

The Citrus County Board of County Commissioners met in regular session on the above date. The Chairman called the meeting to order. Commissioner Fowler led in the Invocation and the Pledge of Allegiance to the United States' Flag. Following the calling of the roll, the Board proceeded with its business.

Commissioners: Vicki Phillips, Chairman; Brad Thorpe, First Vice Chairman; Roger Batchelor, Second Vice Chairman; Jim Fowler; and Gary Bartell
Clerk: Joanne B. Mishou and Theresa Steelfox, Deputy Clerks
Attorney: Larry M. Haag, Attorney; Richard Wm. Wesch, Assistant
Administrator: Gary W. Kuhl

#3- **CONSENT AGENDA**

Upon motion by Commissioner Batchelor, seconded by Commissioner Bartell, and carried unanimously, the Board

#3-A Approved the minutes of the special meetings (Emergency Meeting for Highway Safety Funds Grant and Special Library District and County budget hearings) held on September 16, and the regular meeting held on October 5, 1999.

#3-B Approved Warrants: Payroll dated 10/01/99 at \$404,725.43 and 10/07/99 at \$33,633.82. Emergency dated 10/12/99 at \$41,977.03. General dated 10/11/99 at \$1,672,827.69 and dated 10/12/99 at \$6,237.65 (RHV).

#3-C Approved a budget transfer for **Utilities**: \$3,750 from #450-9000-247-200 to #-51306.

#3-D Appointed Marian Ange (FDOT Representative), Aida Moreno (FDLES Representative), John Longacre (Medical Transportation Services Representative) and Chet Cole (Economically Disadvantaged Representative) to the Transportation Disadvantaged Coordinating Board for new terms that will expire on September 30, 2002.

#3-E Approved and authorized the Chairman to sign Satisfactions of Judgment for Nathaniel L. Floyd, Case #96-182 CF, and Gerald Robert Seagraves, Case #98-3469-MM.

#3-F Approved wire transfers: CIS at \$9,735.70 dated 09/02/99, \$7,673.79 dated 09/16/99 and \$7,183.33 dated 09/30/99; ISAC at \$16,061.71 dated 09/03/99, \$5,193.29 dated 09/10/99, \$12,451.85 dated 09/17/99 and \$5,151.36 dated 09/27/99.

#3-G Approved Records Disposition Forms: No. 248, Miscellaneous files, No. 249, Memoranda; Board Audio/Visual Recordings; No. 250, Finance Records, and No. 251, Personnel Records, Memoranda, Grant Files, etc.

#3-H Approved and authorized the Chairman to sign the Utility Connection Strategy Agreements with Adele Reynolds; Helen J. Sacca; Frances G. Morris; Kent & Sylvia Hamilton and Evelyn E. Slade for utility connections that have been completed through the State Housing Initiative Partnership Program (SHIP).

#3-I Approved and authorized the Chairman to sign a Letter of Commitment to make a 15-year, deferred, no interest loan to Heron Woods Ltd. at \$100,000 under the Citrus County Rental Development Strategy funded by the SHIP Program, subject to final award of all other related funds by 5/31/2000.

#3-J Approved and authorized the Chairman to sign a Florida Pest Control & Chemical Company Subterranean Termite Contract and Service Policy and Limited Warranty, Policy No: B-13585, for termite inspection/control at Beverly Hills Softball Park restroom building at \$350.

#3-K Approved and authorized the Chairman to sign Amendment #5 to the Hoyle, Tanner & Associates, Inc. Professional Services Agreement, HTA #853106, FDOT FM #403056, to design runway, taxiway widening and lighting upgrade at the Crystal River Airport at \$112,064.

#3-L Approved and authorized the Chairman to sign Global Radio, Inc. Customer Agreements, beginning October 10, 1999, for:

# PAGERS	DEPT	COST
6	DPS	\$808.08 per year plus \$25 for a one time activation fee
3	Animal Control Division	\$404.04 per year plus \$12.50 for a one time activation fee
3	Fire Services Division	\$404.04 per year plus \$12.50 for a one time activation fee

#3-M Approved and authorized the Chairman to sign Modification No. 2 to the Flood Mitigation Assistance Program #98-FM-F8-05-19-15-001 with the Florida Department of Community Affairs to reinstate and extend the Flood Mitigation Agreement until October 31, 1999.

#3-N Set a public workshop on December 14, 1999 at 5:30 P.M. and a public hearing on December 21, at 5:10 P.M. in the Commission Room, 111 West Main Street, Inverness, on CPA/AA-99-29, Michael Rooks representing Florida Conference Association of Seventh-Day Adventists, Inc.

#3-O Approved and authorized the Chairman to sign the Release of Property Damage Claim #09062726, Infinity Insurance, for a \$200 settlement of claim to be deposited into the property and casualty insurance claims account #171-8100-52304.

