

**MINUTES
LAKE COUNTY ZONING BOARD
DECEMBER 5, 2007**

The Lake County Zoning Board met on Wednesday, December 5, 2007 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, December 18, 2007 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
Rick Hartenstein, Senior Planner, Planning and Community Design Division
Karen Ginsberg, Senior Planner, Planning and Community Design Division
Karen Rosick, 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
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 Proof of Publication for each case as shown on the monitor and explained the procedures used when hearing cases on the consent and regular agenda.

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Minutes

MOTION by Timothy Morris, SECONDED by Scott Blankenship to approve the November 7, 2007 Lake County Zoning Board public hearing minutes, as submitted.

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

NOT PRESENT: Metz

AGAINST: None

MOTION CARRIED: 6-0

Changes to the Agenda

Brian Sheahan, AICP, Planning Director, stated that PH#37-07-1, which is on the consent agenda, has been withdrawn by the applicant. He also noted the letter of opposition that had been submitted for PH#56-07-3, which was distributed earlier to the members of the Zoning Board.

CASE NO.: PH#37-07-1

AGENDA NO.: 8

OWNER: Christyne B. Hamilton (Trustee)
APPLICANT: Nursery Automation Services, Inc. /John W. Gratton

MOTION by Timothy Morris, **SECONDED** by James Gardner to accept the withdrawal of PH#37-07-1.

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

NOT PRESENT: Metz

AGAINST: None

MOTION CARRIED: 6-0

Consent Agenda

CASE NO.: PH # 51-07-3	AGENDA NO.: 1
OWNER: Lake County Solid Waste	
APPLICANT: Lake County Public Safety/Rob Richardson	
CASE NO.: PH #52-07-2	AGENDA NO.: 2
OWNER: Lake County Board of County Commissioners	
APPLICANT: Lake County Public Safety/Rob Richardson	
CASE NO.: PH #53-07-4	AGENDA NO.: 3
OWNER: The Board of Trustees of The Internal Improvement Trust Fund of The State of Florida	
APPLICANT: Lake County Public Safety/Rob Richardson	
CASE NO.: PH #54-07-2	AGENDA NO.: 4
OWNER: Florida Power Corp.	
APPLICANT: Lake County Public Safety/Rob Richardson	
CASE NO.: PH #55-07-2	AGENDA NO.: 5
OWNER: City of Minneola	
APPLICANT: Lake County Public Safety/Rob Richardson	
CASE NO.: PH#33-07-3	AGENDA NO.: 6
OWNERS: Tex and Julia Merritt	
APPLICANT: LPG Urban and Regional Planning, Inc.	
CASE NO.: PH#45-07-2	AGENDA NO.: 7
OWNER: Dunhill FL Highway 27, LLC	
APPLICANT: Lake County Department of Growth Management	
CASE NO.: PH #49-07-3	AGENDA NO.: 9
OWNER: Baywood Villages, LLC	
APPLICANT: Lake County	
CASE NO.: PH #50-07-5	AGENDA NO.: 10
OWNER: Presco Associates, LLC	
APPLICANT: Bob Shakar/Lake County	

Chairman Bryan stated that no speaker cards had been received for any of the above consent agenda cases.

In response to Timothy Morris, Brian Sheahan, AICP, Planning Director, said the towers would be between 250 and 350 feet. Mr. Morris confirmed with Mr. Sheahan that all five tower cases had been adequately noticed. Mr. Sheahan stated that many of the sites are owned by government agencies or private utilities. The towers that do not exist are typically on some type of government site with a facility there.

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

PH#51-07-3	Approval
PH#52-07-2	Approval
PH#53-07-4	Approval
PH#54-07-2	Approval
PH#55-07-2	Approval
PH#33-07-3	Approval
PH#45-07-2	Approval

Consent Agenda

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CASE NO.: PH # 51-07-3
OWNER: Lake County Solid Waste
APPLICANT: Lake County Public Safety/Rob Richardson

AGENDA NO.: 1

CASE NO.: PH #52-07-2
OWNER: Lake County Board of County Commissioners
APPLICANT: Lake County Public Safety/Rob Richardson

AGENDA NO.: 2

CASE NO.: PH #53-07-4
OWNER: The Board of Trustees of The Internal Improvement Trust Fund of The State of Florida
APPLICANT: Lake County Public Safety/Rob Richardson

AGENDA NO.: 3

CASE NO.: PH #54-07-2
OWNER: Florida Power Corp.
APPLICANT: Lake County Public Safety/Rob Richardson

AGENDA NO.: 4

CASE NO.: PH #55-07-2
OWNER: City of Minneola
APPLICANT: Lake County Public Safety/Rob Richardson

AGENDA NO.: 5

CASE NO.: PH#33-07-3
OWNERS: Tex and Julia Merritt
APPLICANT: LPG Urban and Regional Planning, Inc.

