Modified Agenda
City of Dunnellon
Planning Commission Meeting
20750 River Drive, Dunnellon, FL 34431
April 19, 2016
5:30 p.m.

PLEASE NOTE: Individuals wishing to address Planning Commission please sign in. A three-minute time limit will be administered. PLEASE TURN CELL PHONES OFF.

Call to Order

Pledge of Allegiance

Roll Call

Proof of Publication (Posted on City's website and City Hall bulletin board on Thursday, April 14, 2016) Item #6 added to agenda. Backup added to Item #5.

1. Approval Of Minutes

   Meeting Minutes 3/16/2016 (To Be Provided)

2. Chairman's Report From City Council

3. Quasi-Judicial Hearing - Site Plan SPL2016-01/PZ1516-045, Ziegenfuss For Dunnellon Real Estate LLC
   Chair to close regular meeting and open Quasi-judicial Hearing
   Swearing in of all persons who will give testimony
   Commission members to disclose Ex-parte Communication
   Commission members to disclose Conflict of Interest
   Staff Presentation
   Applicant Presentation
   Chair to close Quasi-judicial Hearing and reopen regular meeting

   Documents: Wendys PC Site Plan PKT.pdf

4. Resolution 2016-11 Request For Site Plan Approval #SPL2016-01, Ziegenfuss For Dunnellon Real Estate LLC
   Site Plan for Wendy's Restaurant with Drive-thru
   Resolution #RES2016-11 Request And Recommendation For Site Plan Approval *Proposed Motion*

   Documents: 2016-11 Wendys Site Plan Planning Commission RESOLUTION.pdf

5. Comprehensive Plan Consistency Review
   Little League Ball Field, review and letter for application of sublease for Board of Trustees of the Internal Improvement Trust Fund of the State of Florida *(Staff Report to be Provided)*

   Documents: Staff Report Ballfield Sublease.pdf, Letter Of Consistency.pdf, Sublease Application.pdf

6. LOTS OF RECORD

7. Public Input

8. Adjournment

ANY PERSON REQUIRING A SPECIAL ACCOMMODATION AT THIS MEETING OR HEARING BECAUSE OF A DISABILITY OR PHYSICAL IMPAIRMENT SHOULD CONTACT THE CITY CLERK AT (352) 465-8500 AT LEAST 48 HOURS PRIOR TO THE PROCEEDING. IF A PERSON DESIRES TO APPEAL ANY DECISION WITH RESPECT TO ANY MATTER CONSIDERED AT THE ABOVE MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY IS NOT RESPONSIBLE FOR ANY MECHANICAL FAILURE OF RECORDING EQUIPMENT.

CITY OF DUNNELLON
STAFF REPORT

APPLICATION INFORMATION

DATE OF HEARING: April 19, 2016

REQUEST FOR APPROVAL OF: Site Plan as submitted

PUBLIC HEARING: Quasi-Judicial

PROJECT NAME: Wendy's Restaurant w/drive-thru

PROJECT NUMBER: SPL 2016-01, PZ1516-045

PROJECT REPRESENTATIVE(S):
Applicant: Robert Ziegenfuss
Property Owner: Dunnellon Real Estate LLC

PROPERTY LOCATION:

Project Address(es):	Parcel ID Number(s):
11191 N. Williams Street	33639-006-01
Dunnellon, FL 34432	33639-006-02

PARCEL SIZE: .78 Acres

EXISTING FUTURE LAND USE MAP: Commercial

EXISTING ZONING: B-4

EXISTING USE: Restaurant/Car Wash - Inactive

STAFF EVALUATION AND FINDINGS

1. REQUEST:

- The Applicant is seeking approval of a site plan pursuant to Land Development Regulations, Appendix "A", Zoning, Section 9.2(15) and (16) and Sections 9.3-1 for a Restaurant on the subject property.

2. REVIEW REQUIREMENT:

Appendix A – Zoning, Section 9.2

15. *Site development plan approval.*

B. *Contents.* The site development plan required to be submitted under subsection A above and the requirements of these zoning regulations shall include the following elements, where applicable:

(1) Statement of ownership and control of the proposed development.

(2) Statement describing in detail the character and intended use of the development.

(3) A dimensioned site plan based on exact survey of the property drawn to scale of sufficient size to show (a) exact location of all buildings and structures, (b) all means of ingress and egress, (c) all screens and buffers, (d) off-street parking and loading areas, (3) refuse collection areas, (f) access to utilities hook-up, and (g) natural features such as streams, lakes, or other topographic features.

(4) Storm drainage and sanitary sewage plans.

(5) Architectural definitions for buildings in the development; exact number of dwelling units, sizes and types, together with typical floor plans of each type.

(6) Plans for recreation facilities, if any, including buildings for such use.

(7) A determination of radon emissions level.

(8) Such additional data, maps, plans or statements as may be required for the particular use or activity involved.

(9) Such additional data as the applicant may believe is pertinent to the site development plan. Items (3), (4), and (5) above shall be prepared by a registered surveyor, engineer, or architect or practicing land planner as may be appropriate to the particular item.

16. *Duties of planning commission in site development plan approval.* Certain uses permitted in zoning districts, as shown on the schedule of district regulations, require approval by the planning commission of a site development plan prior to the issuance of building permits by the building official. In reaching decision as to whether or not the site development plan as submitted should be approved with a directive to the building official to issue building permits, the planning commission shall follow the procedure set out in subsection 14 [15] of this section and shall be guided in its decision by the following standards and shall show in its record that each was considered where applicable:

A. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety, traffic flow and control, provision of services and servicing for utilities, and access in case of fire or catastrophe.

B. Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent properties and the consequences of such drainage on overall city capacities.

C. Conditions on ownership, control and use generally, and conditions on ownership, control, use, and maintenance of open space or common lands to insure preservation of such lands for their intended purposes.

D. Utilities, with reference to hook-in locations and availability and capacity for the use projects.

E. Off-street parking and loading areas, with attention to automotive and pedestrian safety, traffic flow and control, access in case of fire and catastrophe, and screening and landscaping.

F. Recreation and open spaces, with attention to the location, size, and development of the areas as to adequacy, effect on privacy of adjacent and nearby community-wide open spaces and recreation facilities.

G. Density and/or purpose of the development, with attention to its relationship to adjacent and nearby properties.

H. General site arrangement, amenities, and convenience, with particular reference to insuring that appearance and general layout of the proposed development will be compatible and harmonious with properties in the general area and will not be so at variance with other development in the area as to cause a substantial depreciation of such property values.

I. Loss of pervious surfaces with attention to the lowering of recharge capabilities and increasing runoff.

J. Such other standards as may be imposed by these zoning regulations for the particular use of activity involved.

K. Consistency with neighborhood and historical character.

3. BACKGROUND:

In 1993 the subject property was originally used for a Checkers restaurant. In 2002 a car wash was built on the adjacent property 33639-006-01. The two parcels have been purchased and a new Wendy's restaurant is being proposed for the combined site. The applicant submitted a conceptual site plan for an initial feasibility determination. A pre-application meeting was conducted and it was determined that a landscape buffer depth variance would be required. Planning council and City council both approved a workable landscape buffer dimension.

The applicant has now submitted a site plan for review and approval for a 2,247 S.F. Restaurant on the subject property.

4. COMPREHENSIVE PLAN:

FUTURE LAND USE ELEMENT GOALS, OBJECTIVES, AND POLICIES

Policy 1.4:
The **Commercial** land use category includes retail, entertainment, eating establishments, offices, medical facilities, personal services, trade services, wholesale and discount establishments, storage facilities, lodging establishments, recreational vehicle parks, fueling facilities, rental establishments, religious facilities, and facilities for repair and maintenance of vehicles and equipment. The maximum impervious surface is 65 percent and the maximum building height is forty (40) feet.

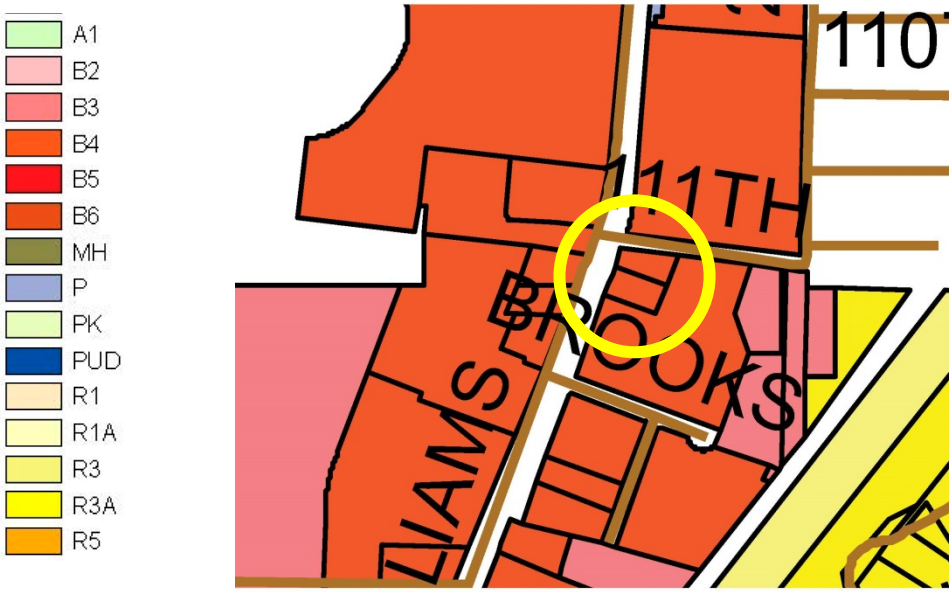
The subject property is located in the land use designation of Commercial.

