

**MINUTES**  
**Levy County Planning Commission**  
**January 6, 2014**  
**6:30 p.m.**

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

Vaughn Lee  
Phil Parker  
Thad Barber

Mr. Grant was not present.

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

Chair Harper called for nominations for both Chair and Vice-Chair. Mr. Parker motioned to nominate Mr. Lee as Chair. Mr. Barber seconded the motion. All members voted "aye." Motion carried. Mr. Barber motioned to nominate Mr. Parker as Vice-Chair. Mr. Harper seconded the motion. All members voted "aye." Motion carried.

No minutes were available.

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

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

**PETITION NO. SE 3-13** Melba Tillis, petitioning the board for a Special Exception to allow a Private Family Cemetery, on a parcel of land located on a parcel of land in the NW 1/4 of the SW 1/4 of Section 31, Township 11S, Range 16E, Levy County. Said parcel contains 42.98 acres more or less and is located in an "ARR" Agriculture/Rural Residential zone. Situs Address: 10351 NE 10<sup>th</sup> Avenue, Chiefland, FL. 32626

Mr. Hammond read for the record the staff report and provided a brief overview of the Special Exception application. Mr. Hammond explained to the board the application did meet the necessary code sections as required in the Levy County Land Development Regulations. Mr. Hammond said if the Planning Commission were to find the application complete and chooses to recommend approval, the following conditions are recommended.

1. The approval of the Special Exception Use Permit is for a private family cemetery containing .88 acres more or less (170' x 225'), and must be located on the parent parcel as depicted on the site plan and boundary survey.
2. The applicant or property owner shall provide screening between the cemetery and adjacent properties consistent with Section 50-823, as required by Section 50-714. (3) b.

3. A copy of the letter of approval of the special exception use permit, ordinance or resolution; the perpetual maintenance agreement; and the boundary survey, including the access easement, shall be recorded in the public records of Levy County Florida prior to the use of the property for a family cemetery.

Mrs. Melba Tillis was present to discuss her application.

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

Chair Lee closed the floor to discussion.

After a short discussion, Chair Lee called for a motion to the application for a Special Exception to allow a Private Family Cemetery. Mr. Harper made a motion to recommend approval to the Board of County Commissioners to include the recommended conditions. Mr. Parker seconded the motion. All members voted "aye." Motion carried.

**PETITION NO. SEA 1-13** Joseph Florentine, petitioning the board for a Special Exception Amendment to SE 1-06, to allow an additional 16 RV spaces to Cedar Key RV Resort Phase 2, located on Parcel 2, Part of the NE 1/4 of the SE 1/4 of Section 35, Township 14S, Range 13E and a Part of the W 1/2 of the NW 1/4 of the SW 1/4 of Section 36, Township 14S, Range 13E, Levy County. Said parcel contains 3.79 acres (portion of 6.08 acres) more or less and is located in an "FRR" Forestry/Rural Residential zone.

Mr. Hammond read for the record the staff report and provided a brief overview of the Special Exception Amendment application. Mr. Hammond explained to the board the application did meet the necessary code sections as required in the Levy County Land Development Regulations. Mr. Hammond said if the Planning Commission were to find the application complete and chooses to recommend approval, the following conditions are recommended.

1. The Special Exception Amendment Use Permit is granted for the use of the property for the development of one additional bathhouse and 16 additional RV spaces to an existing RV park.
2. The conditions set forth herein for the approval of the Special Exception Amendment Use Permit shall apply to the applicant(s), owner(s) or their assigns.
3. Any deviation from the submitted mapping will require an amendment to the application by the Planning Commission and Board of County Commissioners.
4. The applicant shall provide to the Development Department: all necessary state permits, approvals or documented exemptions from all affected state agencies at the time of the submittal of an application for a construction and development permit.
5. No travel trailer may be tied down, blocked up, added onto, or otherwise made to be immobile. No "park models" or other recreational vehicles requiring building permits or permanent blocking shall be permitted due to the location being in Special Flood Hazard Areas.

