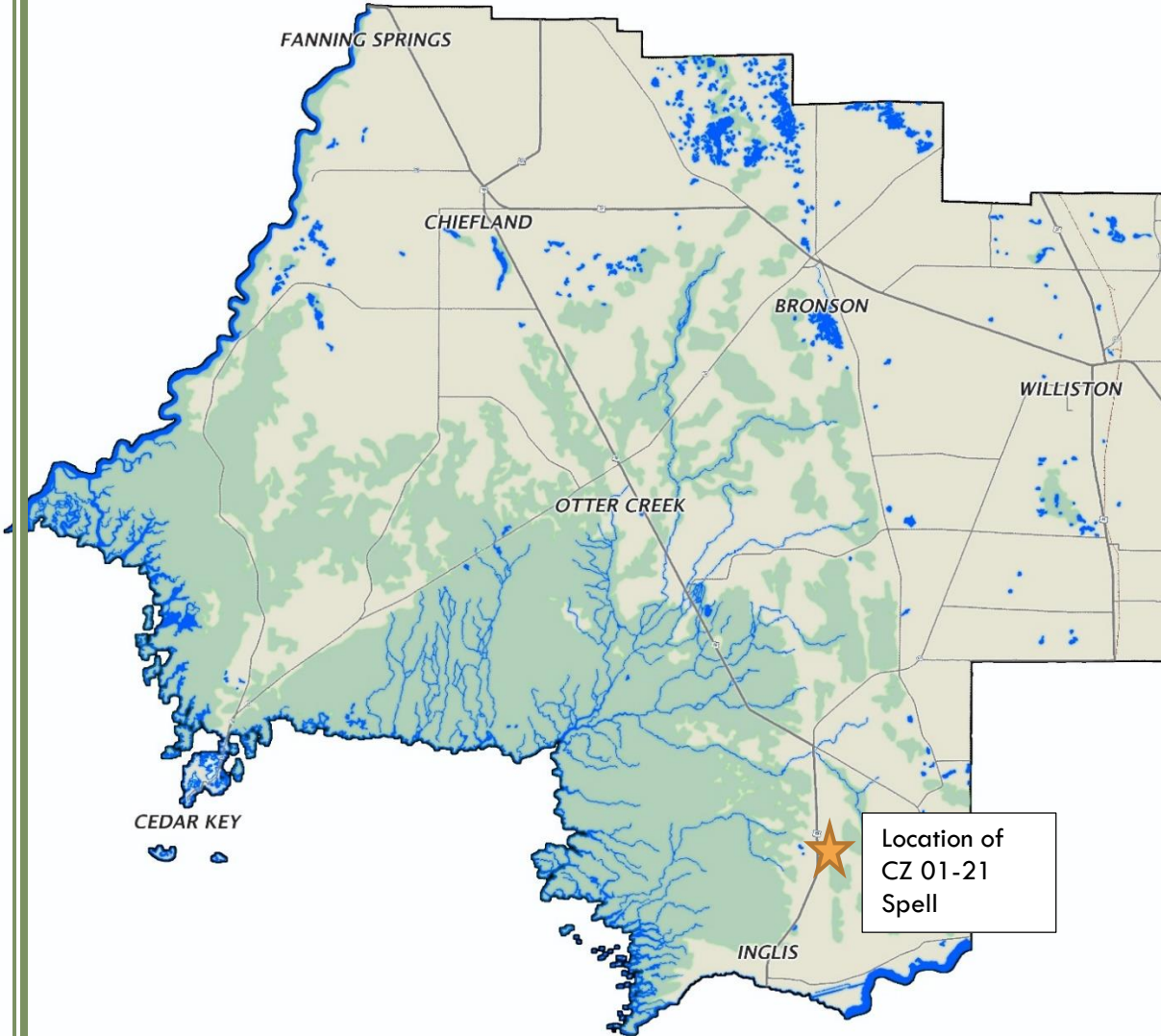


Levy County Staff Report for William R. Spell Change of Zoning (CZ 01-21)



PREPARED BY
LEVY
COUNTY
PLANNING
AND ZONING
DEPARTMENT
MARCH 2021

FOR THE LEVY
COUNTY
PLANNING
COMMISSION

LEVY COUNTY PLANNING AND ZONING DEPARTMENT
STAFF REPORT

WILLIAM R. SPELL (CZ 01-21)

To: Levy County Planning Commission
From: Planning and Zoning Department

Applicant/Owner: RNR Land Holdings LLC/William R. Spell
315 NW Magnolia Circle
Crystal River, FL 34428

Site/Parcel Address: SE 157th Place Road
Inglis, FL 34449

Commission Dist.: District 3, Commissioner Joyner

Legal Description: Section 07, Township 16, Range 17, Levy County.