Site Area is 34,274 S.F. Impervious area is 20,871 S.F. = **ISR 60.9%**
Proposed Building height - **24 feet**

The Zoning classification is B-4 and is one of the permitted classifications in this land use category. The nature and type of building development is not considered inconsistent with the comp plan.

Future Land Use Map (below)

Zoning Map (below)



5. REVIEW OF APPLICATION:

Relevant Sections of the Code

Article V Section 5.3(18) - **Amount of off-street parking.**

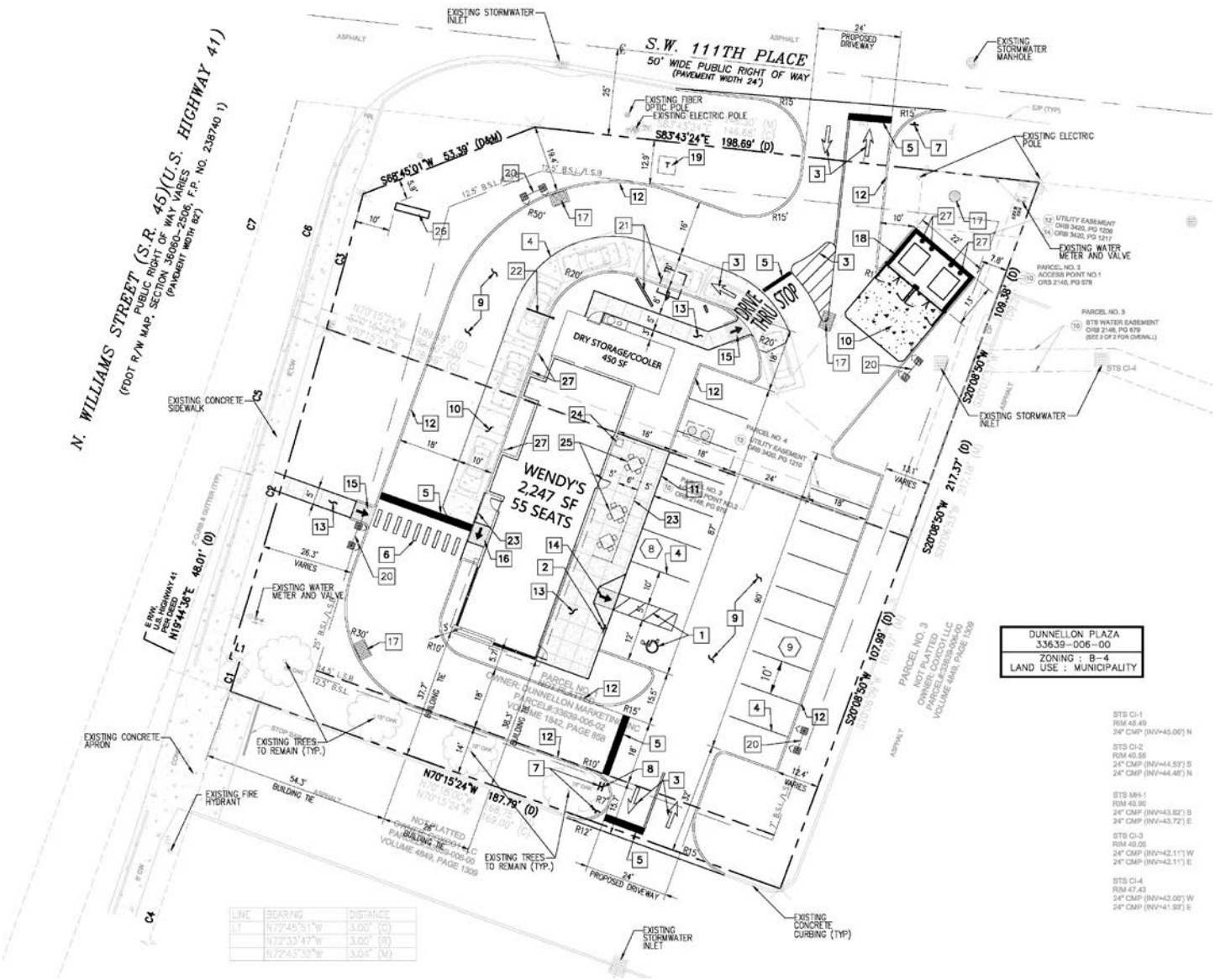
The off-street parking required by this article shall be provided and maintained on the basis of the following minimum requirements:

> 18. Restaurants, bars, beer gardens, clubs, nightclubs: One parking space for each **four seats** in the rooms for customer service.

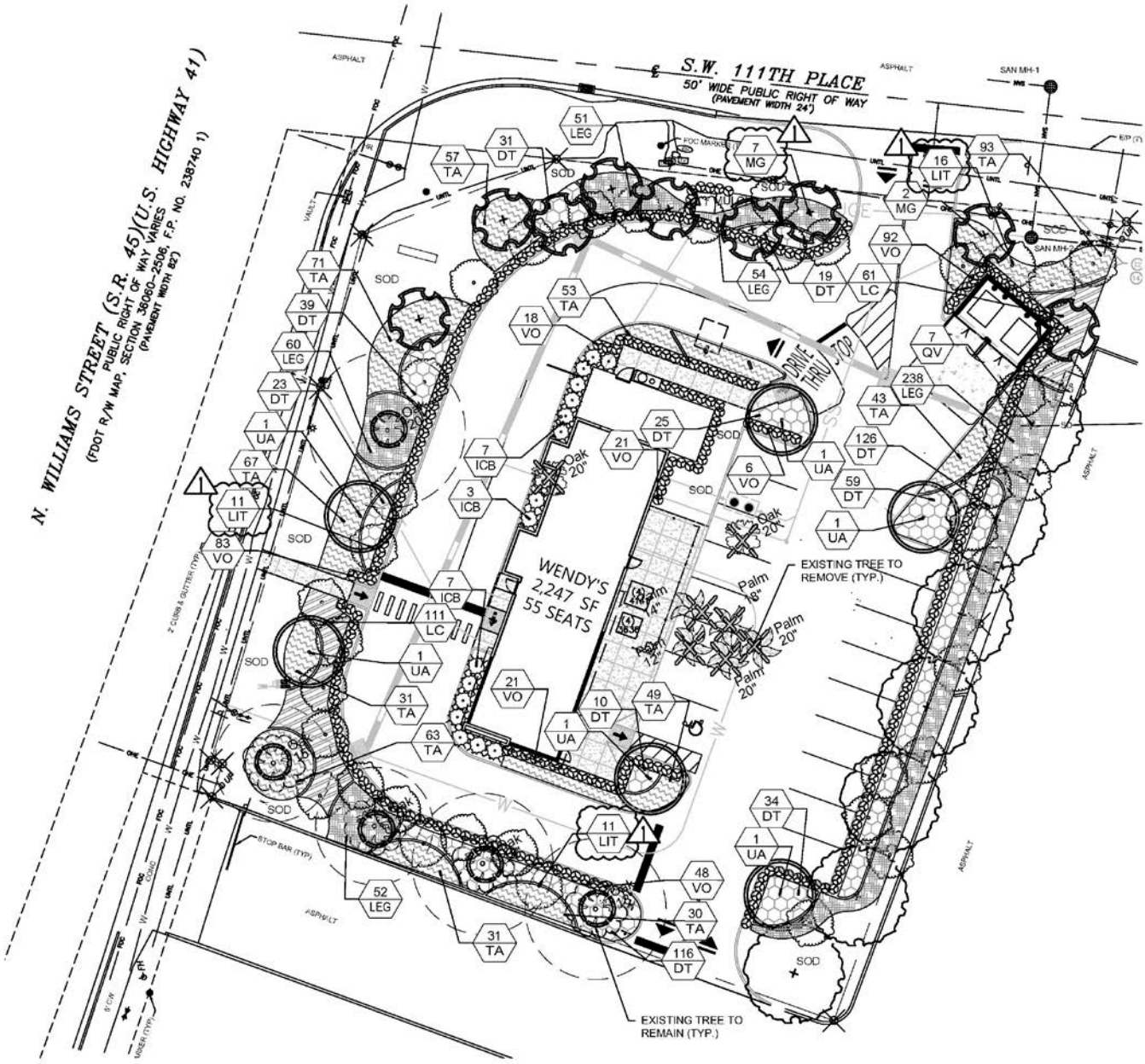
Building seating capacity 55 (indoors) + 12 (outdoors) = 67 seats divided by 4 = 16.75 required
17 spaces have been provided

The Applicant meets the off-street parking requirements as set forth above.

