

MINUTES

Levy County Planning Commission

February 6, 2006

6:30 p.m.

The Levy County Planning Commission was called to order by Chairperson Ms. Toni Collins. Other members present were:

Thadus Barber
Ron Grant
Vaughn Lee
Eugene Pollock

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

Chairperson Collins called for a motion to either approve or deny the minutes from January 9, 2006 regular meeting. Mr. Pollock motioned to approve the minutes of the regular Planning Commission meeting as presented. Mr. Barber seconded the motion; motion carried.

Chairperson Collins called for the board to disclose any ex-parte communications related to the petitions being presented. Chairperson Collins stated her ex-parte communications as site visits to Preliminary Plats Aventura Estates and Ivey Run Estates. Chairperson Collins 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.

Chairperson Collins asked the Development Director, Mr. Corbitt to present the items of business.

NEW BUSINESS: DEVELOPMENT DEPARTMENT

A request was made by Mr. Mike Pardue, Pardue Land Surveying to hear his agenda item first if possible as he had another engagement to attend.

Chairperson called for a motion to allow Mr. Pardue's petition to be heard first as requested. Mr. Grant motioned to change the agenda. Mr. Barber seconded the motion; motion carried. All members voted "aye."

PETITION NO. FP 20-05 Pardue Land Surveying representing Eli Beasley and Feliciano Arevalo Puerta, petitioning the board for a Final Plat of "Beasley Acres," a subdivision located in part of Section 13, Township 11S, Range 15E, Levy County. Said parcel contains 31.23 acres more or less and is located within an "A/RR" Agriculture/Rural Residential zone.

Mr. Corbitt stated that the Plat Review Committee recommends approval for the preliminary plat.

Mr. Mike Pardue from Pardue Land Surveying, representing the applicant, was present to discuss this petition.

Chairperson Collins asked for anyone in support or opposition of the petition. There was none.

After a short discussion Chair Collins called for a motion to this item. Mr. Pollock motioned to recommend approval for the final plat of "Beasley Acres." Mr. Barber seconded the motion; motion carried. All members voted "aye."

PETITION NO. PP 1-06 Croft Land Surveying representing Vantana M & B Properties, Inc. petitioning the board for a Preliminary Plat of "Aventura Estates," a subdivision located in Section 7, Township 13S, Range 19E, in Levy County. Said parcel contains 38 acres more or less and is located within the Williston Municipal Service District. This parcel has a land use designation of "LDR" Low Density Residential and is zoned "RR" Rural Residential. Said plat will contain fifty-four ½ acre residential lots.

Mr. Corbitt stated that the Plat Review Committee recommends approval for the preliminary plat.

Mr. Corbitt stated that the developer is expecting water to be provided by the City of Williston and their proposing to go on city water and septic tanks which are allowed. At this time the developer has a mutual agreement from the City of Williston.

Mr. Danny Croft from Croft Land Surveying, representing the applicant, was present to discuss this petition.

Chairperson Collins asked for anyone in support of the petition. There was none.

Chairperson Collins called for any opposition from the audience. Ms. Connie Scanlon and Mr. Carmelo Zapula stated that the development would be incompatible with the horse industry as they both operate a training center. This type of development would create a traffic hazard.

Chairperson Collins closed the floor to discussion.

Mr. Grant stated his concerns regarding the one ingress and egress entrance/exit for the proposed gated community of "Aventura Estates" and the traffic hazard it would create.

Mr. Pollock asked if it was possible for a second entrance and how the noise from the airport would affect the project.

Chairperson Collins stated that statistically this proposed gated community would create a lot of additional traffic.

After a short discussion Chair Collins called for a motion to this item. Mr. Lee motioned to recommend approval for the preliminary plat of "Aventura Estates." Motion died for lack of a second. Mr. Grant motioned to deny the preliminary plat. Chairperson Collins passed the gavel to Vice-Chairman Barber and then seconds the motion for denial. Mr. Barber then called for discussion. Mr. Pollock asked why the motion was for denial. Mr. Grant stated that he was concerned about the additional traffic and safety factor of the one entrance and exit. After discussion Mr. Grant called for question. Mr. Barber then called for a vote. Mr. Grant and Chairperson Collins voted "aye." Mr. Pollock, Mr. Lee and Mr. Barber voted "ney," motion fails. Mr. Lee motions to recommend approval of the preliminary plat. Mr. Barber seconds the motion; Mr. Barber, Mr. Pollock and Mr. Lee votes "aye." Mr. Grant and Chairperson Collins voted "ney." Motion carries.

PETITION NO. FP 19-05 Croft Land Surveying representing Quality Land Development (Ron Waker), petitioning the board for a Final Plat of "Whispering Heights," a subdivision located on a parcel of land in the SW 1/4 of Section 3, Township 14S, Range 18E, in Levy County. Said parcel contains 40 acres more or less and is located within an "A/RR" Agriculture/Rural Residential zone. Said plat will contain four 10 acre more or less residential lots.

Mr. Corbitt stated that the Plat Review Committee recommends approval for the preliminary plat.

Mr. Danny Croft from Croft Land Surveying, representing the applicant, was present to discuss this petition.

Chairperson Collins asked for anyone in support or opposition of the petition. There was none.

After a short discussion Chair Collins called for a motion to this item. Mr. Grant motioned to recommend approval for the final plat of "Whispering Heights." Mr. Pollock seconded the motion; motion carried. All members voted "aye."

