

# Minutes

## Levy County Planning Commission June 2, 2003

The Levy County Planning Commission was called to order by Chairman Gene Pollock. Board member Tommy Thompson was unable to attend. Other members present were as follows:

Susan Haines  
Vaughn Lee  
Duncan McCallum

Chairman Pollock called for a motion to either approve or deny the minutes from May 5, 2003 as presented. Mrs. Haines motioned to approve the minutes as written. Mr. Lee seconded the motion; motion carried. All members voted "aye".

Chairman Pollock asked Development Department Director Rob Corbitt to present the new item of business.

**PETITION NO. SE-A 1-03** Mr. David Ruttinger, petitioning the Board to allow for an Amendment to a previously approved Special Exception (SE 2-01). The proposed amendment will be to rescind condition #3. Maximum of thirty days per stay for park patrons/guest and to decrease the number of spaces from 30 to 15, on a parcel of land located in the SE ¼ of the SW ¼ of Section 33, Township 16S, Range 17E, containing 1.9 acres more or less and the NE ¼ of the NW ¼ of Section 4, Township 17S, Range 17E, containing 2.9 acres more or less. This parcel is within a rural commercial node with a designation of a commercial "C-2" zoning.

Mr. Corbitt presented the petition explaining the recommended changes to the original special exception and explaining the new layout plan for the property. He stated that staff finds the amendment request consistent with the comprehensive plan and Land Development Regulations and recommends approval, including the abatement of the previous conditions with the following conditions applied to approval of the amended special exception:

- RV spaces shall not be sold as individual lots
- Property shall be owned and operated and maintained under unified control of one person, group of persons, entity or corporation.
- RV Park shall be limited to 15 lots
- Owners shall provide all amenities as stated on site plan
- No substantial deviations of submitted site plan shall be permitted without receiving approval from the board of county commissioners
- Special exception use must be initiated within one year of approval of amendment

Mr. Ruttinger was present to discuss his petition. He stated Mr. Corbitt had explained the petition well and he had nothing to add.

Chairman Pollock then called for any opposition to this item.

Mr. Foster Perry was concerned with changes being made to the petition due to his family property being located across from RV Park. He was concerned with what affect the changes will have on their property value and area. He asked whether the park would be rental or owner exclusive.

Chairman Pollock closed the floor for discussion.

#### BOARD DISCUSSION:

Mr. Lee questioned why original petition had a 30 day limit for staying at park. Mr. Corbitt explained that the board recommended the limit because they did not want long term/permanent residence at the park and the property owner accepted it.

Mr. McCallum questioned why the petition had to be brought before the board again since they were down sizing. Mr. Corbitt explained that the change from single ownership to group ownership along with the site plan changes warranted bringing the petition before the board again.

Mrs. Haines stated that the plan shows 16 lots, and the application shows 15. She questioned which was correct. Mr. Corbitt explained that 15 lots were correct. She asked what types of RV's are allowed and whether after 180 days (maximum length of stay) the units would be removed. Mr. Corbitt stated that the units must be a minimum of 30 feet in length, less than 10 years in age and maintained in good condition by the owners.

After the discussion, Chairman Pollock called for a motion of this item. Mrs. Haines motioned to recommend approval of the amendment to the special exception to the Board of County Commissioners based on the staff recommendation (see attached) and the following finding of facts: The use of special exception fits the general area and the surrounding land use and zoning; it is not a threat to public health, safety and welfare; it will not cause harm to surrounding property value; and it will conform to all county regulations. Mr. McCallum seconded the motion and the motion carried. All members voted "aye".

Chairman Pollock asked the Planning Department Director Kathy Winburn to present the new items for business.

#### **SSA – 03-01**

Joan Griffin, property owner, to amend the Levy County Future Land Use Map from Low Density Residential (LDR) to Commercial ( C ) and change the Zoning Classification from Rural Residential (RR) to Neighborhood Commercial (C-2) for property described as follows: 9770 N E SR 24, Bronson, FL, tax parcel number 12151-000-00, in Levy County. Said parcel contains 5 acres more or less. Located within the Bronson Municipal Service District.

