

MINUTES

Levy County Planning Commission

September 7, 2006

6:30 p.m.

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

Ron Grant
Vaughn Lee
Thomas Harper
Thadus Barber

Also present was Development Director, Mr. Rob Corbitt and County Planner, Ms. Kathy Winburn. County Attorney, Ms. Anne Bast Brown was not present.

Chairperson Collins called for a motion to either approve or deny the minutes from July 10, 2006 as presented. Mr. Grant motioned to approve the minutes as presented. Mr. Harper seconded the motion. All members voted "aye." Motion carried. Chairperson Collins then called for a motion to either approve or deny the minutes from August 7, 2006 as presented. Mr. Barber motioned to approve the minutes as presented. Mr. Lee seconded the motion. All members voted "aye." Motion carried.

Chairperson Collins called for the board to disclose any ex-parte communications related to the petitions being presented. Mr. Grant stated that he did not have any ex-parte but he did have a declaration in the mining application as the owner of the property is a neighbor of his, and he had no monetary interest in this application that would affect any decisions he would make. Chairperson Collins stated her ex-parte communications as being site visits for the proposed plats and the special exception for the Sandlin Sandmine.

In the absence of County Attorney, Ms. Anne Bast Brown, Chairperson Collins asked board secretary Grace Benton to swear in anyone that would be giving testimony for the petitions listed on the agenda. Ms. Benton then officially swore in anyone that wished to speak or present themselves as an expert witness.

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

TABLED BUSINESS:

PETITION NO. SEA 1-06 Robert and Faye Wells, dba Horse Hole Creek Off-Road Events, petitioned the board for an Amendment to SE 5-03, an Outdoor Commercial Recreational Activity, to allow for a concession stand, maintenance building with living quarters and paintball weekends, on a parcel of land located in the SW 1/4 of the NE 1/4 and that part of the E 1/2 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.**

Mr. Corbitt stated that this petition was tabled originally for the following reasons.

1. Insufficient/Incomplete application regarding paintball weekends, car shows, & concerts.
2. Mapping, site plan, and supporting documentation for review of the other requested uses that may be permitted by a "Special Exception Use Permit."

Mr. Corbitt presented his staff report.

Mr. Robert and Faye Wells were present to discuss this petition.

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

Chairperson Collins closed the floor to discussion.

After a short discussion Chairperson Collins called for a motion to this item. Mr. Barber motioned to recommend approval of the Special Exception Amendment SEA 1-06 to include the conditions set forth by staff to the Board of County Commissioners as presented. Mr. Grant seconded the motion. All members voted "aye." Motion carried.

NEW BUSINESS:

PETITION NO. PP 24-06 David Stonecypher of Dynan Group representing Feaster Development Corp., petitioned 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. This subdivision will consist of seven 1-acre residential lots. This parcel has a land use designation of "MDR" Medium Density Residential and a zoning classification of "R" Residential and is within the Williston Municipal Service District.

Mr. Corbitt stated they have revised their plat from ½ acre lots to 1 acre lots due to issues regarding city water and since this was done, they have had problems with engineering due to drainage and will be requesting the plat to be tabled.

Mr. Stonecypher asked for additional time to be able to prepare an alternate layout to include more retention area.

Chairperson Collins asked where they were with the City of Williston. Mr. Stonecypher said that it would be too expensive to have city water for the number of lots that are being proposed. He also stated that the City of Williston voted to recommend denial based on the connection to city water.

Chairperson Collins asked Development Director and staff if they had received any other comments other than the e-mail provided. There was none.

After a short discussion Chairperson Collins called for a motion to table this item as requested by Mr. Stonecypher. Mr. Grant motioned to table the preliminary plat of "Ivey Run Estates" as requested. Mr. Harper seconded the motion. All members voted "aye." Motion carried.

