

## **RESOLUTION Z-25-02**

*A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA FOR A SPECIAL EXCEPTION TO PERMIT A COMMERCIAL ANIMAL BOARDING FACILITY THAT ALLOWS A DOG PARK, ANIMAL DAY CARE AND OVERNIGHT BOARDING ON APPROXIMATELY 4.82 ACRES IN AN ML (LIGHT INDUSTRIAL) DISTRICT WITH A LIGHT INDUSTRIAL LAND USE DESIGNATION. THE PROPERTY IS LOCATED ON THE EXISTING SOUTH TERMINUS OF NW 97TH BOULEVARD ON A PORTION OF PARCEL 06233-014-005.*

WHEREAS, Zoning Application Z25-000008 has been duly filed and was considered by the Alachua County Planning Commission at its regular meeting of May 21, 2025 and,

WHEREAS, Zoning Application Z25-000008 was duly filed and was considered by the Alachua County Board of County Commissioners at its regular meeting of June 24, 2025;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:

Zoning Application Z25-000008, a request by Clay Sweger of eda, inc. agent, for Yadda Property Holdings, LLC, owner, for a special exception to permit a commercial animal boarding facility that allows a dog park, animal day care and overnight boarding on approximately 4.82 acres in an ML (Light Industrial) district with a Light Industrial land use designation. The property is located on the existing south terminus of NW 97th Boulevard on a portion of parcel 06233-014-005, as summarized in Exhibit A in this resolution, is hereby approved with the following conditions and bases:

## **Conditions**

1. This special exception is to permit a commercial animal boarding facility on an approximately 4.8 acre portion of Parcel 06233-014-055.
2. Parking shall be provided on site to adequately serve the anticipated use of the property and shall not exceed 65 paved parking spaces.
3. Screening shall be required only for those areas identified as 'Dog Park/Phase 2' on the proposed development plan.
4. A medium-density buffer shall only be required along the northeast perimeter of the site as shown on the proposed development plan.
5. The facility must comply with any applicable requirements of Chapter 72, Alachua County Code that ensure compatibility with neighboring uses.

## **Bases**

1. Policy 7.1.2 of the Future Land Use Element states that *proposed changes in the zoning map shall consider:*

(a) *consistency with the goals, objectives, policies and adopted maps of the Comprehensive Plan*

The proposed special exception will provide commercial animal boarding on the site.

The Plan allowed for light industrial/commercial uses in appropriate land use designations. The property in question has a light industrial land use. As such, the

proposed use is consistent with the Industrial policies found in the Plan, which permit uses such as this one to locate in Industrial areas.

*(b) the availability and capacity of public facilities required to serve the development.*

*When considering a rezoning, this includes availability and capacity of existing public facilities and timing of future facilities based on capital plans. Specific determinations for any exceptions to the requirement to connect to a centralized potable water and sanitary sewer system will be made at the stage of development plan review, as detailed in Policy 2.1 of the Potable Water and Sanitary Sewer Element.*

Level of Service (LOS) standards identified in the Plan will not be exceeded by this request. As a non-residential use, there will be no impact to recreation or public school LOS standards. There is adequate capacity on local roads and water/sewer, solid waste, emergency services and drainage all will remain within adopted LOS standards.

*(c) the relationship of the proposed development to existing development in the vicinity and considerations relating to environmental justice and redevelopment opportunities.*

The property is located in a mixed-use area with an Industrial land use to the east and a single-family residential development to the west and north. The nature of the proposed special exception (commercial animal boarding facility) is such that impacts to surrounding uses, especially those in nearby residential areas, is minimal. The location of the parcel net to stormwater management areas on two sides further reduces impacts and promotes compatibility with surrounding uses.

*(d) those factors identified by law, including that as a general matter an applicant is not entitled to a particular density or intensity within the range of densities and intensities permitted by the Comprehensive Plan, given due consideration of legitimate public purposes relating to health, safety, and welfare.*

The proposal is for a nonresidential use (commercial animal boarding facility). No residential development is proposed with this project.

