

MINUTES

Levy County Planning Commission April 7, 2008 6:30 p.m.

The Levy County Planning Commission was called to order by Chairman Ron Grant. Other members present were:

Vaughn Lee
Thad Barber
Toni Collins
Tom Harper

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

Chair Grant called for a motion to either approve or deny the minutes from November 5th and December 3rd, 2007 as presented. Ms. Collins motioned to approve the minutes from November 5th 2007 as presented. Mr. Barber seconded the motion. All members voted "aye". Motion carried. Ms. Collins motioned to approve the minutes from December 3rd, 2007 as presented. Mr. Barber seconded the motion. All members voted "aye". Motion carried.

Chair Grant called for the board to disclose any ex-parte communications related to the petitions being presented. Ms. Collins stated that she had site visits. Mr. Harper stated that he had a voting conflict with Petition PP 2-08 and explained that the applicant was his brother and that he currently leases the land from his brother. Chair Grant stated that he had a voting conflict with Petition PP 3-08 and explained that he holds the mortgage on the property.

Chair Grant then called for anyone giving testimony for the petitions 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 asked the Development Department to present the items of business.

NEW BUSINESS: DEVELOPMENT DEPARTMENT

PETITION NO. FP 7-07 Croft Land Surveying representing Doris Standridge, petitioning the board for a Final Plat of "E & D Farms I" a subdivision located in the SW ¼ of the SE ¼ in Section 23, Township 12S, Range 14, in Levy County. Said parcel contains 37 acres more or less and is located within an "A/RR" Agriculture/Rural Residential zone. This subdivision will consist of 3 residential lots, one 17 acre and two 10 acre lots. Parcel No. 01044-001-00.

Mr. Corbitt stated that the plat review committee recommends approval of the final plat with the condition that the applicant 1. Make correction on plat and title report regarding easement and 2. Provide death certificate for Elwin Standridge and 3. Remove note "not a part of plat" (non-conforming lot [2acres] created 1994). Mr. Corbitt explained that he still has not received a copy of the death certificate for the file and that it would not go to the Board until he has received it.

Mr. Jason Murphy, representing the applicant was present to discuss this petition. Mr. Murphy and Mr. Corbitt explained that Lee Mills, the County Engineer, decided that the third condition to remove the note "not a part of plat" from the plat was not necessary.

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

Chair Grant closed the floor to discussion.

After the discussion Chair Grant called for a motion to this item. Ms. Collins motioned to recommend approval of the Final Plat of "E & D Farms I," to the Board of County Commissioners as presented with the condition that the recorded death certificate be provided to staff. Mr. Barber seconded the motion; motion carried.

PETITION NO. PP 1-08 Croft Land Surveying representing Kenneth and Martha Tafoya, petitioning the board for a Preliminary Plat of "Angelina Farms," a subdivision located in the E ½ of Section 3, Township 13S, Range 18E, in Levy County. Said parcel contains 70 acres more or less and is located within an "A/RR" Agriculture/Rural Residential zone. This subdivision will consist of seven 10 acre residential lots. Parcel No. 04370-000-00.

Mr. Corbitt stated that the plat review committee recommends approval of the preliminary plat.

Mr. Jason Murphy, representing the applicant was present to discuss this petition.

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

Chair Grant closed the floor to discussion.

After a brief discussion Chair Grant called for a motion to this item. Ms. Collins motioned to recommend approval of the Preliminary Plat of "Angelina Farms," to the Board of County Commissioners as presented. Mr. Harper seconded the motion; motion carried.

PETITION NO. PP 2-08 Croft Land Surveying representing James Harper, petitioning the board for a Preliminary Plat of "Harper's Subdivision," a subdivision located in the SW ¼ of the SW ¼ of Section 23, Township 11S, Range 15E, in Levy County. Said parcel contains 40 acres more or less and is located within an "A/RR" Agriculture/Rural Residential zone. This subdivision will consist of four residential lots ranging from 8.8 acres to 9.7 acres. Parcel No. 016151-001-00 (portion of).

PETITION NO. SVA 1-08 Croft Land Surveying representing James Harper, petitioning the board for a Variance from the Subdivision Regulations, Section 50-583 (L) Section Line Dedication, on a parcel of land located in the SW ¼ of the SW ¼ of Section 23, Township 11S, Range 15E, in Levy County. Said parcel contains 40 acres more or less and is located within an "A/RR" Agriculture/Rural Residential zone. (Harper's Subdivision). Parcel No. 01615-001-00 (portion of).

Mr. Corbitt stated that the plat review committee recommends approval of the preliminary plat with the approval of a subdivision variance. The subdivision variance is for a dedication of 40' of right-of-way for CR 134 (NW 10th Avenue) but that additional right-of-way along CR 320 is not needed.

Mr. Jason Murphy, representing the applicant was present to discuss this petition.

Chair Grant asked for anyone in support of or in opposition to the petition. Mr. Leon Clyatt stated a concern with potential new property owners being aware that the property is located in an agricultural area and that farming operations will be present around them.

