MINUTES
LAKE COUNTY
LOCAL PLANNING AGENCY
May 20, 2004

The Lake County Local Planning Agency met on Thursday, May 20, 2004 at 9:00 a.m. in the Commission Chambers on the second floor of the Round Administration Building in Tavares, Florida. The Lake County Local Planning Agency will consider comprehensive planning issues including amendments to Lake County's Comprehensive Plan.

Members Present:

David Jordan	District 1
Dan Matthys	District 2
Michael F. Carey	District 3
Richard Dunkel	District 4
Nadine Foley, Vice-Chairman	District 5
Sean Parks	At-Large Representative
Keith Schue, Secretary	At-Large Representative
Barbara Newman, Chairman	At-Large Representative
Dennis Reid	School Board Representative

Staff Present:

Gregg Welstead, Deputy County Manager, Director of Growth Management Department
Sanford A. Minkoff, County Attorney
Amye King, AICP, Chief Planner, Comprehensive Planning Division
Jeff Richardson, AICP, Planning Manager, Planning and Development Services Division
Terrie Diesbourg, Director of Customer Service Division
Donna Bohrer, Office Associate III, Comprehensive Planning Division

Barbara Newman, Chairman called the meeting to order at 9:00 a.m. and noted that a quorum was present. She confirmed that Proof of Publication was on file in the Comprehensive Planning Division and that the meeting had been noticed pursuant to the Sunshine Statute.

First order of business was the approval of minutes of the April 5, 2004 meeting.

MOTION by Michael Carey, SECONDED by Nadine Foley to approve the April 5, 2004, Local Planning Agency minutes, as submitted.

FOR: **Newman, Foley, Schue, Carey, Parks, Dunkel, Reid, Jordan, Matthys**

AGAINST: **None**

MOTION CARRIED: 9-0

TABLE OF CONTENTS

CASE NO.	OWNER/APPLICANT/PROJECT	PAGE NO.
Consideration of Minutes	May 20, 2004	1
LPA 04/5/4-1	Coca-Cola, DBA TTMC	9
LPA 04/5/5-3	Edward Vrablik	10
LPA 04/5/2-2	Hart Family, LLC	13
LPA 04/5/1-4	MerryGro Farms	11
LPA 03/8/3-3	2001-27, LLC	20
LPA 04/5/3T	Text Amendment	12
Ordinance No. 2004-	An Ordinance of the Board of County Commissioners of Lake County, Florida; Amending Section 3.01.02 Lake County Code, Appendix E, Land Development Regulations, Entitled Classification of Uses; Amending Section 3.01.02(A) to Change the Minimum Width for Single Family Dwelling Units and to Allow Gutters to be Included in the Calculation of the Width of the Required Overhang; Providing for Severability; Providing for Inclusion in the Code; and Providing for an Effective Date.	
Ordinance No. 2004-	An Ordinance of the Board of County Commissioners of Lake County, Florida; Amending Section 10.05.02, Lake County Code, Appendix E, Land Development Regulation, Entitled Requirements; Providing that Mobile Homes Must Meet All Other Provisions of the Land Development Regulations; Amending Section 10.05.03, Lake County Code, Appendix E, Land Development Regulations, Entitled Building Permit Impact Fees; Amending Provisions Regarding Payment of Impact Fees; Allowing for the Provision of A Surety Bond or Cash in the Amount of $5,000 in Lieu of Payment of Impact Fees; Providing for Severability; Providing for Inclusion in the Code; and Providing for an Effective Date.	

Overview of GIS with Kitty Cooper, Director of GIS

Update on Wekiva River Protection Area Legislation

Chairman Newman, explained that speakers, excluding the applicants, will have a three-minute time limit for their presentations to the Agency. Speakers will be called to the podium, state their name for the record, and write it on the sign-in sheet as well. Applicants will have up to thirty-minutes to speak. It is a goal of the Chairman to run meetings in a timely manner. An unidentified member of the audience spoke out to disagree with the three-minute limit. The Chairman responded that, according to the law, public comments are a courtesy. She stated that no comments would be taken from the audience and explained again that it is the goal of this Agency to run meetings in a timely and efficient manner. Time limitations are not an intention to deny comments, but it must be recognized that comments can be lengthy and repetitive. She expressed appreciation to the audience for the interest that their presence shows.

The Chairman asked if there were any changes to the agenda. Amye King, AICP, Chief Planner, stated that continuances have been requested. The first requested continuance is Coca-Cola, DBA TTMC, LPA 04/5/4-1, a request to amend the Future Land Use Map from Suburban to Urban Expansion.

