

September 26, 2022

Ms. Stacey Hectus, AICP
Levy County Planning & Zoning Director
Planning and Zoning Department
320 Mongo Street
Bronson, FL 32621

RE: Commercial Retail Store Morriston – Rezoning Application *[Digital Submittal]*
(Levy County Tax Parcels 0955501000, 0955501100, 0955501200, and 0955501300)

Dear Stacey,

Please find the following items enclosed for review and approval of the above referenced project:

- Change of Zoning Application;
- Property Deeds
- Property Owner Affidavits;
- Legal Description;
- Site Photographs;
- Site Maps;
- Justification Report; and
- Conceptual Site Layout

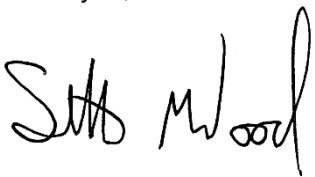
One (1) check in the amount of \$600.00 made payable to Levy County will be included with subsequent physical submittal, per your direction at the Preapplication Conference held September 12th, 2022.

This application requests a rezoning from Agricultural/Rural Residential (A/RR) to Rural Mixed Use (RMU) on ±2.33 acres. The intent is to allow the development of a commercial retail store. The A/RR zoning district is incompatible with the subject property's underlying Future Land Use (FLU) classification, Rural Commercial Node, and does not allow for the development intent. The proposed RMU zoning district is compatible with the Rural Commercial Node FLU classification and allows the uses contained within a commercial retail store.

The proposed change of zoning is compatible with the adjoining area, as all land surrounding the subject property is also within the Rural Commercial Node FLU. The resulting development will provide convenient access various goods needed by nearby residents and those working in and/or traveling through the area.

We trust you will find this submittal package is sufficient for review and approval. Please feel free to contact me at (386) 518-5134 or at sethw@chw-inc.com should you have any questions or require any additional information to complete your review.

Thank you,



Seth Wood, AICP
Planner, CHW

**CHANGE OF ZONING APPLICATION
LEVY COUNTY, FLORIDA**

Filing Date: _____
Amount of Fee: \$ 600.00

Petition Number CZ
Validation Number _____

TO THE LEVY COUNTY PLANNING COMMISSION:

A Change of Zoning is intended to provide for a land use change and activities not permitted “By Right” or as a “Special Exception” in the applicable zoning district. The proposed use or activity must meet the standards below. [Source: Levy County Code of Ordinances, Section 50-664]

Application is hereby made to the Board of County Commission of Levy County, Florida pursuant to the provisions of the Florida Statutes, as amended, and the Levy County Zoning Ordinance petitioning for a Change of Zoning on the following described property:

I. APPLICANT INFORMATION: Please print unless otherwise specified.			
Applicants name <u>CHW Inc.</u>	Owners name <u>Michael F Elliot F; Rene A Elliot</u>		
Address <u>11801 Research Drive</u>	Address <u>15871 SE 22nd Place</u>		
State <u>Florida</u> Zip Code <u>32615</u>	State <u>Florida</u> Zip Code <u>32668</u>		
Phone No. (352) <u>331-1976</u>	Phone No. () <u>Contact Agent</u>		
Email <u>sethw@chw-inc.com</u>	Email <u>Contact Agent</u>		

Additional property owners listed in Attachment I.

II PARCEL INFORMATION		
Parcel Number (s)	Section/Township/Range	Acreage
1. <u>0955501100, 0955501200,</u>	<u>05-14-18</u>	<u>0.440, 0.440,</u>
2. <u>0955501300, 0955501000</u>		<u>0.440, 0.930</u>
Total Acreage		<u>2.33 Acres</u>
Subdivision name (if applicable): <u>Williston Highlands Unit 5 Replat</u>		
Legal Description: Provide most current deed. See required attachments.		

III. CHANGE OF ZONING AND LAND USE INFORMATION:

1. Current Land Use: Rural Commercial Node

It is desired that the zoning district boundaries shown on the Official Zoning Districts Map be amended and the area described above be changed from the present ARR district to RMU district.

Requested Use and Activities and Development associated with the Proposed Change of Zoning
Commercial Retail Store

(*Use additional sheets if needed)

**CHANGE OF ZONING APPLICATION
LEVY COUNTY, FLORIDA**

Current Use (Actual) and Improvements on the Property: (i.e. Single family home, well and septic, pole barn, etc...)

Vacant Land

Directions to the Property: (Please start directions from a State or County Road): From the intersection of State Road 121 and SE 30th Street, head west towards SE 141st Avenue. The property is accessible from SE 30th Street.

IV. 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 one week prior to the Planning Commission Public Hearing.

* Upon completion of the above application, **please submit the original application and supporting documents along with 15 copies of the same** to the Levy County Planning and Zoning Department at, 320 Mongo Street, Bronson, Florida, for processing.

Property Description

- Property Deed:** The most recent one pertaining to the proposed amendment property; obtained from the Clerk of the Circuit Court's Office.
- Legal Description.** The legal description must be signed and sealed by a certified Registered Land Surveyor (RLS), (PLS, PMS) or a Civil Engineer.
- 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. Additional photos showing relevant information may also be included.

Maps: All required maps and information can be obtained at the Levy County Property Appraiser's Office.

- 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.

**CHANGE OF ZONING APPLICATION
LEVY COUNTY, FLORIDA**

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.

Documentation

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

V. Additional Written and Mapping Documentation is required for proposed Change of Zonings that may have impacts that exceed those uses permitted by right in the inapplicable Zoning Districts. Confirm with the Planning and Zoning Department whether or not the proposed may require additional documentation.

VI. 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.

VII. APPLICATION INSTRUCTIONS

- (a) An application for a Change of Zoning must be accompanied with a fee of \$600.00. Please note, the application fee may be subject to change. Confirm fee at the time of application. **Note: All copies must be bound and collated.**
- (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 request 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 public review of the application until such time as all materials are received.**

**APPLICATION FOR CHANGE OF ZONING
LEVY COUNTY, FLORIDA**

- (d) The minimum criteria for the applicable zoning district must be met uniformly for every change of zoning. These standards are not exclusive of any other standards which may be established by the Planning Commission due to particular circumstances which are unique to the property for which the change of zoning is being requested.

- (e) **Change of Zoning applications are processed once a month. Applications received and found complete by the first day of the month** will tentatively be scheduled, advertised and presented at the public hearing the following month. **Applications received after the first day of the month will not be scheduled for the following month.**

- (f) Any information changes must be submitted, in writing, to the Levy County Planning and Zoning Department. These changes must be received 10 days prior to the Planning Commission Public Hearing.

- (g) Applications may be submitted as follows:

In Person: Levy County Planning and Zoning Department, located at 320 Mongo Street, Bronson, Florida.

By Mail: Levy County Planning and Zoning Department, 320 Mongo Street, Bronson, Florida, 32621.

- (h) With approval by the Planning and Zoning Director, this office will prepare 2 posters (with Notice of Land Use Action) and place them on the subject property approximately 2 weeks prior to the public hearing.

- (I) Abutting property owners will be notified by mail of the request. “Abutting property” is any property immediately adjacent or contiguous to the property which is the subject of this request or located within 300 (three hundred) feet of the subject property lines including, immediately across any road or public right-of-way for said property.

- (j) It is highly advised that the applicant or representative be present at the Public Hearing by the Planning Commission and the Board of County Commissioners. The Commission, at its discretion, may defer action, or take decisive action on any application.

Additional Assistance: If you require further information, please contact the Levy County Planning and Zoning Department at (352) 486-5203 or visit the above address in person.

**APPLICATION FOR CHANGE OF ZONING
LEVY COUNTY, FLORIDA**

VIII. 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

Name: _____

Address: _____

Phone: _____

Owner of Record

Name: _____

Address: _____

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 the 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.

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 _____

Owner Signature

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

Signature - Notary Public

Personally known _____ Identification Expiration Date _____

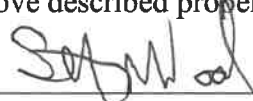
APPLICATION FOR CHANGE OF ZONING
LEVY COUNTY, FLORIDA

AGENT VERIFICATION (if applicable)

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.

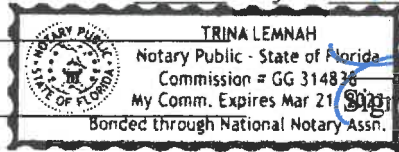
09/26/2022

Date

 SETH WOOD
Authorized Agent Signature (if applicable)

STATE OF FLORIDA
COUNTY OF Alachua

Sworn to and scribed before me this 26th Day of September 20 22, by (name)
Seth Wood




Signature - Notary Public

Personally known Identification Expiration Date 3/21/2023

Office Use Only:	PC Public Hearing Date _____
	Recommendation: Approval _____ Denial _____
	BOCC Public Hearing Date _____ BOCC Action _____
	Ordinance Number _____ Adoption Date _____

**Attachment I.
Additional Property Owners**

I. APPLICANT INFORMATION: Please print unless otherwise specified.

Applicants name <u>CHW Inc.</u>	Owners name <u>Christopher P Healy</u>
Address <u>11801 Research Drive</u>	Address <u>1815 SW 34th Ct</u>
State <u>Florida</u> Zip Code <u>32615</u>	State <u>Florida</u> Zip Code <u>34474</u>
Phone No. (352) <u>331-1976</u>	Phone No. () <u>Contact Agent</u>
Email <u>sethw@chw-inc.com</u>	Email <u>Contact Agent</u>

R

Revised to:
Prepared by: Sue Smith
LEVY ABSTRACT & TITLE COMPANY
Post Office Box 148
Bronson, FL 32621
Tax I.D. # 09555-311;012;013-00

FILE# 421262
Levy County, FLORIDA

RCD Feb 25 2004 02:54
Danny J. Shipp., CLERK

DEED DOC STAMPS 196.00
02/25/04 MKB Deputy Clk

WARRANTY DEED

THIS INDENTURE made this 20 day of February, 2004, between MARK S. AUDET as custodian for MICHAEL S. AUDET, SAMANTHA A. AUDET and MARCUS S. McNEIL under the Florida Uniform Transfers to Minors Act, Grantor, whose mailing address is 975 Douglas Turnpike, Harrisville, RI 02830, and MICHAEL F. ELLIOTT and RENE A. ELLIOTT, husband and wife, Grantee, whose mailing address is 5751 NE 162 Ct., Williston, FL 32696, and whose Social Security number is _____.

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representative and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH: That Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Levy County, Florida, to-wit:

Lots 11, 12 and 13, Block 74, THE REPLAT OF WILLISTON HIGHLANDS, UNIT 5, according to the plat thereof recorded in Plat Book 4, page 5 thru 5E, Public Records of Levy County, Florida.

"Grantor covenants and avers that MICHAEL S. AUDET, SAMANTHA A. AUDET and MARCUS S. McNEIL are minors as of the date of this conveyance.

The above described property is not the homestead of the Grantor, nor is it contiguous thereto.

SUBJECT TO conditions, restrictions, reservations, limitations and easements of record, if any, and zoning and other governmental regulations.

TOGETHER WITH all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

And Grantor does hereby fully warrant the title to the land, and will defend the same against the lawful claims of all persons whomsoever, except taxes accruing subsequent to December 31, 2003.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered
in the presence of:

William McCurdy
1st Witness Signature

William McCurdy
1st Witness Printed Name

Sue Smith
2nd Witness Signature

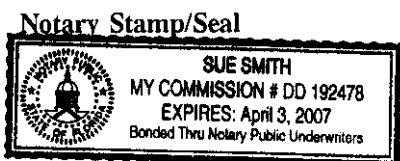
Sue Smith
2nd Witness Printed Name

MARK S. AUDET L.S.
MARK S. AUDET as custodian for MICHAEL S. AUDET, SAMANTHA A. AUDET and MARCUS S. McNEIL, under the Florida Uniform Transfers to Minors Act.

STATE OF FLORIDA
COUNTY OF LEVY

BOOK 875 PAGE 981

The foregoing instrument was acknowledged before me this 20 day of February, 2004 by MARK S. AUDET, as custodian for MICHAEL S. AUDET, SAMANTHA A. AUDET and MARCUS S. McNEIL under the Florida Uniform Transfers to Minors Act, who (CHECK ONE): is personally known to me OR _____ produced _____ as identification.
(Type of identification)



Sue Smith
Signature of Notary

Printed Name
My Commission Expires:

66.00
6.00

D.R. 334 PAGE 759

Prepared by
Kaufman Pankow
Levy Abstract & Title Company
Bronson, Florida

This Warranty Deed Made the 23rd day of June A.D. 1988 by
DAVID P. MUNSELL, JR. and THOMAS M. MUNSELL

hereinafter called the grantor, to
CHRISTOPHER P. HEALY

whose post office address is 1901 NE 49TH AVENUE, OCALA, Florida 32671

hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

Witnesseth: That the grantor, for and in consideration of the sum of \$ TEN & NO/100 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in LEVY County, Florida, viz:

LOT 10, BLOCK 74, WILLISTON HIGHLANDS, UNIT 5 REPLAT, according to the plat thereof recorded in Plat Book 4, Page 5, public records of Levy County, Florida.

SUBJECT TO conditions, restrictions, limitations and easements of record, if any, and zoning and other governmental regulations.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) nor any members of the household of Grantor(s) reside thereon.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1987.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Alan H. Super

David P. Munsell, Jr. [L.S.]
DAVID P. MUNSELL, JR.

Witness Thomas M. Munsell

Thomas M. Munsell [L.S.]
THOMAS M. MUNSELL

Doc. Stamps Pd. \$ 66.00 Date 7-21-88 [L.S.]

\$ _____ Intangible Tax Paid [L.S.]

Douglas M. McKay, Clerk, Levy County

State of MASS
County of Barstable

Space Below For Recorder's Use

The foregoing instrument was acknowledged before me this day of 23rd June, 1988, by
DAVID P. MUNSELL, JR. and THOMAS M. MUNSELL

179608

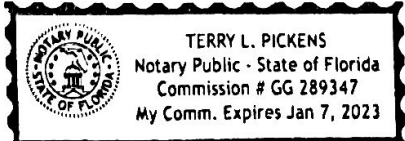
DOUGLAS M. MCKAY
CLERK OF CIRCUIT COURT
LEVY COUNTY, FLORIDA

(seal) Barbara K. Briggs
Notary Public
My commission expires: 6/8/90

'88 JUL 21 PM 3 18

D.R. 334 PAGE 759 RP-9-LAST TT-14171

PROPERTY OWNER AFFIDAVIT

Owner Name: Michael and Rene Elliott			
Address: 15871 SE 22 nd Pl Morrison, FL 32668	Phone: contact agent		
Agent Name: CHW			
Address: 11801 Research Dr Alachua, FL 32615	Phone: (352) 454-3361		
Other: Concept Development, Inc.			
Address: 1449 SW 70 th Drive, Suite 200 Gainesville, FL 32607	Phone: contact agent		
Parcel No.: 0955501100, 0955501200, 0955501300			
Acreage: 1.32	S: 5	T: 14	R: 18
Requested Action: To obtain approvals from Levy County Planning and Zoning Department, Levy County Site Plan, Levy County Parking Variance, Levy County Department of Health, Levy County Building Department, Southwest Florida Water Management District (SWFWMD), FDOT Drainage Connection Permit, FDEP NOI.			
I hereby certify that: I am the property owner of record. I authorize the above listed agent to act on my behalf for the purposes of this application.			
Property owner signature: <u><i>M. A.</i></u>			
Property owner signature: <u><i>Rene Elliott</i></u>			
Printed names: <u>MIKE ELLIOTT</u> <u>Rene Elliott</u>			
Date: <u>9-21-22</u>			
The foregoing instrument was acknowledged before me by means of <input checked="" type="checkbox"/> physical presence or <input type="checkbox"/> online notarization, this <u>21st</u> day of <u>Sept</u> , 20 <u>22</u> , by _____.			
Personally Known OR Produced Identification Type of Identification Produced:			
NOTARY SEAL	<u><i>Terry L. Pickens</i></u> Signature of Notary Public, State of <u>Florida</u>		
			

PROPERTY OWNER AFFIDAVIT



Owner Name: Christopher Healy				
Address: 1815 SW 34 th Ct Ocala, FL 34474		Phone: contact agent		
Agent Name: CHW				
Address: 11801 Research Dr Alachua, FL 32615		Phone: (352) 454-3361		
Other: Concept Development, Inc.				
Address: 1449 SW 70 th Drive, Suite 200 Gainesville, FL 32607		Phone: contact agent		
Parcel No.: 0955501000				
Acreage: 1.32		S: 5	T: 14	R: 18
Requested Action: To obtain approvals from Levy County Planning & Zoning Department, Levy County Site Plan, Levy County Parking Variance, Levy County Department of Health, Levy County Building Department, Southwest Florida Water Management District (SWFWMD), FDOT Drainage Connection Permit, FDEP NOI.				
I hereby certify that: I am the property owner of record. I authorize the above listed agent to act on my behalf for the purposes of this application.				
Property owner signature: <i>[Handwritten Signature]</i>				
Printed name: <u>CHRISTOPHER P. HEALY</u>				
Date: <u>9/21/22</u>				
The foregoing instrument was acknowledged before me by means of <input checked="" type="checkbox"/> physical presence or <input type="checkbox"/> online notarization, this <u>21st</u> day of <u>September</u> , 20 <u>22</u> by <u>Christopher P. Healy</u> .				
Personally Known OR Produced Identification Type of Identification Produced: <u>FL Drivers License</u>				
NOTARY SEAL		<i>[Handwritten Signature]</i> Signature of Notary Public, State of _____		

DESCRIPTION:

(PER FIRST AMERICAN TITLE INSURANCE COMPANY)

PARCEL 1 (FILE NO.: 2076-5965119, DATED: MARCH 30, 2022)

LOT 10, BLOCK 74, THE REPLAT OF WILLISTON HIGHLANDS UNIT 5, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 4, PAGE 5, PUBLIC RECORDS OF LEVY, COUNTY FLORIDA.

PARCEL 2 (FILE NO.: 2076-5965169, DATED: APRIL 04, 2022)

LOTS 11, 12, AND 13, BLOCK 74 OF THE REPLAT OF WILLISTON HIGHLANDS UNIT 5, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE(S) 5 THRU SE, OF THE PUBLIC RECORDS OF LEVY, COUNTY FLORIDA.

SCHEDULE B-II EXCEPTIONS:

PARCEL 1 (FILE NO.: 2076-5965119, DATED: MARCH 30, 2022)

9. RESTRICTIONS, DEDICATIONS, CONDITIONS, RESERVATIONS, EASEMENTS AND OTHER MATTERS SHOWN ON THE PLAT OF THE REPLAT OF WILLISTON HIGHLANDS UNIT 5, AS RECORDED IN PLAT BOOK 4, PAGE(S) 5, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C). (NOT MAPPABLE)

10. DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS, RECORDED IN BOOK 14, PAGE 279 (AFFECTS THIS PARCEL AS SHOWN HEREON), AND MODIFICATION OF RESTRICTIONS RECORDED IN BOOK 15, PAGE 45 (AFFECTS THIS PARCEL AS SHOWN HEREON) AND ARTICLES OF AMENDMENT RECORDED IN BOOK 141, PAGE 515 (BLANKET IN NATURE), BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C).

PARCEL 2 (FILE NO.: 2076-5965169, DATED: APRIL 04, 2022)

9. RESTRICTIONS, DEDICATIONS, CONDITIONS, RESERVATIONS, EASEMENTS AND OTHER MATTERS SHOWN ON THE PLAT OF THE REPLAT OF WILLISTON HIGHLANDS UNIT 5, AS RECORDED IN PLAT BOOK 4, PAGE(S) 5, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C). (NOT MAPPABLE)

10. DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS, RECORDED IN BOOK 14, PAGE 279 (AFFECTS THIS PARCEL AS SHOWN HEREON), AND MODIFICATION OF RESTRICTIONS RECORDED IN BOOK 15, PAGE 45 (AFFECTS THIS PARCEL AS SHOWN HEREON) AND ARTICLES OF AMENDMENT RECORDED IN BOOK 141, PAGE 515 (BLANKET IN NATURE), BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C).