#3-P Approved and authorized the Chairman to sign a U.S. Department of Agriculture Federal Funds Contract (#USDA 99-CIT) with Mid-Florida Area Agency on Aging, Inc., (MFAAA), as well as the Certification regarding Debarment, the Public Entity Crime Statement, the Certification regarding Lobbying, the Certification regarding year 2000 Compliance; and adopted and authorized the Chairman to sign a resolution authorizing the contract to provide additional funds for home delivered meals to eligible elderly clients 10/01/1999 through 09/30/2000 at \$42,000 with no cash match. **RESOLUTION NO. 99-164**

#3-Q Approved and authorized the Chairman to sign a contract application with MFAAA; and adopted and authorized the Chairman to sign a resolution authorizing the contract for funding of nutrition assistance and other approved services from 01/01/2000 through 12/31/2000 at \$505,845 with a cash match of \$42,244. **RESOLUTION NO. 99-165**

#3-R Approved and authorized the Chairman to sign a Certificate of Citrus County's compliance with Chapter 200, F.S., and TRIM Regulations in adopting the 1999/2000 budget.

#3-S Adopted and authorized the Chairman to sign:

RESOLUTION NO. 99-166

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, ADOPTING SECTION 8 RENTAL ASSISTANCE GRANT BUDGET FOR FY 99/00

WHEREAS, the Citrus County Board of County Commissioners approved a grant application with the U.S. Department of Housing and Urban Development to provide rental assistance to low income Citrus County residents; and

WHEREAS, on August 30, 1999, the U.S. Department of Housing and Urban Development approved the grant application for the Section 8 Rental Certificate and Rental Voucher Program; and

WHEREAS, this was not included in the original budget process; therefore, it is necessary for the Board to amend the budget for Fiscal Year 1999/2000; and

WHEREAS, FS 129.06(d) provides that the Board may amend its budget by resolution spread upon its minutes to appropriate and expend funds from a source not anticipated in the Board's regular budget; and

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Citrus County, Florida, in regular session on the 12th day of October 1999, as follows:

1. The Board does hereby amend its budget to include the estimated revenues and expenditures listed in Exhibit "A" attached hereto and made a part hereof by reference.

2. The Clerk of the Board is hereby directed to spread this resolution upon the minutes of the meeting held this date.

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS

OF CITRUS COUNTY, FLORIDA

/s/ Vicki Phillips

VICKI PHILLIPS, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<i>Revenues</i>	331-570	Federal Grant	\$63,960
		TOTAL REVENUE	63,960
<i>Expenditures</i>	058A-5419A -51200	Reg Salaries and Wages	3,975
	058A-5419A -52100	FICA	305
	058A-5419A -52200	Retirement Contributions	404
	058A-5419A -52300	Life & Health Insurance	450
	058A-5419A -52400	Workers' Compensation	22
	058A-5419A -54000	Travel & Per Diem	698
	058A-5419A -54012	Travel Outreach	250
	058A-5419A -54201	Postage	145
	058A-5419A -54918	Housing Assistance Payments	56,911
	058A-5419A -55100	Office Supplies	100
	058A-5419A -55227	Copy Fees	125
	058A-5419A -55400	Dues, Memberships & Publications	75
	058A-5419A -55417	Training & Technical Assistance	500
		TOTAL EXPENDITURES	\$63,960

RESOLUTION NO. 99-167

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA, AMENDING THE LIMEROCK ROAD PAVING PROGRAM BUDGET FOR FY 99/00

WHEREAS, on July 6, 1999, the Board of County Commissioners held a final public hearing adopting a special non-ad valorem assessment for the 1999 Limerock Road Paving Program; and

WHEREAS, on September 7, 1999, the Board of County Commissioners approved the financing for the Limerock Road Paving Program with Regions Bank; and

WHEREAS, this was not included in the original budget process; therefore, it is necessary for the Board to amend the budget for Fiscal Year 1999/2000; and

WHEREAS, FS 129.06(d) provides that the Board may amend its budget by resolution spread upon its minutes to appropriate and expend funds from a source not anticipated in the Board's regular budget; and

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Citrus County, Florida, in regular session on the 12th day of October 1999, as follows:

1. The Board does hereby amend its budget to include the estimated revenues and expenditures listed in Exhibit "A" attached hereto and made a part hereof by reference.

2. The Clerk of the Board is hereby directed to spread this resolution upon the minutes of the meeting held this date.

ATTEST:

/s/ Betty Strifler

BETTY STRIFLER, CLERK

BOARD OF COUNTY COMMISSIONERS

OF CITRUS COUNTY, FLORIDA

/s/ Vicki Phillips

VICKI PHILLIPS, CHAIRMAN

EXHIBIT "A"			
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT
<i>Revenues</i>	710-363-000	Special Assessment	111,057
	710-384-000	Loan Proceeds	166,000

		<i>TOTAL REVENUES</i>	277,057
<i>Expenditures</i>	710-7102-53109	Issuance Costs	250
	710-7102-53400	Other Contractual Services	241,807
	710-7102-55300	Road Maintenance & Supplies	35,000
		<i>TOTAL EXPENDITURES</i>	277,057

#3-T Approved and authorized the Chairman to sign Housing Assistance Payment Contracts with Gloria Gitto and Mark A. Miller, for the rental assistance program for low income families.

#3-U Approved and authorized the Chairman to sign a Satisfaction of Lien in Code Enforcement Board Case No. 99-19, Harry Daniel Mathuse, in the amount of \$1,550.

#3-V→X Approved and authorized the Clerk to release the development loan and place the facilities on private perpetual maintenance for the following projects: Hillside Villas, Third Addition (fka Woodside Villas, private); Hillside South, First Addition (private); and Canterbury Lake Estates, Second Addition (private).