PETITION NO. PP 8-06 Croft Land Surveying representing Robert P. & Laverne G. Sandlin, petitioned the board for a Preliminary Plat of "**Ancient Oaks Estates,**" a subdivision located in the N ½ of Section 25, Township 12S, Range 18E, in Levy County. Said parcel contains 50 acres more or less. This subdivision will consist of three residential lots. This parcel has a land use designation of "LDR" Low Density Residential and a zoning classification of "RR" Rural/Residential and is located within the Williston Municipal Service District.

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

Mr. Jason Murphy, representing Croft Land Surveying was present to discuss this petition.

Chairperson Collins asked if there were any comments from the City of Williston. Mr. Corbitt stated that the city had no objections to this plat.

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

Chairperson Collins closed the floor to discussion.

After a short discussion Chairperson Collins called for a motion to this item. Mr. Grant motioned to recommend approval of the preliminary plat of "Ancient Oaks Estates," to the Board of County Commissioners as presented. Mr. Lee seconded the motion. All members voted "aye." Motion carried.

PETITION NO. PP 25-06 Croft Land Surveying representing Claudia & Alfred Pinedo, James & Deborah DeShon, Justin & Carol Smith and Kathryn & Seth Downs, petitioned the board for a Preliminary Plat of "**Levy Addition,**" a subdivision located in the N1/2 of Section 26, Township 13S, Range 17E, in Levy County. Said parcel contains 31 acres more or less and is located within an "A/RR" Agriculture/Rural Residential zone. This subdivision will consist of three 10 acre more or less residential lots.

Mr. Jason Murphy, representing Croft Land Surveying was present to discuss this petition.

Mr. Corbitt stated that these parcels were divided without the benefit of a subdivision plat and its here to be brought into compliance.

Chairperson Collins asked how this type of division happens. Mr. Corbitt explained that it's usually from lack of understanding or not getting advice from surveyors. He said in this

particular case, he believes that it was from a misinformation from the seller. Chairperson Collins stated that this process was basically for housekeeping. Mr. Corbitt said that it was to rectify a violation of the subdivision regulations.

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

Chairperson Collins closed the floor to discussion.

After a short discussion Chairperson Collins called for a motion to this item. Mr. Harper motioned to recommend approval of the preliminary plat of "Levy Addition," to the Board of County Commissioners as presented. Mr. Lee seconded the motion. All members voted "aye." Motion carried.

PETITION NO. PP 26-06 Croft Land Surveying representing Bill & Cindy Haynes, petitioned the board for a Preliminary Plat of "**Suwannee Estates at Ames Field,**" a subdivision located in the NW 1/4 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.

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

Mr. Jason Murphy, representing Croft Land Surveying was present to discuss this petition.

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

Chairperson Collins closed the floor to discussion.

The board had questions regarding the limitation on the number of aircraft per household, lessons, hours of operation, commercial activity such as maintenance work and aviation fuel being allowed within a residential area.

Mr. Corbitt stated that developing a private aircraft hanger would be acceptable, but it could not be used for a commercial aircraft hanger.

Mr. Murphy stated that this subdivision would be used as a flying community.

Mr. Harper asked Ms. Winburn if she had inquired with Marion County regarding any problems they may have encountered with aircraft communities. She said that she had not. He asked staff to check and see if Marion County had any recommendations.

After a short discussion Chairperson Collins called for a motion to this item. Mr. Harper motioned to recommend approval of the preliminary plat of "Suwannee Estates at Ames Field," to the Board of County Commissioners as presented. Mr. Lee seconded the motion. All members voted "aye." Motion carried.

PETITION NO. PP 28-06 Croft Land Surveying representing Perry and Deana Greenspan, petitioned the board for a Preliminary Plat of “**Serenity**,” a subdivision located in the NW 1/4 of Section 15, Township 12S, Range 17E, in Levy County. Said parcel contains 6.24 acres more or less and is located within a “RR” Rural Residential zoning. This subdivision will consist of one 6.24 acre residential lot.