After a brief discussion Chair Grant called for a motion to this item. Ms. Collins motioned to recommend approval of the Preliminary Plat of "Harper's Subdivision," including the approval of the variance of dedicating additional 10 feet on CR 320 and dedicate 40' foot of right-of-way on CR 134

(NW 10th Avenue) to the Board of County Commissioners as presented. Mr. Barber seconded the motion; Motion carried. Mr. Harper abstained from the discussion and vote.

PETITION NO. PP 3-08 Croft Land Surveying representing Financial Fidelity Inc., petitioning the board for a Preliminary Plat of “Golden Oaks Manor,” a subdivision located in the SE ¼ of Section 4, Township 13S Range 19E, in Levy County. Said parcel contains 14.84 acres more or less and is located within a Rural Residential “RR” zone. This parcel has a land use designation of Low Density Residential “LDR” and is located within the Williston Municipal Service District Area. This subdivision will consist of seven residential lots ranging from 1.62 acres to 2.32 acres. Parcel No.’s 05009-000-00 (portion of) and 05022-000-00 (portion of).

PETITION NO. SVA 2-08 Croft Land Surveying representing Financial Fidelity Inc., petitioning the board for a Variance from the Subdivision Regulations, Section 50-583 (L), Section Line Dedication, on a parcel of land in the SE ¼ of Section 4, Township 13S, Range 19E, in Levy County. Said parcel contains 14.84 acres more or less and is located within a Rural Residential “RR” zone. This parcel has a land use designation of Low Density Residential “LDR” and is located within the Williston Municipal Service District Area. (Golden Oaks Manor) Parcel No.’s 05009-000-00 (portion of) and 05022-000-00 (portion of).

Mr. Corbitt stated that the plat review committee recommends approval of the preliminary plat with the conditions of shared access for lots 2 and 7 and approval of a subdivision variance for section line dedication.

Mr. Jason Murphy, representing the applicant was present to discuss this petition.

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

ISSUES OF CONCERN:

Ms. Collins stated a concern with one of the lots becoming land locked and whether the parcel could be split within a subdivision. Mr. Harper stated a concern with the availability of water and sewer.

After a brief discussion Chair Grant called for a motion to this item. Ms. Collins motioned to recommend approval of the Preliminary Plat of “Golden Oaks Manor,” with the condition of shared access for lots 2 and 7 including the approval of the variance for eliminating the additional 10 foot dedication along CR 335 to the Board of County Commissioners as presented. Mr. Harper seconded the motion; Motion carried. Chair Grant abstained from the discussion and vote.

PETITION NO. FP 1-08 Croft Land Surveying representing Harold and Christine Bird, petitioning the board for a Final Plat of “Flying B Ranchettes,” a subdivision located in the SE ¼ of Section 19, Township 13S, Range 19E, in Levy County. Said parcel contains 40 acres more or less and is located within an “A/RR” Agriculture/Rural Residential zone. This subdivision will consist of four residential lots. Parcel No. 05180-000-00 (portion of).

Mr. Corbitt stated that the plat review committee recommends approval of the Final Plat as presented.

Mr. Jason Murphy, representing the applicant was present to discuss this petition.

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

After a brief discussion Chair Grant called for a motion to this item. Mr. Harper motioned to recommend approval of the Final Plat of “Flying B Ranchettes,” to the Board of County Commissioners as presented. Ms. Collins seconded the motion; Motion carried.

ORDINANCE 2008-08 An ordinance of Levy County, Florida, providing that the Levy County code be amended by amending Sections 50-1, 50-84, 50-189, 50-851 of such code; providing for development and buffer requirements for property abutting Natural Reservation property; amending provisions relating to setbacks from natural reservation property; providing for a variance procedure and related amendments to existing procedures for variances; providing for severability; providing a repealing clause; and providing an effective date.

Mr. Corbitt read the ordinance into the record. Mr. Corbitt explained that the proposed ordinance was to amend provisions in the land development regulations relating to setbacks from Natural Reservation property and that this was in conjunction with comprehensive plan text amendment changing the 330 foot setback to Natural Reservation Lands to a 100 foot buffer. Mr. Corbitt further explained that the ordinance would allow for agriculture and silviculture operations along with passive recreation.

Attorney Brown explained that the proposed ordinance was for the land development regulations and that it was necessary to amend the regulations to remain consistent with the changes made to the comprehensive plan. Ms. Brown explained that the ordinance establishes a variance process for applicants who can not meet the buffer requirements.

Chair Grant asked for anyone in support of or in opposition to the proposed ordinance.

Mr. Joe Herron explained that his property is located adjacent to Natural Reservation land and that with the current setback requirements that he is unable to build his home. Mr. Leon Clyatt stated that the other state agencies should put the setback buffer on their property instead of imposing that requirement on the private property owners.

Chair Grant closed the floor to discussion.

After a brief discussion Chair Grant called for a motion to this item. Mr. Harper motioned to recommend approval of Ordinance 2008-08 with the finding that it is consistent with the comprehensive plan. Mr. Barber seconded the motion; Motion carried. Mr. Harper, Mr. Barber, Mr. Lee and Chair Grant voted “aye”, Ms. Collins voted “ney”.

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

Chairman