



**Marion County  
Board of County Commissioners**

**Growth Services**

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**PLANNING & ZONING SECTION  
STAFF REPORT**

<b>Public Hearing Dates</b>	<b>P&amp;Z: 05/28/2025</b>	<b>BCC1: 06/16/2025</b>	<b>BCC2: 08/18/2025</b>
<b>Case Number</b>	250604ZC		
<b>CDP-AR</b>	32609		
<b>Type of Case</b>	<b>Zoning Change:</b> <b>FROM:</b> General Agriculture (A-1) <b>TO:</b> Community Business (B-2)		
<b>Owner</b>	Bellevue Property Holdings, LLC		
<b>Applicant</b>	Cadjazz, LLC c/o Herb Green		
<b>Street Addresses</b>	13210, 13214, & 13170 S US HWY 301 Bellevue, FL 34420		
<b>Parcel Numbers</b>	45418-000-00 & 45415-000-00		
<b>Property Size</b>	±1.59 acres		
<b>Future Land Use</b>	Commercial (COM)		
<b>Existing Zoning Classification</b>	General Agriculture (A-1)		
<b>Overlay Zone/Scenic Area</b>	Secondary Springs Protection Overlay Zone; FEMA Flood Zone 'Unshaded X'; Marion County Flood Prone Area (±0.23-acre portion); City of Bellevue Utilities Service Area		
<b>Staff Recommendation</b>	<b>APPROVAL</b>		
<b>P&amp;ZC Recommendation</b>	<b>APPROVAL</b>		
<b>Project Planner</b>	Erik Kramer		
<b>Related Cases</b>	<b>Policy 120 Letter for Parcel 45415-000-00 allowing "a Bar/Tavern AKA "Annies Bar"</b>		

## I. ITEM SUMMARY

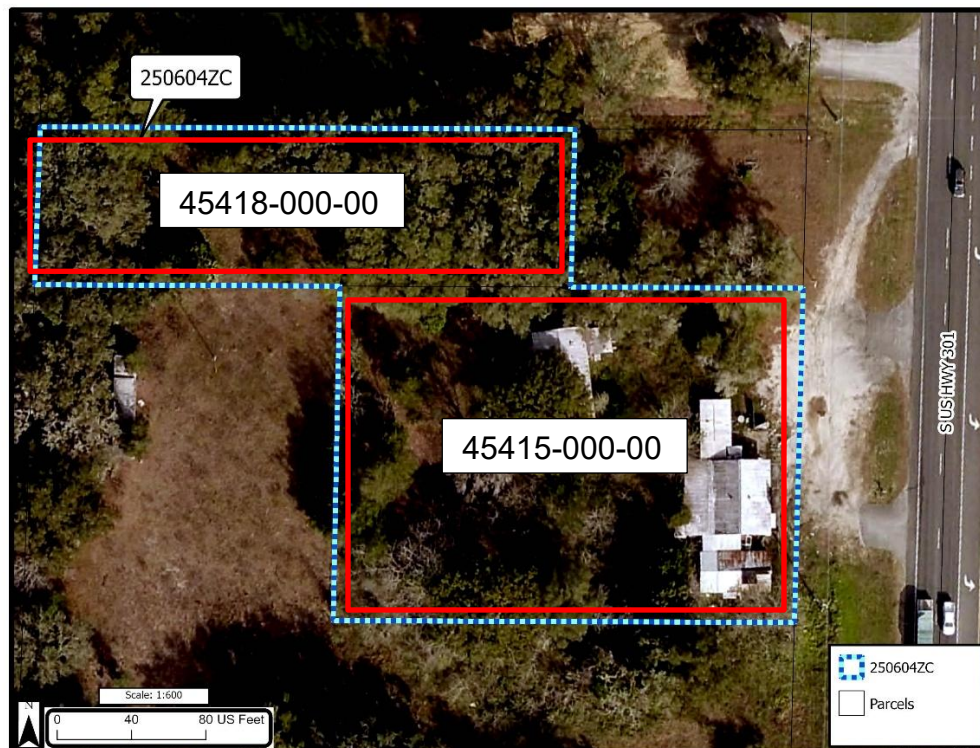
Cadjazz, LLC filed a zoning change application (Attachment A) on behalf of the property owner – Belleview Property Holdings, LLC – to convert a  $\pm 1.59$ -acre site (see Figure 1) from General Agriculture (A-1) to Community Business (B-2) for the intended use of “convenience store with gas station.”

The Parcel Identification Number (PID) for the subject property are 45418-000-00 & 45415-000-00, located at 13210, 13214, & 13170 S US HWY 301, approximately 275 feet northwest from the intersection of S US Highway 301 and SE 132 Street Road. There is a closed-for-business bar and two manufactured home units on the subject property. The subject property is not a part of a subdivision.

The property is located within the Urban Growth Boundary, City of Belleview’s Utility Service Area, and Secondary Springs Protection Zone. According to FEMA’s 2017 Flood Zones designations, the entire property is subject to minimal flood risk (unshaded X).

On 06/16/2025, the Board of County Commissioners tabled this application until 08/18/2025 to allow the applicant time to provide site plans (Attachment F) and a traffic impact analysis methodology (Attachment G).

**Figure 1**  
**General Location Map**



## II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL** of the rezoning application. Staff believes B-2 zoning is appropriate for the subject property based on the character of the surrounding uses, impact on the public interest, and consistency with Marion County's comprehensive plan.

