

BOARD OF ADJUSTMENT PUBLIC HEARING OF LAKE BUTLER, FLORIDA



September 16, 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 25-02 (Concerning a Special Exception as Provided for in the City of Lake Butler Land Development Regulations) (Union County BOCC)

A. Motion to open the public hearing for SE 25-02

B. Motion to close the public hearing for SE 25-02

4. Resolution No. BA SE 25-02 (Concerning a Special Exception as Provided for in the City of Lake Butler Land Development Regulations) (Union County BOCC)

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) (Union County BOCC) 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: September 16, 2025

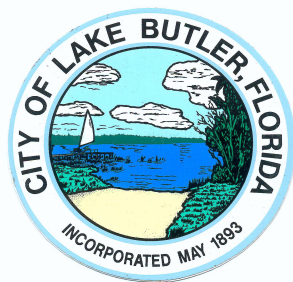
AGENDA ITEM: Public Hearing SE 25-02 (Concerning a Special Exception as Provided for in the City of Lake Butler Land Development Regulations) (Union County BOCC)

DEPARTMENT: Board of Adjustment

MOTION/ACTION:

1. Motion to open the public hearing for SE 25-02 (Concerning a Special Exception as Provided for in the City of Lake Butler Land Development Regulations) (Union County BOCC)
2. Public Comments
3. Motion to close the public hearing for SE 25-02 (Concerning a Special Exception as Provided for in the City of Lake Butler Land Development Regulations) (Union County BOCC)

ASSOCIATED COST(S): N/A



September 16, 2025

TO: Board of Adjustment

FROM: Land Development Regulation Administrator

SUBJECT: Petition No. SE 25-02 (Board of County Commissioners of Union County, Florida)

Concurrency Management Assessment
Concerning a Special Exception

The following assessment is provided for the purpose of a binding concurrency determination concerning the demand and residual capacities for public facilities required to be addressed within the Concurrency Management System. This assessment serves as a binding concurrency determination, but does not ensure that facilities which are not owned, operated or permitted by the City will be available to the property at the time development occurs.

SE 25-02, a petition by the Board of County Commissioners of Union County, Florida, requesting a special exception be granted as provided for in Section 4.14.5 of the Land Development Regulations to permit an expansion of an existing public building and facility within a Commercial, Central Business District (C-CBD) zoning district, in accordance with a site plan dated July 19, 2024, and submitted as part of a petition dated August 28, 2025, to be located on property described, as follows:

A parcel of land lying in Section 30, Township 5 South, Range 20 East, Union County, Florida. Being more particularly describes as follows: The Public Square of the Original Plat of Lake Butler, as recorded in Plat Book 1, Page 9 of the Public Records of Union County, Florida.

Containing 1.01 acres, more or less.

Availability of and Demand on Public Facilities

Potable Water Impact

The site is located within a community potable water system service area. The community potable water system is currently meeting or exceeding the adopted level of service standard for potable water established within the Comprehensive Plan.

During the calendar year 2024, there was 14,050 square feet of government building use located on the site.

The proposed development will result in the addition of a 100 square foot security screening area to the existing courthouse.

The proposed amendment will not result in a net change in potable water usage per day.

Therefore, the potable water facilities are anticipated to continue to meet or exceed the adopted level of service standard for potable water facilities as provided in the Comprehensive Plan.

Sanitary Sewer Impact -

The site is located within a community centralized sanitary sewer system service area. The centralized sanitary sewer system is currently meeting or exceeding the adopted level of service standard for sanitary sewer established within the Comprehensive Plan.

During the calendar year 2024, there was 14,050 square feet of government building use located on the site.

The proposed development will result in the addition of a 100 foot square security screening area to the existing courthouse.

The proposed amendment will not result in a net change in sanitary sewer effluent per day

Therefore, the sanitary sewer facilities are anticipated to continue to meet or exceed the adopted level of service standard for sanitary sewer facilities as provided in the Comprehensive Plan.

Solid Waste Impact -

Solid waste disposal is provided for the use to be located on the site at the New River Solid Waste Association Landfill. The level of service standard established within the Comprehensive Plan for the provision of solid waste disposal is currently being met or exceeded.

During the calendar year 2024, there was 14,050 square feet of government building use located on the site.

The proposed development will result in the addition of a 100 square foot security screening area to the existing courthouse.

The proposed amendment will not result in net change in solid waste generation.

Therefore, solid waste facilities are anticipated to continue to meet or exceed the adopted level of service standard for solid waste facilities, as provided in the Comprehensive Plan.

Drainage Impact -

During the calendar year 2024, there was 14,050 square feet of government building use located on the site.

The proposed development will result in the addition of a 100 square foot security screening area to the existing courthouse.

The proposed amendment will not result in a net change in drainage.

