



DRAFT SUMMARY MINUTES OF THE REGULAR MEETING  
OF THE PLANNING COMMISSION  
VENETIAN CENTER  
THURSDAY, FEBRUARY 18<sup>TH</sup>, 2021 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, February 18<sup>th</sup>, 2021, at Venetian Center.

Chairman Ted Bowersox called the meeting to order at 4:30 p.m.

The following Commission members were present:

Ted Bowersox - Chairman  
Tim Sennett – Vice-Chairman  
Frazier Marshall  
John O’Kelley  
Michael Fitzpatrick  
Chris Wood  
Alfred Haliday  
Nathaniel Sanders

The following Commission members were absent:

Ze’Shieca Carter

City staff in attendance included Dan Miller, Planning & Zoning Manager, Sabrina Mitchell, Administrative Assistant II, Careylee Simonds, Planner, Christine Rock, Senior Planner, Kandi Harper, Senior Planner, and City Attorney Fred Morrison was also present.

The meeting opened with an invocation given by Chairman Bowersox, followed by the Pledge of Allegiance to the Flag.

Dan Miller informed the audience of the rules of participation and the need to sign the speaker’s registry. He also informed Commissioners and the audience that the City Commission meeting dates are tentatively scheduled.

**DRAFT SUMMARY MINUTES OF THE PLANNING COMMISSION MEETING FOR THURSDAY, JANUARY 21<sup>ST</sup>, 2021**

Chairman Bowersox stated in the record for the January Planning Commission meeting minutes a correction needs to be made on the name of who called the meeting to order and a motion made with changes.

**Commissioner Sennett moved to APPROVE the draft minutes from the JANUARY 21<sup>ST</sup>, 2021 meeting with changes made on the name of who called the meeting to order. Commissioner Marshall SECONDED the motion, which PASSED by a vote of 7- 0.**

Sabrina Mitchell swore in staff as well as anyone in the audience wishing to speak.

Chairman Bowersox called for the first case under new business be brought forward.

**NEW BUSINESS**

**1. PUBLIC HEARING CASE # SPUD-20-294 – SMEDLEY GARAGE – SMALL PLANNED UNIT DEVELOPMENT**

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 0.28 +/- ACRES FROM C-1 (NEIGHBORHOOD COMMERCIAL) TO SPUD (SMALL PLANNED UNIT DEVELOPMENT) TO ALLOW FOR MECHANIC SHOP FOR A PROPERTY GENERALLY LOCATED NORTH OF WEST MAIN STREET AND WEST OF LONE OAK DRIVE AS LEGALLY DESCRIBED IN SECTION 27, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, MARCH 8, 2021 AND SECOND READING ON MONDAY, MARCH 22, 2021)** (Smedley Garage)

Dan Miller introduced case number #SPUD-20-294 – Smedley Garage – Small Planned Unit Development into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Mr. Miller gave a background and explanation of the subject property, location current zoning, requests, and went over the (PUD) Planned Unit Development zoning, permitted uses and conditions.

Kandi Harper utilized a power point presentation to demonstrate the area of the proposed site for the case.

Department Review Summary: This case was sent out to all the different departments for review, no substantive comments made by any of the departments on this matter. Under public responses

we received a significant amount of public feedback, including a form of a petition, and major concern by neighbors to west; church school there.

Mr. Miller read the Staff Recommendations for the case into the record; Staff recommended approval.

Chairman Bowersox stated if the applicant has anything to address the Commission.

Chairman Bowersox stated if any Commissioners have questions of this proposal.

Chairman Bowersox stated any questions from the public for or against this proposal, and entertained a motion, then the voting took place.

**Commissioner Sennett made a MOTION for APPROVAL of case # SPUD-20-294 – SMEDLEY GARAGE – SMALL PLANNED UNIT DEVELOPMENT Commissioner Wood SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 7- 0.**

Chairman Bowersox called for the second case under new business be brought forward.

**2. PUBLIC HEARING CASE # VAR-20-302 – T5 LEESBURG – VARIANCE**

REQUEST FOR A VARIANCE FROM SECTION 25-329 LANDSCAPE BUFFER REQUIREMENT OF THE CITY OF LEESBURG CODE OF ORDINANCES FOR REDUCED INTERIOR BUFFERING FROM ADJACENT PROPERTY FOR A PROPERTY CONTAINING APPROXIMATELY 1.2 +/- ACRES, GENERALLY LOCATED SOUTH OF U.S. HIGHWAY 441 AND EAST OF HAVEN COURT AS LEGALLY DESCRIBED IN SECTION 23, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA. **(FINAL DECISION BY PLANNING COMMISSION)** (T5 Leesburg)

Dan Miller introduced case number #VAR-20-302 – T5 Leesburg – Variance into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Mr. Miller gave a background and explanation of the subject property, location current zoning, went over specific criteria for a variance, and reviewed the proposed site plan.

Kandi Harper utilized a power point presentation to demonstrate the area of the proposed site for the case.

Department Review Summary: This case was sent out to all the different departments for review, Under the Departmental Review Summary, Electric department noted that there will be an electric line that needs to be moved, and asked to be contacted prior to submitting a site plan. Public responses no comments from the public.