AGENDA NO.: 6

CASE NO.: PH#45-07-2
OWNER: Dunhill FL Highway 27, LLC
APPLICANT: Lake County Department of Growth Management

AGENDA NO.: 7

CASE NO.: PH #49-07-3
OWNER: Baywood Villages, LLC
APPLICANT: Lake County

AGENDA NO.: 9

CASE NO.: PH #50-07-5
OWNER: Presco Associates, LLC
APPLICANT: Bob Shakar/Lake County

AGENDA NO.: 10

PH#49-07-3 Approval
PH#50-07-5 Approval

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

NOT PRESENT: Metz

AGAINST: None

MOTION CARRIED: 6-0

CASE NO.: PH#56-07-3

AGENDA NO.: 11

OWNER: Lake County Board of County Commissioners
APPLICANT: Lake County Board of County Commissioners/
Quinnette S. Durkin (Property Manager)

Rick Hartenstein, Senior Planner, presented the case and staff recommendation of approval. He showed the aerial and photographs from the final package on the monitor. He showed on the monitor the letter of opposition that had been received and submitted it as County Exhibit A, adding that it had also been distributed to the Zoning Board members.

Chairman Bryan noted that no speaker cards had been submitted for this case.

Referring to the letter of opposition, Scott Blankenship asked about the area on Lake Idamere. Mr. Hartenstein said it is a County park with playground facilities, lake access to Lake Idamere, and a dog park area. It is his understanding that it will remain as it currently exists.

Sanford A. Minkoff, County Attorney, submitted a plan as County Exhibit B, which showed the location of the existing park and future County buildings. He confirmed that the park will remain as a County park. He said the County has been coordinating this project with the City of Tavares because it is likely that a substantial part of this property will be annexed into the City once it is constructed.

MOTION by Scott Blankenship, SECONDED by Phyllis Patten to recommend approval of CFD and MP zoning to place the government facilities under the correct zoning district, to correct discrepancies in the current CFD ordinance legal descriptions, and combine all properties under one zoning ordinance, together with the additional uses of a jail, emergency operations center, and additional governmental offices and facilities in PH#56-07-3.

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

NOT PRESENT: Metz

AGAINST: None

MOTION CARRIED: 6-0

CASE NO.: PH#57-07-4

AGENDA NO.: 12

OWNER: Vantaggio Investment Group, Inc.

APPLICANT: Amy I. Velazquez

Rick Hartenstein, Senior Planner, presented the case and staff recommendation of denial. He showed a photograph of the property and the aerial from the final package on the monitor. He said the subject property is undeveloped at this time. He discussed the surrounding zoning and future land uses. There are no employment centers or existing industrial located in the vicinity. Chairman Bryan was informed by Mr. Hartenstein that he had called the applicant before he began writing the staff report but after he had done the initial GIS map analysis. At that time, Mr. Hartenstein explained to the applicant that the request did not meet elements of the Comprehensive Plan and staff would be recommending denial. The applicant insisted on moving forward with this public hearing.

In response to Scott Blankenship, Mr. Hartenstein said he did not know the exact uses proposed. Commercial had been considered, but the site does not meet commercial location criteria; in addition, this intersection is already built out for the amount of square footage that is permitted for a neighborhood activity center under the current Comprehensive Plan. Staff has suggested several times that the applicant should pursue this with the City of Eustis. In response to James Gardner, Mr. Hartenstein said he was supplied a letter by the applicant from the City of Eustis stating that water and sewer were provided by the City of Eustis in this area.

Phyllis Patten felt this request is most inappropriate for this area. There are several churches in the area as well as an airport, new storage area, and a huge new residential area coming.

There was no one present to represent the case.

Dr. Dallas M. High was present to represent Park Place. He said Park Place, which is where he lives, includes 211 homes with approximately 400 adults. The entrance and exit to Park Place is almost directly across the road from the subject property. He supported the staff recommendation of denial of this rezoning for the reasons he stated as well as its failure to meet the requirements of the Comprehensive Plan.

MOTION by Timothy Morris, SECONDED by Scott Blankenship to recommend denial of LM zoning in PH#57-07-4

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

NOT PRESENT: Metz

AGAINST: None

MOTION CARRIED: 6-0

Discussion

Brian Sheahan, AICP, Planning Director, stated that the Zoning Board public hearing for next month will be held on Thursday, January 3.

Chairman Bryan said this Board appreciates the work that staff does; he felt this is evidenced by their shorter meetings. The consent agenda concept is working out very well.

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