Chairman Newman asked Sanford Minkoff, County Attorney, if action needed to be taken on each individual request or if one motion could be made on all the requested continuances. Mr. Minkoff said public comment should be called for on this issue; then it is the Chairman's decision to handle the continuances individually or as a group.

Keith Schue stated that he had a motion that related to the requested continuances. Chairman Newman stated that it would be best to let Ms. King finish her recitation of the requested changes to the agenda.

Ms. King stated that the second requested thirty-day continuance is Edward Vrablik, LPA 04/5/5-3, a request to amend the Future Land Use Map from Suburban to Urban Expansion. The third requested thirty-day continuance is MerryGro Farms, LPA 04/5/1-4, a request to amend the Future Land Use Map from Rural to Urban Expansion. The final requested thirty-day continuance is the Text Amendment, LPA 04/5/3T.

Chairman Newman asked Mr. Schue for his motion. He proposed that this motion be heard now because it relates to how amendments might be handled in the future. The Chairman asked Sanford Minkoff, County Attorney, if it was appropriate to hear Mr. Schue's motion at this time. Mr. Minkoff stated that it was a matter for the Chair to decide. The Chairman asked Mr. Schue to continue. Mr. Schue referred to a letter that he had submitted to the Lake County Comprehensive Planning Division, which concerned some future concerns as well as those continuances before them today. He said he is aware of citizen concerns that this Agency is being asked to make decisions on these proposed amendments before it has had the opportunity to take a holistic view of the Comprehensive Plan. He spoke about the importance of this Agency to the future of Lake County and his desire to see the comprehensive planning approach to be holistic, regional and proactive, as opposed to reacting to piecemeal changes to the Comprehensive Plan. He suggested that the Board of County Commissioners be asked to grant relief and make the decision, if this Agency asks them, to not transmit changes this

amendment cycle. He further stated that a continuance to the next cycle would bring these amendments back in August.

Chairman Newman stated that everyone had received a copy of this letter; and' as Chairman' she agrees with some of his suggestions. However, each member on this Agency has a certain amount of expertise; and she would like to move forward with the remaining two agenda items.

MOTION by Keith Schue, SECONDED by Dennis Reid to make a request to the Board of County Commissioners to not transmit this cycle and for these amendments to be considered in the next cycle.

Michael Carey felt a number of people have already done a lot of work on these applications, and they should go forward today. He suggested that the Agency double their efforts with respect to the meeting schedule. Mr. Reid discussed the Growth Study undertaken in the County, and the efforts being made statewide for school planning and green space. He pointed out that most of the amendments that had been pulled received staff recommendations of denial, and they should be discussed. He added that he agrees with several of Mr. Schue's suggestions. Mr. Schue pointed out that some of these amendments have profound ramifications. From his understanding of the proposed Text Amendment, it would have the effect of increasing the density limits in rural areas. Mr. Schue said he believes that this is a significant change, and it should be discussed with more information from staff. This would be an opportunity for staff to present information on demographics, population, economic status and trends in the County. He further stated that some issues, for example, those surrounding the Wekiva Spring Shed, should be discussed before individual land use changes are considered. Another example is the request for a land use change at an intersection.

Chairman Newman stated that individual applications were open for discussion at this time. Mr. Schue said that it was important to take a proactive, cautious, conservative approach to land use planning, not only from those who want to protect the environment but from those who want to develop property. The Chairman stated that issues brought before this Agency would be considered with the big picture in mind. David Jordan asked about the history of the Local Planning Agency. Mr. Minkoff stated that he believed that the initial discussion about creating this board was at a Board of County Commissioners meeting in late January. Mr. Jordan pointed out that as much as he might support Mr. Schue's position, most of these applications were made before that January date; consequently, he was concerned about changing the rules after the requests were initiated. Mr. Carey asked to move the question.

The Chairman opened the meeting to public comment with a reminder of the three-minute rule. Steve Richey stated that he has several cases on the agenda, and he has asked for thirty-day continuances. He commented that, if he understood the motion correctly, it would cause an amendment cycle to be lost. He had no problem with an August continuance but did not want to lose an amendment cycle. Some of his continuances were based on staff requests for further information. He wanted to proceed

forward this year because some of the cases are filed eight or more months prior to today. Cecila Bonifay, Esq., representing MerryGro Farms, stated that she, too, had requested a continuance to provide additional information to staff. Applications were filed in December and January; and she spoke of the applicants' expenses in filing for these amendments. She voiced her concern that the applicants would be bumped to an adoption date in the next year. Mr. Schue asked Mr. Minkoff for confirmation that this motion would not push applications for the second cycle of this year into the first cycle of next year. Mr. Minkoff stated, that as he understood the motion, it would combine these applications before the Agency today with those filed for the second cycle; therefore, any so-called lost cycle would be this one, not the next.