#3-Y Approved and authorized the Chairman to sign Agreement No. 00CP-05-05-19-01-009 with the Florida Department of Community Affairs for the Emergency Management Program at \$104,174 with no matching funds required.

#3-Z Approved and authorized the Chairman to sign an Indemnity Agreement with Level 3 Communication, LLC pertaining to the installation of fiber optic cable in the rights-of-way.

#3-AA Acknowledged the intent of the Sheriff's Office entering into a lease purchase for 24 months at \$120,854 to be debt serviced from 911 recurring charge budget to update the telephone and radio logging recorder systems.

#3-BB Approved and authorized the Chairman to sign an Old Courthouse Use Agreement with Stumpknockers, Inc., for the 1999 Catfish Festival on October 23, from 8:00 A.M. until 6:00 P.M.

#3-CC Authorized issuance of a County Warrant at \$41,977.03 to the Trust Account of Fowler, White, Gillen, Boggs, Villareal and Banker, P.A., for the services of H2O Utility Services, Inc., which would conclude payment of all outstanding debts owed by the former RHV Utility, Inc.

#4- **BID COMMITTEE REPORT**

#4-A **BID NO. 2000-029, SUPPORT SERVICES, FOOD SERVICE**

Upon motion by Commissioner Phillips, seconded by Commissioner Thorpe, and carried unanimously, the Board awarded Bid No.2000-029 to G. A. Food Service as the only bidder.

#6- **COUNTY ADMINISTRATOR'S REPORT**

#6-A **LEGISLATIVE POLICY STATEMENT**

Board discussion was held regarding the 2000 Legislative Policy Statement to be presented to the Legislative Delegation on Tuesday, October 19, 1999, legislature prioritizing of these issues, Board's involvement, hiring of a lobbyist, etc.

Commissioner Bartell stated a committee of five citizens from around the state will be formed to establish water-related criteria, and expressed his desire to be authorized to seek a seat on that committee. He explained that science, rather than the political process, would dictate the credibility of projects, and felt it would be beneficial to Citrus to have representatives at the meetings to give input, etc. Discussion.

Commissioners concurred that the money set aside for a lobbyist should be held in reserve, discussed the possibility of partnering with other county(ies) on issues, and the need to stay alert to those water related issues.

Commissioners prioritized the projects as follows: 1) funding for Homosassa Area Water Wastewater Collection System Phase II, 2) Septic Tank Inspections Program, 3) Chassahowitzka River Water Wastewater Project, and 4) Suncoast Parkway, Phase II. All other projects including the Nitrate Remediation Program (with a statement indicating county's concern) to be placed in letter form and hand delivered. (I-851)

#7- **COMMISSIONER VICKI PHILLIPS, CHAIRMAN**

#7-A **TRANSPORTATION DISADVANTAGED COORDINATING BOARD**

There were no nominations for the Citizens Advocate Representative position.

#8- **COMMISSIONER BRAD THORPE, 1ST CHAIRMAN**

#8-A **USE OF FORMER HUMAN RESOURCES BUILDING**

Commissioner Thorpe advised bids on the sale of the old Human Resources Building will be opened October 22, that the property has been being used by the Family Resources Center to store its 1999 holiday gift collection and they would like to continue using the building through the holidays. Action was withheld until after bids are received. (I-1053/1:32 P.M.)

#2-A **SV-99-04, SPURLOCK, VACATE PART OF NORTH PARKWOOD AVENUE**

Jenette Collins, DDS, presented a staff report on a petition filed by Gary A. and Rebecca J. Spurlock to vacate:

A tract of land in the NW ¼ of the NW ¼ of 7/18/18, Citrus County, Florida, further described as follows: The W 25' of the NE ¼ of the NW ¼ of the NW ¼ of 7/17/18, Citrus County, Florida, LESS AND EXCEPT the S 25' thereof; AND The E 25' of the NW ¼ of the NW ¼ of the NW ¼ of 7/17/18, Citrus County, Florida, LESS AND EXCEPT the S 25' thereof.

She advised that the property was currently not used and vacant; that the request was consistent with regulations; and advised of the recommendation to approve with the condition that a 15' maintenance easement be deeded to Florida Power.

The Chairman opened the public hearing and asked for anyone in favor. Becky Spurlock stated that they owned both parcels of property and wanted this part of the road vacated so that they could fence in for cattle, etc.

With no others in favor and no one opposed, the Chairman closed the hearing.

Upon motion by Commissioner Batchelor, seconded by Commissioner Bartell, and carried unanimously, the Board adopted and authorized the Chairman to sign a resolution to vacate that portion of North Parkwood Avenue lying north of West Knoxville Lane, with the condition described by staff. RESOLUTION NO. 99-168 (I-1228/1:35 P.M.)

#12- **COUNTY ATTORNEY'S REPORT**

#12-A **CIVIL INJUNCTIVE RELIEF AGAINST S. ADAMS AND C. E. STRANGE, JR.**

Mr. Wesch advised the Board of a letter from the State Attorney's Office stating that Mr. Adams had violated county ordinances in several respects, that they did not believe Mr. Adams' claim that state regulations preempt county ordinance was a valid defense, and suggested that

the County exhaust administrative and civil remedies in this instance. Discussion followed regarding the specific property, treatment of the applicant, compliance of the Land Development Code, obtaining a Development Order, etc.