Therefore, the adopted level of service standard for drainage established within the Comprehensive Plan is anticipated to continue to be met or exceeded.

Recreation Impact -

The level of service standards established within the Comprehensive Plan for the provision of recreation facilities are currently being met or exceeded.

During the calendar year 2024, there was 14,050 square feet of government building use located on the site.

As there will be no increase in population resulting from the addition of a 100 square foot security screening area to the existing courthouse, there will be no need for additional recreation facilities as a result of the proposed development.

Therefore, the proposed development is not anticipated to adversely impact recreation facilities. Resource-based and user-based recreation facilities are anticipated to continue to operate at a level of service which meets or exceeds the level of service standards established within the Comprehensive Plan after the development of the site.

Traffic Impact -

The road network serving the site is currently meeting or exceeding the level of service standards required for traffic circulation facilities as provided in the Comprehensive Plan.

During the calendar year 2024, there was 14,050 square feet of government building use located on the site.

The proposed development will result in the addition of a 100 square foot security screening area to the existing courthouse.

The proposed amendment will not result in a net change in p.m. peak hour trips per day.

Therefore, the proposed development is not anticipated to adversely impact traffic facilities.

Affordable Housing

The change in land use is not anticipated to have a negative impact on the affordable housing stock.

Surrounding Land Uses

Currently, the existing land use of the site is public land use. The site is bounded on the north by public land use, on the east by commercial land use and institutional land use, on the south by commercial land use and on the west by commercial land use.

Historic Resources

According to the Florida Division of Historical Resources Master Site File, dated 2025, there is a known historic resource on the site.

Flood Prone Areas

According to the Federal Emergency Management Agency, Digital Flood Insurance Rate Map data layer, February 4, 2009, the site is not located within a 100-year flood prone area.

Wetlands

According to the Water Management Geographic Information Systems wetlands data layer, dated 2007, the site is not located within a wetland.

Minerals

According to Florida Department of Environmental Protection, Florida Geological Survey, Digital Environmental Geology Rock and Sediment Distribution Map data layer, dated November 28, 2018, the site is known to contain clay sand.

Soil Types

According to the United States Department of Agriculture, Natural Resources Conservation Service, Soil Survey Geographic Database, dated 2022, the site is comprised 100 percent of Arents, moderately wet (0 to 5 percent slopes) soils.

Arents, moderately wet (0 to 5 percent slopes) soils are nearly level to gently sloping. These soils consist of material dug from several areas that have different kinds of soil. Permeability generally is moderately rapid or rapid, depth to the water table varies, depending on the amount of fill material and the extent of artificial drainage in any given area.

High Aquifer Groundwater Recharge

According to the Areas of High Recharge Potential to the Floridan Aquifer, prepared by the Water Management District, dated 2016, the site is not located in an area of high aquifer groundwater recharge.

BOARD OF ADJUSTMENT PUBLIC HEARING OF LAKE BUTLER, FLORIDA

AGENDA ITEM INFORMATION SHEET

DATE: September 16, 2025

AGENDA ITEM: Resolution No. BA SE 25-02 (Concerning a Special Exception as Provided for in the City of Lake Butler Land Development Regulations) (Union County BOCC)

DEPARTMENT: Board of Adjustment

MOTION/ACTION:

1. Motion to adopt Resolution No. BA SE 25-02 (Concerning a Special Exception as Provided for in the City of Lake Butler Land Development Regulations) (Union County BOCC) to be read by title only.

ASSOCIATED COST(S): N/A

RESOLUTION NO. BA SE 25-02

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, CENTRAL BUSINESS DISTRICT (C-CBD) ZONING DISTRICT AS PROVIDED WITHIN SECTION 4.14.5 OF THE CITY OF LAKE BUTLER LAND DEVELOPMENT REGULATIONS, AS AMENDED, TO PERMIT AN EXPANSION OF AN EXISTING PUBLIC BUILDING AND FACILITY 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 25-02, by the Board of County Commissioners of Union County, Florida, requesting a special exception be granted as provided for in Section 4.14.5 of the Land Development Regulations to permit an expansion of an existing public building and facility within a Commercial, Central Business District (C-CBD) district, in accordance with a site plan dated July 19, 2024, and submitted as part of a petition dated August 28, 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 30, Township 5 South, Range 20 East, Union County, Florida. Being more particularly describes as follows: The Public Square of the Original Plat of Lake Butler, as recorded in Plat Book 1, Page 9 of the Public Records of Union County, Florida.

Containing 1.01 acres, more or less.

Section 2. 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 3. 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 4. All resolutions or parts of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

Section 5. 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 16th day of September 2025.

Attest:

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

Kimberly Hayes, City Clerk

Melissa Hendrix, Chair