2. Sec. 402.113 of the ULDC provides criteria for approval of a special exception. Specifically, the language in the Code states that *The Board of County Commissioners shall, as part of a decision to approve an application for special exception, make a finding that an application complies with both the general criteria and the review factors listed below.*

*(a) The proposed use is consistent with the comprehensive plan and ULDC;*

The proposed special exception will provide commercial animal boarding on the site. The Plan allowed for light industrial/commercial uses in appropriate land use designations. The property in question has a light industrial land use. As such, the proposed use is consistent with the Industrial policies found in the Plan, which permit uses such as this one to locate in Industrial areas.

*(b) The proposed use is compatible with the existing land use pattern and future uses designated by the comprehensive plan;*

The property is located in a mixed-use area with an Industrial land use to the east and a single-family residential development to the west and north. The nature of the proposed special exception (commercial animal boarding facility) is such that impacts to surrounding uses, especially those in nearby residential areas, is minimal. The location of the parcel net to stormwater management areas on two sides further reduces impacts and promotes compatibility with surrounding uses.

*(c) The proposed use shall not adversely affect the health, safety, and welfare of the public; and*

The proposed use as a commercial animal boarding facility will not adversely impact the public health, safety or welfare. No noise, odors or other harmful effects will result from the proposed use.

*(d) Satisfactory provisions and arrangements have been made concerning the following matters, where applicable:*

*(1) Ingress and egress to the property and proposed structures thereon with particular reference to automotive, bicycle, and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;*

The parcel is located adjacent to NW 97<sup>th</sup> Boulevard, a collector road that is being built as part of the master plan for the larger development that is part of this parcel (including the residential development to the northwest as well a future industrial development to the east.

*(2) Off-street parking and loading areas where required, with particular attention to Item (1) above;*

Off-street parking will be provided in accordance with the off-street parking requirements found in the ULDC

*(3) The noise, glare, or odor effects of the special exception on surrounding properties;*

As shown in the proposed site plan(s), the parcel is surrounded by stormwater management facilities or directly abuts NW 97<sup>th</sup> Boulevard. This separation from surrounding development will minimize any potential impacts resulting from this development. In addition, criteria are found in Section 404.44 of the ULDC that further minimize impacts by specifying placement of structure such as outdoor runs, etc.

*(4) Refuse and service areas, with particular reference to location, screening, and Items (1) and (2);*

Refuse and service areas will be placed on the parcel per the requirements of the ULDC.

*(5) Utilities, with reference to location and availability;*

The site will be served by public utilities.

*(6) Enhanced nutrient-reducing onsite sewage treatment and disposal system (ENR-OSTDS) if sewer connection is not available;*

Sewer service is available to this site.

*(7) Screening and buffering with reference to type, dimensions and character with particular emphasis on screening and buffering between residential and non-residential uses;*

Specific screening and buffering requirements are found for this use in Section 404.44 of the ULDC.

*(8) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility with surrounding properties;*

Any proposed signs will be required to meet sign criteria found in the ULDC which reference proposed lighting and potential for glare.

*(9) Required yards and other greenspace;*

The proposed use will be required to meet all open/greenspace requirements found in the ULDC.

*(10) General compatibility with surrounding properties;*

Surrounding uses will be similar in nature to the proposed use as adjoining land uses/zoning are also light industrial. Residential uses are not adjacent to this property.

*(11) Environmental justice issues related to the location of the facility within the county;*

The proposed use as a commercial animal boarding facility is meant to serve all sectors of the Alachua County population. It is located in a highly developed area west of I-75 and does not unduly impact any single community group or population.

*(12) Impacts to both publicly and privately maintained road facilities and*

Road LOS requirements as identified in the Plan will not be adversely impacted by this request.

*(13) Any special requirements set forth in this ULDC for the particular use involved.*

Section 404.44 of the ULDC provides additional criteria for this and is evaluated separately.

