

## MINUTES

### Levy County Planning Commission

December 5, 2005

6:30 p.m.

The Levy County Planning Commission was called to order by Chairman Vaughn Lee. Other members present were:

Thadus Barber  
Toni Collins  
Ron Grant  
Eugene Pollock

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

Chairman Lee called for a motion to either approve or deny the minutes from the November 7, 2005 regular meeting as presented. Mr. Barber motioned to approve the minutes of the regular meeting as presented. Mr. Grant seconded the motion; motion carried.

Chairman Lee called for the board to disclose any ex-parte communications related to the petitions being presented. Ms. Collins stated her ex-parte communications as being site visits to the petitions

(SE 4-05, PP 29-05, SE 5-05 and CZ 7-05) and telephone communications from Mr. Gerald Dockter (adjacent property owner) regarding Alan Aulson (SE 4-05), Claude Edwards (adjacent property owner), and she had made a call to Henry R. Lue and Clay Black of Southwest Florida Water Management District to request clarification on permitting for an agricultural driveway easement. Mr. Ron Grant stated that he had done a site visit on SE 4-05 (Aulson).

Chairman Lee called for everyone 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.

Chairman Lee asked the Development Department to present the items of business.

**TABLED BUSINESS:            DEVELOPMENT DEPARTMENT**

**PETITION NO. PP 27-05** Croft Land Surveying representing Ernest O'Connor, petitioning the board for a Preliminary Plat of "Oak Glen," a subdivision located in the SE 1/4 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.

Mr. Corbitt stated that a comment had been received from the City of Williston in approval of the project. Mr. Corbitt stated that the Plat Review Committee recommends approval for the preliminary plat.

Mr. Danny Croft, representing Ernest O'Connor, was present to discuss this petition.

Chairman Lee asked for anyone in support of the petition. There was none. Chairman Lee called for any opposition from the audience. Mr. Michael Kidd stated his concerns regarding water run-off, utilities (private wells and septic) and parcel size.

Chairman Lee closed the floor to discussion.

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

**PETITION NO. SE 4-05** Alan Aulson petitioning the board for a Special Exception to allow an equestrian facility for a passive outdoor recreation use including 40 RV spaces, 7 horse barns, tractor/equipment shed, 2100 sq. ft. common room with attached restrooms; shower; steam and sauna surrounding a pool and hot tub to compliment the proposed equestrian activities, on a parcel of land located in the NE 1/4 of the NE 1/4 of Section 34, Township 13S, Range 17E, in Levy County. Said parcel contains 40 acres more or less and is located within an A/RR (Agriculture/Rural Residential) zone.

Mr. Corbitt presented the staff report. Mr. Corbitt stated that at the prior meeting there were several items in the staff report and the petition was tabled in order to give Mr. Aulson time to address the issues. Mr. Corbitt stated that during this time his office has received approximately 25 to 30 letters (mostly e-mails) of opposition and one extensive report done by a party that would like to speak.

Mr. Aulson was present to discuss this petition. Mr. Aulson addressed the issues in the staff report and the easement in question. Mr. Aulson stated that he had individual letters from the following parties. Mr. Michael Penn from the Division of Forestry stating that they would prefer to switch the easement to the existing alignment if possible, Sheriff Johnny Smith saying there would not be a safety issue, Mr. Don West, Florida Department of Agriculture stating that they do support the concept of campgrounds being developed adjacent to the state forest, Mrs. Harriet Downs stating that the proposed project would increase the property values and would not have a negative impact on the surrounding properties and Mr. Gene Spillman stating the facility is kept in a well maintained condition. For the record, Mr. Aulson submitted only Sheriff Johnny Smith's letter of the abovementioned letters that he stated he received.

Ms. Collins asked Mr. Aulson why he had not resubmitted a new site plan indicating the 330' setback buffer from state land. Mr. Aulson said that he had submitted an application but did not try and change it because the item was tabled and he did not think it would be proper to submit drawings with changes. Ms. Collins stated that the minutes did reflect the staff concerns and the 330' setback.