Upon motion by Commissioner Phillips, seconded by Commissioner Batchelor, the Board authorized staff to seek Civil Injunctive Relief against Scott Adams and Charles E. Strange, Jr. for activities being conducted on property located along CR-486, and authorized retaining outside Counsel to prosecute this action. (Scott Adams commented on the situation and read a letter addressed to staff. [Copy of letter not supplied to Clerk.]).

The Chairman called a question on the motion, and the motion carried unanimously. (I-1980)

The Chairman recessed the meeting and reconvened it at 2:07 P.M.

#2-B **DESIGN DEVELOPMENT FOR THE COURTHOUSE ADDITION**

Mr. Williford introduced the second phase of drawings of the Courthouse expansion project. Mr. Keith Reeves, Consultant for Architects Design Group, presented the design development drawings for the proposed Courthouse Addition which included: 1) identification of design parameters, 2) site plan, 3) massing diagrams (including model), and 4) floor plans.

Mr. Reeves explained some of the issues expressed by the Constitutional Officers and the Sheriff's Office (i.e. security, remodel of Property Appraiser's Office and Tax Collector's Office, Coke Building Warehouse, etc.) He highlighted some of the features of the building such as four new courtrooms, judicial suites, jury assembly areas, intake and holding areas, court administration, mediation center, architectural design, pedestrian walkway to the new entrance, etc.

Board and staff discussion followed regarding the security of the building and whether it should be for the entire facility or just the judicial portions, the existing elevators, maintaining 40,000 square feet, justification of the Property Appraiser's remodeling, future space needs, moving the Property Appraiser's and Tax Collector's Offices, cutting costs, starting the bid process, implementing alternate deductive items in the bid documents in order to keep the cost at the originally projected amount of \$9.7 million, etc.

Upon motion by Commissioner Thorpe, seconded by Commissioner Fowler, the Board approved the design development option and authorized staff to proceed with Construction Documents per the Board's direction, including alternate deductive items in the bid, staying within the original budgeted amount of \$9.7million, and maintaining the security design for the judicial section only.

Sumner Waite spoke about security issues and questioned the need for separate elevators for the judges. Joyce Valentino commented on security and getting started on the building soon. Vince Gonzalez addressed the cost estimate.

The Chairman called a question on the motion, and the motion carried unanimously. (II-1811/3:30 P.M.)

The Chairman recessed the meeting and reconvened it at 3:45 P.M.

#2-C POTTS PRESERVE

Ken Huntington, Environmental Manager with the Florida Department of Environmental Protection (FDEP), advised that the Potts Preserve was approximately 8,500 acres at the northern end of Lake Tsala Apopka and consists of river floodplain, marsh and upland complexes. He sought the County's support for the concept of the Potts Preserve restoration and provided a copy of the Potts Preserve Wetlands Plan, schedule of events, and Save Our Swamp brochure (copy included in Clerk's agenda).

Discussion ensued regarding the boundary location, the Southwest Florida Water Management District (SWFWMD) managing the wetlands and FDEP managing the uplands, a group of scientific experts to gather data, analyze and determine potential solutions, removal of the perimeter road to the natural grade to restore the water flow, possibility of providing boat access at certain points and aqueducts to allow water flow, goal of restoration, concerns of flooding, etc.

Commissioner Bartell expressed concern about supporting the plan at this time, backed efforts to date, asked Mr. Huntington to return to the Board with the final plan.

The Chairman thanked him for his presentation and looked forward to more information. (III-260/4:30 P.M.)

#2-D BOAT RAMP AT MASON CREEK ROAD

Dennis J. Watson, Esquire, representing Paul Kunkel, explained the problems that Mr. Kunkel has had with the public nuisances, trash dumping, illegal parking, etc. at the county boat ramp area located adjacent to his property on Mason Creek Road. Mr. Watson shared pictures of the area and letters from Bob Garner and Mike Lenoir. Mr. Kunkel reiterated the problems and spoke of experiences he has had with persons using the boat ramp, etc. Discussion.

Directive: Staff to review situation and recommend possible solutions to the Board.

(Clerk's Note: Commissioner Fowler left the room and did not return until after the meeting was reconvened following the upcoming recess.)

#12-B PRESCRIPTIVE PLAT FOR WEST YULEE DRIVE

Upon motion by Commissioner Bartell, seconded by Commissioner Thorpe, the Board approved and authorized the Chairman to sign the prescriptive plat of West Yulee Drive; authorized the Clerk to place the acceptance stamp upon same and record the document in the public records.

#12-C REPLAT WEST FENWAY DRIVE (FPL-99-01)

Upon motion by Commissioner Thorpe, seconded by Commissioner Batchelor, the Board approved the replat of West Fenway Drive and authorized the Chairman to sign the plat and directed the Clerk to record same. (III-2631/5:35 P.M.)

The Chairman recessed the meeting and reconvened it at 5:45 P.M., with all Board members in attendance.

#2-E LAND DEVELOPMENT CODE ATLAS AMENDMENTS

Mr. Wesch presented opening remarks for Applications AA-99-12, -13, and -14, noted these would be the final public hearings for the three proposed amendments.

