

MINUTES

Levy County Planning Commission May 4, 2009 6:30 p.m.

The Levy County Planning Commission was called to order by Chair Ron Grant. Other members present were:

Thomas Harper
Vaughn Lee
Thad Barber
Toni Collins

Also present was Development Director, Mr. Rob Corbitt, Planning Director, Shenley Neely and County Attorney, Mrs. Anne Brown.

Chair Grant called for the reelecting of both the Chair and Vice-Chair. Mr. Lee and Mr. Barber nominated Mr. Harper for Chair. All members voted "aye." Mrs. Collins and Mr. Grant nominated Mr. Lee as Vice-Chair. All members voted "aye."

Chair Harper stated there were no minutes available for review at this time.

Chair Harper then called for anyone giving testimony for the Special Exceptions 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.

Chair Harper called for the board to disclose any ex-parte communications related to the petitions being presented. Mrs. Collins stated her ex-parte communication as being a site visit for the proposed special exception SE 1-09. Mrs. Collins, Mr. Barber, Mr. Lee, and Mr. Grant all received phone calls regarding SE 1-09.

Chair Harper asked Development Director, Mr. Corbitt to begin with his order of business.

TABLED BUSINESS:

PETITION NO. SE 4-08 Ronald and Linda Gillman petitioning the board for a Special Exception to allow a private family cemetery on a parcel of land located in all that part of the SW 1/4 of the SE 1/4 of Section 12, Township 14S, Range 16E, in Levy County. Said parcel contains 13.29 acres more or less and is located within a Forestry/Rural Residential "F/RR" zone.

Mr. Corbitt presented his staff report.
Mr. Ronnie Gillman was to discuss this petition.

Chair Harper asked for anyone in support of or in opposition to the petition. There were none

Chair Harper closed the floor to discussion

After a short discussion Chairman Harper called for a motion to this item. Mrs. Collins motioned to recommend approval to the Board of County Commissioners, the Special Exception, including the staff conditions. Mr. Grant seconded the motion. All members voted “aye.” MOTION CARRIED.

**ORDINANCE
NUMBER 2009-01**

AN ORDINANCE OF LEVY COUNTY, FLORIDA, PROVIDING THAT THE LEVY COUNTY CODE BE AMENDED BY AMENDING SECTION 50-1 OF THE LAND DEVELOPMENT CODE TO CORRECT A SCRIVENER’S ERROR IN EARLIER AMENDMENT OF DEFINITIONS CONTAINED IN ORDINANCE 2007-07; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Chair Harper asked for anyone in support of or in opposition to the petition. There were none.

Chair Harper closed the floor to discussion

After a short discussion, Chair Harper called for a motion to this item. Mrs. Collins motioned to recommend approval of Ordinance No. 2009-001 as presented to the Board of County Commissioners Mr. Lee seconded the motion. All members voted “aye.” MOTION CARRIED.

**ORDINANCE
NUMBER 2009-02**

AN ORDINANCE OF LEVY COUNTY, FLORIDA, PROVIDING THAT THE LEVY COUNTY CODE BE AMENDED BY AMENDING SEVERAL SECTIONS OF THE LAND DEVELOPMENT CODE RELATING TO COMMERCIAL USES AND ZONING DISTRICTS AND COMMERCIAL USES IN THE INDUSTRIAL ZONING DISTRICT; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Chair Harper asked for anyone in support of or in opposition to the petition. There were none.

Chair Harper closed the floor to discussion.

After a short discussion Chairman Harper called for a motion to this item. Mr. Barber motioned to recommend approval of Ordinance No. 2009-00 as presented to the Board of County Commissioners Mr. Barber seconded the motion. All members voted “aye.” MOTION CARRIED.

PETITION NO. SE 1-09, application by Johannes Vanderway and Harold A. and Christine G. Bird, petitioning the Board for a Special Exception to perform Major Mining operations for the production of limerock aggregate. The proposed excavation operation will include blasting to crack and loosen the rock, and crushing the material to reduce the limestone to the desired size, on a parcel of land located in the S ½ of Section 19, Township 13S, Range 19E (47.98 acres inclusive of a 1.12 acre cemetery); and

Lots 1, 2, 3 & 4 of Flying B Ranchettes and that 60 foot wide strip of land lying between Lots 1 and 2 of Said Plat of Flying B Ranchettes. This parcel is located within an "A/RR" Agriculture//Rural Residential zone.

Mr. Corbitt presented his staff report.

Mr. David Tillman was present to discuss this petition. Mr. Tillman gave an overview of the project.

Chair Harper asked for anyone in support of or in opposition to the petition.

OPPOSITION:

Robert Lowyns, Michael Peters, Raymond Parks, Charles Miles, Don Vance, Desiree Barbazon, Cynthia Wooten, Jimmy Cason, Donald C. Michael, (first name unknown) Wells, Curtis Garrison, Rob Brinkman, Don Gilreath, Donna Owen, Paul Clover, Dennis Gildreath, Loren Nichols, Harold Phillips, Ron Lock, Mike Lineberger, Sue Corbin, John Poling, Traudi Miller Moss, Gary Moss, Chris Rowe, Brett Barker, Tom Sumter, Don Love, Marilyn Hopkins, Barbara Cawley, Rob Grant, Roy Cawley, Mike Fritch, Annette Swemper, Terri Haines, Patti Hacksworth, Art Botsworth. The concerns of the citizens were as follows: Incompleteness of application, road maintenance, property values, incompatibility, water quality, traffic, noise, dust, blasting and the effects it would have on the adjacent structures (cracks, etc.), health hazard, water supply (wells may go dry), environmental impacts, will destroy cemetery once blasting begins, wildlife, outdated aerial photographs, air pollution, affects on existing farms (horses, etc.), and surrounding properties are residential/agriculture.

Chair Harper closed the floor to discussion.

After a long discussion Chairman Harper called for a motion to this item. Mr. Grant motioned to recommend denial of the Special Exception to the Board of County Commissioners Mrs. Collins seconded the motion. All members voted "aye." MOTION CARRIED.

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

Chairman