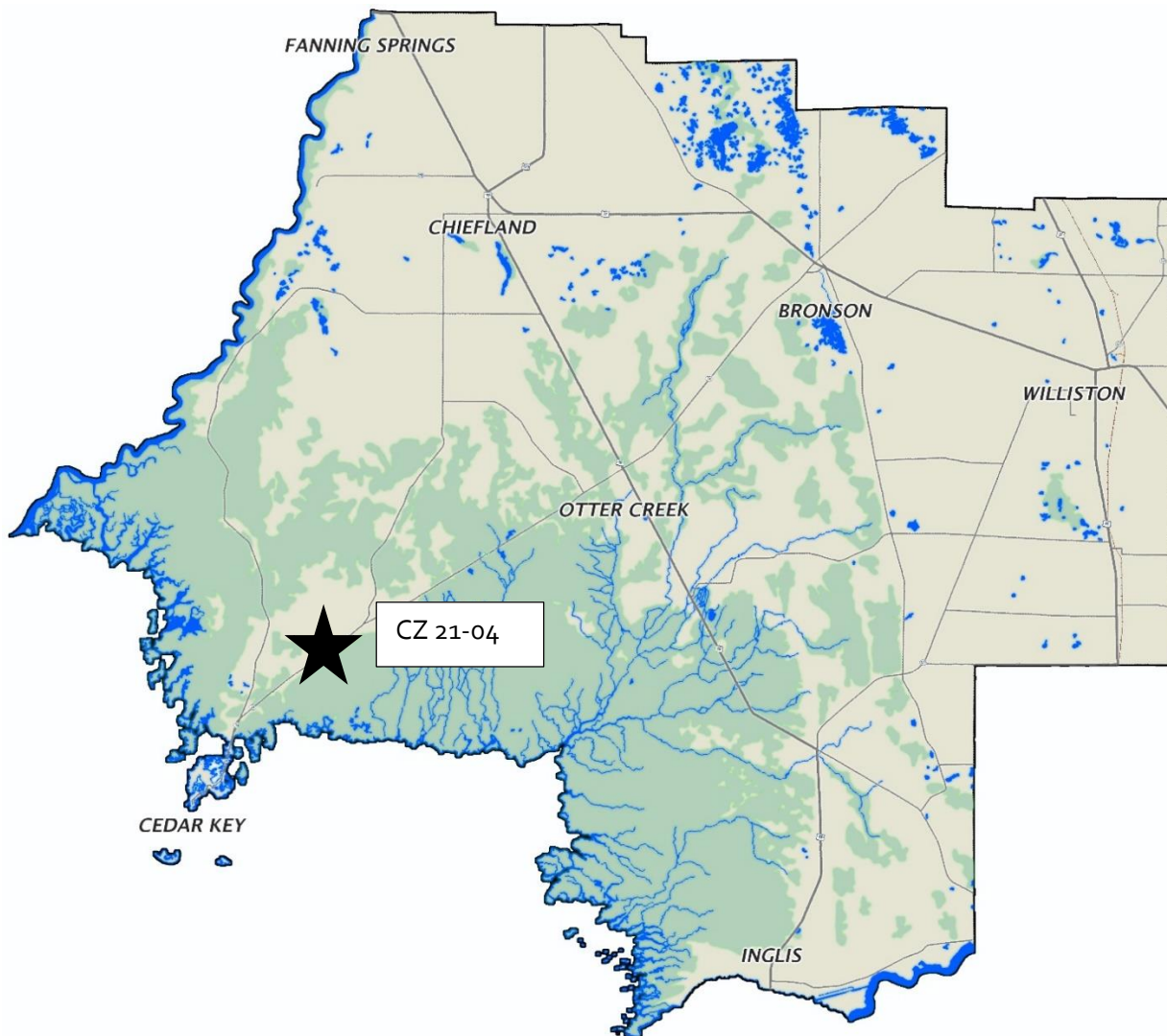


# Levy County Planning and Zoning Department Staff Report

Levy County Board of County Commissioners Public Hearing, October 5, 2021

Change of Zoning "CZ 21-04"



