

MINUTES

Levy County Planning Commission May 1, 2006 6:30 p.m.

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

Ron Grant
Vaughn Lee
Alt. Bill Hammond

Mr. Thomas Harper was not present when the meeting was called to order but arrived shortly thereafter before the first item of the agenda was addressed. 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 April 3, 2006 regular meeting. Mr. Grant motioned to approve the minutes of the regular Planning Commission meeting as presented. Mr. Lee seconded the motion. No vote was taken on the motion to approve the minutes for the April 3, 2006 meeting.

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 the Petition No. SSA 06-02 property. 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 questioned Mr. Corbitt as to why the special exception petition SE 5-03 "Horse Hole Mud Bog" was not listed on the agenda. Mr. Corbitt stated that at this time the applicant had not submitted the additional information that the Board had requested for the portion of the application that was tabled. Chair Collins asked the Development Department to present the items of business.

NEW BUSINESS: DEVELOPMENT DEPARTMENT

PETITION NO. FP 3-06 Parrish Land Surveying representing Ralph Raperto, petitioning the board for a Final Plat of "Confederate Acres," a subdivision located in 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. Parcel No. 01417-001-00.

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

Mr. Parrish, representing the applicant, was present to discuss this petition. Mr. Raperto, 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 "Confederate Acres," to the Board of County Commissioners as presented. Mr. Grant seconded the motion; motion carried. All members voted "aye."

PETITION NO. PP 14-06 Croft Land Surveying representing William H. & Martha L. Wilson, petitioning the board for a Preliminary Plat of "Living Water Farms," a subdivision located in the NW ¼ of Section 22, Township 12S, Range 18E, outside the Arredondo Grant, in Levy County. Said parcel contains 20 acres more or less and is located within an "A/RR" Agriculture/Rural Residential zone. Parcel No. 04118-000-00.

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

Mr. Jason Murphy, 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 Preliminary Plat of "Living Water Farms," to the Board of County Commissioners as presented. Mr. Harper seconded the motion; motion carried. All members voted "aye".

PETITION NO. PP 15-06 Croft Land Surveying representing Ronald Gillman, Robert L. Hodges, Angela Pickle and Jeanette Hodges, petitioning the board for a Preliminary Plat of "Legacy Acres," a subdivision located in the NE ¼ of Section 11, Township 13S, Range 18E, in Levy County. Said parcel contains 24 acres more or less. This parcel has a land use designation of "LDR" Low Density Residential and a zoning classification of "RR" Rural Residential. Parcel No.'s 04419-010-00, 04419-009-00 & 04419-000-00 (portion of).

Mr. Corbitt stated that staff had received a letter from the City of Williston with no objections to the petition. Mr. Corbitt stated that the plat review committee recommended approval of the plat.

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

Chair Collins asked for anyone in opposition to the petition. Sharon Gilman stated a concern with the subdivision affecting her ability to have horses on her property. Mr. Corbitt explained that the land use designation for her property allowed for horses to be on her property and unless the land use changes she will not have a problem. Chair Collins asked for anyone in support of the petition. Angela Gilman stated that as the applicant that the reason for the plat is to control who lives there and how close they will be to their property.

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Chair Collins closed the floor to discussion.

The Board questioned the location of the gas line on the property and access to subdivision. After the discussion Chair Collins called for a motion to this item. Mr. Harper motioned to recommend approval of the Preliminary Plat of "Legacy Acres," to the Board of County Commissioners as presented, Mr. Hammond seconded the motion; motion carried. All members voted "aye".

PETITION NO. PP 16-06 Croft Land Surveying representing G & S Ventures, LLC, petitioning the board for a Preliminary Plat of "El Prado Estates," a subdivision located in the SE ¼ of Section 20, Township 14S, Range 19E, in Levy County. Said parcel contains 57.89 acres more or less and is located in an "A/RR" Agriculture/Rural Residential zone. Parcel No. 05388-001-0A.

Mr. Corbitt stated that the plat review committee recommended approval of the plat. Mr. Corbitt stated that the applicant has also applied for a variance for a section line dedication and that this subdivision will be a gated community.

Mr. Jason Murphy, representing Croft Land Surveying was present to discuss this petition. Miles Anderson, 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 questioned whether the roads within the subdivision would be maintained by the property owners and road access. Mr. Corbitt stated that the homeowners association would be responsible for maintaining the roads. After the discussion Chair Collins called for a motion to this item. Mr. Grant motioned to recommend approval of the Preliminary Plat of "El Prado Estates," to the Board of County Commissioners as presented, Mr. Hammond seconded the motion; motion carried. All members voted "aye".

PETITION NO. SE 1-06 Walton McJordan petitioning the board for a Special Exception to allow an 84 site RV Park known as "Nature Coast Resort RV Park," on a parcel of land located in part of the W ½ of the NW ¼ of the SW ¼ of Section 36, Township 14S, Range 13E, lying North of SR 24. Said parcel contains 18.42 acres more or less and is located within a "F/RR" Forestry/Rural Residential zone. Parcel No.'s 00298-000-00 (portion of) & 00297-002-00 (Cypress Station store property).

Prior to Mr. Corbitt presenting his staff report, Mr. Grant stated his concern with how travel trailer parks/RV parks are listed in the C-3 zoning designation and that the complimentary mixed land use under policy 3.5c in the comprehensive plan allows for the RV parks. Mr. Grant stated that he did not think this specific use should be listed as an allowable use in both areas and that he recommended only listing this type use in the C-3 zoning designation. Mr. Corbitt explained why this specific use is allowed under the comprehensive plan policy.

