

MINUTES

Levy County Planning Commission

September 6, 2000

7:00 p.m.

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

Duncan McCallum
Eugene Pollock
Tommy Thompson

Mr. C.R. Lowman was unable to attend.

Also present were Building Director Rob Corbitt and Planning Assistant Tina Horne.

Chairperson Haines called for a review and motion for the minutes from July 10, 2000 meeting as presented. Mr. Pollock motioned to approve the minutes. Mr. McCallum seconded the motion; motion carried.

NEW BUSINESS:

PETITION NO. CZ 00-1 Mrs. Loy Ann Mann, petitioned the Board for a Change of Zoning from Low Density Residential "LDR" to Commercial "C-2" to accommodate a retail sales, personal services and public buildings etc., on a parcel of land located in the SE 1/4 of Section 27, Township 11S, Range 14E, in Levy County. Said parcel contains 9.82 acres more or less.

Mrs. Mann was present to discuss her petition as described above. Mrs. Mann presented a copy of her newly platted subdivision "Buck Bay" to indicate the exact location for the proposed change of zoning. She stated that the possible use would be for a convenience type store etc.

After all Board discussion Chairperson Haines called for a motion. Mr. Thompson motioned to recommend the proposed change of zoning favorably to the Board of County Commissioners. Mr. Pollock seconded the motion; motion carried. All members voted "T".

No opposition was present.

For the record Mr. Corbitt asked the Board if they would include their findings of facts in the motions.

PETITION NO. SE 00-7 Mr. L.W. Smith, petitioned the Board for a Special Exception No. 5 to allow a 2 COP License (consumed on premise beer and wine) within an existing restaurant aka "Clamshack", on a parcel of land located on a Tract in the E ½ of the SE 1/4 of the NE 1/4, in Section 30, Township 14S, Range 14E, in Levy County. Said parcel contains 1.76 acres more or less and is currently zoned commercial "C-2".

Mr. Smith was present along with his attorney Mr. Terry Tataru.

Mr. Tataru explained to the Board that it was not Mr. Smith's intentions to operate a bar; it would be a sit down restaurant that would serve seafood dinners.

Mr. Tataru briefly indicated that there were some letters of opposition in which all of them except one was identical. He commented on the letter which stated that they were not in favor of this license by saying that this particular letter did not have any reasons, no factual basis or anything to indicate why granting this request would create a hardship on this property. On the other hand, the remaining letters were all the same form that basically said that they were in strong opposition; it would be a negative impact on the family oriented neighborhood and would bring negative element into their close knit community. Again no facts and no basis for these allegations were shown in regards to the history of the restaurant as it has existed.

For the record the following are the names on the letters of opposition:

Hathcox, Alford, Allen, Rutland, Larson, Taylor and Richburg.

After all Board discussion Chairperson Haines called for a motion. Mr. Pollock motioned to recommend approval of this petition to the Board of Adjustment due to it being compatible with the past history of the building and the surrounding area. Mr. Thompson seconded the motion; motion carried.

PETITION NO. SE 00-8 SBA, Inc., representing Lonnie and Margaret Knight, petitioned the Board for a Special Exception to allow a 350' Telecommunications Tower, on a parcel of land located in the NE corner (being a portion of parcel no. 03931, the lease area containing 12 acres more or less) of all that part of Levy County Road No. C-40 (formerly SR 40) located within a Rural Residential "RR" zone.

Mr. Corbitt explained to the Board that this application appeared to complete with the exception of a promissory note that was not provided. He said that this would need to be provided prior to going to the Board of Adjustment. SBA, Inc. agreed that this would be taken care of.

Mr. Mike Vandermillen was present as the spokesperson for SBA, Inc. and explained details on what type of tower they were planning on placing on this property.

Mr. Bill Murphy was present and stated that he was not necessarily against the proposed use but had some concerns on the health conditions, radiation/satellite interference, wildlife and property values. He commented that he had spoke with SBA, Inc. and that they were very courteous in answering his questions.

Opposition:

Steve Ferrell (on behalf of family members “Marino’s”) - safety

After all discussion Chairperson Haines called for a motion. Mr. McCallum motioned to recommend approval with the findings that this use would be compatible with the surrounding land use, site and land use plan. Mr. Thompson seconded the motion; motion carried.

PETITION NO. CU 00-1 Richard Schroeder (representative of Biomass Processing Technology, Inc.) petitioned the Board for a Conditional Use Permit to construct a facility to convert agricultural biomass into animal feed and related products, on a parcel of land located in the NW 1/4 of the SW 1/4 and the S ½ of the SW 1/4 of Section 25, Township 10S, Range 14E, in Levy County. Said parcel contains 48. 5 acres more or less and is located within an Agriculture/Rural Residential “A/RR” zone.

For the record Mr. Corbitt read into the record the staff recommendation for this petition.

Mr. Richard Schroeder was present and explained that this process is designed to handle and utilize barn waste etc. from Alliance Dairy, which is known as “biomass” (vegetated material). He also said that the propose use would be done in three (3) phases.

After all discussion Chairperson Haines called for a motion. Mr. Pollock motioned to recommend approval to the Board of County Commissioners with the findings that this use would be compatible with the area, would be an asset to the community, include staff recommendation, add a disaster plan and revisions for other permitting agencies. Mr. McCallum seconded the motion; motion carried.

(See attached staff recommendation with all revisions)

Other Business: Planning Department

Mrs. Horne was present to set some tentative dates for the Planning Commission on several issues.

The following dates were chosen:

Comprehensive Plan Amendment - September 27, 2000 at 6:30 p.m.

US 19 Corridor Access Management Plan Workshop - September 19, 2000 at 6:30 p.m.

Devil's Hammock Recreational Trailhead Development Funding - September 27, 2000 at 6:30 p.m.

Withlacoochee Regional Planning Council - Strategic Plan Update - October 2, 2000

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

Chairperson