

MINUTES

Levy County Planning Commission September 15, 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 June 2 and July 7, 2008 as presented. Ms. Collins motioned to approve the minutes from June 2, 2008 as presented. Mr. Barber seconded the motion. All members voted "aye". Motion carried. Mr. Harper motioned to approve the minutes from July 7, 2008 as presented. Mr. Lee 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 a site visit. Chair Grant stated that he lives near and drives by Petition No. FP 5-08.

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.

DISCUSSION:

Ms. Collins stated that she wanted to discuss the incompleteness of applications being presented to staff and the Board. Ms. Collins stated that regardless of who the applicant is everyone should be held to the same standards and treated the same. Mr. Harper stated a concern with whether the board has set criteria to determine completeness or incompleteness of an application, Mr. Corbitt stated that the application has set criteria and then each applicant receives specific review criteria for site plan requirements. Mr. Corbitt further explained that the timeliness of additional information that is submitted for the application is not always given to staff until just before the meeting. Chair Grant stated that in future meetings should an applicant submit additional information during the meeting he would entertain a motion from the board to table the item for review by staff and the board. Ms. Brown stated that while the board does have the option to table an item for further review they should keep in mind that anyone in opposition to the petition can submit information at the meeting also.

Ms. Brown stated that there is a difference between incompleteness of an application and whether the applicant submits additional information during the meeting or that they meet the criteria for the application. Ms. Brown further stated that if the application is incomplete, staff does have the ability to hold the petition until the application is complete. Mr. Corbitt stated that some of the information the applicant is required to provide is not available at the time the application is heard by the Board, however, the additional information is then included in the conditions of the application. Mr. Corbitt

further explained that if a petition is approved a building permit will not be issued until all the conditions included in the staff report have been met.

Chair Grant asked the Development Department to present the items of business.

NEW BUSINESS: DEVELOPMENT DEPARTMENT

PETITION NO. FP 5-08 McMillen Surveying representing Jay Huber, petitioning the board for a Final Plat of "Cottonwood Farms," a subdivision located in the SW ¼ of Section 20, Township 12S, Range 18E, in Levy County. Said parcel contains 110 acres more or less and is located within an "A/RR" Agriculture/Rural Residential zone. This subdivision will consist of 10 acres more or less residential lots. Parcel No. 04103-006-00.

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

Mr. Steve McMillen, 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 Final Plat of "Cottonwood Farms," to the Board of County Commissioners as presented. Mr. Harper seconded the motion; Motion carried.

PETITION NO. CZ 2-08 Catherine Lawhun representing Danny H. Stevens, petitioning the board for a Change of Zoning from "C" Commercial land use to "C-3" Moderately Intensive Commercial, on a parcel of land lying west of SR 121 and North of the Seaboard Coast Line railroad right-of-way in the NE ¼ of Section 24, Township 15S, Range 16E. Said parcel contains 21 acres more or less. Parcel No. 02805-000-00.

Mr. Corbitt presented the staff report.

Ms. Catherine Lawhun, representing the applicant was present to discuss this petition. Ms. Lawhun presented information on possible commercial uses for the property. Ms. Lawhun explained that the applicant wants to keep the property in a natural state as much as possible while allowing some type of commercial development. Ms. Lawhun stated that the applicant is asking for C-3 zoning due to the expense that will be involved in resolving the water quality issues on the property and that an RV park is one of the uses being considered.

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

ISSUES OF CONCERN:

Ms. Collins asked whether the subject property was within 300 feet of the Goethe State Forest. Mr. Corbitt stated that Goethe State Forest was across the street from the subject property and that it was more than 300 feet away. Ms. Collins stated a concern with access to the property being located from US19 as that has been a dangerous intersection. Mr. Harper stated that there are water quality issues for any type of development that would be placed on the subject property. Mr. Barber stated that there have been many different businesses in the past in this area and that he doesn't have a problem with it. Mr. Lee stated that he did not have a problem with commercial being designated on the property.

After a brief discussion Chair Grant called for a motion to this item. Mr. Barber motioned to recommend approval of the Change of Zoning to the Board of County Commissioners as presented. Mr. Lee seconded the motion; motion carried.

PETITION NO. SE 4-08 Ronald and Linda Gillman petitioning the board for a Special Exception to allow a private family cemetery on a parcel of land located in all that part of the SW ¼ of the SE ¼ of Section 12, Township 14S, Range 16E, in Levy County. Said parcel contains 13.29 acres more or less and is located within a Forestry/Rural Residential “F/RR” zone.

Mr. Corbitt stated that the applicant was not present to discuss this petition. Mr. Corbitt explained that the staff report states the applicant or agent must be present for the proposed petition to be heard by the board.

Ms. Collins motioned to table Petition No. SE 4-08 to the next regular meeting that has new business to be heard. Mr. Harper seconded the motion; Motion carried.

OTHER BUSINESS:

Mr. Corbitt provided the board with copies of the conditions that were placed on the Progress Energy special exception petition during the Board of County Commission meeting.

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

Chairman