Jack Champion stated that he supported Mr. Schue's comments and the attorney's willingness to continue to August. Mr. Champion said that in the early 90's a massive amount of time and effort was put into developing a comprehensive plan, with provisions for exceptions to reflect changing situations. However, he saw this situation as massive amounts of change being made piecemeal, almost continually. He stated that impact on schools, and quality of life should be considered in making these changes. He doesn't see how MerryGro Farms could go to four homes per acre, and he has concerns about how applications on neighboring parcels would be handled. He encouraged a long-range plan and a look at the big picture.

Nancy H. Fullerton, Land Use and Water Issue Chairman, Alliance to Protect Water Resources, stated she agreed with this motion. She hoped that long-range planning would take place and was concerned about public perception of the action taken today.

Ann Griffin stated that she agreed with the motion and presented information on several laws linked to water, such as the state law requiring that comprehensive plans be coordinated with the water management district's regional water supply plan. She also spoke of the requirement for the potable water elements of local plans to include a work element covering at least a ten-year plan. She added that the Conservation Element in the Lake County Comprehensive Plan calls for a ground water basin resource availability inventory before the Comprehensive Plan can be changed. Ms. Griffin commented on the value of a recent water resources workshop and pointed to an additional study from the United States Geological Services (USGS). Ms. Griffin said that she believes that Local Planning Agency should be familiar with this information before they approve any changes. Copies of this information shall be provided to the agency members.

There being no further public comment, the Chairman brought the motion back before the Agency.

FOR: **Schue**

AGAINST: **Newman, Foley, Carey, Parks, Dunkel, Reid, Jordan, Matthys**

MOTION FAILED: 8-1

CASE NO: LPA # 04/5/4-1
OWNER: Coca-Cola, DBA TTMC
AGENT: Seven J. Richey, P.A.

The Chairman asked that the continuances be considered one at a time.

There was no public comment on LPA# 04/5/4-1.

MOTION by Michael Carey, SECONDED by Dan Matthys to continue LPA 04/5/4-1 until the June 17, 2004 Local Planning Agency public hearing

FOR:	**Newman, Foley, Schue, Carey, Parks, Dunkel, Reid, Jordan, Matthys**
AGAINST:	**None**
MOTION CARRIED:	**9-0**

CASE NO: LPA LPA 04/5/5-3
OWNER: Edward Vrablik
AGENT:

The Chairman proceeded to the next request for a thirty-day continuance on LPA 04/5/5-3.

There was no public comment.

MOTION by Michael Carey, SECONDED by Dan Matthys to continue LPA 04/5/5-3 until the June 17, 2004 Local Planning Agency public hearing.

FOR:	**Newman, Foley, Schue, Carey, Parks, Dunkel, Reid, Jordan, Matthys**
AGAINST:	**None**
MOTION CARRIED:	**9-0**

CASE NO: LPA #04/5/1-4
OWNER: MerryGro Farms
AGENT: Cecelia Bonifay, Esq.

The Chairman stated that a request for continuance had been received on LPA 04/5/1-4.

There was no comment from the public.

MOTION by Michael Carey, SECONDED by Dan Matthys to continue #LPA 04/5/1-4 until the June 17, 2004 Local Planning Agency public hearing

FOR: **Newman, Foley, Schue, Carey, Parks, Dunkel, Reid, Jordan, Matthys**

AGAINST: **None**

MOTION CARRIED: **9-0**

CASE NO: LPA #04/5/3T1 (Text Amendment)
AGENT: Greg Beliveau, Land Planning Group

The Chairman stated that a request for continuance had been received on LPA 04/5/3T.

MOTION by Michael Carey, SECONDED by Dan Matthys to continue the Text Amendment LPA 04/5/3T until the June 17, 2004 Local Planning Agency public hearing.

Mr. Schue asked for discussion. He stated that the amendment was being changed and he uncertain of its content. He questioned why the County did not initiate this amendment because of it's administrative nature. Ms. King asked him to clarify his question. Mr. Schue said he had questions about this amendment and he was concerned that it would change the rural land use designation, and allow densities in some instances of three-dwelling units per acre. This does not change just one parcel but potentially is many individual changes. Mr. Schue was concerned that citizens in rural areas were unaware of this application and how it would affect their property.

