

**Gadsden County Board of County Commissioners  
Planning Commission Regular Meeting**

**MINUTES**

**Thursday, August 15, 2013  
6:00p.m.**

**Board of County Commissioners Meeting Room  
7 East Jefferson Street  
Quincy, Florida**

---

**Present:** Commissioner Regina Davis, At - Large Member, Chair  
Commissioner Edward Allen, Vice – Chair  
Commissioner Dr. Gail Bridges – Bright (arrived late)  
Commissioner Diane Sheffield (arrived late)  
Commissioner Larry Ganus  
Commissioner Mari VanLandingham (absent)  
Commissioner David Tranchand  
Commissioner Frank Rowan  
Commissioner William Chukes  
Commissioner Ed Dixon (arrived late)  
Commissioner Catherine Robinson (absent)  
Commissioner Isaac Simmons, School Board Representative  
Jill Jeglie, Interim Planning & Community Development Director  
Willie Brown, Principal Planner  
Beryl H. Wood, Deputy Clerk

**1. PLEDGE OF ALLEGIANCE**

Chair Davis called the meeting to order at 6:10 p.m. with a quorum and led in the Pledge of Allegiance to the U.S. flag.

**2. INTRODUCTION OF MEMBERS/ROLL CALL**

Each member present stated his or her name and district for the record.

**3. Approval of Minutes:**

▪ **June 27, 2013**

**UPON MOTION BY COMMISSIONER TRANCHAND AND SECOND BY COMMISSIONER ROWAN, THE COMMISSION VOTED 7 – 0, BY VOICE VOTE, FOR APPROVAL OF THE JUNE 27, 2013 WITH NECESSARY CORRECTIONS.**

*Commissioner Dr. Gail Bridges – Bright arrived at this juncture of the meeting.*

▪ **July 18, 2013**

**UPON MOTION BY COMMISSIONER ROWAN AND COMMISSIONER GANUS, THE COMMISSION VOTED 8 -0, BY VOICE VOTE, FOR APPROVAL OF THE JULY 18, 2013 WITH NECESSARY CORRECTIONS.**

**4. DISCLOSURES AND DECLARATIONS OF CONFLICT None**

*Commissioner Sheffield arrived at this juncture of the meeting.*

**GENERAL BUSINESS**

5. **PUBLIC HEARING (Quasi-Judicial) – Spray Quimica C.A. (SP -2013-06)** – Change of Use and Site Plan for PID#3-17-2N-3W-0000-00440-0000. A Public Hearing to consider allowing the change of use to the manufacturing of aerosol and liquid products at the former Printing House site at 1066 Strong Road, Quincy. This site is designated Industrial (IND) on the Future Land Use Map. NO expansion is proposed for the existing 103,000± sq. ft. structures. Reallocation and expansion into the outside storage and parking areas is proposed. (BOCC 09/03/2013)

Mrs. Jill Jeglie, Interim Planning & Community Director introduced herself and was sworn by the deputy clerk. She disclosed that at their August 6, 2013 meeting, the Board of County Commissioners (BOCC) remanded the Sicamu, Inc. Site Plan for Change of use request back to the Planning Commission (PC) for consideration. The application was remanded to require the posting of a sign on the property in accordance with the Land development Code (LDC). In addition, notice has been delivered to residents of nearby properties.

She reminded the Board Sicamu (Spray Quimica) is a family owned corporation and the largest Venezuelan contract aerosol filler in that country that is seeking approval of their site and change of use plans to open a new manufacturing facility at 1066 Strong Road, the former site of the “Printing House.” The proposed use is located in the Industrial Future Land use Category.

She said after careful consideration they are recommending Option 1: The Sicamu Inc. Class II Site Plan for Change of Use (SP-2013-06) with the following conditions based on the findings provided in this agenda request, materials provided by the applicant and reviewers, and testimony given at the public hearing. Specifically, the conditions recommended by the County Fire Marshall:

- a) All NFPA requirements must be met at this facility to operate in this jurisdiction. NFPA Life Safety Code 101 Chapter 40 applies in general. Chapter 42 could apply to some storage areas. NFPA 30B applies. NFPA 58 applies to outside storage tanks. In addition to these code requirements any codes referenced within these codes will apply as well.
- b) To maintain safety, a minimum of two (2) fire safety inspections at the facility are

required to be conducted annually the local Fire Marshall. No more than six (6) months will be allowed to pass without an inspection.

- c) As required by the Fire Marshall, chemical storage and mixing (solvents) tanks and stations will be located outside of the main building within the existing fenced outdoor storage area.

Commissioner Isaac Simmons asked for highlights of option 1.

*Commissioner Dixon arrived at this juncture.*

Chief Scott Haire, disclosed his recommendation was based on safety. He said he met with Mr. Pons and they met about codes and standards. He said they were willing to work with us on safety concerns. He discussed the gas house where the storage tanks are located, maintain safety, a minimum of two fire safety inspections at the facility are required to be conducted annually by the local Fire Marshall. Chemical storage and mixing (solvents) tanks and stations will be located outside of the main building within the existing fenced outdoor storage area.

Commissioner Isaac Simmons asked how they would notify communities on safety hazards as and if they arise.

Chief Haire stated they have a mass notification communication system.

Commissioner Ganus asked what kind of chemicals would be stored on site.

