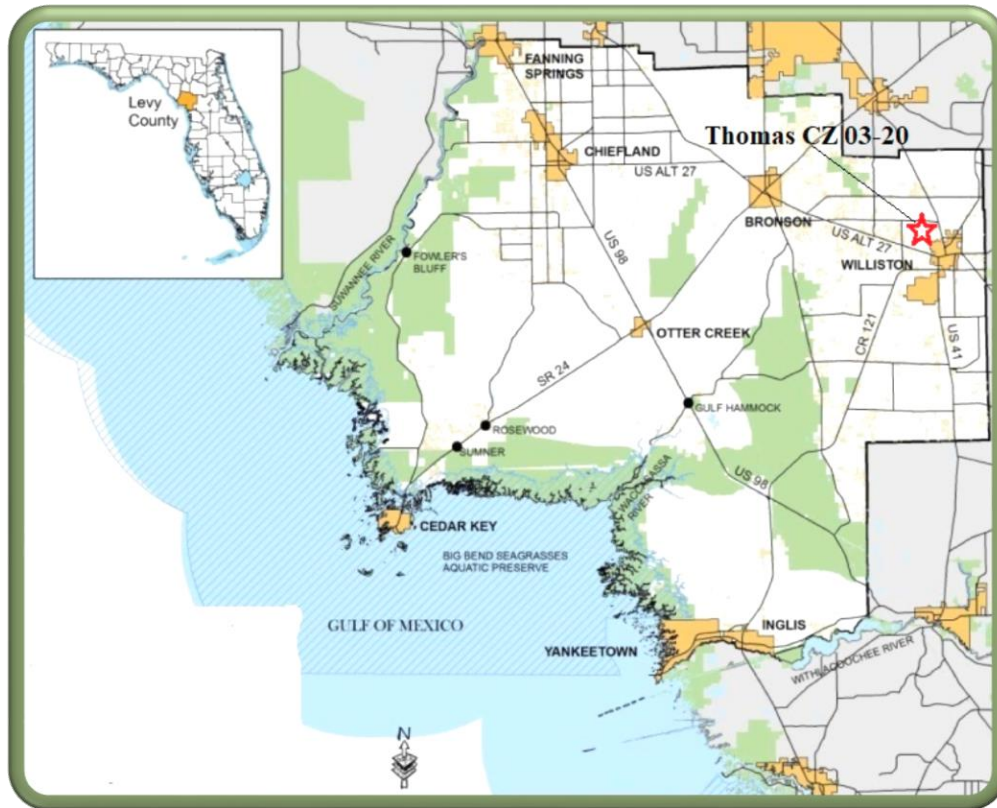


Levy County Staff Report for Lee Thomas Change of Zoning (CZ 03-20)



PREPARED BY LEVY COUNTY
DEVELOPMENT DEPARTMENT
JANUARY 2021

FOR THE LEVY PLANNING
COMMISSION

LEVY COUNTY DEVELOPMENT DEPARTMENT STAFF REPORT

LEE THOMAS (CZ 03-20)

To: Levy County Planning Commission
From: Development Department

Applicant/Owner: Lee Thomas
4990 NE 195th Court
Williston, FL

Legal Description: Section 31, Township 12S, Range 19E, Levy County.

Parcel ID Number: 04823-000-00

Total Project Area: 4.67 acres more or less

Current Zoning Designation: Forestry/Rural Residential “FRR” (minimum parcel size 20 acres)

Proposed Zoning Designation: Rural Residential “RR” (minimum parcel size 1 acre)

Staff Review Based on the Application Submitted:

This is an application to assign an “RR” Zoning District to 4.67 acres as identified in the preface of this staff report. The subject property is developed with a single-family residence, in ground pool, well and covered area.

This parcel lies within the Williston Municipal Service District and has a land use designation of UMDR (Urban Medium Density Residential).

Proposed use of the Property: The purpose of the change of zoning is to have the option of creating residential lots for single-family dwellings.

Existing land uses:

- North and across NE 50th Street is a vacant parcel owned by Duke Energy Florida, LLC, and two single-family dwellings.
- West of the subject parcel is an electric power station owned by Florida Power Corp.
- East of the subject parcel is developed with two single-family dwellings and one mobile home.
- South of the subject parcel is developed with a single-family home.
- Southwest of the subject parcel is vacant land owned by Duke Energy Florida, LLC.

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 requests, 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 FRR to RR moves this property into a more compatible zoning with the surrounding 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 not 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 rezoning would have on 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 almost 5 acres. When a property doesn't have a zoning designation per our Land Development Code 50-644 it is given the FRR designation. The original FRR zoning at (1/20 ac.) would not be compatible in this area. Many of the lots are the same size or smaller.

- (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.

STAFF SUMMARY:

The development of the subject parcel within "RR" residential uses, would be consistent with the change of zoning criteria in this section, and would be compatible with the established land use pattern in the surrounding area. The Planning Commission recommended approval of this request 4-0 at their February meeting.