Ms. King stated that the proposed text amendment was applicant-driven and had been reviewed like other applications. The continuance was requested to provide staff with additional information. The staff report should answer the questions that the Agency may have. Mr. Schue asked if the consent of the landowners was obtained when amendments were applicant-driven? Ms. King agree that property owners were to be notified. Mr. Schue asked if he was correct that consent had not been given by the rural landowners in Lake County.

Ms. King suggested that these questions would be more appropriate for the applicant. Chairman said that the Agency would have all of the information when the application comes before them. Mr. Schue voiced his concern about the validity of the application. The Chairman said that those issues would be decided before it was presented to the Agency.

Ben Champion asked who the applicant was on the text amendment? Mr. Beliveau stated that he is the one that put in this application.

FOR: **Newman, Foley, Schue, Carey, Parks, Dunkel, Reid, Jordan, Matthys**

AGAINST: **None**

MOTION CARRIED: **9-0**

CASE NO: LPA #04/5/2-2 **Page No. 1**
OWNER: Hart Family, LLC
AGENT: Steve Richey, P.A.

Jeff Richardson, Planning Manger, Planning and Development Services Division, presented this application, a request to change the land use on a 142-acre parcel from Rural to Urban Expansion. He stated that this property is presently zoned Agriculture; however, this area has been changing. He added that Environment Services has not offered a Solid Waste analysis, but there would only be a .4 percent increase. Staff recommendation at this time is for approval as this application follows logical development patterns. Transportation improvements to Highway 50 would have to be addressed by the Florida Department of Transportation. Solid Waste capacity should be available as this project moves forward.

Sean Parks confirmed that although Lake Utility has capacity it would be up to the City of Clermont to write an authorization of approval, which staff has not received. Mr. Richardson explained that there is an agreement between Lake Utility and Clermont that Lake Utility will not provide services in certain areas without the City's approval. Clermont has not responded to staff's request to confirm capacity even without an actual commitment to provide services. Mr. Richardson stated that without a guarantee from Clermont that Lake Utility could provide services, the issue might become a legal one.

Keith Schue referred to a City of Clermont request for denial of this application so the Clermont's Land Development Regulations could apply. Mr. Schue asked if the unified development code called for in the Joint Planning Area Agreement has been approved. Mr. Richardson stated that there is a draft agreement, and negotiations are ongoing concerning two areas of contention. This Agreement should be finalized before year's end. When Mr. Schue asked if there was any legal requirement for this development to conform to city standards, Mr. Richardson said there is no legal requirement at this time. Typically as these projects have progressed through the County system, there have been written agreements that the higher standards will be met.

Dennis Reid reminded the Agency to be aware that the local schools are already overcapacity. The School Board is trying to work with developers to explore possible solutions to the over-crowding problem, but the school board has not been able to keep up with the growth in that area.

When Richard Dunkel asked about the topography in the area, Mr. Richardson replied that there are some slopes with concerns; however, this application is not ready for review of the grading ordinances of either the County or City. Mr. Dunkel stated that he would like to investigate planning sites so that development would occur at lower elevations to preserve the vistas in the County. Mr. Richardson stated that at this time neither the Comprehensive Plan nor the Code have a mechanism for taking site design constraints into consideration. Mr. Dunkel inquired about the possibility of a trail along Hartwood Marsh Road and if trails were required. Mr. Richardson stated that trail issues

could be addressed during the site plan review process. The Code does not require trails if pedestrian facilities are provided. During the development and rezoning stage, conditions could be added for future trails and right-of-ways.

Mr. Parks asked about Rule 9-J5 and the requirement for land use transition since this project will potentially go from Urban Expansion directly to Rural on the east. Mr. Richardson stated that there has been a progression away from the original land use designations in that area. The Tarmac site, although zoned Agriculture with a Conditional Use Permit for mining, is actually an industrial type of use.

Mr. Schue asked if there is a presumption that the Clermont JPA will be Urban up to the Orange County line. He was concerned about the type of urban development in this area and thought it might be better for the County to promote business opportunities rather than residential development.

David Jordan expressed concern over the level of cooperation between the County and Clermont. His second concern was the school capacity issue discussed by Mr. Reid.

Mr. Parks agreed with Mr. Schue's concerns in this area.

Mr. Richardson explained that it is his understanding that Clermont is not currently looking at that area as Urban. They are considering it as a transition area until demand warrant more urban intensities and densities.

Dan Mathys said he considered this to be an excellent example of transitional land use because it has three sides that are Urban with the remaining side having an industrial type of use. He commented that this is not a final development order; this is a land use change only. Utilities should not be an issue with this group because without utilities, they will be unable to get the higher densities.