Wendy's Site Plan



Landscape Plan



	Front	Sides	Rear
Landscape Buffer Variance	25ft	12.5ft	7ft
Landscape Buffer Provided	**26.3ft**	**12.9/14.5ft**	**7.8ft**

The Applicant meets the landscape buffer variance requirements as set forth above.

Duties of planning commission in site development plan approval

A. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety, traffic flow and control, provision of services and servicing for utilities, and access in case of fire or catastrophe.

Response: Addressed on sheet C-1 of the site plan

B. Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent properties and the consequences of such drainage on overall city capacities.

Response: Addressed on sheet C-3 of the site plan

C. Conditions on ownership, control and use generally, and conditions on ownership, control, use, and maintenance of open space or common lands to insure preservation of such lands for their intended purposes.

N/A

D. Utilities, with reference to hook-in locations and availability and capacity for the use projects.

Response: Addressed on sheet C-2 of the site plan

E. Off-street parking and loading areas, with attention to automotive and pedestrian safety, traffic flow and control, access in case of fire and catastrophe, and screening and landscaping.

Response: Addressed on sheet C-1and L-1 of the site plan

F. Recreation and open spaces, with attention to the location, size, and development of the areas as to adequacy, effect on privacy of adjacent and nearby community-wide open spaces and recreation facilities.

N/A

G. Density and/or purpose of the development, with attention to its relationship to adjacent and nearby properties.

Response: Addressed on sheet C-V of the site plan

G. General site arrangement, amenities, and convenience, with particular reference to insuring that appearance and general layout of the proposed development will be compatible and harmonious with properties in the general area and will not be so at variance with other development in the area as to cause a substantial depreciation of such property values.

Response: Addressed in the body of this report

H. Loss of pervious surfaces with attention to the lowering of recharge capabilities and increasing runoff.

Response: Addressed on sheet C-0 and C-3 of the site plan

I. Such other standards as may be imposed by these zoning regulations for the particular use of activity involved.

N/A

J. Consistency with neighborhood and historical character.

Response: Addressed in the body of this report

6. STAFF RECOMMENDATION:

Staff recommends the Planning Commission recommend City Council to approve the site plan as presented.

Dunnellon Fire/Rescue
12014 S. Williams ST
Dunnellon, FL 34432
352-465-8595

DUNNELLON FIRE RESCUE DEPT PZ1516-045

March 31, 2016

To: Building Department

From: Interim Chief Troy Slattery

Ref: Wendy's Restaurant

Conceptual Site Plan

1. The Parking lot lane located to the East side shall be maintained at not less then 20 ft width with a vertical clearance not less then 13 ft 6 in. This is to qualify as the Fire Dept. access road.
2. During demolition and construction operation, an adequate level of fire safety shall be implemented. Included but not limited to fire extinguishers on site and removal of combustible debris.
3. All other components of the site plan appear to be adequate at this time.
4. No other comments.

Troy Slattery

Dunnellon Fire Rescue

To Save Life and Property

RECEIVED
MAR 15 2016
CITY OF DUNNELLON
COMMUNITY DEVELOPMENT

City of Dunnellon
Planning and Zoning Application

Date: 3/10/16 Application No.: PZ1516-045

Applicant Name: Robert Zieglentuss Phone# 407 271 8910
Address: 108 E. Colonial Dr. 900 Fax # 407 442 0604
Orlando FL 32803 Email Address:

Applicant is: ☐ Owner ☑ Agent ☐ Purchaser ☐ Lessee ☐ Other

Owner(s) Name: Dunnellon Real Estate LLC Phone # 561-997-6002
Address: 6401 Congress Ave #100 Fax # N/A
Boca Raton FL 33487 Email Address: jmercado@jacrestgroup.com

Application Type

- ☐ Annexation
- ☐ Lot Line Deviation
- ☑ Site Plan Review
- ☐ Final Plat
- ☐ Road/Easement Vacation
- ☐ Rezoning
- ☐ Variance-Residential
- ☐ Preliminary Plat Review
- ☐ Special Exception Use
- ☐ Concurrency Review
- ☐ Comprehensive Plan Amendment
- ☐ Administrative Appeal
- ☐ Variance-Commercial
- ☐ Construction Plan Review
- ☐ Planned Unit Development
- ☐ Other:

Reason for Request: Site plan renew

Project Title (Site Plans, future/existing subdivisions only): Wendy's

Property Address: 11191 N. Williams St. Property Size (acres): 0.34

Parcel ID Number: 331639-006-01

Existing Use of Property: Car wash

Existing Zoning: B4 Current/Future Land Use: Commercial

Current number of structures on the property: 2

Type of structure(s) on property (house, shed, etc.): Car wash / fast food restaurant

Proposed Use of Property: Fast food restaurant

Proposed Zoning: B4 Proposed Land Use: Commercial

Please Explain Your Request for the Proposed Zoning and/or Future Land Use:

N/A

What utilities currently exist on the site?

☑ Water ☑ Sewer ☐ Well ☐ Septic ☐ None

What utilities are proposed to be used?

☑ Water ☑ Sewer ☐ Well ☐ Septic ☐ None

Have any previous applications been filed within the last year in connection with this property?

☑ Yes ☐ No

If yes, please describe and give Application Numbers: N/A

Submittal Requirements: Check Box For Each Item You Are Attaching

All Applications MUST provide the following:

☐ **Required advertising to placed in: ☐ Riverland News (default) ☐ Ocala Star Banner (expedited)**

☑ Completed Planning & Zoning Application

☑ Copy of the Recorded Deed(s) for the property

☑ Copy of Property Record Card(s) (Available online at http://www.pa.marion.fl.us)

☑ Owner's / Agent's Affidavit (Last page of this Application)

All Applications MUST provide the following upon request by the City:

☐ Lot Plan

☐ Survey of the Property

☐ Diagram

Specific Attachments:

☐ Annexation: Complete Electronic Legal Description in MS Word Format
Annexation Letter (sample attached)

☐ Large Scale Comprehensive Plan Amendment (LSCPA): Complete Electronic Legal Description in MS Word Format

☐ Variance: Survey of property detailing variance request

☐ Special Exception: Survey of property detailing special exception request

☑ Site Plan Approval: 7 copies of site plan and 1 electronic copy

☐ Preliminary Plat Application: 7 copies of site plan and 1 electronic copy

☐ Construction Plan Approval: 3 copies of site plan and 1 electronic copy

☐ Final Plat Application: 7 copies of site plan and 1 electronic copy

☐ Road / Lot / Parcel / Plat / Easement Vacation: Survey detailing request

☐ Planned Unit Development (PUD) Zoning: 7 copies of site plan and 1 electronic copy

☐ Other: _____

ONLY CONCURRENT ANNEXATION, REZONING, AND COMPREHENSIVE PLAN AMENDMENTS ARE ALLOWED ON A SINGLE APPLICATION

ADDITIONAL INFORMATION: PLEASE READ

The applicant is requested to be present during the public hearing before the Planning Commission and City Council. Although a city employee may be present, they are there to give advice and answer questions only. If for any reason you cannot attend the scheduled meeting, please contact the Community Development Department at (352) 465-8500. Your application may be tabled until a new public hearing can be scheduled and advertised.

Fee Schedule

Application Fees are required at the time the application is submitted.

	Voluntary Annexation	$500.00
	Re-zoning	$500.00
	Small Scale Comprehensive Plan Amendment ≤ 10 acres	$1,200 .00
	Large Scale Comprehensive Plan Amendment > 10 acres	$2,500 .00
	Variance	$500.00
	Special Exception Use	$750.00
	Vacation of Plat	$750.00
	Abrogation	$750.00
	Concurrency Application	$1,000.00
	Developer's Agreement	$6,000.00
	Amendment to Developer's Agreement	$3,000.00
	Site Plan	
	First 10,000 square feet	$250.00
	Each Additional 10,000 square feet or portion thereof	$150.00 (maximum of $2,500.00
	Minor Site Plan Review (Improvements to existing site)	$500.00
	Subdivisions	
	Pre-Conceptual Plan Fee	$300.00
	Preliminary Plat	
	First 15 lots	$250.00
	16 lots or more	$500.00
	Plus (per lot or parcel)	$25.00
	Improvement (Construction) Plan Review	$600.00
	Plus (per 100 feet of roadway)	$30.00
	Final Plat	
	First 15 lots	$250.00
	16 lots or more	$500.00
	Plus - per lot or parcel	$25.00
	PUD (Required if Site Plan Approval was not part of the PUD Comp Plan Amendment	$2,500.00
	Admin Appeal to the City Council	$250.00
	D.R.I.	$15,000.00
	Written Zoning Verification	$50.00
	Admin Fee	$50.00

The applicant shall pay all costs of advertising and other fees, including attorney fees in accordance with the City of Dunnellon Code of Ordinances, Chapter 94, Planning, Article II, Planning Commission, Section 94.37 (16).

