

MINUTES

Levy County Planning Commission

March 3, 2008

6:00 p.m.

The Levy County Planning Commission was called to order by Chair Ron Grant. Board member Mrs. Toni Collins was not able to attend. Other members present were:

Thad Barber
Thomas Harper
Vaughn Lee
Bill Hammond - alternate

Also present was Development Director, Rob Corbitt, County Attorney, Anne Brown and County Planner, Shenley Neely.

There were no minutes complete at this time.

Chair Grant then called for anyone giving testimony for the Special Exception listed on the agenda to be sworn in by the county attorney. Attorney Brown officially swore in anyone that wished to speak or present themselves as an expert witness.

Chair Grant called for the board to disclose any ex-parte communications related to the petitions being presented. There were none.

Planning Department - Mrs. Neely

1. **ORDINANCE NUMBER 2008-02** An Ordinance of Levy County, Florida, providing that the Levy County Code be amended by providing for revisions related to the Planning Commission alternates; providing for revisions related to the number of copies for applications for preliminary and final plat; providing for severability; providing a repealing clause; and providing an effective date.

Mrs. Neely stated that the proposed Ordinance was directed by the Board of County Commissioners to increase the number of Planning Commission alternates from two (2) members to up to four (4).

After a short discussion Chair Grant called for a motion to this item. Mr. Barber said he finds that the ordinance would be consistent with the Comprehensive Plan and motioned to recommend approval of Ordinance 2008-02 as presented to the Board of County Commissioners. Mr. Lee seconded the motion; motion carried.

2. Review proposed amendments to the Levy County Comprehensive Plan to implement school concurrency, including the addition of the Public School Facilities Element, revision

to the Capital Improvements Element and revisions to the Intergovernmental Coordination Element.

Mrs. Neely stated that this item was for the adoption of the Public School Facility Element which is a new element required by the State of Florida. Mrs. Neely said present to discuss this item was consultant Mrs. Janis Fleet of Fleet and Associates, Architects, Planners, Inc.

Mrs. Fleet presented a power point on the different elements and exempt projects of School Concurrency. Mrs. Fleet said that School Concurrency means there must be a capacity within the schools in order for residential development to continue. Mrs. Fleet said this element is required by Senate Bill 360 and has been incorporated in Chapter 163 and 1013, Florida Statutes. Mrs. Fleet stated that in order to implement school concurrency, the county needed to adopt a new element to the comprehensive plan called the Public School Facilities Element. Mrs. Fleet said the elements of school concurrency are to *establish level of service standards for schools, establish concurrency service areas and determine availability.*

Elements: Level of Service, Concurrency Service Areas, Availability Standard and Proportionate Share Mitigation.

Exempt Projects: Lots of Record, Subdivisions with Final Subdivision Plat, Apartments with Final Site Plan Approval, Age Restricted Developments, Group Quarters and Developments of Regional Impacts.

After discussion, Chair Grant called for a motion to this item. Mr. Hammond motioned to recommend transmittal of the Public School Facilities Element to the Board of County Commissioners. Mr. Barber seconded the motion; motion carried.

Development Department - Mr. Corbitt

PETITION NO. SEA 1-08 Walton McJordan, petitioning the board for an Amendment to Special Exception No. SE 1-06, to reconfigure the 84 space RV park, add a multi-use club house and swimming pool, relocate the bathrooms and modify certain conditions of the approval of SE 1-06, on a parcel of land located in part of the NE 1/4 of the SE 1/4 of Section 35, Township 14S, Range 13E, and part of the W 1/2 of the NW 1/4 of the SW 1/4 of Section 36, Township 14S, Range 13E, in Levy County. Said parcel contains 20.28 acres more or less. This parcel is located within an "F/RR" Forestry/Rural Residential zone.

Mr. Corbitt gave a brief summary of his staff report and addendum.

Mr. Walton McJordan and his representative Mr. Frank Saier, P.E. of Scruggs and Carmichael were present to discuss this petition.

Mr. McJordan stated that he was in agreement and satisfied with the twelve conditions set forth by staff. Mr. McJordan stated that the direction they are taking is consistent with the F.S. under a cooperative. Mr. McJordan stated that they do not sell exclusive memberships and they are open to the public. Mr. McJordan stated that they do not sell RV sites and will never sell RV sites. Mr.

McJordan stated that the proposed RV Park would strongly increase the tax base and revenue within the county.

Mr. Saier referred back to SE 1-06 and the approved conditions. Mr. Saier stated that he had no objections to revising the special use language or conditions that would require the developer to keep a rental agent available at all times and a leasing agent available at all times to handle rentals to the public. Mr. Saier said they have no objection to including “no sales” or “time shares” as part of condition no. 1 and that the resort would be operated by a cooperative association in accordance with the provisions of Chapter 719.

Chair Grant asked for anyone in support or opposition of the petition. There were none.

Chair Grant closed the floor for discussion.

ISSUES OF CONCERN:

Both Mr. Grant and Mr. Hammond had concerns regarding setbacks and possibly setting a future precedence. Mr. Hammond asked about the turn lane coming off of SR 24. Mr. McJordan said that the turn lane on SR 24 was a requirement of the FDOT and Levy County Road Department.

After all discussion, Chair Grant called for a motion to this item. Mr. Harper motioned to recommend approval for SEA 1-08 to the Board of County Commissioners to include the 12 conditions as modified by the supplemental staff report and for the language to be revised in condition no. 1. Mr. Lee seconded the motion; all members voted “aye.” Motion carried.