Chairman Lee called for any support from the audience. Michael Jones, Cheri McDermont, Shawn Henderson, Karen Grimes, Linda Evans, Helen Koehler, John Cox, Duncan McCallum, Greg Anthony, Bill Wilson, Al Massa, Leslie King, Marvin (last name inaudible), Colleen Sullivan and Bob Levesque all stated their support on how it will increase the property values, compliment the area, benefit the community by bring in more revenue for schools, fire department, etc., will bring in more upscale citizens.

Chairman Lee called for any opposition from the audience. Herb Heesch, Gerald Dockter, Mary Donaghey, Claude Edwards, Beth Hernandez, Denise Clemmons all stated concerns about the size, construction and overburden of the easement, commercial activity in a residential area, water, sewer, flies, odor, negative impact on human health, traffic congestion and safety hazard.

Chairman Lee closed the floor to discussion.

The board stated that the project would be good for the community, revenue and bring in good citizens, but has concerns with the size of the easement for emergency vehicles, property owners, patrons going to and from the project site.

After all discussion, Chairman Lee called for a motion to this item. Ms. Collins motioned to recommend denial of the Special Exception to the Board of County Commissioners. Mr. Grant seconded the motion; motion carried. All members voted "aye."

**PETITION NO. CZ 5-05** Eng, Denman and Associates representing V.E. Whitehurst and Sons, Inc. petitioning the board for a Change of Zoning from R/R/ (Low Density Residential) Pursuant to the Approval of LSA 05-03 to C-3 Moderately Intensive Commercial Zoning District; and Assignment of the C-3 Moderately Intensive Commercial Zoning District to a Commercial Land Use, all located within the Williston Municipal Services District, located on a tract of land in the NE 1/4 of Section 5, Township 13S, Range 19E; Lying South and East of US Hwy 27, in Levy County. Said parcel contains 74 acres more or less.

Mr. Clay Swager from Eng, Denman and Associates, representing V.E. Whitehurst and Sons, Inc. was present to discuss this petition.

Mr. Corbitt stated that this item was also tabled pending comment from the City of Williston. He also stated that a comment was received in approval of the project.

Chairman Lee called for any support or opposition from the audience. There was none.

Chairman Lee closed the floor to discussion.

After a short discussion, Chairman Lee called for a motion to this item. Mr. Grant motioned to recommend approval to the Board of County Commissioners based on the letter from the City of Williston. Mr. Pollock seconded the motion; motion carried. All members voted "aye."

**PETITION NO. PP 29-05** Croft Land Surveying representing William and Vicki Winkle, petitioning the board for a Preliminary Plat of 'Twin Oaks,' a subdivision located in the NE 1/4 of the NE 1/4 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.

Mr. Danny Croft, representing William and Vicki Winkle, was present to discuss this petition.

Mr. Corbitt stated that the Plat Review Committee recommends approval for the preliminary plat providing a subdivision variance for section line dedication is applied for.

Chairman Lee called for any support or opposition from the audience. There was none.

Chairman Lee closed the floor to discussion.

After a short discussion, Chairman Lee called for a motion to this item. Mr. Pollock motioned to recommend approval to the Board of County Commissioners as presented based on the condition that the subdivision variance is approved by the Board of County Commissioners. Ms. Collins seconded the motion; motion carried. All members voted "aye."

PLANNING DEPARTMENT - Ms. Kathy Winburn

**PETITION NO. SSA 05-05** application by Edwin Griffis, property owner, to amend the Levy County Future Land Use Map from Low Density Residential (LDR) to Commercial (C) on 1.13 acres, Tax parcel number 09651-000-00, 09651-001-00 and 09651-002-00 in Section 35, Township 12S, Range 18E. Site address 17050 N E Hwy 27-A. Located within the Williston Municipal Service District.

Mr. Edwin Griffis was present to discuss this petition.