Prior to Application Hearing before City Council ALL Incurred Fees to date MUST Be Paid to the City Clerk's Office. If you have any questions regarding any outstanding fees, please contact the City Clerk's office at (352) 465-8500.

Fees Are Non-Refundable, Unless The Application Is Withdrawn, In Writing, Within Five (5) Business Days Of Submittal (Not Including City-Observed Holidays), Unless Otherwise Approved By The City Manager Or By Majority Vote Of The City Council.

Applicant _____ Date 3/10/14

PZ1516-045
wendy

MISCELLANEOUS PAYMENT RECPT#: 467208
CITY OF DUNNELLON
20750 RIVER DRIVE
DUNNELLON FL 34431-0000

Site Plan

DATE: 03/15/16 TIME: 16:36
CLERK: 81271bar DEPT:
CUSTOMER#: 0

COMMENT: Z DEVELOPMENT/PZ1516

CHG: 32201 PERMIT ADMINIST 550.00

AMOUNT PAID: 550.00

PAID BY: Z DEVELOPMENT SERVIC
PAYMENT METH: CHECK
2554
REFERENCE:

AMT TENDERED: 550.00
AMT APPLIED: 550.00
CHANGE: .00

Property Owner & Agent Affidavit

Date: 3/10/16

Before me, the undersigned authority personally ~~appeared~~, Jhonny Mercado (property owner's name), who being by me duly sworn on oath, deposes and says:

1. That said authority is the fee-simple owner of the property legally described in this application.

2. That said authority desires to: obtain permits

3. That said authority (property owner) has appointed Robert Ziegenfuss (agent's name) to act in his behalf to accomplish the above, and before me the undersigned **authorized** agent **personally** appeared and being by me duly sworn on oath, deposes and says:

   A. That he/she affirms and certifies that he/she understands and will comply with all ordinances, regulations, and provisions of the City of Dunnellon, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his/her knowledge and belief, and further that this application and attachments shall become part of the Official Records of the City of Dunnellon, Florida, and are not returnable.

   B. That the submittal requirements for the application have been completed and attached hereto as part of the application.

4. That the fees are NON-REFUNDABLE unless the Application is withdrawn in writing within five (5) business days of submittal (not including observed holidays), unless otherwise approved by the City Manager or a majority vote by the City Council.

Property Owner's Signature

STATE OF FLORIDA
COUNTY OF ~~MARION~~ Palm Beach (KK)
Subscribed and sworn to (or affirmed) before

Me on 3/10/2016 (date) by
Jhonny Mercado (name)
Of affiant, deponent, or other signer. He/she is
personally known to me or has presented

as identification.

Kellee Kluthe
PUBLIC NOTARY

SEAL:

KELLEE KLUTHE
MY COMMISSION # FF929803
EXPIRES October 21, 2019
(407) 398-0153 FloridaNotaryService.com

Agent's Signature

STATE OF FLORIDA
COUNTY OF ~~MARION~~ Orange (RL)
Subscribed and sworn to (or affirmed) before

me on 3/10/16 (date) by
Robert Ziegenfuss (name)
of affiant, deponent, or other signer. He/she is
personally known to me or has presented

as identification.

PUBLIC NOTARY

SEAL:

KENDRA LAKEBERG
MY COMMISSION # FF 067624
EXPIRES: March 1, 2018
Bonded Thru Notary Public Underwriters

Note: The Property Owner must sign the Affidavit. When an Agent is representing the case, both the Agent and the Property Owner must sign the Affidavit.

CHECKLIST FOR SITE DEVELOPMENT PLANS

CITY OF DUNNELLON
COMMUNITY DEVELOPMENT DEPARTMENT
(352) 465-8500 x1011

RECEIVED
MAR 15 2016
CITY OF DUNNELLON
COMMUNITY DEVELOPMENT

This checklist must be completed, signed and submitted with three (3) hard copies and one (1) electronic copy of the site plan to the Community Development Department. Plans must be submitted at least 30 days prior to the approval process. Except as otherwise noted, refer to the City of Dunnellon Code of Ordinances for specific information on the items below:

Site plans must contain the following information:

Please refer to the City of Dunnellon Code of Ordinances, Appendix A, Article IX. Supplementary District Regulations.

1. CV Name and owner of the proposed development.

2. CV Name and address of the preparer of the site plan.

3. CV A vicinity map; including scale and north arrow, oriented in the same direction as the site plan.

4. CO The land use and zoning of the project site. The dates and case number of board of adjustment or planning and zoning commission cases, if applicable.

5. CI Adjacent land use, zoning, and existing uses.

6. ALL Date, north arrow, and graphic scale.

7. CO Percentage of the property covered by structures and impervious surfaces.

8. CI A site plan must contain a statement describing the general character of the intended development, including intensity and density. Intensity is to include floor area ratio and percentage of building coverage.

9. ALL Signed, sealed and certified by an engineer registered in the State of Florida (only applicable if a Stormwater or FDEP permit is required). Architects and landscape architects shall be allowed to sign and seal site plans (if permits are required) to the extent allowed by law by the State of Florida.

10. CI Proof or other required permits must be provided, including but not limited to FDEP, FDOT, septic tank, or Marion County. Applicable drawings, applications, or approvals must be included with the material submitted or site plan review.

11. CI/survey A site plan must contain a valid and accurate legal description of the subject property. The site plan drawing must show the information contained in the legal description for the subject property. Adjacent property must be identified and labeled as described in paragraph (d) below.

a. Survey A lot and block description must include parcel account number, plat book and page, subdivision name, block number(s), lot number(s), lot line bearings, and lot dimensions for subject property. Section lines, section corners, and quarter section corners must be shown, as appropriate.

b. Survey A metes and bounds description must include parcel account number, official records book and page, point of commencement, point of beginning, bearings and distances for subject property. Section lines, section corners, and quarter section corners must be shown, as appropriate.

c. Survey A fractional breakdown description must include parcel number and official records books and page, property line bearings, and property dimensions for subject property. Section lines, section corners, and quarter section corners must be shown as appropriate.

d. Survey Property adjacent to subject property must be identified and labeled on the site plan drawing with subdivision name, block number(s), lot number(s), or parcel account number and phrase "not platted" for non-platted land.

12. C1/Survey Property lines must be shown and the bearings and dimensions of the property must be shown on the site plan.

13. C1/Survey Adjacent streets must be shown and identified.

14. Survey Distance from centerline must be shown and identified.

15. Survey Show width of existing rights-of-way and any proposed future rights-of-way that may affect the development.

16. CO Street widening setbacks and building setbacks must be shown and distance given.

17. CO Location, dimensions (including height), and elevations of all structures must be given.

18. CV/Survey Easements must be shown and labeled with the following information:

a. CV/Survey Plat book and page or official records book and page.

b. CV/Survey The type of easements.

c. CV/Survey All easements on the subject property and easements on abutting property that could be affected by the development must be shown and labeled.

19. C2, C3 & Survey Location of utilities must be provided, including:

a. C2, C3 & Survey Location of all existing utility structures on site and adjacent rights-of-way.

b. C2/Survey Show underground electric lines, existing and proposed. Non-conductive pipe must have a locator wire.

20. C2 Water and sanitary sewer service information must be provided in accordance with the City of Dunnellon utility requirements.

21. CO/C2 Telephone lines. Non-conductive pipes must have a locator wire.

22. CO/C2 Telephone cables. Non-conductive pipe must have a locator wire.

23. C2 Grease trap locations, sizes, and construction materials and specifications must be given.

24. C2 Fire hydrant location(s) and distance(s) from the fire hydrant(s) to the building(s) must be given.

25. CO Information on parking areas and paved vehicle access area must be given, including:

a. CO Parking calculations (in accordance with City of Dunnellon Code of Ordinances), indicating number of parking spaces required and number to be provided for both regular and handicap parking spaces.

b. C1 & C4 Parking area construction materials.

c. C1 Dimensions and angles of parking spaces.

d. C1 Location, dimensions, and area of landscape islands in parking areas.

e. N/A Fire lanes must be shown and dimensioned.

f. C1 Striping and signage for traffic control must be shown.

g. N/A Off-street loading areas must be shown and dimensioned.

h. C1 Vehicle stacking for drive-through uses must be shown and dimensioned.

