

## MINUTES

### Levy County Planning Commission

April 3, 2006

6:30 p.m.

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

Thadus Barber  
Ron Grant

Members not present were: Vaughn Lee and Thomas Harper.

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

Chairperson Collins called for a motion to either approve or deny the minutes from the March 6, 2006 regular meeting. Mr. Barber motioned to approve the minutes of the regular Planning Commission meeting as presented. Mr. Grant seconded the motion; motion carried.

Chairperson Collins announced that the scheduled hearing for Tuesday, April 11, 2006 for the "Marsh Harbor" PUD has been deferred and will be rescheduled for a later date.

Chairperson Collins stated that Ms. Winburn had submitted the EAR Report to the DCA and they will respond by April 15, 2006. Upon receiving the response she will schedule a meeting for May for the board to move forward.

Chairperson 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 "Golden Oaks Manor" Preliminary Plat. Chairperson Collins stated her ex-parte communications as being site visits and that she had driven to the gate and looked into Horse Hole Creek for the mud bogging application. She also stated that on "Big Oak Farms" the owner, Dr. Kirkland lives near her and on February 14, 2006 Dr. Kirkland had come to her home and inquired on the procedure for subdividing and she referred them to the Development Department. 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.

Chair Collins asked the Development Department Director Mr. Corbitt to present the items of business.

NEW BUSINESS: DEVELOPMENT DEPARTMENT

**PETITION NO. PP 9-06** Croft Land Surveying representing Financial Fidelity Inc., A FL Corporation, petitioning the board for a Preliminary Plat of “Golden Oaks Manor,” a subdivision located in the SE 1/4 of Section 4, Township 13S, Range 19E, in Levy County. Said parcel contains 26.47 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 classification of “RR” Rural Residential. This subdivision will consist of eleven residential lots.

Mr. Jason Murphy of Croft Land Surveying, representing Financial Fidelity Inc., A FL Corporation was present to discuss the petition.

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

Chairperson Collins asked for anyone in support of the petition. There were none. Chairperson Collins called for any opposition from the audience. Ms. Ann Harrington, Ms. Jacqueline Appling and Ms. Cora Appling all stated concerns about the traffic and noise.

Chairperson Collins closed the floor to discussion.

Mr. Barber questioned the traffic issue. Mr. Corbitt stated that his opinion is that it is operating as a Level of Service “A.” Mr. Grant agreed that the area is growing, but also agrees that it would be a low level “A” or high “B” service. Chairperson Collins also agreed with staff stating the potential is there to have a great many more residences than what is being applied for. After a short discussion Chairperson Collins called for a motion to this item. Also for the record, Chairperson Collins stated that a response was received from the City of Williston with no objections to the proposed plat. Mr. Grant motioned to recommend approval of the preliminary plat to the Board of County Commissioners as presented. Mr. Barber seconded the motion. Both Mr. Grant and Mr. Barber voted “aye.” Motion carried. Chairperson Collins voted “ney.”

**PETITION NO. PP 10-06** Croft Land Surveying representing Island Development III, petitioning the board for a Preliminary Plat of “Reserve,” a subdivision located in the North 795' of the following described parcel: A parcel of land in the S ½ of Section 34, Township 16S, Range 16E, in Levy County. Said parcel contains 7 acres more or less and is located within the Inglis Municipal Service District. This parcel has a land use designation of “MDR” Medium Density Residential and a zoning classification of “R” Residential. This subdivision will consist of seven 1 acre more or less residential lots.

Mr. Joe Hozian stated that the minimum elevation for FEMA for flood insurance to construct a home is 14'.

Chairperson Collins recognized the representatives from the City of Inglis that were present. Mr. Darryl Diamond stated the City of Inglis Planning Commission had no objections to the preliminary plat. Mr. Diamond also introduced Mr. Robert Kelly, who is also a Planning Commission member from Inglis.

Chairperson Collins closed the floor to discussion.

