

**MINUTES**  
**Levy County Planning Commission**  
**September 9, 2013**  
**6:30 p.m.**

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

Ron Grant  
Vaughn Lee  
Phil Parker  
Thad Barber

Also present was County Attorney, Mrs. Anne Brown and Development Director, Mr. Bill Hammond.

Chair Harper called for a motion to approve or deny the minutes from June 3, 2013 as presented. Mr. Grant made a motion to decline the minutes and requested they be tabled. There was no seconded to the motion; the motion died for lack of a second. Mr. Lee motioned to approve the minutes as presented. Mr. Parker seconded the motion. All members voted "aye." Motion carried.

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

Chair Harper 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.

Chair Harper asked Mr. Hammond to begin with his item of business.

New Business:

**PETITION NO. FP 3-13** Croft Land Surveying representing Jerry and Linda Orenchak, petitioning the board for a Final Plat of "Oak Manor Estates, Replat of Lots 9 and 10" a residential subdivision located in Section 2, Township 11S, Range 14E, in Levy County. Said parcel contains 13.78 acres more or less. This plat will consist of two (2) residential lots. The zoning designation is "ARR" Agriculture/Rural Residential.

Mr. Hammond read into the record the petition item for Final Plat FP 3-13.

Mr. Danny Croft of Croft Land Surveying was present to discuss this petition.

Chair Harper called for any opposition or support for this item. There were none.

Chair Harper closed the floor to discussion.

Chairman Harper called for a motion to this item. Mr. Grant motioned to recommend approval of Final Plat FP 3-13 for "Oak Manor Estates, Replat of Lots 9 and 10" as presented. Mr. Barber seconded the motion. Motion carried. All members voted "aye."

**PETITION NO. SE 1-13** CHW, Inc., representing Grady and Audrey Dean and Wilbur and Candace Dean, petitioning the board for a Special Exception to allow a 350' Radio Broadcasting Tower for a Christian Radio Station, on a parcel of land located in the SE 1/4 of the SE 1/4 of Section 13 and the E 1/2 of Section 24, Township 12S, Range 16E in Levy County. Said parcel contains 266.62 acres more or less. This parcel is located in a "FRR" Forestry/Rural Residential zoning.

Mr. Hammond presented the staff conditions as follows:

1. The Special Exception Use Permit is granted for the use of the property for a radio broadcasting tower and customary accessory structures/uses only.
2. The conditions set forth herein for the approval of the Special Exception Use Permit shall apply to the applicant(s), owner(s) or their assigns.
3. The granting of the Special Exception Use Permit for the radio broadcasting tower location will be based on the "Tower Location Area Map" as submitted as part of the application. Any deviation from the submitted mapping will require an amendment to the application by the Planning Commission and Board of County Commissioners.
4. A site plan (certified boundary survey) will be required as part of the permitting process depicting the actual location for the new tower, accessory building, access roadway and setbacks for the fall zone.

Mr. Craig Abshier of CHW, Inc. gave a brief presentation and submitted a revised site plan for the location of the proposed tower.

Chair Harper called for any opposition or support for this item. There were none.

Chair Harper closed the floor to discussion.

After a short discussion, Chairman Harper called for a motion to this item. Mr. Parker motioned to recommend approval to include the staff conditions as presented. Mr. Barber seconded the motion; motion carried. All members voted "aye."

**PETITION NO. SE 2-13** Frank A. Marino Jr. petitioning the board for a Special Exception to allow On-Premise Sales and Consumption of Alcohol in a Chartered or Incorporated Private Country Club or Lodge (AKA Scooter Haven Country Club, Inc.), on a parcel of land located in the SW 1/4 of the NW 1/4 of Section 34, Township 16S, Range 16E, in Levy County. Said parcel contains 45.04 acres more or less. Said parcel is located within an "RR-2" Rural Residential - 2 zone. Situs Address: 19350 SE Butler Road, Inglis, FL. 34449.

Mr. Hammond presented the staff conditions as follows:

1. The Special Exception Use Permit is granted for the use of the property for on-premises consumption of alcoholic beverages within a chartered or incorporated private club only.