Staff Report August 16, 2021

Revised September 21, 2021

# Levy County Planning and Zoning Department Staff Report

Brian (Parks) and Amelia Wilson Change of Zoning CZ 21-04

From: Planning and Zoning Department, Stacey Hectus, Director

To: Levy County Board of County Commissioners

**Owner:** Wilson Family Living Trust (Parks and Amelia Wilson)  
16551 SW 120<sup>th</sup> Place  
Cedar Key, FL 32625

## Legal

**Description:** Lot 1, Block A, A replat of a portion of Cedar Key Mobile Home Village, according to the map or plat thereof, as recorded in Plat Book 5, Pages(s) 26 and 26A, Inclusive, of the Public Records of Levy County, Florida  
Section 36, Township 14, Range 13

**Parcel ID Number:** 1026400000

**Current Zoning Designation:** Industrial (I)

**Requested Zoning Designation:** Moderately Intensive Commercial (C-3)

**Number of Acres:** 1.83 acres

**Existing Use of Property:** Vacant, greenhouse

**Commission District 4:** Commissioner Lily Rooks

\*\*\*\*\*

## **Project Description based on the Submitted Application, Supporting Documents and review of the Levy County Comprehensive Plan and Land Development Code:**

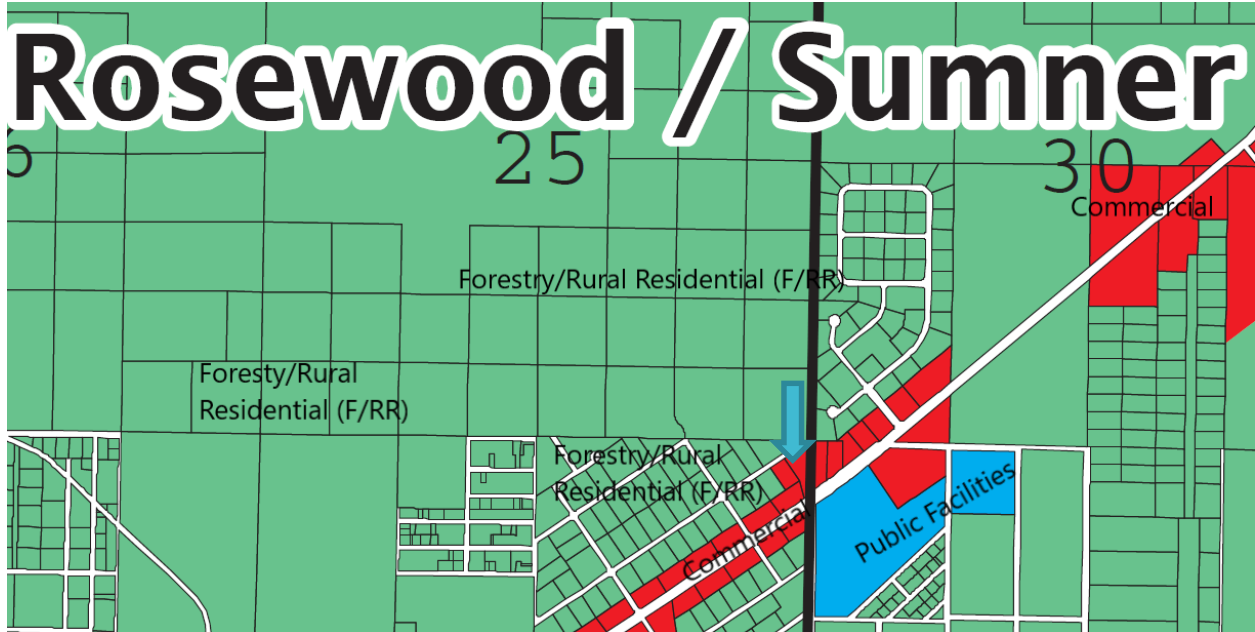
This is an application to assign a Moderately Intensive Commercial “C-3” Zoning District to 1.83 acres as identified in the application. C-3 requires a 1-acre minimum.

This change of zoning is requested pursuant to 50-665 Zoning Change Criteria and is permitted use in 50-676, Generally, Schedule 1, Use Regulations. The Future Land Use on this property is Commercial with an Industrial Zoning. These are not compatible so after numerous discussions with the applicant the request is to bring the zoning in compliance with the future land use by changing the zoning from Industrial to C-3 Commercial.

