

**MINUTES
LAKE COUNTY ZONING BOARD
February 16, 2011**

The Lake County Zoning Board met on Wednesday, February 16, 2011 in the Commission Chambers on the second floor of the County Administration Building to consider a petition for rezoning and a conditional use permit revocation.

The recommendations of the Lake County Zoning Board will be transmitted to the Board of County Commissioners for their public hearing to be held on Tuesday, February 22, 2011 at 9 a.m. in the Commission Chambers on the second floor of the County Administration Building, Tavares, Florida.

Members Present:

Timothy Morris, Vice Chairman	District 1
Scott Blankenship	District 2
Rick Gonzalez	District 4
Paul Bryan, Chairman	District 5
Kasey Kesselring	At-Large Representative

Members Not Present:

John Childers	Ex-Officio, Nonvoting Military Representative
James Gardner, Secretary	District 3
Jim Miller	School Board Representative

Staff Present:

Brian T. Sheahan, AICP, Director, Planning and Community Design Division
Melving Isaac, Planner, Planning and Community Design Division
Aziza Bryson, Public Hearing Coordinator, Planning and Community Design Division
Jack Filman, Assistant Fire Chief, Public Safety
Ross Pluta, Engineer III, Engineering Division
Erin Hartigan, Assistant County Attorney

Chairman Bryan called the meeting to order at 9:17 a.m. He led in the Pledge of Allegiance and 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 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. He 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. He added that this Board is a recommending board only, and the Board of County Commissioners will be hearing these cases later this month when a final determination will be made.

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of Minutes

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CUP#683-5

REGULAR AGENDA:

PH#28-10-4 Renninger's Florida Twin Markets, Inc. 2
Cecelia Bonifay/Christopher Roper, Esq., Akerman Senterfitt

OPENING DISCUSSION

Chairman Bryan welcomed the two new Zoning Board members, Rick Gonzalez, District 4, and Kasey Kesselring, At-Large Representative.

MINUTES

MOTION by Tim Morris, **SECONDED** by Scott Blankenship to approve the January 5, 2011 Lake County Zoning Board Public Hearing minutes, as submitted.

FOR: Morris, Blankenship, Bryan, Gonzalez, Kesselring

ABSENT: Gardner, Miller

AGAINST: None

NOT PRESENT: Childers

MOTION CARRIED: 5-0

CONSENT AGENDA

CUP Revocation:
CUP#683-5 Forest Hills United Methodist Church 1

MOTION by Scott Blankenship, **SECONDED** by Tim Morris to recommend **APPROVAL** of the consent agenda.

FOR: Blankenship, Morris, Bryan, Gonzalez, Kesselring

ABSENT: Gardner, Miller

AGAINST: None

NOT PRESENT: Childers

MOTION CARRIED: 5-0

REGULAR AGENDA

CASE NO: PH# 28-10-4 **AGENDA NO.** 2
OWNER: Renninger's Florida Twin Markets, Inc.
APPLICANT: Cecelia Bonifay/Christopher Roper, Esq., Akerman Senterfitt
PROJECT NAME: Renninger's Florida Twin Markets

Brian Sheahan, Director, gave an overview of the project. The existing zoning and land use on the property is Planned Commercial, Agriculture and R-6. The Applicant is requesting to have all property under one uniform ordinance and is also requesting to authorize the use of some additional uses. Mr. Sheahan pointed out that the major point of negotiation between the Applicant and the City of Mount Dora has been the request to add mud drags, demolition derbies, racing events, and stunt shows. One of the main concerns is regarding the potential impact they would have on the neighboring residential uses primarily to the south of the property. Mr. Sheahan also noted a couple of the conditions in the ordinance, such as: the limit of high impact events of up to 4 per calendar year, the BCC approval which will be required for any additional special events, the proposal of a sunset to those uses in 2014, and a requirement to notify the City of Mount Dora and Lake County of any special events which requires approval by the BCC as proposed in the ordinance.

Cecilia Bonifay, Esq., Akerman & Senterfitt, representing the Applicant, gave a brief history of the basic uses on the property. In addition, she highlighted the main requests of consolidating the property and having everything under one ordinance. Ms. Bonifay also discussed some of the issues of concern that were worked out in the discussions with the City of Mount Dora and mentioned some of the changes that had been agreed upon. Ms. Bonifay stated that their only objection is in regards to obtaining a special event open air gathering permit any time an additional event is held.

Tim Morris, Board member, asked what would be considered a special event. Ms. Bonifay replied that it would be something different than what is already allowable.

Mark Reggentin, Planning and Development Director for the City of Mt. Dora, thanked the Planning staff for their work to find common ground. He gave a brief history of the issues raised by the City of Mount Dora. He stated that after some amendments to the ordinance and several meetings with the Applicant, there was one single issue of concern. Mr. Reggentin said that although the City of Mount Dora agrees with 95% of what's in the ordinance, the main concern is the motorized events and the potentially adverse effects they would have on the surrounding properties, such as noise and the loss of property value. He stated that the City of Mount Dora would like to request that motorized events be prohibited.

Bob Thielhelm stated that Mr. Reggentin addressed most of his concerns. He also stated that the fire department personnel addressed the noise concerns in their City Council meetings, stating that they could hear the noise of the motorized events.

Don Stewart, Real Estate Agent, spoke in opposition to the Applicant's request. Mr. Stewart's main concerns were in regards to the noise of the motorized events and the potential drop in surrounding property values should the Board allow these motorized events. He spoke about his obligation to disclose information to potential home buyers about Renninger's events and his concern that the events would cause people to not want to live in the area. Mr. Stewart suggested that the Applicant's be restricted to only having events during day time hours.

In response to a question by Mr. Morris regarding special events, Mr. Sheahan noted on page 3, Item C of the ordinance that for events under 500 people, there are no limitations to the number of special events.

The Board discussed the days and hours of operation of the motorized events, noise comparisons between concerts and motorized events, and the current lighting.

In closing, Ms. Bonifay addressed the concerns presented regarding the motorized events. She asked if the Board would pass the ordinance and strike the condition requiring a permit for special events.

Further Board discussion took place. Scott Blankenship, Board member, and Paul Bryan, Chairman, expressed their contentment with the sunset provision. Tim Morris stated that he does not think this will affect the sales of a piece of property in the surrounding area because it is unlikely the market for residential would return by then.

MOTION by Tim Morris, SECONDED by Kasey Kesselring to recommend APPROVAL, as is, of the proposed rezoning request subject to the conditions as set forth in the Ordinance.

FOR: Morris, Kesselring, Bryan, Gonzalez, Blankenship

ABSENT: Gardner, Miller

AGAINST: None

NOT PRESENT: Childers

MOTION CARRIED: 5-0

ANNOUNCEMENTS

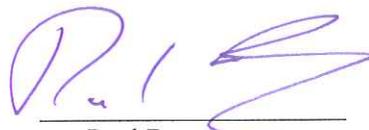
Erin Hartigan, Assistant County Attorney, informed the Board that she gave the Zoning Board orientation on ethics and Sunshine law to the two new Zoning Board members. She reminded the members that they should not communicate with each other outside of the public hearings about any matters concerning the Zoning Board.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:17 a.m.

Respectfully submitted,


Aziza Bryson
Public Hearing Coordinator


Paul Bryan
Chairman