SURVEYOR'S NOTES:

- 1. BEARINGS SHOWN HEREON ARE REFERRED TO A WALL OF N 87°14'54" W, FOR THE SOUTH LINE OF BLOCK 74, OF THE REPLAT OF WILLISTON HIGHLANDS UNIT 5; SAID BEARING IS IDENTICAL TO THE PLAT OF RECORD.
2. NO UNDERGROUND INSTALLATION OF UTILITIES OR IMPROVEMENTS HAVE BEEN LOCATED. NO RECORD DRAWINGS WERE FURNISHED TO THIS SURVEYOR.
3. THE SURVEYOR HAS NO KNOWLEDGE OF UNDERGROUND FOUNDATIONS WHICH MAY ENCROACH.
4. INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED TO THE SURVEYOR BY FIRST AMERICAN TITLE INSURANCE COMPANY; FILE NO.: 2076-5965119, DATED: MARCH 30, 2022, AND FILE NO.: 2076-5965169, DATED: APRIL 04, 2022. SEARCH OF THE PUBLIC RECORDS HAS NOT BEEN DONE BY THE SURVEYOR.
5. INFORMATION FROM FEDERAL EMERGENCY MANAGEMENT AGENCY, (F.E.M.A.) FLOOD INSURANCE RATE MAP(S), SHOWN ON THIS MAP WAS CURRENT AS OF THE REFERENCED DATE. MAP REVISIONS AND AMENDMENTS ARE PERIODICALLY MADE BY LETTER AND MAY NOT BE REFLECTED ON THE MOST CURRENT MAP.
6. FENCES, FENCES, MONUMENTATION AND UTILITIES SHOWN HEREON MAY BE EXAGGERATED FOR PICTORIAL PURPOSES ONLY AND MAY NOT BE SHOWN TO SCALE.
7. IN THE OPINION OF THIS SURVEYOR, THE PERIMETER LINES AS SHOWN HEREON REPRESENT THE LOCATION OF THE BOUNDARY LINES OF THE SUBJECT PARCEL IN RELATION TO THE PLAT OF RECORD AND THOSE EXISTING LAND CORNERS FOUND TO BE ACCEPTABLE BY THIS SURVEYOR. ALL FEATURES SHOWN HEREON WERE LOCATED AND MAPPED UNDER THE RESPONSIBLE CHARGE OF THIS SURVEYOR.
8. THERE ARE ZERO PARKING SPACES LOCATED WITHIN THE SUBJECT PARCEL AS OF THE SURVEY DATE.
9. VERTICAL DATUM IS BASED ON FOOT BENCHMARK 3403001BM14; ELEVATION = 66.71 FEET (NAVD88); NORTHING = 1802657 FEET; EASTING = 485818 FEET; HORIZONTAL DATUM: NAD83, ZONE 902 WEST; LAT = 29°17'29"; LONG = 82°32'03"; LEVY COUNTY, FLORIDA
10. ADDITIONAL POINTS MAY BE FOUND BY TURNING ON THE SV - NODE' LAYERS IN THE SUPPLIED DIGITAL FILE.
11. THERE IS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
12. THERE ARE NO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES AND THERE IS NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
13. THERE IS NO OBSERVED EVIDENCE OF SITE USE AS A CEMETERY, SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
14. BUILDING SETBACK LINES AND EASEMENTS SHOWN HEREON ARE BASED ON THE CONVENTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS FURNISHED TO THIS SURVEYOR.
15. THE SITE IS 0 FEET TO THE INTERSECTION OF STATE ROAD 121 AND COUNTY ROAD 326.

LEGEND:

- (C) = CALCULATED DATA BASED ON THE PLAT OF RECORD
(P) = DATA BASED ON PLAT OF RECORD
(M) = DATA BASED ON FIELD MEASUREMENTS
(FO) = FIELD OBSERVATION
P.U.E. = PUBLIC UTILITIES EASEMENT
B.S.L. = BUILDING SETBACK LINE
RW = RIGHT OF WAY
N = NORTH
E = EAST
S = SOUTH
W = WEST
NE = NORTHEAST
F.K.A. = FORMERLY KNOWN AS
FEMA = FEDERAL EMERGENCY MANAGEMENT AGENCY
F.I.R.M. = FLOOD INSURANCE RATE MAP
X 47.5 = SPOT ELEVATION (IMPERVIOUS SURFACE)
X 47.75 = SPOT ELEVATION (IMPERVIOUS SURFACE)
LO = LIVE OAK
LAO = LAUREL OAK
BOK = BLACK JACK OAK
CHY = CHERRY
= BENCHMARK
= FOUND 4"x4" CONCRETE MONUMENT STAMPED AS NOTED
= FOUND 5/8" STEEL REBAR & CAP STAMPED AS NOTED
= SET 5/8" STEEL REBAR AND CAP STAMPED 'CHW INC LB 5075'
= WOODEN POWER POLE
= OVERHEAD TRAFFIC SIGNAL
= CONCRETE TRAFFIC SIGNAL SPAN POLE
= TELEPHONE PEDESTAL
= FIBER OPTIC LINE MARKER
= GUY POLE
= GUY ANCHOR
= TREE TYPE AS NOTED
= SIGN MARKED AS NOTED

- OHW = OVERHEAD WIRE
RW LINE = RW LINE
ADJ. PARCEL LINE = ADJOINING PARCEL LINE
SUBJ. PARCEL LINE = SUBJECT PARCEL LINE
LOT LINE = LOT LINE
BLDG. SETBACK LINE = BUILDING SETBACK LINE
EASEMENT LINE = EASEMENT LINE
TRAF. SIGNAL SPAN WIRE = TRAFFIC SIGNAL SPAN WIRE
RW CENTERLINE = RW CENTERLINE
END OF FEATURE NOT DETERMINED = END OF FEATURE NOT DETERMINED
CONTOUR LINE = CONTOUR LINE
ASPHALT SURFACE = ASPHALT SURFACE
LIMEROCK SURFACE = LIMEROCK SURFACE
ROADWAY PAVEMENT MARKINGS = ROADWAY PAVEMENT MARKINGS

ZONING RESTRICTIONS:

CURRENT ZONING: ARR
BUILDING SETBACKS:
FRONT = 50 FEET
SIDE = 10 FEET
REAR = 50 FEET
MAXIMUM BUILDING HEIGHT: 50 FEET
MINIMUM LOT SIZE: 10 ACRES
MINIMUM LOT WIDTH: 200 FEET
MINIMUM LOT DEPTH: 300 FEET
PROPOSED ZONING: RMU
BUILDING SETBACKS:
FRONT = 30 FEET
SIDE = 10 FEET
REAR = 25 FEET
MAXIMUM BUILDING HEIGHT: 35 FEET
MINIMUM LOT SIZE: 1 ACRE
MINIMUM LOT WIDTH: 100 FEET
MINIMUM LOT DEPTH: 200 FEET

FLOOD ZONE:

THIS PROPERTY IS LOCATED IN FEDERAL FLOOD ZONE 'X', AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS INTERPOLATED FROM F.I.R.M. PANEL NO. 12075C0395F, EFFECTIVE DATE: NOVEMBER 02, 2012.

CURVE DATA TABLE

Table with 6 columns: CURVE, LENGTH, RADIUS, DELTA, TANGENT, CHORD, CHORD BEARING. Contains data for curves C1 (P) and C1 (M).

SURVEYOR'S CERTIFICATION:

TO CONCEPT DEVELOPMENT, INC., A FLORIDA CORPORATION; PROVIDENCE TITLE COMPANY; FIRST AMERICAN TITLE INSURANCE COMPANY; MICHAEL F. ELLIOT & RENE A. ELLIOT, HUSBAND AND WIFE; AND CHRISTOPHER P. HEALY.

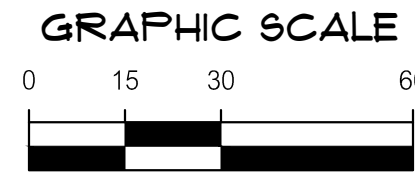
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(b), 8, 9, 11, 13, 14, 16, 17, AND 19 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON JULY 12, 2022.

CHAD A. COLSON, P.L.S.
FLORIDA SURVEYOR & MAPPER CERTIFICATE NUMBER 7142

DATE OF PLAT OR MAP:

ALTA/NSPS LAND TITLE SURVEY

SITUATED IN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 14 SOUTH, RANGE 18 EAST, LEVY COUNTY, FLORIDA

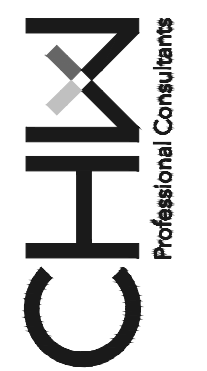


SITE BENCHMARK
SET IRON ROD & CAP
STAMPED: 'TRAVERSE LB5075'
ELEVATION: 71.42

SITE BENCHMARK
SET IRON ROD & CAP
STAMPED: 'TRAVERSE LB5075'
ELEVATION: 69.93

SITE BENCHMARK
SET IRON ROD & CAP
STAMPED: 'TRAVERSE LB5075'
ELEVATION: 73.97

18001 Research Drive
Alachua, Florida 32015
(352) 351-1976
www.chw-inc.com
est. 1988 FLORIDA
CA-5075



PROFESSIONAL CERTIFICATION
ON ORIGINAL DRAWING
MAY BE USED FOR THIS SHEET, ADJUST SCALES ACCORDINGLY.

SEE SURVEYOR'S CERTIFICATIONS

CERTIFIED TO:

SURVEY DATE: 07-12-2022
REVISION DATE: N/A
PROJECT NUMBER: 22-0197
FIELD BOOK & PAGE: 655, 14-15

SEE SURVEYOR'S CERTIFICATIONS

This map prepared by:
Certificate of Substitution No. LB 5075
NOT VALID WITHOUT THE ORIGINAL
SIGNATURE AND SEAL OR ELECTRONIC
DIGITAL SIGNATURE OF A FLORIDA
LICENSED SURVEYOR AND MAPPER

SHEET NO.: 1 OF 1

Direction: North



Photo taken September 9, 2022 by agent for the applicant.



Photo taken January 2014 by Google Street Car.

Direction: West



Photo taken September 9, 2022 by agent for the applicant.



Photo taken January 2014 by Google Street Car.

Direction: South



Photo taken September 9, 2022 by agent for the applicant.



Photo taken January 2014 by Google Street Car.

Direction: East



Photo taken September 9, 2022 by agent for the applicant.



Photo taken January 2014 by Google Street Car.



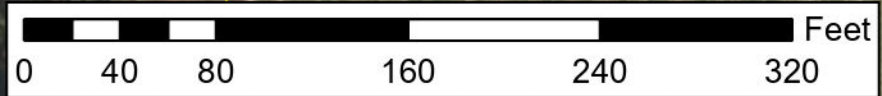
Levy County Tax Parcels #
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 0955501200, 0955501300

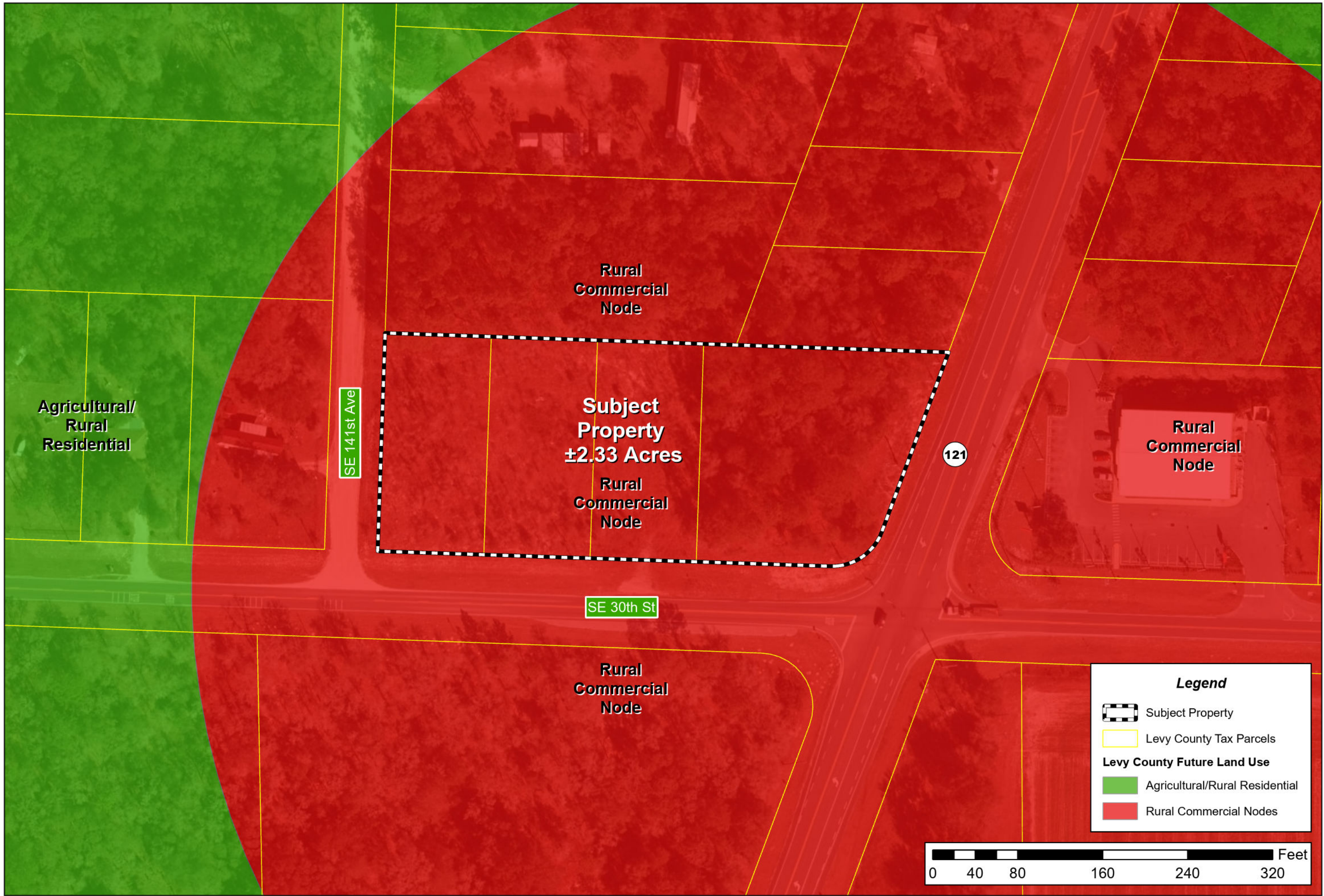


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 Central Meridian: -84.500000
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 Standard Parallel 2: 28.383333
 Latitude of Origin: 28.000000
 False Easting: 1000000.000000
 False Northing: 1000000.000000
 Units: Meter
 Prepared by: Employee ##
 Date: 8/17/2022

Legend

- Subject Property
- Levy County Tax Parcels





Levy County Tax Parcels #
095501000, 0955501100,
0955501200, 0955501300

**Agricultural/
Rural
Residential**

SE 141st Ave

**Rural
Commercial
Node**

**Subject
Property
±2.33 Acres**

**Rural
Commercial
Node**





121

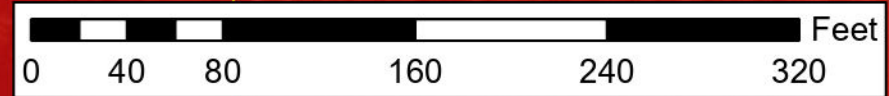
**Rural
Commercial
Node**

SE 30th St

**Rural
Commercial
Node**

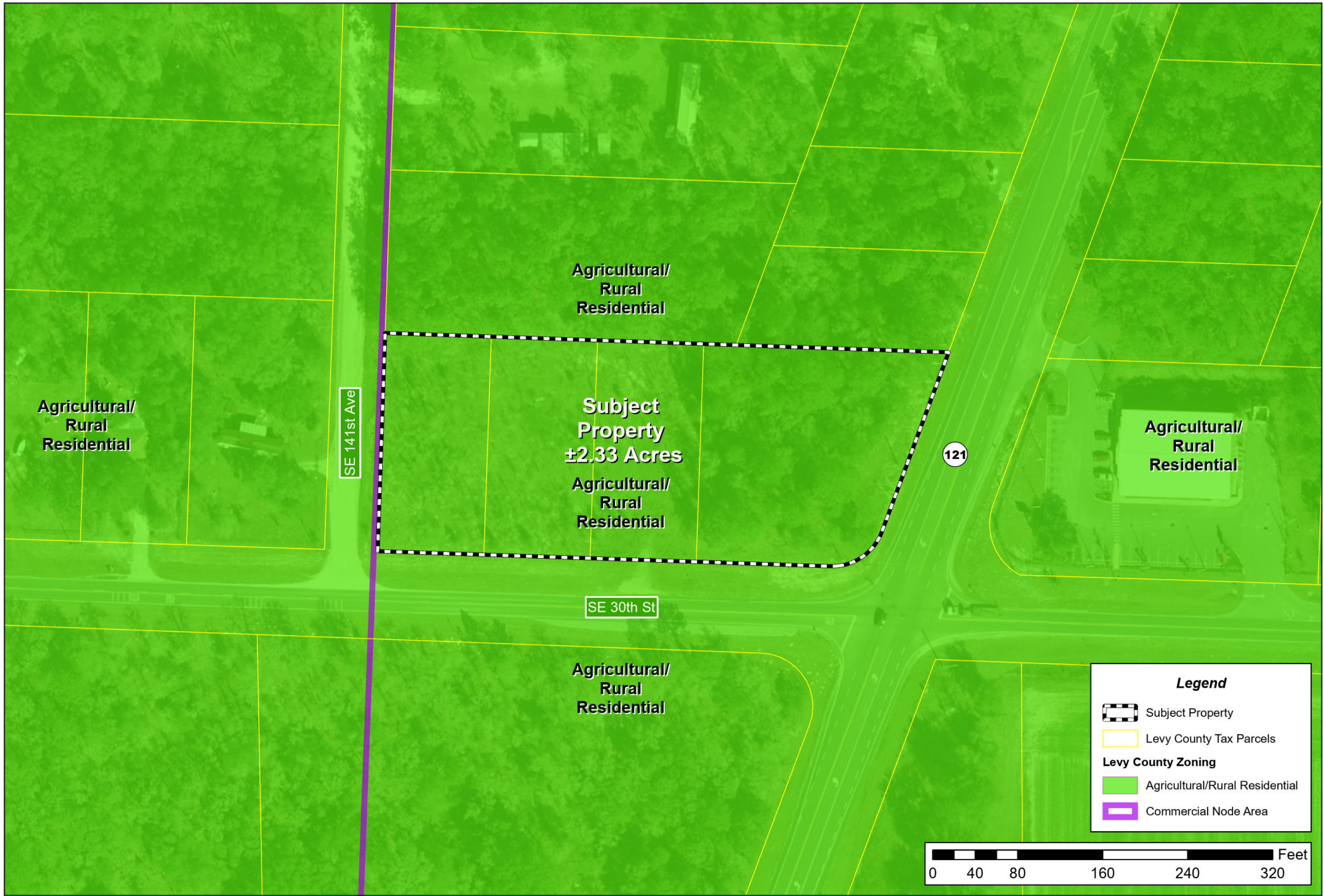
Legend

-  Subject Property
-  Levy County Tax Parcels
- Levy County Future Land Use**
-  Agricultural/Rural Residential
-  Rural Commercial Nodes



Projection: NAD_1983_StatePlane_Florida_East_FIPS5000
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 Standard Parallel 2: 28.000000
 False Easting: 500000.00
 False Northing: 0.00
 Units: Feet
 Datum: North American 1983
 Prepared by: Employee ##
 Date: 8/17/2022





SE 141st Ave

SE 30th St

121

Agricultural/
Rural
Residential

Subject
Property
±2.33 Acres





Agricultural/
Rural
Residential

Agricultural/
Rural
Residential

Agricultural/
Rural
Residential

Agricultural/
Rural
Residential

Legend

-  Subject Property
-  Levy County Tax Parcels
- Levy County Zoning**
-  Agricultural/Rural Residential
-  Commercial Node Area

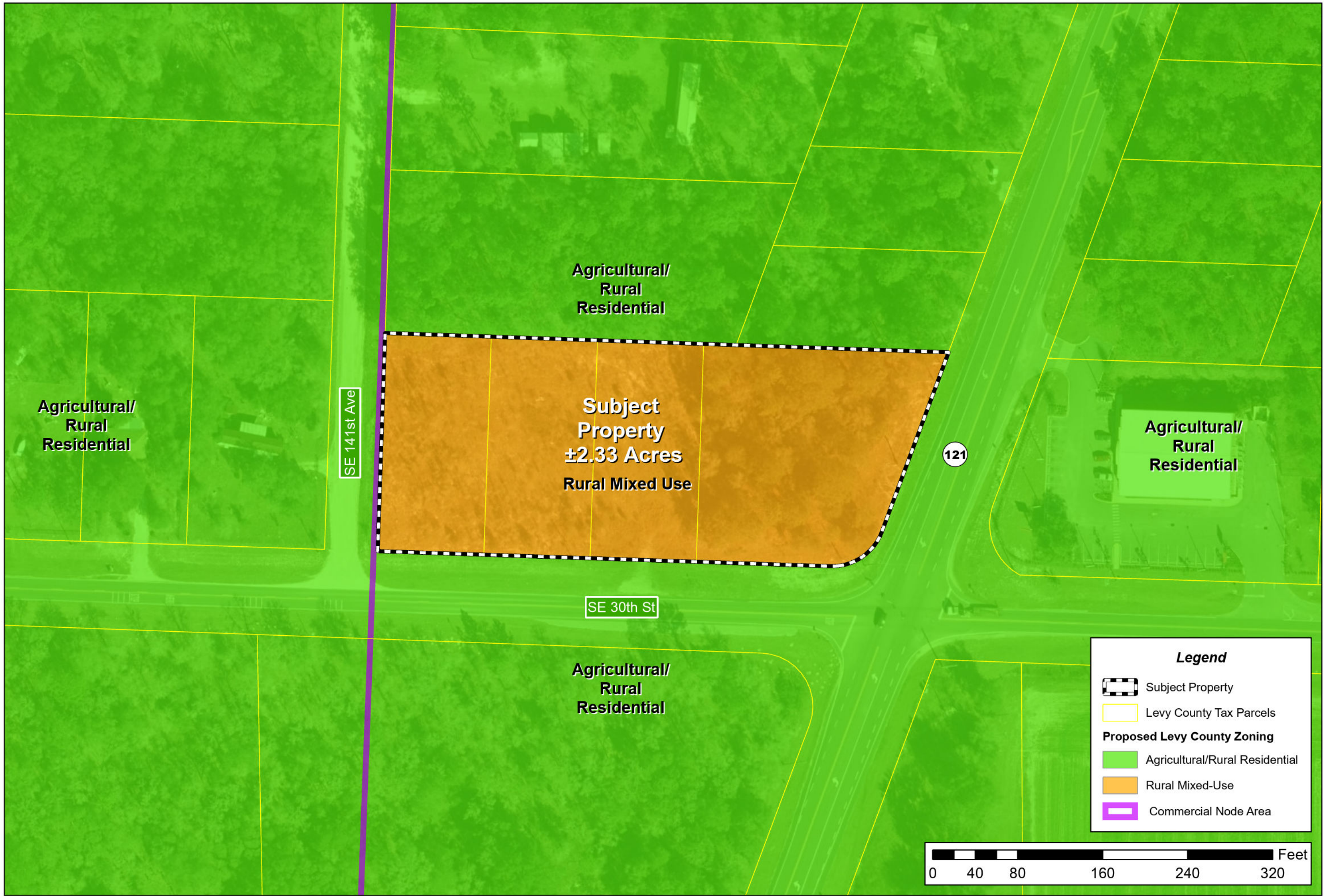


Levy County Tax Parcels #
095501000, 0955501100,
0955501200, 0955501300



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 False Easting: 500000.00
 False Northing: 0.00
 Units: Feet
 Datum: North American 1983
 Prepared by: Employee ##
 Date: 8/17/2022





SE 141st Ave

SE 30th St

121

Agricultural/
Rural
Residential



Agricultural/
Rural
Residential

Agricultural/
Rural
Residential




**Subject
Property
±2.33 Acres**
Rural Mixed Use

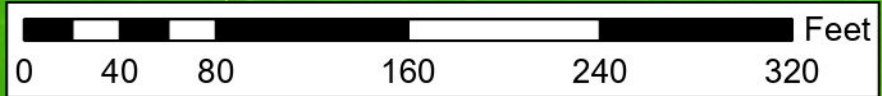
Agricultural/
Rural
Residential

Legend

-  Subject Property
-  Levy County Tax Parcels

Proposed Levy County Zoning

-  Agricultural/Rural Residential
-  Rural Mixed-Use
-  Commercial Node Area



Levy County Tax Parcels #
095501000, 0955501100,
0955501200, 0955501300



Projection: NAD_1983_StatePlane_Florida_South
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 Standard Parallel 2: 28.000000
 False Easting: 1000000.000000
 False Northing: 0.000000
 Units: Feet
 Datum: North American 1983
 Prepared by: Employee ##
 Date: 8/20/2022





COMMERCIAL RETAIL STORE MORRISTON

Rezoning–Justification Report

September 26, 2022

Prepared for:

Levy County Office of Planning and Zoning

Prepared on behalf of:

Concept Companies, Inc.