Mr. Schue inquired about Mr. Beliveau's analysis relating to a 50-year time frame and a 5-generation configuration of school capacity. He asked whether the County was in agreement with that position. Mr. Richardson stated that there are different methodologies for computing school impacts. Although the schools are at or overcapacity, this development will not be completed for several years. Mr. Schue stated that he found the applicant's position confusing and asked if its inclusion in the staff report meant that staff accepted the validity of that position. Mr. Richardson stated that Staff did not make a judgment on that issue.

Michael Carey was also concerned about the impact on the School System. He was troubled by how the School Board arrives at its projections, and requested that the School Board come before this group to talk about these projections. They have changed from

the school projections he has been accustomed to in the past.

Mr. Schue stated that he believes the school issue is probably the most important issue facing the County at this time. He asked if staff had contacted the School Board about the difference between their figures and those of Mr. Beliveau. Mr. Richardson said it is a question of understanding the formulas used in calculating these projections.

Ms. Foley stated that she is as troubled as anyone over the school overcrowding issue; but the question before them is a proposed plan amendment to the Comprehensive Plan as it exists now, not as they would like it to be in the future. There is currently no Education Element in the Comprehensive Plan so there is no level of service to serve as a guide to development. The decision today must be based on the current Comprehensive Plan, and she felt this application is compatible with the Plan as it now stands.

Mr. Dunkel shared the concern over schools, but he was also concerned about the Joint Planning Area Agreement with Clermont and the message the County will be sending to the other cities about how other joint planning agreements will work.

Steve Richey, P.A., counsel for the applicant, said this is a Comprehensive Plan amendment and not a development order. The type of housing has not been defined and it could possibly be an adult-only project. If so, the school issue may not be relevant in the development process. Secondly, he addressed the JPA Agreement issues. He pointed out that the more stringent rules were applied in those areas that were to be served by Clermont's utilities. The County and City should have an agreement on joint Land Development Regulations by the time this development is ready to go forward. Mr. Richey said that it is the applicant's position that they should not be required to annex into the City of Clermont. An annexation requirement is not part of the JPA. In addition, Mr. Richey stated that they have experienced difficulty in receiving responses from Clermont. Mr. Richey said that if there was a question about school capacity, he had no problem with continuing this application for thirty days so that additional information could be provided by the School system. His major concern was that they not miss a cycle because of possible referendums that would change the procedure for amending comprehensive plans. Mr. Carey said that he would be very receptive to this request coming back.

Greg Beliveau, Land Planning Group (LPG) reiterated that LPG was the entity that forwarded the utility requests to Clermont, both by mail and by phone. Availability of utilities is a concurrency requirement by Department of Community Affairs, and a letter from Clermont to Lake Utilities would meet that requirement. He stated that there have been ongoing concerns about Clermont conforming to the time frames in the JPA Agreement. Mr. Beliveau said that the lesser densities of this project compared to the developments surrounding it on three sides would constituent a transition in land use. He

said that they have conflicting analysis of school capacity, and this difference has been discussed with the School Board. All developers in that area are working with the School Board to mitigate impact on the schools. They have offered to help locate suitable school sites, and they have offered to pay "gap fees". These fees would not be applicable if the school impact fees are increased by the time those fees are due. In that case, however, the increased impact fees would be adequate to provide for capacity. The School Board has a list of sites, and LPG is currently analyzing some of these. He stated that a continuance would be acceptable.

Mr. Parks asked the applicant if he could explain what exactly is planned for this site. Mr. Beliveau replied that he could not. The analysis was done as a worst-case scenario as required by the DCA; applications must show the highest impact that could possibly occur. Historically, Planned Unit Developments (PUDs) don't come in at those densities because of space requirements that must be met such as recreation and storm water areas. Mr. Parks expressed concern over the difficulty of making a major decision without the knowledge of knowing exactly what this project would look like in the future. Mr. Beliveau stated that it is the worst-case scenario that must be considered.

Mr. Schue asked why the applicant didn't simply annex into the city. Mr. Richey said that there is no benefit to the developers to annex. There is uncertainty as to how Clermont would process the application. The developer is willing to meet Clermont's standards, but they would rather go through the County because they have found the County to be more responsive. Mr. Schue observed that many developers were annexing into the City. Mr. Richey stated that they are not required to annex, even if the city suggests annexation. Mr. Schue inquired further whether there was any legal requirement for the developers to meet the highest standards. Mr. Richey said that the projects currently going through the process are meeting Clermont's standards; otherwise, the City will not provide utilities.

