

**MINUTES  
LAKE COUNTY  
LOCAL PLANNING AGENCY**

**OCTOBER 21, 2004**

The Lake County Local Planning Agency met on Thursday, October 21, 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 considers 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

**Staff Present:**

Gregg Welstead, Deputy County Manager; Director, Growth Management  
Department  
Sanford A. Minkoff, County Attorney  
Amye King, AICP, Chief Planner, Comprehensive Planning Division  
Terrie Diesbourg, Director, Customer Service Division  
Alfredo Massa, Senior Planner, Comprehensive Planning Division  
Amelyn Regis, Senior Planner, Comprehensive Planning Division  
Francis Franco, Senior GIS Analyst, Comprehensive Planning Division  
Thomas Wheeler, Comprehensive Planning Intern  
Michael Wheeler, Comprehensive Planning Intern  
Donna Bohrer, Office Associate III, Planning & Development Services  
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.

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**Minutes**

**MOTION by Michael Carey, SECONDED by Keith Schue to approve the August 19, 2004, Local Planning Agency minutes, as submitted.**

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

**AGAINST:** None

**NOT PRESENT:** Foley

**MOTION CARRIED:** 7-0

Nadine Foley arrived at 9:10 a.m.

**AN ORDINANCE OF THE BOARD OF COUNTY  
COMMISSIONERS OF LKAE COUNTY, FLORIDA; AMENDING  
SECTION 14.12.05 FINAL SUBMITTAL - LOT LINE DEVIATION  
- SURVEY REQUIREMENT FOR PARCELS OVER 40 ACRES.  
PROPOSING TO MAKE CONSISTENT WITH THE FAMILY  
DENSITY EXCEPTION, WHICH ALLOWS FOR A SKETCH OF  
DESCRIPTION INSTEAD OF A BOUNDARY SURVEY FOR  
LARGE SURVEYS OVER 40 ACRE**

Terrie Diesbourg, Director, Customer Services Division, explained that the proposed changes to Section 14.12.05 are intended to make the requirements for lot line deviations and lot splits consistent. Currently, a sketch of description is acceptable for a Lot Split on a parcel in excess of forty acres. However, a lot line deviation on the same size parcel requires a survey.

Keith Schue asked about the survey requirement for smaller lots. Ms. Diesbourg explained that a large parcel survey is very expensive. Mr. Schue said he understood the change is based on surveying an entire piece of property in order to alter only a small part.

Ms. Diesbourg agreed with David Jordan's statement that such a survey serves no practical purpose for the county.

Mr. Schue pointed out that the original language in the Code indicated specific items to be shown on boundary surveys, and this proposed language would eliminate some of that information. Ms. Diesbourg agreed that a sketch of description does not include the same amount of detail.

Sean Parks pointed out that a boundary survey would have been completed at an earlier date.

Mr. Schue was assured that a full survey would be required before any kind of development activity could take place.

Richard Dunkel asked if lot line deviations could involve more than one owner; and if that was the case, would all the owners have to agree. Ms. Diesbourg said if multiple owners were involved, every one would have to agree with the lot line deviation. Sanford Minkoff, County Attorney, said this was only one section of the Code, and he believed all the involved property owners must sign the application. Mr. Minkoff further explained that a sketch of description on a large parcel of land would be sufficient for a single-family residence. However, a complete survey would have to be done for commercial or any other more intense uses.

Mr. Schue asked if there was a definition on how extensive a lot line deviation could be. Ms. Diesbourg stated that staff could request a survey if it was determined that level of detail was necessary.

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LKAE COUNTY, FLORIDA; AMENDING SECTION 14.12.05 FINAL SUBMITTAL - LOT LINE DEVIATION - SURVEY REQUIREMENT FOR PARCELS OVER 40 ACRES. PROPOSING TO MAKE CONSISTENT WITH THE FAMILY DENSITY EXCEPTION, WHICH ALLOWS FOR A SKETCH OF DESCRIPTION INSTEAD OF A BOUNDARY SURVEY FOR LARGE SURVEYS OVER 40 ACRES**

Mr. Schue received confirmation that before any development was initiated, there would be an accurate determination of the acreage.

**MOTION by Michael Carey, SECONDED by David Jordan to approve the above Ordinance as presented.**

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

**AGAINST: None**

**MOTION CARRIED: 8-0**

**Discussion of Year 2005 Plan Amendment Cycles**

Amye King, Chief Planner, presented two proposed schedules for the 2005 amendment cycles. She explained that Florida Statutes allow no more than two cycles per year, although none are required.

Chairman Newman asked if the single cycle would create a hardship for the public or for developers. Although there have been questions about the schedule, Ms. King said that at this time no applications have been received for 2005.

In response to a question from David Jordan, Ms. King explained that the comprehensive plan amendment process is initiated by applicants, and the number of amendments can vary a great deal from one jurisdiction to another.

