



**LEVY COUNTY  
PLANNING & ZONING DEPARTMENT**

320 Mongo Street • Bronson, FL 32621 • 352-486-5203  
Fax – 352-486-5405 • email: [LCPZ@levycounty.org](mailto:LCPZ@levycounty.org)

**APPLICATION FOR SPECIAL EXCEPTION**

**DO NOT SUBMIT THIS APPLICATION UNTIL AFTER YOU HAVE ATTENDED A FIRST STEP MEETING WITH COUNTY STAFF TO REVIEW YOUR PROPOSED USE.**

**Please insert the date of the meeting:** \_\_\_\_\_

**Agent Name (if applicable):** William Menadier \_\_\_\_\_

**Agent Address:** PO Box 636 Alachua, FL 32616 \_\_\_\_\_

**Agent Telephone:** 386-347-5133 \_\_\_\_\_

**Agent Email:** wmenadier@menadier.com \_\_\_\_\_

**Owner(s) Name:** Landmark Apostolic Church Of Williston Inc - James Asbury \_\_\_\_\_

**Owner(s) Address:** 1451 NE State Road 121 Williston, FL 32696 \_\_\_\_\_

**Owner(s) Telephone:** 352-812-1320 \_\_\_\_\_

**Owner(s) Email:** asburyupc@yahoo.com \_\_\_\_\_

**Parcel ID Number(s):** 04195-000-00 \_\_\_\_\_

**Property address (if applicable):** 5651 NE 167TH CT Williston, FL 32696 \_\_\_\_\_

**Acreage:** 12.39 acres \_\_\_\_\_

**FLOOD ZONE:** Zone X \_\_\_\_\_

**Current FLU Designation:** Agriculture \_\_\_\_\_

**Current Zoning Designation:** Rural Residential \_\_\_\_\_

**What Special Exception are you applying for (initial one):**

☐ 50-756. Agricultural operation, intensive.

☒ WM 50-757. Educational facilities.

☐ 50-758. Recreational Vehicle (RV) Park/Campground

☐ 50-759. Mining.

☐ 50-760. Place of Religious Assembly, Civic Organization or Membership Club with outdoor uses.

☐ 50-761. Electric Generating Facilities.

**Please describe below the nature of your request:**

The Landmark Appostolic Church of Williston is proposing to add a 4,800 SF multi-purpose building to support the existing Next Generation Christian Academy classroom building. The current school is a non-conforming use and will require approval of this Special Exception. The project is located on a single parcel totaling approximately 12.4 acres. The future land use and zoning classifications are Agriculture and Rural Residential, respectively. The site is located on the east side of County Road 335-A, approximately 0.35 miles south of NE 60th Street (Parcel ID No. 0419500000). See "Special Exception Findings of Facts" provided with this application.

## **Uses by Special Exception**

### **Instructions**

#### **Sec. 50-755. Generally; Review criteria; limitations and process.**

The uses that are allowed by special exception as identified in the zoning district use table, are subject to the review criteria, limitations and process outlined herein, including application to the county, review by county staff, public notice and public hearings before the planning commission and the board of county commissioners who shall issue a final written decision of approval or denial.

*Review Criteria.* The planning commission may recommend approval and the board may approve an application for special exception upon finding that the proposed use meets the below listed criteria. The planning commission may recommend and the board may impose additional conditions, limitations and safeguards as it deems necessary to protect the public health, safety and welfare.

- (1) That the use is consistent with the comprehensive plan and is identified as a special exception in the zoning district use table.
- (2) That the use is designed, located and proposed to be operated in a manner that it will not be injurious to the public health, safety, and welfare.
- (3) That the property is suitable for the use proposed by virtue of its location, shape, topography, and by virtue of its compatibility with adjacent development, and with the character of its zoning district.
- (4) That adequate buffering, landscaping and screening are provided to create visual and sound barriers from adjacent property.
- (5) That adequate off-street parking and loading are provided and ingress and egress is designed to cause minimum interference with or congestion of vehicular or pedestrian traffic on abutting streets or of boat or vessel traffic on adjacent waterways.
- (6) The use is conditioned upon conformance with all applicable zoning district and general regulations in this code, including site plan review.
- (7) The use meets or use is conditioned upon meeting the specific requirements in this subdivision 6.

