

## MINUTES

### Levy County Planning Commission

March 5, 2012

6:30 p.m.

The Levy County Planning Commission was called to order by Chair Thad Barber. Board members present were:

Vaughn Lee  
Thomas Harper  
Ron Grant  
Phil E. Parker

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

Chair Barber called for a motion to approve or deny the minutes from September 12, 2011 as presented. Mr. Lee motioned to approve the minutes as presented. Mr. Harper seconded the motion. All members voted "aye." Motion carried.

Chair Barber called for the board to disclose any ex-parte communications related to the petition being presented. There was none.

Chair Barber then called for anyone giving testimony for the item 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.

#### **Board Nominations - Chair and Vice-Chair**

Chair Barber called for nominations for a new chair and vice-chair. Mr. Lee motioned to nominate Mr. Grant as Chair. Mr. Grant declined as he did not know if he would be able to full fill his commitment. Mr. Lee then nominated Mr. Harper. Mr. Parker seconded the motion. All members voted "aye." MOTION CARRIED. Mr. Barber nominated Mr. Lee as vice-chair. Mr. Parker seconded the motion. All members voted "aye." MOTION CARRIED.

Chair Harper asked Mr. Corbitt to begin with the items of business.

**PETITION NO.** CZ 1-12 Darryl Diamond, petitioning the board for a Change of Zoning from "C" Commercial land use to "C-2" Neighborhood Commercial to allow for Retail Sales/Personal Services, on a parcel of land located in Nineteen Subdivision, Lots 5, 6, 7 & 8, in Section 26, Township 16S, Range 16E, in Levy County. Said parcel contains 4 acres more or less

Mr. Corbitt presented his staff report. Mr. Corbitt stated that this application was pursuant to SSA 10-2. Mr. Corbitt said the subject parcel is located within a suitable location for commercial development. Mr. Corbitt said it is located in the Inglis/Yankeetown Municipal Service District and has a commercial land use designation.

Mr. Darryl Diamond was present to discuss his application. Mr. Diamond stated the Town of Inglis had no issues with his application. He also stated that he plans on placing deed restrictions on the property so as not to allow any free standing bars or dance clubs.

Mr Corbitt stated this is the second time this application has been through this process. At the time of the first process, the code did allow on-premise consumption of alcohol as a permitted use and the application was denied on that basis. Mr. Corbitt then said the code was changed removing on-premise of alcohol as a permitted use in all commercial districts and placed it as a Special Exception use only. He said this particular use would go before the Planning Commission as a Special Exception and the recommendation would go before the Board of County Commissioners.

Chair Harper called for any opposition or support for this item.

#### OPPOSITION:

Claudia Keiser and Steve Anderson spoke in concern of the illegal dumping, the impact that a C-2 zone would have on the area, deed restrictions that could not be enforced, property is environmentally sensitive and located in a flood prone area, and the Town of Inglis had no future plans to extend utilities to this parcel.

Chair Harper closed the floor to discussion.

#### BOARD DISCUSSION:

Mr. Parker stated that Southwest Florida Water Management would enforce any requirements as far as monitoring the water. Mr. Lee stated that he did not see where this business would impact the surrounding area. Mr. Harper confirmed with Mr. Corbitt that current rules and regulations would require one to go back before the board with a Special Exception if they wanted to have on-premise consumption. Mr. Corbitt concurred and further elaborated that there is a possibility that alcohol could be sold in a non-profit organization such as AMVets or VFW. Mr. Grant said Mr. Diamond deserves to have his office building. Mr. Grant said he did not think C-2 should not be given at this time for the mini-storage buildings in the future, but could be done at a later date. Mr. Grant said personally the board should recommend C-1. Mr. Corbitt told the board that an application that was already submitted and processed could not be changed. Mr. Harper stated that all issues appeared to have been addressed, such as water, alcohol and the illegal dumping.

After discussion Chair Harper called for a motion to this item. Mr. Lee motioned to recommend approval of Change of Zoning CZ 1-12 as presented to the Board of County Commissioners. Mr. Parker seconded the motion. Mr. Barber and Mr. Grant voted "ney." Chair Harper, Mr. Lee and Mr. Parker voted "aye." Motion carried 3-2.

Chair Harper asked Ms. Neely to begin with her item of business.

Ms. Neely presented Ordinance No. 2012-01 Amendments to the Schedule of Capital Improvements. Ms. Neely said the Florida statute requires the Capital Improvements element be reviewed by local government on an annual basis. Ms. Neely said the changes were just striking through the old table and adding a new table.

After all discussion, Chair Harper called for a motion to the proposed ordinance as presented. Mr. Barber motioned to recommend approval to the Board of County Commissioners. Mr. Grant seconded the motion. All members voted "aye." Motion carried.

There being no further business for the Levy County Planning Commission, Mr. Lee motioned to adjourn. Mr. Barber seconded the motion. All members voted "aye." Motion carried. The meeting was adjourned.

Chairman