MOTION by Michael Carey, SECONDED by Keith Schue to continue LPA# 04/5/2-2 until the June 17, 2004 Local Planning Agency public hearing.

Eileen Renick, Clermont City Council member, said that she was not at this public hearing to represent the Council as far as this specific land use change. However, she wanted to clear up some misunderstandings that apparently exist. She said she had a lot to respond to with only the three-minute allotted time. She said that south Lake County is overwhelmed. Some cities went into the JPA Agreement process with the idea that these areas were where they wanted to grow. Because Clermont is so overwhelmed their motivation was to try to get some control, and to work with the County because without an agreement, the County was, in effect, planning for them. Clermont has annexed because the County is allowing development on their borders the City then has the impact. The Council would have preferred not to have those densities. As evidence of this, the City included a portion of the Green Swamp in their JPA in order to better

protect that area. They feel the same way about the area over to the Orange County line. The JPA Agreement is a way for them to have input. Ms. Renick stated that she almost did not support the JPA because of the lack of agreement with Lake Utilities.

Mr. Schue stated that the Clermont JPA agreement seems to anticipate eventual urbanization. When the Clermont JPA was envisioned, he asked if there was a discussion about the methodology or order by which annexation would occur. The Chairman asked Mr. Schue to stick to the motion and issues; and if a JPA presentation needs to be scheduled, that will be done.

David Hurley said his concern was over the children, and that this Agency was seen as a salvation for future planning. Mr. Hurley felt, that the state needs a moratorium on growth.

Nancy H. Fullerton, Alliance to Protect Water Resources and concerned resident of the Clermont area, requested the Agency to review the history of Hartwood Marsh Road from December 17, 2002. There have been two or three land use amendments that were recommended for denial with grave concerns by staff, DCA, St. Johns River Water Management District, and the Department of Environmental Protection. Clermont had asked for a denial in order to get their JPA in place. She would like to see the cumulative effects on water issues receive consideration. Staff had previously recommended denial of this same amendment, and she questioned what changed their recommendation.

Cecelia Bonifay, attorney with Akerman, Senterfitt, appeared on behalf of Tarmac, the sand mining operation to the east of this proposed development. She referred to a letter from Tarmac, in favor of the continuance. She stated their previous request for a denial was predicated on their inability to correspond with the developer's attorney to discuss their concerns. Tarmac would like to negotiate with the property owner to get the proper buffering so that in the future, the residents would be less likely to complain about living next to a pre-existing mine

Ann Griffin confirmed that staff would provide the papers that she had presented earlier to the Agency members.

Amy Krental felt that the application should be continued for more discussion because of school issues and her belief that this case would set a precedent.

FOR: **Newman, Foley, Schue, Carey, Parks, Dunkel, Reid, Jordan, Matthys**

AGAINST: **None**

MOTION CARRIED: 9-0

Joint Planning Area Agreement City of Clermont

MOTION by Mr. Dunkel, SECONDED by Keith Schue to hold a workshop for clarification on the Joint Planning Area Agreement with the City of Clermont.

Mr. Schue asked if the intention was to have the City appear with representation and describe their position. Mr. Dunkel stated that this was his intention, but he would like to have Staff present as well.

Dennis Reid stated that he would like to have someone from the School Board at the workshop if that would be appropriate.

Michael Carey questioned whether the workshop should be at the next meeting if the amendments will be on that agenda as well. Chairman Newman agreed that a separate workshop would be better.

When Mr. Reid asked if two different workshops were being considered, the Chairman stated that it would be one workshop to be scheduled before the next meeting. Amye King, Chief Planner, said that the fourth Thursday was a possible date for a workshop.

FOR:	**Newman, Foley, Schue, Carey, Parks, Dunkel, Reid, Jordan, Matthys**
AGAINST:	**None**
MOTION CARRIED:	**9-0**

There was a five-minute break.

CASE NO: LPA #03/8/3-3
OWNER: 2001-27, LLC
AGENT: Green Consulting Group, Inc., Steve J. Richey, P.A.

Steve J. Richey, P.A., agent for the applicant, said that during the break he had discussed with staff a request from an adjacent property owner, who has applied to have his property included in this application. These properties are at the intersection of Highway 27 and the north Turnpike entrance. Mr. Richey requested a 30-day continuance so that these two cases can be combined. He stated that property owners in the area had been contacted prior to the filing of this application.

The Chairman asked if staff was agreeable to this continuance. John Kruse, Senior Planner, affirmed that staff had received an application from Mr. Corbett, the adjacent property owner who Mr. Richey referred to earlier. Mr. Kruse said he had spoken with Mr. Corbett, and he does desire to be part of this application.

