

MINUTES

Levy County Planning Commission July 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, Planning Director, Shenley Neely and County Attorney, Anne Brown.

Chair Grant called for a motion to either approve or deny the minutes from April 7, 2008 as presented. Mr. Barber motioned to approve the minutes from April 7, 2008 as presented. Ms. Collins 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. Mr. Harper stated that he had a voting conflict with Petition FP 3-08 and explained that the applicant was his brother and that he currently leases the land from his brother.

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 Planning Department to present the items of business.

NEW BUSINESS: PLANNING DEPARTMENT

Shenley Neely explained to the Board that staff had received the ORC report from the Department of Community Affairs (DCA) regarding the EAR based amendments to the Comprehensive Plan. Ms. Neely further explained that it appears that it won't be too difficult to address the states comments although it will require substantial work and staff time to complete. Ms. Neely commended Kathy Winburn, the previous County Planner, for the good job she did in updating the Comprehensive Plan and preparing the EAR based amendments.

PETITION NO. SSA 08-01 application by Darryl Diamond, property owner, to amend the Levy County Future Land Use Map from Low Density Residential (LDR) to Commercial (C) on approximately 3.6 acres. Located on tax parcels 19211-000-00, 19212-000-00, 19213-000-00 and 19214-000-00 in Section 26, Township 16, Range 16. Located within the Inglis Municipal Service District, directly on U. S. Highway 19, on the south side.

Ms. Neely presented the staff report.

Mr. Darryl Diamond was present to discuss this petition. Mr. Diamond stated that per DOT regulations, access to the property would be from SE 68th Ave. Mr. Corbitt explained that the applicant would be required to improve the turn out and road to DOT and the County Road

Department specs. Mr. Diamond explained that he wants to build a real estate office on the subject property. Mr. Diamond stated that he thinks that changing the land use to a commercial designation is the highest and best use of the property.

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

Chair Grant asked for anyone in opposition to the petition. Chris Salitos stated a concern with the quality of life for the residential area if commercial is allowed. Juanita Johnson stated a concern with drainage due to runoff, traffic and water quality. Steve Anderson and Claudia Anderson-Kaiser stated a concern with drainage, wetlands and low lying land surrounding the subject property and the possible commercial uses that would be allowed with a zoning of C-2.

ISSUES OF CONCERN:

Ms. Collins asked whether staff received a letter from the Town of Inglis regarding the petition. Ms. Neely stated that staff had not received a letter from the Town of Inglis. Mr. Diamond stated that he had a copy of a letter that the Town of Inglis gave him. Ms. Collins questioned how low the subject property is and what surrounding lots would be affected from possible flooding due to runoff. Ms. Collins asked Mr. Corbitt to read into the record the allowable uses under C-2 zoning. Chair Grant stated a concern with the possible commercial uses being allowed near a residential area.

Chair Grant closed the floor to discussion.

After the discussion Chair Grant called for a motion to this item. Mr. Lee motioned to recommend approval of the Small Scale Land Use Change to the Board of County Commissioners as presented. Mr. Harper seconded the motion; Mr. Lee and Mr. Harper voted "Aye", Ms. Collins, Mr. Barber and Chair Grant voted "Ney"; motion failed.

PETITION NO. CZ 1-08 Darryl Diamond, petitioning the board for a Change of Zoning from "RR" Rural Residential (single-family) to C-2 Neighborhood Commercial Zoning District, Pursuant to an Approval of SSA 08-01 to allow offices, retail sales, self storage units (any permitted uses) on a parcel of land located in Nineteen Subdivision, Lots 5,6,7 and 8 all lying in Section 26, Township 16S, Range 16E in Levy County. Said parcel contains 4 acres more or less. This parcel is located within the Inglis Municipal Service District. Parcel No.'s 19211, 19212, 19213 and 19214.

Mr. Corbitt explained that the proposed zoning can not be approved without the proposed land use change being approved; however, he will read the petition into the record. Mr. Corbitt presented the staff report. Mr. Corbitt stated that the applicant presented a letter from the Town of Inglis Zoning Official with no objections to the proposed petition; however, staff does not know whether the Town of Inglis approves of the petition or if the submitted letter is the opinion of the zoning official.

Mr. Darryl Diamond was present to discuss this petition. Mr. Diamond stated that he understands the concerns of the surrounding property owners in regards to the possible commercial uses allowed within the C-2 zoning classification.

After a brief discussion Chair Grant called for a motion to this item. Ms. Collins motioned to recommend denial of the Change of Zoning to the Board of County Commissioners as presented. Mr. Barber seconded the motion; Ms. Collins, Mr. Barber and Chair Grant voted "Aye", Mr. Lee and Mr. Harper voted "Ney"; motion carried.

PETITION NO. FP 3-08 Croft Land Surveying representing James Harper, petitioning the board for a Final 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. 01615-001-00 (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.

Mr. Harper stated that he would abstain from discussion and the vote because he is related to the applicant.

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. Barber motioned to recommend approval of the Final Plat of "Harper's Subdivision," to the Board of County Commissioners as presented. Ms. Collins seconded the motion; Motion carried. Mr. Harper abstained from the vote.

PETITION NO. FP 4-08 Croft Land Surveying representing Kenneth and Martha Tafoya, petitioning the board for a Final 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 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. Ms. Collins motioned to recommend approval of the Final Plat of "Angelina Farms," to the Board of County Commissioners as presented. Mr. Barber seconded the motion; Motion carried.

OLD BUSINESS: COUNTY ATTORNEY

County Attorney Anne Brown explained that there was a Circuit Court ruling on the White Construction case and that Levy County won. Attorney Brown further explained that White would have an opportunity to appeal and that Mr. Corbitt did a good job being a witness for the County. Attorney Brown stated that White Construction also has a Federal claim with the County that may proceed to a federal trial.

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

Chairman