26. C1 Driveway location(s), width(s), and radii shall be designed in accordance with good engineering practices.

27. C1 & C3 Handicap access shall be in accordance with the State of Florida requirements.

28. C1 Location, size, and number of parking spaces and access areas shall be shown on the plan.

29. C1 Sign locations for handicap parking spaces required.

30. C1 & C3 Location, width, length, and slope for ramp(s) must be given. Handrails, if required, must be shown and described.

31. L1 A landscape plan is required in accordance with the City of Dunnellon Landscape Ordinance.

32. CO Open space calculations. State if the open space area includes drainage retention.

33. C1 Dimensions and area of parking islands. Complete parking area interior landscaping calculations.

34. Survey A tree survey giving locations, sizes, and types of existing trees. Trees must be labeled as being saved, removed, or moved.

35. L1 Tree protection diagram required.

36. L1 Locations, sizes, and types of any trees to be planted.

37. L1 Buffers, if required, including depth. Specify types, numbers, size, and spacing of hedge plants and trees to be plated in a buffer. If a wall or berm is required in the buffer, provide details. A buffer is required when the site abuts a less intensive use (example: retail site being located adjacent to a residence).

38. N/A Show the location and size of any lakes, ponds, streams, canals or other water or waterways adjacent to the site. Identify prominent natural or topographic features.

39. C1/Survey Show existing sidewalks.

40. C1 Dumpster pad may be required depending on type of business. Contact public service department (489-2992). Indicate location of pad.

41. N/A Submit construction detail of any proposed enclosure, including required clearance. (On architectural plans)

42. C0 Indicate height of building and height of building overhangs if in the area of the dumpster box access.

43. C4 All construction must conform to the specifications shown on the dumpster pad detail provided by Public Service Department.

44. N/A If residential pickup will be used, show location of pickup.

45. C1 Signs will be permitted separately show location of sign on site plan.

46. C3 Drainage plans must be included as part of the application for site plan review and approval if impervious areas are to be added.

47. N/A If site is located in the Historic District, site plan must be approved by the Historic Preservation Board.

48. N/A Identify location of existing or proposed underground storage tanks.

NOTE: The above information is not all inclusive of the requirements of the City of Dunnellon ordinances. Access to the City of Dunnellon Code of Ordinances may be obtained from the Municipal Code Corporation Website.

3/14/16
Robert Ziegenfuss

Z DEVELOPMENT services

RECEIVED
MAR 15 2016
CITY OF DUNNELLON
COMMUNITY DEVELOPMENT

Date: March 14, 2016

RE: Wendy's-Dunnellon

To:
Lonnie Smith
City of Dunnellon
20750 River Drive
Dunnellon, FL 34431

From:
Bob Ziegenfuss, PE
Z Development Services
708 E. Colonial Drive, Suite 100
Orlando, FL 32803

Lonnie:

Enclosed please find the following:

- 7 sets of plans
- Checklist
- City Application
- Check
- CD

Thank you

708 E. Colonial Drive, Suite 100
Orlando, Florida 32803

Phone: (407) 271-8910
Fax: (407) 442-0604

Page	:	1 of 1 03/16/2016 11:09:14	**Ad Number**	:	12969546
			Ad Key	:	
Order Number	:	12853423	**Salesperson**	:	05 - Mary Ann Naczi
PO Number	:	SPL2016-01	**Publication**	:	Riverland Legals
Customer	:	10079093 zzCity of Dunnellon Legals	**Section**	:	Legals
Contact	:	Dawn M. Bowne, C.M.C., City Cl	**Sub Section**	:	Legals
Address1	:	20750 River Drive	**Category**	:	995E-Miscellaneous Notices
Address2	:		**Dates Run**	:	03/24/2016-03/24/2016
City St Zip	:	Dunnellon FL 34431	**Days**	:	1
Phone	:	(352) 465-8500 x23	**Size**	:	3 x 2.79, 31 lines
Fax	:	(352) 465-8505	**Words**	:	243
Credit Card	:		**Ad Rate**	:	99GOV
Printed By	:	Mary Ann Naczi	**Ad Price**	:	21.10
Entered By	:	Mary Ann Naczi	**Amount Paid**	:	0.00
			Amount Due	:	21.10
Keywords	:	411-0324 RIV PUBLIC NOTICE NOTICE OF PLANNING COM			
Notes	:				
Zones	:				

411-0324 RIV
PUBLIC NOTICE
NOTICE OF PLANNING COMMISSION QUASI-JUDICIAL PUBLIC HEARING
SITE PLAN REVIEW #SPL2016-01 PARCELS#33639-006-01/33639-006-02

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The application, filed under application number SPL2016-01/PZ1516-045, submitted by Robert Ziegenfuss for Dunnellon Real Estate, LLC, together with any back-up materials may be reviewed during normal business hours 8:00 a.m. to 4:00 p.m. at Dunnellon City Hall. For further information please contact the Community Development Department at (352) 465-8500, ext. 1010.

APPEAL: NECESSITY OF RECORD. Notice is given that if any person desires to appeal any action taken by the Planning Commission at the above hearing, a verbatim record of the proceedings may be necessary pursuant to Florida Statutes, 286.0105. The City assumes no responsibility for furnishing said record, however, the hearings will be audio recorded by the City for public use.

If any accommodations are needed for persons with disabilities, please contact the Office of the City Clerk at 352-465-8500.

Published March 24, 2016.

Wendy - Site Plan Rev. PH
RES 2016-08
#SPL2016-01
PZ 1516-045

City of Dunnellon
MAR 28 2016
RECEIVED

cc: Teresa/Lonnie
Sue
Dawn
(Site Plan) LF

CITRUS PUBLISHING
ATTN: LEGAL DEPARTMENT
1624 N MEADOWCREST BLVD.
CRYSTAL RIVER, FL 34429
352-726-0902 PHONE
352-726-9603 FAX

Riverland News - INVOICE

Dear Customer: 10079093 City of Dunnellon

This is an invoice to process your payment for the enclosed ad. Please include Order #12853423 on your check and send payment of $21.10 directly to the Legal Department at the above address. If you have paid previously, then disregard this invoice or keep for your records. REMEMBER: Payment is due in full within 20 days.

RE: 411-0324 RIV PUBLIC NOTICE NOTICE OF PLANNING COMMISSION QUASI-JUDICIAL PUBLIC HEARING SITE PLAN REVIEW #SPL2016-01 PARCELS#33639-006-01/33639-006-02 The Planning Commission will hold a quasi--judicial public hearing for recommendation to the City Coun

Ad publication dates:
March 24th, 2016,

Thank you for your business,

Theresa J. Savery and/or Mary Ann Naczi and/or Mishayla Coffas
Legal Representative

Proof of Publication

from the

RIVERLAND NEWS

Dunnellon, Marion County, Florida

PUBLISHED WEEKLY

STATE OF FLORIDA
COUNTY OF MARION
Before the undersigned authority personally appeared

Theresa J. Savery and/or Mary Ann Naczi and/or Mishayla Coffas

---

Of the Riverland News, a newspaper published weekly at Dunnellon, in Marion County, Florida, that the attached copy of advertisement being a public notice in the matter of the

411-0324 RIV PUBLIC NOTICE NOTICE OF PLANNING COMMISSION QUASI-JUDICIAL PUBLIC HEARING SITE PLAN REVIEW #SPL2016-01 PARCELS#33639-006-01/33639-006-02 The Planning Commission will hold a quasi-judicial public hearing for recommendation to the City Coun

Court, was published in said newspaper in the issues of March 24th, 2016,

Affiant further says that the Riverland News is a Newspaper published at Dunnellon in said Marion County, Florida, and that the said newspaper has heretofore been continuously published in Marion County, Florida, each week and has been entered as second class mail matter at the post office in Dunnellon in said Marion County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Mary Ann Naczi

The forgoing instrument was acknowledged before me

This 24th day of March, 2016

By: Theresa J. Savery and/or Mary Ann Naczi and/or Mishayla Coffas

who is personally known to me and who did take an oath.

Mishayla Coffas

Notary Public

411-0324 RIV
PUBLIC NOTICE
NOTICE OF PLANNING COMMISSION QUASI-JUDICIAL PUBLIC HEARING
SITE PLAN REVIEW #SPL2016-01 PARCELS#33639-006-01/33639-006-02

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Published March 24, 2016.

NOTARY PUBLIC STATE OF FLORIDA
MISHAYLA COFFAS
MY COMMISSION #FF177190
EXPIRES November 18, 2018
(407) 398-0153 FloridaNotaryService.com

Teresa Malmberg

From: Andrew Hand <ahand@shepardfirm.com>
Sent: Wednesday, March 16, 2016 9:52 AM
To: Teresa Malmberg
Cc: Lonnie Smith; Eddie Esch
Subject: RE: SPL2016-01 / PZ1516-045 Wendys_siteplan_Ad - Draft

Teresa,

I have reviewed and am of the opinion that the ad is legally sufficient.