Ms. Winburn presented the staff report.

Ms. Collins asked if anyone had responded to this petition. Ms. Winburn said that she has not received anything in writing.

Chairman Lee called for any opposition from the audience. Ms. Rhonda Griffiths stated her concerns regarding water and sewer.

Chairman Lee closed the floor to discussion.

After a short discussion, Chairman Lee called for a motion to this item. Mr. Grant motioned to recommend approval of SSA 05-05 to the Board of County Commissioners as presented. Mr. Barber seconded the motion; motion carried. Mr. Grant, Mr. Barber, Mr. Pollock and Mr. Lee voted "aye." to the motion. Ms. Collins voted "ney."

DEVELOPMENT DEPARTMENT - Mr. Rob Corbitt

**PETITION NO. CZ 7-05** Mr. Edwin Griffis, petitioning the board for a Change of Zoning from RR (Low Density Residential) to C-1 Commercial to allow for a Real Estate and Construction Sales Office, Pursuant to the approval of SSA 05-05, on a parcel of land located in Williston Highlands Unit 9 Replat, of Block B, Lots 1, 2, & 3, in Section 35, Township 12S, Range 18E, in Levy County. Said parcel contains 1.13 acres more or less.

Mr. Edwin Griffis was present to discuss this petition.

Mr. Corbitt presented the staff report.

Chairman Lee called for any support or opposition from the audience. There was none.

After a short discussion, Chairman Lee called for a motion to this item. Mr. Pollock motioned to recommend approval of CZ 7-05 as presented. Mr. Barber seconded the motion; motion carried. Mr. Pollock, Mr. Barber, Mr. Grant and Mr. Lee voted "aye". Ms. Collins voted "ney".

**PETITION NO. SE 5-05** Lorel Molder (owner) and Dusty Parrish (applicant), petitioning the board for a Special Exception to allow for an equestrian based recreation facility to host equestrian events, compliment the recreational character of the area and to provide a trail head to access the Goethe State trails, on a parcel of land located in a portion of the NE 1/4 of Section 10, Township 15S, Range 17E; lying East of CR 337. Said project site will contain 29.22 acres (a portion of parcel no. **03778-001** being 163.65 acres). Said parcel is located within an "A/RR"

Agriculture/Rural Residential zone.

Mr. Brent Pell, representing Lorel Molder and Dusty Parrish, was present to discuss this petition.

Mr. Corbitt presented the staff report.

Chairman Lee called for any opposition from the audience. Mr. Herb Heesch read for the record his written letter of opposition.

Chairman Lee called for any support from the audience. Both Mr. and Mrs. Aulson spoke in support of the project.

After all discussion, Chairman Lee called for a motion to this item. Mr. Pollock motioned to recommend approval of SE 5-05 with the staff recommendations and with the stipulation that the site plan be amended to show the secondary emergency route, increasing the size to a minimum of 18' to 20' wide with stabilization. Mr. Barber seconded the motion; motion carried. All members voted "aye". Ms. Collins voted "ney".

#### OTHER DISCUSSION:

Mr. Grant asked what could be done the next time a request is made for an RV park that is not listed as a special exception within the zoning district but is compatible with Policy 3.5 of the Comprehensive Plan. Mr. Corbitt stated that RV parks that support the recreation open space and are consistent with Policy 3.5 of the Comprehensive Plan could be added to both Forestry, Agriculture and Rural Residential that would cover parts of the county where the resources are located. He further stated this type of request would require direction from the Planning board.

After a short discussion, Ms. Collins asked the board secretary to include for the record, that Development Director Mr. Corbitt was asked when the recommendations for the Land Development Code will be brought to them, even if it will be a little at a time. Mr. Corbitt stated that he would forward them to Ms. Brown to be reviewed for form and legal, then they could be reviewed.

The board agreed to hold the next regular meeting on Monday, January 9, 2006 due to the Holiday.

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

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Chairman