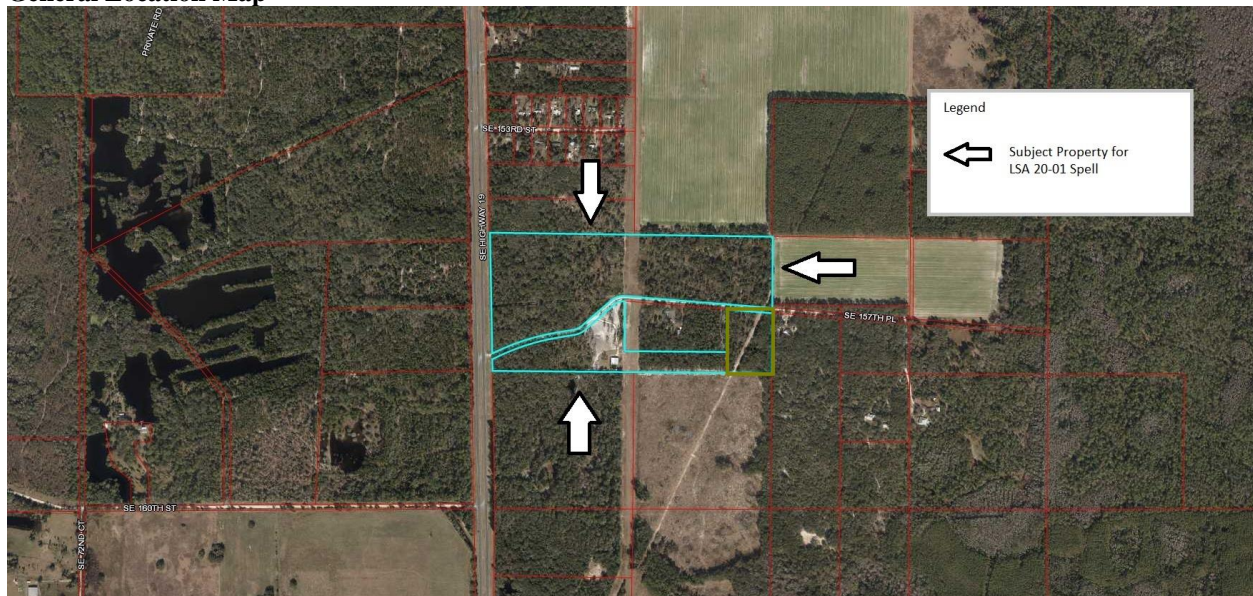
Parcel ID Number: 14365-016-00

Total Project Area: 62.39 acres

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

Proposed Zoning Designation: Agriculture/Rural Residential “ARR” (minimum parcel size 10 acres)

General Location Map



Staff Review Based on the Application Submitted:

This is an application to assign an “ARR” Zoning District to 62.39 acres as identified in the preface of this staff report. The subject property is currently vacant but the applicant would like to create 5- 10 acre parcels and sell four of them keeping one for himself.

This parcel is approximately 5 miles from the Town of Inglis. The applicant is currently in the process of getting approval for a large scale Land Use amendment on the 62.39 acres to change the land use from Forestry/Rural Residential (1 unit to 20 acres) to Agricultural/Rural Residential (1 unit to 10 acres). The first step was the transmittal which occurred in Jan./Feb. 2021 and our office has received all the comments back from the state agencies with no concerns. We anticipate bringing the adoption to the BOCC at the May 4th meeting.

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

Existing land uses:

- North of this property is vacant crop land.
- West across US Highway 19 is vacant timberland.
- East of the subject parcel is residential parcels.
- South of the subject parcel is timberland and Florida Power/Progress Energy property.

Staff Review of the Application: Staff comments will appear in bold following the applicable zoning criteria.

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

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 ARR is compatible with the neighboring 10 acre homes as well as compatibility with the impending Future Land Use of A/RR.

(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 will be consistent with and in compliance with the proposed amendment to the Comprehensive Plan currently in process.

- (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 approximately 63 acres would not yield Mr. Spell the amount of lots he wanted to create at a zoning of FRR (1 unit to 20 acres). There are other 10 acre parcels on this road so compatibility was not a major issue.

- (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 “ARR” residential uses, would be consistent with the change of zoning criteria in this staff report, and would be compatible with the establishing land use pattern in the surrounding area.