MOTION by Richard Dunkel, SECONDED by Michael Carey to continue LPA #03/8/3-3, until the June 17, 2004 Local Planning Agency public hearing.

There were no comments from the audience.

Keith Schue commented that the parcel being added consists of eighty-four acres, which is considerably larger than the original eighteen-acre parcel. He would support the idea of looking at this new intersection even beyond the footprint of this application. This could be a real economic opportunity for the County; perhaps a larger study of the area should be considered.

Sean Parks agreed that this could be a wonderful opportunity, this area will be a gateway into the County. However, he warned that development in this area should not be done in a piecemeal fashion.

FOR: **Newman, Foley, Schue, Carey, Parks, Dunkel, Reid, Jordan, Matthys**

AGAINST: **None**

MOTION CARRIED: **9-0**

Ordinance No.
2004- **An Ordinance of the Board of County Commissioners of Lake County, Florida; Amending Section 3.01.02 Lake County Code, Appendix E, Land Development Regulations, Entitled Classification of Uses; Amending Section 3.01.02(A) to Change the Minimum Width for Single Family Dwelling Units and to Allow Gutters to be Included in the Calculation of the Width of the Required Overhang; Providing for Severability; Providing for Inclusion in the Code; and Providing for an Effective Date.**

Terrie Diesbourg, Director of Customer Services, explained that this proposed ordinance was the result of meetings with staff, the County Attorney's Office and the mobile home dealers. This ordinance would allow for the width of doublewide mobile homes of twenty-three feet, six inches or twenty-three feet eight inches, to be in conformance with the current twenty-four foot requirement. It also provides for the inclusion of gutters in the six-inch overhang requirement.

Michael Carey asked if this had to do with the difficulty of dealers being able to sell their current stock. Ms. Diesbourg replied that those were two separate issues.

MOTION by Richard Dunkel, SECONDED by Sean Parks to approve the above ordinance regarding the width of mobile homes.

There was no comment from the audience.

FOR: **Newman, Foley, Schue, Carey, Parks, Dunkel, Reid, Jordan, Matthys**

AGAINST: **None**

MOTION CARRIED: **9-0**

Ordinance No.
2004- **An Ordinance of the Board of County Commissioners of Lake County, Florida; Amending Section 10.05.02, Lake County Code, Appendix E, Land Development Regulation, Entitled Requirements; Providing that Mobile Homes Must Meet All Other Provisions of the Land Development Regulations; Amending Section 10.05.03, Lake County Code, Appendix E, Land Development Regulations, Entitled Building Permit Impact Fees; Amending Provisions Regarding Payment of Impact Fees; Allowing for the Provision of A Surety Bond or Cash in the Amount of $5,000 in Lieu of Payment of Impact Fees; Providing for Severability; Providing for Inclusion in the Code; and Providing for an Effective Date.**

Terrie Diesbourg, Director of Customer Service, said this proposed ordinance would require that a mobile home with a conditional use permit for care of the infirm must meet the doublewide mobile home requirement. Also, it would provide for a second option of securing a $5,000.00 surety bond guaranteeing that the mobile home will remain on site only as long as it meets the requirements for placement. The bond can also be used to remove the mobile home if the applicant fails to do so.

Keith Schue asked how this would affect doublewide mobile homes as opposed to singlewide mobile homes. Sanford Minkoff, County Attorney, said that previously the County had an ordinance restricting the placement of mobile homes. The Lake County Code has been rewritten to comply with the Florida Statutes that prohibit discrimination against mobile homes. The Code now treats mobile homes and conventional construction homes the same.

There were no further comments.

MOTION by Michael Carey, SECONDED by David Jordan to approve the above ordinance regarding mobile homes and impact fees.

FOR: **Newman, Foley, Schue, Carey, Parks, Dunkel, Reid, Jordan, Matthys**

AGAINST: **None**

MOTION CARRIED: **9-0**

Geographic Information Systems (G.I.S.) Presentation

Chairman Newman asked Kitty Cooper, Director of Geographic Information Systems (G.I.S.) come forward for her presentation. Ms. Cooper gave a G.I.S. demonstration showing individual parcels, intersection distances, ownership, and zoning layers. G.I.S. is working with the School Board on a school density layer. Ms. Cooper said that the Future Land Use layer is available; however, it is not a digital layer so there could be a possible degree of error of up to two hundred feet. Parcel layers are accurate to about six feet.

Michael Carey asked if G.I.S. can be accessed through personal computers. Ms. Cooper stated that much of this information is available on the website, and there has been discussion about creating a website for this Agency.

