

BOARD OF ADJUSTMENT PUBLIC HEARING OF LAKE BUTLER, FLORIDA



March 18, 2025
5:45PM
City Hall Lake Butler
200 SW 1st Street
Lake Butler, Florida 32054

AGENDA

1. Call to order – Roll Call.

a. Admin Content

If a person decides to appeal a decision made with respect to any matter at this meeting or hearing, he or she will need a record of the proceedings and may need to ensure that a verbatim record is made.

2. Approval of The Agenda Format.

A. Motion to approve the agenda format.

3. Public Hearing for SE 25-01 (Concerning a Special Exception as Provided for in the City of Lake Butler Land Development Regulations)

A. Motion to open the public hearing for SE 25-01

B. Motion to close the public hearing for SE 25-01

4. Resolution No. BA SE 25-01 (Concerning a Special Exception as Provided for in the City of Lake Butler Land Development Regulations)

A. Motion to adopt Resolution BA SE 25-01 (Concerning a Special Exception as Provided for in the City of Lake Butler Land Development Regulations) and for the resolution to be read by title only.

5. Adjournment

BOARD OF ADJUSTMENT PUBLIC HEARING OF LAKE BUTLER, FLORIDA

AGENDA ITEM INFORMATION SHEET

DATE: March 18, 2025

AGENDA ITEM: Public Hearing for SE 25-01 (Concerning a Special Exception as Provided for in the City of Lake Butler Land Development Regulations

DEPARTMENT: Board of Adjustment

1ST MOTION/ACTION: Motion to open the public hearing for SE 25-01.

2ND MOTION/ACTION: Motion to close the public hearing for SE 25-01.

ASSOCIATED COST(S):

NOTES: This agenda item is the public hearing for the Special Exception Petition submitted by Kimley-Horn, the engineering firm representing Wawa Florida, LLC.

Per the City of Lake Butler Land Development Regulations, in the zone Commercial General (CG), automotive self-service stations are permitted as a SPECIAL EXCEPTION, therefore, in order for the Wawa development plans to be considered for approval by the City, a special exception petition must be filed, which is forwarded to the North Central Florida Regional Planning Council for review. Once the review has been completed on the special exception petition and supporting documentation, a public hearing is advertised and held for public comments either in favor or opposed to the proposed development.

A motion is needed to open the public hearing for this special exception petition. If there are no public comments, a motion is needed to close the public hearing for this special exception petition.

BOARD OF ADJUSTMENT PUBLIC HEARING OF LAKE BUTLER, FLORIDA

AGENDA ITEM INFORMATION SHEET

DATE: March 18, 2025

AGENDA ITEM: Resolution No. BA SE 25-01 (Concerning a Special Exception as Provided for in the City of Lake Butler Land Development Regulations

DEPARTMENT: Board of Adjustment

1ST MOTION/ACTION: Motion to adopt Resolution No. BA SE 25-01 to be read by title only.

ASSOCIATED COST(S):

NOTES: This agenda item is the consideration, discussion and adoption for the Special Exception Petition submitted by Kimley-Horn, the engineering firm representing Wawa Florida, LLC.

Per the City of Lake Butler Land Development Regulations, in the zone Commercial General (CG), automotive self-service stations are permitted as a SPECIAL EXCEPTION, therefore, in order for the Wawa development plans to be considered for approval by the City, a special exception petition must be filed, which is forwarded to the North Central Florida Regional Planning Council for review. Once the review has been completed on the special exception petition and supporting documentation, a public hearing is advertised and held for public comments either in favor or opposed to the proposed development.

Once the public hearing is concluded, the Resolution for the approval of the Special Exception Petition is presented for adoption by the Board of Adjustment if in agreement.

A motion is needed to approve Resolution No. BA SE 25-01 to be read by title only by Mr. Maines.



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March 11, 2025

Ms. Kimberly Hayes
City Manager
City of Lake Butler
200 Southwest 1st Street
Lake Butler, FL 32054-2016

TRANSMITTED VIA ELECTRONIC MAIL

RE: Petition No. SE 25-01 (Pritchett, Inc./Marvin H. Pritchett Family Trust)

Resolution
Concerning a Special Exception

Dear Kim:

Please find enclosed the above referenced resolution.

The City Attorney should review the resolution as to legal form and sufficiency.

Subsequent to adoption of the resolution, please send a copy of the signed resolution to me.

If you have any questions concerning this matter, please do not hesitate to contact Sandra Joseph, Senior Planner, at 352.955.2200, ext. 111.

Sincerely,

Scott R. Koons, AICP
Executive Director

Enclosure

SRK/cf

xc: Hayden P. Page, Accounts Payable Clerk/Planning and Zoning Administrator
John E. Maines IV, City Attorney