Chairperson Collins called for a motion to this item. Mr. Barber motioned to recommend approval of the preliminary plat to the Board of County Commissioners as presented. Mr. Grant seconded the motion. Both Mr. Barber and Mr. Grant voted “aye.” Motion carried. Chairperson Collins voted “ney.”

**PETITION NO. PP 11-06** Mike and Sandra Pardue, petitioning the board for a Preliminary Plat of “Meadow Wood,” a subdivision located in part of the SE 1/4 of Section 34, Township 10S, Range 14E, in Levy County. Said parcel contains 40 acres more or less and is located within the Fanning Springs Municipal Service District. This parcel has a land use designation of “LDR” Low Density Residential and a zoning classification of “RR” Rural Residential. This subdivision will consist of thirty-two 1 acre more or less residential lots.

Mr. Mike Pardue of Pardue Land Surveying, representing Mike and Sandra Pardue, was present to discuss the petition.

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

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

John F. Smith stated he had just purchased property in this area and was concerned about the dust, but was glad to know the road was going to be paved.

Chairperson Collins called for any opposition from the audience. Mr. Thomas Franks and Mr. Ed Rich stated their concerns regarding deed restrictions (i.e., type, size and quality of the dwellings).

Chairperson Collins closed the floor to discussion.

Chairperson Collins called for a motion to this item. Mr. Grant motioned to recommend approval of the preliminary plat to the Board of County Commissioners as presented. Mr. Barber seconded the motion. Both Mr. Barber and Mr. Grant voted “aye.” Motion carried. Chairperson Collins voted “ney.”

**PETITION NO. PP 12-06** Pardue Land Surveying representing Barclay and Margaret Kirkland, petitioning the board for a Preliminary Plat of “Big Oak Farms,” a subdivision located in part of Section 19, Township 12S, Range 14E, in Levy County. Said parcel contains 49 acres more or less and is located within an “A/RR” Agriculture/Rural Residential zone. This subdivision will consist of four 10 acre more or less residential lots.

Mr. Mike Pardue of Pardue Land Surveying, representing Barclay and Margaret Kirkland, was present to discuss the petition.

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

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

Chairperson Collins closed the floor to discussion.

Chairperson Collins called for a motion to this item. Mr. Barber motioned to recommend approval of the preliminary plat to the Board of County Commissioners as presented. Mr. Grant seconded the motion. All members voted “aye.” Motion carried.

**PETITION NO. CZ 1-06** Pardue Land Surveying representing 602 Plaza LLC, petitioning the board for a Change of Zoning from A/RR to RR pursuant to an application to amend the Future Land Use Map from Agriculture/Rural Residential (A/RR - one dwelling unit per 10 acres) to Rural Residential (RR - one dwelling unit per 3 acres) on 9.80 acres located in the NW 1/4 of Section 32, Township 11S, Range 14E, in Levy County.

Mr. Mike Pardue of Pardue Land Surveying, representing 602 Plaza LLC, was present to discuss the petition.

Mr. Corbitt briefly went over the staff report. Mr. Corbitt stated the extension of water services owned and operated by the county within the golf and country club is not required by code.

The board briefly discussed their concerns on central water services, future density inquiries for adjacent areas, level of service study on Highway 320, and additional demands on public services. Chairperson Collins asked for anyone in support of the petition. There were none. Chairperson Collins called for any opposition from the audience. Mr. Pat Mooney stated there is already adequate land for development therefore, no further division of the agriculture lands should be allowed.

Chairperson Collins closed the floor to discussion.

Chairperson Collins called for a motion to this item. Mr. Grant motioned to recommend approval of the change of zoning to the Board of County Commissioners. Mr. Barber seconded the motion. Both Mr. Barber and Mr. Grant voted “aye.” Motion carried. Chairperson Collins voted “ney.”