Best Regards,

DISCLAIMER:
The information transmitted is intended only for the person or entity to which it is addressed and contains confidential and/or privileged materials protected under the Attorney-Client Privilege. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

From: Teresa Malmberg [mailto:tmalmberg@dunnellon.org]
Sent: Tuesday, March 15, 2016 5:20 PM
To: Andrew Hand <ahand@shepardfirm.com>
Cc: Lonnie Smith <lsmith@dunnellon.org>; Eddie Esch <EEsch@dunnellon.org>
Subject: SPL2016-01 / PZ1516-045 Wendys_siteplan_Ad - Draft

Andrew,

Please review and confirm legal sufficiency. Thank you.

Regards,
Teresa A. Malmberg
Administrative Coordinator
Public Services &
Community Development
City of Dunnellon
Ofc: (352) 465-8500 x1010
Cell: (352) 445-0705
tmalmberg@dunnellon.org
Please Note: Florida has a very broad public records law. Written communication to or from city officials regarding city business is public record and open to inspection including names, addresses, and email addresses. Therefore, your email communication may be subject to public disclosure.

Teresa Malmberg

From: Teresa Malmberg
Sent: Wednesday, March 16, 2016 12:02 PM
To: 'Legals - Sumter, Marion, Gadsden & Wakulla'
Subject: RE: your first proof

The ad is approved. Thank you Mary Ann.

Regards,
Teresa A. Malmberg
Administrative Coordinator
Public Services &
Community Development
City of Dunnellon
Ofc: (352) 465-8500 x1010
Cell: (352) 445-0705
tmalmberg@dunnellon.org
Please Note: Florida has a very broad public records law. Written communication to or from city officials regarding city business is public record and open to inspection including names, addresses, and email addresses. Therefore, your email communication may be subject to public disclosure.

From: Legals - Sumter, Marion, Gadsden & Wakulla [mailto:mnaczi@chronicleonline.com]
Sent: Wednesday, March 16, 2016 11:21 AM
To: Teresa Malmberg <tmalmberg@dunnellon.org>
Subject: your first proof

Hi Teresa, here is your first proof.... thanks, mary ann

CITRUS PUBLISHING, ATTN: LEGAL DEPARTMENT
1624 N. MEADOWCREST BLVD., CRYSTAL RIVER, FL 34429
Phone: 352-726-0902 Fax: 352-726-9603
Email: legalads@chronicleonline.com

Hi there, this is your first proof, if there are any errors please let me know TODAY

FAILURE TO RESPOND WITH CORRECTIONS
WILL BE DEEMED AS AN ACCEPTANCE OF LEGAL

When paying your invoice please include Customer Number, (the number before your name), Order Number and Ad Number on your check and send the total in Cost: directly to the Legal Department at the above address.

Payment is DUE IN FULL within 20 days of last insertion.

REMINDER: The original invoice will go out with the copy of the final proof, so if you have paid before that comes, just disregard it.

Thank you so much for your business! Mary Ann Naczi, Legal Rep

Customer Number: 10079093 City of Dunnellon

Order Number: 12853423
Ad Number: 12969546
Cost: $ 21.10

Here is Your First Proof

411-0324 RIV
PUBLIC NOTICE
NOTICE OF PLANNING COMMISSION QUASI-JUDICIAL PUBLIC HEARING
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APPEAL: NECESSITY OF RECORD. Notice is given that if any person desires to appeal any action taken by the Planning Commission at the above hearing, a verbatim record of the proceedings may be necessary pursuant to Florida Statutes, 286.0105. The City assumes no responsibility for furnishing said record, however, the hearings will be audio recorded by the City for public use.

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Published March 24, 2016.

HAVE A BLESSED DAY!!

Mary Ann Naczi Legal/Classified Rep. 8AM-4PM mon-fri.
Phone: 352-726-0902 Fax: 352-726-9603 email: legalads@chronicleonline.com
Legals for Sumter/Marion/Gadsden & Wakulla counties
DEADLINE FOR LEGAL ADS - THURSDAYS AT 5PM
Citrus County legals: Call Mishayla, 352-726-0902 email: legals@chronicleonline.com

---

From: Teresa Malmberg [tmalmberg@dunnellon.org]
Sent: Wednesday, March 16, 2016 10:14 AM
To: Legals - Sumter, Marion, Gadsden & Wakulla
Cc: Lonnie Smith; Eddie Esch
Subject: Legal Ad - for Publication on or BEFORE 3/31/2016

Good morning Mary Ann! Hope you are having a wonderful week. Legal ad attached. Please provide proof prior to and proof of publication. Thank you.

Regards,

Teresa A. Malmberg
Administrative Coordinator
Public Services &
Community Development
City of Dunnellon
Ofc: (352) 465-8500 x1010
Cell: (352) 445-0705
tmalmberg@dunnellon.org

Please Note: Florida has a very broad public records law. Written communication to or from city officials regarding city business is public record and open to inspection including names, addresses, and email addresses. Therefore, your email communication may be subject to public disclosure.

PARCEL	NAME	ADD_1	ADD_2	
33639-006-02	DUNNELLON REAL ESTATE LLC	6401 CONGRESS AVE # 100	BOCA RATON FL 33487	OWNER
33639-006-00	COXCO1 LLC C/O CHELSEA MARINE	5023 FIRST COAST HWY # B201	AMELIA ISLAND FL 32034	
33607-001-02	RAINBOW IV INVESTMENTS RLLP	3535 E 161ST ST	CARAMEL IN 46033-8138	
33636-000-00	CFL PIZZA LLC	1146 CELEBRATION BLVD	CELEBRATION FL 34747	
33639-003-00	BALDEO SHYAM	20765 WALNUT ST	DUNNELLON FL 34431-6750	
33639-001-05	OCALA LUMBER COMPANY	PO BOX 1389	OCALA FL 34478-1389	
33615-001-01	SREE NSNK HOLDINGS LLC	1429 N ANNAPOLIS AVE	HERNANDO FL 34442-3318	
33639-005-00	MCDONALD'S CORP 009/0707	8240 SW STATE RD 200	OCALA FL 34481	
~~33639-006-01~~	~~DUNNELLON REAL ESTATE LLC~~	~~6401 CONGRESS AVE # 100~~	~~BOCA RATON FL 33487~~	DUPLICATE
33607-001-05	DUNNELLON EQUITIES LLC	5728 MAJOR BLVD STE 505	ORLANDO FL 32819-7970	
~~33615-001-00~~	~~SREE NSNK HOLDINGS LLC~~	~~1429 N ANNAPOLIS AVE~~	~~HERNANDO FL 34442-3318~~	DUPLICATE

Teresa Malmberg

From: Andrew Hand <ahand@shepardfirm.com>
Sent: Thursday, April 14, 2016 9:38 AM
To: Lonnie Smith
Cc: Teresa Malmberg; Eddie Esch
Subject: RE: Dunnellon staff report Wendys site plan
Attachments: 2016-11 Wendy's Site Plan Planning Commission Resolution.docx

Lonnie,

The revised staff report is legally sufficient. Attached please find the site plan resolution.

Best Regards,

DISCLAIMER:
The information transmitted is intended only for the person or entity to which it is addressed and contains confidential and/or privileged materials protected under the Attorney-Client Privilege. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

From: Lonnie Smith [mailto:lsmith@dunnellon.org]
Sent: Wednesday, April 13, 2016 4:18 PM
To: Andrew Hand <ahand@shepardfirm.com>
Cc: Teresa Malmberg <tmalmberg@dunnellon.org>; Eddie Esch <EEsch@dunnellon.org>
Subject: RE: Dunnellon staff report Wendys site plan

Andrew,
Revised staff report with updates and site plan checklist attached. I can send you the full plan if that will help.

Thanks,

Lonnie Smith
IT/ Community Development
City of Dunnellon
352-465-8500 x1011
lsmith@dunnellon.org

Please Note: Florida has a very broad public records law. Written communication to or from city officials regarding city business is public record and open to inspection including names, addresses and email addresses. Therefore, your email communication may be subject to public disclosure.

From: Andrew Hand [mailto:ahand@shepardfirm.com]
Sent: Wednesday, April 13, 2016 3:15 PM
To: Lonnie Smith
Cc: Teresa Malmberg; Eddie Esch
Subject: RE: Dunnellon staff report Wendys site plan

Lonnie,

I have done an initial review of the staff report. I see that Comp Plan consistency is addressed and off-street parking is addressed. However, the staff report does not address the criteria in Section 9.2 A through K. The Staff Report needs to reflect whether or not the requirements of the Code are met in the application of each of these criteria.

Best Regards,

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From: Lonnie Smith [mailto:lsmith@dunnellon.org]
Sent: Wednesday, April 13, 2016 12:56 PM
To: Andrew Hand <ahand@shepardfirm.com>
Cc: Teresa Malmberg <tmalmberg@dunnellon.org>
Subject: Dunnellon staff report Wendys site plan

Andrew,
Please review the attached staff report for legal sufficiency and draft Resolution 2016-11 for the Planning Commission to sign if approved.