3. Sec. 404.44 of the ULDC states that *Commercial animal boarding or training facilities may be allowed by special exception in the A-RB, BH, BA, BA-1, ML, MS, and MP districts, subject to site plan approval by the DRC and the following standards.*

*(a) The minimum lot area shall be two (2) acres.*

The proposed lot size is 4.82 acres, which exceeds this minimum.

*(b) The structure housing the dogs or other domesticated animals shall be completely enclosed and designed to suppress noise. Noise from the boarded animals*



*at the property line shall be subject to the noise regulations in Chapter 110 of the Alachua County ULDC.*

*(c) The structure housing the dogs or other domesticated animals and any outdoor areas allocated for use by such animals shall be located a minimum of fifty (50) feet from any property line and two hundred (200) feet from any residential zoning district.*

*(d) At minimum, a medium-density, 25-foot wide buffer, in accordance with Chapter 407, shall be provided between the facility and adjacent properties.*

The site plan included with this application notes that requirements (b) and (c) will be met. A condition has been proposed limiting the buffer (d) to the northeast portion of the site. The Board is empowered by the ULDC to approve such a reduction.

*(e) Use of outdoor areas by the animals shall occur no earlier than 7:00 a.m. and no later than 9:00 p.m.*

*(f) Overnight boarding shall be limited to no more than thirty (30) consecutive days.*

Hours of operation and boarding requirements shall be met as part of this special exception request.

DULY ADOPTED in regular session this 24<sup>th</sup> day in June, A.D., 2025.

BOARD OF COUNTY COMMISSIONERS OF  
ALACHUA COUNTY, FLORIDA

By: \_\_\_\_\_

Charles S. Chestnut, IV, Chair

ATTEST:

\_\_\_\_\_

Jesse K. Irby, II, Clerk

APPROVED AS TO FORM

\_\_\_\_\_

(SEAL)

Alachua County Attorney

DEPARTMENT APPROVAL

AS TO CORRECTNESS

\_\_\_\_\_

Department of Growth Management

Authorized Designee

## EXHIBIT A

### Legal Description of Site

A PARCEL OF LAND LYING IN SECTION 30, TOWNSHIP 9 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 3, HAUFLE BROTHER'S ESTATES, UNIT NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK "G", PAGE 69, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE SOUTH 89°20'07" WEST, ALONG THE NORTH LINE OF SAID HAUFLE BROTHER'S ESTATES, UNIT NO. 1, A DISTANCE OF 812.40 FEET; THENCE NORTH 05°29'18" WEST, A DISTANCE OF 381.00 FEET; THENCE NORTH 55°17'01" WEST, A DISTANCE OF 225.00 FEET; THENCE NORTH 84°44'50" WEST, A DISTANCE OF 268.82 FEET; THENCE NORTH 72°30'20" WEST, A DISTANCE OF 193.20 FEET; THENCE NORTH 48°23'24" WEST, A DISTANCE OF 191.37 FEET; THENCE NORTH 4T03'32" WEST, A DISTANCE 3.95 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 710.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 1T40'00", A DISTANCE OF 218.92 FEET TO THE SOUTHEAST LINE OF THE DRAINAGE EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 3312, PAGE 1018 OF SAID PUBLIC RECORDS, SAID ARC BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH 66°03'36" WEST, 218.06 FEET; THENCE NORTH 42°56'28" EAST ALONG SAID SOUTHEAST LINE, A DISTANCE OF 61.05 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 42°56'28" EAST ALONG SAID SOUTHEAST LINE AND ITS EXTENSION THEREOF, A DISTANCE OF 560.00 FEET; THENCE SOUTH 4T03'32" EAST, A DISTANCE OF 519.99 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE CONCAVE TO THE NORTH WITH A RADIUS OF 650.00 FEET; THENCE SOUTHWESTERLY, WESTERLY, AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 72°00'28", A DISTANCE OF 816.90 FEET, SAID ARC BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF SOUTH 85°49'10" WEST, 764.19 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.82 ACRES, MORE OR LESS.