2. The hours for sale of alcoholic beverages within the private club shall be consistent with the Levy County Code of Ordinances, more specifically, *Chapter 6. Alcoholic Beverages*, Section 6-2 (a). Should the ordinance be amended, the special exception use shall be subject to provisions of the amended ordinance.

The following is the current Section 6-2 (a) in its entirety:

**Sec. 6-2. Hours of sale; adoption of state law.**

(a) The regulations set forth in F.S. § 562.14 (1) are hereby wholly and completely adopted, ratified and confirmed as the hours during which the sale of alcoholic and intoxicating beverages shall be regulated. Such regulations are as follows:

No alcoholic beverages may be sold, consumed, served or permitted to be served or consumed in any place holding a license under the division of alcoholic beverages and tobacco between the hours of midnight and 7:00 a.m. of the following day.

(b) It is the intent of this section to fully adopt the state statutes which govern the hours of sale of alcoholic beverages and those hours shall be controlling in the county.

3. There shall be no consumption of alcoholic beverages outside the structure.

**Exception:** To enable outdoor passive recreation and “fund raisers” commonly associated with private clubs, such as, but not limited to horse shoes, barbeques and fish fries, alcoholic beverages may be consumed outside the structure within the confines of an area surrounded by a 6-foot high privacy fence, an unbroken screen of landscape vegetation of at least 6 feet in height, or a decorative masonry wall of 6 feet in height when done consistent with the Division of Alcoholic Beverages and Tobacco rules and regulations (i.e., one, two and three day permits, which may only be issued three times per calendar year to bona fide non-profit civic organizations).

4. The conditions set forth herein for the approval of the Special Exception Use Permit shall apply to the applicant(s), owner(s) or their assigns.

Mr. Marino and his wife Tina Braswell were present to discuss his petition.

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

OPPOSITION:

Carl and Catherine Roof expressed their opposition regarding noise, increased traffic, increased use of alcohol consumption and the shining of the headlights on their front door as a nuisance.

Chair Harper closed the floor to discussion.

## BOARD DISCUSSION:

Mr. Harper asked about the noise that it would generate. Mr. Hammond explained issues with noise would be regulated by the county's Noise Ordinance which is enforced by the Sheriff's Department. Mr. Grant had asked about the Level of Service (LOS) for the road. Mr. Hammond explained this would be viewed by the Road Department and at this time there were no comments provided. Mr. Harper asked about limiting the size of the footprint for the subject area. Mrs. Brown said a new condition could be added as follows:

*"The Special Exception Use Permit will be limited to the area allowed bounded by the loop created by the limerock driveway as shown on the boundary survey included in the application. The first loop includes the frame clubhouse and accessory building in building detail "A" and the storage room and frame stage, but not the frame workshop and cabins in building detail "B."*

After discussion, Chairman Harper called for a motion to this item. Mr. Barber motioned to recommend approval to include the staff conditions as presented and the additional conditional condition as described above by Mrs. Brown. Mr. Lee seconded the motion; motion carried. All members voted "aye."

## NEW BUSINESS: Planning Department

**PETITION NO. SSA 13-01**, applicant Eng, Denman and Associates, Inc., agent for property owner Edward Paradiso, to amend the Levy County Future Land Use Map from Low Density Residential (LDR) to Commercial (C) on 9.9 acres. Tax parcel number 09656-000-00 (portion of) in Section 2, Township 13, Range 18. Located within the Williston Municipal Service District (MSD).

Ms. Neely gave a brief overview of the petition. Ms. Neely stated the property currently has a zoning designation of commercial "C-3" which was obtained by a change of zoning done in 1986 and there was a Special Exception in 1987.

Mr. Clay Sweger of Eng, Denman and Associates was present along with Mr. Kurt Hubert (dive master) of Blue Grotto. Mr. Sweger noted the zoning for the subject parcel does not allow for water bottling.

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

## OPPOSITION:

Ms. Laura O'Connor expressed her concern regarding the traffic that would be brought on by allowing this change. Ms. O'Connor also brought to the attention of the board that Mr. Paradiso was no longer the owner of the subject parcel.

In light of this information, it was suggested by Mrs. Brown to table the amended application in order to determine ownership and for proper documentation to be provided.

After discussion, Chairman Harper called for a motion to this item. Mr. Grant motioned to table this application until pertinent information is obtained. Mr. Barber 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