appeal the denial to the Board of County Commissioners, please submit the following:

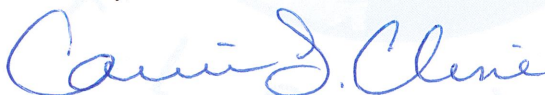
1. A letter requesting to appeal the denial to the Board with the requirement as indicated above; and
2. A filing fee of \$ 100.00.

If an appeal is filed and approved by the Board of County Commissioners, conditions as stated above will be included in the resolution as well as the following:

1. Provide a final original signed/sealed survey including the flood hazard areas delineated and existing structure setback compliance prior to final subdivision approval.
2. Subsequent lot owners should be advised of potential for listed protected species and state/federal permit requirements. Prior to site development of each lot, a gopher tortoise burrow survey by a qualified professional is required to determine presence or absence. If present, follow FWC permitting and regulation requirements.

If I may be of further assistance in this matter, please contact me.

Sincerely,



Carrie L. Cline
Subdivisions - Planner I

EXHIBIT "A"

Approximate location of future gate

Parcel 1
15.36 acres MOL

Parcel 2
4.59 acres MOL
(Vacant)

- LEGEND
- 1. CENTERLINE
 - 2. CALCULATED
 - 3. COMPACT
 - 4. CHAINED
 - 5. COMPACTED
 - 6. CORNER
 - 7. CORNER
 - 8. CORNER
 - 9. CORNER
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Legal Description:

PART 1

BEGINS at a "3" x "3" concrete monument, said monument being the Northeast corner of the Southwest 1/4 of the Northwest 1/4 of Section 33, Township 23 South, Range 19 East, Hernando County, Florida; thence run South 89°59'50" East a distance of 1,322.47 feet to a found "3" x "3" concrete monument, said monument being a point on the Eastern right-of-way line of Phillips Road as it now exists; thence run South 02°53'42" East along said Eastern right-of-way line a distance of 105.30 feet, bearing said right-of-way, run South 89°59'50" East, 66.10 feet, thence South 32°02'22" East, 311.00 feet to a point of curvature; thence 31.48 feet along the arc of a curve to the right, said curve having a radius of 60.00 feet, a central angle of 22°32'44.2", and a chord of 31.28 feet bearing South 89°40'00" East; thence South 29°29'30" East, 302.25 feet to a point of curvature; thence 48.54 feet along the arc of a curve to the left, said curve having a radius of 60.00 feet, a central angle of 40°09'50", and a chord of 47.04 feet bearing South 52°34'23" East; thence South 75°30'00" East, 152.16 feet, thence South 08°10'30" West, 184.39 feet to the South line of the North 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 33, Township 23 South, Range 19 East; thence run North 89°59'50" East along said South line a distance of 711.19 feet to a found "3" x "3" iron and with cap marked L.P. 2673, said well being a point on the Eastern right-of-way line of Phillips Road as it now exists; thence run North 02°53'42" East a distance of 665.97 feet to the POINT OF BEGINNING.

PART 2

COMMENCE at a "3" x "3" concrete monument, being the Northeast corner of the North 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 33, Township 23 South, Range 19 East, Hernando County, Florida; thence run North 89°59'50" West a distance of 1,322.47 feet to a found "3" x "3" concrete monument, said monument being a point on the Eastern right-of-way line of Phillips Road as it now exists; thence run South 02°53'42" East along said Eastern right-of-way line a distance of 105.30 feet to a POINT OF BEGINNING; thence, bearing said right-of-way, run South 89°59'50" East, 66.10 feet, thence South 32°02'22" East, 311.00 feet to a point of curvature; thence 31.48 feet along the arc of a curve to the right, said curve having a radius of 60.00 feet, a central angle of 22°32'44.2", and a chord of 31.28 feet bearing South 89°40'00" East; thence South 29°29'30" East, 302.25 feet to a point of curvature; thence 48.54 feet along the arc of a curve to the left, said curve having a radius of 60.00 feet, a central angle of 40°09'50", and a chord of 47.04 feet bearing South 52°34'23" East; thence South 75°30'00" East, 152.16 feet, thence South 08°10'30" West, 184.39 feet to the South line of the North 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 33, Township 23 South, Range 19 East; thence run North 89°59'50" East along said South line a distance of 711.19 feet to a found "3" x "3" iron and with cap marked L.P. 2673, said well being a point on the Eastern right-of-way line of Phillips Road as it now exists; thence run North 02°53'42" West along said Eastern right-of-way line a distance of 665.97 feet to the POINT OF BEGINNING.

Legal descriptions created via this document

Created by:

William Goldman and Debra Goldman

Dated:

18733PHILLIPS.OTECRECHG

Field Book 14, Page 36
Field Work Date: 10/07/2024

Flood Hazard Certification

Community Flood Number:

12053033D

Effective Date: 02/02/2012

Property appears to be in Flood Zone "X" Area of minimal hazard

This survey was prepared without the benefit of a title search and may be subject to encumbrances, agreements and other matters of record not shown hereon. No information regarding such encumbrances and agreements was supplied except as may be shown. The surveyor disclaims any liability for errors or omissions in this survey.

Drawn by: EJP
Checked by: EJP

PLAT OF SURVEY

I hereby certify that a survey of the property described herein was made under my supervision and that the survey meets the minimum technical standards as set forth by the Florida Board of Professional Land Surveyors in Chapter 19, Part 1, Florida Administrative Code, pursuant to Section 4710.02, Florida Statutes. And, that the death herein is a true and accurate representation of the best of my knowledge and belief, signed by Frank A. Julian, Frank A. Julian, P.L.S., 5495 Not Valid Unless Signed, Dated and Stamped With Indemnity and License Number.

SUNSHINE SURVEY, LLC
1056 CROWLEY BLVD.
HERNANDO COUNTY, FL 34426-3706

LR # 8389
(863) 245-8442