

LEVY COUNTY PLANNING COMMISSION
MEETING MINUTES
Levy County Planning Commission
320 Mongo Street
Bronson, FL 32621

Monday, March 4, 2024
Regular Meeting
5:45 P.M.

Members Present:

Kelly Bishop
Thomas Harper
Co-Chair- J.D. Holmes III
Chair- Parks Wilson

Staff Present:

Andrew Carswell- County Engineer
Stacey Hectus- Planning & Zoning Director
Brian Jones, Residential/Commercial/Ag Coordinator
Alice LaLonde, Road Department; Administrative Coordinator
Randall Rutter, Assistant Property Appraiser
Nicolle Shalley, County Attorney
Elizabeth Vigorito- Administrative Assistant II
Jason Whistler, Property Appraiser

Attendee(s):

*Thomas Burt, Representative for Jenkins Farm	Tracy Barber
*Jordan Gray, Representative for Indian Acres	Ty Barber
*Steven McMillen, McMillen Surveying, Inc.	Charlie Kennedy
*Ronald Parrish, Parrish Land Surveying	Georgia Morrison
*Jenny Rowland, County Resident	Joshua Morrison
Bertha Jenkins, Applicant	B. Morrison

**Attendees sworn in and spoke during the meeting; Meeting Sign-In Sheet Attached*

I. ROLL CALL – Administrative Assistant, Elizabeth Vigorito

All 4 members of Planning Commission present.

II. CALL TO ORDER

III. APPROVAL OF MINUTES

February 5, 2024

1st Motion to Approve, J.D. Holmes III

2nd Motion to Approve, Thomas Harper

Motion Carries 4-0

320 Mongo Street
Bronson, FL 32621
(352) 486-5203

E-Mail: planning@levycounty.org Website: www.Levycounty.org

V. New Business

1. Quasi-judicial PETITION NO. FP 24-01: Mr. Ronald Parrish, surveyor, representing Loy Ann Mann, petitioning the Commission for a Final Plat (Indian Acres) to divide 102.42 acres MOL into three lots. Said parcel is located in Section 11, Township 12S, Range 14E in Levy County, Florida and has a land use and zoning of ARR/Agricultural Rural Residential (10ac minimum). **Parcel Number:** 0096700300

Recommend Approval ✓ *Recommend Denial* □

1st Motion to Approve, Thomas Harper

2nd Motion to Approve, J.D. Holmes III

Motion carries 4-0

NO PUBLIC COMMENT ON SAID ITEM

2. Quasi-judicial PETITION NO. PP 24-01: Mr. Theodore Burt, attorney, representing Berta Jenkins, Individually and as Personal Representative of the Estate of Colin Dewayne Jenkins, petitioning the Commission for a Preliminary Plat (Jenkins Farms) to divide 80.97 acres MOL into four lots. Said parcel is located in Section 34, Township 10, Range 15 in Levy County, Florida and has a land use and zoning of ARR/Agricultural Rural Residential (10ac minimum). **Parcel Number (s):** 0143400000 and 0143400200

Recommend Approval ✓ *Recommend Denial* □

1st Motion to Approve, Thomas Harper

2nd Motion to Approve, Kelly Bishop

Motion carries 4-0

NO PUBLIC COMMENT ON SAID ITEM

3. Quasi-judicial PETITION NO. SVA 24-01: McMillen Surveying, representing Joshua Ryan Morrison & Lindsay Morrison, Robert Norwood Terrell Jr. & Michelle Marie Terrell, and Robert C. Morrison & Georgia Morrison, petitioning the Commission for a subdivision variance(s) to the Levy County Land Development Code section(s) 50-578(b), 50-581 and 50-583(m). These variances are required as part of final plat approval to subdivide 40 acres MOL in to three parcels containing 10 ac MOL. Parcel is located in Section 13, Township 11S, Range 17E in Levy County, Florida, near the Alachua County Line. Said parcel has a land use and zoning of ARR/Agricultural Rural Residential (10ac minimum). **Parcel Number(s):** 0314702800

Recommend Approval ✓ *Recommend Denial* □

1st Motion to Approve, JD Holmes III

2nd Motion to Approve, Kelly Bishop

Motion carries 4-0

PUBLIC COMMENT ON SAID ITEM

320 Mongo Street
Bronson, FL 32621
(352) 486-5203

E-Mail: planning@levycounty.org Website: www.Levycounty.org

4. **Quasi-judicial PETITION NO. FP 23-06:** McMillen Surveying, representing Joshua Ryan Morrison & Lindsay Morrison, Robert Norwood Terrell Jr. & Michelle Marie Terrell, and Robert C. Morrison & Georgia Morrison, petitioning the Commission for a Final Plat to subdivide 40 acres MOL in to three parcels containing 10 ac MOL. Parcel is located in Section 13, Township 11S, Range 17E in Levy County, Florida, near the Alachua County Line. Said parcel has a land use and zoning of ARR/Agricultural Rural Residential (10ac minimum). **Parcel Number(s): 0314702800.**

Recommend Approval ✓ *Recommend Denial* □

1st Motion to Approve, J.D. Holmes III

2nd Motion to Approve, Kelly Bishop

Motion carries 4-0

NO PUBLIC COMMENT ON SAID ITEM

5. Requesting the Planning Commission review and provide recommendations to the Board of County Commissioners as they pertain to:

Legislative ORDINANCE NO. 2024-01: AN ORDINANCE OF LEVY COUNTY, FLORIDA, AMENDING CHAPTER 50 (THE LAND DEVELOPMENT CODE) OF THE COUNTY CODE OF ORDINANCES RELATED TO THE DIVISION AND UNIFICATION OF LAND; BY REVISING SEC. 50-1 DEFINITIONS; BY DELETING SEC. 50-496 LINEAL HEIR HOMESTEAD DENSITY EXEMPTION AND SEC. 50-497 VARIANCES, RECORDATION AND ERROR; BY CREATING A NEW SEC. 50-538 CORRECTION OF PLAT ERRORS OR OMISSIONS; BY RETITLING ARTICLE XI SUBDIVISIONS AND CREATING A NEW DIVISION 4 THEREIN TITLED LOT SPLITS; BY DELETING SEC. 50-680 RECONFIGURING A PARENT PARCEL OR PARCEL OF RECORD THAT IS NOT LOCATED WITHIN A RECORDED SUBDIVISION; BY REVISING SEC. 50-776 UNITY OF TITLE; AND BY REVISING APPENDIX B SCHEDULE OF FEES, RATES AND CHARGES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING DIRECTIONS TO THE CLERK AND AN EFFECTIVE DATE.

Recommend Approval ✓ *Recommend Denial* □

Approval with recommendations: increase years of holding from 3 to 5 years and allow for larger parcel division to address density issues from a water and waste management standpoint in regards to the 1.25 acre minimum.

1st Motion to Approve, J.D. Holmes III

2nd Motion to Approve, Kelly Bishop

Motion carries 3-1 (Harper dissenting)

PUBLIC COMMENT ON SAID ITEM- Jenny Rowland (10251 SW 24th Rd, Cedar Key 32625) spoke as a former Planning & Zoning employee and current resident. She spoke in favor of the revised ordinance and stated that it is a step in the right direction helping families like hers who have experienced many challenges over the years dividing their land.

VI. GENERAL PUBLIC COMMENT

VII. UPDATES- Levy County Property Appraiser, Jason Whistler was invited per the Planning Commission's request during the last meeting to give them an overview of agricultural classification and homestead exemption procedures. Thomas Harper asked for an update from Property Appraiser staff in verifying validity of ag parcel classifications in the county. Whistler reports that there are 150 less agriculturally classified parcels in 2023 versus 2022. Whistler further explained that this number is low

320 Mongo Street
Bronson, FL 32621
(352) 486-5203

E-Mail: planning@levycounty.org Website: www.Levycounty.org

and not accurate since 75% of these ag classifications are deterred at the front desk if they are hobby farms. Brian Jones, Ag Coordinator with the Property Appraiser's (PA) office, assesses new applications and conducts commercial audits which is helping deter improperly classified ag parcels. Both Whistler and Jones explained that the transfer of property ownership has created a gap in data. Whistler stated he would gather this information for the Planning Commission. Whistler further confirmed that they strictly go by state regulations to avoid legal action from any property owners disputing an ag classification denial. Assistant Property Appraiser, Randall Rutter clarified for the Planning Commission that the majority of ag classified parcels are properly assessed and verified. Rutter stated that the county's percentage of improperly ag classified parcels is relatively low; new procedures and expanding staff are slowly alleviating this issue. Whistler and Rutter both informed the PC that Ag will no longer be granted based on intent. Every 5 years currently these problem parcels are identified and solutions are provided for the owners to meet compliance or lose exemption. Residential properties are also assessed every 5 years to see that building structures are compliant. Randy stated that agriculture permits are being evaluated closely, looking at power amp discrepancies that indicate code violation issues or unpermitted structures. Kelly Bishop asked PA staff how to remedy the issue of the hobby farmer getting agriculture exemption. Whistler stated that property owners will still be required to provide proof of bonafide agriculture operations on said property. Harper suggested providing hobby farmers with education to handle their animal waste. Rutter concluded that PA office goes by land USE not zoning when extending agricultural classification. Director, Stacey Hectus further expressed how beneficial working with Property Appraiser and his staff has been in addressing residents' concerns and what a great job they do for the county. Parks Wilson gave praise to the Building department and other departments for their efficiency and great care providing service to our residents. Wilson also highlighted the usefulness of new brochure created by Planner, Nicki Bailey and what a great information tool it is for our residents. Hectus confirmed it will be placed on the Levy County Planning & Zoning website and has been distributed to the appropriate departments. Wilson also informed the Planning Commission and staff that Bailey is open to any suggestions in revising the brochure. Hectus gave credit to Jenny Rowland in drafting the brochure and Bailey in finalizing the brochure for distribution. Hectus reminded PC members that next meeting is on Monday, April 1, 2024 and that she will be requesting a joint meeting with the Board of County Commissioners.

ADJOURN

1st Motion to Adjourn—Kelly Bishop

2nd Motion to Adjourn- JD Holmes III

Motion Carried 4-0

Meeting ended at 8:04 pm

Should any agency or person decide to appeal any decision made by the Board with respect to any matter considered at this meeting, such agency or person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act, person needing a special accommodation or an interpreter to participate in the proceeding should contact the County Clerk's Office at (352) 486-5266, or the Office of the Board of County Commissioners at (352) 486-5217, at least two (2) days prior to the date of the meeting. Hearing-impaired persons can access the foregoing telephone number by contacting the Florida Relay Service at 1-800-955-8770 (Voice) or 1-800-955-8771 (TDD).

320 Mongo Street
Bronson, FL 32621
(352) 486-5203

E-Mail: planning@levycounty.org Website: www.Levycounty.org