Mrs. Winburn presented the staff report and explained that the petitioner is seeking to establish a commercial land use and zoning designation with the intent of using the property for a commercial graphic design business if the amendment is approved. Staff indicated that the Planning Commission must make the following findings in granting the amendment:

1. Granting the amendment and rezoning is not adverse to the public interest.
2. Granting the amendment and rezoning is consistent and furthers the objectives in the Levy County Comprehensive Plan.
3. Granting the amendment and rezoning is consistent and furthers the objectives of Chapter 163, F.S. and 9J-5, F.A.C.

Mrs. Griffin was present to discuss her petition and gave a brief overview of her project.

Chairman Pollock called for any opposition to this item. There was no opposition. Chairman Pollock closed the floor for discussion.

#### BOARD DISCUSSION:

Mrs. Haines asked how close the petition property was located to a previous Small Scale amendment petition (Mr. Rathay). Mrs. Winburn indicated on the map both properties and that they are within a mile of each other.

Mr. McCallum questioned why the petition was not done as a special exception. Mrs. Winburn explained the current land use is Low Density Residential, which does not allow commercial uses.

Chairman Pollock questioned whether the Town of Bronson had been notified. Mrs. Winburn indicated they had been notified.

After the discussion, Chairman Pollock called for a motion of the item. Mrs. Haines motioned to recommend approval to amend the land use of the Small Scale Amendment 03-01 from Low Density Residential to Commercial and Zoning classification from Rural Residential (RR) to Neighborhood Commercial (C-2) and recommend transmittal to the Board of County Commissioners, based on the following finding of facts: Amendment is not adverse to public interest at the property location. The amendment furthers the objectives of the Comprehensive Plan as outlined in the staff report. The amendment furthers the objectives of Chapter 163, F.S. and 9J-5, F.A.C. Mr. Lee seconded the motion and the motion carried. All members voted "aye".

#### **SSA -03-02**

Terrel Howell and John D. Holder, property owners, to amend the Levy County Future Land Use Map from Low Density Residential (LDR) to Commercial ( C ), and change the zoning district classification from Rural Residential (RR) to Moderately Intensive Commercial (C-3), on approximately five (5) acres located at the NE ¼ of NW ¼ of Section 9, Township 13 South, Range 19 East, lying north of US Highway No. 27 and South of C. R. 316. Tax Parcel No. 05150-000-00. Located within the Williston Municipal Service District.

Mrs. Winburn presented the staff report and explained that the petitioner is seeking to establish a commercial land use and zoning designation with the intent of using the property for a show model log home with sales of material to build log homes and possible sale of used equipment, if the amendment is approved. Staff indicated that the Planning Commission would need to make the following findings in order to approve the amendment:

1. Granting the amendment and rezoning is not adverse to the public interest.
2. Granting the amendment and rezoning is consistent and furthers the objectives in the Levy County Comprehensive Plan.
3. Granting the amendment and rezoning is consistent and furthers the objectives of Chapter 163, F.S. and 9J-5, F.A.C.

Mr. & Mrs. Howell were present to discuss the petition. Mrs. Howell gave a brief overview of their project. She explained that there would not be a saw mill but that they would like to sell used, well maintained equipment.

Mr. Howell stated they would build a “cracker” style log home for display purposes.

Chairman Pollock called for any opposition to this item.

Amie Zamora indicated that she did not oppose the amendment but was concerned with the C-3 zoning and questioned why C-2 could not be used. She was concerned with what future property owners of this parcel could do. Mr. Corbitt explained the sale of used equipment prompted the C-3 zoning.

Francis Robinson also indicated that she did not oppose the amendment but was concerned with the C-3 zoning. She was concerned with entrance of property being on 316 due to surrounding property owners who trail ride their horses on CR 316.

Deborah O’Neil was concerned with C-3 zoning and the possible uses for future property owners with this designation. She stated that she was opposed to C-3 zoning for used equipment. She asked the board to be cautious of the type of commercial uses coming into Levy County.

Chairman Pollock closed the floor for discussion.