## III. NOTICE OF PUBLIC HEARING

A notice of the public hearings for this application (Attachment B) was mailed to 5 property owners within 300 feet of the subject property on May 9, 2025. A notice for the public hearings was published in the Ocala Star Banner on May 12, 2025. A public hearing notice sign was also posted on the property on May 9, 2025. As of the date of this Staff Report's initial distribution, no letters of opposition have been received. Evidence of the public hearing notices is on file with the Growth Services Department and is incorporated herein by reference.

## IV. ANALYSIS

LDC Section 2.7.3.E.(2) provides that in making a recommendation to the Board of County Commissioners, the Planning and Zoning Commission shall make a written finding that granting the zoning change will not adversely affect the public interest, that the proposed zoning change is consistent with the current Comprehensive Plan, and that it is compatible with land uses in the surrounding area. Staff assesses and analyzes these three criteria for the proposed zoning change in Sections A., B., and C. of this report.

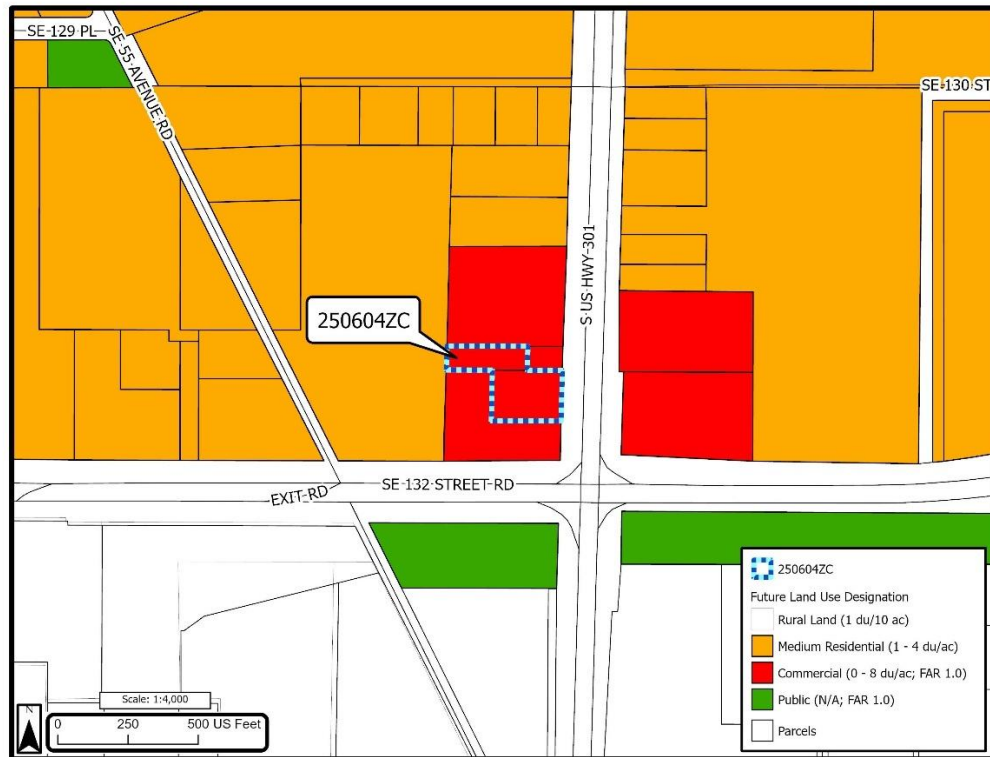
### ***A. How is the Request Compatible with Surrounding Uses?***

Compatibility is defined as a condition in which land uses, or conditions can co-exist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

### **Future Land Use**

Figure 2 highlights the subject property, which currently holds a COM future land use designation. Adjacent future land uses include Medium Residential (MR), COM, and S US HWY 301 right-of-way. The subject property is a part of an area designated to be a commercial node at the intersection of S US HWY 301 and SE 132 Street Road with residential uses intended to develop north of SE 132 Street Road and rural/agricultural uses intended to remain to the south of 132 Street Road. The COM designation allows office, commercial, public, recreation, residential, campgrounds, and recreational vehicle park uses. COM allows between 0 to 8 dwelling units per acre and up to 1.0 floor area ratio.

