

**MINUTES
LAKE COUNTY ZONING BOARD
MARCH 4, 2009**

The Lake County Zoning Board met on Wednesday, March 4, 2009 in the Commission Chambers on the second floor of the County Administration Building to consider petitions for rezonings, conditional use permits, and mining site plans.

The recommendations of the Lake County Zoning Board will be transmitted to the Board of County Commissioners for their public hearing to be held on Tuesday, March 24, 2009 at 9 a.m. in the Commission Chambers on the second floor of the Round Administration Building, Tavares, Florida.

Members Present:

Timothy Morris, Vice Chairman	District 1
Scott Blankenship	District 2
James Gardner, Secretary	District 3
Paul Bryan, Chairman	District 5
Larry Metz	School Board Representative

Members Not Present:

Egor Emery	District 4
Mark Wells	At-Large Representative

Staff Present:

Brian Sheahan, AICP, Planning Director, Planning and Community Design Division
Steve Greene, AICP, Chief Planner, Planning and Community Design Division
Rick Hartenstein, Senior Planner, Planning and Community Design Division
Karen Block, Senior Planner, Planning and Community Design Division
Sherie Ross, Public Hearing Coordinator, Planning and Community Design Division
Ann Corson, Office Associate IV, Planning and Community Design Division
Ross Pluta, Engineer III, Engineering Division
Erin Hartigan, Assistant County Attorney

Chairman Bryan called the meeting to order at 9 a.m. He led in the Pledge of Allegiance, and James Gardner gave the invocation. Chairman Bryan noted that a quorum was present and confirmed the Proof of Publication for each case as shown on the monitor. He stated that this public hearing has been properly noticed. He explained the procedures to be used when hearing cases on the consent and regular agendas.

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Minutes

MOTION by Scott Blankenship, SECONDED by Timothy Morris to approve the February 4, 2009 Lake County Zoning Board public hearing minutes, as submitted.

FOR: Morris, Blankenship, Gardner, Bryan, Metz

AGAINST: None

NOT PRESENT: Emery, Wells

MOTION CARRIED: 5-0

Discussion of Agenda

Chairman Bryan stated that a speaker card had been submitted for PH#65-08-2, Jack R. Amon/June Engineering Consultants, Inc.; therefore, that case will be removed from the consent agenda and moved to the regular agenda.

Regarding the letter from the Green Mountain Scenic Byway Committee, Brian Sheahan, AICP, Planning Director, stated that most of their comments related to transportation issues. He added that the additional information received yesterday from the Green Mountain Scenic Byway Committee and Orange County regarding PH#65-08-2 was e-mailed to the Zoning Board for their review.

Consent Agenda

CASE NO.: PH#74-08-4 **AGENDA NO.:** 1
OWNER: James C. Harris, III Trustee
APPLICANT: James C. Harris, III
PROJECT NAME: James Harris Mini Storage, Inc.

CASE NO.: PH#73-08-4 **AGENDA NO.:** 2
OWNER: Ralph K. Jones
APPLICANT: Leslie Campione, P.A.

MOTION by James Gardner, **SECONDED** by Scott Blankenship to recommend approval of the above consent agenda.

FOR: Morris, Blankenship, Gardner, Bryan, Metz

AGAINST: None

NOT PRESENT: Emery, Wells

MOTION CARRIED: 5-0

CASE NO.: PH#72-08-2

AGENDA NO.: 3

OWNER: Cagan Crossings, Ltd.
APPLICANT: William J. Deas, Esq.
PROJECT NAME: Cagan Crossings Florida Quality Development (FQD)

Steve Greene, AICP, Chief Planner, presented the case and staff recommendation of approval. He showed the aerial from the final package on the monitor. Staff has examined this request and has found that the request for a farmer’s market and additional signage is in keeping with the techniques of being a Florida Quality Development. He said staff noted a slight revision to the ordinance, as proposed. In Section 2, Page 4, Line 33, staff plans to correct a scrivener’s error to remove the words “(per tenant)” because that creates a conflict with other areas of this proposed ordinance. Staff would also like to amend the ordinance to more clearly define the two additions to the ordinance. With those changes, staff would recommend approval of the request.

James Gardner confirmed with Mr. Greene that Exhibit B in the final package is up to date.

Scott Blankenship said he had no issues with this case.

MOTION by Scott Blankenship, SECONDED by Larry Metz to recommend approval of the proposed amendment to allow a farmer’s market and additional sign standards for gateway entrance signs and business signage in PH#72-08-2 with the following revisions: In Section 2, Page 4, Line 33, remove the words “(per tenant).” Amend the ordinance to more clearly define the two additions to the ordinance.