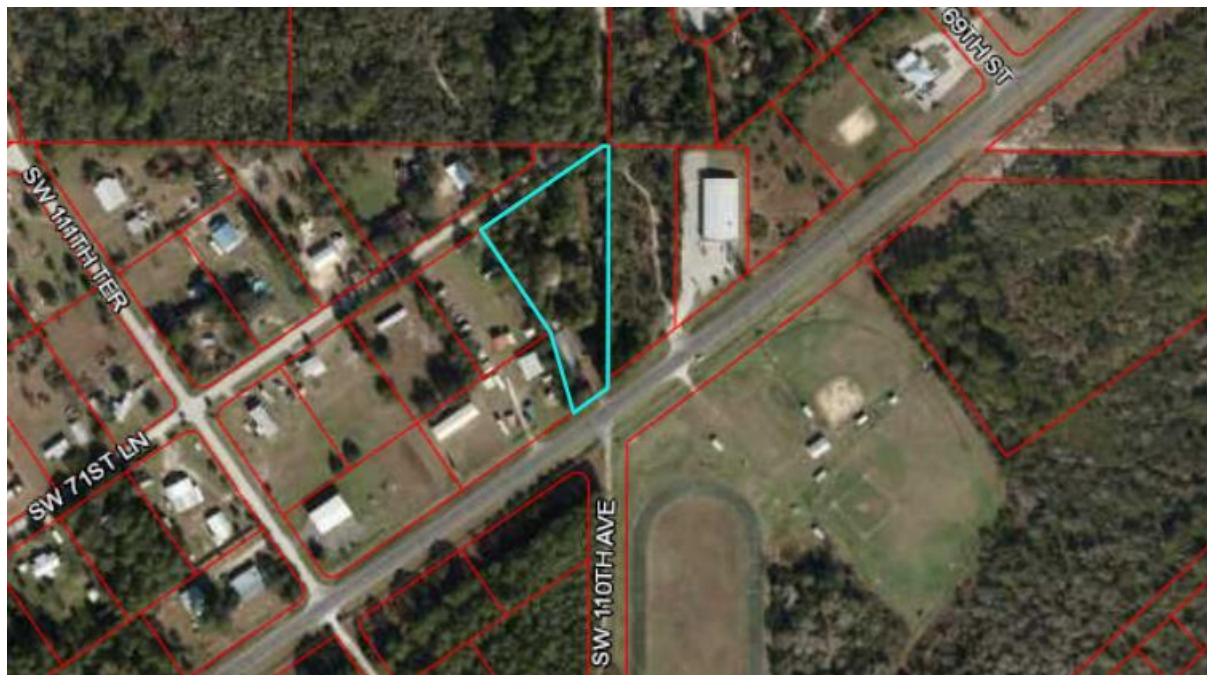
In 1981 a swath of SR 24 in the Rosewood/Sumner Rural Area had the future land use changed to commercial. Over time most of those properties rezoned to commercial or if not, get our fall-back zoning of F/RR but in this case in 1981 this property was rezoned to industrial (DeCarlo 146).

If approved, the property owner intends to retain the existing use of a greenhouse and utilize the property for his construction yard to store his construction supplies, vehicle and trailer storage in an enclosed building. See applicant's cover letter in the application package.

**Future Land Use Map and surrounding area: Parcel Location** →



**Aerial Location Map**



**1981 Map of DeCarlo Rezoning (146) in Rosewood/Sumner**



\*\*\*\*\*

**Staff Review of the Application:**

\*Staff comments will appear in **BOLD TEXT**.

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

**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 property to the north is residential, the property to the south across SR 24 is Public Facility use, the property to the east and west is commercial.**

**We have a provision in our Land Development Code 50-764 Outdoor Storage Areas that requires any outdoor storage to be 200 feet from any residential district. That is the reason Mr. Wilson is proposing enclosed storage. Please see his sketch attached in the application for his buffers.**

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 from Industrial (I) to Moderately Intensive Commercial (C-3) brings the Future Land Use and Zoning into compatibility.**

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. As you can see from Mr. Wilson's cover letter he has done a tremendous amount of clean-up on this property since purchasing it.**

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 residential 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.*

**While Industrial zoning would allow for this type of use Industrial zoning is not compatible with Commercial Future Land Use so the applicant chose to change the zoning instead of the land use to C-3 to make it compatible with the Commercial Future Land Use.**

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

**This development would not cause a detrimental impact on services.**

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 Recommendation:**

- Staff recommends the Planning Commission review the proposed rezoning from I to C-3 and make a recommendation to the Board of County Commissioners.
- The Planning Commission approved this item 5-0.