**Figure 2**  
**Future Land Use Map Series Designation**

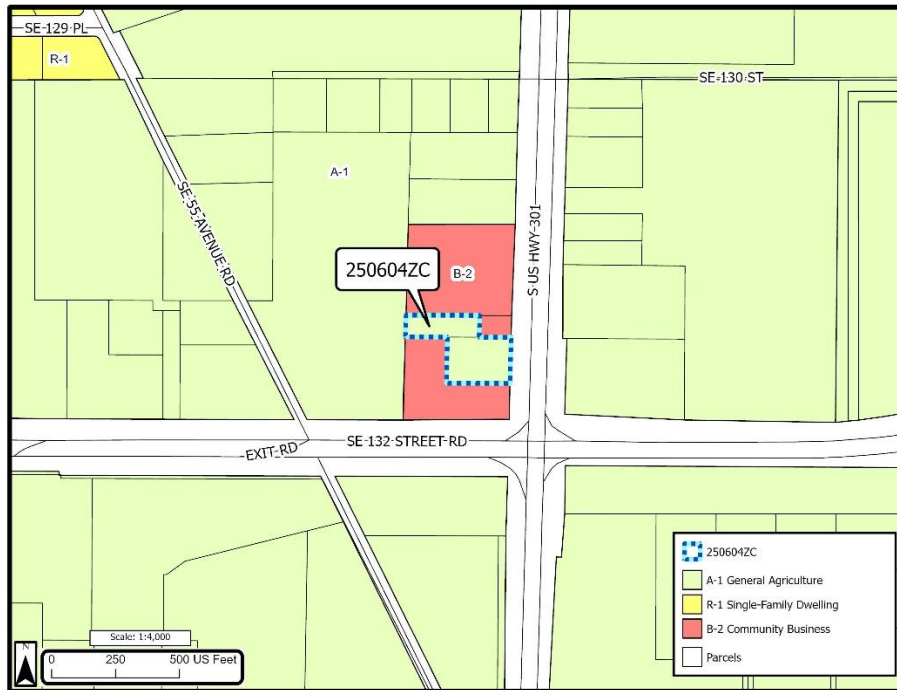


## **Zoning**

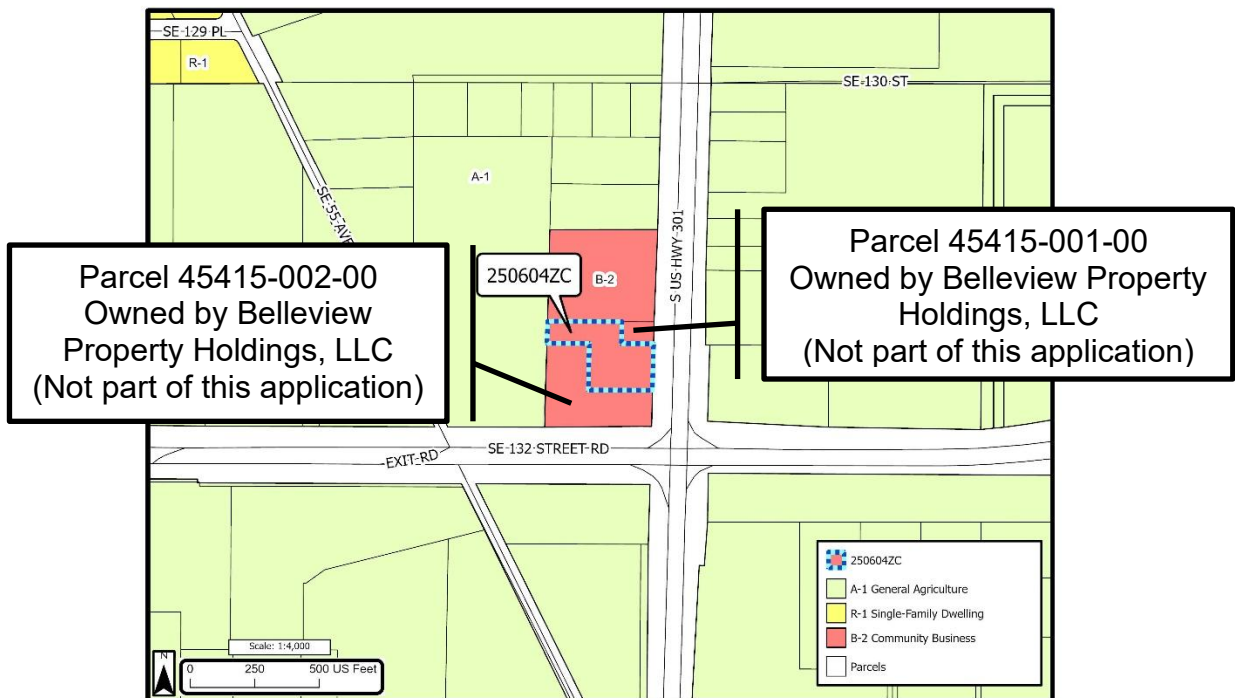
Figure 3 shows the existing A-1 zoning district for the subject property. Figure 4 shows the proposed B-2 zoning district in relation to the existing zoning of the area. The intent of B-2 is to provide “for the shopping and limited service needs of several neighborhoods, a community, or a substantial land area. Retail stores are intended to include general merchandise, fashion, durable goods, and personal services. All commercial activity involving retail sales or rentals shall take place in a completely enclosed building.”

There are two properties directly adjacent to the north and one property to the south that have B-2 zoning. The property owner, Belleview Property Holdings, LLC, owns the parcel to the south and one of the northern parcels (shown in Figure 4). These are already zoned B-2, so they are not a part of this zoning change request. To the west, the adjacent property designated for MR future land use has a General Agriculture (A-1) zoning classification. To the east (across from S US HWY 301), the adjacent property designated for COM future land use has A-1 zoning as well. The surrounding area is mostly A-1.

**Figure 3**  
**Existing Zoning Classification**



**Figure 4**  
**Proposed Zoning Classification**



### **Surrounding Context and Existing Land Uses**

Figure 5 shows recent trends in development in the surrounding area. Staff notes that there are no newly permitted developments or developments under review in the immediate vicinity of the subject property.

Figure 6 shows recorded and unrecorded subdivisions in the surrounding area. There are three subdivisions in the area (within 0.3 miles): (1) Belle Lea Acres Phase 2 (Unrecorded – No Date Found); (2) Belle Oaks (Recorded 1991 - Plat Book 2, Page 47); and (3) Summer Oaks (Unrecorded 1993)

Figure 7 depicts Marion County Property Appraiser's (MCPA) data showing the existing land uses in the area surrounding the subject property. According to the MCPA 2025 Property Report Card, subject parcel 45418-000-00 hosts a manufactured home and subject parcel 45415-000-00 hosts a manufactured home and a liquor/lounge/bar. The liquor/lounge/bar use is the now-out-of-business Annie's Full Moon Saloon (also known as Annie's Bar) which was a permitted use under the Policy 1.20 letter issued by Marion County in August 2002. If the zoning change is approved, the Policy 1.20 letter will be voided as the site will have consistent land use and zoning.

