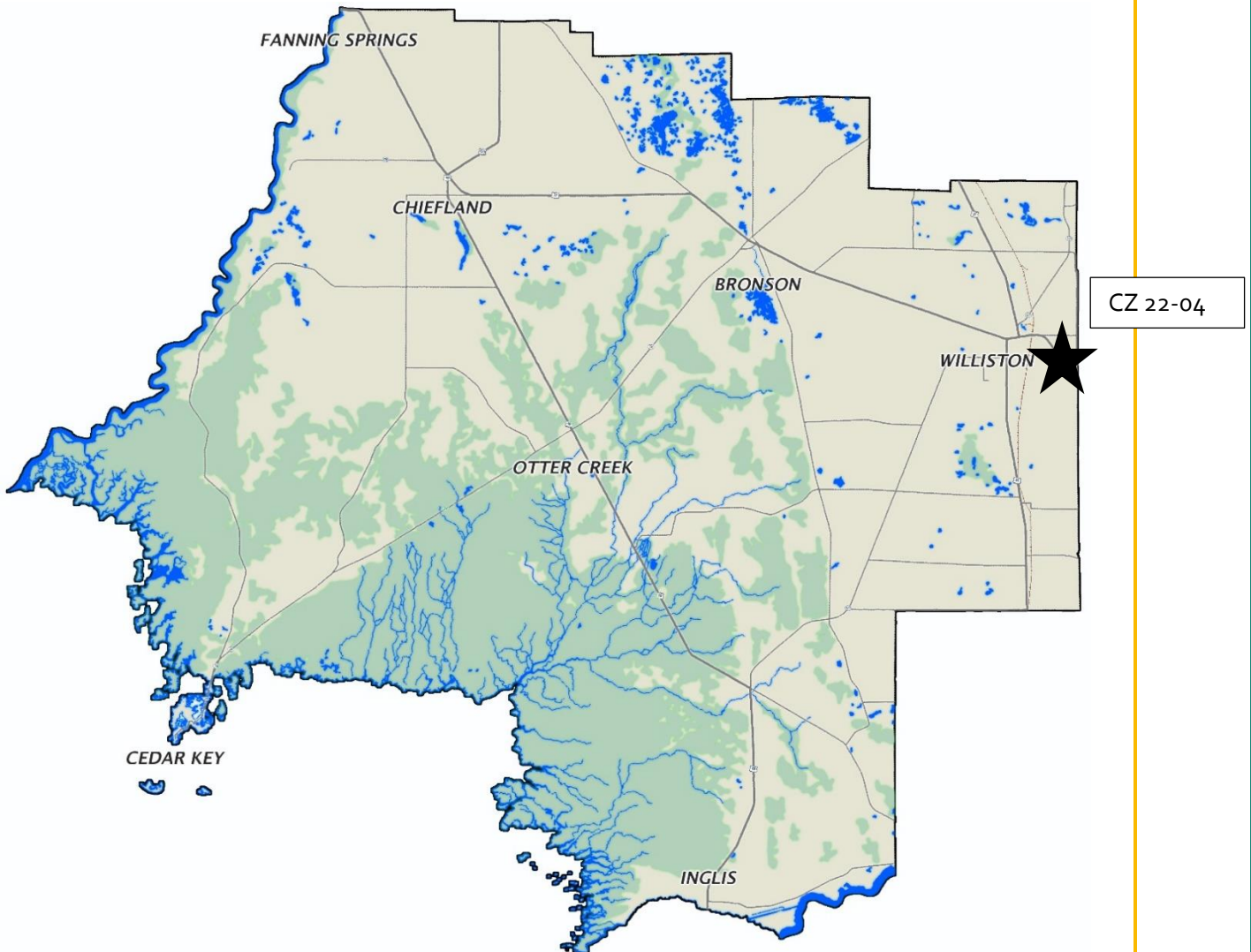


Change of Zoning “CZ 22-04”



Staff Report for Planning Commission November 17, 2022
Revised for BoCC January 9, 2023