*Limitations for a special exception.*

- (1) A special exception is valid only for the specific use described in the final written order issued by the board. Any violation of the written order is grounds for revocation of the special exception or any action at law or in equity to enforce the provisions of the special exception.
- (2) A special exception shall expire and become null and void unless the use is commenced within one year from the effective date of the written order. Alternatively, the board may provide such other timeframes as the board deems appropriate for the particular use. If any timeframe is not met, the special exception approval is rendered null and void. Once the special exception use lawfully commences, the approval shall run with the land, is not transferable to a different site, and will remain in effect until the use is ceased or the approval is revoked due to non-compliance.
- (3) Upon denial of an application for a special exception use, the board may not consider an application for that use on all or any part of the same property for a period of six months after the denial. However, this limitation may be waived by a majority vote of the board when they deem it necessary to prevent injustice.
- (4) Any special exception, or amendment to special exception, that authorized development that was not constructed within 10 years of the date it was approved by the board and/or did not commence use within 10 years of the date it was approved by the board, is null and void and said special exception or amendment to special exception is hereby repealed.

*Process for a special exception.*

- (1) *First Step Meeting with Staff.* Prior to submitting an application for a special exception (or an amendment to an existing special exception), the applicant or its agent, shall first meet with county technical staff (e.g., planning, roads, engineering) to discuss the proposed use and the process.
- (2) *Written petition.* A request for a special exception (or an amendment to an existing special exception) shall be made on the application form provided by the county and accompanied by the applicable fee in appendix b to this code. The petition shall include, but is not limited to, the following:
  - (a) A site plan that conforms to secs. 50-775 and 776 (as applicable).
  - (b) A legal description of the property.
  - (c) A narrative description of the project in sufficient detail to provide an understanding of the nature of the development proposal and a statement describing how the special exception meets all the requirements, criteria, and standards for approval set forth in this code.

(d) Any other information required by the zoning official or by other provisions of this code which the zoning official determines is necessary in order to process the application.

(3) *Completeness determination; staff report and recommendation.* Upon receipt, the zoning official or designee will review the petition for completeness. If additional data or information is required, the zoning official or designee will advise the applicant and allow a reasonable time for the applicant to provide the additional data or information. Upon finding that a petition is complete, the zoning official will review the petition for compliance, prepare a staff report with recommendation(s) and notice the petition as required by law for public hearings before the planning commission and the county commission.

(4) *Public notice and public hearings.* Notice of public hearings shall be given in accordance with secs. 50-2 and 50-3. The zoning official and the applicant (in person, by agent or by attorney) shall appear at the hearings. At the completion of its public hearing, the planning commission will make a recommendation regarding the special exception petition to the board. The board will then hold a public hearing on the special exception petition. At the completion of its public hearing, the board may continue the matter or may direct the county attorney to draft a written order of approval or denial (with brief statement of reasons therefor) of the petition. Once the county attorney has prepared the written order, it must be noticed and placed on a board agenda for final action.

*Petitions deemed withdrawn.* In the event an applicant requests to pause its petition at any stage in the process, the applicant shall have a maximum of six months from the date the petition was submitted to the county to have its petition finally heard by the county commission. In the event the applicant does not contact the zoning official to proceed with the petition during this six month period, the petition is deemed to be withdrawn and the applicant will be required to submit a new special exception application and fee.

**Initial below to indicate that you have:**

WM Reviewed the specific code section (referenced above) for your special exception use

WM Attached your deed or a recent survey of the property

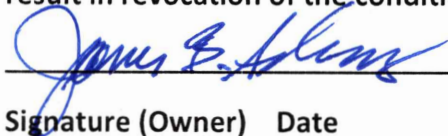
WM Attached a site plan that conforms to County Code Sections 50-775 and 776 (as applicable)

WM Attached a narrative description of the proposed use in sufficient detail to provide

an understanding of the nature of the development proposal along with all other pertinent documents required by the specific special exception section

WM Paid the Special Exception Application Fee

I (we) certify that the above information is true and correct to the best of my knowledge and belief. By submitting this application I (we) am (are) voluntarily granting permission to Levy County officers, employees, and agents to enter onto and inspect the property that is subject to this application at all reasonable times for determining the suitability of the applied for development order and for compliance with County development regulations contained within the Levy County Code of Ordinances and Comprehensive Plan. I (we) further acknowledge that refusing access to Levy County officers, employees, and agents is grounds for and may result in my application being denied. I (we) further acknowledge and affirm that if this application is granted, I (we) have a continuing obligation to development, maintain and operate the conditional use in conformance with County Code and all applicable laws. Failure to do so may result in revocation of the conditional use approval.



Signature (Owner)    Date

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