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RESOLUTION NO. BA SE 25-01

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE BUTLER, FLORIDA, SERVING AS THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE BUTLER, FLORIDA, GRANTING WITH APPROPRIATE CONDITIONS AND SAFEGUARDS A SPECIAL EXCEPTION AS AUTHORIZED UNDER SECTION 12.2 OF THE CITY OF LAKE BUTLER LAND DEVELOPMENT REGULATIONS, AS AMENDED; PROVIDING FOR A SPECIAL EXCEPTION TO THE PERMITTED USES WITHIN A COMMERCIAL, GENERAL (CG) ZONING DISTRICT AS PROVIDED WITHIN SECTION 4.12.5 OF THE CITY OF LAKE BUTLER LAND DEVELOPMENT REGULATIONS, AS AMENDED, TO PERMIT AN AUTOMOTIVE SERVICE STATION ON CERTAIN LANDS WITHIN THE CORPORATE LIMITS OF THE CITY OF LAKE BUTLER, FLORIDA; PROVIDING FOR REVOCATION OF THE SPECIAL EXCEPTION; REPEALING RESOLUTIONS IN CONFLICT; PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Lake Butler Land Development Regulations, as amended, hereinafter referred to as the Land Development Regulations, empowers the City Commission of the City of Lake Butler, Florida, serving as the Board of Adjustment of the City of Lake Butler, Florida, hereinafter referred to as the City Commission, serving as the Board of Adjustment, to grant, to grant with appropriate conditions and safeguards or deny special exceptions as authorized under Section 12.2 of the Land Development Regulations;

WHEREAS, a petition for a special exception, as described below, has been filed with the City;

WHEREAS, pursuant to the Land Development Regulations, the City Commission, serving as the Board of Adjustment, held the required public hearing, with public notice having been provided, on said petition for a special exception, as described below, and considered all comments received during said public hearing and the Concurrency Management Assessment concerning said petition for a special exception, as described below;

WHEREAS, the City Commission, serving as the Board of Adjustment, has found that they are empowered under Section 12.2 of the Land Development Regulations to grant, to grant with appropriate conditions and safeguards or deny a special exception, as described below:

WHEREAS, the City Commission, serving as the Board of Adjustment, has determined and found that the granting with appropriate conditions and safeguards of said petition for a special exception, as described below, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare;

WHEREAS, the City Commission, serving as the Board of Adjustment, has determined and found that the petitioner has proposed ingress and egress to the property and proposed structures thereon for automotive and pedestrian safety and convenience, in a manner that will not have an undue adverse impact on traffic flow and control, and access in case of fire or catastrophe;

WHEREAS, the City Commission, serving as the Board of Adjustment, has determined and found that the special exception is generally compatible with adjacent properties, other property in the district and natural resources; and

WHEREAS, the City Commission, serving as the Board of Adjustment, has determined and found that:

- a. the proposed use would be in conformance with the Comprehensive Plan and would not have an undue adverse effect on the Comprehensive Plan;

- b. the proposed use is compatible with the established land use pattern;
- c. the proposed use will not materially alter the population density pattern and thereby increase or overtax the load on public facilities such as schools, utilities, and streets;
- d. the proposed use will not have an undue adverse influence on living conditions in the neighborhood;
- e. the proposed use will not create or excessively increase traffic congestion or otherwise affect public safety;
- f. the proposed use will not create a drainage problem;
- g. the proposed use will not seriously reduce light and air to adjacent areas;
- h. the proposed use will not adversely affect property values in the adjacent areas;
- i. the proposed use will not be a deterrent to the improvement or development of adjacent property in accord with existing regulations; and
- j. the proposed use is not out of scale with the needs of the neighborhood or the community.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE BUTLER, FLORIDA, SERVING AS THE BOARD OF ADJUSTMENT OF THE CITY OF LAKE BUTLER, FLORIDA, THAT:

Section 1. Pursuant to a petition, SE 25-01, by Wawa Florida, LLC as agent for Pritchett Inc. and Marvin H. Prichett Family Trust, requesting a special exception be granted as provided for in Section 4.12.5 of the Land Development Regulations to permit an automotive service station within a COMMERCIAL, GENERAL (CG) zoning district, in accordance with a site plan dated December 12, 2024, revised March 10, 2025, and submitted as part of a petition dated February 26, 2025, the City Commission, serving as the Board of Adjustment, hereby grants a special exception, as described above, subject to the appropriate conditions and safeguards hereinafter specified, to be located on property described, as follows:

A parcel of land lying in Section 31, Township 5 South, Range 20 East, Union County, Florida. Being more particularly described as follows: Lot 15 and Lot 16 of Dekles Second Addition, as recorded in the Public Records of Union County, Florida.

Containing 1.88 acres, more or less.

Section 2. The granting of this special exception is subject to the petitioner combining Lot 15 and Lot 16 of Dekles Second Addition, as recorded in the Public Records of Union County, Florida into a single lot by replating said lots. A certificate of zoning compliance and a building permit to construct the automotive service station shall not be issued until said replat is recorded in the Public Records of Union County, Florida.

Section 3. A site plan, as described above, is herewith made a part of this resolution by reference, shall govern the development and use of the above described property. Any deviation from the site plan shall be deemed a violation of the Land Development Regulations.

Section 4. The use of land approved by this special exception shall be in place, or a valid permit shall be in force for the construction of such land use within twelve (12) months of the effective date of this resolution. If such land use is not in place or if a valid permit for the construction of such land use is not in effect, within twelve (12) months of the effective date of this resolution, this resolution granting with appropriate conditions and safeguards such special exception is thereby revoked and of no force and effect.

Section 5. All resolutions or parts of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

Section 6. This resolution shall become effective upon adoption.

PASSED AND DULY ADOPTED in regular session with a quorum present and voting, by the City Commission, serving as the Board of Adjustment, this 18th day of March 2025.

CITY COMMISSION OF THE
CITY OF LAKE BUTLER, FLORIDA,
SERVING AS THE
BOARD OF ADJUSTMENT OF THE
CITY OF LAKE BUTLER, FLORIDA

Attest:

Kimberly Hayes, City Manager

Melissa Hendrix, Chair