Levy County Planning and Zoning Department Staff Report

From: Stacey Hectus, Planning and Zoning Department Director

To: Levy County Planning Commission and Board of County Commission

Owner: Hanimi Challa
134 NW 88th Terrace
Gainesville, FL 32607

Applicant: Norm Fugate, on behalf of Joseph Ransdell
16530 N. Hwy 329
Reddick, FL 32686

Legal

Description: See legal description attached as part of the application

Parcel ID Number (s): 1426400000, 1426500000, and 1426600000

Current Zoning Designation: Single-Family Residential (R-1)

Current Future Land Use Designation: If granted by previous SSA 22-03 Commercial

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

Number of Acres: Approximately 4.75 acres

Existing Use of Property: Vacant

Commission District 5: Commissioner Matt Brooks

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 request to change the zoning from Single-Family Residential (R-1) to Moderately Intensive Commercial (C-3) on 4.75 acres of the above referenced parcels. Subject parcel is located in the Williston Municipal Service District (MSD).

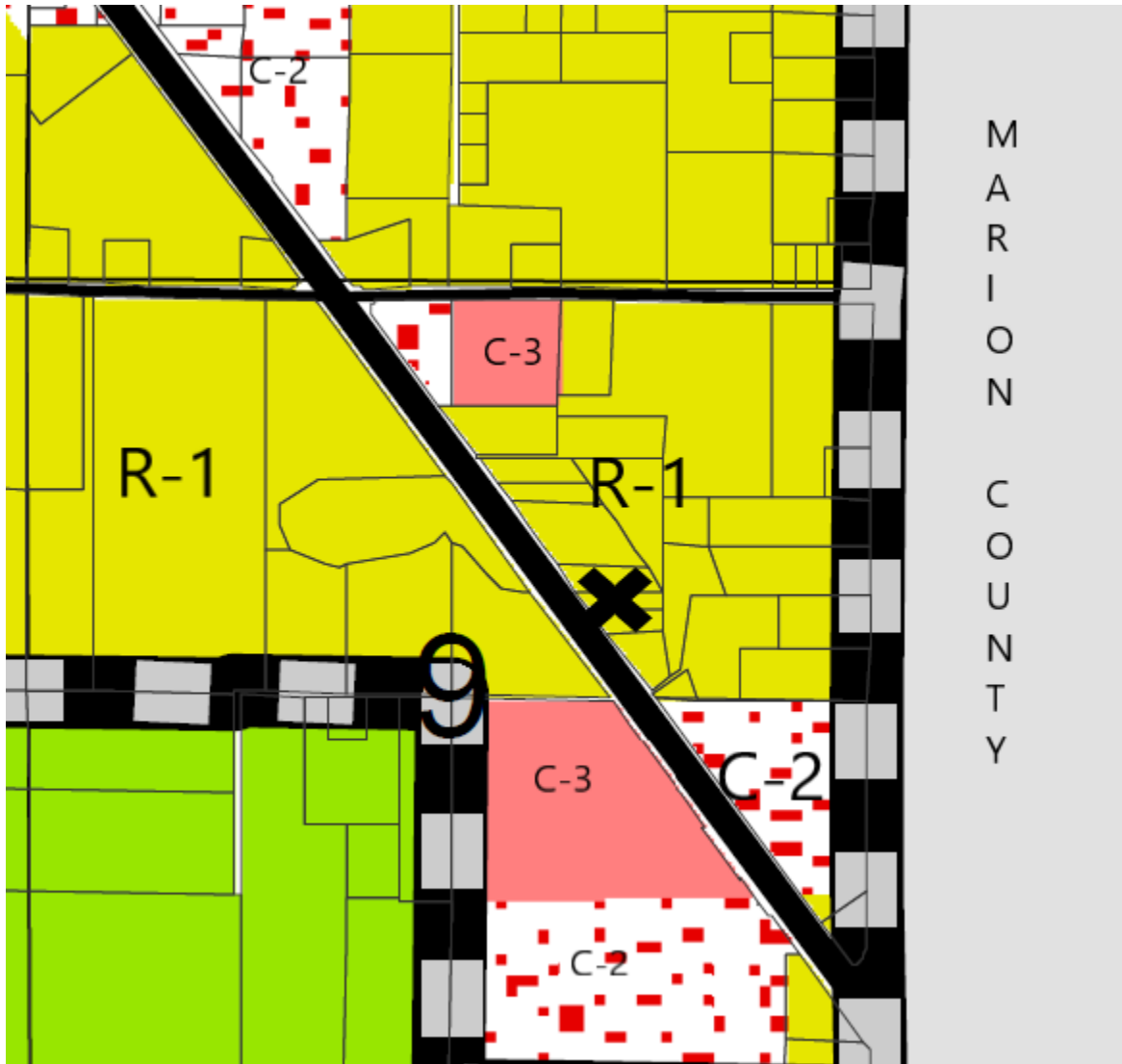
This change of zoning is requested pursuant to 50-665 Criteria for amendments to the zoning atlas map and is permitted use in 50-676, Generally, Schedule 1, Use Regulations. If approved by the previous Small Scale Land Use Amendment request these parcels will have a Future Land Use of Commercial. The property owners are requesting the zoning of C-3 so they can operate a warehouse business. This commercial zoning would be compatible with the land use requested in the previous application.