Uses directly adjacent to the subject property include commercial (office) and vacant commercial to the north, agricultural production (grazing land) with a single-family residence to the west, a manufactured home residence to the south, and a manufactured home residence to the east across from S US HWY 301.

Within a quarter mile, the surrounding area consists of mainly agriculturally productive properties with single-family residences and large lots primarily used for single-family residences (including site-built and manufactured housing types). Two churches are located nearby to the west and north. The subject property is located near the intersection of two major, high-speed arterials – S US HWY 301 and SE 132<sup>nd</sup> Street Road.

Table A displays the information of Figures 2, 3, 4 & 7 in tabular form. Consistent with LDC Section 2.7.3.D, staff conducted a site visit to evaluate the existing uses and character of the area. The Annie's Bar building is dilapidated and in poor condition. An office is located directly north of the subject property, with additional commercial sites further north along S US Highway 301 approaching Bellevue. Several vacant manufactured homes are located on and near the site. To the west and south, the area consists of large open fields with a predominantly rural character.



Figure 5  
Development Orders

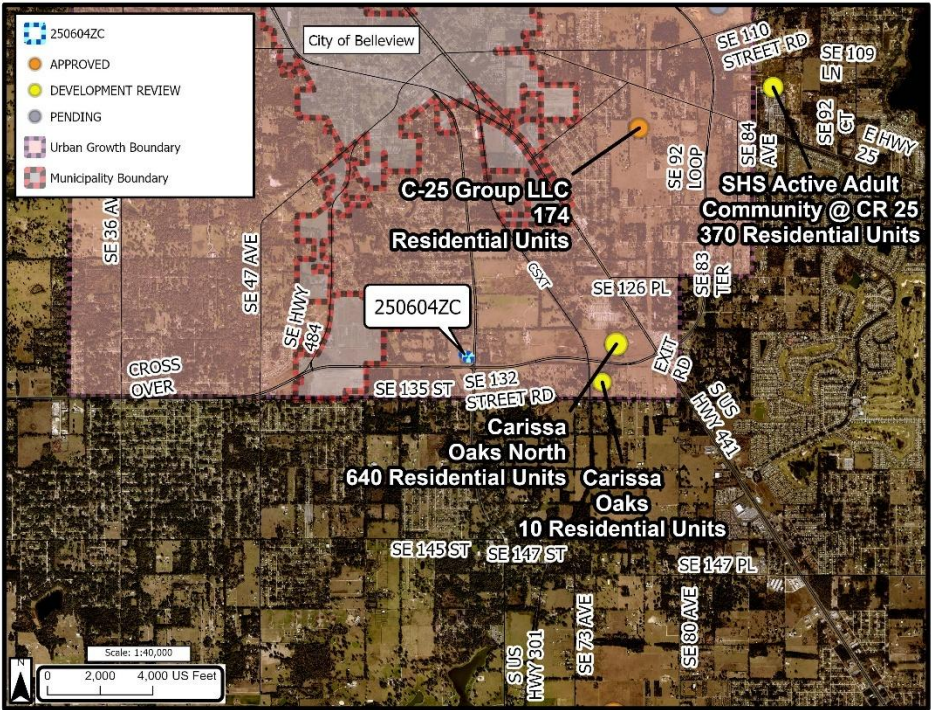
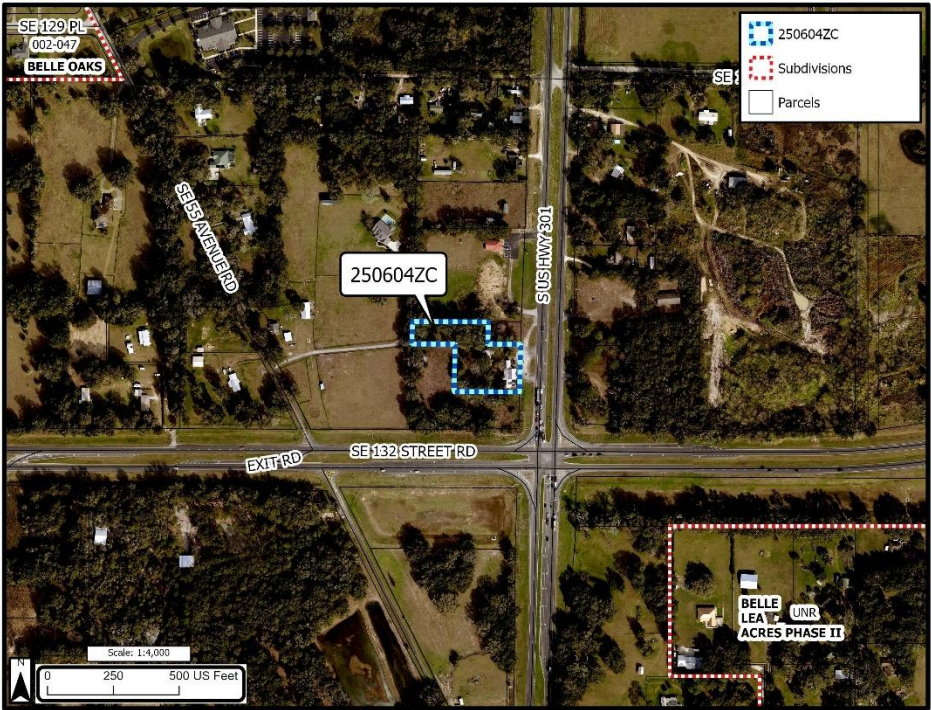
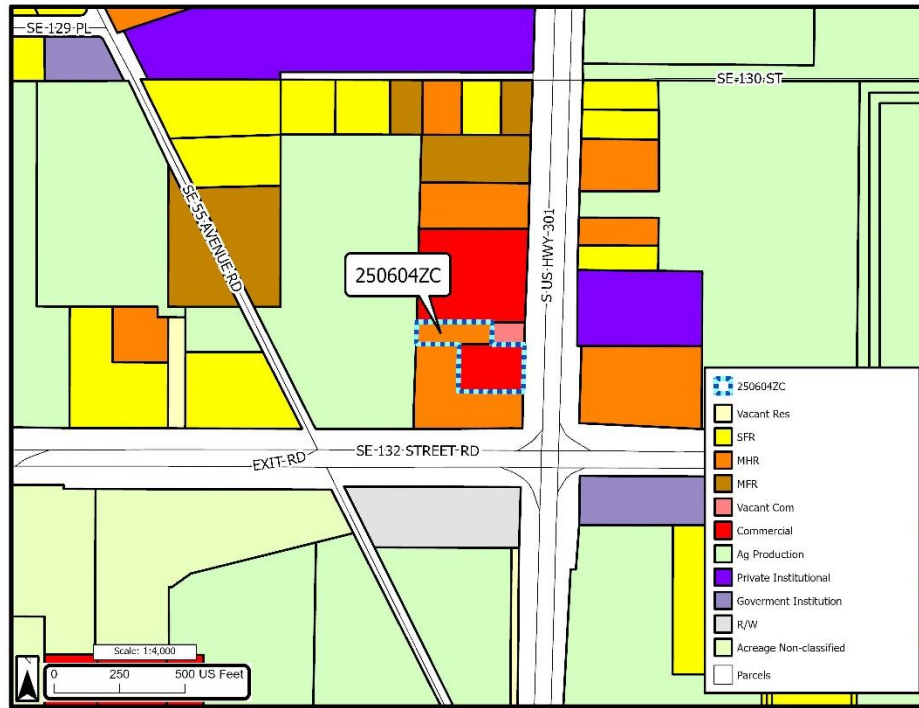


