

MINUTES

Levy County Planning Commission

July 12, 2010

6:30 p.m.

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

Toni Collins
Thad Barber
Duncan McCallum (alternate)

Board member Mr. Harper was unable to attend.

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

Chair Lee called for a motion to approve or deny the minutes. None were complete at this time.

Chair Lee then called for anyone giving testimony for the items 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 Lee called for the board to disclose any ex-parte communications related to the petitions being presented. Both Mrs. Collins and Mr. McCallum stated they had made site visits for SE 2-10.

Chair Lee asked Development Director, Mr. Corbitt to begin with his item of business.

PETITION NO. SE 2-10 Wade Bullock, petitioning the board for a Special Exception to allow a Private Family Cemetery, on a parcel of land located in Section 25, Township 12S, Range 18E, in Levy County. Said parcel contains 10 acres more or less and is located within an "A/RR" Agriculture/Rural Residential zone

Mr. Corbitt presented his staff report.

Mr. Jason Murphy of Croft Land Surveying, was present to discuss this petition.

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

Chair Lee closed the floor to discussion.

After discussion Chairman Lee called for a motion to this item. Mrs. Collins motioned to recommend approval for SE 2-10 to the Board of County Commissioners with the following recommendation. Mr. Barber seconded the motion. MOTION CARRIED.

Planning Commission Recommendation:

- 1.) The applicant shall install a permanent fence, or other barrier, that clearly defines the boundary of the cemetery, being 60 feet by 100 feet, in a location that is consistent with the location shown on the boundary survey and site plan provided with the application.
- 2.) The applicant shall install a vegetative screen along NE 55th Street that shields the cemetery from the public view.
- 3.) The applicant shall notify the Development Department when the installation of the barrier defining the cemetery **and** the vegetative screen has been completed to enable the Department to document compliance with this condition of approval.
- 4.) A copy of the signed "Order of Approval" for SE 2-10, the approved boundary survey and site plan, which must include the access and parking easement area, and the perpetual maintenance agreement shall be recorded in the public records of Levy County, Florida, in the sequence stated herein, prior to use of the property for a private family cemetery. The recording fees assessed by the Clerk of Court are to be paid by the applicant.

PETITION NO. FP 2-10 Croft Land Surveying representing Renan Garcia and Jorge Alfonso, petitioning the board for a Final Plat of "Rejoli Acres," a subdivision located in the NW 1/4 of Section 13, Township 14S, Range 18E, in Levy County. Said parcel contains 20 acres more or less and is located within an "A/RR" Agriculture/Rural Residential zone. This subdivision will consist of two 10 acre residential lots.

Mr. Corbitt stated this plat was given a recommendation of approval from the Plat Review Committee as submitted.

Mr. Jason Murphy of Croft Land Surveying, was present to discuss this petition.

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

Chair Lee closed the floor to discussion.

After a short discussion Chairman Lee called for a motion to this item. Mr. Barber motioned to recommend approval for FP 2-10 to the Board of County Commissioners as presented. Mrs. Collins seconded the motion. MOTION CARRIED.

PETITION NO. SSA 10-02, application by Darryl Diamond, property owner, to amend the Levy County Future Land Use Map from Urban Low Density Residential (LDR) to Commercial (C) on approximately 4 acres. Located on 4 tax parcels 19211-000-00, 19212-000-00, 19213-000-00 and 19214-000-00 in Section 26, Township 16S, Range 16E. Located within the Inglis Municipal Service District, directly on U.S. Highway 19/98.

Ms. Neely presented her staff report. Ms. Neely stated that she had sent notification to the City of Inglis for review and comment and had not received anything at this time.

Mr. Darryl Diamond, applicant, was present to discuss this petition. Mr. Diamond said the two options he had in mind for the use of the property was a real estate office and mini-storage buildings.

Mr. Diamond said he is on the Planning Commission for the Town of Inglis and the town attorney did not want to vote on this petition until they received a letter from the County. Mr. Diamond said he had asked the Planning Commission and they sent with him a statement with no objections to the application. Mrs. Collins stated that in the prior application Mr. Diamond was asking for self storage and at that time it was offices, retail sales of storage units any permitted uses and that nothing had changed. She stated the board had asked for a letter from the Town of Inglis and had not received one at that time. Mrs. Collins asked Mr. Diamond what has changed from his previous application two years ago. Mr. William Lake, Mayor of Inglis, stated that he was only attending the meeting to see if the board was going to be favorable for the application. He said if the board was favorable, then a letter would be forwarded to the board the next day. Both Mr. Lee and Mrs. Collins stated that the Town of Inglis, whether or not having a decision from their board, should have forwarded a comment stating they wanted something from the county first.

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

Claudia Keiser, Robert Davis, Juanita Johnson and Steve Anderson spoke in opposition of this petition. The concerns were that urban sprawl is a burden on local government because it forces the limited resources to be allocated to the creation of new infrastructure rather than maintaining existing infrastructure, taxes, and traffic hazards.

Mrs. Keiser submitted for the record a packet with pictures. Mr. Davis submitted a packet with petitions.

Chair Lee closed the floor to discussion.

Mr. McCallum wanted to clarify that this petition was not to obtain a commercial zoning designation, it was to change the land use to commercial. Ms. Neely concurred and stated that the applicant would need to come back at a later date and apply for a change of zoning. Both Mr. Barber and Mrs. Collins noted that nothing has changed in this application oppose to two years ago when it was submitted. Mr. Lee stated that this property is located within the municipal service district where commercial development was intended for. Mr. Lee further said that the Comprehensive Plan encouraged commercial development to be located within the MSD. Mr. McCallum stated that in the past the board has always requested a comment letter from the municipalities and that he was hesitant to allow the application to go forward without first having one.

After board discussion, Chair Lee called for a motion to this petition. Mrs. Collins motioned to deny the application as submitted. Mrs. Collins said two years have gone by and still no letter from the city of Inglis has been provided. Mr. Barber seconded the motion. Mr. Lee called for discussion. Mr. McCallum stated that the letter from the city was the hold up for the amendment change. Mr. McCallum asked the board why would they want to deny the application if it could simply be just tabled or post poned until the letter can be forthcoming to the board? Mrs. Collins stated that generally the municipalities are generally notified and in most cases something is sent back. Mr. Lee

stated that it was not unusual to receive any response. Chair Lee called for all in favor for the motion to deny. Mrs. Collins and Mr. Barber voted “aye.” Chair Lee called for all who opposed. Mr. McCallum and Mr. Lee voted “ney.” The vote was a tie, two to two. No recommendation will be forwarded to the Board of County Commissioners.

Mayor Lake stated that the purpose of him attending the meeting was due to the Inglis commission being irresponsible in taking action on the matter. Mr. Lee addressed Mayor Lake and explained to him that he should explain to them that the letter of comment was requested and without it, and they wait for the county’s letter, it will be too late. Mayor Lake stated that the town does not fully understand the problem. He said that at their next meeting he is going to ask whether there will be or not be a letter of comment.

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

Chairman