Richard Dunkel suggested two cycles with a possible exception to be made to accommodate a certain level of economic development.

Because of the time constraints involved with the rewrite of the Comprehensive Plan, Sean Parks said he favored a single cycle with a possible exemption for economic development.

Keith Schue said he would favor a single cycle or even no cycle so the Local Planning Agency and staff can focus their attention on the rewrite of the Comprehensive Plan. He further stated the need for a comprehensive look at the County, and he thought piecemeal land use changes could interfere with that process. Mr. Schue also suggested that potential applications could be addressed within the rewrite process.

Michael Carey said he believed that the public's interest would be best served by having two cycles; that would help to keep the workload spaced out as opposed to a single cycle.

Mr. Dunkel emphasized the importance of moving forward and the potential for negotiation with developers.

Mr. Parks asked if an exemption to the two-cycle schedule could be made and asked for an explanation of what needs to be done in the next year. Sandy Minkoff, County Attorney, said applications could be made at any time, although amendments can only be submitted for review twice a year. A "no-cycle" schedule would probably require a change to Lake County's Code. He listed the exemptions to the two-cycle rule. Ms. King said the Department of Community Affairs (DCA) has indicated that plan amendments could be reviewed concurrent with the review of the Comprehensive Plan rewrite.

Nadine Foley said the April deadline of the second cycle would clear the way for the remaining workload.

Mr. Schue said a comparison of the comprehensive work plan and the amendment cycle schedule show those processes pretty much run together and could be consolidated to

some degree. He stated the effect of the Comprehensive Plan rewrite would be the same as many amendments. He stated that he was not in favor of holding up any individual projects.

Barbara Newman said she was in favor of the two-cycle schedule and she did not want to see the process delayed.

Steven J. Richey, Attorney, said with two annual cycles, it could take two years to get an amendment adopted. The merging of two cycles into one could cause financial hardship and possible lost business opportunities. He also stated that he believed the amendment applications should not be merged with the Comprehensive Plan revision.

Kathy Allison, paralegal with Akerman, Senterfitt, stated that she agreed with Mr. Richey's comments. She said applicants would file when they know the deadline dates.

Mr. Parks asked how many other counties in a similar situation have gone to one cycle. Ms. King said it was hard to estimate because each county's situation was unique. Mr. Minkoff said Florida Statutes do not require a schedule; that requirement is part of the Lake County Code. Past experience has shown that the application deadline is the only date not subject to change.

**MOTION by David Jordan, SECONDED by Michael Carey to approve the schedule for two amendment cycles.**

Mr. Schue stated that the Comprehensive Plan update was in effect a very big cycle. He said comprehensive plan changes should be considered holistically, and those changes should be reviewed very differently from zoning changes. He stated he had concerns about reviewing applicant-driven applications at the same time the comprehensive plan revision will be in its final stages.

Mr. Jordan said he was concerned about merging the cycles. He felt the second cycle could be reviewed by taking into consideration the Comprehensive Plan revisions.

**Keith Schue moved to amend the motion as follows: There would be a single cycle one that would be specifically identified for applicant-driven amendments within the time frame of cycle one. It should be recognized that the entire Comprehensive Plan is being worked on through cycle two during which other ideas can be brought forth possibly by development interests. The amendment was Seconded by Sean Parks.**

Mr. Schue said some applications wouldn't have to be made if those issues are handled as part of the revision process and as areas are looked at holistically.

Ms. Foley said that the amended motion was in effect a single cycle, and the original motion was for two cycles. Chairman Newman stated that the amendment changed the intent of the original motion.

Mr. Dunkel expressed concern that combining the two processes could cause difficulties, and that possible confusion could interfere with controlled sustainable growth.

Mr. Parks said he understood the need to keep moving, and the concerns brought forth by Mr. Schue.

Mr. Carey called the question for the amendment to the motion.

**FOR:** Schue  
**AGAINST:** Newman, Foley, Carey, Parks, Dunkel, Matthys, Jordan  
**MOTION FAILED:** 1-7

Vote on original motion.

**FOR:** Newman, Foley, Carey, Parks, Dunkel, Matthys, Jordan  
**AGAINST:** Schue  
**MOTION CARRIED:** 7-1

Mr. Schue suggested that any proposed text amendments be included with the revision of the Comprehensive Plan and not as part of either application cycle.

Mr. Dunkel expressed concern in regard to the Joint Planning Area Agreement process and the Comprehensive Plan revision.

**Discussion of Proposed Planning Areas**

Amye King, Chief Planner, said the maps presented at this meeting are the result of previous discussions about the use of planning zones as a tool for public participation. She said Map "A" has 19 zones, and it includes the Joint Planning Area (JPA) agreements and areas of critical State concern. Map "B" has 9 zones; it combines some municipalities into demographically and geographically groups.