Prepared by:

CHW

PN# 22-0197.02

N:\2022\22-0197\Departments\02_Planning\Reports\RPT 220920 Morriston DG Rezoning.docx

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1. EXECUTIVE SUMMARY

To: Stacey Hectus, Levy County Planning & Zoning Director
From: Seth Wood, AICP, Planner, CHW
Date: September 26, 2022
Re: Commercial Retail Store Morriston – Rezoning Application

<p><u>Jurisdiction:</u> Levy County</p>	<p><u>Intent of Application:</u> To appropriately zone property for development of a commercial retail store.</p>
<p><u>Description of Location:</u> In the northwest quadrant of the intersection of State Road 121 and SE 30th Street, between State Road 121 and SE 141st Avenue.</p>	
<p><u>Parcel Numbers:</u> 0955501000 0955501100 0955501200 0955501300</p>	<p><u>Acres:</u> ±2.33 acres (Source: CHW Survey)</p>
<p><u>Future Land Use (FLU) Classification:</u> <i>Rural Commercial Node</i> The Rural Commercial Node FLU classification designates land appropriate for development including neighborhood commercial uses supporting established communities in rural areas of the County. The intent is to promote compact, nodal development, and to reduce the number and length of vehicular trips for retail services and employment. Uses include retail activities such as convenience stores.</p>	
<p><u>Existing Zoning District:</u> <i>Agricultural/Rural Residential (A/RR), Commercial Node Area</i> The A/RR district is intended to provide for the continued viability of agribusiness in the county while permitting low-density residential land uses that are compatible with the predominant land use in the district—commercial farming. <i>Per Land Development Code Sec. 50-663., the A/RR zoning district is <u>not compatible</u> with the Rural Commercial Node FLU classification.</i></p>	<p><u>Proposed Zoning District:</u> <i>Rural Mixed Use (RMU), Commercial Node Area</i> The RMU district is intended to provide for mixed use development in rural commercial nodes, including limited neighborhood commercial, residential, and agriculture-related commercial and industrial uses to support established communities in rural areas of the County. <i>Per Land Development Code Sec. 50-663., the RMU zoning district is <u>compatible</u> with the Rural Commercial Node FLU classification.</i> <i>Per Land Development Code Sec. 50-676., Schedule 1, commercial retail stores are permitted in RMU.</i></p>

1. EXECUTIVE SUMMARY

Existing Max. Allowed Intensity: ±2.33 acres * 20% Lot coverage = ±20,298.96 sq. ft. <i>Lot Coverage Percentage per Land Development Regulations Sec. 50-678., Schedule 2-1</i>	Proposed Max. Allowed Intensity: ±2.33 acres * 50% lot coverage = ±50,747.4 sq. ft. <i>Lot Coverage Percentage per Land Development Regulations Sec. 50-678., Schedule 2-1</i>
Net Change Approval of this application has the potential to increase onsite permitted intensity by ±30,448.44 sq. ft. In reality, the development to follow this application will be a ±10,640 sq. ft. commercial retail store with associated potable water well, onsite septic system, and parking.	

2. STATEMENT OF PROPOSED CHANGE

This rezoning application requests to change the zoning district designation of Levy County tax parcels 0955501000, 0955501100, 0955501200, and 0955501300 (hereinafter “the subject property”) from Agriculture/Rural Residential (ARR) to Rural Mixed Use (RMU). The subject property is located in the northwest quadrant of the intersection of State Road 121 and SE 30th Street, between State Road 121 and SE 141st Avenue. **Figure 1** illustrates the site’s location and conditions.



Figure 1: Aerial Map

The intent of this request is to appropriately zone the subject property for the development of a new commercial retail store.

Existing FLU and Zoning designations of adjacent parcels are identified in **Table 1** and illustrated in **Figures 2** and **3**. The proposed Zoning District is illustrated in **Figure 4**.

Table 1: Surrounding Future Land Use and Zoning Designations

Direction	Future Land Use Designation	Zoning Designation
North	Rural Commercial Node	Agriculture/Rural Residential
East	State Road 121 right-of-way, Rural Commercial Node	State Road 121 right-of-way, Agriculture/Rural Residential
South	SE 30 th Street right-of-way, Rural Commercial Node	SE 30 th Street right-of-way, Agriculture/Rural Residential
West	SE 141 st Avenue right-of-way, Rural Commercial Node	SE 141 st Avenue right-of-way, Agriculture/Rural Residential

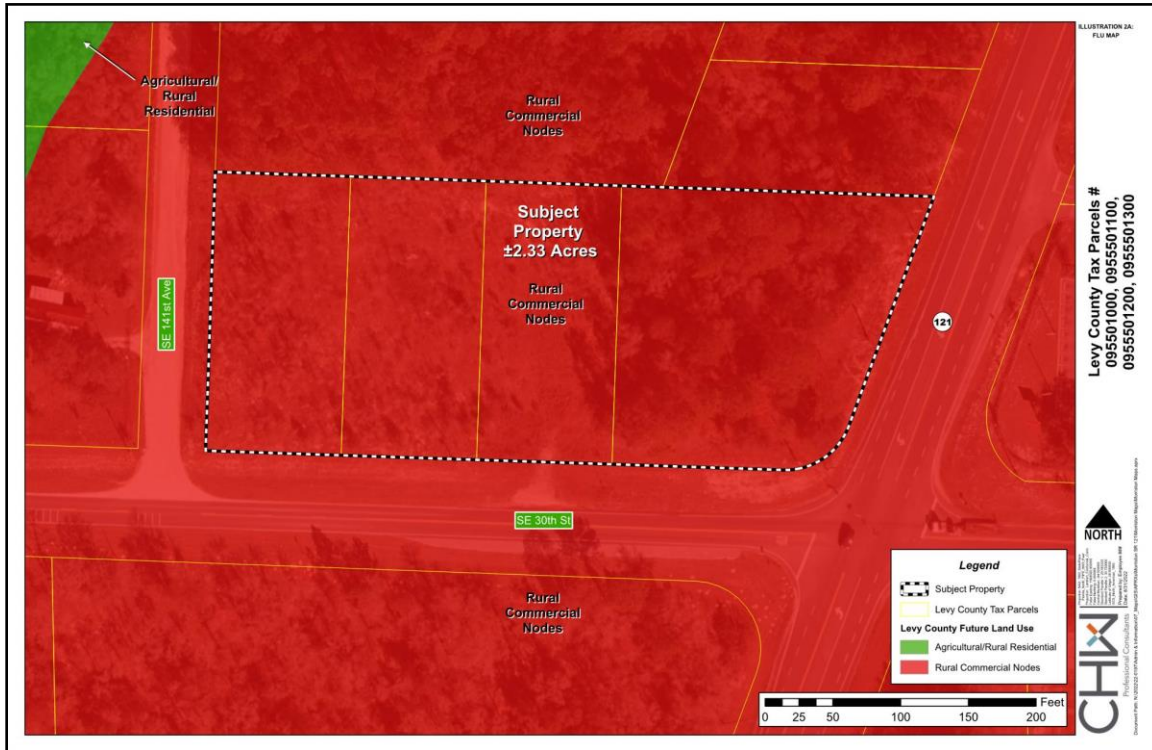


Figure 2: Future Land Use Map

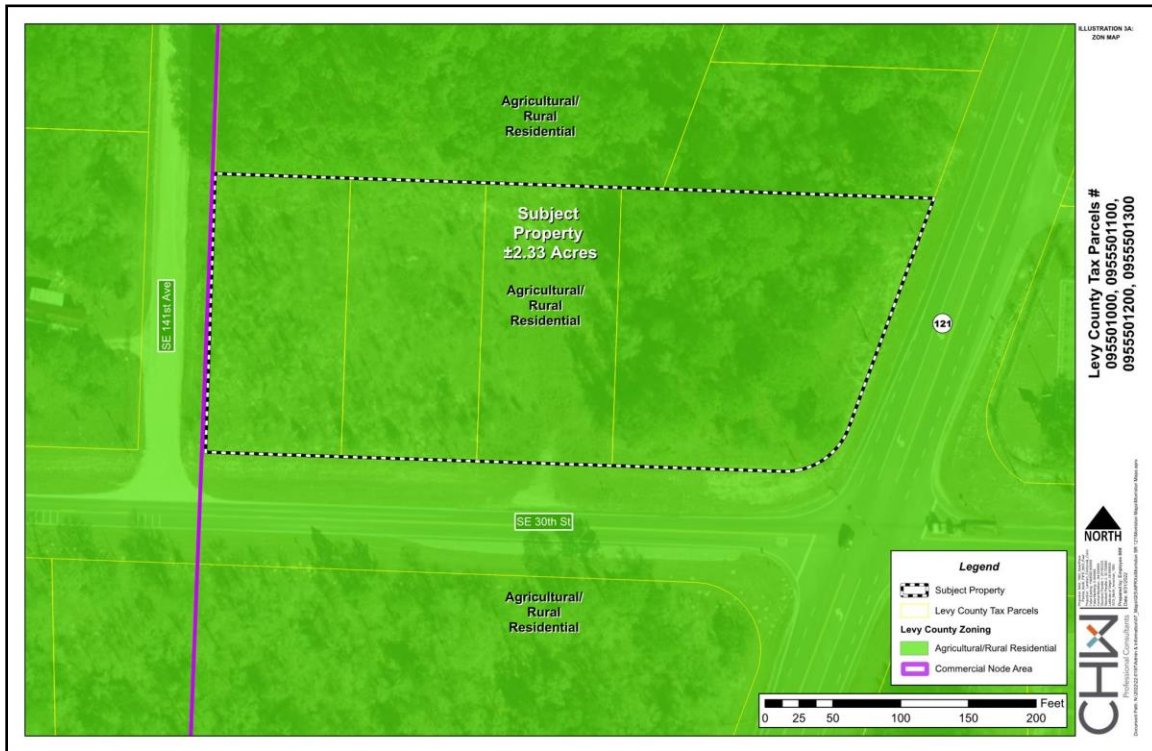


Figure 3: Existing Zoning Map

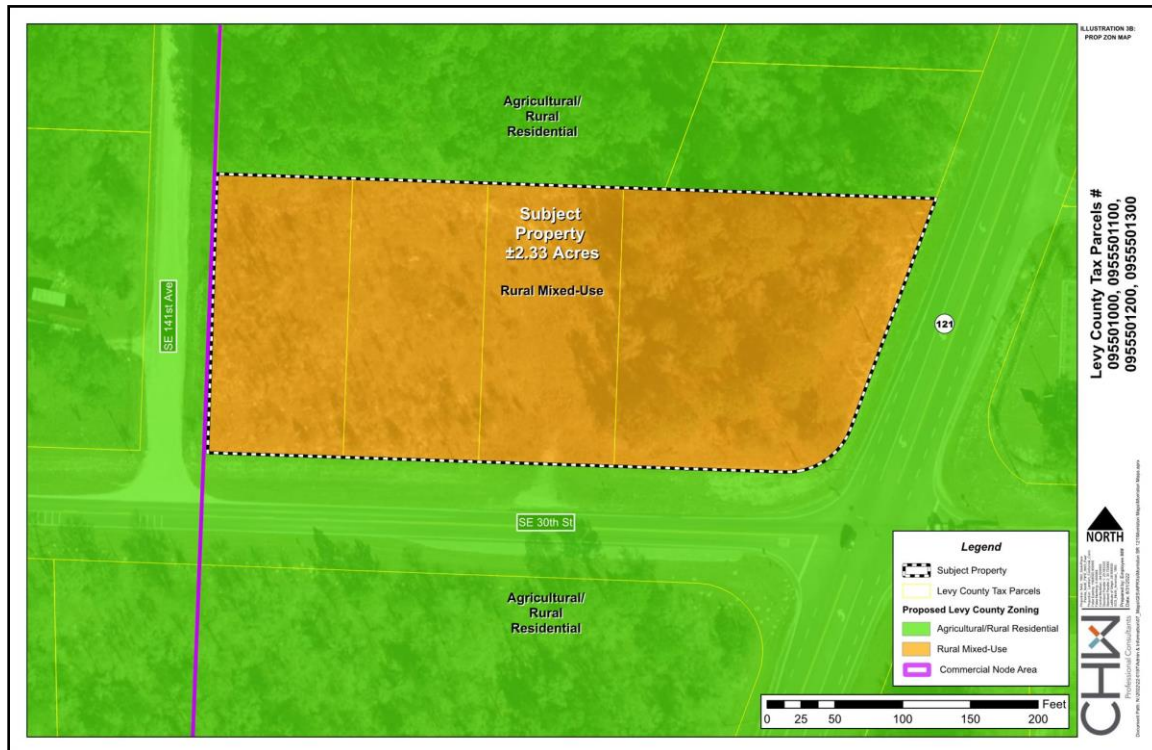


Figure 4: Proposed Zoning Map

3. CONSISTENCY WITH LEVY COUNTY COMPREHENSIVE PLAN

This section identifies specific Levy County Comprehensive Plan Goals, Objectives, and Policies and explains how these applications are consistent with each. Text from the Levy County Comprehensive Plan is provided in normal font. Consistency statements are provided in **bold font**.

Policy 1.2 Land use categories on the Future Land Use Map shall be defined as follows:

...

Rural Commercial Node

This category provides mixed use development, including limited neighborhood commercial, residential and agriculturally related industrial uses to support established communities in the rural areas in the County. The intent of this land use is to promote compact nodal development, redevelopment, and to reduce the number and length of vehicular trips for retail services and employment. Rural Commercial Nodes include residential offices such as physicians, farm management services and other similar professional offices, and limited retail activities such as convenience store, daycare, supermarket, farm related sales and service, and restaurants and other similar uses. Rural Commercial Nodes shall be classified as either Rural Neighborhood Commercial or Rural General Commercial. Classifications and boundaries of Rural Commercial Nodes shall be provided in the zoning map series.

The classification of Rural Neighborhood Commercial shall be characterized by the following criteria: located on county rural collector roads only, have a maximum node size of fifty (50) acres, uses may include those that predominantly provide services to surrounding rural communities, such as: residential offices including physicians, farm management services and other similar personal service establishments, and limited retail activities such as convenience store, daycare, supermarket, farm related sales and service, and restaurants and other similar uses. The maximum floor area ratio is .35 for non-residential uses.

...

Within a node, the minimum lot size for commercial development is one-fourth (1/4) acre and a maximum lot size of five (5) acres. The minimum lot size for industrial uses is one (1) acre. Residential densities within Rural Commercial Nodes shall be a maximum of one dwelling unit per three (3) acres or one dwelling unit per parcel of record as of December 31, 1989. Any development in platted subdivisions created pursuant to Levy County ordinances or Levy County Code provisions applicable at the time of creation and existing as of December 31, 1989, will be exempt from the parcel size required for new subdivisions, but shall be required to comply with all lot coverage and setback requirements applicable to new subdivisions. The location of Rural Commercial Nodes shall be consistent with Policy 1.7.

The subject property is within a Rural Commercial Node. The ultimate development intent on the subject property is a commercial retail store, which contains many of the uses listed as appropriate in the Rural Commercial Node. This development is possible only with approval of the proposed change of zoning.

Approval of this application will help meet the intentions of the FLU category by reducing the number and length of vehicular trips for retail services and employment. The development to follow this application's approval will offer employment opportunities to

area residents, and offer convenient access to needed daily goods for nearby residents and those working in the area.

Policy 6.2 Allowable rural commercial uses will be encouraged to utilize existing residences for professional offices and to provide for low intensity neighborhood retail services. New structures and non-office commercial uses may be permitted and shall be consistent with the following guidelines and criteria.

a. Development and Location Guidelines:

1. Proposed development shall provide landscaping and buffering to blend with existing uses and generally be limited to services/retail uses that serve the needs of immediate neighborhood(s);
2. The site must be highly accessible to adjacent residential areas.
3. The applicant shall document the demonstrated need for the proposed development.

The driver of this change of zoning request is the intent to build a commercial retail store on the subject property. This retail store will provide landscaping and buffering in accordance with the requirements of the County. The use will serve the needs of nearby neighborhoods by providing convenient access to various goods.

The subject property fronts three (3) roadways—SE 141st Avenue to the west; SE 30th Street to the south; and FL-121 to the east. Access for the development will be placed on SE 30th Street, a County road. The location of the subject property is highly accessible by nearby residents and travelers through the area.

The development to follow this request will address a need for easy access to various goods by neighbors, who presently have few options for convenient access to shopping.

b. Access and Spacing Criteria:

1. The site must have paved frontage and be located along a collector or minor arterial roadway. Access at an intersection shall be from the lower classified roadway to the maximum extent possible.

The subject property is at the intersection of FL-121 and SE 30th Street / County Road 326. Access to the subject property will be provided from County Road 326.

2. Establishment of new development shall be approved based on the following spacing requirements to encourage compact contiguous development and discourage urban sprawl development patterns.

a. Proposed development/uses shall not exceed a spacing distance of 1320 feet from an existing business(s); or

b. If the location is beyond 1320 feet of existing business (s), proposed development shall not be approved within six (6) miles of an established business.

The subject property is less than 1,320 feet from an existing business, across FL-121.

c. General Provision:

1. Proposed development shall be consistent with development standards and guidelines in the Comprehensive Plan and land development regulations;

Development to follow approval of this change of zoning request will be consistent with the development standards and guidelines in the Comprehensive Plan and Land Development Code.

The intent is that all commercial uses are contained within a 1/4 mile parameter and conform to Rural Commercial node standards. At the time three businesses are established within a 1/4 mile radius, the County may consider the establishment of a rural commercial node.

The subject property is within an existing Rural Commercial Node.

4. CONSISTENCY WITH LEVY COUNTY LAND DEVELOPMENT REGULATIONS

The following identifies how this application is consistent with Levy County’s Land Development Code (LDC). Language from the LDC is provided in normal font, and the consistency statements are provided in **bold** font.

Sec. 50-661. – Establishment of districts; intent of districts.

Rural mixed use (RMU) district. The RMU district is intended to provide for mixed use development in rural commercial nodes, including limited neighborhood commercial, residential and agriculture-related commercial and industrial uses to support established communities in rural areas of the county.

The subject property is in a Rural Commercial Node per the County’s Future Land Use Map. The requested RMU district is intended to provide for implementation of this FLU category. The desired end use, a commercial retail store, will support the established surrounding communities by providing access to needed daily goods.

Sec. 50-663. – Compatibility of zoning districts with future land use categories [abridged].