Figure 6  
Existing Use per Property Appraiser Property Code



**Figure 7**  
**Existing Use per Property Appraiser Property Code**



**TABLE A.**  
**ADJACENT PROPERTY CHARACTERISTICS**

Direction	Current FLUM Designation	Current Zoning Classification	Marion County Property Appraiser Existing Use
<b>Subject Property</b>	Commercial (COM)	From: General Agriculture (A-1) To: <b>Community Business (B-2)</b>	Manufactured Home Residence & Commercial
<b>North</b>	Commercial (COM)	Community Business (B-2)	Vacant Commercial & Commercial
<b>West</b>	Medium Residential (MR)	General Agriculture (A-1)	Agricultural Production
<b>South</b>	Commercial (COM)	Community Business (B-2)	Manufactured Home Residence
<b>East</b>	Medium Residential (MR)	ROW & General Agriculture (A-1)	ROW & Manufactured Home Residence



Considering the future land use designations, zoning classifications, and existing uses of the surrounding area, Staff finds that the proposed zoning change is compatible with the Commercial future land use designation of the subject parcel and B-2 zoning classifications of the adjacent parcels to the north and south. However, the intense commercial nature of the proposed convenience store and gas station raises concerns regarding compatibility with the surrounding area's character, particularly with parcel 45424-000-00 to the west, which is currently used for agricultural production and designated for Medium Residential future land use. Marion County provides buffer regulations to mitigate potential nuisances – any commercial development abutting an agricultural use is required to provide a minimum of a 15-foot wide landscape strip with a buffer wall. Notably, a dense row of mature trees abuts parcel 45424-000-00, which could be integrated into the buffer area to help mitigate nuisances related to commercial uses and protect the adjacent agricultural property.

In summary, approving the zoning change from General Agriculture (A-1) to Community Business (B-2) **is compatible with surrounding future land use designations and zoning classifications**. Potential compatibility concerns for the adjacent existing agricultural use and future residential uses will be addressed by the buffering provisions of the LDC during site plan review of the subject property.

## **B. How Does the Request Affect the Public Interest?**

a. **Transportation Impacts.** These include roadways, public transit, and other mobility features.

i. **Roadways.** The subject property located near the intersection of S US HWY 301 and SE 132<sup>nd</sup> Street Road and as such would impact traffic patterns on both roadways.

The subject property is located along the segment of S US HWY 301 from SE 147<sup>th</sup> Street to US HWY 441 which is a four-lane urban arterial with an adopted level of service (LOS) standard D. In 2023, this segment operated at a daily LOS standard C – at about 70% of the adopted LOS standard D roadway capacity.

The subject property is located proximate to the SE 132 Street Road which is a four-lane urban arterial with an adopted LOS standard E. In 2023, this roadway operated at a LOS standard C – at about 40% of the adopted LOS standard E roadway capacity.

A traffic impact analysis or traffic study will be required for the site plan review processes at which time the proposed development's impact on surrounding roadways and the need for roadway improvements will be assessed.

Marion County's Traffic Engineering staff had no comments regarding the proposed zoning change (see Attachment C). Any site development will be subject to Marion County's Land Development Code standards regarding access and any proposed changes affecting S US HWY 301 will require Florida Department of Transportation permitting.

**Amended Transportation Impact Analysis for 08/18/2025 BCC hearing:**

The applicant submitted a "Traffic Impact Analysis Methodology," dated May 21, 2025, to estimate traffic from a proposed development. The project includes a 5,200 sq. ft. convenience store, 16 fueling spots, and a 1,000 sq. ft. drive-through quick-service restaurant. The methodology is provided as Attachment G.

