

MINUTES
LAKE COUNTY ZONING BOARD
December 1, 2010

The Lake County Zoning Board met on Wednesday, December 1, 2010 in the Commission Chambers on the second floor of the County Administration Building to consider petitions for rezoning and conditional use permits.

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, January 4, 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
Egor Emery	District 4
Paul Bryan, Chairman	District 5
Mark Wells	At-Large Representative
Vacant	School Board Representative

Members Not Present:

John Childers	Ex-Officio, Nonvoting Military Representative
James Gardner, Secretary	District 3

Staff Present:

Brian T. Sheahan, AICP, Planning Director, Planning and Community Design Division
Steve Greene, AICP, Chief Planner, Planning and Community Design Division
Rick Hartenstein, AICP, Senior Planner, Planning and Community Design Division
Melving Isaac, Planner, Planning and Community Design Division
Aziza Bryson, Public Hearing Coordinator, Planning and Community Design Division
Ann Corson, Office Associate IV, Planning and Community Design Division
Ross Pluta, Engineer III, Engineering Division
Erin Hartigan, Assistant County Attorney

Chairman Bryan called the meeting to order at 9 a.m. He led in the Pledge of Allegiance, and 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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Minutes

MOTION by Tim Morris, **SECONDED** by Scott Blankenship to approve the November 3, 2010 Lake County Zoning Board Public Hearing minutes, as submitted.

FOR: Morris, Blankenship, Bryan, Wells, Emery

ABSENT: Gardner

AGAINST: None

NOT PRESENT: Childers

MOTION CARRIED: 5-0

Brian T. Sheahan, AICP, Planning Director, Planning and Community Design Division, said the applicant in PH# 31-10-4, Florida Easter Seal Society, Inc., had notified staff that they wished to modify their site plan. He said because that modification may change staff's recommendation staff requests a continuance to the next meeting date.

Egor Emery asked that agenda item 4, PH# 18-10-2, Amon Village PUD Rezoning, be pulled from the consent agenda for discussion.

MOTION by Tim Morris, **SECONDED** by Scott Blankenship to approve the consent agenda, consisting of Item 1, CUP Revocation #01/6/1-1, Charles & Orpha Coward/Linda Ford, Item 2, PH# 34-10-5, Lady Lake Mobile Homes Park, Inc. and Item 3, CUP # 10/3/2-2A, Lobe/Jewel Court Stables.

FOR: Morris, Blankenship, Bryan, Wells, Emery

ABSENT: Gardner

AGAINST: None

NOT PRESENT: Childers

MOTION CARRIED: 5-0

Tim Green, AICP, ALSA, Green Consulting Group, representing Easter Seals Society/Camp Challenge, said that the applicant has modified the site plan in response to staff comments and added that they had no objection to the continuation requested by staff.

Chairman Bryan polled each person who had filled out a speaker card on this case regarding the request for a continuance. There were no objections.

MOTION by Tim Morris, **SECONDED** by Scott Blankenship to grant the applicant's request for a thirty (30) day continuance on PH#31-10-4, The Florida Easter Seal Society, Inc.

FOR: Morris, Blankenship, Bryan, Wells, Emery

ABSENT: Gardner

AGAINST: None

NOT PRESENT: Childers

MOTION CARRIED: 5-0

CASE NO: PH#28-10-4

AGENDA NO: 5

OWNER: Renninger's Florida Twin Markets, Inc.
APPLICANT: Cecelia Bonifay, Esq./Christopher Roper, Esq.,
Akerman Senterfitt

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Melving Isaac, Planner, Planning and Community Design Division, presented the staff report with a recommendation for approval with conditions. He discussed the zoning map included in the report, reviewed the adjacent uses and the conditions included within the draft ordinance. There were no questions of staff.

Cecilia Bonifay, Esq., Akerman, Senterfitt, representing the applicant, briefly discussed the history of Renninger's Market in Lake County, noting that the applicant was requesting a single zoning classification applicable to the entire site. She said considerable effort by County staff and the City of Mt. Dora had been expended in drafting an ordinance reflecting the desires of the applicant and the concerns of both the City and County staffs. She noted the uses of the property had been diversified and discussed the Summerbrooke subdivision that has been approved adjacent to the Renninger's site. She said they had notified area residents and the Home Owner's Association and the developer of Summerbrooke regarding this rezoning request.

Ms. Bonifay said after extensive discussions an ordinance had been drafted to address the concerns of the affected parties. She discussed the conditions related to special events, adding that open air event permits are now available through the County, which will accommodate possible additional types of events, adding that the City of Mt. Dora would be notified regarding those activities. She noted that the conditions in the draft ordinance also address setbacks and hours of operation restraints.

Chairman Bryan asked about hours of operation. Ms. Bonifay said she thought the hours of operation would be applicable only to public events, noting that staff may be on site for advance preparations. There was brief discussion regarding the use of recreational vehicles on site. There were no other questions from the Zoning Board.

