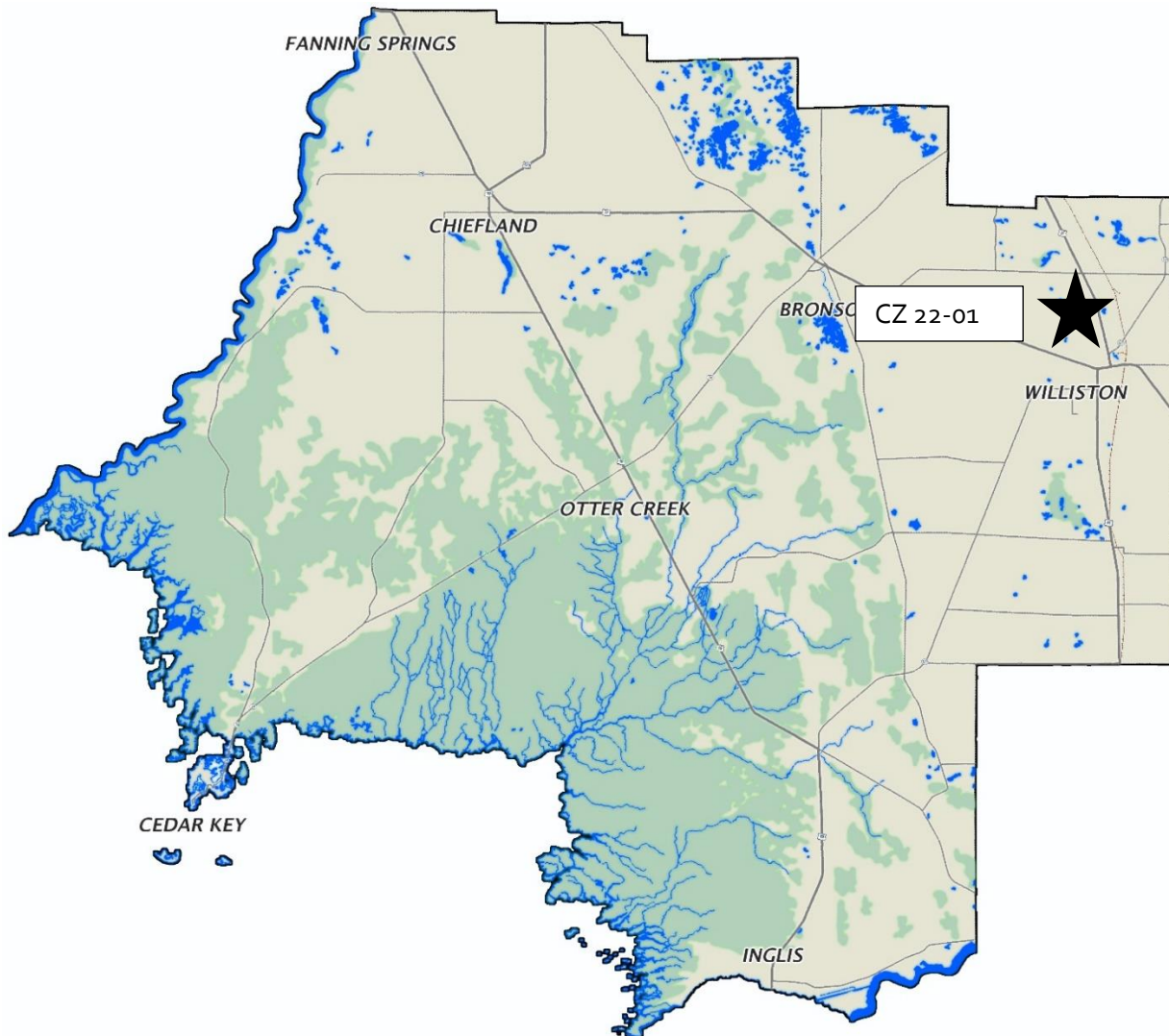


Levy County Planning and Zoning Department Staff Report

Levy County Planning Commission Public Hearing, August 1, 2022

Change of Zoning "CZ 22-01"