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Mr. Corbitt presented his staff report.

Mr. McJordan was present to discuss this petition.

Chair Collins asked for anyone in support of the petition. There were none. Chair Collins asked for anyone in opposition to the petition. Marlene Westling stated a concern with traffic flow and the type of people who may frequent the park. Al Dinsmore stated a concern with traffic congestion. Paul Westling stated a concern with the public notice of the petition.

Chair Collins closed the floor to discussion.

The Board questioned having a secondary exit/entrance for traffic flow, the topography of the property and the flood potential of the area, the property being in a high fire hazard zone, the property being located within a 120 mph wind borne debris region and the sewage system to be used.

After the discussion Chair Collins called for a motion to this item. In the absence of the Vice Chair, Mr. Barber, Chair Collins appointed Mr. Hammond to pass the gavel to so that she could make a motion to this item. Ms. Collins motioned to recommend denial of the Special Exception to the Board of County Commissioners as presented, Mr. Grant seconded the motion. Mr. Harper made a motion to amend the pending motion to table the petition to allow for a traffic study to be done. Mr. Lee stated a point of order as to whether the first motion could be amended; Mr. Harper stated that under Robert's Rules of Order a motion can be amended. Point of order was addressed by Mr. Jake Cason who stated that a motion can be amended. Mr. Lee seconded the motion by Mr. Harper. Ms. Brown stated that the burden of proof is placed with the applicant to provide the traffic study. Mr. Harper and Mr. Hammond voted "aye", Ms. Collins, Mr. Grant and Mr. Lee voted "nay"; motion to amend failed. Mr. Hammond called for a vote on the motion to deny the petition. Ms. Collins and Mr. Grant voted "aye", Mr. Lee, Mr. Harper and Mr. Hammond voted "nay"; motion failed. At this time, Mr. Hammond passed the gavel back to Chair Collins. Mr. Lee motioned to recommend approval of the special exception with staff recommendations to the Board of County Commissioners as presented, Mr. Hammond seconded the motion. Mr. Hammond and Mr. Lee voted "aye", Mr. Grant, Chair Collins and Mr. Harper voted "nay"; motion failed. After additional discussion Chair Collins again called for a motion to this item. Mr. Grant motioned to recommend approval of the special exception with staff recommendations and the added condition that the applicant provides additional information regarding traffic flow to the Board of County Commissioners, Mr. Harper seconded the motion. Mr. Harper, Mr. Lee, Mr. Grant and Mr. Hammond voted "aye", Chair Collins voted "nay". Motion carried.

PETITION NO. SSA 06-01, application by Michael Thompson, property owner, to amend the Levy County Future Land Use Map from Low Density Residential (LDR) to Commercial (C) on 3.5 acres. Tax parcel number 05060-000-00 in Section 6, Township 13S, Range 19E. Located within the Williston Municipal Service District.

Ms. Winburn presented her staff report.

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Mr. Thompson was present to discuss this petition. Mr. Thompson stated that the property has a buffer of trees along the property line to protect the look of the property and that he would put a privacy fence in if needed. Mr. Thompson stated that the truck traffic along CR 316 and CR 323 creates more noise than noise created by his welding.

Chair Collins asked for anyone in support of the petition. Cal Brown stated that Mr. Thompson's welding business would be an asset to the Williston area. Chair Collins asked for anyone in opposition to the petition. Jake Cason and Justin Head stated that a commercial land use is not appropriate for the area. Donna Lisky stated that she submitted a letter to the Planning Department in opposition to the petition. Lorne Nichols stated a concern with the subject property having junk and debris. Dean Lisky stated a concern that the applicant already has a structure built on the property.

Chair Collins closed the floor to discussion.

The Board asked what had changed in the application from the last time it was submitted. Ms. Winburn stated the applicant was asking for a commercial land use instead of industrial land use. The Board asked what commercial zoning designation would apply to the petition. Mr. Corbitt stated that the applicant would need to apply for a C-3 zoning with a special exception in order to continue with the welding operation. The Board stated a concern with compatibility and the applicant being able to utilize his property. After a short discussion Chair Collins called for a motion to this item. Mr. Hammond motioned to recommend approval of the Small Scale Amendment to the Board of County Commissioners as presented, Chair Collins passed the gavel to Mr. Lee so that she could second the motion. Chair Collins, Mr. Lee and Mr. Hammond voted "aye", Mr. Grant and Mr. Harper voted "nay". Motion carried.

Chair Collins called for a motion to either approve or deny the minutes from the February 27, 2006 meeting. Mr. Grant motioned to approve the minutes of the Planning Commission meeting as presented. Mr. Hammond seconded the motion. Motion carried.

DISCUSSION – GENERAL

Ms. Winburn presented the Board with a copy of the DCA response to the optional review of the County's EAR report. Ms. Winburn stated that the DCA questioned whether the County has over allocated for commercial land use within the County. Ms. Winburn asked the Board to schedule a public hearing for the Planning Commission to review the final draft of the EAR report to recommend adoption of the draft report to the Board of County Commissioners. The Board scheduled the public hearing for Tuesday, May 23, 2006 at 6:30 p.m.

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

Chairman