The analysis estimates the project would generate 4,581 vehicle trips per day. However, 3,351 of those are considered *pass-by* trips—drivers who are already on the road and stop briefly at the site. This means the project would create 1,230 new daily trips. Of those projected trips, 127 would occur during the morning rush hour and 106 during the evening rush hour.

*Pass-by trips* happen when someone is already traveling and makes a quick stop, like pulling into a gas station on the way to work. These are different from *new* trips, where someone drives specifically to visit the site. Pass-by trips are caused by the convenience of the location for drivers already on the road. In contrast, new trips bring additional vehicles and can increase congestion on nearby roads.

Because the traffic analysis shows more than 100 trips during peak hours, a full traffic impact study will be required during development review. This study will examine all affected roads and intersections in the area. It will assess whether improvements are needed—such as changes to signal timing, added turn lanes, or new/longer acceleration and deceleration lanes—to handle the pass-by and new traffic generated by the proposed project.

- ii. ***Public Transit.*** There are no SunTran routes serving the subject property or operating in the nearby vicinity. Therefore, this zoning change would have no impact on public transit.

- iii. ***Other Mobility Features.*** There are no existing sidewalk or bicycle facilities along the S US HWY 301 and there are no sidewalks or bicycles in the nearby vicinity. External sidewalks along S US HWY 301 would be required per land development code, but staff would likely support a waiver because no facilities exist nearby. Therefore, this zoning change would have no impact on pedestrian or bicycle facilities.

Based on the above findings, the impact of the proposed zoning change on the transportation system **would not adversely affect the public interest.**

- b. **Potable Water Impacts.** Potable Water Element Policy 1.1.1 adopts a level of service (LOS) standard of 150 gallons per person per day for residential demand and approximately 2,750 gallons per acre per day for nonresidential demand. The site is within the City of Belleview Service Area and connection requirements will be determined at the time of permitting according (see Marion County Utilities comments on Attachment C).

i. Current A-1 zoning:  $1.59 \text{ acre} * 2,750 \text{ gallons} = 4372.5 \text{ gallons}$

ii. Proposed B-2 zoning:  $1.59 \text{ acre} * 2,750 \text{ gallons} = 4372.5 \text{ gallons}$

Based on the above findings, the impact of the proposed zoning change on potable water **would not adversely affect the public interest.**

- c. **Sanitary Sewer Impacts.** Sanitary Sewer Element Policy 1.1.1 adopts a LOS standard of 110 gallons per person per day for residential demand and approximately 2,000 gallons per acre per day for commercial and industrial demand. The site is within the City of Belleview Service Area and connection requirements will be determined at the time of permitting (see Marion County Utilities comments on Attachment C).

i. Current A-1 zoning:  $1.59 \text{ acre} * 2,000 \text{ gallons} = 3180 \text{ gallons}$

ii. Proposed B-2 zoning:  $1.59 \text{ acre} * 2,750 \text{ gallons} = 3180 \text{ gallons}$

Based on the above findings, the impact of the proposed zoning change on sanitary sewer **would not adversely affect the public interest.**

- d. **Solid Waste Impacts.** Solid Waste Element Policy 1.1.1 adopts a LOS standard of 6.2 pounds of solid waste generation per person per day for residential demand. Marion County does not currently have a commercial or industrial level of service standard in place. Instead, such operations are required to arrange for individual commercial waste collection, and disposal is managed through alternative provisions within the county.

Based on the above findings, the impact of the proposed zoning change on solid waste **would not adversely affect the public interest.**

- e. **Recreation Impacts.** Recreation Element Policy 1.1.1. adopts a level of service standard to provide two (2) acres of public outdoor parks and recreational facilities per 1,000 persons. A non-residential level of service standard is not currently in place for Marion County.

Based on the above findings, the impact of the proposed zoning change on recreation **would not adversely affect the public interest.**

- f. **Stormwater/Drainage Impacts.** Stormwater Element Policy 1.1.1 adopts varying levels of service standards based on the characteristics of the development site. The site does not include any FEMA flood plain areas but does contain some flood prone areas as determined by Marion County's independent flood risk studies. Marion County's Drainage Engineering staff note that the subject parcels currently have less than 9,000 sq. ft. of impervious coverage and would be subject to a Major Site Plan "when its existing and proposed impervious coverage exceeds 9,000 [sq. ft.]" (see Attachment C). If the proposed development does not trigger major site plan review or stormwater compliance requirements, it will be considered in compliance through Marion County's standard permitting process

Based on the above findings, the impact of the proposed zoning change on stormwater/drainage **would not adversely affect the public interest.**

- g. **Fire Rescue/Emergency Services Impact.** The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services. Still, staff evaluate a 5-mile radius around the subject property as evidence of the availability of such services. Fire Station #18, located at 11941 SE 55<sup>th</sup> Avenue Road, Belleview, FL 34420 is 2.0 road miles northwest of the subject property, based on the most direct route. The expected, unimpeded travel time from Fire Station #18 to the subject property is 5 to 6 minutes during non-peak and peak travel times, according to Google Maps.