Mark Reggentin, Planning and Development Director for the City of Mt. Dora, said that many of the City's issues had been resolved during the last continuance; however, several issues remained. He said the City's primary concerns were related to mud drags, demolition derbies and similar uses which could be a nuisance to present and future residents. The City was concerned that growth of these events in the future could increase the potential for conflict with nearby residences. He said the City would like the setbacks excluded by any future noise studies, because the future growth of those events could invalidate the noise study findings. City staff was also concerned regarding hours of operation and the potential impacts of larger events. Mr. Reggentin, said there was some concern regarding non-specific terms such as "similar activities" and "changing conditions." He noted that the Ordinance previously reviewed by the city council is different from what has been presented at this time. He thought that the remaining issues could be resolved if the City had more time to review this ordinance.

Chairman Bryan asked Ms. Bonifay if the applicant would object to the City's request for a continuance of thirty (30) days to review this revised ordinance.

Ms. Bonifay noted that this request has already been continued several times; however, if the issues could be resolved during that time frame it would be acceptable to the applicant. Mr. Reggentin noted that the City Council would be meeting on Dec. 16, 2010. There was some discussion regarding meeting dates.

Chairman Bryan asked about the City's position regarding motorized events and Mr. Reggentin noted that the City was particularly concerned with the noise impacts of those events.

CASE NO: PH#28-10-4 AGENDA NO: 5
 OWNER: Renninger’s Florida Twin Markets, Inc. PAGE NO.: 2
 APPLICANT: Cecelia Bonifay, Esq./Christopher Roper, Esq.,
 Akerman Senterfitt

There was discussion regarding provision of utilities and Mr. Reggentin noted that central utilities were not required. Ms. Bonifay discussed the surrounding annexations, the prior history of Renninger’s and the partial development of Summerbrooke. Chairman Bryan asked if the applicant would agree to include a specific time frame for the ordinance and Ms. Bonifay said that would be acceptable to the applicant.

Melissa DeMarco, City of Mt. Dora Mayor, said that the City wanted an opportunity to review the conditions of the ordinance, adding that the City recognized the economic value of Renninger’s Market. She said the Council’s main concern was the motorized events and she thought the ordinance should come back before the City Council. She briefly discussed the Joint Planning Area (JPA) between Lake County and the City of Mt. Dora and the importance of continued cooperation between the County and the City.

There was some discussion regarding the requested postponement and the possibility of modifying the ordinance at this meeting and then having the final revisions decided at the Board of County Commissioners (BCC) meeting. Scott Blankenship voiced concern regarding the JPA and the value of the working relationship between the City and County. He supported the request for a continuance. Egor Emery said he would like to finish the case, hear the public comments and then have the BCC be the final arbitrator. Tim Morris suggested removing conditions regarding motorized events from the ordinance and leaving that decision for the BCC.

Mr. Sheahan noted that the next meeting date for the Zoning Board was January 5, 2011.

There was no objection to the request for a continuance.

MOTION by Tim Morris, SECONDED by Scott Blankenship to continue PH#28-10-4, Renninger’s Florida Twin Markets, Inc. case to the January 5, 2011 Zoning Board meeting date.

FOR: Morris, Blankenship, Bryan, Wells, Emery
ABSENT: Gardner
AGAINST: None
NOT PRESENT: Childers
MOTION CARRIED: 5-0

CASE NO: PH#18-10-2

AGENDA NO: 4

OWNER: Jack R. Amon
APPLICANT: Rohland June/June Engineering Consultants, Inc.
PROJECT NAME: Eagles Landing at Ocoee, LLC /Amon Village PUD

Egor Emery said he was concerned regarding the Lake County School Board comment that approval of this application would exceed the capacity of the local school.

Steve Greene, AICP, Chief Planner, Planning and Community Design Division, said this application was received by the County before adoption of the school concurrency ordinance. He said issues regarding school capacity would be addressed during construction review.

Mr. Sheahan discussed the special circumstances regarding this Planned Unit Development (PUD) and noted that all school mitigation issues are addressed by the School Board prior to final development approval.

MOTION by Scott Blankenship, SECONDED by Egor Emery to approve PH#18-10-2, Amon Village PUD Rezoning.

FOR: Morris, Blankenship, Bryan, Wells, Emery
ABSENT: Gardner
AGAINST: None
NOT PRESENT: Childers
MOTION CARRIED: 5-0

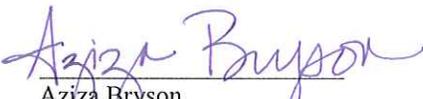
Staff Discussion:

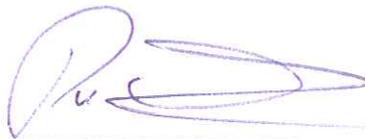
Mr. Sheahan introduced the new Public Hearing Coordinator, Aziza Bryson to the Zoning Board.

Adjournment

There being no further business, the meeting was adjourned at 10:15 a.m.

Respectfully submitted,


Aziza Bryson
Public Hearing Coordinator


Paul Bryan
Chairman