Thanks,

Lonnie Smith
IT/ Community Development
City of Dunnellon
352-465-8500 x1011
lsmith@dunnellon.org

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Dunnellon, FL - Official W | Marion County Florida, Pr | MCPA Search Results | Login | FacilityDude
www.dunnellon.org/index.aspx?nid=109
Department of Mana | Weeks Auction | Home Occupational | Wup Application | Dunnellon, FL • Admi | Google | Other bookmarks
My Favorites | Pages | Modules | Live Edit | 0 | Teresa | Help

Posted on the City's website 3/11/2016
Published in the Riverland News 3/31/2016
Published in the Ocala Star Banner 3/21/2016

NOTICE OF PLANNING COMMISSION QUASI - JUDICIAL PUBLIC HEARING
SITE PLAN REVIEW #SPL2016-01 PARCELS#33639-006-01/33639-006-02

The Planning Commission will hold a quasi-judicial public hearing for recommendation to the City Council regarding a site plan review for the property located at 11191 N. Williams Street, being Parcel Number 33639-006-01 and 33639-006-02. The public hearing will be held at Dunnellon City Hall, 20750 River Drive, Dunnellon, FL 34431, on Tuesday, April 19, 2016, at 5:30 p.m., or as soon thereafter as can be heard. If necessary, this public hearing may be continued to a time and date certain by announcement at the scheduled hearing without any further written notice.

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Posted on the City's Website 3/17/16
Published in the Riverland News 3/24/2016

Notes 2
You Are Here: Home > Government > Public Notices

RESOLUTION #RES2016-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUNNELLON, FLORIDA, MAKING RECOMMENDATION TO THE CITY COUNCIL TO ❑APPROVE; ☐ DISAPPROVE WENDY'S SITE PLAN, PURSUANT TO THE CITY OF DUNNELLON LAND DEVELOPMENT REGULATIONS APPENDIX A, "ZONING" AS REQUESTED BY APPLICANT, ROBERT ZIEGENFUSS REPRESENTATIVE OF DUNNELLON REAL ESTATE, LLC, OWNER OF THE PROPERTY LOCATED AT 11191 N. WILLIAMS STREET, DUNNELLON, FLORIDA 34432; PROVIDING SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning Commission held a Public Hearing on April 19, 2016, to consider a request by Dunnellon Real Estate, LLC to recommend approval of a Site Plan pursuant to Land Development Regulations, Appendix "A", Zoning, Section 9.2(15) and (16) for property located at 11191 N. Williams Street, being Parcel Number 33641-001-00; and

WHEREAS, the Planning Commission has determined that the Applicant, Robert Ziegenfuss, __ has, __has not met, the criteria for Site Plan approval and that approval of the Site Plan will not adversely affect the public interest; and

WHEREAS, the Planning Commission finds that the Applicant __ has, __ has not, met the criteria under Section 9.2 (15) and (16) of the Land Development Regulations for a Site Plan and has shown that the approval of the Site Plan will be in harmony with the general intent and purpose of the Land Development Regulations, and such Site Plan will not be injurious to the area involved or otherwise detrimental to the public welfare; and

WHEREAS, the Planning Commission, sitting as the Local Planning Agency, __ has, __ has not, found that the Site Plan is consistent with Dunnellon's Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF DUNNELLON THAT:

SECTION 1. The "Whereas" clauses above are adopted as part of this Resolution.

SECTION 2. A recommendation of __ approval __ disapproval will be forwarded to the City Council for their consideration.

BE IT, FURTHER, RESOLVED that this Resolution shall be effective immediately upon adoption.

On April, 19, 2016, by the Planning Commission upon a motion by Commissioner _____ and seconded by Commissioner _____ and upon being put to a vote, the result was as follows:

[Voting result and signatures on following page]

Commissioner Brenda D'Arville	☐Yes	☐No	☐Abstain	❑Did Not Vote
Commissioner Lisa Sheffield	☐Yes	☐No	☐Abstain	❑Did Not Vote
Commissioner Tracy Fero	❑Yes	☐No	☐Abstain	☐Did Not Vote
Commissioner Wilber Vanwyck	☐Yes	☐No	☐Abstain	❑Did Not Vote
Commissioner Paul Cowan	❑Yes	☐No	☐Abstain	☐Did Not Vote
Commissioner Hilton - 1st Alt	❑Yes	☐No	☐Abstain	☐Did Not Vote
Vacant - 2nd Alt	❑Yes	☐No	☐Abstain	☐Did Not Vote

Attested by:

PLANNING COMMISSION,
CITY OF DUNNELLON

BY: _____
Brenda D'Arville, Chairwoman
Planning Commission, City of Dunnellon

This _____ day of _____, 2016.

Approved as to Form and Legality

BY: _____
Andrew Hand
City Attorney

This _____ day of _____, 2016.

CITY OF DUNNELLON
STAFF REPORT

APPLICATION INFORMATION

DATE OF HEARING: April 19, 2016

REQUEST FOR APPROVAL OF: Comprehensive plan consistency review and letter

PUBLIC HEARING:

PROJECT NAME: State of Florida sublease for Ballfield

PROJECT REPRESENTATIVE(S):
STAFF:

PROPERTY LOCATION:

Project Address(es):	Parcel ID Number(s):
12214 S. Bridges Rd	34529-003-00
Dunnellon, FL 34432	34529-004-00

PARCEL SIZE: 42 Acres

EXISTING FUTURE LAND USE MAP: Recreation

EXISTING ZONING: A-1

EXISTING USE: Baseball field/ Recreation area

STAFF EVALUATION AND FINDINGS

1. REQUEST:

- Seeking approval of a letter stating that proposed use of State Lands are consistent with the Dunnellon City Comprehensive Plan.

2. REVIEW REQUIREMENT:

Sec. 94-37(3). - Powers and duties.

The function, powers, and duties of the city's planning commission shall be as follows:

(3) The commission may review, revise and discuss the city's comprehensive plan for the purposes of making recommendations to the city council with regard to consistency with the current comprehensive plan concerning any land/zoning change or request and with regards to possible future changes.

3. BACKGROUND:

The subject property has been used for a baseball field and recreation center for many years. The current lease has expired and needs to be renewed. As a condition of renewal, a letter from the Planning commission is required that verifies that the use of the property is consistent with our Comprehensive plan.

4. COMPREHENSIVE PLAN:

FUTURE LAND USE ELEMENT GOALS, OBJECTIVES, AND POLICIES

Policy 1.9: Recreation

The **recreation** land use category includes active or passive parks, community centers, and areas for recreational activities such as picnicking, jogging, cycling, hiking, golf courses, playgrounds, **ball fields**, ball courts, stables, swimming pools or beaches, and water related or water dependent uses such as boat ramps, fishing docks and piers, and similar outdoor recreational uses, public or private. No other uses are permissible. The maximum impervious surface is forty (40) percent. The maximum building height is forty (40) feet.

RECREATION AND OPEN SPACE ELEMENT GOALS, OBJECTIVES, AND POLICIES

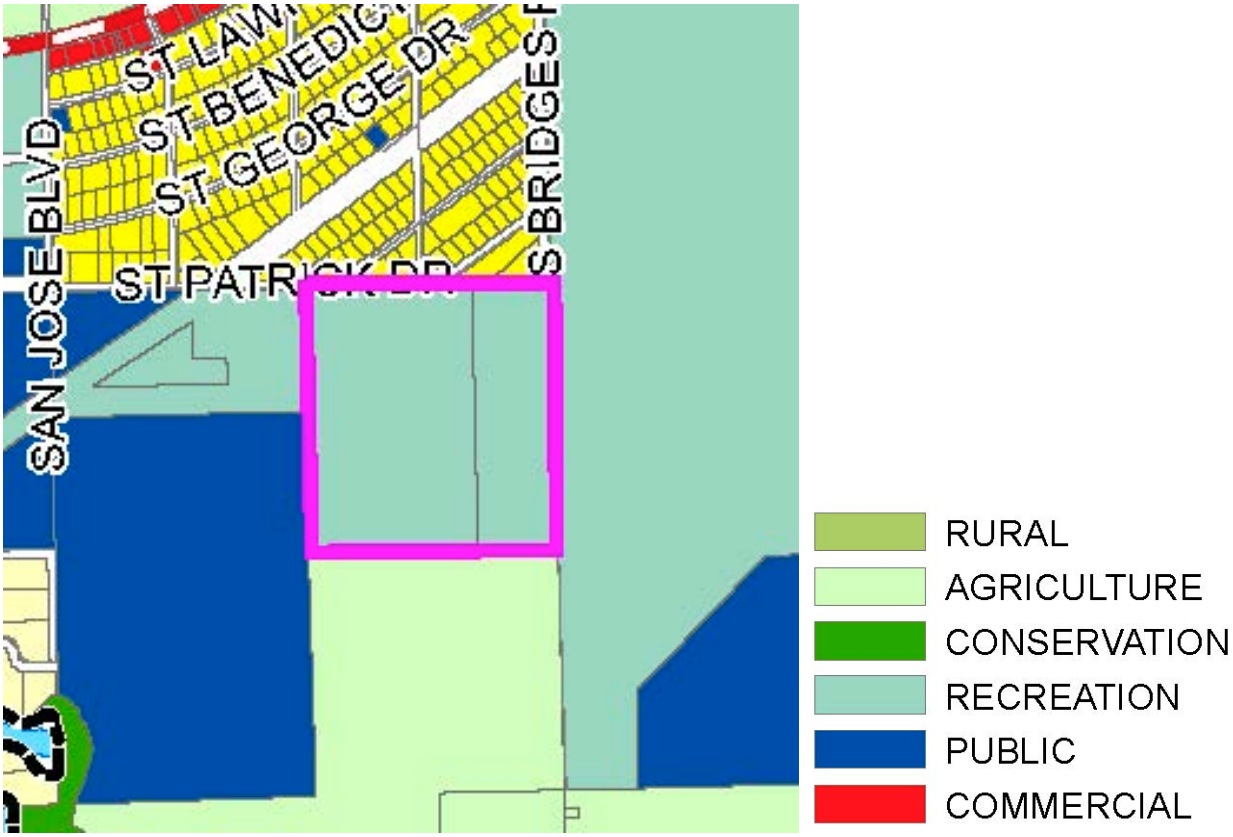
Objective 5:
The City shall coordinate with other governments and organizations and the public to plan for recreation.