Based on the above findings, the impact of the proposed zoning change on fire rescue/emergency services **would not adversely affect the public interest.**

- h. **Law Enforcement Impact.** The Comprehensive Plan does not establish a level of service standard for law enforcement services. Still, staff evaluate a 5-mile radius around the subject property as evidence of the availability of such services. The nearest Sherriff substation is located at 8230 SE 165<sup>th</sup> Mulberry Lane, The Villages, FL 32162, approximately 6.2 road miles south of the subject property based on the most direct route. The expected, unimpeded travel time from the nearest Sherriff substation to the subject property ranges from 9 to 12 minutes during non-peak travel times and approximately 11 to 16 minutes during peak travel times. While Sherriff services do not satisfy the 5-mile preference it is important to note that Belleview's municipal police services do. The Belleview Police Department is located approximately 2.8 road miles northwest of the subject property at 5350 SE 110<sup>th</sup> Street, Belleview, FL 34420. The expected, unimpeded travel time from the Belleview Police Department is 6 minutes for non-peak and peak travel times.

Based on the above findings, the impact of the proposed zoning change on law enforcement **would not adversely affect the public interest.**

- i. **Public Schools Impact.** The county establishes a level of service standard for 105% of elementary and middle school's design capacity and 100% of high school's design capacity (LDC Section 1.8.3.E). The following figures are provided for the 120<sup>th</sup> day of enrollment for the 2023-2024 school year: Belleview Elementary (90.4%), Belleview Middle (104.5%), and Belleview High (117.46%). The proposed zoning change to B-2 does not allow residential uses. Therefore, the zoning change would not generate additional students nor put additional demand on Marion County public schools.

Based on the above findings, the impact of the proposed zoning change on public schools **will not adversely affect the public interest.**

In summary, after considering the impacts on Marion County's infrastructure and services, as discussed above, approving the zoning change from General Agriculture (A-1) to Community Business (B-2) **would not adversely affect the public interest.**

**C. How is this Request Consistent with the Comprehensive Plan?**

**a. FLUE Policy 1.1.6 on Buffering of Uses**

“The County shall require new development or substantial redevelopment to provide buffering to address compatibility concerns and reduce potential adverse impacts to surrounding properties, as further defined in the LDC.”

**Analysis:** The LDC would require appropriate buffering along the adjacent right of way and agricultural property.

Thus, this application is **consistent** with FLUE Policy 1.1.6.

**b. FLUE Policy 2.1.6 on Protection of Rural Areas.**

“Rural and agricultural areas shall be protected from premature urbanization and a vibrant rural economy shall be encouraged outside the Urban Growth Boundary and Planned Service Areas. Urban and suburban uses incompatible with agricultural uses shall be directed toward areas appropriate for urban development such as within the Urban Growth Boundary and Planned Service Areas.”

**Analysis:** The subject property is located within the Urban Growth Boundary. Commercial uses are appropriate in the Urban Growth Boundary and the intersection of two major arterials is an appropriate location for a gas station with convenience store.

Thus, this application is **consistent** with FLUE Policy 2.1.6.

**c. FLUE Policy 2.1.12 on Agricultural Uses Within an Urban Area.**

“The County may allow the continuation of existing agricultural uses on urban designated lands within the Urban Areas including Urban Growth Boundary and Planned Service Areas until the property is utilized for types of development allowed by the Future Land Use designation, as further defined in the LDC. However, such uses shall be not be construed to limit urban development of the surrounding area as authorized within this policy.”

**Analysis:** The proposed zoning change from A-1 to B-2 is consistent with this policy because, if approved, the subject property would transition from an agricultural zoning classification to a commercial zoning classification that matches the intent of the existing Commercial land use designation. Commercial is considered part of the “Urban Area” according to the FLUE Policy 2.1.22 (further discussed below).

Thus, this application is **consistent** with FLUE Policy 2.1.12.

**d. FLUE Policy 2.1.13 on Protection of Rural Neighborhoods.**

“Marion County shall recognize “rural neighborhoods” that occur within or outside of the Urban Growth Boundary deserve special protection from the intrusion of urban uses, densities, and intensities where new development occurs within the immediate vicinity. For the purpose of this policy, a rural neighborhood is an existing recorded or unrecorded subdivision where the overall density does not exceed one unit per three acres and the subdivision has a predominant Future Land Use Designation of Rural Land or Low Residential.”

**Analysis:** There are no adjacent rural neighborhoods.

Thus, this application is **consistent** with FLUE Policy 2.1.13.

**e. FLUE Policy 2.1.22 on Commercial (COM).**

“This land use designation is intended to provide for mixed-use development focused on retail, office, and community business opportunities to meet the daily needs of the surrounding residential areas; and allows for mixed residential development as a primary use or commercial uses with or without residential uses. The density range shall be up to eight (8) dwelling units per one (1) gross acre and a maximum Floor Area Ratio of 1.0, as further defined in the LDC. This land use designation is allowed in the Urban Area and allows for campgrounds and recreational vehicle parks (RVP).”

**Analysis:** The following zoning districts outlined in the County’s LDC are appropriate for land designated for COM:

**(1) General Agriculture (A-1\*);**

*a. \*Appropriate until rezoned to one of the zoning classifications listed below)*

(2) Residential Office (R-O);

(3) Neighborhood Business (B-1);

**(4) Community Business (B-2);**

(5) Recreation Vehicle Park (P-RV);

(6) Rural Resort (RR);

(7) Single-Family Dwelling (R-1);

(8) One and Two-Family Dwelling (R-2);

(9) Multiple-Family Dwelling (R-3);

(10) Mixed Residential (R-4); and

(11) Planned Unit Development (PUD)

This application seeks to rezone the subject property from A-1 to B-2. The intent of A-1 is to “preserve agriculture as the primary use. This classification in the Urban Area may be used for agriculture until it is rezoned to another permitted classification” (LDC, Sec. 4.2.3). In contrast, the intent of B-2 is to provide “shopping and limited service needs of several neighborhoods, a community, or a substantial land area. Retail stores are intended to include general merchandise, fashion, durable goods, and personal services” (LDC, Sec. 4.2.18).