Staff Report July 11, 2022
Updated for BoCC September 8, 2022

Levy County Planning and Zoning Department Staff Report

Matthew and Angela Brooks Change of Zoning CZ 22-01

From: Stacey Hectus, Planning and Zoning Department Director

To: Levy County Planning Commission

Owner: Matthew and Angela Brooks
PO Box 848
Williston, FL 32696

Legal

Description: See both legal descriptions attached as part of the application

Parcel ID Number: 0475100000 (portion)

Current Zoning Designation: Single-Family, Urban (R-2)

Requested Zoning Designation: Moderately Intensive Commercial (C-3)

Number of Acres: 9.5 ac MOL

Existing Use of Property: Vacant/Pasture

Commission District 5: Commissioner Matt Brooks

Project Description based on the Submitted Application, Supporting Documents and review of the Levy County Comprehensive Plan and Land Development Code:

This is an application request to change the zoning from Single-Family Residential, Urban (R-2) to Moderately Intensive Commercial (C-3) to a 9.5-acre portion of parcel 0475100000. Subject parcel is located in the Williston Municipal Service District (MSD).

This request is secondary to the initial request to change the land use from Urban Medium Density Residential (UMDR) to Commercial.

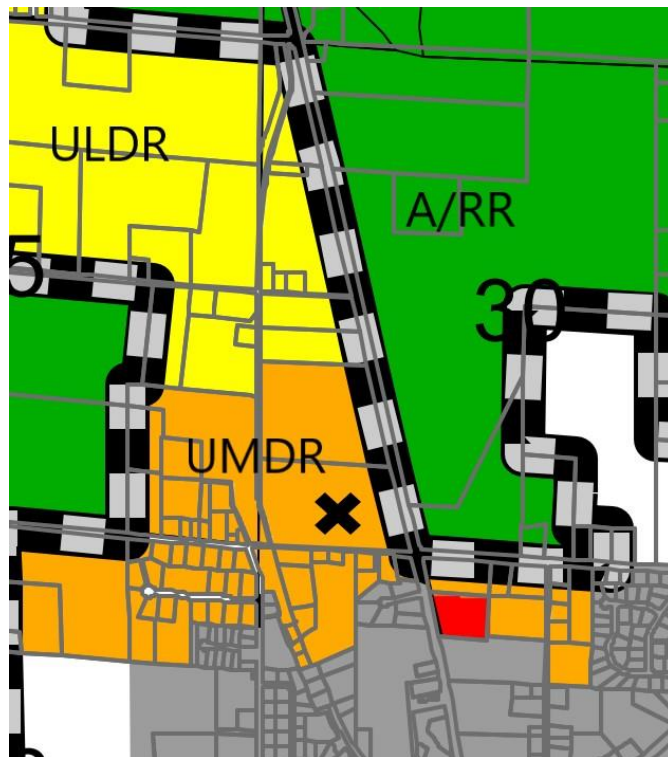
This change of zoning is requested pursuant to 50-665 Zoning Change Criteria and is permitted use in 50-676, Generally, Schedule 1, Use Regulations. The Future Land Use on this property is proposed to be Commercial. The property owners are requesting the zoning of C-3 to be compatible with the Comprehensive Plan.

If approved, the property owner plans to relocate their businesses to this location where offices and warehousing will be constructed.

