

**Town of Howey-in-the-Hills, Florida**

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**NOTICE OF DENIAL**

- Date of notice:** March 12, 2024
- Applicant:** Nick Asma
- Subject Property:** North Palm Avenue  
AltKey No. 3837468
- Request(s):**
1. Change of future land use designation for the subject property from “Medium Density Residential” to “Neighborhood Commercial; and
  2. Rezone subject property from Medium Density Residential-1 (MDR-1) to Neighborhood Commercial (NC)
- Date of hearing:** February 12, 2024
- Town Council action(s):**
1. Denial of the request to designate the subject property for future land use of “Neighborhood Commercial” and
  2. Denial of the request to rezone the subject property to Neighborhood Commercial.
- Findings and citations:**
1. Changing the future land use designation of the subject property to “Neighborhood Commercial” would result in an intrusion of incompatible and inconsistent nonresidential land use into an historic residential neighborhood. Granting the designation would be inconsistent with and would violate Policy 1.2.3 of the Future Land Use Element of the Town’s Comprehensive Plan. The proposed nonresidential use would comply with the Comprehensive Plan if located in the designated commercial area along Central

Avenue, in compliance with Future Land Use Policy 1.4.10.

2. Rezoning the subject property to Neighborhood Commercial would be inconsistent with the future land use designation of “Medium Density Residential,” in violation of sections 163.3194 and 163.3202 of Florida Statutes. Also, a commercial use of the subject property would increase risk to the safety of vehicular traffic due to the material limitations on sight distance for traffic exiting from Citrus Avenue on to Palm Avenue southbound.

Filed and delivered to the applicant this 12<sup>th</sup> day of March 2024.

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John Brock, Town Clerk