Mr. Miller read the Staff Recommendations for the case into the record; Staff recommended Denial of this request based on the specific wording in the City of Leesburg Code of Ordinances. However, given the specific situation, the request does not create a negative impact to surrounding property owners. This is entirely an interior variance to the property, Therefore Staff does not object to the Approval of this variance for the subject property to allow a reduced setback as requested by the applicant. Mr. Miller stated with the additional landscaping toward the center front and the center rear by the drive isles; enough landscaping to buff it up; taking landscaping where it would have in the code; useful position; development. By code we have to do our job; six criteria and the Board has the ability to say this okay; Staff has no objections.

Commissioners and Mr. Miller discussed landscaping; irrigated, request a variance; landscape , request for a set-back variance; construction of a new building, how far apart; buildings, Dan Miller replied looking at the current conditions of the building; built tightly together and the Play Again Sports will come down and reviewed site plan; presented, total square footage; footprint of landscape; similar, Mr. Miller replied it may actually be larger; standard 10' at least that or larger.

Ryan Rinardo, Civil Engineer with Forsite Group 10150 Holland Manor Drive, Suite 210 Tampa, Florida 33610 addressed questions from the Commissioners and stated the landscape will be irrigated, does not include a set-back variance, the buildings will be about 54' apart when you add the two sidewalks and driveway, the total square footage will not be exactly the same; similar, and went over site plan with Commission.

Chairman Bowersox asked Fred Morrison, City Attorney have Staff worded this, so were not setting a precedence down the road anywhere. Fred Morrison replied from a technical legal perspective no land use case sets a binding precedence for any future case; case laws says; doesn't set a precedence and that's because each piece of property is deemed to be unique and each set of circumstances is unique, so you can't necessarily say that what's done here even applies to another parcel; it looks to be particularly true on this one, it was built along time along for a different purpose under a different set of rules; stuck with what's there.

Chairman Bowersox stated if the Commission have any questions of the applicant or engineer.

Chairman Bowersox stated if anyone from the public would like to speak toward the case.

Chairman Bowersox stated if the Commission have any questions of the applicant.

Chairman Bowersox closes the discussion from the public.

Kandi Harper stated for the record the quote from the land development code should read 329(c) instead of 229; landscape buffers between parcels. Mr. Miller stated under the request on the recommendations page. Chairman Bowersox stated with motion please make that known.

Chairman Bowersox entertained a motion, and then the voting took place.

**Commissioner O'Kelley made a MOTION for APPROVAL of case # VAR-20-302 – T5 LEESBURG – VARIANCE with notation that section in the Code be**

**changed to 329 (c) Commissioner Fitzpatrick SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 7- 0.**

Chairman Bowersox called for the third case under new business be brought forward.

**3. PUBLIC HEARING CASE # CUP-21-5 – AMELIA WOODS –  
CONDITIONAL USE PERMIT**

REQUEST FOR A CONDITIONAL USE PERMIT IN THE R-2 (MEDIUM DENSITY RESIDENTIAL) ZONING DISTRICT, PER SECTION 25-284 DISTRICT USE REGULATIONS, TO EXTEND THE EXISTING CONDITIONAL USE PERMIT FOR DUPLEX DEVELOPMENT, FOR A PROPERTY CONTAINING APPROXIMATELY 1.88 +/- ACRES, GENERALLY LOCATED WEST OF LUCAS STREET AND SOUTH OF NEELY DRIVE, AS LEGALLY DESCRIBED IN SECTION 27, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(FINAL DECISION IS BY THE PLANNING COMMISSION)**  
(Amelia Woods)

Dan Miller introduced case number #CUP-21-5 – Amelia Woods – Conditional Use Permit into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Mr. Miller gave a background and explanation of the subject property, location current zoning, requests, and went over site plan.

Kandi Harper utilized a power point presentation to demonstrate the area of the proposed site for the case.

Department Review Summary: This case was sent out to all the different departments for review, Under Department Review Summary, Electric Department noted that easements will be required and Public Works Department noted that the site is near the old city land fill, which includes heavy equipment operations and Fire Department training; they wanted to put that on the record; noise issue. Public responses no comments from the public.

Mr. Miller read the Staff Recommendations for the case into the record; Staff recommended approval.

Chairman Bowersox stated if Commission have any questions for Staff.

Chairman Bowersox expressed concern regarding the color where Gator Pond; doesn't show multi-family; on the zoning. Mr. Miller stated we would look into it for you.

Chairman Bowersox any other questions for the applicant.

Chairman Bowersox stated if any discussion from the Commission.

Chairman Bowersox entertained a motion, and then the voting took place.

**Commissioner Sennett made a MOTION for APPROVAL of case # CUP-21-5 – AMELIA WOODS – CONDITIONAL USE PERMIT Commissioner Wood SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 7- 0.**

**DISCUSSION**

None.

**ANNOUNCEMENTS**

Dan Miller stated he introduced Careylee as Murray, that's incorrect it's Careylee Simonds, also announced we have a new Senior Planner; Christine Rock who just started with us three weeks ago and she is doing a good job, and discussed the cases for the March 18<sup>th</sup> Planning Commission meeting.

Motion made to adjourn meeting by Vice-Chairman Sennett.

**ADJOURNMENT**

Approximately 5:07 p.m.

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Ted W. Bowersox, Chairman

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Sabrina Mitchell, Administrative Assistant II