**PETITION NO. SEA 1-06** Robert and Faye Wells, dba Horse Hole Creek Off-Road Events, petitioning the board for an Amendment to SE 5-03, an Outdoor Commercial Recreational Activity, to increase the approved days of operation to two weekends per month, plus all holidays, add “self-contained camping and other commercial and/or recreational uses of the property not currently permitted in the F/RR zoning district, such as but not limited to: paintball weekends, car shows and concerts, on a parcel of land located in the SW 1/4 of the NE 1/4 and that part of the E ½ of the NE 1/4 lying west of U.S. Highway 19/98 and north of Butler Road, in Section 36, Township 15S, Range 16E, in Levy County. Said parcel contains 99.80 acres more or less. **Site Address: 7051 SE Butler Road.**

Robert and Faye Wells were present to discuss this petition.

Mr. Corbitt presented the staff report.

Mr. Wells addressed the issues of potable water, the pole barn being used as a concession stand, and primitive camping, as mentioned in the staff report.

Chairperson Collins asked Mr. Wells to address individually the requests that he would like to have approval for.

First request was to add another weekend per month. Chairperson Collins asked if there were anyone in the audience to speak on behalf of this request. Mr. Darryl Diamond stated that he supports the additional weekend per month. Sheriff Johnny Smith commented that his office has been watching this from the beginning and he considers it a top notch operation.

Mr. Joe Hozian did not oppose the additional weekend per month but asked for assurance that no other weekends would be allowed. He also stated his concerns regarding traffic being a potential hazard.

Second request was to allow for concerts/music entertainment/festivals.

After some discussion, Chairperson Collins stated that the requested recreational uses being paintball weekends, car shows and concerts were not listed on the application and could not be addressed because of insufficient information. Attorney Brown stated the application form did not address these uses and the required criteria such as a site plan were not provided.

Chairperson Collins asked Attorney Brown if the application could be divided. Attorney Brown stated that the applicant could do one of several things such as divide it out into the two weekends per month and the other items together which would be two applications, hold off and put everything together to make it more complete, or go forward and run a risk of a denial.

Chairperson Collins stated that she was not sure how the other board members felt, but she feels that the application needs more clarification so that an intelligent decision can be made. Mr. Corbitt recommended that the board deal with the portion of the application that request an additional weekend per month and have the applicant submit an amendment at a later date for the paintball, camping, etc. Mr. Wells stated that he would like to move forward with just the additional weekend per month being conditioned to mud bogging only and resubmit an amendment for the other items.

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

Chairperson Collins called for any opposition from the audience. Joe Hozian, Jimmy Hall, Bob Kelly and Darryl Diamond stated their concerns regarding noise pollution, buffers, and potential traffic hazards.

Chairperson Collins closed the floor to discussion.

Chairperson Collins called for a motion to this item. Mr. Barber motioned to recommend approval for the Special Exception Amendment to allow an additional weekend per month not to be consecutive with the current Special Exception and for mud-bogging only to the Board of County Commissioners. Mr. Grant seconded the motion. All board members voted "aye." Motion carried.

Chairperson Collins called for a motion for the second part of the application for self-contained camping, paintball weekends, car shows and concerts. Mr. Grant motioned to recommend denial to all other items except the additional weekend per month which is on the application until

further information is provided. Attorney Brown stated that it would be up to the applicant to determine whether he wants to move forward in this manner. Mr. Grant then withdrew his motion for denial. Mr. Grant motioned to table the remainder of the application for clarification. Mr. Barber seconded the motion. All board members voted "aye." Motion carried

#### OTHER BUSINESS: PUBLIC PARTICIPATION PROCEDURES

Chairperson Collins stated she had spoke with County Planner, Ms. Winburn and found that the public participation procedures were outdated. She then said that she had contacted six counties and asked them to send a copy of what they use.

Chairperson Collins informed the board that alternate Ken Crosby had accepted a position in Alachua County and will no longer be with the board. She then asked board secretary Ms. Benton to contact the Planning Department so that they can go forward in notifying the Board of County Commissioners or County Coordinator Mr. Moody in taking the appropriate actions in filling the position.

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

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Chairperson