

**SPECIAL EXCEPTION APPLICATION
LEVY COUNTY, FLORIDA**

Filing Date _____

Petition No. SE _____

Fee: _____ (see fee schedule)

Validation No. _____

TO THE LEVY COUNTY PLANNING COMMISSION:

Special exceptions are intended to provide for land uses and activities not permitted by right in the applicable zoning district where they are located. Because a special exception use is not normally a permitted use in a particular district, the burden is placed upon the applicant to document that the granting of a special exception is suitable in the area and will not create a hardship upon adjoining properties as they are currently being used or as they may be used in the future.

This application is hereby made to the Board of County Commissioners (BOCC) of Levy County, Florida, pursuant to the provisions of Chapter 163, Florida Statutes, the adopted Levy County Comprehensive Plan and Chapter 50 of the Levy County Code (Land Development Code), petitioning for a Special Exception on the following described property:

Section I. APPLICANT INFORMATION:

Please print unless otherwise specified.

Applicant's Name <u>Shankland & Associates, LLC</u>	Owner 's Name <u>Marcia Dawn Flemming</u>
Address <u>6970 SW 103rd Terrace, Cedar Key, FL</u>	Address <u>6510 SW 101 Terrace, Cedar Key, FL</u>
Zip Code <u>32625</u> Phone No. <u>(928) 863-5030</u>	Zip Code <u>32625</u> Phone No. _____
email _____	email _____

Section II. PARCEL INFORMATION:

Parcel Number (s)	Section/Township/Range	Acreage
1. <u>0133000400</u>	<u>30-14-14</u>	_____
2. <u>0133200000</u>	<u>30-14-14</u>	_____
3. _____	_____	_____
Total Acreage:		<u>11.90 11.94</u>

Subdivision Name (if applicable): _____ Lot _____ Block _____

Current Land Use: Vacant Current Zoning: C2

Current Use (Actual) and Improvements on the Property: (i.e. Single-family, well & septic, pole barn, ect.
Vacant - in the recent past this area supported 19 single family mobile homes.

Proposed Use:

Development of a 90-Unit RV Park, with associated support structures and facilities for water, sewer, drainage, maintenance building, laundry, bathhouse, office with meeting room, and gazebo in two to three phases. Please see attached concept plan.

**SPECIAL EXCEPTION APPLICATION
LEVY COUNTY, FLORIDA**

Directions to the Property: (Please start directions from a State or County Road):

From the intersection of SR 24 and CR 345, continue SW on SR 24 for approximately 300'.

Turn left onto paved Drive at entrance to property.

Section III. TO BE SUPPLIED AT THE TIME OF SUBMISSION; Attach the items in the order listed below. The application will not be processed without these items. Any information changes must be submitted, in writing, to the Planning and Zoning Department and received within 10 working days prior to the Planning Commission Public Hearing.

*** Upon completion of the above application, **please submit the original and four (4) copies** to the Levy County Planning and Zoning Department, 320 Mongo Street, Bronson, Florida, for staff review and comment. After the application has been found complete, an additional twenty (12) copies will need to be submitted for distribution to the Planning Commission, Board of County Commission and office staff.

Surrounding Land Owners & Mapping

___ A list of names and addresses of property owners within 300 feet of the subject property (excluding rights-of-way) with corresponding address labels. This information shall be based on the latest available property records of the Levy County Property Appraiser. The applicant shall also provide a map clearly showing the subject property and all of the other properties within 300 feet.

Property Description

___ **Property Deed.** The most recent deed pertaining to the proposed special exception property. This may be obtained from the Clerk of the Circuit Court's Office.

___ **Certified property boundary survey.** Provide a certified legal boundary survey of the proposed special exception site. If the proposed special exception is to be on only part of the parcel, indicate that area. The legal description of the parcel or portion of the parcel must be described and signed and stamped by a certified Registered Land Surveyor (RLS), Professional Land Surveyor (PLS), Professional Mapper and Surveyor (PMS), or a professional engineer (PE).

___ **Detailed Site Plan.** See Section IV of this application for required information to be shown on the site plan.

___ **Photographs.** Provide at least four (4) photographs showing site views from the site looking north, south, east and west. Identify the photo viewpoint and provide a brief description beneath each view (North, South, East, West). Additional photos showing relevant information may also be included.

Maps All required maps and information can be obtained from the Levy County Property Appraiser.

___ **Property Appraiser's Parcel Map.**

1. Identify the proposed site clearly using a color or pattern.
2. Identify on the map the existing uses within 300 (three hundred) feet of the subject property's boundary using the following descriptive types: Residential, Commercial, Industrial, Recreation, Crops/Farming, Silviculture and Undeveloped. Please indicate all uses on the adjacent property. For example, residence and crops/farm, or Commercial/restaurant and recreational/golf course.
3. Identify the FLUM designation and zoning classifications for those properties identified by question #2.