#2-E.1 AA-99-12, LOUISE AND EDWARD HIETT, FROM CLR TO CLR*

Chuck Dixon presented a staff report for a proposed atlas amendment for property located for Lots 4 and 7, Block 10 of River Lakes Manor Unit 3, Hernando, from CLR to CLR*. Mr. Dixon stated that approval of the request would be considered spot zoning since a redesignation would allow two parcels to have a different land use designation from the parcels immediately adjacent. He advised that both staff and PDRB recommended denial, and presented a graphic showing the subject property. He also advised of letters that were received opposing the application.

The Chairman opened the public hearing and asked for anyone in favor. Ed Hiett, applicant, advised he was seeking to change the zoning in order for his daughter and her family to be able to afford a home nearby in which to live—both for the daughter's benefit and for his as he was getting up in years. He explained that when he purchased the property, the area consisted predominantly of mobile homes, but that over the years site-built homes had been constructed, with full knowledge of mobile homes in the vicinity; that during one of the county's rezonings, their property was categorized as "non-conforming" but the adjacent vacant lots were changed to not allow mobile homes. He reviewed reasons why his neighbors objected, i.e., devalued property values, etc., and asked for approval of the application.

With no other public comment, for or against, the Chairman closed the hearing.

Upon motion by Commissioner Fowler, seconded by Commissioner Thorpe, and carried unanimously, the Board denied Application AA-99-12, Louise and Edward Hiett. (Commissioner Thorpe advised he had reviewed the minutes of the PDRB, that in the circle on the map there are fewer mobiles than site-built homes, and felt approval would constitute spot zoning. Commissioner Bartell concurred.) (III-3204/5:55 P.M.)

#2-E.2 AA-99-13, STILLWELL FOR TEALBROOKE GOLF, INC., FROM RUR W/PDO-PARK TO RUR W/PDO-GOLF COURSE

Jenette Collins presented the staff's summary report on AA-99-13, an application to change a previously approved planned development for a major modification of the Master Plan for Citrus Springs Unit 20 to change the subject property from "Park Site" to "Golf Course." She cited the Findings of Fact (shown in supporting documentation), and noted recommendations of approval from both the staff and PDRB.

The Chairman opened the public hearing and asked for anyone in favor.

Clark Stillwell of Brannen, Stillwell & Perrin, asked that the staff report and transcript of the PDRB be made a part of this evening's record (made a part hereof by reference, and filed with the Clerk's agenda). He noted that the park site as is does not meet the County's plan for park sites, suggested the Board should look at a total master plan for the park sites separate and distinct from the one under consideration; explained when the golf course complied with standards at the time it was designed; noted FDCA and the Florida Division of Land Sales agreed it would be a minor modification; stated there were no concurrency issues; advised his client had no control over how to resolve the park sites issues; believed that approval of the application would provide for cleaning up trash, stop the trespass problems, provide for increased security, provide the community with the amenities of a golf course and public access, etc.

Mike Trietly, Vice President of Citrus Springs Civic Assn., noted Citrus Springs residents are well informed and overwhelmingly support the proposal; recommended the Board support the amendment, noted the master plan is woefully out of date; etc. (IV-225)

With no others in favor, the Chairman asked for anyone opposed.

Peter Monteleone, although not opposed, did express concern about whether or not another 107 acres somewhere else would replace the 107 acres being lost to the golf course; demonstrated a sales map (dating to the time when he purchased his property) showing park sites, golf courses, school sites, etc.; commented on dump sites, the golf course being a private/public (for-profit golf course), etc. (IV-45)

Doris Holdread, also not opposed, however did express displeasure about losing the balance of green areas in the community, etc. (V-210)

Virginia Knekleian asked about when the “park site” was designated. The Chairman explained the Citrus Springs Master Plan, when filed years ago, showed park sites and other amenities; advised of the Board’s concern that the 107 acres for a park designated on the Master Plan was now being redesignated as a golf course, resulting in a loss of 107 acres; that the community feels there should have been a trade for a like amount of park acres elsewhere; that the application is a wake-up call for the Board to take steps to preserve the remaining public use sites. Mrs. Knekleian advised many residents oppose a park and the noise, etc., that will be generated.

With no further public comment, the Chairman closed the public hearing.

Upon motion by Commissioner Bartell, seconded by Commissioner Thorpe, and carried unanimously, the Board adopted and authorized the Chairman to sign an ordinance amending Ordinance 90-14, LDC, Atlas, in accordance with AA-99-13, Clark A. Stillwell for Tealbrooke Golf, Inc., RUR w/PDO-Park to RUR w/PDO-Golf Course.

ORDINANCE NO. 99-A28

Upon motion by Commissioner Bartell, seconded by Commissioner Phillips, and carried unanimously, the Board directed Mr. Wesch to send notification to the Officers of the Citony Corporation, the Division of Florida Land Sales, and Housing and Urban Development in Washington, that further applications of this type will not be entertained by the Board unless and until a Master Plan for resolution of this issue is worked out between all of the affected parties. (V-396/6:30 P.M.)