Land Use – Zoning Compatibility Table	
Land Use Categories	Zoning Districts
...	
Rural Commercial Node	RMU, NR-CON, REC, PF

This application requests RMU zoning for the subject property. The subject property is within the Rural Commercial Node Future Land Use category. This request will bring the subject property into compliance with Sec. 50-663 of the County LDC.

Currently, the subject property is designated with the Agricultural/Rural Residential (ARR) zoning district. The ARR district is not listed as compatible with the subject property’s underlying Future Land Use category. Approval of this request will align Future Land Use and zoning on the subject property and allow for implementation of the County’s goals for the Rural Commercial Node FLU category.

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.

As demonstrated in Section 4 of this report, the proposed rezoning is consistent with the pertinent Goals, Objectives, and Policies of the Levy County Comprehensive Plan. Section 4 of this report demonstrates the proposed rezoning’s consistency with the Levy County Land Development Code.

(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.

The proposed rezoning is compatible with the present zoning pattern. The subject property sits within an area that is predominately zoned Agricultural/Rural Residential. The property is also within a Commercial Node Area. The proposed zoning district, Rural

Mixed Use, will maintain consistency with the rural intensions of the Agricultural/Rural Residential zoning while simultaneously allowing implementation of commercial uses within the Commercial Node.

The proposed rezoning is compatible with the uses of nearby property. The subject property is bordered to the north by undeveloped land; to the west by SE 141st Avenue and residential land use; to the south by SE 30th Street and a silvicultural operation; and to the east by FL-121 and a commercial use. The Rural Mixed Use zoning district allows a mixture of commercial uses, compatible with development to the east. The commercial uses allowed are focused on serving the goods and services needs of existing communities, compatible with the surrounding residential uses.

The proposed rezoning is compatible with the character of the surrounding area. The area is characterized as rural, with a mixture of residential, agricultural, and commercial uses in place. Additionally, the area is characterized by FL-121, which abuts the subject property to its east. FL-121 carries travelers through this portion of the County. The Rural Mixed Use zoning district is compatible with the character of the area, as it maintains rural character, serves the existing surrounding community, and allows nonresidential uses one may expect on a highway road.

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

The proposed rezoning will result in a logical, orderly development pattern, as defined by the County's Comprehensive Plan.

With the assignment of the Rural Commercial Node Future Land Use classification to the subject property and surrounding area, the County asserted that development of the area should occur in a way that provided commercial, residential, and/or agriculturally-related industrial uses that support communities in the rural areas of the County.

By changing the zoning of the property, from Agricultural/Rural Residential to Rural Mixed Use, development of the subject property can properly implement the Future Land Use classification of the area, realizing the intentions of the County's Future Land Use Map.

Additionally, the subject property is bordered to its east by FL-121. Placing a commercially-oriented zoning district on the side of a major roadway is logical, as it meets travelers where they are, rather than bringing their traffic onto smaller, more residentially-oriented roads.

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

The subject property is situated in an area of Levy County characterized by a mixture of homes and nonresidential retail and service provisions. It sits in the northwest quadrant of SE 30th Street and State Road 121.

The uses that are allowed in the proposed RMU zoning district include both residential and nonresidential uses. The nonresidential uses allowed include those that residents might look to for their daily needs, such as produce stands, fuel sales, grocery stores, and convenience stores, as planned for the subject property.

The subject property, fronting a state road in an area with a mixture of residential and nonresidential uses, is suitable for the uses allowed in the proposed zoning district,

because it is easily accessible to nearby residents and can serve the community's nonresidential needs.

(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).

The property is outside of the Levy County Municipal Service Districts. Development to follow will be served by well water and onsite septic system.

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

The subject property fronts SE 30th Street, SE 141st Avenue, and FL-121. The development to follow this rezoning will focus ingress and egress on SE 30th Street, a County road. This will keep commercial traffic off of SE 141st Avenue, a residential roadway, and will adhere to Florida Department of Transportation (FDOT) driveway spacing criteria.

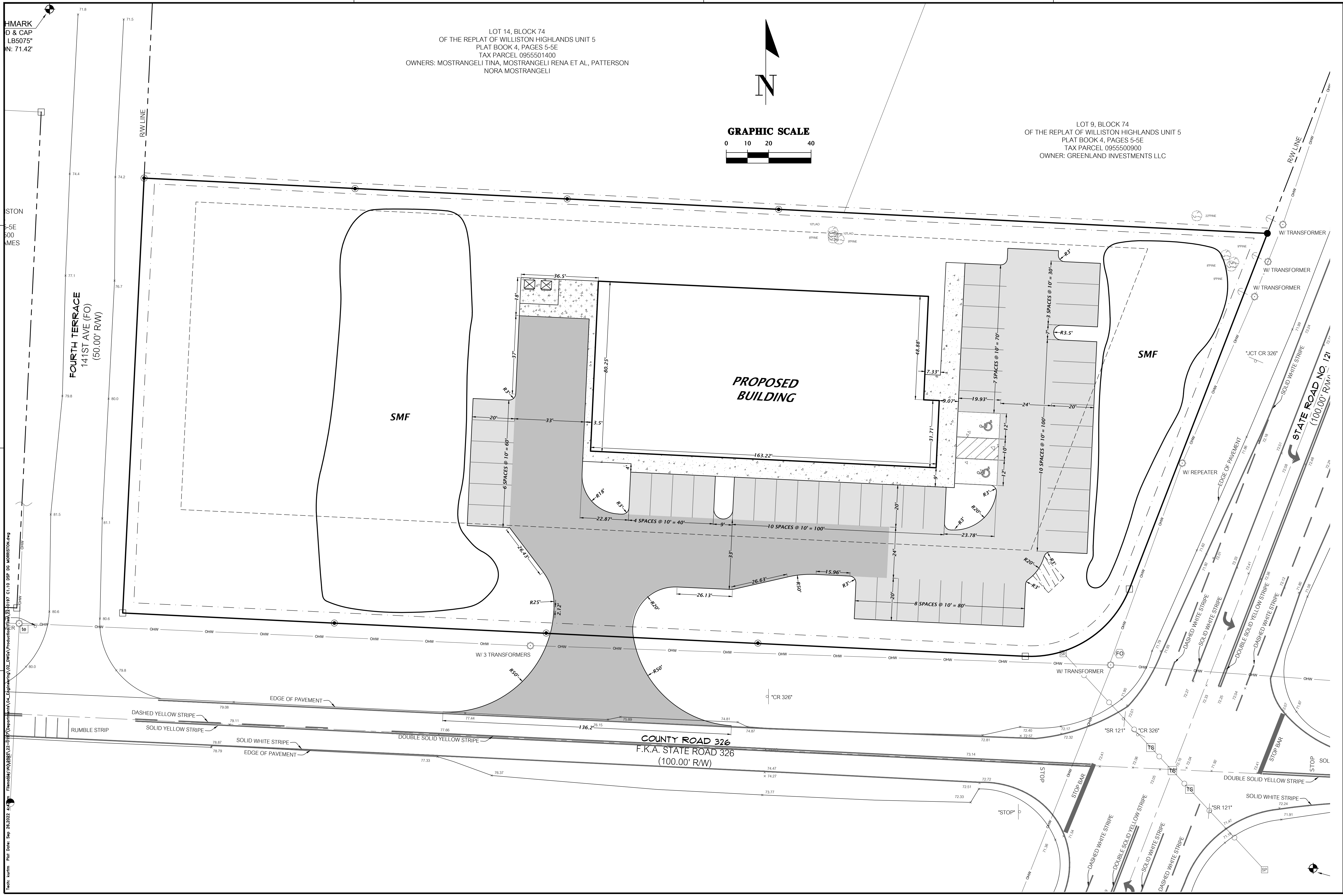
(7) *Public health, safety, and welfare.* The uses allowed within the proposed zoning district shall not adversely affect public health, safety, and welfare.

The uses allowed within the proposed zoning are detailed in Levy County Land Development Code Sec. 50-676., Schedule 1. These are:

Single-family dwellings; sales, service and leasing of farm equipment, implements and supplies; sales and service of farm irrigation equipment; farm mortgage companies, agriculture insurance offices, farm management companies; farm product crating, shipping, and packing sheds; produce stands; fuel oil, gasoline and liquid petroleum retail sales; storage warehouses for farm products and supplies; convenience or grocery stores which may include gasoline, diesel and liquid petroleum gas sales; blacksmith or farrier shops; construction contractor and sub-contractor yards or offices; veterinary clinics or offices without kennels or runs; pharmacies; florist shops, gift shops, and barber shops; bakeries; business and professional offices; garden supplies or centers; hardware stores, including building material/supplies centers; trail shops or camping supply stores; restaurants, cafes, coffee shops or sandwich shops; on-premises sales and consumption of alcohol in chartered or incorporated private country clubs or lodges; self-storage facilities or mini-warehouses; churches or other houses of worship.

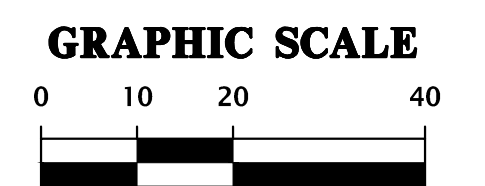
The uses listed present do not pose risk of adverse effect to public health, safety, or welfare. Instead, they present the potential for quality of life improvements. The uses listed offer an array of benefits, including employment opportunities, the provision of goods and services to meet daily needs, and housing. They are narrowly focused on the intention underpinning the Rural Mixed Use zoning district: supporting the established communities in rural areas of the County.

The specific use to follow this rezoning application—a commercial retail store—is consistent with the uses permitted in the Rural Mixed Use zoning district, and will not adversely affect public health, safety, or welfare. Instead, it will offer additional opportunity for the surrounding community to find employment and conveniently access necessary goods.



HMARK
D & CAP
LB5075*
N: 71.42'

LOT 14, BLOCK 74
OF THE REPLAT OF WILLISTON HIGHLANDS UNIT 5
PLAT BOOK 4, PAGES 5-5E
TAX PARCEL 0955501400
OWNERS: MOSTRANGELI TINA, MOSTRANGELI RENA ET AL, PATTERSON
NORA MOSTRANGELI



LOT 9, BLOCK 74
OF THE REPLAT OF WILLISTON HIGHLANDS UNIT 5
PLAT BOOK 4, PAGES 5-5E
TAX PARCEL 0955500900
OWNER: GREENLAND INVESTMENTS LLC

11801 Research Drive
Alachua, Florida 32615
(352) 331-1976
www.chw-inc.com
est. 1988 FLORIDA
CA-5075

CHW
Professional Consultants

SCALE: 1"=20'
VERIFY ALL DIMENSIONS ON ORIGINAL DRAWING
0 = SHOWN AS NOT SHOWN
THIS SHEET, ADJUST SCALES ACCORDINGLY.

CONSTRUCTION FEATURES

CLIENT: CONCEPT
PROJECT: CFS MORRISTON, CE 236 & SR 121 - ENGINEERING
SHEET TITLE: DETAILED SITE AND HORIZONTAL CONTROL PLAN

DESIGNER: TYLER N
CHECKER: KRISTEN J
QUALITY CONTROL: TRAVIS H
PROJECT NUMBER: 22-0197

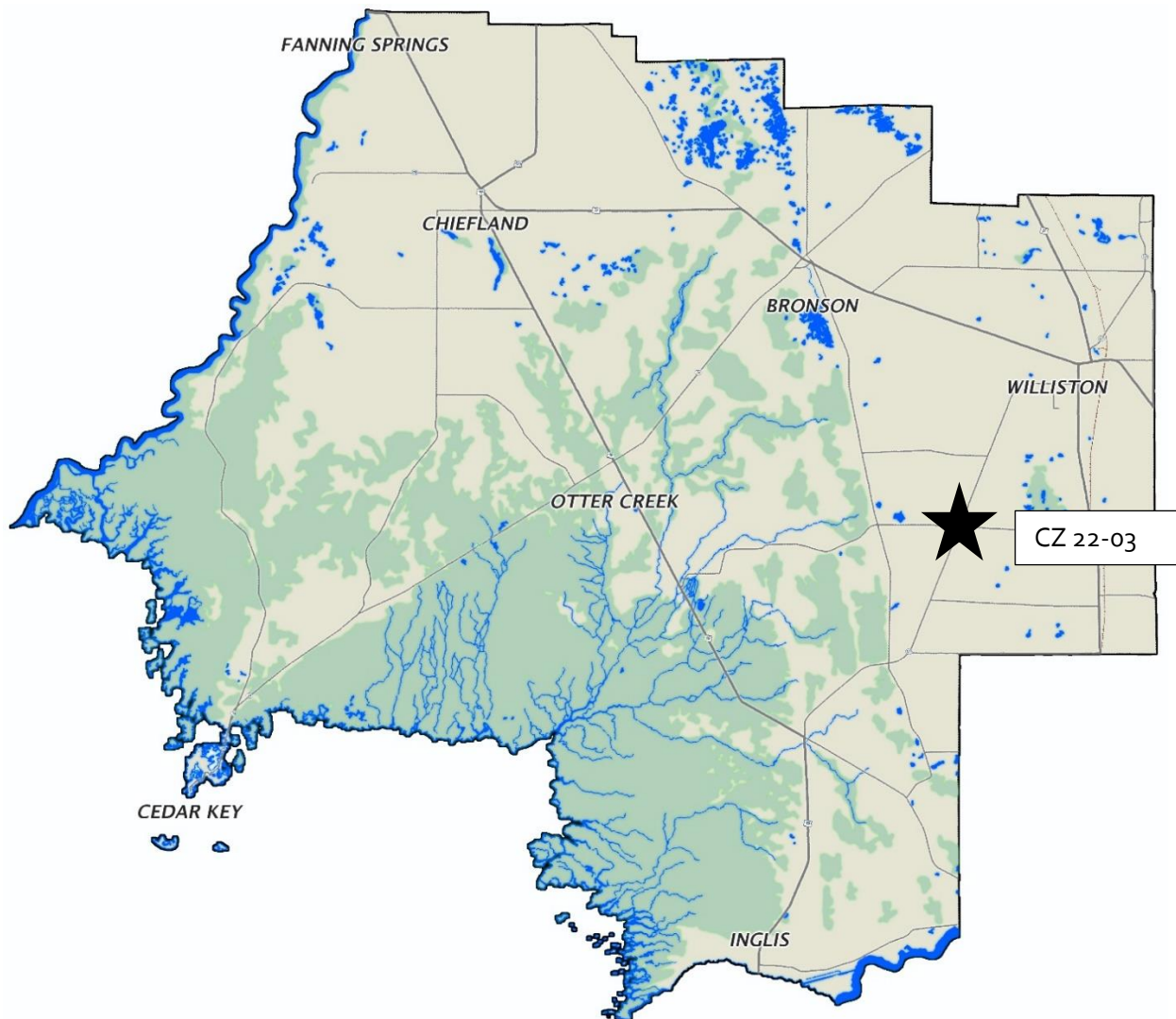
TRAVIS J. HASTAY
FL PE No. 84295
SHEET NO. **C1.10**

Text: Auto Plot Date: Sep 28, 2022 4:43
 File: R:\MORRISTON\22-0197\Drawings\02\Drawings\02-0197 C1.10 DSP DG MORRISTON.dwg
 User: T.HASTAY
 Plot Device: HP DesignJet 5000 Series
 Plot Scale: 1"=20'
 Plot Orientation: Landscape
 Plot Range: All
 Plot Style: C1.10.ctb
 Plot Color: Black
 Plot Lineweight: 0.20
 Plot Linetype: Solid
 Plot Font: Arial, 10
 Plot Title: 22-0197

Levy County Planning and Zoning Department Staff Report

Levy County Planning Commission Public Hearing, November 7, 2022

Change of Zoning "CZ 22-03"



Staff Report October 14, 2022

Levy County Planning and Zoning Department Staff Report

From: Stacey Hectus, Planning and Zoning Department Director

To: Levy County Planning Commission

Owner: Michael & Rene Elliott
15871 SE 22nd Place
Morrison, FL 32668

Christopher Healy
1845 SW 34th Ct.
Ocala, FL 34474

Applicant: CHW Inc.
11801 Research Drive
Alachua, FL 32615

Legal

Description: See legal description attached as part of the application

Parcel ID Number (s): 0955501100, 0955501200, 0955501300 and 0955501000

Current Zoning Designation: Agriculture/Rural Residential (A/RR)

Current Future Land Use Designation: Rural Commercial Node

Requested Zoning Designation: Rural Mixed Use (RMU)

Number of Acres: Approximately 2.33 acres

Existing Use of Property: Vacant

Commission District 2: Chairman Rock Meeks

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 Agriculture/Rural Residential (A/RR) to Rural Mixed Use (RMU) in the # 15 Rural Commercial Node. On 2.33 acres of the above referenced parcels. Subject parcel is not located in a Municipal Service District (MSD).

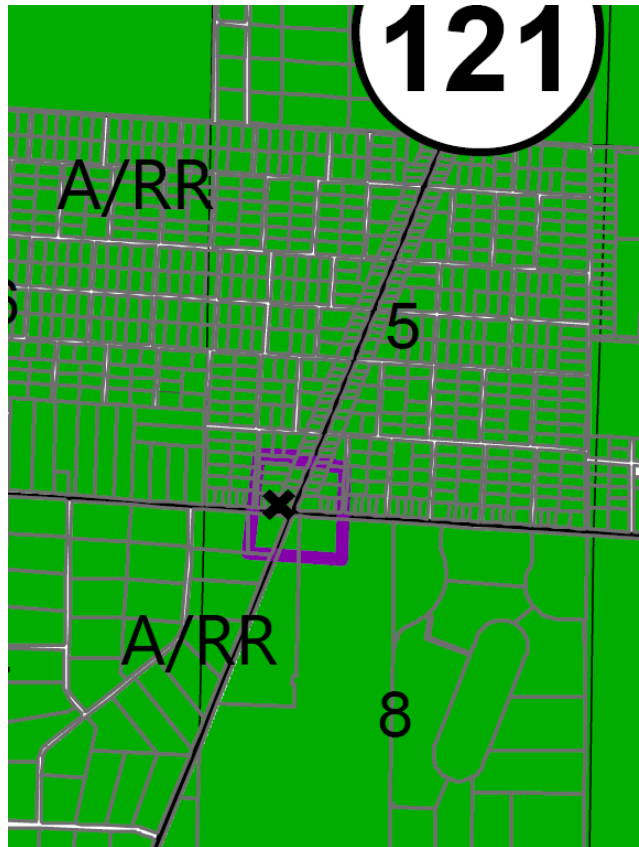
This change of zoning is requested pursuant to 50-665 Zoning Change Criteria and is permitted use in 50-676, Generally, Schedule 1, Use Regulations. The Future Land Use on this property is Rural Commercial Node. The property owners are requesting the zoning of RMU so they can be more compatible with uses in a Rural Commercial Node such as a Dollar General. The Rural

Commercial Node category provides mixed use development, including limited neighborhood commercial, residential and agriculturally related industrial uses to support established communities in the rural areas in the County. The intent of this land use is to promote compact nodal development, redevelopment, and to reduce the number and length of vehicular trips for retail services and employment. Parcels located in Rural Commercial Nodes have two choices in zoning. They can leave the existing zoning in place or rezone to Rural Mixed Use (RMU) for more variety in uses to achieve the goals listed above. This applicant is choosing to rezone.