#### BOARD DISCUSSION:

Mr. McCallum asked how much acreage has been cleared and what acreage for the zoning change will be used. Mr. Howell explained that the total acreage cleared was 16.5, only 5 acres fronting US 27 and 316 will be rezoned. Mr. McCallum questioned whether the City of Williston had been notified. Mrs. Winburn indicated they had been notified with no response from them.

Mrs. Haines asked about the adjacent property the Howells own.

Mr. Corbitt clarified the reason for C-3 zoning is also for selling building supplies along with used equipment.

After the discussion, Chairman Pollock called for a motion of this item. Mr. McCallum motioned to recommend approval to amend the land use of the Small Scale Amendment 03-02 from Low Density Residential to Commercial and Zoning classification from Rural Residential (RR) to Moderately Intensive Commercial (C-3) and recommend transmittal to Board of County Commissioners based on the following findings of facts: Amendment is not adverse to public interest at the property location. The amendment furthers the objectives of the Comprehensive Plan as outlined in staff report. The amendment furthers the objectives of Chapter 163, F.S. and 9J-5, F.A.C. Mrs. Haines seconded the motion; motion carried. All members voted "aye".

#### DISCUSSION ITEM:

Mrs. Winburn updated the board on status of alternate members for the Planning Commission. She stated that the County Commissioners decided that the positions should be advertised. Staff has advertised the positions in all county newspapers and on the County Website with the deadline of June 30, 2003. Any application received will likely go before the Board in July.

Mr. Duncan commented on the signage placed on petition properties. He stated signs needed to be larger and more durable to ensure proper notification is given. Mr. Corbitt explained they were in the process of changing the size of the signs to 22X28 to help make them more visible.

There being no further business for the Levy County Planning Commission, Mrs. Haines motioned to adjourn. Mr. McCallum seconded the motion; motion carried.

### **Levy County Parks & Recreation Advisory Committee**

The Levy County Parks & Recreation Committee was called to order by Chairman Gene Pollock.

Mrs. Winburn stated the first item was on status of Parks & Recreation in Levy County. Staff notified Wayne Hardee, Parks Director of the meeting and requested his attendance but received no response. Mrs. Winburn stated Mr. Hardee may know of potential grant opportunities the Committee could pursue or assist him with. Mr. Pollock stated the board still has no direction as to their roll in being the Advisory Committee. Mrs. Haines questioned Mr. Fred Moody as to the boards role and asked him to please advise them. Mr. Moody has not responded. Chairman Pollock stated the request should be in writing to Mr. Moody. Mrs. Winburn stated the County Commissioners would be receptive to any input or recommendation the committee had for the parks in Levy County.

It was indicated that the Parks & Recreation Dept. has a very basic webpage on the county's website. The Board discussed the possibility of providing suggestions on things to add to the webpage. Mr. Hardee's department is responsible for the contents of this page.

The second item to discuss was Impact Fees. Mrs. Winburn indicated that the County Commissioners were discussing the possible need for impact fees. And that if this happens the committee might want to provide input on impact fees related to parks & recreation. Mr. Pollock stated the County needs to look at impact fees to see if it would be beneficial.

There being no further business for the Levy County Parks & Recreation Committee, Mrs. Haines motioned to adjourn. Mr. McCallum seconded the motion; motion carried.

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Chairman

**Planning Commission Recommended Conditions for:**

**David Ruttinger  
Special Exception No. SE – A 1-03**

1. The RV spaces shall not be sold as individual lots.
2. The property, a.k.a.: J. Dennis Campground or Lakeside Landings RV resort, including all utilities, structures, roads and common areas, shall be owned, operated and maintained under the unified control of one person, group of person, entity or corporation.
3. The recreational park development shall be limited to 15 RV spaces.
4. The owners shall provide all amenities as stated in the application or shown on the site plan, including an office for park management personnel.
5. No substantial deviations from the submitted site plan shall be permitted without first receiving approval from the board of county commissioners.
6. The special exception use must be initiated within one year of approval (ie: good faith effort of a permit obtained and construction began consistent with application) by the Board of County Commissioners or the approval of the special exception and this amendment thereto becomes null and void.
7. Maximum stay for RV's will be 180 days.