#2-E.3 **AA-99-14, STILLWELL FOR GULF TO LAKES ASSOCIATES, LTD. FROM RUR DISTRICT W/PDO TO PSO DISTRICT**

Mr. Dixon presented the staff summary report on an application to modify an approved Planned Development (PD) to change the classification of property in the area of Lot 4, Block 309 of Pine Ridge Unit 3 from residential use to professional service and office (adjacent to and west of 2155 West Mustang Boulevard) for expansion of the current medical office. He explained that a plat vacation had been filed with the intent to transfer the lots into the Black Diamond Ranch PD and provide for internal access to the new reconfigured lots and create a PSO enclave along CR-491; had advised the area is poorly suited for single-family residential units because of its proximity to CR-491 and the PSO-type uses typically assigned to transitional areas between residences and a commercial corridor. He noted the staff’s only concern dealt with the change not constituting a substantial deviation to the vested status of

Pine Ridge Estates by virtue of the criteria provided by Chapter 380, FS. He advised that the applicant had applied for a binding letter from FDCA which will be required prior to effectuating the land use amendment. He stated the PDRB voted to recommend approval to the Board of County Commissioners with the stipulation that the binding letter be given to staff prior to effectuation of the ordinance.

The Chairman opened the public hearing.

Mr. Stillwell, representing the applicant, asked that the staff report and record of the Board's workshop be made a part of the record (made a part hereof by reference). He responded to statements made by Mr. Bennett at the workshop, expected to have a complete acceptance of the request from FDCA, along with the binding letter by November. He advised that Mr. Bennett is some distance away from the subject property whereas his client controls all the lots in the area of the requested change; explained the purpose of the amendment; noted land uses in the vicinity include a bank to the north, a VFW post, medical offices; believed impacts as far as concurrency would be nominal; etc. (V-670)

With no others in favor, the Chairman asked for anyone opposed.

Robert Bennett presented copies of documents: 1) Correspondence from the Florida Department of Business and Professional Regulation to Dr. Charles Grimes dated 07/27/2999 (sic), along with documents relating to Pine Ridge Estates, and 2) Copy of a binding statement issued by FDBR/Division of Florida Land Sales Order of Registration, Subdivided Land dated 09/14/72. Mr. Bennett felt Chapter 490 was the relative statute; quoted from FDCA letter on the history of the project and recognizing combination of Pine Ridge and Citrus Hills, etc. (V-935)

The Chairman noted that land sales regulations are governed by the State. Mr. Wesch added that the proposed ordinance, if adopted, was drafted so that it would only become effective upon receipt of the binding letter of interpretation from FDCA. Commissioner Bartell added that all of Mr. Bennett's concerns would have to be addressed before a binding letter would be issued. Mr. Wesch clarified that it would be to the extent that the Division of Land Sales chose to address the concerns.

With no further public comment, the Chairman closed the hearing.

Upon motion by Commissioner Fowler, seconded by Commissioner Thorpe, the Board adopted and authorized the Chairman to sign an ordinance amending Ordinance 90-14, LDC, Atlas, in accordance with AA-99-14, Clark A. Stillwell for Gulf to Lakes Associates, Ltd. from RUR District w/PDO to PSO District, with the following:

1. A Binding Letter to the Department of Development Services from the Department of Community Affairs evidencing that the request does not constitute a substantial deviation to the Pine Ridge Estates project as defined by Section 380, Florida Statutes. The letter must be submitted prior to development permitting.
2. Acknowledgement by the applicant of the LDC requirement for placing buffers between the higher intensity use, as proposed, and existing residential uses or parcels.
3. The applicant explains how Tract T-28 has been buffered, and if any further buffering will be added. (This tract lies between Lot 5 and the CR-491 right-of-way.)

Motion carried unanimously.

ORDINANCE NO. 99-A29

(V-980)

#2-F **LAND DEVELOPMENT CODE ATLAS AMENDMENTS**

#2-F.1 **AA-99-11, KENNETH E. CREECH, FROM MDR TO MDR***

Chuck Dixon presented the staff summary report, based in part on DDS Memo PM2-99-150 dated 08/16/99 (filed with Clerk's agenda) on a request to change land use on property

in Homosassa Unit No. 4 from MDR to MDR*; stated that the change would cause further encroachment of a use type that is not consistent with the predominant use of conventional homes in the area; that staff and the PDRB recommended denial; etc.

The Chairman opened the public workshop and asked for persons wishing to speak in favor. With no one in favor and no one opposed, the Chairman closed the workshop. Mr. Wesch advised the final hearing will be held on October 26th.

#2-F.2 **AA-99-16, JAMES W. AND GAYLE W. HARPER, FROM PDR (MULTI-FAMILY) TO PDR (SINGLE-FAMILY)**

Ms. Collins presented the staff summary report based on DDS Memo PM2-99-150 dated 08/16/99, on a proposed amendment to change Lot 7, Block N, Seagrape Street, Cypress Village, Sugarmill Woods, from PDR (multi-family) to PDR (single-family). She advised no concerns had been identified, that the application is consistent with the Comprehensive Plan, presented findings of fact (as shown in supporting documentation filed with the Clerk's agenda), and advised that both the staff and PDRB recommended approval to this Board.

The Chairman opened the public workshop. James Harper spoke in favor. With no others for or against, the Chairman closed the workshop. (V-1140/6:54 P.M.)