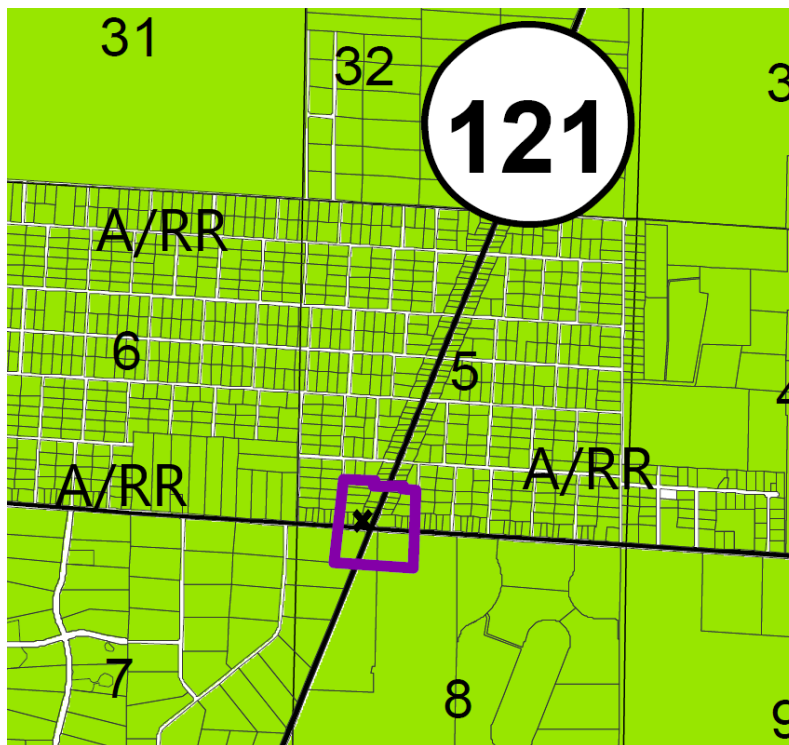
Aerial Location Map



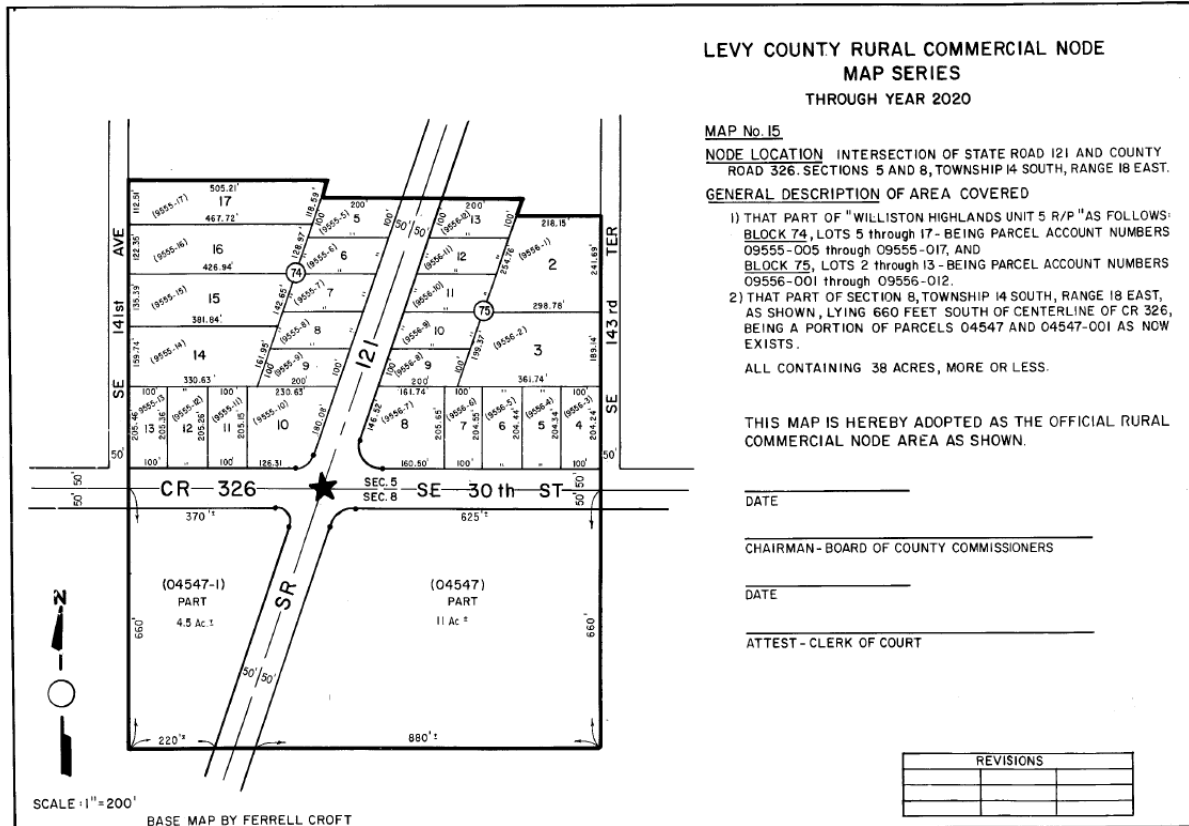
Future Land Use Map and surrounding area



Zoning Map and surrounding area



Rural Commercial Node Map #15



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 parcels surrounding the subject parcels have a Future Land Use of Agriculture/Rural Residential (A/RR). The current zoning surrounding this parcel is A/RR. However, because these parcels are located in a Rural

Commercial Node as noted above, the ability to rezone to Rural Mixed Use is permitted via Comprehensive Plan Policy 1.2 Rural Commercial Node. East of this parcel a Family Dollar has already exercised their ability and developed via the RMU. This is a major intersection of SR 121 and CR 326. Because of the issues already seen at this intersection FDOT has already denied ingress/egress off SR 121.

- 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.*

Provisions of Comprehensive Plan Policy 1.2 Rural Commercial Node is what allows this request to be made.

- 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. Especially, with FDOT not allowing ingress/egress on SR 121. The change would align with the intended land use and some of the areas surrounding existing uses.

- 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 nor opinion was provided as to the effect the proposed development 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.*

A/RR does not permit a Grocery/Commercial retail use. Changing the zoning will permit appropriate uses in RMU.

- 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. This use will increase the load on the existing infrastructure but would not be detrimental.

- 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.

The Land Development Code would not permit these negative impacts. Lighting would need to adhere to our building code and lighting should be shielded so as not to be a nuisance to neighbors. There will always be some impacts when a vacant property gets developed.

The applicant has also provided a detailed application with their justification for this rezoning. Those specifics can be found in Section 8 of their application. They have also provided a Conceptual Site Layout in Section 9 for your review as well.

Staff Recommendation:

- Staff recommends the Planning Commission review the proposed rezoning from Agriculture/Rural Residential (A/RR) to Rural Mixed Use (RMU) on 2.33 acres and make a recommendation to the Board of County Commissioners. Staff recommends **APPROVAL** based on the application submitted.
- The applicant has been notified that to obtain the number of parking spaces they are proposing and the size of building they are requesting will require a variance for both requests. RMU only allows for a maximum building size of 5,000 square feet. If the rezoning is approved they will make application with the Board of Adjustment for those variances. They have been advised that the requests above may or may not be approved.

CRS Morriston Rezoning

Rezoning Application on Levy County Tax Parcels # 0955501100, 0955501200, 0955501300, 0955501000



Prepared For: Levy County Planning and Zoning

Date: 9/26/2022
PN# 22-0197.02

CHW
11801 Research Drive
Alachua, FL 32615

www.chw-inc.com

CHW
Professional Consultants

Application Package
Table of Contents

1. Cover Letter
2. Change of Zoning Application
3. Property Deeds
4. Property Owner Affidavits
5. Legal Description
6. Site Photographs
7. Map Set
 - a. Parcel Map with Aerial
 - b. Future Land Use Map
 - c. Existing Zoning Map
 - d. Proposed Zoning Map
8. Rezoning Justification Report
9. Conceptual Site Layout

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September 26, 2022

Ms. Stacey Hectus, AICP
Levy County Planning & Zoning Director
Planning and Zoning Department
320 Mongo Street
Bronson, FL 32621

RE: Commercial Retail Store Morriston – Rezoning Application *[Digital Submittal]*
(Levy County Tax Parcels 0955501000, 0955501100, 0955501200, and 0955501300)

Dear Stacey,

Please find the following items enclosed for review and approval of the above referenced project:

- Change of Zoning Application;
- Property Deeds
- Property Owner Affidavits;
- Legal Description;
- Site Photographs;
- Site Maps;
- Justification Report; and
- Conceptual Site Layout

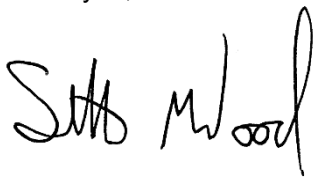
One (1) check in the amount of \$600.00 made payable to Levy County will be included with subsequent physical submittal, per your direction at the Preapplication Conference held September 12th, 2022.

This application requests a rezoning from Agricultural/Rural Residential (A/RR) to Rural Mixed Use (RMU) on ±2.33 acres. The intent is to allow the development of a commercial retail store. The A/RR zoning district is incompatible with the subject property's underlying Future Land Use (FLU) classification, Rural Commercial Node, and does not allow for the development intent. The proposed RMU zoning district is compatible with the Rural Commercial Node FLU classification and allows the uses contained within a commercial retail store.

The proposed change of zoning is compatible with the adjoining area, as all land surrounding the subject property is also within the Rural Commercial Node FLU. The resulting development will provide convenient access various goods needed by nearby residents and those working in and/or traveling through the area.

We trust you will find this submittal package is sufficient for review and approval. Please feel free to contact me at (386) 518-5134 or at sethw@chw-inc.com should you have any questions or require any additional information to complete your review.

Thank you,



Seth Wood, AICP
Planner, CHW

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**CHANGE OF ZONING APPLICATION
LEVY COUNTY, FLORIDA**

Filing Date: _____
Amount of Fee: \$ 600.00

Petition Number CZ
Validation Number _____

TO THE LEVY COUNTY PLANNING COMMISSION:

A Change of Zoning is intended to provide for a land use change and activities not permitted "By Right" or as a "Special Exception" in the applicable zoning district. The proposed use or activity must meet the standards below. [Source: Levy County Code of Ordinances, Section 50-664]

Application is hereby made to the Board of County Commission of Levy County, Florida pursuant to the provisions of the Florida Statutes, as amended, and the Levy County Zoning Ordinance petitioning for a Change of Zoning on the following described property:

I. APPLICANT INFORMATION: Please print unless otherwise specified.

Applicants name <u>CHW Inc.</u>	Owners name <u>Michael F Elliot F; Rene A Elliot</u>
Address <u>11801 Research Drive</u>	Address <u>15871 SE 22nd Place</u>
State <u>Florida</u> Zip Code <u>32615</u>	State <u>Florida</u> Zip Code <u>32668</u>
Phone No. (352) <u>331-1976</u>	Phone No. () <u>Contact Agent</u>
Email <u>sethw@chw-inc.com</u>	Email <u>Contact Agent</u>

Additional property owners listed in Attachment I.

II PARCEL INFORMATION

Parcel Number (s)	Section/Township/Range	Acreage
1. <u>0955501100, 0955501200,</u>	<u>05-14-18</u>	<u>0.440, 0.440,</u>
2. <u>0955501300, 0955501000</u>		<u>0.440, 0.930</u>
Total Acreage		<u>2.33 Acres</u>

Subdivision name (if applicable): Williston Highlands Unit 5 Replat

Legal Description: Provide most current deed. See required attachments.

III. CHANGE OF ZONING AND LAND USE INFORMATION:

1. Current Land Use: Rural Commercial Node

It is desired that the zoning district boundaries shown on the Official Zoning Districts Map be amended and the area described above be changed from the present ARR district to RMU district.

Requested Use and Activities and Development associated with the Proposed Change of Zoning
Commercial Retail Store

(*Use additional sheets if needed)

**CHANGE OF ZONING APPLICATION
LEVY COUNTY, FLORIDA**

Current Use (Actual) and Improvements on the Property: (i.e. Single family home, well and septic, pole barn, etc...)

Vacant Land

Directions to the Property: (Please start directions from a State or County Road): From the intersection of State Road 121 and SE 30th Street, head west towards SE 141st Avenue. The property is accessible from SE 30th Street.

IV. 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 one week prior to the Planning Commission Public Hearing.

* Upon completion of the above application, **please submit the original application and supporting documents along with 15 copies of the same** to the Levy County Planning and Zoning Department at, 320 Mongo Street, Bronson, Florida, for processing.

Property Description

- Property Deed:** The most recent one pertaining to the proposed amendment property; obtained from the Clerk of the Circuit Court's Office.
- Legal Description.** The legal description must be signed and sealed by a certified Registered Land Surveyor (RLS), (PLS, PMS) or a Civil Engineer.
- 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. Additional photos showing relevant information may also be included.

Maps: All required maps and information can be obtained at the Levy County Property Appraiser's Office.

- 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.

**CHANGE OF ZONING APPLICATION
LEVY COUNTY, FLORIDA**

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.

Documentation

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

V. Additional Written and Mapping Documentation is required for proposed Change of Zonings that may have impacts that exceed those uses permitted by right in the inapplicable Zoning Districts. Confirm with the Planning and Zoning Department whether or not the proposed may require additional documentation.

VI. 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.

VII. APPLICATION INSTRUCTIONS

- (a) An application for a Change of Zoning must be accompanied with a fee of \$600.00. Please note, the application fee may be subject to change. Confirm fee at the time of application. **Note: All copies must be bound and collated.**
- (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 request 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 public review of the application until such time as all materials are received.**

**APPLICATION FOR CHANGE OF ZONING
LEVY COUNTY, FLORIDA**

- (d) The minimum criteria for the applicable zoning district must be met uniformly for every change of zoning. These standards are not exclusive of any other standards which may be established by the Planning Commission due to particular circumstances which are unique to the property for which the change of zoning is being requested.

- (e) **Change of Zoning applications are processed once a month. Applications received and found complete by the first day of the month** will tentatively be scheduled, advertised and presented at the public hearing the following month. **Applications received after the first day of the month will not be scheduled for the following month.**

- (f) Any information changes must be submitted, in writing, to the Levy County Planning and Zoning Department. These changes must be received 10 days prior to the Planning Commission Public Hearing.

- (g) Applications may be submitted as follows:
 - In Person: Levy County Planning and Zoning Department, located at 320 Mongo Street, Bronson, Florida.
 - By Mail: Levy County Planning and Zoning Department, 320 Mongo Street, Bronson, Florida, 32621.

- (h) With approval by the Planning and Zoning Director, this office will prepare 2 posters (with Notice of Land Use Action) and place them on the subject property approximately 2 weeks prior to the public hearing.

- (I) Abutting property owners will be notified by mail of the request. “Abutting property” is any property immediately adjacent or contiguous to the property which is the subject of this request or located within 300 (three hundred) feet of the subject property lines including, immediately across any road or public right-of-way for said property.

- (j) It is highly advised that the applicant or representative be present at the Public Hearing by the Planning Commission and the Board of County Commissioners. The Commission, at its discretion, may defer action, or take decisive action on any application.

Additional Assistance: If you require further information, please contact the Levy County Planning and Zoning Department at (352) 486-5203 or visit the above address in person.

**APPLICATION FOR CHANGE OF ZONING
LEVY COUNTY, FLORIDA**

VIII. 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

Name: _____

Address: _____

Phone: _____

Owner of Record

Name: _____

Address: _____

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 the 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.

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 _____

Owner Signature

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

Signature - Notary Public

Personally known _____ Identification Expiration Date _____

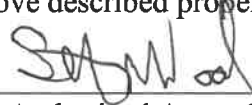
APPLICATION FOR CHANGE OF ZONING
LEVY COUNTY, FLORIDA

AGENT VERIFICATION (if applicable)

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.

09/26/2022

Date

 SETH WOOD

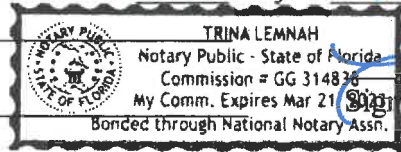
Authorized Agent Signature (if applicable)

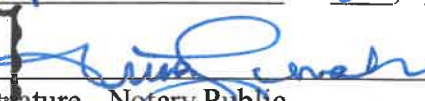
STATE OF FLORIDA

COUNTY OF Alachua

Sworn to and scribed before me this 26th Day of September 20 22, by (name)

Seth Wood





Signature - Notary Public

Personally known

Identification Expiration Date

3/21/2023

Office Use Only:

PC Public Hearing Date _____

Recommendation: Approval _____ Denial _____

BOCC Public Hearing Date _____ BOCC Action _____

Ordinance Number _____ Adoption Date _____

**Attachment I.
Additional Property Owners**

I. APPLICANT INFORMATION: Please print unless otherwise specified.

Applicants name	<u>CHW Inc.</u>	Owners name	<u>Christopher P Healy</u>
Address	<u>11801 Research Drive</u>	Address	<u>1815 SW 34th Ct</u>
State	<u>Florida</u>	Zip Code	<u>32615</u>
State	<u>Florida</u>	Zip Code	<u>34474</u>
Phone No. (352)	<u>331-1976</u>	Phone No. ()	<u>Contact Agent</u>
Email	<u>sethw@chw-inc.com</u>	Email	<u>Contact Agent</u>

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R

Revised to:
Prepared by: Sue Smith
LEVY ABSTRACT & TITLE COMPANY
Post Office Box 148
Bronson, FL 32621
Tax I.D. # 09555-311;012;013-00

FILE# 421262
Levy County, FLORIDA

RCD Feb 25 2004 02:54
Danny J. Shipp., CLERK

DEED DOC STAMPS 196.00
02/25/04 MKP Deputy Clk

WARRANTY DEED

THIS INDENTURE made this 20 day of February, 2004, between MARK S. AUDET as custodian for MICHAEL S. AUDET, SAMANTHA A. AUDET and MARCUS S. McNEIL under the Florida Uniform Transfers to Minors Act, Grantor, whose mailing address is 975 Douglas Turnpike, Harrisville, RI 02830, and MICHAEL F. ELLIOTT and RENE A. ELLIOTT, husband and wife, Grantee, whose mailing address is 5751 NE 162 Ct., Williston, FL 32696, and whose Social Security number is _____.

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representative and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH: That Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Levy County, Florida, to-wit:

Lots 11, 12 and 13, Block 74, THE REPLAT OF WILLISTON HIGHLANDS, UNIT 5, according to the plat thereof recorded in Plat Book 4, page 5 thru 5E, Public Records of Levy County, Florida.

"Grantor covenants and avers that MICHAEL S. AUDET, SAMANTHA A. AUDET and MARCUS S. McNEIL are minors as of the date of their conveyance.

The above described property is not the homestead of the Grantor, nor is it contiguous thereto.

SUBJECT TO conditions, restrictions, reservations, limitations and easements of record, if any, and zoning and other governmental regulations.

TOGETHER WITH all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

And Grantor does hereby fully warrant the title to the land, and will defend the same against the lawful claims of all persons whomsoever, except taxes accruing subsequent to December 31, 2003.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered
in the presence of:

William McCurdy
1st Witness Signature

William McCurdy
1st Witness Printed Name

Sue Smith
2nd Witness Signature

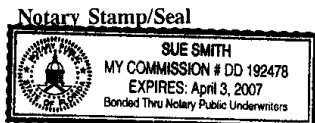
Sue Smith
2nd Witness Printed Name

MARK S. AUDET L.S.
MARK S. AUDET as custodian for MICHAEL S. AUDET, SAMANTHA A. AUDET and MARCUS S. McNEIL, under the Florida Uniform Transfers to Minors Act.

STATE OF FLORIDA
COUNTY OF LEVY

BOOK 875 PAGE 981

The foregoing instrument was acknowledged before me this 20 day of February, 2004 by MARK S. AUDET, as custodian for MICHAEL S. AUDET, SAMANTHA A. AUDET and MARCUS S. McNEIL under the Florida Uniform Transfers to Minors Act, who (CHECK ONE): is personally known to me OR _____ produced _____ as identification.
(Type of identification)



Sue Smith
Signature of Notary

Printed Name
My Commission Expires:

66.00
6.00

D.R. 334 PAGE 759

Prepared by
Kaufman Pankow
Levy Abstract & Title Company
Bronson, Florida

This Warranty Deed Made the 23rd day of June A.D. 1988 by
DAVID P. MUNSELL, JR. and THOMAS M. MUNSELL

hereinafter called the grantor, to
CHRISTOPHER P. HEALY

whose post office address is 1901 NE 49TH AVENUE, OCALA, Florida 32671

hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

Witnesseth: That the grantor, for and in consideration of the sum of \$ TEN & NO/100 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in LEVY County, Florida, viz:

LOT 10, BLOCK 74, WILLISTON HIGHLANDS, UNIT 5 REPLAT, according to the plat thereof recorded in Plat Book 4, Page 5, public records of Levy County, Florida.

SUBJECT TO conditions, restrictions, limitations and easements of record, if any, and zoning and other governmental regulations.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) nor any members of the household of Grantor(s) reside thereon.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1987.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Alan H. Super

David P. Munsell, Jr. [L.S.]
DAVID P. MUNSELL, JR.

Witness Thomas M. Munsell

Thomas M. Munsell [L.S.]
THOMAS M. MUNSELL

Doc. Stamps Pd. \$ 66.00 Date 7-21-88 [L.S.]

\$ _____ Intangible Tax Paid [L.S.]