Staff foresees this area in the future to transition to more commercial in nature and close the gap between the two existing commercial areas coming out of Williston and at the county line. All these surrounding properties carry the ULDR or Commercial future land use. There is no central water or sewer on this property. While the land use adjacent to the parcel is residential, there is a mix of more intense commercial projects approved across NE HWY 27. One of those projects is the Morales RV Park that already has all its approvals for Land Use, Zoning and Special Exception. This was obtained in 2017-2018. The Commercial to the north is a previous log home sales business. Interestingly enough the Morales project had a requirement of their Special Exception to have services before building permits could be issued. They are working with the City of Williston to make that happen so City of Williston services could be coming to this area soon.

Aerial Location Map



Zoning Map and surrounding area



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. - Criteria for amendments to the zoning map atlas.

The following criteria shall be considered by county staff, the planning commission and the board of county commissioners when reviewing an amendment to the zoning map atlas:

- (1) Consistency. The proposed rezoning is consistent with the comprehensive plan and this land development code.

If the previous request via SSA 22-03 for Commercial Future Land Use is granted then the request for C-3 would therefore be consistent with the Comprehensive Plan and the Land Development Code. All provisions of the Land Development Code will be required to be met at the time of building permit.

- (2) Compatibility. The proposed rezoning is compatible with the present zoning pattern and conforming uses of nearby property and the character of the surrounding area.

With this being an area of transition compatibility becomes an issue as parcels start to rezone. Commercial is a designation promoted in the MSD. More detailed compatibility will be examined during the site plan process where are the requirements in the Levy County Land Development code such as setbacks, landscaping and buffers will be required to be met.

- (3) Development patterns. The proposed rezoning shall result in logical and orderly development patterns.

As mentioned above, staff feels this is an area of transition from residential to commercial on the state highway. The map above shows the mix of commercial and residential in this area from the county line heading toward the City of Williston. Commercial is a designation promoted in the MSD.

- (4) Suitability. The property is suitable for the uses that are allowed in the proposed zoning district(s).

This site seems to be suitable based on its proximity to the state highway. Delivery access will be on/off on NE Hwy 27. The applicant will be required to permit their ingress/egress through the FDOT.

- (5) Adequate public facilities/services. The property is served by public facilities that are adequate for the uses that are allowed in the proposed zoning district(s).

This area has no services currently and will be handled with a well and septic. However, as mentioned above in the staff report previously approved commercial development adjacent across the street could be bringing services to this area.

- (6) Access. Available ingress and egress is adequate for the uses that are allowed in the proposed zoning district.

The only access for this project will be off of NE Hwy 27. FDOT permits will be required by the applicant.

- (7) Public health, safety, and welfare. The uses allowed within the proposed zoning district shall not adversely affect 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. The change would align with the intended land use and some of the areas surrounding proposed and existing uses.

The applicant has also provided an application with their justification for this rezoning.

Staff Recommendation:

- Staff recommends the Planning Commission review the proposed rezoning from Single-Family Residential (R-1) to Moderately Intensive Commercial (C-3) on 4.75 acres and make a recommendation to the Board of County Commissioners. Staff recommends **APPROVAL** based on the application submitted.
- The Planning Commission voted 3-0 in favor of the rezoning request.