#2-F.3 **AA-99-17, OSWALD & LOUISE SANTORO, FROM LDR TO LDR***

Mr. Dixon provided the staff summary report (shown in PM2-99-151 dated 08/18/99 to be filed with the Clerk's 10/26/99 agenda), noted the property is located on the east side of US-41 just south of the CR-480 junction, that the application if approved would change the land designation from LDR District (conventional homes only) to the LDR* District (allowing mobile homes), etc. He stated that the staff and PDRB recommended approval.

The Chairman opened the public workshop and asked for persons wishing to speak in favor. Louise Santoro explained the need to change the zoning. With no others in favor and no one opposed, the Chairman closed the workshop and Mr. Wesch reiterated the application will be back for final hearing on October 26th. (V-1240)

#2-G **CPA/AA-99-23, BURRELL FOR ARBOR LAKES PARTNERSHIP, LTD. (CPA PORTION FROM LDR TO RMU AND AA PORTION FROM LDR/CL TO PDR)**

Mr. Wesch advised CPA/AA-99-23 would include: 1) a Comprehensive Plan amendment, 2) an Atlas amendment, and 3) an Atlas amendment to modify a previously approved Planned Development master plan. After noting that the hearing would be on all three, Mr. Wesch proceeded to read the titles of all three proposed ordinances into the record.

Ms. Collins presented the staff summary report on the three-part request and asked that the staff report and presentation of 09/14/99 be made a part of the record (made a part hereof by reference) for this application: 1) GFLUM: From LDR to RMU; 2) LDC Atlas: From LDR and CL to PDR; and 3) PD Amendment: To provide for a major modification of the approved Planned Development for the Master Plan of Arbor Lakes, thereby amending Ordinances 86-A14 (Z-86-01), 93-A18 (AA-93-04), and 93-A19 (PDRB-AA-93-11).

Ms. Collins advised there had been no changes since the 09/14 workshop; read for the record the findings of fact (shown in supporting documentation); noted the application is consistent with the Comp Plan and related policies of the LDC; stated the change would provide for a RV storage site and additional commercial frontage, as well as allow for a change

in the impervious surface area and buffer requirements; advised that the staff and the PDRB recommended approval with five conditions as shown in the staff report. She explained the number sequences of conditions.

The Chairman opened the public hearing and asked for those in favor.

Troy Burrell, representing the applicant, asked that his 09/14/99 comments to be incorporated by reference, briefly addressed access and buffer issues, etc. (V-1528)

With no others in favor, the Chairman asked for anyone opposed.

Jack Williamson asked for approval of AA-99-23 as it related to RVs, boat storage, and villas; asked the Board to reject the application as to commercial; and finally, asked the Board to rescind the original zone request approved six or seven years ago. Mr. Williamson presented a condensed review of his 09/14/99 video which visually showed concerns about traffic entering and exiting of Arbor Lakes, ingress/egress to the commercial area, etc. (Clerk's note: Tape recorder was turned off during the video tape presentation.) Mr. Williamson also requested a traffic survey in the area.

With no further public comment, the Chairman closed the hearing.

Upon motion by Commissioner Thorpe, seconded by Commissioner Fowler, and carried unanimously, the Board adopted and authorized the Chairman to sign three ordinances, as read into the record by Mr. Wesch:

- 1) amending Ordinance No. 89-04 in accordance with CPA/AA-99-23 (as to CPA portion only); ORDINANCE NO. 99-A30 (as to the CPA portion)
- 2) amending Ordinance No. 90-14 in accordance with application CPA/AA-99-23 (as to the AA portion only); ORDINANCE NO. 99-A31 (as to the AA portion)
- 3) amending Ordinances 86-A14 (Z-86-01), 93-A18 (AA-93-04), and 93-A19 (PDRB-AA-93-11). ORDINANCE NO. 99-A32

Mr. Maidhof added that the developer will have to demonstrate concurrency, comply with the conditions and safety standards, etc. (V-1880/7:10 P.M.)

#2-H **CPA/AA-99-12, FRATERNAL ORDER OF EAGLES (CITRUS AERIE 3992), FROM CL TO GNC AND FROM MXU TO GNC**

Alison Anderson presented the staff summary report, based in part on information found in DDS Memo PM2-99-117 dated 06/27/99, and to be filed with the Clerk's 10/26/99 agenda. She explained the proposed Small Scale Amendment to the GFLUM (from Low Intensity Coastal and Lakes Residential to General Commercial), and a LDC Atlas change (Mixed Use and Coastal and Lakes Residential to GNC) requested in order to allow the Eagles to expand their facility. She explained the request was prompted due to FDOT's four-lane expansion plans for SR-44, etc.; noted there were no conflicts with the Comp Plan, that the staff and the PDRB recommended approval; commented on expansion being for the building and parking, not the use itself (language to that effect is contained in the conditions); etc.

(The Chairman left the meeting and the First Vice Chair assumed the chair.)

The 1st Vice Chairman opened the public workshop and asked for persons in favor.

Walter Wilson, for FOE, noted the need to expand their kitchen facility and meeting room; pointed out that their purpose is to earn money for charities.

With no others in favor, the First Vice Chairman asked for anyone opposed.

