



## The Bauen Group, Inc.

Real Estate | Development | Construction Management | Consulting

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CGC# 1518803

October 1, 2025

*Hernando County Board of County Commissioners*

*20 N Main St #260*

*Brooksville, FL 34601*

**Re: FLUEDRA Request for Mediation and Relief – Denial of Rezoning Application for  
6191 Lockhart Rd, Brooksville, FL**

Dear Members of the Hernando County Board of County Commissioners:

I write pursuant to the Florida Land Use and Environmental Dispute Resolution Act (“FLUEDRA”), § 70.51, Florida Statutes, to formally demand mediation and relief regarding the Board’s denial on September 2, 2025, of my application to rezone the property located at 6191 Lockhart Rd, Brooksville, FL, from Agricultural/Residential to Commercial C2.

This property is situated within the Strategic I-75 SR 50 Comprehensive Plan corridor. The Hernando County Planning and Zoning Department staff reviewed and supported my rezoning request, confirming it aligns with established County land use policies and planning objectives. Despite this, the Board denied the request without providing a final denial letter, which I have not received to date, thereby depriving me of a fair opportunity to respond or appeal.

## **Supporting Arguments for Immediate Relief under FLUEDRA**

Pursuant to FLUEDRA, I hereby assert that the Board's denial of my rezoning application for 6191 Lockhart Rd is unjustified, legally flawed, and constitutes an arbitrary and capricious action that unlawfully infringes upon my property rights. This denial demands immediate review and relief based on the following indisputable elements:

- **Unreasonable and Unjustified Burden on Property Use**

The denial imposes an excessive and unreasonable burden on my lawful property use. The Planning and Zoning Department's professional staff—experts charged with land use evaluation—recommended approval after thorough analysis confirming consistency with the County's Comprehensive Plan. Ignoring this fact-based recommendation without substantiated grounds is a manifest abuse of discretion.

- **Clear Consistency with Comprehensive Plan and Land Use Regulations**

My rezoning request fully complies with Hernando County's Comprehensive Plan and zoning policies, particularly within the designated Strategic I-75 SR 50 corridor. The Board's rejection contradicts clear county planning directives that anticipate and support such zoning adjustments to promote appropriate development.

- **Procedural and Due Process Deficiencies**

The Board's failure to issue and deliver a final denial letter violates my fundamental due process rights and statutory procedural requirements, obstructing my ability to timely exercise available administrative remedies, including appeal. This procedural omission invalidates the Board's denial and warrants corrective action.

- **Mandatory Pursuit of Alternative Dispute Resolution**

FLUEDRA expressly promotes mediation to avoid costly and protracted litigation. I am ready and willing to engage promptly in this mediation process with a qualified special magistrate to scrutinize the Board's flawed denial. This alternative provides the most

efficient and equitable mechanism for resolution respecting both public interests and property rights.

Based on these clear legal and factual grounds, I demand the Hernando County Board of County Commissioners promptly agree to initiate FLUEDRA mediation and jointly select a qualified mediator to serve as special magistrate. I also request that any applicable judicial deadlines be tolled throughout this mediation period.

Attached to this correspondence you will find the letter of support from the Planning and Zoning department, whereas all staff members performed a throughout review of the request to rezone this property under the C2 designation and found that it was "Consistent" and "recommended" approval. In addition, please find the aforementioned application associated with this request.

Please provide confirmation of receipt of this FLUEDRA request and your agreement to proceed with mediation within 10 calendar days of this letter. Failure to cooperate will compel me to pursue all available remedies to protect my property rights and secure just relief.

Thank you for your attention to this matter.

Sincerely,



*Casey Cane, CGC*

***President and License Holder***

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