Policy 5.2:

The City shall coordinate with Marion County Recreation Department, the Little League, schools, and other governments and organizations to provide recreation programs for children and adults in the City.

The subject property is located in the land use designation recreation and the nature and type of use is not considered inconsistent with the comp plan.

Future Land Use Map (below)



5. REVIEW OF APPLICATION:

Relevant Sections of the Code

Sec. 94-37.5. - Overview of the planning commission.

The City of Dunnellon's planning commission merges the powers and duties of traditional planning boards with additional duties and responsibilities previously handled by the city's now defunct board of adjustment. The planning commission has an administrative review function whereby the commission reviews all changes to the city's comprehensive plan, by amendment, evaluation, addition, and appraisal for consistency with the existing comprehensive plan **and reviews all land related/zoning ordinances to determine consistency to the comprehensive plan. With regard to its administrative review function, the commission makes recommendations of consistency to the city council.** The planning commission holds quasi-judicial hearings with regards to land planning/zoning cases, site plan reviews, variances, special exceptions, and review/appeal of administrative orders and forwards its findings/recommendations to the city council.

(Ord. No. 2010-01, § 2, 4-12-2010)

6. FINDINGS OF FACT

The subject property is currently being used as a Ballfield and recreation center. The current use falls within the guidelines and definitions as per Policy 1.9 of the City of Dunnellon's FLUE comprehensive plan. The use is also consistent with Objective 5 and Policy 5.2 of the City's Recreation and Open Space Element guidelines.

7. STAFF RECOMMENDATION:

Staff recommends the Planning Commission approve the letter verifying the use of the subject property is not inconsistent with the Dunnellon City Comp Plan.

CITY OF DUNNELLON

20750 River Drive
Dunnellon, FL 34431
(352) 465-8500
FAX (352) 465-8505

April 19, 2016

Board of Trustees of the Internal Improvement Trust Fund of the State of Florida
3800 Commonwealth Blvd
Tallahassee, FL 32399-3000

Attn: Board of Trustees

Re: Dunnellon Comprehensive plan consistency review

Dear Board,

On April 19, 2016 we reviewed the matter regarding the use and subsequent lease of the property located at 12214 S. Bridges Rd Dunnellon FL 34432 comprised of Marion County property appraiser parcel ID 34529-003-00 and 34529-004-00.

We have found that the proposed use, Baseball field and Recreation facility, is indeed consistent with the City of Dunnellon Comprehensive Plan.

PLANNING COMMISSION,
CITY OF DUNNELLON

BY: _____ This _____ day of _____, 2016.
Brenda D'Arville, Chairwoman
Planning Commission, City of Dunnellon

SUBLEASE APPLICATION
BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA

This application is to be used in order to apply for sublease interest in land, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (Board of Trustees). If you have any questions, after reading this application form, you may call (850) 245-2720 for assistance. **Mail application to: Department of Environmental Protection, Division of State Lands, Bureau of Public Land Administration, 3800 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, MS 130 or emailed to Upland.Applications@dep.state.fl.us.**

SPECIAL NOTE TO ALL APPLICANTS: SUBMITTAL OF A COMPLETE APPLICATION SHALL NOT OPERATE TO CREATE ANY RIGHTS OR CONSTITUTE ANY GROUNDS FOR THE DEPARTMENT TO RECOMMEND APPROVAL OF ANY SUBLEASE. THE BOARD OF TRUSTEES HAS THE AUTHORITY AND RESERVES THE RIGHT TO DENY ANY SUBLEASE APPLICATION. ALL COSTS INCURRED BY APPLICANTS COMPLYING WITH THE REQUIREMENTS OF THIS APPLICATION SHALL BE AT THEIR OWN RISK. COSTS ASSOCIATED WITH OBTAINING A SUBLEASE ARE NON-REFUNDABLE AND SHALL BE ASSUMED BY THE APPLICANT INCLUDING, BUT NOT LIMITED TO, ALL APPRAISALS, ALL SURVEYS, ALL TITLE SEARCHES, AND ALL RECORDING FEES.

PRIOR TO COMPLETING THE APPLICATION, PLEASE BE ADVISED THAT:
Any application to use state land which would result in significant adverse impact to state land or associated resources shall not be approved unless the applicant demonstrates there is no other alternative and proposes compensation or mitigation acceptable to the Board of Trustees pursuant to paragraph 18-2.018(2)(i), Florida Administrative Code. Any requested use of state land which has been acquired for a specific purpose, such as conservation and recreation lands, shall be consistent with the original specified purpose for acquiring such land pursuant to paragraph 18-2.018(2)(c), Florida Administrative Code. Applicants applying for a sublease across state land which is managed for the conservation and protection of natural resources shall be required to provide net positive benefit pursuant to subsection 18-2.017(39), Florida Administrative Code, if the proposed sublease is approved.

Type of Sublease: ☐ Private ☐ Federal, Regional or Local Agency ☐ State Agency

Applicant Information:

Name: _____ Home Phone: _____

Mailing Address: _____ Work Phone: _____

City: _____ State: _____ Zip: _____ Fax Number: _____

Email Address: _____

Representative Information: Only complete if someone will be handling this transaction on your behalf.

Name: _____ Home Phone: _____

Mailing Address: _____ Work Phone: _____

City: _____ State: _____ Zip: _____ Fax Number: _____

Email Address: _____

Property Information:

County: _____ Property Appraiser's Parcel Number: _____

Section: _____ Township: _____ Range: _____ Zoning Designation: _____

Intended Use of Property: _____

Do wetlands exist within the proposed lease boundary? _____

Include the Following with the Application: Please check all that are included

☐ **(Private Sublease Only)** A check in the amount of $300 made payable to the Department of Environmental Protection. This fee in non-refundable.

☐ **(Private Sublease Only)** A written commitment to pay a sublease fee based on one of the following: (1) appraised market value, (2) negotiated value or (3) competitive bid.

☐ **(Local Governments Only)** A formal resolution adopted by the Board of County/City Commissioners requesting the proposed sublease.

All Sublease Applicants:

☐ Recent aerial photograph with the boundaries of proposed sublease area identified.

☐ A statement describing the public benefits that will occur as a result of the proposed sublease.

☐ A letter from the applicable local planning agency stating that the proposed sublease is consistent with the local government comprehensive plan adopted pursuant to section 163-3167, Florida Statutes.

☐ A county tax map identifying the parcel proposed for sublease.

☐ Two prints of a certified survey of the sublease area meeting the minimum technical standards of Chapter 5J-17.050-052Florida Administrative Code, which contain the boundaries, legal descriptions, and acreage of the property.

☐ A statement from the managing agency approving the sublease and how the sublease conforms to the management plan when the sublease application involves state land that is under lease, sublease, easement, or management agreement.

☐ Applications for subleases across state land shall include a statement of intended use which shall include, at a minimum, the following:

1. The requested term for the proposed sublease which shall not be greater than is necessary to provide for the reasonable use of the state land and shall not be greater than the parent lease term.
2. The need for the proposed sublease and written evidence that all other alternatives to the use of state lands have been denied.
3. Projected revenue to be generated from the use of state lands.
4. Whether the intended use is public or private and the extent of public access for such use.

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Pcwo