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

Mr. Corbitt stated that there will be a Subdivision Variance from Section 50-578 (a) *Lot sizes less than ten acres requiring paved roads.*

Mr. Jason Murphy, representing Croft Land Surveying and Mr. Perry Greenspan were present to discuss this petition.

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

Mr. Clifford MacDonald wanted to know where the paved road would be located. Mr. Corbitt stated that the applicant has applied for a variance to alleviate the pavement. He explained that the board would need to approve the variance not to pave the street to his lot in order to approve the one lot plat.

Mr. Murphy stated that there will be no construction.

Chairperson Collins closed the floor to discussion.

After a short discussion Chairperson Collins called for a motion to this item. Mr. Lee motioned to recommend approval of the preliminary plat of “Serenity,” to the Board of County Commissioners subject to the approval of the subdivision variance. Mr. Grant seconded the motion. All members voted “aye.” Motion carried.

Five minute break.

PETITION NO. SE 2-06 Arthur and Damon Sandlin petitioned the board for a Special Exception for a Major Mining Operation - Borrow Pit known as “Sandlin Sandmine” for the commercial sales of sand, on a parcel of land located in a portion of Section 24, Township 13S, Range 17E, in Levy County. Said parcel contains 60 acres more or less and is located within an “A/RR” Agriculture/Rural Residential zoning.

Mr. Corbitt explained that it was brought to his attention on Wednesday, that the sign was inadvertently placed one mile east of the entrance to the sand mine. He said that a new sign would be placed at the proper location the following day.

Mr. Corbitt presented his staff report.

Mr. Troy Burrell of Burrell Engineering and Mr. Damon Sandlin were present to discuss this petition.

Mr. Corbitt stated there were two issues with this application. First was the condition of C-316. He said that a traffic analysis indicated the road was too narrow, in poor condition and most likely not constructed for truck traffic of this nature. He said the Road Department provided a letter stating that the Board of County Commissioners has applied for a Small County Outreach Program (SCOP) Grant for the widening and resurfacing of C-316 from C-337 to SR 121 and it would be up to the BOCC whether to approve the mine, hold off on sales until the grant is approved or road is repaired. The second issue was regarding the section of the code that addressed major mining operations being required to be 1/4 mile away from any subdivisions with platted lots of five acres or less that have constructed roads, but however, the distance could be reduced to 660' with buffering methods approved by the board.

Mr. Troy Burrell discussed the application briefly.

Chairperson Collins asked for anyone in support to the petition. There were none. Chairperson Collins asked for any opposition to the petition. Rolando and Rhonda Ramos, Anita and Paul Traynor, Diana and Tom Weatherly stated their concerns regarding noise, proposed commercial activity within a rural area, water table, dust, public safety, expansion, and road condition.

Chairperson Collins closed the floor to discussion.

After all discussion Chairperson Collins called for a motion to this item. Mr. Grant motioned to recommend approval to the Board of County Commissioners with the stipulation that a commercial turnout will be coordinated with the new road construction. Harper seconded motion for discussion.

Mr. Lee asked whether or not C-316 should be discussed regarding allowing the applicants to continue or will they be required to cease until paving is complete.

Chairperson Collins asked Mr. Grant if he wanted to amend his motion to include the staff conditions. Mr. Grant amended his motion to include the staff report recommendations and to include his original motion regarding the commercial turnout. Mr. Harper seconded the revised motion. All members voted "aye." Motion carried.

OTHER BUSINESS:

Chairperson Collins asked Mr. Corbitt where he was at with the revision to the Land Development Regulations that were provided in May. Mr. Corbitt said that copies should be provided within approximately two weeks.

Chairperson Collins asked where the Commissioners were regarding the Special Events Ordinance. Mr. Corbitt said that he provided it to the Commissioners and that he was waiting for a response. Chairperson Collins asked if he could have them place it on the agenda. Mr. Corbitt said that he would contact Mr. Moody regarding this issue.

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

Chairman