

## MINUTES

### Levy County Planning Commission March 5, 2007 6:30 p.m.

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

Thomas Harper  
Vaughn Lee  
Toni Collins  
Alternate – Bill Hammond

Also present was Development Director, Mr. Rob Corbitt and Planning Director, Ms. Kathy Winburn and County Attorney, Anne Brown.

Vice-Chair Grant called for a motion to either approve or deny the minutes from the February 5, 2007 regular meeting. Ms. Collins motioned to approve the minutes of the regular Planning Commission meeting as presented. Mr. Harper seconded the motion. Motion carried.

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

Vice-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.

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

#### NEW BUSINESS: DEVELOPMENT DEPARTMENT

**PETITION NO. FP 2-07** Croft Land Surveying representing Brent and Linda Jane Cramer and Johnie and Cheryl Steele, petitioning the board for a Final Plat of “**Cher-a-lin Plantation**,” a subdivision located in the SE ¼ of Section 20, Township 12S, Range 18E, in Levy County. Said parcel contains 20 acres more or less and is located within an “A/RR” Agriculture/Rural Residential zone. This subdivision will consist of two 10 acre more or less residential lots. Parcel No. 04103-008-00.

Mr. Corbitt stated that the plat review committee recommends approval of the proposed final plat as submitted.

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

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

Vice-Chair Grant closed the floor to discussion.

After a short discussion Vice-Chair Grant called for a motion to this item. Ms. Collins motioned to recommend approval of the Final Plat of “Cher-a-lin Plantation,” to the Board of County Commissioners as presented. Mr. Lee seconded the motion; motion carried.

**PETITION NO. FP 3-07** Croft Land Surveying representing Bill & Cindy Haynes, petitioning the board for a Final Plat of “**Suwannee Estates at Ames Field,**” a subdivision located in the NW ¼ of Section 25, Township 10S, Range 14E, 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 six residential lots. Parcel No.’s 00455-001-00, 00454-000-00 (portion of), 00455-000-00 (portion of).

Mr. Corbitt stated that the plat review committee recommends approval of the proposed final plat as submitted.

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

**ISSUES OF CONCERN:**

Vice-Chair Grant asked whether there would be fuel storage allowed on the property. Mr. Corbitt explained that an individual property owner is allowed to store up to 500 gallons of fuel on the property and that it is not regulated at that level. Mr. Harper asked about whether the airstrip is regulated by the FAA. Mr. Corbitt stated that the license for the airstrip is currently listed as being used by the property owners on the airstrip and also as an emergency landing strip if needed. Mr. Corbitt stated that the license has been renewed through DOT. Mr. Corbitt further explained that the regulations have changed and currently owners are allowed to renew their permit for airstrips on line.

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

Vice-Chair Grant closed the floor to discussion.

After a short discussion Vice-Chair Grant called for a motion to this item. Mr. Lee motioned to recommend approval of the Final Plat of “Suwannee Estates at Ames Field,” to the Board of County Commissioners as presented. Ms. Collins seconded the motion; motion carried.

**PETITION NO. CZ 1-07** Michael Thompson petitioning the board for a Change of Zoning from C-Commercial land use to C-3 Moderately Intensive Commercial on a parcel of land located in the SE ¼ of Section 6, Township 13S, Range 19E, Levy County. Said parcel contains 3.46 acres more or less. Parcel No. 05060-000-00.

Mr. Corbitt presented his staff report. Mr. Corbitt stated that the City of Williston had no objections to the proposed zoning change.

Mr. Michael Thompson was present to discuss this petition.

**ISSUES OF CONCERN:**

Vice-Chair Grant asked for anyone in support of the petition. There were none. Vice-Chair Grant asked for anyone in opposition to the petition. Mr. Justin Head, Dean Olitsky and Jason Head stated concerns with a commercial business being adjacent to residential property, the improper use of the property by Mr. Thompson before he applied for the land use and zoning change and how he was allowed to continue doing so and concern with the potential commercial development allowed in a C-3 zone that could be developed at the property should Mr. Thompson sell the property.

Vice-Chair Grant closed the floor to discussion.

The Board stated concerns with the potential commercial development allowed within the C-3 zoning classification and whether those uses are compatible with the surrounding residential area and that the

applicant has been operating his business at the petition property before receiving approval for that zoning use. The Board asked Mr. Corbitt to read into the record the list of uses under the C-3 zoning district.