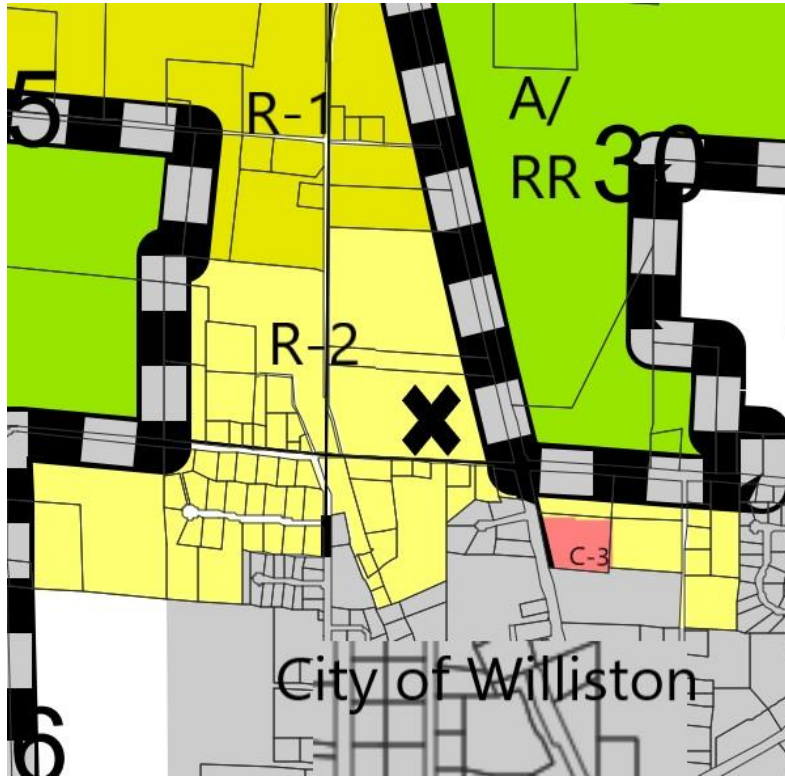
Aerial Location Map



Future Land Use Map and surrounding area



Zoning Map and surrounding area



Staff Review of the Application:

*Staff comments will appear in **BOLD TEXT**.

The following are the code sections related to change of zoning requests.

Sec. 50-665 Zoning change criteria.

(a) The following criteria shall serve as minimum requirements or criteria for the planning commission and the board of county commissioners to consider in a zoning change request, which a zoning request must meet in order to be approved by the board of county commissioners:

1. *Whether the proposed zoning change or the uses that would be allowed by the proposed zoning change are compatible with the adjacent development, and with uses allowed in the land use and zoning districts in the surrounding area or neighborhood.*

The parcels surrounding the subject parcels have a Future Land Use of Urban Medium Density Residential (UMDR) and Agricultural/Rural Residential

(A/RR). The current zoning surrounding this parcel is R-2 and A/RR. This area has a mix of residential, Duke Energy Substation, City of Williston that is more urban/commercial in nature and this is on a main state thoroughfare, which is a good location for commercial development. This Change of Zoning would promote compatibility with the Comprehensive Plan.

2. *Whether the proposed zoning change or the uses that would be allowed by the proposed zoning change are consistent with the provisions of the comprehensive plan.*

This requested change is being requested after a Future Land Use Change and this request would be for the compatible zoning of commercial to make it consistent with the comprehensive plan.

3. *Whether the proposed zoning change or the uses that would be allowed by the proposed zoning change would protect the public health, safety and welfare.*

It is staff's opinion the proposed zoning change would not be detrimental to the public, health, safety and welfare. The change would align with the intended land use and some of the areas surrounding existing uses.

4. *Whether the proposed zoning change or the uses that would be allowed by the proposed zoning change would adversely affect property values for properties in the surrounding area or neighborhood.*

Neither a professional analysis nor opinion was provided as to the effect the proposed residential development of the subject property would have on nearby property values.

5. *Whether there are substantial reasons why the property cannot be used in accordance with the existing zoning district.*

Commercial is not permitted in the R-2 zoning district. Changing the zoning will permit appropriate uses in C-3. This requested change also make it consistent with the comprehensive plan.

6. *Whether the proposed zoning change or the uses that would be allowed by the proposed zoning change would cause a detrimental increased load on public infrastructure, including but not limited to schools, utilities, roads, solid waste, than would otherwise be allowed with the existing zoning district.*

This development would not cause a detrimental impact on services. See Level of Service portion of the application.

7. *Whether the proposed zoning change or the uses that would be allowed by the proposed zoning change would not reduce light and air to adjacent properties and would not*

cause an increase in smoke, odor, or glare than would otherwise be allowed with the existing zoning district.

Staff finds the use is allowed by the proposed zoning change and would not reduce light and air to adjacent properties and would not cause an increase in smoke, odor, or glare than would otherwise be allowed with the existing zoning district. Lighting would need to adhere to our building code and lighting should be shielded so as not to be a nuisance to neighbors.

Staff Recommendation:

- Staff recommends the Planning Commission review the proposed rezoning from Single Family Residential, Urban (R-2) to Moderately Intensive Commercial (C-3) on a portion of parcel 0475100000 (approximately 9.5 acres) and make a recommendation to the Board of County Commissioners. Staff recommends **APPROVAL** based on the application submitted.
- The Planning Commission heard the item and recommended **APPROVAL** (4-0) at their August 1, 2022 meeting.