___ **Property Appraiser's Aerial Photograph with Parcel Overlay.** Identify the proposed site clearly using a bright color or pattern taking care to obscure as little information as possible.

**SPECIAL EXCEPTION APPLICATION
LEVY COUNTY, FLORIDA**

Documentation

_____ **Existing Conditions and Compatibility on Property adjacent to the proposed special exception site.**
Provide a cover letter for this application which documents in writing how you believe the proposed special exception will be compatible with the adjoining development and the proposed zoning district where it is to be located.

_____ A narrative description of the total 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 requirements, criteria, and standards for approval set forth in Chapter 50, Article XIII, Division 5, and Subdivision I and Subdivision II, Levy County Code.

Note: The Planning and Zoning Department, Planning Commission, the BOCC, or other provisions of the Levy County Code, may require additional information to be included in any site plan submitted with this application.

Section IV. Detailed Site Plan: The applicant shall submit a site plan of his proposed special exception to be reviewed by the Planning Commission and the Board of County Commissioners. The site plan should be detailed at a scale of 1" = 20' or larger (subject to the Zoning Official's approval), showing the relationship of existing and proposed structures and uses on the parcel. Where site plan approval is required, and the development is not being submitted as a PUD as provided in Section 50-901 ff., Levy County Code, the following shall be required:

- 1) Project identification.**
 - a. Title of project or development.
 - b. Name of engineer, architect and developer (if different than applicant).
 - c. North point, scale, date and legal description of the entire property encompassing the special exception.

- 2) Existing conditions.**
 - a. Boundaries of the property involved, all existing easements, existing buildings, section lines, property lines, existing street paving and rights-of-way, topography, existing surface water areas, existing water mains, sanitary and storm sewers, culverts and other underground structures in and adjacent to the property.
 - b. A one inch equals 200 feet (1" = 200') aerial photograph of sufficient quality to delineate existing vegetation, or a tree survey prepared by a licensed surveyor or engineer.

- 3) Proposed development plans.**
 - a. Proposed placement of structures on the property, provisions for ingress and egress, off-street parking and off-street loading areas, refuse and service areas and required yards and other spaces.
 - b. Plan showing proposed locations for utility hookups.
 - c. Plan for screening and buffers, with reference to type, dimensions and character.
 - d. Proposed landscaping.
 - e. Proposed signs and lighting, including type, dimensions and character.
 - f. Size of proposed lot (s) or parcel (s).

**SPECIAL EXCEPTION APPLICATION
LEVY COUNTY, FLORIDA**

4) Tabulation of proposed development plans.

- a. Tabulations of total number of gross acres in the site and the acreages and percentages thereof proposed to be devoted to the uses including: uses (residential, commercial, industrial or other nonresidential), streets, parking and open and enclosed storage areas.
- b. Tabulations of total number of dwelling units by dwelling type within the project.
- c. Proposed development schedule and phasing.
- d. Square footage of floor area by type of structure.

Section V. Additional written and mapping documentation required for the specific proposed special exceptions listed in Schedule I of Section 50-676, Levy County Code, in applicable zoning districts. These uses include, but are not limited to, mining, excavation and quarries, development in the Airport Overlay Zone, and concentrated commercial farming operations. Confirm with the Planning and Zoning Department whether the proposed use requested has additional requirements.

Section VI. In order for a special exception to be approved, the applicant must show that it meets the following criteria, at a minimum, and any other applicable requirements, criteria or standards as set forth in the Land Development Code. *Please make all narrative responses to numbers 1 – 8 on the following provided page. While all documents, maps, etc., that support a response should be included in the application, narrative responses cannot be simply referred to another document, map, etc. in your application; doing so will result in an incomplete application.

- 1) **That** the use is a special exception use as set forth in Schedule 1. Use Regulations, of section 50-676, Levy County Code, or as set forth in the Levy County Comprehensive Plan.
- 2) **That** the use is so designated, located and proposed to be operated that the public health, safety, welfare and convenience will be protected.
- 3) **That** the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.
- 4) **That** the property that is the subject of the special exception is suitable for the type of use proposed by virtue of its location, shape, topography, and by virtue of its compatibility with adjacent development, with uses allowed in adjacent land use and zoning districts, and with the character of the zoning district where it is located.
- 5) **That** adequate buffering, landscaping and screening are provided as required in this article, or as necessary to provide a visual and sound barrier between adjacent property and the property that is the subject of the special exception.
- 6) **That** adequate off-street parking and loading are provided and ingress and egress are so designed as to cause minimum interference with or congestions of vehicular or pedestrian traffic on abutting streets or of boat or vessel traffic on adjacent waterways.
- 7) **That** the use conforms with all applicable regulations governing the district where located, as may otherwise be determined for large-scale developments.
- 8) **That** the use is consistent with the provisions of the Levy County Comprehensive Plan and the Land Development Code, and that the application and use comply with the applicable provisions of Chapter 50, Article XIII, Division 5, Subdivision II, Levy County Code and with any specific requirements for the use contained in Chapter 50, Article XIII, Division 3, Subdivision II, Levy County Code.

