

## MINUTES

### Levy County Planning Commission March 6, 2006 6:30 p.m.

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

Ron Grant  
Thadus Barber  
Vaughn Lee

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

Chair Collins called for a motion to either approve or deny the minutes from the February 6, 2006 regular meeting with corrections made to original draft. Mr. Barber motioned to approve the minutes of the regular Planning Commission meeting as presented. Mr. Grant seconded the motion, motion carried.

Chair Collins called for the board to disclose any ex-parte communications related to the petitions being presented. Mr. Grant stated that he was familiar with "Church's Acres" Preliminary Plat and with the applicant. Chair Collins stated her ex-parte communications as being site visits. Chair 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.

Chair Collins stated that the agenda order for the petitions had been changed to hear the final plats first then the preliminary plats. Chair Collins asked the Development Department to present the items of business.

#### NEW BUSINESS: DEVELOPMENT DEPARTMENT

**PETITION NO. FP 14-05** Pardue Land Surveying representing 602 Plaza, LLC, petitioning the board for a Final Plat of "Quiet Place," a subdivision located in the N  $\frac{3}{4}$  of the W  $\frac{1}{2}$  of the W  $\frac{1}{2}$  of Section 32, Township 11S, Range 14E, in Levy County. Said parcel contains 110.77 acres more or less and is located within an "A/RR" Agriculture/Rural Residential zone. Parcel No. 00759-000-00.

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

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

Chair Collins closed the floor to discussion.

Chair Collins asked about the surface water permit letter. Mr. Corbitt stated a copy of the letter was in the master file. After a short discussion Chair Collins called for a motion to this item. Mr. Lee motioned to recommend approval of the Final Plat of "Quiet Place," to the

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Board of County Commissioners as presented. Mr. Barber seconded the motion; motion carried. All members voted "aye."

**PETITION NO. FP 22-05** Pardue Land Surveying representing M.E. McDougal, petitioning the board for a Final Plat of "Oak Meadows Phase II," a subdivision located in part of Section 10, Township 11S, Range 14E, in Levy County. Said parcels contain 36 acres more or less and are located within a Rural Residential "RR" zone. This subdivision will consist of thirty-one 1 acre more or less residential lots. Parcel No. 00591-005-00.

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

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

Chair Collins closed the floor to discussion.

Mr. Grant questioned the time frame between the preliminary plat and final plat and whether the board could require a time frame for the petitions to be heard. Ms. Brown stated that the board would have to approve such a change in the Land Development Regulations. Chair Collins stated that all items listed on the checklist for the applicant petition should be included within the board's agenda packet. After a short discussion Chair Collins called for a motion to this item. Mr. Grant motioned to recommend approval of the Final Plat of "Oak Meadows Phase II," to the Board of County Commissioners as presented. Mr. Barber seconded the motion; motion carried. All members voted "aye".

**PETITION NO. FP 1-06** Croft Land Surveying representing Ernest O'Connor, petitioning the board for a Final Plat of "Oak Glen," a subdivision located in the SE ¼ of the SE 1/4, in Section 4, Township 13S, Range 19E, in Levy County. Said parcel contains 6.23 acres more or less. This parcel is zoned "RR" Rural Residential and has a land use designation of "LDR" Low Density Residential. Located within the Williston MSD. This subdivision consists of six 1 acre more or less residential lots. Parcel No. 04452-000-00.

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

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

Chair Collins closed the floor to discussion.

After a short discussion Chair Collins called for a motion to this item. Mr. Barber motioned to recommend approval of the Final Plat of "Oak Glen," to the Board of County Commissioners as presented, Mr. Lee seconded the motion; motion carried. All members voted "aye".

**PETITION NO. FP2-06** Croft Land Surveying representing William and Vicki Winkle, petitioning the board for a Final Plat of "Twin Oaks," a subdivision located in the NE ¼ of the NE ¼ of Section 17, Township 13S, Range 18E, Levy County, Florida. Less and except the North 50' thereof for road right-of-way and the West 336.39 feet thereof. Said parcel contains 29.52 acres more or less and is located within an "A/RR" Agriculture/Rural Residential zone.

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This subdivision will consist of three 9 acre more or less residential lots. Parcel No. 04956-001-00.

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

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

Chair Collins closed the floor to discussion.