George Radloff spoke in opposition, commenting on the widening/improvement of SR-44, explained that parking is not going to be a problem, that the character and stability of the residential area will not be preserved, etc.

The Chairman returned to the meeting.

Commissioner Thorpe noted the area is mixed use; Mr. Radloff pointed out that there is a residential area around it.

With no further public comment, the Chairman closed the workshop, and Mr. Wesch advised the final hearing for the application will be held on October 26th. (V-2300/7:20 P.M.)

#2-I **CPA/AA-99-25, CITRUS HILLS INVESTMENT PROPERTIES (CHIP)**

Mr. Wesch advised of a conflict insofar as he at one time was employed by CHIP, excused himself from the meeting.

Mr. Maidhof read the titles of the two ordinances to be considered under CPA/AA-99-25, after which Ms. Anderson presented the staff summary report on a proposed Small Scale Amendment to the Comprehensive Plan (from LDR to PSO) and Land Development Code Atlas change (LDR to PSO) for redesignation for a medical professional building in Lecanto. (Summary based on supporting documentation filed with the Clerk's agenda.) She pointed out that the property to the west of Allen Ridge is General Commercial on both the LDC and GFLUM; that access will probably be via CR-491. Mr. Dixon explained to Commissioner Bartell that the property to the west is designated GNC on both maps, is owned by the applicant, that the access issue was discussed at PDRB hearing, and that the applicant had advised of his client's probable intent to look at connecting the development with the other offices.

The Chairman opened the public hearing and asked for anyone in favor.

Troy Burrell, speaking on behalf of Avis Craig, advised that the client owns the parcel about which Commissioner Bartell asked, and that they will retain a 100' buffer.

With no others in favor and no one opposed, , the Chairman closed the hearing.

Upon motion by Commissioner Bartell, seconded by Commissioner Thorpe, and carried unanimously, the Board adopted and authorized the Chairman to sign the following ordinances:

- 1) amending Ordinance No. 89-04, in accordance with **CPA/AA-99-25** (as to CPA portion only); and **ORDINANCE NO. 99-A33** (as to the CPA portion)
- 2) amending Ordinance No. 90-14, in accordance with **CPA/AA-99-25** (as to the AA portion only). **ORDINANCE NO. 99-A34** (as to the AA portion).

Mr. Wesch returned to the meeting. (V-2630/7:30 P.M.)

#2-J **CPA/AA-99-26, CLARK A. STILLWELL, REPRESENTING ASHEVILLE PARTNERS, INC., FROM PSO TO GNC**

Mr. Wesch presented opening comments on a small scale amendment to the Comp Plan (from PSO to GNC) and the LDC Atlas (from PSO to GNC).

Ms. Collins presented the staff summary report on the proposed PD Overlay to provide for a major modification of a vested master plan of development for Golden Gate Center that is subject to the terms and conditions of Ordinance No. 94-A07 (AA-94-01) and

effectively modifying Ordinance No. 93-A14 (PDRB-AA-93-08) by redesignating that part of Block B1 of the Atlas of the LDC from PSO to GNC to provide for a drugstore use having 13,905 square feet of gross leasable area, and would replace the formerly approved use of a convenience store. She asked that the staff's written report be made a part of the public record for the application; that no agency or written comment had been received to date; etc. She read into the record the Findings of Fact (shown in the staff report filed with Clerk's agenda of 10/26/99); advised that the staff recommended approval subject to two conditions and that the PDRB on 09/16/99 recommended approval of both amendments, with the two conditions.

The Chairman opened the public workshop and asked for anyone in favor and opposed. There being no one present other than staff and video company employees, the Chairman closed the public workshop. (V-2875/7:32 P.M.)

#2-K **OA-99-04, CHAPTER 4, ACCESS MANAGEMENT**

Mr. Wesch read title of proposed ordinance, after which Mr. Maidhof presented the staff report on:

- 1) consolidation of access management regulations into one section (Section 4220),
- 2) establishment of criteria for access management on county controlled roadways (specific language for CR-486), and
- 3) establishment of a functional classification map within the LDC which separates two types of a minor collector (Connector Collector and Neighborhood Collector).

He addressed the three issues raised at the last hearing:

- ⇒ **Section 4222B:** Suggestion was to clarify language regarding "gated communities." He noted the staff recommended including language: "including but not limited to gated communities."
- ⇒ **Section 4225, Chart on 4-7:** Changed the chart to make it much more understandable.
- ⇒ **New Functional Classification Map:** Was recommended that it be adopted by resolution. Mr. Maidhof respectfully requested that the map be adopted as part of the ordinance, and when changes are needed, that they be adopted in like manner.

Mr. Maidhof explained that both staff and the PDRB recommended approval.

The Chairman opened the public hearing and asked for anyone in favor. There being no persons present other than staff and cablevision crew members, the Chairman closed the public hearing.

Upon motion by Commissioner Bartell, seconded by Commissioner Batchelor, and carried unanimously, the Board adopted and authorized the Chairman to sign an ordinance amending Ordinance No. 90-14, Chapter 4, Access Management, iaw OA-99-04.

ORDINANCE NO. 99-A35

(V-3050/7:37 P.M.)

With no other business to come before the Board, and after announcing the upcoming meetings, the Chairman adjourned the meeting.

ATTEST: _____, Clerk

_____, Chairman