Douglas M. McKay, Clerk, Levy County

State of MASS
County of Barstable

Space Below For Recorder's Use

The foregoing instrument was acknowledged before me this day of 23rd June, 1988, by
DAVID P. MUNSELL, JR. and THOMAS M. MUNSELL

179608

DOUGLAS M. MCKAY
CLERK OF CIRCUIT COURT
LEVY COUNTY, FLORIDA

(seal) Barbara K. Briggs
Notary Public
My commission expires: 6/8/90

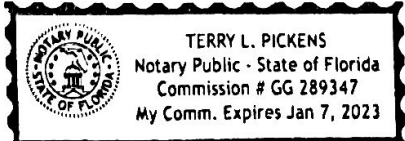
'88 JUL 21 PM 3 18

D.R. 334 PAGE 759 RP-9-LAST TT-14171

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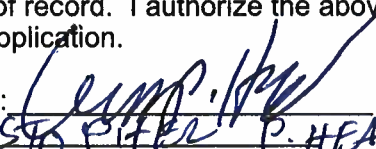
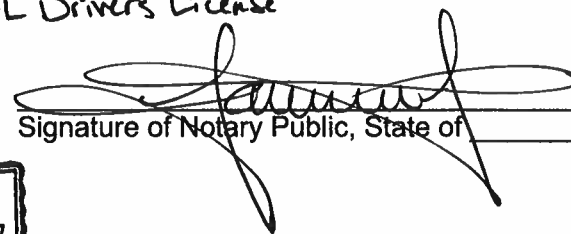
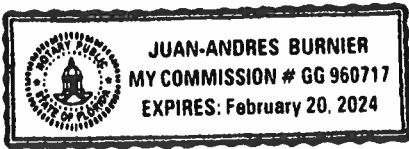
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2. Change of Zoning Application
3. Property Deeds
- 4. Property Owner Affidavits**
5. Legal Description
6. Site Photographs
7. Map Set
 - a. Parcel Map with Aerial
 - b. Future Land Use Map
 - c. Existing Zoning Map
 - d. Proposed Zoning Map
8. Rezoning Justification Report
9. Conceptual Site Layout

PROPERTY OWNER AFFIDAVIT

Owner Name: Michael and Rene Elliott			
Address: 15871 SE 22 nd Pl Morrison, FL 32668	Phone: contact agent		
Agent Name: CHW			
Address: 11801 Research Dr Alachua, FL 32615	Phone: (352) 454-3361		
Other: Concept Development, Inc.			
Address: 1449 SW 70 th Drive, Suite 200 Gainesville, FL 32607	Phone: contact agent		
Parcel No.: 0955501100, 0955501200, 0955501300			
Acreage: 1.32	S: 5	T: 14	R: 18
Requested Action: To obtain approvals from Levy County Planning and Zoning Department, Levy County Site Plan, Levy County Parking Variance, Levy County Department of Health, Levy County Building Department, Southwest Florida Water Management District (SWFWMD), FDOT Drainage Connection Permit, FDEP NOI.			
I hereby certify that: I am the property owner of record. I authorize the above listed agent to act on my behalf for the purposes of this application.			
Property owner signature: <u><i>M. A.</i></u>			
Property owner signature: <u><i>Rene Elliott</i></u>			
Printed names: <u>MIKE ELLIOTT</u> <u>Rene Elliott</u>			
Date: <u>9-21-22</u>			
The foregoing instrument was acknowledged before me by means of <input checked="" type="checkbox"/> physical presence or <input type="checkbox"/> online notarization, this <u>21st</u> day of <u>Sept</u> , 20 <u>22</u> , by _____.			
Personally Known OR Produced Identification Type of Identification Produced:			
NOTARY SEAL		<u><i>Terry L. Pickens</i></u> Signature of Notary Public, State of <u>Florida</u>	
			

PROPERTY OWNER AFFIDAVIT



Owner Name: Christopher Healy			
Address: 1815 SW 34 th Ct Ocala, FL 34474		Phone: contact agent	
Agent Name: CHW			
Address: 11801 Research Dr Alachua, FL 32615		Phone: (352) 454-3361	
Other: Concept Development, Inc.			
Address: 1449 SW 70 th Drive, Suite 200 Gainesville, FL 32607		Phone: contact agent	
Parcel No.: 0955501000			
Acreage: 1.32		S: 5	T: 14 R: 18
Requested Action:			
To obtain approvals from Levy County Planning & Zoning Department, Levy County Site Plan, Levy County Parking Variance, Levy County Department of Health, Levy County Building Department, Southwest Florida Water Management District (SWFWMD), FDOT Drainage Connection Permit, FDEP NOI.			
I hereby certify that:			
I am the property owner of record. I authorize the above listed agent to act on my behalf for the purposes of this application.			
Property owner signature: 			
Printed name: <u>CHRISTOPHER P. HEALY</u>			
Date: <u>9/21/22</u>			
The foregoing instrument was acknowledged before me by means of <input checked="" type="checkbox"/> physical presence or <input type="checkbox"/> online notarization, this <u>21st</u> day of <u>September</u> , 20 <u>22</u> by <u>Christopher P. Healy</u> .			
Personally Known OR Produced Identification			
Type of Identification Produced: <u>FL Drivers License</u>			
NOTARY SEAL		 Signature of Notary Public, State of _____	
			

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DESCRIPTION:

(PER FIRST AMERICAN TITLE INSURANCE COMPANY)

PARCEL 1 (FILE NO.: 2076-5965119, DATED: MARCH 30, 2022)

LOT 10, BLOCK 74, THE REPLAT OF WILLISTON HIGHLANDS UNIT 5, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 4, PAGE 5, PUBLIC RECORDS OF LEVY, COUNTY FLORIDA.

PARCEL 2 (FILE NO.: 2076-5965169, DATED: APRIL 04, 2022)

LOTS 11, 12, AND 13, BLOCK 74 OF THE REPLAT OF WILLISTON HIGHLANDS UNIT 5, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE(S) 5 THRU SE, OF THE PUBLIC RECORDS OF LEVY, COUNTY FLORIDA.

SCHEDULE B-II EXCEPTIONS:

PARCEL 1 (FILE NO.: 2076-5965119, DATED: MARCH 30, 2022)

9. RESTRICTIONS, DEDICATIONS, CONDITIONS, RESERVATIONS, EASEMENTS AND OTHER MATTERS SHOWN ON THE PLAT OF THE REPLAT OF WILLISTON HIGHLANDS UNIT 5, AS RECORDED IN PLAT BOOK 4, PAGE(S) 5, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C). (NOT MAPPABLE)

10. DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS, RECORDED IN BOOK 14, PAGE 279 (AFFECTS THIS PARCEL AS SHOWN HEREON), AND MODIFICATION OF RESTRICTIONS RECORDED IN BOOK 15, PAGE 45 (AFFECTS THIS PARCEL AS SHOWN HEREON) AND ARTICLES OF AMENDMENT RECORDED IN BOOK 141, PAGE 515 (BLANKET IN NATURE), BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C).

PARCEL 2 (FILE NO.: 2076-5965169, DATED: APRIL 04, 2022)

9. RESTRICTIONS, DEDICATIONS, CONDITIONS, RESERVATIONS, EASEMENTS AND OTHER MATTERS SHOWN ON THE PLAT OF THE REPLAT OF WILLISTON HIGHLANDS UNIT 5, AS RECORDED IN PLAT BOOK 4, PAGE(S) 5, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C). (NOT MAPPABLE)

10. DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS, RECORDED IN BOOK 14, PAGE 279 (AFFECTS THIS PARCEL AS SHOWN HEREON), AND MODIFICATION OF RESTRICTIONS RECORDED IN BOOK 15, PAGE 45 (AFFECTS THIS PARCEL AS SHOWN HEREON) AND ARTICLES OF AMENDMENT RECORDED IN BOOK 141, PAGE 515 (BLANKET IN NATURE), BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C).

SURVEYOR'S NOTES:

- 1. BEARINGS SHOWN HEREON ARE REFERRED TO A WALL OF N 87°14'54" W, FOR THE SOUTH LINE OF BLOCK 74, OF THE REPLAT OF WILLISTON HIGHLANDS UNIT 5; SAID BEARING IS IDENTICAL TO THE PLAT OF RECORD.
2. NO UNDERGROUND INSTALLATION OF UTILITIES OR IMPROVEMENTS HAVE BEEN LOCATED. NO RECORD DRAWINGS WERE FURNISHED TO THIS SURVEYOR.
3. THE SURVEYOR HAS NO KNOWLEDGE OF UNDERGROUND FOUNDATIONS WHICH MAY ENCROACH.
4. INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED TO THE SURVEYOR BY FIRST AMERICAN TITLE INSURANCE COMPANY; FILE NO.: 2076-5965119, DATED: MARCH 30, 2022, AND FILE NO.: 2076-5965169, DATED: APRIL 04, 2022. SEARCH OF THE PUBLIC RECORDS HAS NOT BEEN DONE BY THE SURVEYOR.
5. INFORMATION FROM FEDERAL EMERGENCY MANAGEMENT AGENCY, (F.E.M.A.) FLOOD INSURANCE RATE MAP(S), SHOWN ON THIS MAP WAS CURRENT AS OF THE REFERENCED DATE. MAP REVISIONS AND AMENDMENTS ARE PERIODICALLY MADE BY LETTER AND MAY NOT BE REFLECTED ON THE MOST CURRENT MAP.
6. FENCES, FENCES, MONUMENTATION AND UTILITIES SHOWN HEREON MAY BE EXAGGERATED FOR PICTORIAL PURPOSES ONLY AND MAY NOT BE SHOWN TO SCALE.
7. IN THE OPINION OF THIS SURVEYOR, THE PERIMETER LINES AS SHOWN HEREON REPRESENT THE LOCATION OF THE BOUNDARY LINES OF THE SUBJECT PARCEL IN RELATION TO THE PLAT OF RECORD AND THOSE EXISTING LAND CORNERS FOUND TO BE ACCEPTABLE BY THIS SURVEYOR. ALL FEATURES SHOWN HEREON WERE LOCATED AND MAPPED UNDER THE RESPONSIBLE CHARGE OF THIS SURVEYOR.
8. THERE ARE ZERO PARKING SPACES LOCATED WITHIN THE SUBJECT PARCEL AS OF THE SURVEY DATE.
9. VERTICAL DATUM IS BASED ON FOOT BENCHMARK 3403001BM14; ELEVATION = 66.71 FEET (NAVD88); NORTHING = 1802657 FEET; EASTING = 485818 FEET; HORIZONTAL DATUM: NAD83, ZONE 902 WEST; LAT = 29°17'29"; LONG = 82°32'03"; LEVY COUNTY, FLORIDA
10. ADDITIONAL POINTS MAY BE FOUND BY TURNING ON THE SV - NODE' LAYERS IN THE SUPPLIED DIGITAL FILE.
11. THERE IS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
12. THERE ARE NO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES AND THERE IS NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
13. THERE IS NO OBSERVED EVIDENCE OF SITE USE AS A CEMETERY, SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
14. BUILDING SETBACK LINES AND EASEMENTS SHOWN HEREON ARE BASED ON THE CONVENTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS FURNISHED TO THIS SURVEYOR.
15. THE SITE IS 0 FEET TO THE INTERSECTION OF STATE ROAD 121 AND COUNTY ROAD 326.

LEGEND:

- (C) = CALCULATED DATA BASED ON THE PLAT OF RECORD
(P) = DATA BASED ON PLAT OF RECORD
(M) = DATA BASED ON FIELD MEASUREMENTS
(FO) = FIELD OBSERVATION
P.U.E. = PUBLIC UTILITIES EASEMENT
B.S.L. = BUILDING SETBACK LINE
RW = RIGHT OF WAY
N = NORTH
E = EAST
S = SOUTH
W = WEST
NE = NORTHEAST
F.K.A. = FORMERLY KNOWN AS
FEMA = FEDERAL EMERGENCY MANAGEMENT AGENCY
F.I.R.M. = FLOOD INSURANCE RATE MAP
X 47.5 = SPOT ELEVATION (IMPERVIOUS SURFACE)
X 47.75 = SPOT ELEVATION (IMPERVIOUS SURFACE)
LO = LIVE OAK
LAO = LAUREL OAK
BOK = BLACK JACK OAK
CHY = CHERRY
= BENCHMARK
= FOUND 4"x4" CONCRETE MONUMENT STAMPED AS NOTED
= FOUND 5/8" STEEL REBAR & CAP STAMPED AS NOTED
= SET 5/8" STEEL REBAR AND CAP STAMPED 'CHW INC LB 5075'
= WOODEN POWER POLE
= OVERHEAD TRAFFIC SIGNAL
= CONCRETE TRAFFIC SIGNAL SPAN POLE
= TELEPHONE PEDESTAL
= FIBER OPTIC LINE MARKER
= GUY POLE
= GUY ANCHOR
= TREE TYPE AS NOTED
= SIGN MARKED AS NOTED

- OHW = OVERHEAD WIRE
= RW LINE
= ADJOINING PARCEL LINE
= SUBJECT PARCEL LINE
= LOT LINE
= BUILDING SETBACK LINE
= EASEMENT LINE
= TRAFFIC SIGNAL SPAN WIRE
= RW CENTERLINE
= END OF FEATURE NOT DETERMINED
= CONTOUR LINE
= ASPHALT SURFACE
= LIMEROCK SURFACE
= ROADWAY PAVEMENT MARKINGS

ZONING RESTRICTIONS:

CURRENT ZONING: ARR
BUILDING SETBACKS:
FRONT = 50 FEET
SIDE = 10 FEET
REAR = 50 FEET
MAXIMUM BUILDING HEIGHT: 50 FEET
MINIMUM LOT SIZE: 10 ACRES
MINIMUM LOT WIDTH: 200 FEET
MINIMUM LOT DEPTH: 300 FEET
PROPOSED ZONING: RMU
BUILDING SETBACKS:
FRONT = 30 FEET
SIDE = 10 FEET
REAR = 25 FEET
MAXIMUM BUILDING HEIGHT: 35 FEET
MINIMUM LOT SIZE: 1 ACRE
MINIMUM LOT WIDTH: 100 FEET
MINIMUM LOT DEPTH: 200 FEET

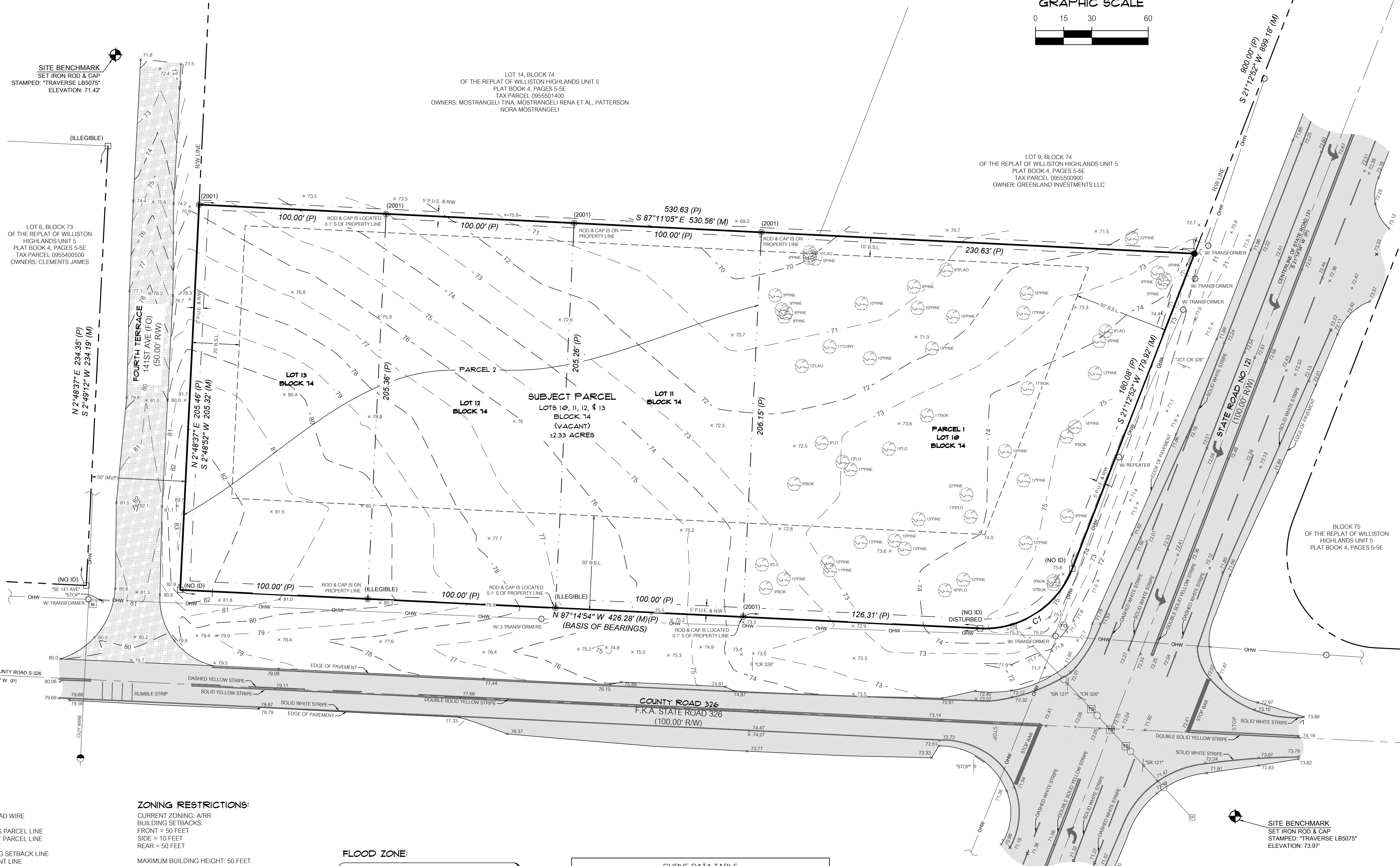
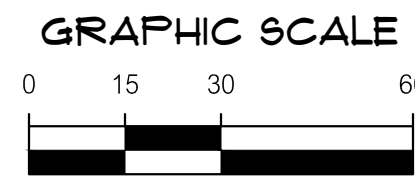
FLOOD ZONE:

THIS PROPERTY IS LOCATED IN FEDERAL FLOOD ZONE 'X', AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS INTERPOLATED FROM F.I.R.M. PANEL NO. 12075C0395F, EFFECTIVE DATE: NOVEMBER 02, 2012.

CURVE DATA TABLE

Table with 6 columns: CURVE, LENGTH, RADIUS, DELTA, TANGENT, CHORD, CHORD BEARING. Contains data for curves C1 (P) and C1 (M).

ALTA/NSPS LAND TITLE SURVEY
SITUATED IN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 14 SOUTH, RANGE 18 EAST, LEVY COUNTY, FLORIDA



SURVEYOR'S CERTIFICATION: TO CONCEPT DEVELOPMENT, INC., A FLORIDA CORPORATION; PROVIDENCE TITLE COMPANY; FIRST AMERICAN TITLE INSURANCE COMPANY; MICHAEL F. ELLIOT & RENE A. ELLIOT, HUSBAND AND WIFE; AND CHRISTOPHER P. HEALY.

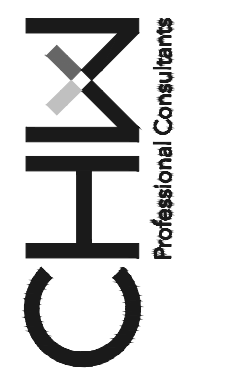
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(b), 8, 9, 11, 13, 14, 16, 17, AND 19 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON JULY 12, 2022.

CHAD A. COLSON, P.L.S.
FLORIDA SURVEYOR & MAPPER CERTIFICATE NUMBER 7142

DATE OF PLAT OR MAP:

This map prepared by: CHW INC.
Certificate of Substitution No. LB 5075
NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OR ELECTRONIC DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER
SHEET NO: 1 OF 1

18001 Research Drive
Alachua, Florida 32015
(352) 351-1976
www.chw-inc.com
est. 1988 FLORIDA
CA-5075



PROFESSIONAL CONSULTANTS
Professional Consultants

SEE SURVEYOR'S CERTIFICATIONS

CERTIFIED TO:

SURVEY DATE: 07-12-2022
REVISION DATE: N/A
PROJECT NUMBER: 22-0197
FIELD BOOK & PAGE: 655, 14-15

SEE SURVEYOR'S CERTIFICATIONS

Text: chad File Date: Jul 24, 2022 10:12am Filename: M:\2022\22-0197\Workitems\1_Survey\DWG\22-0197_Pse-Con ALTA_Top.dwg

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Direction: North



Photo taken September 9, 2022 by agent for the applicant.



Photo taken January 2014 by Google Street Car.

Direction: West



Photo taken September 9, 2022 by agent for the applicant.



Photo taken January 2014 by Google Street Car.

Direction: South



Photo taken September 9, 2022 by agent for the applicant.



Photo taken January 2014 by Google Street Car.

Direction: East



Photo taken September 9, 2022 by agent for the applicant.



Photo taken January 2014 by Google Street Car.