**SPECIAL EXCEPTION APPLICATION
LEVY COUNTY, FLORIDA**

COMPLETE RESPONSES MUST BE PROVIDED ON THIS PAGE. IF MORE SPACE IS NEEDED, PLEASE ATTACH AN ADDITIONAL PAGE. IF THERE IS ANY DOCUMENTATION TO SUPPORT THE RESPONSES BELOW, PLEASE ATTACH SUCH DOCUMENTATION.

- 1) That the use is a special exception use as set forth in Schedule 1. Use Regulations, of section 50-676, Levy County Code, or as set forth in the Levy County Comprehensive Plan.
The use meets the requirements set forth for the special exception.

- 2) That the use is so designated, located and proposed to be operated that the public health, safety, welfare and convenience will be protected.
The project design will meet the requirements and obtain approvals from all agencies required to insure that the public health, safety and welfare are protected.

- 3) That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.
The project will not cause damage to the value of other property owners.

- 4) That the property that is the subject of the special exception is suitable for the type of use proposed by virtue of its location, shape, topography, and by virtue of its compatibility with adjacent development, with uses allowed in adjacent land use and zoning districts, and with the character of the zoning district where it is located.
Previously used as a trailer park, the RV resort proposed here is compatible with adjacent properties and development.

- 5) That adequate buffering, landscaping and screening are provided as required in this article, or as necessary to provide a visual and sound barrier between adjacent property and the property that is the subject of the special exception.
Adequate buffers have been provided.

- 6) That adequate off-street parking and loading are provided and ingress and egress are so designed as to cause minimum interference with or congestions of vehicular or pedestrian traffic on abutting streets or of boat or vessel traffic on adjacent waterways.
Adequate parking and ingress and egress have been provided for with this project.

- 7) That the use conforms with all applicable regulations governing the district where located, as may otherwise be determined for large-scale developments.
This project will comply with all applicable regulations governing the district.

- 8) That the use is consistent with the provisions of the Levy County Comprehensive Plan and the Land Development Code, and that the application and use comply with the applicable provisions of Chapter 50, Article XIII, Division 5, Subdivision II, Levy County Code, and with any specific requirements for the use contained in Chapter 50, Article XIII, Division 3, Subdivision II, Levy County Code.
The use has been found to be consistent and in compliance with the Comprehensive Plan and Land Development Code.

**SPECIAL EXCEPTION APPLICATION
LEVY COUNTY, FLORIDA**

STANDARD CONDITIONS OF APPROVAL – THESE CONDITIONS, IN SUBSTANTIALLY THE FORM CONTAINED HEREIN, WILL BE CONTAINED IN EACH ORDER OF APPROVAL FOR SPECIAL EXCEPTIONS. THERE MAY BE ADDITIONAL CONDITIONS THAT WILL APPLY.

1. The following words, terms, or phrases, when used in this Order or Conditions of Approval, shall have the meanings ascribed to them in this Condition 1, except where the context clearly indicates a different meaning:

Applicant shall mean _____, jointly or severally (use this phrase if more than one applicant) or any of his/her, its or their successors or assigns.

Application _____ shall mean the request filed by Applicant with the County for a Special Exception for _____ including the completed application form and all additional documents submitted by the Applicant (include all supplementary documents if unusual supplementary documents are part of the application so that maps/other documents that were part of the Application are identifiable).

County shall mean Levy County, Florida.

Department shall mean the Levy County Planning and Zoning Department, or any successor County Department with the duties of administering and enforcing the zoning regulations of the County.

Subject Property shall mean the property described on Exhibit "A" attached hereto. (Or described as (and insert legal): _____).

2. The Conditions of Approval contained in this Order shall be enforceable against the Applicant, any of the Applicant's parent entities, any of the Applicant's subsidiary entities that are involved in any way in the activities, uses, or operations approved by this Order, the owner of the Subject Property, any operator of the activities or operations approved by this Order, the holder of the special exception approval granted by this Order, or any of their successors or assigns, jointly and severally. In addition, any decision, approval, or determination made or required to be made by the County or the Department pursuant to any Condition of Approval contained in this Order shall be final.

