

**MINUTES
LAKE COUNTY ZONING BOARD
MAY 7, 2008**

The Lake County Zoning Board met on Wednesday, May 7, 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, May 27, 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
Larry Metz	School Board Representative

Staff Present:

Brian Sheahan, AICP, Planning Director, Planning and Community Design Division
Steve Greene, AICP, Chief Planner, Planning and Community Design Division
Stacy Allen, Senior Planner, Planning and Community Design Division
Sherie Ross, Public Hearing Coordinator, Planning and Community Design Division
Joan Greaney, Office Associate IV, Planning and Community Design Division
Ross Pluta, Engineer III, 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 gave the invocation. He noted that a quorum was present. He confirmed the Proof of Publication for each case as shown on the monitor and that this meeting had been noticed pursuant to the Sunshine Statute.

Chairman Bryan explained the procedure for hearing cases on the consent and regular agendas, noting 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. He stated that no speaker cards had been submitted for any of the cases on today's agenda.

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Minutes

MOTION by Timothy Morris, SECONDED by Scott Blankenship to approve the April 2, 2008 Lake County Zoning Board Public Hearing minutes, as submitted.

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

AGAINST: None

MOTION CARRIED: 7-0

Discussion of Consent Agenda

Brian Sheahan, AICP, Planning Director, asked that PH#25-08-5 be removed from the consent agenda and placed on the regular agenda. Staff has found a scrivener's error which they would like to address in the public hearing forum.

Regarding PH#18-08-4 and PH#19-08-5, Mr. Sheahan explained that staff would like to add to the use "conservation and public passive recreation" for clarification. Those cases can remain on the consent agenda.

Consent Agenda

CASE NO.:	PH #24-08-2	AGENDA NO.:	3
OWNER:	Shepherd of the Hills Lutheran Church		
APPLICANT:	Lake County Board of County Commissioners		
CASE NO.:	PH #18-08-4	AGENDA NO.:	4
OWNER:	Lake County Board of County Commissioners		
APPLICANT:	Lake County Board of County Commissioners Public Lands Manager David Hansen/Pine Lake Parcels		
CASE NO.:	PH #19-08-5	AGENDA NO.:	5
OWNER:	Lake County Board of County Commissioners/ Lake County Board of County Commissioners Public Lands Manager David Hansen/SR 44 in South Pine Lakes		
CASE NO.:	PH #27-08-1	AGENDA NO.:	7
	Whitney Baptist Church, Inc		
CUP#00/12/1-4	Sammy & Shirley Hart Voluntary Revocation	AGENDA NO.	8
CUP#98/12/4-3	Richard Reinertsen Voluntary Revocation	AGENDA NO.:	8
CUP#00/6/1-4	Kenneth Gill Voluntary Revocation	AGENDA NO.:	8
CUP#02/10/1-5	John Scharnhorst, et al Voluntary Revocation	AGENDA NO.:	8
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CUP#99/9/2-3	Eduardo Trejo Voluntary Revocation	AGENDA NO.:	8
CUP#87/5/2-4	Alice Midwood Voluntary Revocation	AGENDA NO.:	8
CUP#999-3	Kurt & Cheryl Hoag Voluntary Revocation	AGENDA NO.:	8

MOTION by Timothy Morris, SECONDED by James Gardner to recommend approval of the above consent agenda.

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

AGAINST: None

MOTION CARRIED: 7-0

CASE NO.: PH#42-07-3

AGENDA NO.: 1

OWNER/APPLICANT: South Lake Animal League, Inc.

Brian Sheahan, AICP, Planning Director, stated that the Zoning Board members should have received by e-mail yesterday and by hard copy today a memorandum of some last-minute requests by the applicant. Staff has reviewed those changes and consider them minor in nature, but they do require a language change in the ordinance.

Stacy Allen, Senior Planner, presented the case and staff recommendation of approval. She showed the aerial from the staff report on the monitor.

Chairman Bryan noted that no speaker cards were submitted. The applicant was present but had nothing further to add.