FOR: Morris, Blankenship, Bryan, Metz

AGAINST: Gardner

NOT PRESENT: Emery, Wells

MOTION CARRIED: 4-1

Mr. Greene noted that the applicant was present if the Board had any questions.

CASE NO.: PH#65-08-2

AGENDA NO.: 4

OWNER: James R. Amon

APPLICANT: June Engineering Consultants, Inc.

Karen Block, Senior Planner, presented the case and staff recommendation of approval. She showed the aerial from the final package on the monitor. She pointed out that Clermont evaluates requests using net density. The net density of this request is 2.5 dwelling units per acre, which falls within the requirements of the Urban Expansion Future Land Use Category. She added that comments have been received from Orange County and the Green Mountain Scenic Byway Committee. Staff has no issues with their comments since they are valid concerns, and staff could support incorporating the comments into the ordinance. Chairman Bryan agreed that the comments appear to be reasonable. When Scott Blankenship asked if the Clermont City Council had heard this request yet, Ms. Block said their meeting will be held between this public hearing and the Board of County Commissioners (BCC) public hearing on March 24.

Ms. Block submitted an aerial as County Exhibit A. She pointed out that most of the development shown is within Oakland and their Joint Planning Area (JPA). Since receiving the comments from Orange County yesterday, she said she has not had an opportunity to coordinate with Oakland regarding their density. It is her understanding that it is an urban density. There is a small area (less than 1/4 mile) between the Oakland JPA and Lake County that is under the jurisdiction of Orange County; according to the letter, this area has the Rural designation, which allows one dwelling unit per ten acres.

When Mr. Blankenship asked about the timeline for a Planned Unit Development (PUD), Ms. Block said a sunset date could be incorporated into the ordinance. Mr. Blankenship said he did not want to do that during this difficult economic time. In response to Mr. Blankenship, Ms. Block said it is her understanding that traffic would be addressed during the platting process, and no development order would be approved until the traffic issues are resolved.

Randy June of June Engineering Consultants, Inc. said that basically they concur with the staff recommendations on the project. He said his client owns land to the north of the Turnpike, which was approved by the BCC for two units per acre. The property immediately to the west was approved for two units per acre. Plaza Collina is located to the south. To the east is Orange County.

Glenn Burns from Montverde was present to represent the Green Mountain Scenic Byway Committee. If staff is agreeable to accepting the recommendations from the letter written by the Committee, he said he had no other issues.

Timothy Morris said he wanted to ensure that the turn lanes and other recommendations from the Green Mountain Scenic Byway Committee that are incorporated into the ordinance would be the responsibility of the developer and not Lake County. Chairman Bryan pointed out that the Committee had indicated they did not want turn lanes unless they were absolutely necessary.

MOTION by Larry Metz, SECONDED by Timothy Morris to recommend approval of PUD zoning for a residential development consisting of 13 townhomes and 53 single-family homes in PH#65-08-2 with the requirements outlined in the March 3, 2009 letter from the Green Mountain Scenic Byway Committee incorporated into the ordinance and the cost to implement these requirements borne by the developer.

FOR: Morris, Blankenship, Gardner, Bryan, Metz

AGAINST: None

NOT PRESENT: Emery, Wells

MOTION CARRIED: 5-0

Discussion

Brian Sheahan, AICP, Planning Director, stated that the Land Planning Agency (LPA) has approved a draft ordinance that was requested by the Board of County Commissioners (BCC) regarding continuances. That ordinance, as proposed, would allow the granting of a continuance if it is received from the applicant ten days prior to the public hearing. It would require that the applicant pay for the renote to all the adjacent property owners. There is no limitation on the number of continuances that could be granted, but the intent is that no more than one continuance be granted in order to provide a reasonable certainty to the concerned public as to when the public hearing will take place. James Gardner commented that indefinite continuances have always been a concern to him.

When Scott Blankenship asked if the Urban Density Chart had been updated, Mr. Sheahan said it has not. He agreed with Mr. Blankenship that it should be. Mr. Blankenship said he would like to see that done as some of the categories and point system may need to be adjusted. Mr. Sheahan said staff can look at that. Mr. Blankenship felt the chart is not reflective of today's world. Mr. Sheahan explained that the new Comprehensive Plan addresses that. With the new Land Development Regulations (LDRs), he could foresee establishing a minimum density in certain appropriate categories. That is going to be necessary to support mass transit.

Adjournment

There being no further business, the meeting was adjourned at 9:34 a.m.

Respectfully submitted,

Sherie Ross
Public Hearing Coordinator

Paul Bryan
Chairman