Planning Commission Recommendations:

1. The Special Exception Use Permit is issued for the development of an Eighty Three (83) space R.V. Park open to the general public to support and compliment the County’s Recreational and Open Space System. The applicant, owner or it’s assigns may not limit the use of the R.V. Park to a membership use only, and shall at all times during regular business hours offer short term rental of R.V. lots to members of the general public by offering not less than fifteen percent (15%) of the total R.V. lots for short term rental, or the average number of R.V. lots requested on a daily basis by the general public as determined by taking an average over the previous twelve (12) months, whichever is greater. The applicant, owner or its assigns shall at all time provide a leasing office to handle rental requests from the general public. **(revised language)**
2. The applicant shall provide to the Development Department: all necessary state permits, approvals or documented exemptions from all affected state agencies at the time of the submittal of an application for a construction and development permit.
3. All applications for construction or development permits shall include drawings and specifications certified by a Florida registered professional engineer. Engineer certification shall be required for all structures; waste water collection, treatment and disposal; potable

water treatment (if required) and water distribution systems; and underground electrical installations that serve the RV sites.

4. No business shall be permitted until all improvements are completed, including all sanitary facilities and a certificate of occupancy is issued for the bath house (s) for each phase.
5. The construction of the sanitary dump station and restroom facilities shall be consistent with the Florida Administrative Code 64-E. 15 and included in the first phase.
6. The following requirements of Section 50-877. Travel Trailer Parks, are applicable to this special exception:
 - (1) All driveways and aisles shall be paved.
 - (2) Pads and individual lots may remain unpaved.
 - (3) On-site water retention shall be in accordance with the Suwannee River Water Management District.
 - (4) Approval of the Special Exception Use Permit shall be conditional upon approval of:
 - a. Potable water system by the state Department of Environmental Protection or the Department of Health (F.A.C.)
 - b. Sanitary sewer waste collection and disposal system by the Department of Environmental Protection or the Department of Health (F.A.C.)
 - c. The location, construction, operation and type of equipment required for potable water and wastewater disposal shall be by the Department of Environmental Protection or the Department of Health.
 - (5) Access to the facility shall be from Shiloh Road, limited to one ingress point and one egress point, subject approval by the Levy County Road Department.
 - (6) Building permits shall not be granted for any structures not shown on the submitted site plan, without first obtaining approval through the special exception amendment process.
 - (7) No travel trailer may be tied down, blocked up, added onto, or otherwise made to be immobile. No “park models” or other recreational vehicles requiring building permits or permanent blocking shall be permitted due to the location being in Special Flood Hazard Areas (both A-12 Elev. 13', and V-16 Elev. 14' a.m.s.l.).
 - (8) Storage facilities shall not be provided. Both permanent and temporary storage of boats or RV's within the boundaries of the RV Park are expressly prohibited.
 - (9) If an evacuation order is given, all travel trailers are required to be evacuated. The applicant shall provide written assurances that this can and will be accomplished.
7. Setbacks shall be as follows:

- (1) No RVs or RV spaces shall be permitted closer than 40 feet to any property line, or 50 feet to any public road rights -of-ways.
 - (2) A minimum building setback of 25 feet shall be maintained for all accessory buildings and structures to any property line, with no improvements other than: fencing, storm water retention areas, water lines, sewer lines, electric lines, phone lines, lamp posts, walkways or sidewalks, fencing, berms and planted vegetation being allowed within the required setback area.
 - (3) A minimum building setback of 50 feet shall be maintained along Shiloh Road to comply with Schedule 2, Lot, Yard and Height Regulations, of Article III. Zoning, Division 4. District Regulations; Section 50-676. Generally, and a minimum building setback of 121 feet from the centerline of SR 24 right-of-way shall be required to comply with Article XIII. Zoning Division 7. Supplemental Lot Regulations; Section 50-927. (d) right-of-way protection.
8. Access from Shiloh Road to the subject property shall be as shown on the site plan and approved by the Levy County Road Department. The interior roadways shall be of adequate construction to support the expected traffic load, including emergency vehicles.
9. Screening and Buffering:
 - (1) Adequate landscaping shall be provided along Shiloh Road and SR 24. The landscaping required by this condition shall constitute an unbroken screen of at least 8 feet in height. The landscaping may be of existing natural vegetation, landscaping consistent with Section 50-819. (a. through d.), or of combination of both.
 - (2) An opaque decorative fence or wall of a minimum of 6 feet in height, augmented with landscaping or street trees, shall be provided between the adjacent properties located southwest of the project area. Said fence or wall shall be of adequate construction and designed to prevent any off-site impacts resulting from erosion that may be caused by stormwater run-off.
10. Unless an extension is granted by the BOCC, construction of the RV Park shall begin within 3 months from the approval or the special exception amendment application or the Special Exception Use becomes null and void.
11. No expansion of the Special Exception Use shall be permitted, and no additional RV spaces shall be permitted without prior approval from the Board of County Commissioners. The applicant, owner or their assigns acknowledges and agrees that Levy County's approval of this "Special Exception" in no way confers into them or their assigns, any rights or privileges regarding future actions or approvals by Levy County that may be required in order to expand the RV park or develop additional RV spaces or uses on the subject property, adjacent property, surrounding property or any other property within unincorporated Levy County.

12. The conditions of this Special Exception shall be binding upon the applicant, property owners or their assigns.

There being no further business for the Levy County Planning Commission, the meeting was adjourned.

Chairman