

**MINUTES  
LAKE COUNTY ZONING BOARD  
MARCH 5, 2008**

The Lake County Zoning Board met on Wednesday, March 5, 2008 in the Commission Chambers on the second floor of the Round Administration Building to consider petitions for rezonings, conditional use permits, and mining site plans.

The recommendations of the Lake County Zoning Board will be submitted to the Board of County Commissioners at a public hearing to be held on Tuesday, March 25, 2008 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
Phyllis Patten	District 4
Paul Bryan, Chairman	District 5
Mark Wells	At-Large Representative

**Members Not Present:**

Larry Metz	School Board Representative
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**Staff Present:**

Brian Sheahan, AICP, Planning Director, Planning and Community Design Division  
Steve Greene, AICP, Chief Planner, Planning and Community Design Division  
Ricardo Soto-Lopez, Chief Planner, Planning and Community Design Division  
Stacy Allen, Senior Planner, Planning and Community Design Division  
Karen Ginsberg, Senior Planner, Planning and Community Design Division  
Sherie Ross, Public Hearing Coordinator, Planning and Community Design Division  
Ashley Sneed, Intern Planner, Planning and Community Design Division  
Ross Pluta, Engineer III, Engineering Division  
Sharon Lewis, Senior Transportation Planner, Engineering Division  
Melanie Marsh, Deputy 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. He confirmed the Proof of Publication for each case as shown on the monitor. He explained the procedure used when hearing cases on the consent and regular agendas.

Chairman Bryan stated that all exhibits presented at this meeting by staff, owners, applicants, and those in support or opposition must be submitted to the Public Hearing Coordinator prior to proceeding to the next case. Anyone wishing to speak should complete a speaker card that can be found on the table at the rear of this room.

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**Minutes**

**MOTION by James Gardner, SECONDED by Timothy Morris to approve the February 6, 2008 Lake County Zoning Board Public Hearing minutes, as submitted.**

**FOR: Morris, Blankenship, Gardner, Patten, Bryan, Wells**

**AGAINST: None**

**NOT PRESENT: Metz**

**MOTION CARRIED: 6-0**

**Discussion of Consent Agenda**

Brian Sheahan, AICP, Planning Director, stated that staff would like to pull PH#19-07-3, Agenda No. 1, as staff has identified a few minor changes in the ordinance that they would like to bring to this Board's attention. He said Steve Richey is representing this case, but Mr. Sheahan did not think there was any objection to the changes proposed by staff. Staff anticipates no other changes to the agenda.

Based on staff's request, Chairman Bryan said PH#19-07-3 would be removed from the consent agenda and placed on the regular agenda.

**Consent Agenda**

**CASE NO.:** PH#46-07-4 **AGENDA NO.:** 2  
**OWNER:** Terry Clark  
**APPLICANT:** New Hope Missionary Baptist Church

**CASE NO.:** PH#14-08-4 **AGENDA NO.:** 3  
**OWNER/APPLICANT:** Gina Thomas

**MOTION by Timothy Morris, SECONDED by Scott Blankenship to recommend the following actions on the above consent agenda:**

PH#46-07-4 Approval  
PH#14-08-4 Approval

**FOR:** Morris, Blankenship, Gardner, Patten, Bryan, Wells

**AGAINST:** None

**NOT PRESENT:** Metz

**MOTION CARRIED:** 6-0

CASE NO.: PH#19-07-3

AGENDA NO.: 1

OWNER: Green Valley Country Club, Incorporated

APPLICANT: Richey & Cooney

Stacy Allen, Senior Planner, noted the applicants' request and presented the changes to the ordinance that Brian Sheahan, AICP, Planning Director, had spoken of earlier as the reason for removing this case from the consent agenda and placing it on the regular agenda. She showed the aerial from the staff report on the monitor.

Regarding the proposed changes, Ms. Allen said that in Section C on Page 3, both Exhibits B and C should be referenced. At the end of the first sentence, "as amended by Exhibit B" should be added. Exhibit B is included at the end of the ordinance and shows where the new lots are proposed in the five acres of open space. In Section F.1. on Page 3, Exhibit B should also be referenced along with Exhibit C. An extra line item has been added to Section F specifying that the open space in Exhibit B shall be used only as open space. Staff recommended approval. No letters of opposition or support have been received.

No one had any questions for Steve Richey, who is the applicant, or staff. Mr. Richey said he had nothing further to add to the presentation.

Timothy Morris confirmed that no speaker cards had been submitted.

**MOTION by Timothy Morris, SECONDED by Scott Blankenship to recommend approval of the request to amend Ordinance #1998-78 for the addition of five acres of open space and three single-family residential lots in PH#19-07-3.**

**FOR: Morris, Blankenship, Gardner, Patten, Bryan, Wells**

**AGAINST: None**

**NOT PRESENT: Metz**

**MOTION CARRIED: 6-0**

CASE NO.: PH#08-08-5

AGENDA NO.: 4

OWNERS: Steve and Pamela Hunihan

APPLICANT: Leslie Campione, PA

Steve Greene, AICP, Chief Planner, presented the case and staff recommendation of approval. He showed the aerial from the staff report on the monitor, noting that this property is located along CR 44 and 437 on the east side of the County near Eustis. He added that last month this case was continued because it had been improperly posted. At that time, a letter of concern had been received. No further letters have been received.

Mr. Greene said the main substance of this zoning amendment is to remove language from the existing ordinance, Subparagraph 1.G., which pertains to a sunset provision for development approvals for the activity after two years. As he indicated last month, there are provisions within the Lake County Land Development Regulations (LDRs) that set time specific standards for when a development approval should be deemed null and void. Typically that is two years after site plan approval if construction plans are not submitted or a building permit is not pulled. As there is no site plan currently being proposed by this particular application, there is no need for the subject language in the ordinance.

There was no one present to represent the case.

In response to Phyllis Patten, Mr. Greene said the two-year time period would be applicable once a submitted site plan is approved.

**MOTION by Timothy Morris, SECONDED by Scott Blankenship to recommend approval of an amendment to remove an unenforceable condition within an existing CP district in PH#08-08-5.**

**FOR: Morris, Blankenship, Gardner, Patten, Bryan, Wells**

**AGAINST: None**

**NOT PRESENT: Metz**

**MOTION CARRIED: 6-0**

**Discussion**

Chairman Bryan stated that at the February Zoning Board public hearing, he had asked if the Board could limit the public hearing discussion to the requested action. Melanie Marsh, Deputy County Attorney, indicated that public hearing discussion should be opened up to all aspects of the ordinance. He spoke to Ms. Marsh this morning, and she indicated that if the legal advertisement was limited to only that portion of the ordinance, the discussion could be limited.

Ms. Marsh confirmed that this was correct and that Brian Sheahan, AICP, Planning Director, would be talking to his staff about doing that. Chairman Bryan felt that would be appropriate. In response to Scott Blankenship, Ms. Marsh said that would also apply to the Board of County Commissioners (BCC) public hearings.

**Adjournment**

There being no further business, the meeting was adjourned at 9:15 a.m.

Respectfully submitted,

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Sherie Ross  
Public Hearing Coordinator

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Paul Bryan  
Chairman