Existing A-1 uses are allowed on COM designated land in the Urban Area until it is rezoned. The proposed zoning change to B-2 is consistent with the intent of the COM future land use designation.

Thus, this application is **consistent** with FLUE Policy 2.1.17.

f. **FLUE Policy 3.1.1 on Establishment of Urban Growth Boundary.**

“The County FLUM Series, Map #1, Marion County 2045 Future Land Use Map, designates an UGB that reinforces the preferred land use patterns of Marion County through policies that are designed to effectively discourage the proliferation of urban sprawl. The establishment and maintenance of the UGB shall be accomplished through the following standards:

1. The UGB shall encompass a sufficient supply of urban designated land to support projected demand for the horizon of the plan, less the supply generated from vested subdivisions (DRIs, FQDs, etc.) and Rural Land

**2. All new development within the UGB shall be served by central water and wastewater, whether it is provided by the county, municipality, or private provider;**

3. All land contained within an UGB delineated on the Future Land Use Map shall be treated as one single urban area for the purposes of these policies;

4. Any parcel of land that overlaps the UGB by more than 50% by area shall be considered inside the Boundary. Likewise, any parcel that overlaps the UGB by 50% or less shall be considered outside the Boundary;

5. The County shall conduct a review at least every seven (7) years to assess the need to modify the UGB and evaluate the need for public facilities and services within the UGB; and

**6. The County shall encourage development to be concentrated within the UGB.”**



**Analysis:** Approving this zoning change request would direct commercial development to the Urban Growth Boundary which is consistent with FLUE Policy 3.1.1.6. At this time however, the Applicant has not provided a letter of availability from the city of Belleview. Marion County Utilities will review connections during site plan review for consistency with 3.1.1.1.

Thus, this application is **consistent** with FLUE Policy 3.1.1.

**g. FLUE Policy 5.1.3 on Planning and Zoning Commission.**

“The County shall enable applications for CPA, ZC, and SUP requests to be reviewed by the Planning & Zoning Commission, which will act as the County’s Local Planning Agency. The purpose of the advisory board is to make recommendations on CPA, ZC, and SUP requests to the County Commissioners. The County shall implement and maintain standards to allow for a mix of representatives from the community and set standards for the operation and procedures for this advisory board.

**Analysis:** The proposed zoning change is scheduled for the May 28<sup>th</sup>, 2025 Planning and Zoning Commission public hearing.

Thus, this application is **consistent** with FLUE Policy 5.1.3.

**h. FLUE Policy 5.1.4 on Notice of Hearing.**

“The County shall provide notice consistent with Florida Statutes and as further defined in the LDC.”

**Analysis:** Public notice was provided as required by the LDC and Florida Statutes.

Thus, the application was processed **consistent** with FLUE Policy 5.1.4.

**i. FLUE Policy 7.4.3 on Permitted Uses [in Springs Protection Overlay Zone].**

“The County shall implement and maintain an LDC to identify permitted and special uses to ensure that the function of a protected natural feature will not be materially impaired, diminished, or harmed by development activities and that the quality of the surface waters or groundwater will not be adversely impacted by the development activities.

**Analysis:** The subject property is within the County-wide Secondary Springs Protection Overlay Zone (S-SPOZ). Gas stations and convenience stores are permitted in the S-SPOZ, as are other uses permitted by the B-2 zoning classification. All site development will need to comply LDC provisions pertaining to stormwater management.

Thus, this application is **consistent** with FLUE Policy 7.4.3.

j. **TE Policy 2.1.4 on Determination of Impact.**

"All proposed development shall be evaluated to determine impacts to adopted Level of Service standards. Land Development Regulations shall be established which determine the level and extent of the analysis required based on the extent of the project and its projected trip generation. The information shall at a minimum provide for a review of site access, circulation, access management, safety, and when of sufficient size, roadways links and intersection analysis will be provided including Average Annual Daily Trips and/or peak hour (AM, PM, Sat/Sun).

**Analysis:** The determination of impact was discussed earlier in section B of this report.

Thus, this application is **consistent** with TE Policy 2.1.4.

Based on the above findings, the proposed zoning change **is consistent with the Comprehensive Plan.**

## **V. STAFF RECOMMENDATION**

Staff recommends the Board enter into the record the Staff Report, and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to **APPROVE** the proposed rezoning because the Zoning Change request is **compatible with surrounding uses, will not adversely impact the public interest, and is consistent with the County's comprehensive plan.**

## **VI. ALTERNATIVE ACTIONS**

### **A. Deny the Zoning Change Request**

Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to **DENY** the rezoning amendment.

### **B. Table the Zoning Change Request**

Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, identify any additional data and analysis needed to support a recommendation on the proposed Ordinance, and make a recommendation to **TABLE** the application for up to two months in order to provide the identified data and analysis needed to make an informed recommendation on the proposed Ordinance.

## **VII. PLANNING & ZONING COMMISSION RECOMMENDATION**

Approval.

## **VIII. BOARD OF COUNTY COMMISSIONERS ACTION**

Table – 6/16/2025

TBD – 8/18/2025

## **IX. LIST OF ATTACHMENTS**

- A. Application Package;
- B. Surrounding Property Notification;
- C. Development Review Committee Comments;
- D. Site and Area Photographs; and
- E. Policy 1.20 Letter
- F. Site Plans
- G. Traffic Impact Analysis Methodology