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Levy County Tax Parcels #
 095501000, 0955501100,
 0955501200, 0955501300

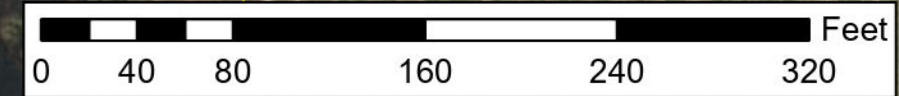


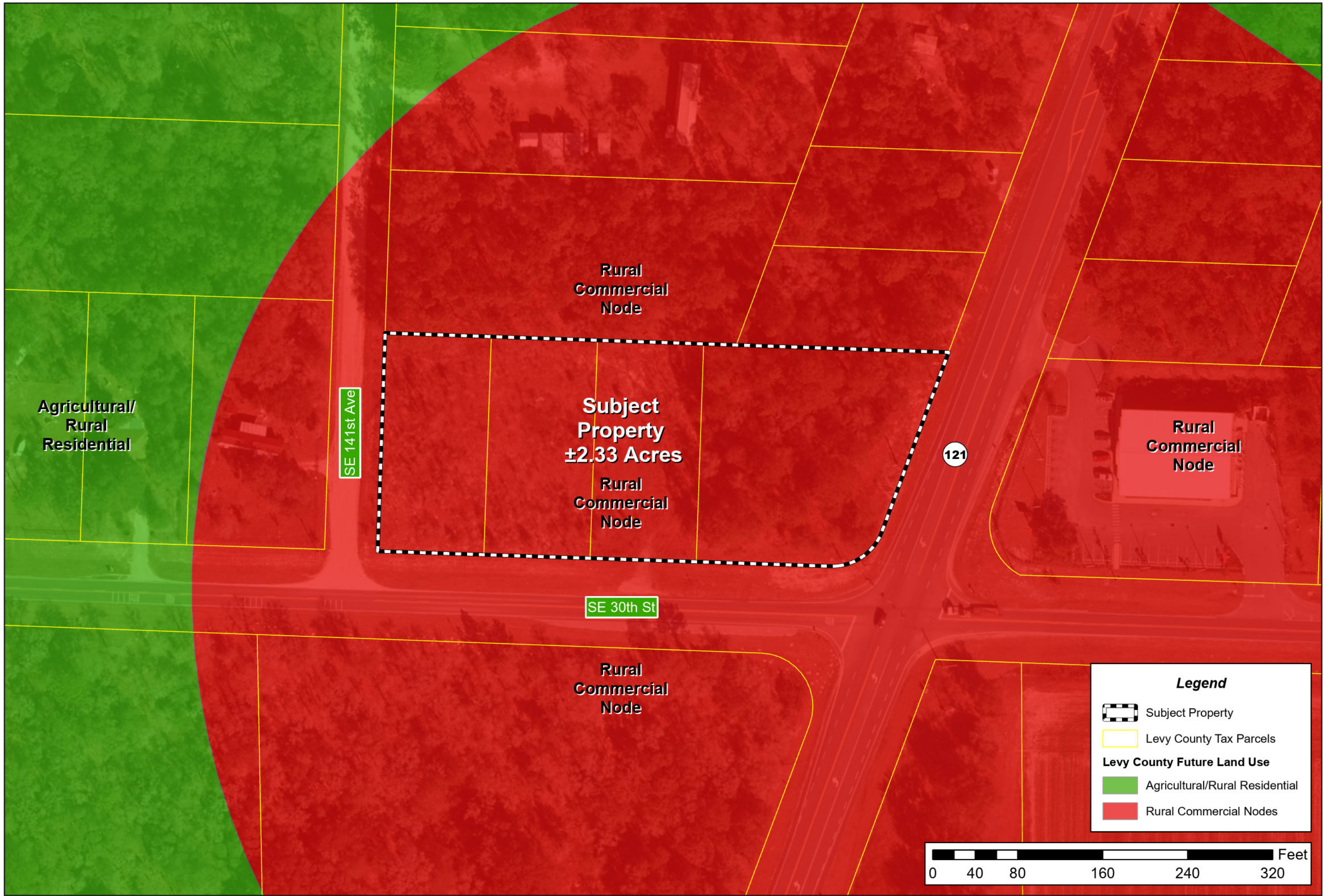
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 Standard Parallel 1: 28.533333
 Standard Parallel 2: 28.000000
 False Easting: 1000000.000000
 False Northing: 1000000.000000
 Datum: North American 1983
 Units: Meter
 Prepared by: Employee ##
 Date: 8/17/2022



Legend

- Subject Property
- Levy County Tax Parcels





Levy County Tax Parcels #
095501000, 0955501100,
0955501200, 0955501300

**Agricultural/
Rural
Residential**

SE 141st Ave

**Rural
Commercial
Node**

**Subject
Property
±2.33 Acres**

**Rural
Commercial
Node**





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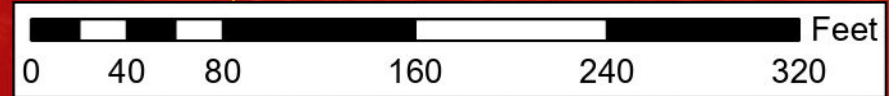
**Rural
Commercial
Node**

SE 30th St

**Rural
Commercial
Node**

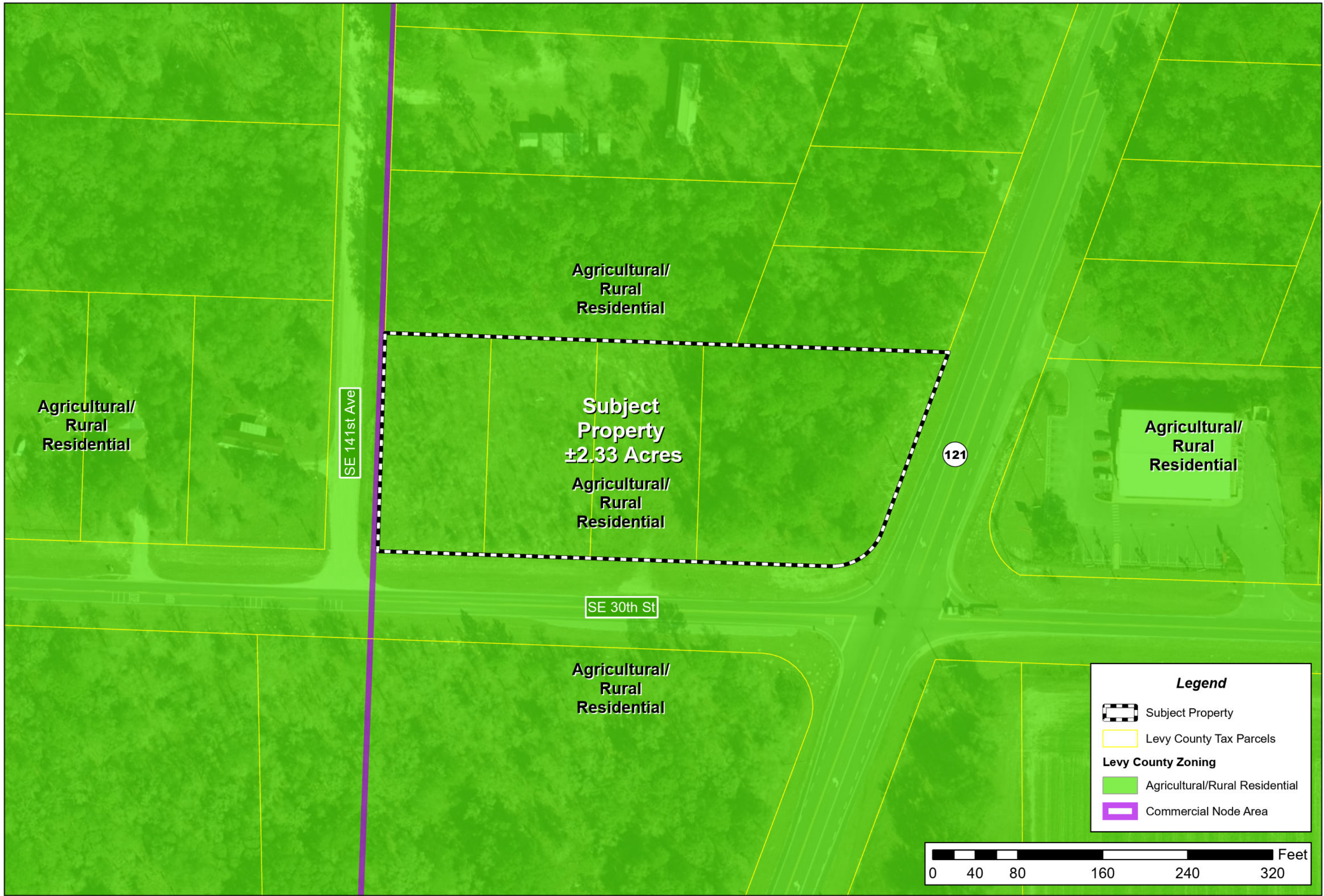
Legend

-  Subject Property
-  Levy County Tax Parcels
- Levy County Future Land Use**
-  Agricultural/Rural Residential
-  Rural Commercial Nodes



Projection: NAD_1983_StatePlane_Florida_East_FIPS5000
 Spheroid: GRS80
 Prime Meridian: -84.500000
 Standard Parallel 1: 28.533333
 Standard Parallel 2: 28.000000
 False Easting: 1000000.000000
 False Northing: 0.000000
 Units: Feet
 Datum: North American 1983
 Prepared by: Employee ##
 Date: 8/17/2022





Levy County Tax Parcels #
095501000, 0955501100,
0955501200, 0955501300

SE 141st Ave

Agricultural/
Rural
Residential

Agricultural/
Rural
Residential

**Subject
Property
±2.33 Acres**
Agricultural/
Rural
Residential





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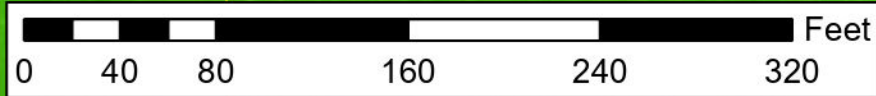
Agricultural/
Rural
Residential

SE 30th St

Agricultural/
Rural
Residential

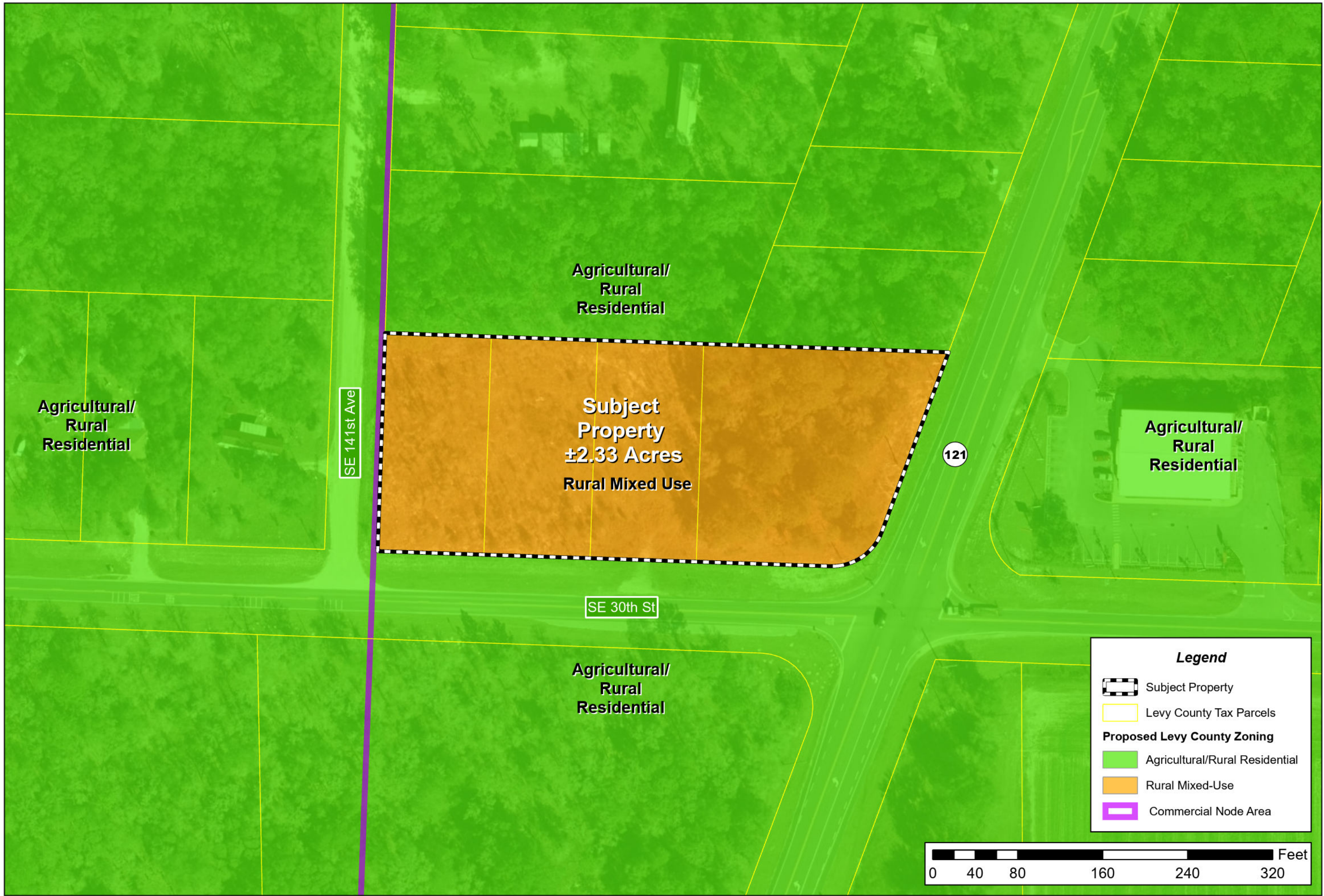
Legend

-  Subject Property
-  Levy County Tax Parcels
- Levy County Zoning**
-  Agricultural/Rural Residential
-  Commercial Node Area



Projection: NAD_1983_StatePlane_Florida_Southern
 Spheroid: Clarke 1866
 Prime Meridian: -84.500000
 Standard Parallel 1: 26.666667
 Standard Parallel 2: 26.666667
 False Easting: 1500000.000000
 False Northing: 1000000.000000
 Units: Feet
 Datum: North American 1983
 Prepared by: Employee ##
 Date: 8/17/2022





Levy County Tax Parcels #
095501000, 0955501100,
0955501200, 0955501300



Projection: NAD_1983_StatePlane_Florida_Southern_FIPS5000
 Spheroid: GRS80
 Prime Meridian: -84.500000
 Standard Parallel 1: 28.533333
 Standard Parallel 2: 28.000000
 False Easting: 1000000.000000
 False Northing: 1000000.000000
 Datum: North American 1983
 Units: Meter
 Prepared by: Employee ##
 Date: 8/20/2022



Application Package
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COMMERCIAL RETAIL STORE MORRISTON

Rezoning–Justification Report

September 26, 2022

Prepared for:

Levy County Office of Planning and Zoning

Prepared on behalf of:

Concept Companies, Inc.

Prepared by:

CHW

PN# 22-0197.02

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1. EXECUTIVE SUMMARY

To: Stacey Hectus, Levy County Planning & Zoning Director
From: Seth Wood, AICP, Planner, CHW
Date: September 26, 2022
Re: Commercial Retail Store Morriston – Rezoning Application

<p><u>Jurisdiction:</u> Levy County</p>	<p><u>Intent of Application:</u> To appropriately zone property for development of a commercial retail store.</p>
<p><u>Description of Location:</u> In the northwest quadrant of the intersection of State Road 121 and SE 30th Street, between State Road 121 and SE 141st Avenue.</p>	
<p><u>Parcel Numbers:</u> 0955501000 0955501100 0955501200 0955501300</p>	<p><u>Acres:</u> ±2.33 acres (Source: CHW Survey)</p>
<p><u>Future Land Use (FLU) Classification:</u> <i>Rural Commercial Node</i> The Rural Commercial Node FLU classification designates land appropriate for development including neighborhood commercial uses supporting established communities in rural areas of the County. The intent is to promote compact, nodal development, and to reduce the number and length of vehicular trips for retail services and employment. Uses include retail activities such as convenience stores.</p>	
<p><u>Existing Zoning District:</u> <i>Agricultural/Rural Residential (A/RR), Commercial Node Area</i> The A/RR district is intended to provide for the continued viability of agribusiness in the county while permitting low-density residential land uses that are compatible with the predominant land use in the district—commercial farming. <i>Per Land Development Code Sec. 50-663., the A/RR zoning district is <u>not compatible</u> with the Rural Commercial Node FLU classification.</i></p>	<p><u>Proposed Zoning District:</u> <i>Rural Mixed Use (RMU), Commercial Node Area</i> The RMU district is intended to provide for mixed use development in rural commercial nodes, including limited neighborhood commercial, residential, and agriculture-related commercial and industrial uses to support established communities in rural areas of the County. <i>Per Land Development Code Sec. 50-663., the RMU zoning district is <u>compatible</u> with the Rural Commercial Node FLU classification.</i> <i>Per Land Development Code Sec. 50-676., Schedule 1, commercial retail stores are permitted in RMU.</i></p>

1. EXECUTIVE SUMMARY

Existing Max. Allowed Intensity: ±2.33 acres * 20% Lot coverage = ±20,298.96 sq. ft. <i>Lot Coverage Percentage per Land Development Regulations Sec. 50-678., Schedule 2-1</i>	Proposed Max. Allowed Intensity: ±2.33 acres * 50% lot coverage = ±50,747.4 sq. ft. <i>Lot Coverage Percentage per Land Development Regulations Sec. 50-678., Schedule 2-1</i>
Net Change Approval of this application has the potential to increase onsite permitted intensity by ±30,448.44 sq. ft. In reality, the development to follow this application will be a ±10,640 sq. ft. commercial retail store with associated potable water well, onsite septic system, and parking.	

2. STATEMENT OF PROPOSED CHANGE

This rezoning application requests to change the zoning district designation of Levy County tax parcels 0955501000, 0955501100, 0955501200, and 0955501300 (hereinafter “the subject property”) from Agriculture/Rural Residential (ARR) to Rural Mixed Use (RMU). The subject property is located in the northwest quadrant of the intersection of State Road 121 and SE 30th Street, between State Road 121 and SE 141st Avenue. **Figure 1** illustrates the site’s location and conditions.



Figure 1: Aerial Map

The intent of this request is to appropriately zone the subject property for the development of a new commercial retail store.

Existing FLU and Zoning designations of adjacent parcels are identified in **Table 1** and illustrated in **Figures 2** and **3**. The proposed Zoning District is illustrated in **Figure 4**.

Table 1: Surrounding Future Land Use and Zoning Designations

Direction	Future Land Use Designation	Zoning Designation
North	Rural Commercial Node	Agriculture/Rural Residential
East	State Road 121 right-of-way, Rural Commercial Node	State Road 121 right-of-way, Agriculture/Rural Residential
South	SE 30 th Street right-of-way, Rural Commercial Node	SE 30 th Street right-of-way, Agriculture/Rural Residential
West	SE 141 st Avenue right-of-way, Rural Commercial Node	SE 141 st Avenue right-of-way, Agriculture/Rural Residential