8. Storage facilities shall not be provided. Both permanent and temporary storage of boats or RV's within the boundaries of the RV park are expressly prohibited.
9. If an evacuation order is given, all travel trailers are required to be evacuated. The applicant shall provide written assurances that this can and will be accomplished.
10. Setbacks:
  - a. No permanent buildings or structures shall be permitted within 100 feet of Natural Reservations.
  - b. No RV's or RV spaces shall be permitted closer than 40 feet to any property line, or 50 feet to any public road rights-of-way.
  - c. A minimum building setback of 25 feet shall be maintained for all structures (including dumpsters) to all property lines, with no improvements other than fencing, water lines, sewer lines, electric lines, lamp posts walkways or sidewalks; fencing, berms and planted vegetation allowed within the required setback area.
  - d. A minimum building setback of 50 feet shall be maintained from Shiloh Road to comply with the Schedule 2, Lot, Yard and Height Regulations, of Article III, Zoning, Division 4. District Regulations; Section 50-776. Generally.
11. No expansion of the Special Exception Amendment Use shall be permitted, and no additional RV spaces shall be permitted without prior approval from the Board of County Commissioners.
12. The conditions of this Special Exception Amendment Use shall be binding upon the applicant, property owners or their assigns.
13. Unless an extension is granted by the BOCC, construction of Phase 2 of the Special Exception Amendment Use shall begin within 18 months from the approval of the special exception amendment use application or the special exception amendment use permit becomes null and void.

Mr. Joseph Florentine (property owner) and Mr. Troy Burrell (engineer) were present to discuss the petition.

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

Chair Lee closed the floor to discussion.

After discussion, Chair Lee called for a motion to the application for the Special Exception Amendment. Mr. Parker made a motion to recommend approval to the Board of County Commissioners to include the recommended conditions. Mr. Parker seconded the motion. All members voted "aye." Motion carried.

**PETITION NO. CZ 1-13** Dave Myler, petitioning the board for a Change of Zoning from commercial "C-3" to Rural Residential-2 "RR-2", on a parcel of land located in Williston Highlands

Unit 9, Lots 5 & 6, Block G, in Section 2, Township 13S, Range 18E. Said parcel contains 2 acres more or less.

Mr. Hammond read for the record the staff report and provided a brief overview of the Change of Zoning application. Mr. Hammond said the property is located within a suitable location for residential development. Mr. Hammond also said the proposed residential use is consistent with the Comprehensive Land Use Plan.

Mr. Clay Sweger of Eng, Denman and Associates was present representing the property owner Mr. Dave Myler.

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

Chair Lee closed the floor to discussion.

After discussion, Chair Lee called for a motion to the application for a Change of Zoning. Mr. Barber made a motion to recommend approval to the Board of County Commissioners as submitted. Mr. Parker seconded the motion. All members voted "aye." Motion carried.

**PETITION NO. CU 1-13** Ken Schwiebert, petitioning the board for a Conditional Use Permit to allow Outdoor Commercial Recreation, on a parcel of land located in the SE 1/4 of the SE 1/4 less East 25' for RD R/W, in Section 26, Township 12S, Range 18E, Levy County. Said parcel contains 37.93 acres more or less and is located in an "ARR" Agriculture/Rural Residential. AKA "Devil's Den."

Mr. Hammond read for the record the staff report and provided a brief overview of the Conditional Use Permit application. Mr. Hammond explained to the board the application did meet the necessary code sections as required in the Levy County Land Development Regulations. Mr. Hammond said if the Planning Commission were to find the application complete and chooses to recommend approval, the following conditions are recommended.

1. The approval of Application CUP 1-13 is solely for the development of the Devil's Den, LC (The Farm to Family Full Moon Music Festivals) consistent with the application, project description and site plan provided for the review of CUP 1-13.
2. The Applicant or any other conditional use permit holder for CUP 1-13, or any one or more of them, shall be jointly and severally responsible for compliance with the conditions of approval set forth herein by the board of county commissioners.
3. Thursdays, 12:00 pm for extended camping weekends  
Fridays, 12:00 pm to 12:00 am (show time)  
Saturdays, 10:00 am (or 11:00 am) to 12:00 am (stage show)  
Sundays, 10:00 am (or 11:00 am) to 2:00 pm (or 4:00 pm depending on the time of the year) (stage show)
4. The maximum number of patrons will be 3000.

5. The Applicant or any conditional use permit holder for CUP 1-13 or their assigns or transferees, shall be subject to the conditions of approval contained herein, which shall run with the conditional use permit.
6. In the event law enforcement is required for traffic control or crowd control, the associated cost will be reimbursed to the county.

Dr. Kenneth Schwiebert (property owner) and Mr. Don Applebaum of Farm to Family were present to discuss this petition.

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

Chair Lee closed the floor to discussion.

After discussion, Chair Lee called for a motion to the application for the Conditional Use Permit. Mr. Parker made a motion to recommend approval to the Board of County Commissioners to include the recommended conditions. Mr. Harper seconded the motion. All members voted "aye." Motion carried.

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

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Chairman