

MINUTES

Levy County Planning Commission Regular Meeting

December 1, 2003

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

Susan Haines
Vaughn Lee
Duncan McCallum
Tommy Thompson

Chairman Pollock called for a motion to either approve or deny the minutes from November 3, 2003 as presented. Mr. McCallum motioned to approve the minutes as presented. Mrs. Haines seconded the motion; motion carried.

Chairman Pollock asked Development Director Mr. Rob Corbitt to present the new items of business.

PETITION NO. FP 8-03 Croft Land Surveying representing Jerry Cutrona Sr., petitioning the Board for a Final Plat of "Mane Place," a subdivision located in the N. 1283' of the SW 1/4 of Section 31, Township 13S, Range 19E, in Levy County, lying West of U.S. Highway No. 41 (State Road No. 45), said 1283' measured at 90 degrees to the N. line of said SW 1/4, less the W. 759.09' thereof. Said parcel contains 31.17 acres more or less. This parcel is located within an Agriculture/Rural Residential "A/RR" zone.

Mr. Croft was present to discuss this petition.

Chairman Pollock called for any opposition from the audience. None was present. Chairman Pollock closed the floor to discussion.

After a short discussion Chairman Pollock called for a motion to this item. Mrs. Haines motioned to recommend approval of the final plat of "Mane Place" to the Board of County Commissioners as presented. Mr. McCallum seconded the motion; motion carried. All members voted "aye".

PETITION NO. FP 9-03 Croft Land Surveying representing Alan Caplin, petitioning the Board for a Final Plat of "Sienna Cove," a subdivision located in the SW 1/4 of the NW 1/4 of Section 26, Township 11S, Range 14E, in Levy County. Said parcel contains 8.91 acres more or less and has a land use designation of Low Density Residential "LDR".

Mr. Croft was present to discuss this petition.

Chairman Pollock called for any opposition from the audience. None was present. Chairman Pollock closed the floor to discussion.

After a short discussion Chairman Pollock called for a motion to this item. Mrs. Haines motioned to recommend approval of the final plat of "Sienna Cove" to the Board of County Commissioners as presented. Mr. Thompson seconded the motion; motion carried. All members voted "aye".

PETITION NO. SE 8-03 Ray Goodwin, petitioning the Board for a Special Exception for an Outdoor Commercial Recreation Activity of "Mud Bogging and an ATV Tract", on a parcel of land located on a tract in the SW 1/4 of the SE 1/4 of Section 32, Township 11S, Range 15E; less and except the right-of-way for SR 500, and the FDOT Water Retention Area described in O.R. Book 609, Page 386 Public Records of Levy County, and less a portion of the Adamsville Cemetery located in the NW corner of the subject property; parcel containing 34.49 acres more or less, in Levy County. Said parcel is located within an Agriculture/Rural Residential "A/RR" zone. **(Parcel No.'s 01694-003-00 and 1694-005-00)**

Mr. Goodwin was present to discuss his petition.

Mr. Corbitt presented his staff report regarding the proposed Special Exception.

Mr. Goodwin said that he had contacted the FDOT and obtained information regarding the level of service and was told that the average daily traffic count would be approximately 5,113 and would remain the same until 2020. Mr. Goodwin said that he would provide hay bales for safety around the ATV tract. His operation will be staffed with 5 employees. Mr. Goodwin said that the maximum speed would be 15 to 20 mph. Mr. Goodwin said that 5 - 10 lb. fire extinguishers would be placed at each tract. Mr. Goodwin said that he feels that he has an adequate buffer, as the property is surrounded by planted pines and farmland. Mr. Goodwin said that the proposed use would not decrease any property values. Mr. Goodwin explained that he would not agree to the hours of operation that were proposed in the staff report because it would not allow for him to bring in enough to pay for the insurance and he would have to close down. Mr. Goodwin proposed the hours of 5:00 p.m. until 11:00 p.m. on the 1st and 3rd Saturday of each month and the legal holidays of Memorial Day, Fourth of July, Labor Day and Veterans Day.

After board discussion Chairman Pollock called for any support and/or opposition in the audience.

SUPPORT:

Mr. Michael Hunter said that he supports the project because it would be a good clean sport. Mr. Hunter also said that he is HAZMAT Certified. **Mr. Tony Crews** said that this type of sport would be good for the community and provide clean fun. **Mrs. Becky Hunter** said that it would benefit the economy by bringing in for revenue.

