



# LEVY COUNTY BOARD OF COUNTY COMMISSIONERS

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Planning and Zoning Department  
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Date: August 25, 2022

To: Levy County Planning Commission and Board of County Commissioners

From: Nicolle Shalley, Levy County Attorney  
Stacey Hectus, Levy County Planning and Zoning Director

Re: Equitable Estoppel and Reconfigured Parent Parcels Ordinance # 2022-17

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The Legal and Planning and Zoning Staff were asked by the BoCC to examine a potential remedy for some instances in the County where a property owner or soon to be property owner relied on the written guidance by an authorized staff person at the time they were doing their due diligence. The Board believes that fundamental fairness requires that a property owner who “did the right thing” by obtaining a written zoning determination from an authorized County employee and who then took action based on receipt of that written determination should be allowed to rely on that determination and obtain a building permit, provided there have been no subsequent changes in the law and provided the property owner makes effort towards compliance, if possible. The Board finds there is a public purpose served by avoiding litigation, fostering confidence in County government, and facilitating present improvement and productive use of property in the County.

Additionally, County staff has also made the Board aware that it would be helpful to recognize reconfigured parent parcels in order to allow property owners to improve the size and/or shape of a parent parcel and get closer to meeting density and other zoning requirements, such as lot width and setbacks. This ordinance will also address this.

Staff presented draft language to the BoCC at their August 16<sup>th</sup> meeting. The BoCC was satisfied the language provided an equitable solution to their concerns and asked staff to advertise and bring it back to them in an ordinance. Please see the proposed ordinance attached.

**ATTACH ORDINANCE**