**SPECIAL EXCEPTION APPLICATION
LEVY COUNTY, FLORIDA**

STANDARD CONDITIONS OF APPROVAL

3. The approval granted by this Order is for _____ (insert the use from the Application). The approval granted by this Order is also subject to any and all conditions or requirements contained in Section _____ (insert the specific section number that governs the use, if any), Levy County Code, for _____ (insert the term from the Code for the proposed use), and all other applicable provisions of the Levy County Code, regardless of whether such condition or requirement is expressly set forth in these Conditions of Approval.

4. Issuance of this Order does not in any way create any rights on the part of the Applicant to obtain a permit from any state or federal agency and does not create liability on the part of the County for issuance of this Order if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by such state or federal agency or undertakes actions that result in violation of state or federal law.

5. All other state or federal permits applicable to the approvals granted by this Order shall be obtained prior to commencement of the use of the Subject Property for _____ (insert proposed use from Application).

I have read and understand the foregoing Standard Conditions of Approval and that these Standard Conditions of Approval will be contained in any Order granting approval of this application, if this application is approved, in substantially the same form as shown.

Applicant's Signature _____ **Date** _____

**SPECIAL EXCEPTION APPLICATION
LEVY COUNTY, FLORIDA**

Section VII. COMPREHENSIVE PLAN. The proposed use must be compatible with the Comprehensive Plan and Future Land Use Map. Refer to the adopted Levy County Comprehensive Plan for applicable goals, objectives and policies. For assistance, call the Levy County Planning and Zoning Department at 352-486-5203.

Section VIII. The applicant states that he/she has read and understands the instructions and submission requirements stated in this application. Approval granted by the BOCC in no way constitutes a waiver from any applicable local, state, or federal laws, statutes, ordinances, rules or regulations.

I hereby certify that the information contained in this application and its supplements are true and correct, and that I am the legal owner or authorized agent of the above described property.

Applicant's Signature _____ Date _____

Section IX. APPLICATION INSTRUCTIONS:

- (a) An application for a special exception must be accompanied with a fee as contained in the most recent fee schedule adopted by the BOCC. Please note, the application fee may be subject to change. Confirm fee at the time of application.
- (b) If the applicant is not the owner of record of the property, the owner must agree to this application either by signing the application form, or by submitting a notarized letter authorizing the applicant to act as an agent. **Owner's authorization is required at the time this application is submitted.**
- (c) **All required documentation and submission material is required to accompany the application at the time the application is submitted. Applications are screened for completeness. Depending on the proposed use, additional information may be required. Failure to provide all information and submission material required shall delay the review of the application until such time as all materials are received.**
- (d) The minimum criteria for the applicable zoning district must be met uniformly for every special exception. These standards are not exclusive of any other standards which may be established by the Planning Commission or the BOCC due to particular circumstances which are unique to the property for which the special exception is being requested.
- (e) **Special exception applications are processed once a month. Applications received and found complete by the first day of a month will tentatively be scheduled, advertised and presented at the Planning Commission public hearing the following month, and for the BOCC public hearing the next following month. Applications received after the first day of a month will not be scheduled for the following month.**
- (f) Any information changes must be submitted in writing to the Planning and Zoning Department and received within 10 working days prior to the Planning Commission public hearing.

**SPECIAL EXCEPTION APPLICATION
LEVY COUNTY, FLORIDA**

Section X. CERTIFICATION

The undersigned has read and understands the application, and has received, read and understands the submittal requirements. It is agreed and understood that the undersigned will be held responsible for the accuracy of the application and information submitted. The undersigned hereby attests to the fact that the parcel number (s) and legal description (s) provided is/are the true and proper identification of the area of which the petition is being submitted. Signatures of all owners or their agents are required on this form. Signatures by other than the owner (s) will be accepted only with notarized proof of authorization by the owner (s).

Owner of Record

Owner of Record

Name: Marcia Dawn Flemming Name: _____

Address: 6510 SW 101 Terrace, Cedar Key, FL 32625 Address: _____

Phone: _____ Phone: _____

No person submitting an application may rely upon any comment concerning a proposed amendment, or any expression of any nature about the proposal made by any participant, at any pre-application conference as a representation or implication that the proposal will be ultimately approved or rejected in any form. To meet with staff to discuss the proposal, please call (352) 486- 5203 for an appointment.

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OWNER VERIFICATION

I hereby certify that the information contained in this application and its supplements are true and correct, and that I am the legal owner of the above described property.

Date: _____ Owner Signature _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to and scribed before me this _____ Day of _____, 20____, by (name)

Personally known _____ Identification Expiration Date: _____

Notary Public Signature

=====

AGENT VERIFICATION

I hereby certify that the information contained in this application and its supplements are true and correct, and that I am the authorized agent of the above described property.

Date: _____ Authorized Agent Signature _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to and scribed before me this _____ Day of _____, 20____, by _____.

Signature – Notary Public _____

Personally known _____ Identification Expiration Date _____