Mr. Dunkle said he was interested in preserving the vistas of the County and inquired about any software that would assist in that endeavor. Ms. Cooper spoke of the Community Viz program and its possible use in planning. She explained that Community Viz could even fly through the areas under consideration. Mr. Dunkle asked about the possibility about a demonstration of the Community Viz software in the future. Ms. Cooper said staff will schedule a demonstration.

Sean Parks asked if Community Viz could predict future growth. Ms. Cooper explained that Lots of Record and Family Lot Splits are not currently in the system. Mr. Parks said he would appreciate being able to see historical aerials showing patterns and time frames as well as traffic counts, agricultural exemptions, structure counts, density coverage, wetlands and recharge areas.

Dennis Reid asked if they could be provided with information that shows a correlation between children and zoning. Ms. Cooper said they had just received that information.

When Ms. Cooper said she would compile a standard list of layers, Mr. Minkoff suggested that she bring a list to the next meeting for discussion.

Overview of Wekiva Legislation

Mr. Minkoff gave a brief overview of the Wekiva legislation that had been provided to each member. He explained that by January 1, 2006, the Comprehensive Plan will have to be amended to conform to the requirements of this legislation. By January of 2007, the Land Development Regulations (LDRs) must be amended and adopted to implement those Comprehensive Plan changes. He said that the Mt. Plymouth-Sorrento study group will be reappointed; they will be an integral part of developing strategies for this area.

Nadine Foley requested a study area map. Mr. Minkoff suggested that staff provide this Agency with copies of the final report, which would include that map.

Keith Schue said that the Wekiva area comprises a significant area of east Lake County and that it would be appropriate to dedicate a certain amount of time to discussing this

area in some depth. He referred to the recommendation for community development initiatives.

Sanford Minkoff, County Manger, pointed out that the most impacted areas are between Mt. Dora and Eustis, including the Mt. Plymouth-Sorrento area. The Mt. Dora Joint Planning Area (JPA) will include part of this area.

Mr. Schue spoke of the serious commitment made to this legislation by the Board of County Commissioners.

MOTION by Keith Schue, to schedule a workshop on the Wekiva area in the next few weeks.

Sean Parks asked if the workshop would be needed before voting on the amendments. Mr. Schue felt that would be appropriate.

Sean Parks SECONDED the motion.

Amye King, Chief Planner, suggested a July date because of the difficulty of coordinating appearances by the appropriate parties.

Mr. Schue stated that he believed it is important to have a presentation with maps so this Agency an understanding of the basic issues before amendments in that area heard.

In response to Richard Dunkle, Mr. Schue said that the MerryGro Farms application is in the Wekiva area.

Ms. King stated that staff would be working very closely with the applicants. Therefore, she requested permission to take some liberty with the June 17, 2004 meeting.

There was no public comment.

FOR:	**Newman, Foley, Schue, Carey, Parks, Dunkel, Reid, Jordan, Matthys**
AGAINST:	**None**
MOTION CARRIED:	**9-0**

Amye King, Chief Planner, clarified that the School Board staff and Clermont staff will be present in June.

Nadine Foley asked for a copy of the proposed Leesburg Joint Planning Agency (JPA) map.

Dennis Reid discussed the statewide public expectations about planning and the possible Hometown Democracy Referendum.

Sean Parks stated that the Future Land Use Map is law, and the burden of proof is on the applicant to explain why a project deserves a change in the law. Mr. Parks felt that it was well within the Agency's rights to ask for a conceptual site plan. Although there is somewhat of a disconnect between the amendments and the zoning process at this stage, the Agency can still ask for that type of information.

Michael Carey complimented the Chairman on how well the meeting went even although it was not an easy meeting. He stated that planning is piecemeal by its nature, but he is heartened by the committee's interest in long range planning. He said he is also concerned with aesthetic issues.

Keith Schue talked about the importance of taking the time to do the necessary planning. He said he agreed with Richard Dunkle's suggestion that a mission statement be developed. The Chairman pointed out that the mission of the Agency is set out in the resolution. Mr. Schue said that a general discussion about where the County is going would be valuable, they should make an effort to build a consensus. Chairman Newman said that a consensus would be established as decisions are made.

The Chairman thanked Ms. Foley for assisting with the timekeeping and asked for everyone's help in keeping the meeting on topic. She thanked everyone for their effort and work.

Eileen Renick stepped forward to comment on an excellent meeting, noting that the new board comments were intended as a compliment.

The Chair adjourned the meeting at 11:45 a.m.

Donna R. Bohrer	Keith Schue
Comprehensive Planning	Secretary