

**RESOLUTION Z-25-09**

*A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA FOR A MINOR PD (PLANNED DEVELOPMENT) AMENDMENT TO REMOVE MINIMUM LOT DIMENSION STANDARDS FROM THOSE AREAS IN SECTION 'B' OF THE ZONING MASTER PLAN LOCATED AT 13327 WEST NEWBERRY ROAD ON PARCELS 04333-002-000 AND 04333-002-001.*

WHEREAS, Zoning Application Z25-000025 was duly filed and was considered by the Alachua County Board of County Commissioners at its regular meeting of December 9, 2025;

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

Zoning Application Z25-000025, a request by NV5, agent, for Shiffforward Inc. and Newberry 13327 W. Newberry Road, LLC, owners, for a minor PD (Planned Development) amendment to remove minimum lot dimension standards from those areas in Section 'B' of the zoning master plan. The parcel has a combined Commercial and Low-Density Residential (1-4 dwelling units per acre) land use designation on approximately 3 acres and is located at 13327 West Newberry Road on Parcels 04333-002-000 and 04333-002-001, as summarized in Exhibit A in this resolution, is hereby approved with the following conditions and bases:

## **Conditions**

1. Developable area "A" as shown on the Zoning Master Plan shall allow for uses in the "BR" zoning district. Maximum square footage of BR uses in area "A" shall be limited to 12,000 sq. ft.
2. Hours of operation shall be limited from 7:00 AM to 10:00 PM. Commercial deliveries shall be limited from 7:00 AM to 7:00 PM
3. A 40 foot wide, high-density buffer shall extend along the entire western boundary of Phase I and also along the eastern boundary of Phase 1, excluding the area occupying the access driveway. Any parking areas that extend into Phase 2 shall continue the 40 foot wide, high density buffer in Phase 1 up to the southern edge of the extended parking area, as shown on an approved development plan. A 10 foot wide arterial road buffer shall front the site along Newberry Rd.
4. A maximum of 8 single-family dwelling units are allowed in developable area "B", as shown on the Zoning Master Plan.
5. An 8 foot high (minimum) opaque privacy fence (not chain link with slats) shall be erected at the property setback line/or current chain link fence location at the time of non-residential construction along the south parcel boundary and a six foot high (minimum) opaque privacy fence (not chain link with slats) along the east and west parcel boundaries except for those areas along Newberry Road where not permitted

due to traffic safety concerns. In addition, a similar privacy six foot high privacy fence shall be erected during residential construction between the non-residential and residential portions of the PD except where required for ingress and egress.

6. Height limit in the residential portion of the PD (designated 'B' on the zoning master plan) shall be 30 feet. No second story balconies shall be permitted.
7. A 15 foot wide low density buffer shall be incorporated along all portions of the PD where the 40 wide high density buffer does not exist. This buffer shall, at a minimum, retain the tree canopy line found along the south parcel boundary.
8. All loading and unloading activities for proposed retail uses shall occur on the west side of the building.
9. All lighting shall be shielded and aimed to ensure no spillage into adjoining residential areas per Chapter 407, Article 14 of the Unified Land Development Code.

### **Bases**

**1.Sec. 402.89(a) of the Unified Land Development Code** states:

*An amendment to an existing planned development shall be considered minor where it will not cause an expansion to the existing use or additional impacts to surrounding*

*properties, natural resources, or public infrastructure. A minor amendment to an existing planned development shall not require a Planning Commission public hearing and shall only require one (1) public hearing with the BOCC.*

The application does not request an expansion of the existing use or additional impacts to surrounding properties, natural resources or public infrastructure. The request will eliminate the proposed minimum lot sizes adopted in 2018 with the previous PD approval.

**2. Sec. 402.77 of the Unified Land Development Code** provides criteria and standards for rezoning applications. While not a rezoning, the minor PD amendment is a zoning action and subject to the following criteria and standards.

(a)*Consistency.* The proposed minor amendment is consistent with the Comprehensive Plan, the Unified Land Development Code and the previously approved conditions for the Planned Development (ZOM-03-18). The only proposed change (minimum lot size) does not impact the scope of development (which remains at 8 units) or the use permitted within the PD.

(b)*Compatibility.* The existing residential PD has been compatible with surrounding low density residential use. The PD only permits single-family residential housing (attached or detached) on individual platted lots. This minor amendment does not change any of the uses, maximum number of units or size of the previously approved PD.

(c)*Development patterns.* Development patterns of this area are marked by subdivisions to the west, south and east of the PD including the Jockey Club and Town of Tioga. The proposed minor amendment for similar unit types to what already exists in surrounding residential development (single-family residential).

(d)*Suitability.* The site is suitable for residential development similar to surrounding residential properties.

(e)*Adequate public services.* Per the Level of Service (LOS) standards found in the Plan, staff analysis has shown that LOS standards would not be compromised by this request. The site is located within the Urban Cluster and is served by central water and sewer lines. This application does not authorize any additional residential units as part of this request.

(f)*Access.* Access to this site occurs from Newberry Road, a four-lane arterial.

(g)*Public health, safety, and welfare.* The planned development as conditioned will not create adverse impacts to public health, safety or welfare. The removal of minimum lot sizes does not impact public health or safety. No expansion of the use, either in the number of units or area has been proposed.

DULY ADOPTED in regular session this 9<sup>th</sup> day in December, A.D., 2025.

BOARD OF COUNTY COMMISSIONERS OF  
ALACHUA COUNTY, FLORIDA

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

Ken Cornell, Chair

ATTEST:

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Jesse K. Irby, II, Clerk

APPROVED AS TO FORM

\_\_\_\_\_

Alachua County Attorney

(SEAL)

DEPARTMENT APPROVAL

AS TO CORRECTNESS

\_\_\_\_\_

Department of Growth Management

Authorized Designee

## EXHIBIT A

### Legal Description of Site

COM AT NW COR OF SEC RUN N 89 DEG 50 MIN 60 SEC E  
1220.28 FT THENCE RUN S 1787.44 FT TO POB N 65 DEG 37 MIN E 300 FT  
S 24 - DEG 23 MIN E 290.4 FT S 65 DEG 37 MIN W 300 FT  
N 24 DEG 23 MIN W 290.4 FT TO POB (LESS R/W PER OR 1956/2702) ALSO  
COM NW - COR SEC E 1220.28 FT S 1787.44 FT  
N 65 DEG E 300 FT S 24 DEG E 290.40 FT POB S 65 DEG W 300 FT S 24 DEG  
E 145.20 FT N - 65 DEG E 300 FT N 24 DEG W 145.20 FT  
POB OR 3430/1031