MOTION by Scott Blankenship, SECONDED by Phyllis Patten to recommend approval of the request to rezone 14.2 acres of the 22.3-acre site from CFD to the Agriculture zoning district in order to request a Conditional Use Permit (CUP) for an animal shelter (kennel) in PH#42-07-3.

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

AGAINST: None

MOTION CARRIED: 7-0

CASE NO.: CUP#17-08-3

AGENDA NO.: 2

OWNER: South Lake Animal League, Inc.

APPLICANT: Patricia Parker, South Lake Animal League, Inc.

Stacy Allen, Senior Planner, presented the case and staff recommendation of approval with conditions. She showed the site plan from the book on the monitor as well as the revised language as noted by Brian Sheahan, AICP, Planning Director, when the previous case was heard. A memorandum with the revised language was submitted as County Exhibit A.

James Gardner asked what the average number of dogs and cats that would be in this kennel at one time.

Patricia Parker, administrator and animal coordinator of the South Lake Animal League, Inc., said their animals now are housed in various foster homes. On the average, they have about 60 dogs and 45 to 50 cats.

There was discussion regarding the numbering for the revised language as stated in the memorandum submitted as County Exhibit A. In response to Larry Metz, Ms. Allen said a caretaker's residence is a permitted use in the Agriculture zoning district. There will be someone living on the site. Mr. Metz was informed by Brian Sheahan, AICP, Planning Director, that Section 2.A. Land Use in the ordinance in the book should be removed and replaced with No. 1 Land Use in the memorandum.

In response to Mark Wells, Ms. Parker said animals would not be euthanized on the property. She said this is a "no kill" facility. If it becomes necessary for an animal to be euthanized, it would be taken to their veterinarian's office.

Phyllis Patten was informed by Ms. Parker that this organization is funded by private donations and grants.

MOTION by Timothy Morris, SECONDED by Scott Blankenship to recommend approval of the request for a Conditional Use Permit (CUP) in the Agriculture Zoning District to allow for an animal shelter (kennel) for the shelter, medical care, rehabilitation, and adoption of cats and dogs in CUP#17-08-3, as presented by staff and based on discussion at this public hearing.

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

AGAINST: None

MOTION CARRIED: 7-0

CASE NO.: PH#25-08-5 AGENDA NO.: 6

OWNER: Loyal Order of Moose, Inc. (Dewey Wilkey)

APPLICANT: Lake County Planning & Community Design Division

Steve Greene, AICP, Chief Planner, presented the case and staff recommendation of approval. He showed the aerial from the book on the monitor.

Mr. Greene explained that this request is the result of a Code Enforcement action. The owner was building structures without appropriate permits. Code Enforcement recommended that a site plan be submitted for approval to receive an after-the-fact permit. Upon review, it was discovered that the property was not properly zoned in 2001. Therefore, staff felt it would be appropriate to rezone the property in its entirety as it was intended in 2001. Nothing has changed in the character of the community. This rezoning request is consistent with the previous zoning and would supersede and rescind Ordinance No. 2001-80. A memorandum was e-mailed to the Zoning Board several days ago. The memorandum contained a revised ordinance with the previous conditions as specified in Ordinance No. 2001-80. It was submitted as County Exhibit A.

James Gardner confirmed that the necessity of the memorandum was the reason for moving the case from the consent agenda to the regular agenda.

In response to Phyllis Patten, Mr. Greene said the building was constructed without appropriate permits.

Mark Wells was informed by Mr. Greene that it was his impression that it was a separate structure rather than an addition.

The owner was present but had nothing to add.

MOTION by James Gardner, SECONDED by Phyllis Patten to recommend approval of the staff-initiated request to rescind Ordinance No. 2001-80 with a new ordinance to correctly rezone the property from Agriculture to CFD zoning in its entirety in PH#25-08-5, based on staff recommendation.

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

AGAINST: None

MOTION CARRIED: 7-0

Discussion

Brian Sheahan, AICP, Planning Director, said he will be sending out an e-mail shortly regarding an upcoming class on the Sunshine Law being held in Howey-in-the-Hills.

Adjournment

There being no further business, the meeting was adjourned at 9:25 a.m.

Respectfully submitted,

Sherie Ross
Public Hearing Coordinator

Paul Bryan
Chairman