After a short discussion Chair Collins called for a motion to this item. Mr. Lee motioned to recommend approval of the Final Plat of "Twin Oaks," to the Board of County Commissioners as presented, Mr. Grant seconded the motion; motion carried. All members voted "aye".

**PETITION NO. PP 2-06** Pardue Land Surveying representing Janet Cribb, petitioning the board for a Preliminary Plat of "Cribb Estates," a subdivision located in Manatee Farms Estates Unit 1, a Replat of Lots 27 and 28, Block A, in Section 21, Township 11S, Range 14E, in Levy County. Said parcel contains 10 acres more or less and is located within a "RR" Rural Residential zone. This subdivision will consist of three 3.36 acre more or less residential lots. Parcel No.'s 07697-039-00 and 07697-040-00.

Mr. Corbitt stated that the plat review committee recommended approval of the plat.

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

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

Chair Collins closed the floor to discussion.

After a short discussion Chair Collins called for a motion to this item. Mr. Barber motioned to recommend approval of the Preliminary Plat of "Cribb Estates," to the Board of County Commissioners as presented, Mr. Grant seconded the motion; motion carried. All members voted "aye".

**PETITION NO. PP 5-06** Pardue Land Surveying representing Jack and Loyann Mann, petitioning the board for a Preliminary Plat of "Mann's Reserve," a subdivision located in the E ½ of the NW ¼, in Section 11, Township 12S, Range 14E, in Levy County. Said parcel contains 80.75 acres more or less and is located within an "A/RR" Agriculture/Rural

Residential zone. This subdivision will consist of eight 9 acre more or less residential lots. Parcel No. 00967-003-00 (portion of).

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

Mr. Corbitt stated that the plat review committee recommended approval of the plat.

Chair Collins asked for anyone in opposition to the petition. Mr. Robert Mount and Mr. Robert Pierce stated their concerns with the Sterling Run subdivision being tied to Mann's Reserve

through an access road that they thought was a cul-de-sac in their subdivision and the added traffic that this would cause. Mr. Mount stated that the residents of Sterling Run were considering possibly becoming a gated community.

Chair Collins asked for anyone in support of the petition. Mr. Gary Hunter and Mr. Marvin Woods stated their concerns with having to maintain the road in the Sterling Run subdivision should that subdivision become a gated community. Mr. Ernie Lyle questioned whether a cul-de-sac even existed in the Sterling Run subdivision plat.

Chair Collins closed the floor to discussion.

Mr. Barber questioned what would happen to the proposed plat if Sterling Run became a gated community. Mr. Corbitt stated that if Sterling Run decided to become a gated community that they would have to come back to the board for a replat and that road access would become an issue for the proposed plat. Mr. Grant questioned whether the board should base its decision on what may or may not happen with the Sterling Run subdivision. Mr. Corbitt stated that there are no violations to the land development code for the proposed plat. After a short discussion Chair Collins called for a motion to this item. Mr. Grant motioned to recommend approval of the Preliminary Plat of "Mann's Reserve," to the Board of County Commissioners as presented, Mr. Lee seconded the motion; motion carried. All members voted "aye".

**PETITION NO. PP 3-06** McMillen Surveying representing Gator Oaks, LLC, petitioning the board for a Preliminary Plat of "Gator Oaks," a subdivision located in the NW ¼ of the SW ¼, in Section 35, Township 11S, Range 17E, 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 9 acre more or less residential lots. Parcel No. 03259-001-00.

Mr. Corbitt stated that the plat review committee recommended approval of the plat.

Mr. Steve McMillen, representing the applicant was present to discuss this petition.

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

Chair Collins closed the floor to discussion.

After a short discussion Chair Collins called for a motion to this item. Mr. Barber motioned to recommend approval of the Preliminary Plat of "Gator Oaks," to the Board of County Commissioners as presented, Mr. Lee seconded the motion; motion carried. All members voted "aye".

**PETITION NO. PP 7-06** Parrish Land Surveying representing Ralph Raperto, petitioning the board for a Preliminary Plat of "Confederate Acres," a subdivision located in a part of the NW ¼ of the NW ¼, of Section 33, Township 10S, Range 15E, in Levy County. Said parcel contains 10 acres more or less and is located within an "A/RR" Agriculture/Rural Residential zone. This subdivision will consist of one 10 acre more or less residential lot. Parcel No. 01417-001-00.

Mr. Corbitt stated that the plat review committee recommended approval of the plat.

