

STAFF REPORT

HEARINGS: Board of County Commissioners: January 28, 2025

APPLICANT: Dana K. and Karen J. Wolfanger

FILE NUMBER: 1493167

PURPOSE: Class D Subdivision Appeal

**GENERAL
LOCATION:** Lying on Shaw Road

**PARCEL KEY
NUMBER:** 1114234

APPLICANT'S REQUEST:

The petitioner is requesting 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 10.0 AG (Agricultural) parcel. The Class D Subdivision for Dana K. and Karen J. Wolfanger is to create (2) two parcels, Parcel 1 will be 5.0 acres and Parcel 2 will be 5.0 acres. It is the petitioners desire to be able to sell a portion of the parcel on the western half of the property containing a house & outbuildings to the north side of the property. The petitioners would merge the newly created eastern 5.0 acres to their parcel to the south consisting of 10.10 acres of pastureland making a new parcel of 15.10 acres. Due to the property's non-parent parcel status, the petitioner would need to split the parcel to achieve the best outcome for both parties The parcel is on Shaw 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."