Mr. Corbitt stated that there have been several complaints against Mr. Thompson that the County Code Enforcement Department has investigated and that Mr. Thompson to his knowledge is cooperating with the County.

After a short discussion Vice-Chair Grant called for a motion to this item. Ms. Collins motioned to recommend approval of the proposed Change of Zoning to C-3 Moderately Intensive Commercial to the Board of County Commissioners as presented. Mr. Hammond seconded the motion; motion carried. Vice-Chair Grant, Ms. Collins and Mr. Hammond voted “aye”, Mr. Harper and Mr. Lee voted “ney”.

**PETITION NO. SE 1-07** Michael Thompson petitioning the board for a Special Exception to allow for a welding shop and metal fabrication, on a parcel of land located in the SE ¼ of Section 6, Township 13S, Range 19E, in Levy County. Said parcel contains 3.46 acres more or less and has a “C” Commercial land use. Parcel No. 05060-000-00.

Mr. Corbitt presented his staff report.

Mr. Thompson was present to discuss this petition.

#### **ISSUES OF CONCERN:**

Vice-Chair Grant asked for anyone in support of the petition. There were none. Vice-Chair Grant asked for anyone in opposition to the petition. Dean Olitsky, Debbie Sirota, Dawn Olitsky and Justin Head stated concerns with existing structure being built to code, the potential commercial development allowed within the C-3 zoning classification, the use of a well on the property and whether the County would continue to regulate potential code enforcement violations by the property owner.

The Board had questions concerning the buffering height for commercial property located near residential property, odor and noise levels and the other commercial uses allowed within the C-3 zoning classification.

Vice-Chair Grant closed the floor to discussion.

After a short discussion Chairperson Collins called for a motion to this item. Ms. Collins motioned to recommend approval of the Special Exception to include the recommendations by staff to the Board of County Commissioners as presented. Mr. Hammond seconded the motion. All members voted “aye.” Motion carried.

#### **Staff Conditions:**

1. The Special Exception Use is for a welding shop to be used for light manufacturing (fabrication of utility trailers, stall doors, barn hardware, etc.) and welding repair.
2. The applicant shall provide a site plan drawn by professional engineer with the submittal of any application for a building permit, which includes sufficient details to document compliance with:
  - a. All applicable land development codes;
  - b. Locates all existing improvements and required building setbacks;

- c. Shows the location of the driveway access, attendant utilities, proposed water well and onsite sewage treatment and disposal system, interior isles, parking spaces, surface water retention areas and any loading/unloading areas if included.
  - d. Details the location, design and character of any proposed landscaping;
  - e. A decorative opaque fence or wall of at least 8 feet in height, or non-deciduous street trees planted at intervals which creates a visual barrier at least eight feet high shall be shown on the site plan, and shall be in place along all abutting streets prior to the issuance of a certificate of occupancy and the connection of electric utilities.
  - f. Documents compliance with any conditions set forth by the Board of County Commissioners and attached to the approval of the Special Exception Use.
3. All outdoor storage is prohibited. The parking of any unlicensed vehicles onsite, out of an enclosed building, for more than 30 days, shall be deemed outside storage.
  4. The owner or applicant shall provide all required or necessary construction documents with any building permit application, such as, but not limited to as-built-certification by a Florida registered professional engineer for any construction done without the benefits of valid building permits and inspections.
  5. The conditions set forth herein and any conditions that may be set forth by the Board of County Commissioners shall apply to the applicant, owners or their assigns.

**Notes:**

- a. All requirements of the current Florida Building Code shall apply to any building construction.
- b. All construction licensing laws shall be strictly adhered to.
- c. Penalties for beginning construction without first obtaining the required building permits shall be assessed.

**OTHER BUSINESS: PLANNING DEPARTMENT**

Ms. Winburn explained to the Board that she has revised the proposed schedule for the EAR based amendments and would be starting with a workshop on the Infrastructure Element. Ms. Winburn explained that the Conservation Element and springs protection could be reviewed sometime from May to July due to the possible need for more than one workshop for these items and seven proposed large scale land use amendments that staff has received for processing. Ms. Winburn asked the Board about scheduling a workshop in April to begin reviewing the Infrastructure Element. The Board decided to schedule the workshop for April 2<sup>nd</sup>. Ms. Brown stated that she would have an item for the agenda concerning proposed changes to the Planning Commission responsibilities.

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

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Chairman