David Jordan said Map "B" has more commonality between the zones. Sean Parks said that they made sense regionally. Ms. King explained that Map B follows census tracks, and Map "A" follows JPA boundaries. Mr. Jordan felt that Map "B" would make looking at smaller areas more efficient because it was based on census tracks.

Keith Schue said he thought the map based on the JPAs would make their jobs easier.

Richard Dunkel asked how these maps would be used administratively. Ms. King said the planning zones are intended to be tools for public participation, which is required by Statute.

Sandy Minkoff, County Attorney, said the JPAs require those areas to be considered individually and have in effect their own comprehensive plan. Map "B" with fewer regions would mean that some of the municipalities could be addressed multiple times.

Mr. Dunkel voiced a concern that municipality-based zones might magnify some of the current problems, whereas fewer zones could create more cooperation and coordination between the cities.

Because he supported a regional approach, Mr. Schue said he preferred consolidating some of the zones on Map "A". He also suggested that both sides of the Florida Turnpike be included within the same zones.

Ms. King suggested presenting the planning zone concepts and maps to the Lake County Planner's Forum to get their input.

Mr. Dunkel suggested that the turnpike interchanges not be split between zones.

Nadine Foley said she saw the merit of having fairly large planning areas. She suggested the JPA agreements should be an overlay of the zones.

Mr. Parks said he didn't think JPAs should be split.

Gregg Welstead, Director, Growth Management, said the only planning boundaries that have been set are those for Mt. Dora, Clermont and the Mt Plymouth/Sorrento areas. The remaining JPA boundaries can be created to be consistent with the intent of the Local Planning Agency. While the cities should be considered individually, the cities should take into consideration the area outside of their JPA boundaries.

Chairman Newman said the consensus was for staff to discuss the planning zones with the Planners' Forum and get their recommendations.

Ms. King said staff would take these maps and other versions to the Lake County Planners' Forum. These maps would combine some of the JPAs; they would take into special consideration the Turnpike interchanges and make sure that the JPAs are an overlay.

### **Comments on the Lake County Comprehensive Plan Program 2005 – 2025**

Amye King, Chief Planner, said the timeline would be revised in the near future to account for staff time lost to hurricanes.

Ms. King concurred with David Jordan's concern about the average household size and the necessity for information from the municipalities to achieve an accurate figure.

Keith Schue said it was important to include the Wekiva Spring Shed Area, and the Wekiva River Protection Area. Ms. King said an updated Wekiva area map accurately showing public lands is nearly complete.

Nadine Foley commented on the importance of accurate population projections. Ms. King explained that a demographics team has been formed within the County departments to formulate more accurate population figures.

Ms. Foley asked if an Education Element was under consideration. Ms. King said staff would be presenting white papers on several optional elements in the future.

Mr. Schue spoke about the importance of public participation and asked what the strategy was going to be. Ms. King said she has discussed putting together a public participation plan with the director of the Department of Community Affairs (DCA). Ms. King emphasized the importance of being creative to get public support. Mr. Schue asked when public participation would begin. Ms. King said as soon as possible, hopefully, before the end of the year.

### **New Business**

Sean Parks asked for an update on the Parks and Recreation Master Plan. Gregg Welstead, Director, Growth Management, said the Master Park Plan would be included in the Recreation and Open Space Element. Sandy Minkoff, County Attorney, explained that although the plan had not been adopted, it is already being implemented.

Richard Dunkel asked about co-joining (sic) permitting with the cities. Mr. Welstead explained that the County issues building permits. Mr. Minkoff said building permits were related to the Building Code not to zoning or planning.

Mr. Dunkel asked what input the Local Planning Agency would have in the hiring of a consultant for peer review of the Comprehensive Plan rewrite. Ms. King said one Local Planning Agency (LPA) member would be invited to sit on the committee. Chairman Newman suggested one of the planners be appointed.

Michael Carey stressed the importance of going out to speak to the public as opposed to bringing the public in. Barbara Newman suggested speaking to civic groups. Mr. Dunkel also suggested members use Power Point demonstrations in their talks.

Nadine Foley referred to the Lake County Tomorrow visioning process. She said the public had been very willing to participate, and many of the suggestions made during that process have been implemented. Ms. Foley said some community associations were revitalized as a result of that visioning process.

Keith Schue stated that the state-level Evaluation and Appraisal Report (EAR) Technical Advisory Committee, which he participates in, has emphasized the need for local governments to obtain public input early in the planning process. He said that the Department of Community Affairs (DCA) may have useful information that the County can use to facilitate public participation through the scoping or visioning process.

In response to Keith Schue, Ms. King explained that getting citizen input from the very beginning would involve public input on the collection of information for the Data, Inventory and Analysis. She said a schedule for public participation was being put together and the County Senior Directors were also making recommendations.

The Chair adjourned the meeting at 10:30 a.m.

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Donna R. Bohrer  
Office Associate III

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Keith Schue  
Secretary