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Mr. Gene Parrish, representing the applicant was present to discuss this petition. Mr. Parrish stated that the applicant would like the utility easement on his property to be removed. Mr. Corbitt stated that the applicant would need to apply for a variance on the proposed plat. Ms. Brown stated that the preliminary plat could proceed forward for approval with the condition that the variance regarding the utility easement be approved before the final plat is approved.

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

Chair Collins closed the floor to discussion.

After a short discussion Chair Collins called for a motion to this item. Mr. Lee motioned to recommend approval of the Preliminary Plat of "Confederate Acres," to the Board of County Commissioners as presented, Mr. Barber seconded the motion; motion carried. All members voted "aye".

**PETITION NO. PP 4-06** Croft Land Surveying representing John A. & Clara Church, petitioning the board for a Preliminary Plat of "Church's Acres," a subdivision located in the NE ¼ of Section 9, Township 13S, Range 19E, in Levy County. Said parcel contains 26 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 designation of "RR" Rural Residential. This subdivision will consist of four residential lots. Parcel No. 05144-000-00.

Mr. Corbitt stated that the plat review committee recommended approval of the plat.

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

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

Chair Collins closed the floor to discussion.

After a short discussion Chair Collins called for a motion to this item. Mr. Grant motioned to recommend approval of the Preliminary Plat of "Church's Acres," to the Board of County Commissioners as presented, Mr. Barber seconded the motion; motion carried. All members voted "aye".

**PETITION NO. PP 6-06** Croft Land Surveying representing Hal Baerg, petitioning the board for a Preliminary Plat of "Meadow Oaks," a subdivision located in a portion of the E ½ of the SE 1/4, of Section 2, Township 13S, Range 18E, in Levy County. Said parcel contains 60.2 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 designation of "RR" Rural Residential. This subdivision will consist of seventy-one ½ acre more or less residential lots. Parcel No.'s 04361-000-00 and 04361-001-00.

Mr. Corbitt stated that the plat review committee recommended approval of the plat. Mr. Corbitt stated that the City of Williston responded with no objections to the proposed plat.

Ms. Winburn explained the comprehensive plan policy 1.3 of the aquifer recharge element and section 50-938 of the land development code regarding the wetlands within the proposed subdivision plat.

Mr. Danny Croft and Mr. John Hurford, representing the applicant was present to discuss this petition.

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

Chair Collins closed the floor to discussion.

The board stated their concerns with whether the City of Williston would allow the proposed plat to be connected to the City's water system. Ms. Brown stated that the board could approve the proposed plat with the condition that the City will agree to supplying water to the subdivision before the final plat is approved. The board stated their concerns with the proposed plat having septic systems rather than connecting to the City's sewer line that is adjacent to the property. Mr. Corbitt stated that the land use designation of LDR require subdivisions that are below 1 acre lots to be connected to public water and subdivisions below ½ acre lots to be connected to public water and sewer systems. After a short discussion Chair Collins called for a motion to this item. Mr. Lee motioned to recommend approval of the Preliminary Plat of "Meadow Oaks," to the Board of County Commissioners as presented, Mr. Grant seconded the motion; motion carried. All members voted "aye".

## **DISCUSSION - GENERAL**

The board decided to table until the next meeting the discussion on the public participation procedures to allow for more time to review the document more thoroughly. Chair Collins suggested scheduling the proposed petition on Marsh Harbor for a separate meeting day from the regular monthly meeting due to the potential for a large public turnout. The Board decided to schedule the meeting for Marsh Harbor on April 11, 2006 at 6:30 p.m. in courtroom "A" at the Levy County Courthouse. Ms. Brown stated that she reviewed whether there was a potential conflict with Mr. Bill Hammond serving as an alternate planning member and also an employee for the City of Chiefland. Ms. Brown stated that there are two potential conflicts. 1. voting conflict which is for when a board member can't vote if it would benefit or work against the board member, their family or employer financially. Ms. Brown stated that there is no conflict because Mr. Hammond is exempt due to the fact that his employer is a city. 2. conflicting employment with a contractual relationship which would create an ongoing conflict. Ms. Brown stated that governmental agencies such as a municipality are exempt and that the only issues that there may be a conflict with would be related to the MSD surrounding the City of Chiefland and that Mr. Hammond could abstain from voting on such proposed petitions.

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

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Chairman