PETITION NO. FP 21-05 Croft Land Surveying representing B & S Land, LLC and Ash Investment Co., petitioning the board for a Final Plat of "Saddlebrook Farms," a subdivision located in the SE 1/4 of the SW 1/4 and the W 1/2 of the SW 1/4 of the SE 1/4 of Section 22, Township 12S, Range 17E, in Levy County, less and except the South 25'

thereof for right-of-way of LCR 102. Said parcel contains 60 acres more or less and is located within an "RR" Rural Residential zone.

Mr. Corbitt stated that the Plat Review Committee recommends approval for the preliminary plat.

Mr. Danny Croft from Croft Land Surveying, representing the applicant, was present to discuss this petition.

Chairperson Collins asked for anyone in support or opposition of the petition. There was none.

After a short discussion Chair Collins called for a motion to this item. Mr. Pollock motioned to recommend approval for the final plat of "Whispering Heights." Mr. Barber seconded the motion; motion carried. All members voted "aye."

PETITION NO. PP 33-05 Dynan Group, Inc. representing Feaster Development Corp., petitioning the board for a Preliminary Plat of "Ivey Run Estates," a subdivision located in the SW 1/4 of the SE 1/4 of Section 36, Township 12S, Range 18E, in Levy County. Said parcel contains 10 acres more or less and is located within the Williston Municipal Service District. This parcel has a land use designation of "LDR" Low Density Residential and a zoning of "RR" Rural Residential.

This subdivision will consist of thirteen 1/2 acre lots more or less.

Mr. Corbitt stated that the Plat Review Committee recommends approval for the preliminary plat.

Mr. Corbitt stated that the City of Williston has tentatively agreed to provide water.

Mr. David Stonecypher from Dynan Group, representing the applicant, was present to discuss this petition.

Chairperson Collins asked for anyone in support of the petition. There was none.

Chairperson Collins called for any opposition from the audience. Mr. Mike Radacky and Ms. Kathy Radacky stated their concerns on the location of the water line in relation to their property.

After a short discussion Chair Collins called for a motion to this item. Mr. Lee motioned to recommend approval for the preliminary plat of "Ivey Run Estates." Mr. Pollock

seconded the motion; motion carried. Mr. Pollock, Mr. Lee and Chairperson Collins voted "aye." Mr. Grant voted "ney."

Mr. Grant recommended placing on the next agenda as a discussion item, criteria for requiring two emergency ingress/egress entrances.

Mr. Pollock asked Mr. Corbitt if he would be able to contact the emergency management, fire, etc. to get their ideas on what criteria they would like to see for these types of developments.

Chairperson Collins stated that at the last meeting Mr. Grant had requested as discussion on the review of the proposed petition applications. Ms. Collins asked if there were a copy of the policies for public participation. Because copies were not provided to the board for review, Chairperson Collins asked for the Public Participation Procedures be placed on the agenda for the next regular meeting.

Chairperson Collins asked what a pre-submission conference was for the Planning Commission as per Section 50-531 of the Land Development Code. Mr. Corbitt explained that it was optional and was utilized for developers to provide a rough sketch and submit for a review to see if the project would be worthwhile.

Chairperson Collins asked if there was a rule that requires the petitioner or representative to be present in order for the petition to be heard. Mr. Corbitt stated that in the code he feels that it says the petitioner or representative shall be present or is recommended to be present.

Mr. Jason Murphy of Croft Land Surveying asked what constitutes a duly authorized representative. Attorney Brown stated that written authorization would be required, but not appointing the county staff as your representative.

DISCUSSION - PLANNING DEPARTMENT

Ms. Winburn updated the board on the EAR (Evaluation and Appraisal) report and provided the board with a copy of the first draft. Ms. Winburn stated that DCA (Department of Community Affairs) has an optional review process that allows the County to submit the draft report 90 days before the actual due date of July 1, 2006 which would be April. Ms. Winburn recommended that the Planning Commission schedule a public hearing on February 27, 2006. The board agreed to have the public hearing on Monday, February 27, 2006 at 6:30 p.m.

OTHER BUSINESS:

For the record Ms. Collins provided Mr. Corbitt with the revised Land Development Code.

Mr. Grant suggested that the discussion item regarding criteria for requiring two emergency ingress/egress entrances be placed on the agenda for the public hearing on February 27, 2006.

Mr. Pollock stated for the record that he is resigning due to political reasons, and that this was to be his last meeting with the Planning Commission. He stated that in his tenure he has learned a lot of things and he appreciated the county giving him the opportunity to serve in some way. In addition Mr. Pollock discussed five key items with the board members to aid them in making decisions at the public hearings. 1. No hidden agendas or political involvement beyond the door. As board members you are acting for the people, either the applicant or people that may oppose. You are for the people of this county. 2. Be professional. Don't get into any heated arguments in which your motions become the predominant factor, because when motions rise logic goes. 3. Know the Land Development Codes (LDR's). 4. Treat everyone with dignity and respect. Audience, co-workers and staff. 5. Make your decisions on facts not emotions. If it fits the criteria of the LDR's and is compatible with the Comprehensive Plan, and if you can't see anything that would prevent a decision to be made for a recommendation of approval, then approve the item. Stay with the facts.

After a short discussion regarding Mr. Pollock's resignation and board terms, the Levy County Planning Commission was adjourned.

Chairperson