OPPOSITION:

Mr. Willie Thompson said that he was concerned about the area chosen and what type of safety hazards it would bring. Mr. Thompson was also concerned about alcohol being on the premises, mosquito infestation from the water, people that may trespass when no events are taking place and the interference with church social events. **Mrs. Edith McNeil** from Mt. Bethel Church said that it would interfere with the church social events. **Mr. Robert Lowyns** said that he feels that the proposed plan is incomplete; the location would be inappropriate and would create excessive noise. Mr. Lowyns also said that he was concerned about the alcohol consumption that will be done on premises. **Pastor Don L. Sanders** said that this proposed use would create excessive noise and inappropriate consumption of alcohol. Pastor Sanders said that the City of Chiefland did not have enough time to review this project. He also said that it would be disturbing to any funerals and burials that may be taking place. **Mr. Donnel Williams** of St. John's Baptist Church said that it would create an excessive amount of noise, would interfere with church events. Mr. Williams also said that he would be opposed to the drinking of alcoholic beverages. **Pastor Joseph** of the Catholic Church said it would not be compatible and that it would interfere with church events. **Mr. James Rollin Hudson** said that it would be incompatible. Mr. Hudson feels that Development Department Director Mr. Corbitt is in support of the project. **Mr. Jim Hudson** said that he opposes the consumption of alcohol. **Mr. Mark Graham** said opposes the consumption of alcohol and the location as it would create a traffic hazard. Not compatible with the area. Would create excessive noise. **Mr. Luther Henderson** said would create an environmental hazard to the area. **Mr. Whitney "Stoney" Smith** said that the hours of operation would be inappropriate. The proposed use would decrease property values and that staffing would be too vague. Not compatible. **Mr. Jim Smith** said that it creates excessive noise and he opposes the consumption of alcohol. **Mrs. Mary Golding** said that allowing youths to consume alcohol would be inappropriate. **Mrs. Virginia** said that it would create excessive noise and that she just wants peace in the area. **Mr. Robert Thompson** said that his concerns would be safety, alcohol abuse and disrespect to the community. **Mr. Robert Thompson III** said that it would not be compatible with the area. **Mr. Rollin Hudson Jr.** said as long as Mr. Goodwin does not own the property then he does not feel as bad for opposing. Would decrease property values. **Mr. Andy Andrews** said that he would like to keep area rural, property values and not compatible. **Mr. Mat King** said that he works shift work and doesn't want to be disturbed by the noise. Location is incompatible. **Mrs. Evelyn Harris** said she was concerned about the possible water contamination, tranquility, traffic safety. Mrs. Harris read into the record a letter that was written by her husband that was bed ridden stating that it would be detrimental to his health.

Mrs. Dolly Young said that it would interfere with the quality of life in the area. **Reverend Scott** said that it would be unfair to the community, not compatible with the area or future development and would create a traffic hazard.

For the record Chairman Pollock noted that approximately 135 signatures and 3 letters opposing the Special Exception were received.

Chairman Pollock closed the floor to the public.

Chairman Pollock allowed petitioner Mr. Goodwin to speak in reference to the concerns of the opposition.

Mr. Goodwin first wanted to thank Mr. Corbitt on the job he has done. He then said that the traffic safety would be maintained and that by allowing this use would provide an “organized” recreation for all interested parties. Mr. Goodwin said that he would work with the churches in the event of any functions. Mr. Goodwin said that to his knowledge there are no sinkholes present and feels that the proposed project is compatible.

Chairman Pollock then closed the floor for discussion.

Mrs. Haines said that the proposed Special Exception use requires compatibility and at this time she doesn't feel it does due to the future traffic level, water contamination and hours of operation. **Mr. McCallum** said that he was concerned about the incompatibility, more specific the noise, traffic hazard, consumption of alcohol, soil test, water use and property values. **Mr. Lee** said that the applicant (Mr. Goodwin) may not be able to control what goes on and that the location is wrong. **Mr. Thompson** said that the location was not suitable for the use, adequate control may not be provided and no explanation was provided by the City of Chiefland. **Mr. Pollock** said that he felt that development would occur in the future.

Chairman Pollock called for a motion to this item. Mr. McCallum motioned to recommend denial to the Board of County Commissioners for the Special Exception for the following items as enumerated on the Special Exception application.

2. That the use is so designated, located and proposed to be operated so that the public health, safety, welfare and convenience will be protected.
3. That the use will not cause substantial injury to that value of the property in the neighborhood where it is to be located.

4. That the use will be compatible with the adjoining development and the proposed character of the zone district where it is to be located.

After further discussion Mr. McCallum motioned to amend his motion to include the additional items as enumerated on the Special Exception application.

5. That adequate landscaping and screening is provided as required herein.

6. That adequate off-street parking and loading is provided and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets.

Mrs. Haines seconded the motion; motion carried. All members voted "aye".

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

Chairman