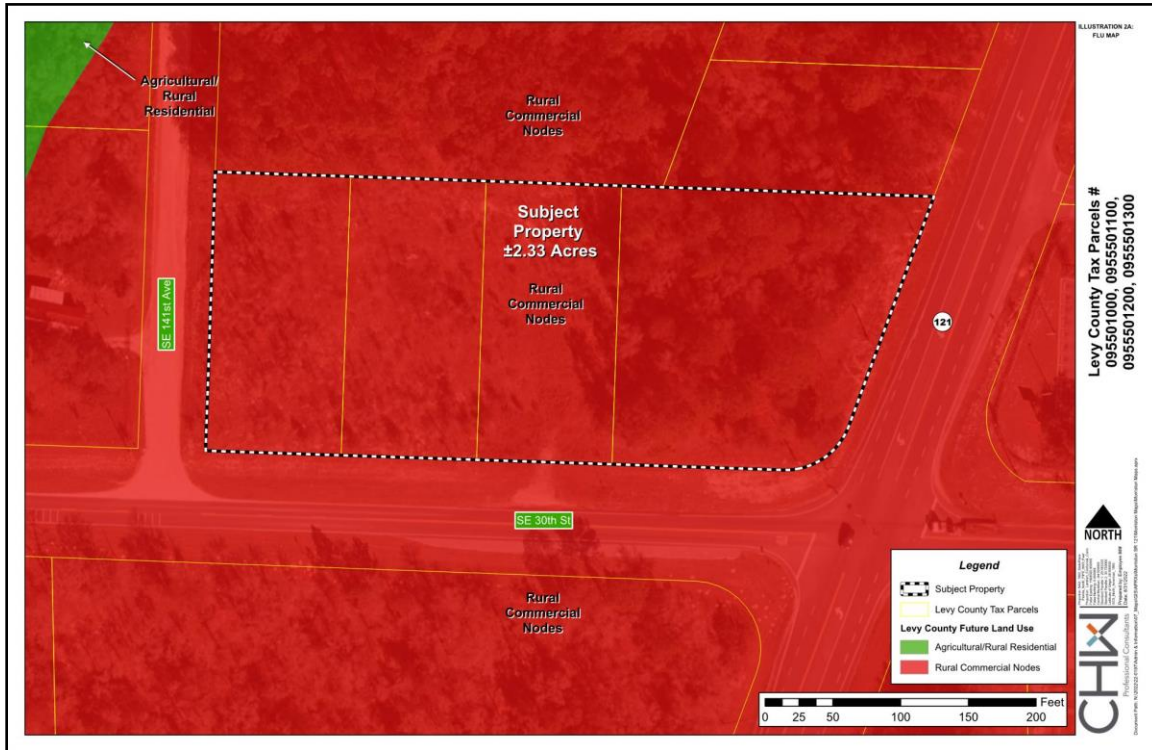


Figure 2: Future Land Use Map

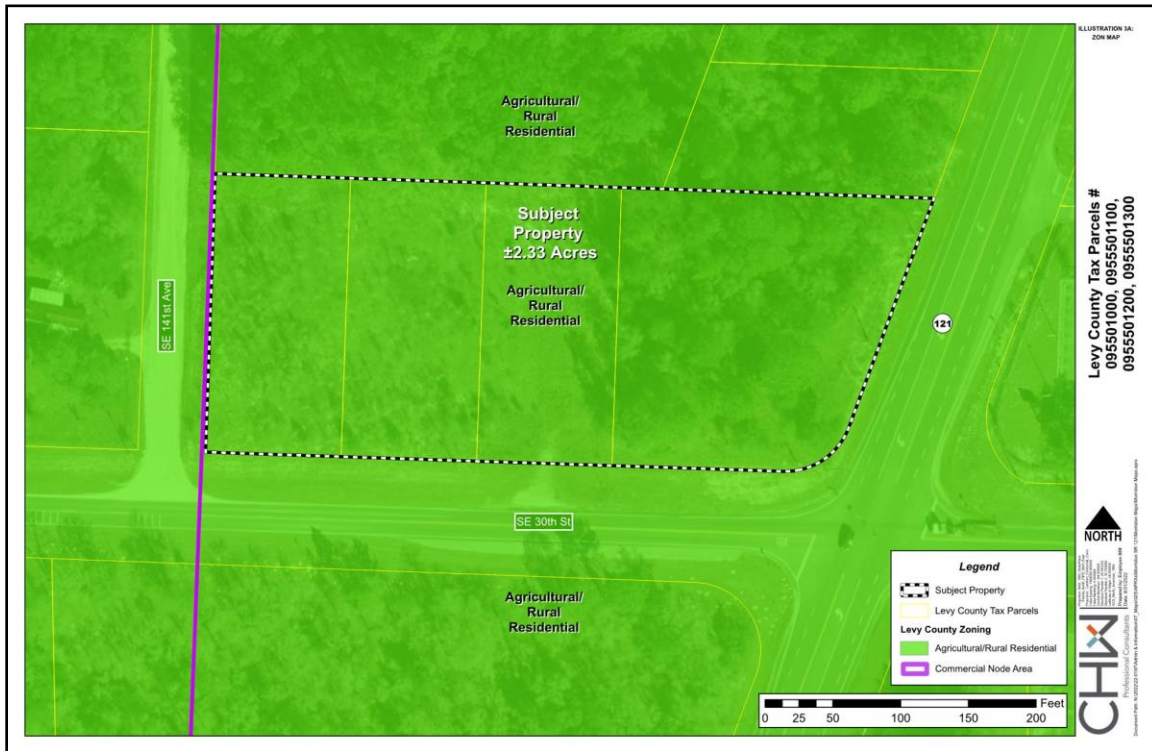


Figure 3: Existing Zoning Map

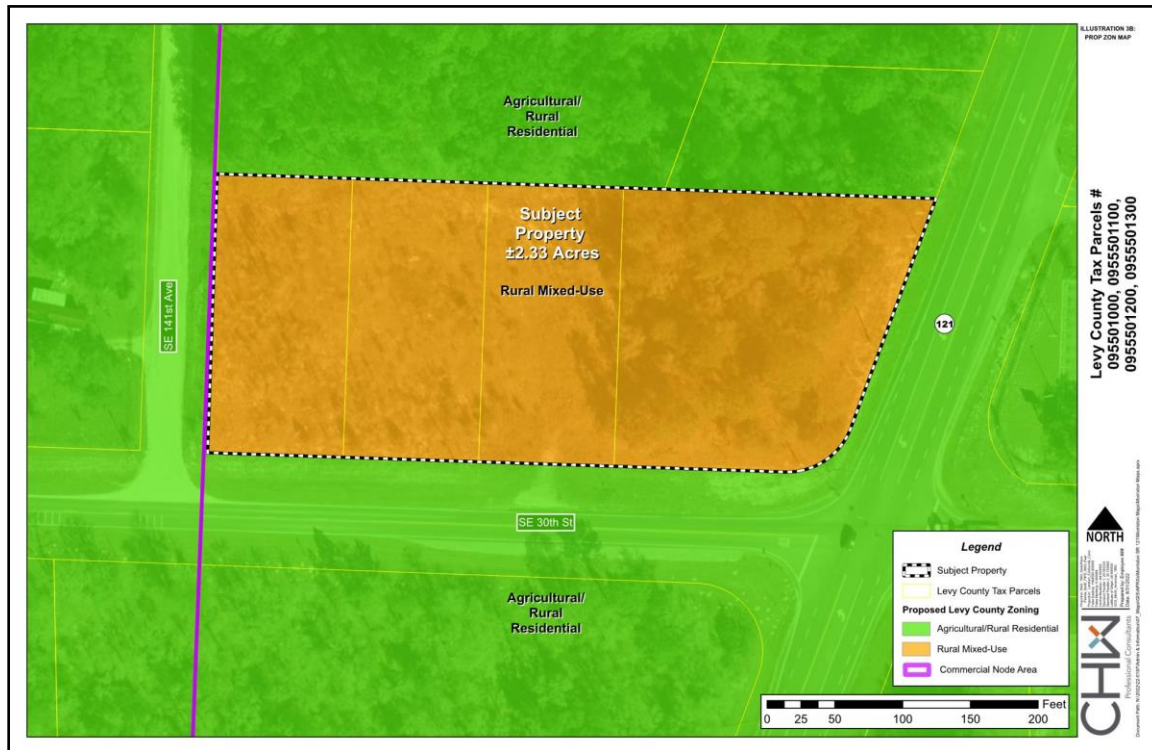


Figure 4: Proposed Zoning Map

3. CONSISTENCY WITH LEVY COUNTY COMPREHENSIVE PLAN

This section identifies specific Levy County Comprehensive Plan Goals, Objectives, and Policies and explains how these applications are consistent with each. Text from the Levy County Comprehensive Plan is provided in normal font. Consistency statements are provided in **bold font**.

Policy 1.2 Land use categories on the Future Land Use Map shall be defined as follows:

...

Rural Commercial Node

This category provides mixed use development, including limited neighborhood commercial, residential and agriculturally related industrial uses to support established communities in the rural areas in the County. The intent of this land use is to promote compact nodal development, redevelopment, and to reduce the number and length of vehicular trips for retail services and employment. Rural Commercial Nodes include residential offices such as physicians, farm management services and other similar professional offices, and limited retail activities such as convenience store, daycare, supermarket, farm related sales and service, and restaurants and other similar uses. Rural Commercial Nodes shall be classified as either Rural Neighborhood Commercial or Rural General Commercial. Classifications and boundaries of Rural Commercial Nodes shall be provided in the zoning map series.

The classification of Rural Neighborhood Commercial shall be characterized by the following criteria: located on county rural collector roads only, have a maximum node size of fifty (50) acres, uses may include those that predominantly provide services to surrounding rural communities, such as: residential offices including physicians, farm management services and other similar personal service establishments, and limited retail activities such as convenience store, daycare, supermarket, farm related sales and service, and restaurants and other similar uses. The maximum floor area ratio is .35 for non-residential uses.

...

Within a node, the minimum lot size for commercial development is one-fourth (1/4) acre and a maximum lot size of five (5) acres. The minimum lot size for industrial uses is one (1) acre. Residential densities within Rural Commercial Nodes shall be a maximum of one dwelling unit per three (3) acres or one dwelling unit per parcel of record as of December 31, 1989. Any development in platted subdivisions created pursuant to Levy County ordinances or Levy County Code provisions applicable at the time of creation and existing as of December 31, 1989, will be exempt from the parcel size required for new subdivisions, but shall be required to comply with all lot coverage and setback requirements applicable to new subdivisions. The location of Rural Commercial Nodes shall be consistent with Policy 1.7.

The subject property is within a Rural Commercial Node. The ultimate development intent on the subject property is a commercial retail store, which contains many of the uses listed as appropriate in the Rural Commercial Node. This development is possible only with approval of the proposed change of zoning.

Approval of this application will help meet the intentions of the FLU category by reducing the number and length of vehicular trips for retail services and employment. The development to follow this application's approval will offer employment opportunities to

area residents, and offer convenient access to needed daily goods for nearby residents and those working in the area.

Policy 6.2 Allowable rural commercial uses will be encouraged to utilize existing residences for professional offices and to provide for low intensity neighborhood retail services. New structures and non-office commercial uses may be permitted and shall be consistent with the following guidelines and criteria.

a. Development and Location Guidelines:

1. Proposed development shall provide landscaping and buffering to blend with existing uses and generally be limited to services/retail uses that serve the needs of immediate neighborhood(s);
2. The site must be highly accessible to adjacent residential areas.
3. The applicant shall document the demonstrated need for the proposed development.

The driver of this change of zoning request is the intent to build a commercial retail store on the subject property. This retail store will provide landscaping and buffering in accordance with the requirements of the County. The use will serve the needs of nearby neighborhoods by providing convenient access to various goods.

The subject property fronts three (3) roadways—SE 141st Avenue to the west; SE 30th Street to the south; and FL-121 to the east. Access for the development will be placed on SE 30th Street, a County road. The location of the subject property is highly accessible by nearby residents and travelers through the area.

The development to follow this request will address a need for easy access to various goods by neighbors, who presently have few options for convenient access to shopping.

b. Access and Spacing Criteria:

1. The site must have paved frontage and be located along a collector or minor arterial roadway. Access at an intersection shall be from the lower classified roadway to the maximum extent possible.

The subject property is at the intersection of FL-121 and SE 30th Street / County Road 326. Access to the subject property will be provided from County Road 326.

2. Establishment of new development shall be approved based on the following spacing requirements to encourage compact contiguous development and discourage urban sprawl development patterns.

a. Proposed development/uses shall not exceed a spacing distance of 1320 feet from an existing business(s); or

b. If the location is beyond 1320 feet of existing business (s), proposed development shall not be approved within six (6) miles of an established business.

The subject property is less than 1,320 feet from an existing business, across FL-121.

c. General Provision:

1. Proposed development shall be consistent with development standards and guidelines in the Comprehensive Plan and land development regulations;

Development to follow approval of this change of zoning request will be consistent with the development standards and guidelines in the Comprehensive Plan and Land Development Code.

The intent is that all commercial uses are contained within a 1/4 mile parameter and conform to Rural Commercial node standards. At the time three businesses are established within a 1/4 mile radius, the County may consider the establishment of a rural commercial node.

The subject property is within an existing Rural Commercial Node.

4. CONSISTENCY WITH LEVY COUNTY LAND DEVELOPMENT REGULATIONS

The following identifies how this application is consistent with Levy County’s Land Development Code (LDC). Language from the LDC is provided in normal font, and the consistency statements are provided in **bold** font.

Sec. 50-661. – Establishment of districts; intent of districts.

Rural mixed use (RMU) district. The RMU district is intended to provide for mixed use development in rural commercial nodes, including limited neighborhood commercial, residential and agriculture-related commercial and industrial uses to support established communities in rural areas of the county.

The subject property is in a Rural Commercial Node per the County’s Future Land Use Map. The requested RMU district is intended to provide for implementation of this FLU category. The desired end use, a commercial retail store, will support the established surrounding communities by providing access to needed daily goods.

Sec. 50-663. – Compatibility of zoning districts with future land use categories [abridged].

Land Use – Zoning Compatibility Table	
Land Use Categories	Zoning Districts
...	
Rural Commercial Node	RMU, NR-CON, REC, PF

This application requests RMU zoning for the subject property. The subject property is within the Rural Commercial Node Future Land Use category. This request will bring the subject property into compliance with Sec. 50-663 of the County LDC.

Currently, the subject property is designated with the Agricultural/Rural Residential (ARR) zoning district. The ARR district is not listed as compatible with the subject property’s underlying Future Land Use category. Approval of this request will align Future Land Use and zoning on the subject property and allow for implementation of the County’s goals for the Rural Commercial Node FLU category.

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.

As demonstrated in Section 4 of this report, the proposed rezoning is consistent with the pertinent Goals, Objectives, and Policies of the Levy County Comprehensive Plan. Section 4 of this report demonstrates the proposed rezoning’s consistency with the Levy County Land Development Code.

- (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.

The proposed rezoning is compatible with the present zoning pattern. The subject property sits within an area that is predominately zoned Agricultural/Rural Residential. The property is also within a Commercial Node Area. The proposed zoning district, Rural

Mixed Use, will maintain consistency with the rural intensions of the Agricultural/Rural Residential zoning while simultaneously allowing implementation of commercial uses within the Commercial Node.

The proposed rezoning is compatible with the uses of nearby property. The subject property is bordered to the north by undeveloped land; to the west by SE 141st Avenue and residential land use; to the south by SE 30th Street and a silvicultural operation; and to the east by FL-121 and a commercial use. The Rural Mixed Use zoning district allows a mixture of commercial uses, compatible with development to the east. The commercial uses allowed are focused on serving the goods and services needs of existing communities, compatible with the surrounding residential uses.

The proposed rezoning is compatible with the character of the surrounding area. The area is characterized as rural, with a mixture of residential, agricultural, and commercial uses in place. Additionally, the area is characterized by FL-121, which abuts the subject property to its east. FL-121 carries travelers through this portion of the County. The Rural Mixed Use zoning district is compatible with the character of the area, as it maintains rural character, serves the existing surrounding community, and allows nonresidential uses one may expect on a highway road.

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

The proposed rezoning will result in a logical, orderly development pattern, as defined by the County's Comprehensive Plan.

With the assignment of the Rural Commercial Node Future Land Use classification to the subject property and surrounding area, the County asserted that development of the area should occur in a way that provided commercial, residential, and/or agriculturally-related industrial uses that support communities in the rural areas of the County.

By changing the zoning of the property, from Agricultural/Rural Residential to Rural Mixed Use, development of the subject property can properly implement the Future Land Use classification of the area, realizing the intentions of the County's Future Land Use Map.

Additionally, the subject property is bordered to its east by FL-121. Placing a commercially-oriented zoning district on the side of a major roadway is logical, as it meets travelers where they are, rather than bringing their traffic onto smaller, more residentially-oriented roads.

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

The subject property is situated in an area of Levy County characterized by a mixture of homes and nonresidential retail and service provisions. It sits in the northwest quadrant of SE 30th Street and State Road 121.

The uses that are allowed in the proposed RMU zoning district include both residential and nonresidential uses. The nonresidential uses allowed include those that residents might look to for their daily needs, such as produce stands, fuel sales, grocery stores, and convenience stores, as planned for the subject property.

The subject property, fronting a state road in an area with a mixture of residential and nonresidential uses, is suitable for the uses allowed in the proposed zoning district,

because it is easily accessible to nearby residents and can serve the community's nonresidential needs.

(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).

The property is outside of the Levy County Municipal Service Districts. Development to follow will be served by well water and onsite septic system.

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

The subject property fronts SE 30th Street, SE 141st Avenue, and FL-121. The development to follow this rezoning will focus ingress and egress on SE 30th Street, a County road. This will keep commercial traffic off of SE 141st Avenue, a residential roadway, and will adhere to Florida Department of Transportation (FDOT) driveway spacing criteria.

(7) *Public health, safety, and welfare.* The uses allowed within the proposed zoning district shall not adversely affect public health, safety, and welfare.

The uses allowed within the proposed zoning are detailed in Levy County Land Development Code Sec. 50-676., Schedule 1. These are:

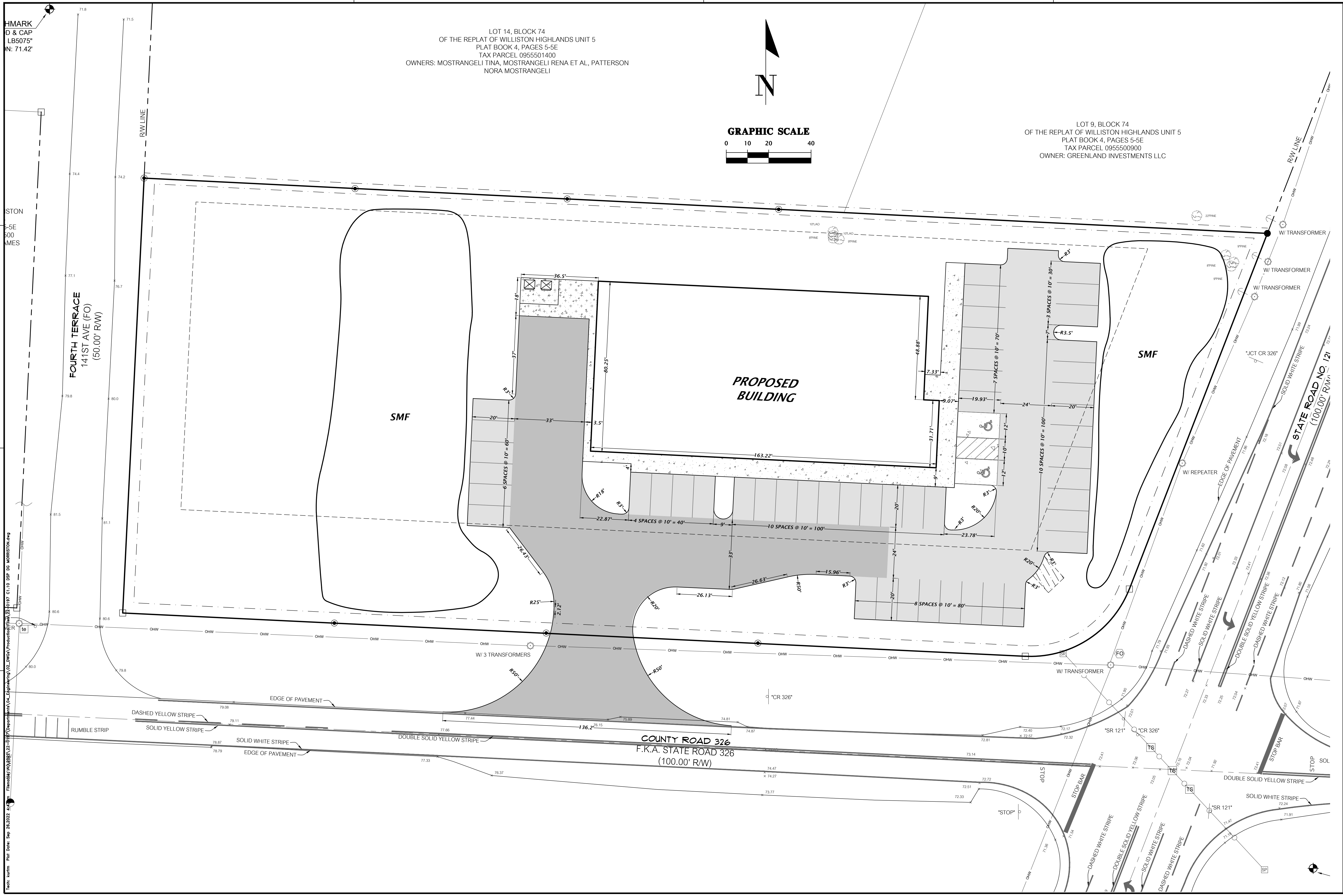
Single-family dwellings; sales, service and leasing of farm equipment, implements and supplies; sales and service of farm irrigation equipment; farm mortgage companies, agriculture insurance offices, farm management companies; farm product crating, shipping, and packing sheds; produce stands; fuel oil, gasoline and liquid petroleum retail sales; storage warehouses for farm products and supplies; convenience or grocery stores which may include gasoline, diesel and liquid petroleum gas sales; blacksmith or farrier shops; construction contractor and sub-contractor yards or offices; veterinary clinics or offices without kennels or runs; pharmacies; florist shops, gift shops, and barber shops; bakeries; business and professional offices; garden supplies or centers; hardware stores, including building material/supplies centers; trail shops or camping supply stores; restaurants, cafes, coffee shops or sandwich shops; on-premises sales and consumption of alcohol in chartered or incorporated private country clubs or lodges; self-storage facilities or mini-warehouses; churches or other houses of worship.

The uses listed present do not pose risk of adverse effect to public health, safety, or welfare. Instead, they present the potential for quality of life improvements. The uses listed offer an array of benefits, including employment opportunities, the provision of goods and services to meet daily needs, and housing. They are narrowly focused on the intention underpinning the Rural Mixed Use zoning district: supporting the established communities in rural areas of the County.

The specific use to follow this rezoning application—a commercial retail store—is consistent with the uses permitted in the Rural Mixed Use zoning district, and will not adversely affect public health, safety, or welfare. Instead, it will offer additional opportunity for the surrounding community to find employment and conveniently access necessary goods.

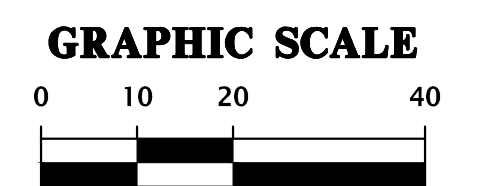
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HMARK
D & CAP
LB5075*
N: 71.42'

LOT 14, BLOCK 74
OF THE REPLAT OF WILLISTON HIGHLANDS UNIT 5
PLAT BOOK 4, PAGES 5-5E
TAX PARCEL 0955501400
OWNERS: MOSTRANGELI TINA, MOSTRANGELI RENA ET AL, PATTERSON
NORA MOSTRANGELI



LOT 9, BLOCK 74
OF THE REPLAT OF WILLISTON HIGHLANDS UNIT 5
PLAT BOOK 4, PAGES 5-5E
TAX PARCEL 0955500900
OWNER: GREENLAND INVESTMENTS LLC

Title: null For Date: Sep 26, 2022 4:43
 File: \\server\mnt\area\22-0197\Drawings\02\Drawings\02\10197 C1.10 DSP DG MORRISTON.dwg
 User: dmorris

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CA-5075

CHW
Professional Consultants

SCALE: 1"=20'
VERIFY ALL DIMENSIONS ON ORIGINAL DRAWING
0 = SHOWN AS NOT SHOWN
THIS SHEET, ADJUST SCALES ACCORDINGLY.

CONSTRUCTION FEATURES

CLIENT: CONCEPT
PROJECT: CFS MORRISTON, CE 236 & SR 121 - ENGINEERING
SHEET TITLE: DETAILED SITE AND HORIZONTAL CONTROL PLAN

DESIGNER: TYLER N
CHECKER: KRISTEN J
QUALITY CONTROL: TRAVIS H
PROJECT NUMBER: 22-0197

TRAVIS J. HASTAY
FL PE No. 84295
SHEET NO. **C1.10**