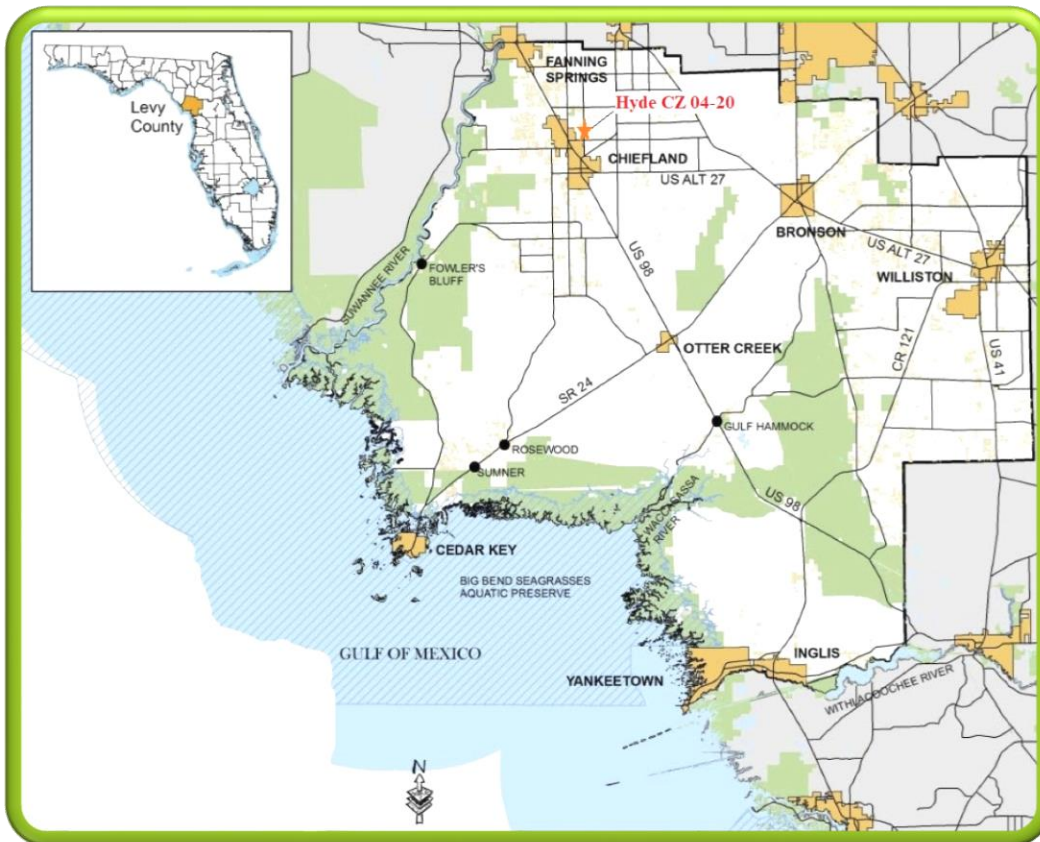


# Levy County Development Department Staff Report

Levy County Planning Commission Public Hearing, February 8, 2021

Change of Zoning "CZ 04-20"



# Levy County Development Department Staff Report

Jerry and Judith Hyde Change of Zoning

From: Development Department

To: Levy County Planning Commission

**Owner:** Jerry and Judith Hyde  
207 NE 194<sup>th</sup> Avenue  
Old Town, FL 32680

## Legal

**Description:** US 19 No. 1 Addition, Lot 23, Block C  
Section 14, Township 11S, Range 14E

**Parcel ID Number:** 07531-018-00

**Current Zoning Designation:** Commercial “C-2” Neighborhood Commercial

**Requested Zoning Designation:** Rural Residential “RR”

**Number of Acres for CZ:** 2.67 acres

**Existing Use of Property:** Vacant

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## **Project Description based on the Submitted Application and Supporting Documents:**

This is an application to assign an “RR” Rural Residential (minimum 1 acre) Zoning District to 2.67 acres as identified in the application, and in the preface of this staff report.

This change of zoning is requested pursuant to an approved Small Scale Plan Amendment [SSA-SSA 20-02] to the Future Land Use Map (FLUM) changing the land use designation from Commercial [C] to Urban Low Density Residential [ULDR] land use designation on a parcel located in the Chiefland Municipal Service District.

If approved, the property owner intends to develop the subject parcel with a single-family dwelling (site built or mobile home).

The current use of the property vacant.

## **Staff Review of the Application:**

\*Staff comments will appear in text boxes following the applicable code sections of the general and specific review for the selected special exception us.

The following are the code sections related to changes of zonings.

**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 change from C-2 to RR moves this property into a more compatible zoning with the surrounding area. While much of this area east of the Trail has a FLU designation of Commercial the actual development of the area is predominately residential. So the subsequent future land use change and this zoning change make this property more compatible with the area.

- 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.*

The change of zoning application was reviewed by the Planning Department and was found to be in compliance 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.

- 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 or opinion was provided as to the effect the proposed commercial 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.*

The platted lot is just over 2 acres. The original C-2 zoning no longer allows residential uses. So this property required a rezoning to a residential designation. This area has developed as primarily residential over the years. There are a mix of lot sizes in this area.

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, then would otherwise be allowed with the existing zoning district.*

The proposed zoning change would not cause a detrimental increased load on public infrastructure.

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.

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**Staff Summary:**

- This property is located within a suitable location for residential development. The applicant has already gone through the proper process to change the FLUM designation that would be more compatible for the applicant's request. The rezoning is the last step in the process to make the comp plan and zoning compatible. The Planning Commission recommended approval of this request 4-0 at their February meeting.