Chief Haire said he knows that there would be different solvent and propane.

Commissioner Chukes asked how often they would do inspections.

Chief Haire said at least two per year. One announced and one unannounced.

Commissioner Allen asked how many NFPA requirements are there.

Chief Haire said there are several hundred NFPA requirements.

Commissioner Ganus said he had concerns such as the color coded map that was adjacent to the property. He said the map was not included last month. He noted the City of Quincy had indexed a lot of the adjacent land. He said his concern was, they may be mixing some things that aren't compatible. He said he thought it was a bad idea to mix, next to single family properties. He mentioned several explosions that have happened in the past that were reported, such as the Blue Rhino, which happened recently.

Commissioner Sheffield said has the property all around been zoned industrial. She felt it was the residential and that was not compatible.

Chair Davis asked that the City of Quincy City Manager or the City of Quincy Planning Director to come forward and answer questions.

- Jack McLean, City of Quincy Manager, he said they annexed the property in. He said this is an issue they can manage. He said he felt it was a compatibility issue.

Commissioner Chukes asked how far the nearest residence is.

Commissioner Ganus asked why the City chose to allow residential.

Mr. McLean added they were just looking at the uses that were already out there.

Chair Davis asked did they City have objections and called for public comment.

Mr. McLean said they didn't have any objection with the project moving forward.

- **Kirby Palm**, adjacent property owner, said his property would not have residences and there are no plans on building anytime soon. He said he would be willing to sell his land if they need more buffers.
- **Michael Dorian**, Frank Smith Road, spoke at County Commission about notification. He said there was barely non for the last P&Z meeting. He said notification and signs went out this time, which was good for this meeting. He asked how much combustible material will be on site. He stated that he had spoken with Clyde Collins on what would be on site.

Commissioner Ganus asked what the density of single family residential category is.

Mr. McLean commented theirs is set up different from the County, it's a urban environment. He said theirs was set up according to minimum lot size and in the Code it's about 7500 sq ft. and they you have to count for the setback if you have 10%, that's in term of single family. If you talk about multi – family then we can talk about the number of units you can do. "You can do less than a quarter of acre lot in the City." He reiterated they have no objection of this project moving forward.

- **Jose Pons**, 1066 Strong Road, owner, spoke in favor of the project. He said they don't know how much combustible material will be on the property. He said they chose the property because of the large buffer. He discussed other concerns, but said you have to apply with the codes. He stated accidents happen, but you design things to avoid accidents they are less likely to happen.

Chair Davis asked would they adhere to the rules and regulations that are being asked of

by the City Fire Chief and the Planning Commission.

**Commissioner Tranchand motion to approve Option 1 and it was seconded by Commissioner Rowan.**

Commissioner Dixon questioned if the Fire Marshall could give 2 inspections, at least two.

Mr. Pons said he has no problem with additional inspections.

It was later determined the wording read at least two inspections, so there was no need for amendment to the motion.

**UPON MOTION BY COMMISSIONER TRANCHAND AND SECOND BY COMMISSIONER ROWAN, THE COMMISSION VOTED 9 – 1, BY VOICE VOTE, TO APPROVE OPTION 1 AS STATED ABOVE. (COMMISSIONER GANUS OPPOSED THE MOTION.)**

6. **PUBLIC HEARING (Quasi-Judicial) – Florida Telecom Services, L.L.C. (SP-2013-05)** – Preliminary Site Plan Approval for PID#2-11-3N-2W-0000-00340-0000. A Public Hearing to consider approval of a preliminary site plan with deviations from supporting lattice telecommunication tower at 39 Schwall Road at the Peavy and Son Construction within the Industrial Land Use District. (BOCC 09/17/2013)

Mr. Willie Brown, Principal Planner for the County was sworn by deputy clerk and gave overview. John L. Ruth, Managing Member of Florida Telecom Services as agent, is requesting Preliminary Site Plan approval with four deviations to allow a 220-foot Self Supporting Lattice Tower within a 70-foot by 50-foot leased area enclosed by a 6-foot fence and evergreen landscaping on Peavy and Son Construction site at 39 Schwall Road (Parcel Tax ID#2-11-3N-2W-0000-00340-0000). Deviations from Subsections 5805 (A).1, 5805 (A).2, 5805 (B).2, and 5806 (A).3 are required for approval of the is application. The overall site consists of twenty (20) acres and is designated “Industrial” on the County’s Future Land Use map.

He said this was a Class II, Type II review of a site plan (Subsection 7202.A). The action is considered a quasi-judicial action in conjunction with the advertised public hearing as a Type II action per Subsection 7202 of the Gadsden County Land Development Code (LDC). Per Subsection 7501, a public hearing notice has been mailed to all property owner within 1000-feet of the property. The public notice requirements of Subsection 7501 of the LDC have been met. A Citizen’s Bill of Rights meeting has been held.

He then disclosed the requested deviations from the Gadsden County Land Development Code (LDC). The applicant is requesting a total of four (4) deviations from Subsections 5805 (Location) and Subsection 5806 (Proximity to Parcels of Land with Residences) of the LDC as follows:

1. Subsection 5805 (A).1 requires that publicly owned lands be considered for tower development before privately owned lands are developed upon. The nearest county

owned parcel is 1.69 miles away and is located on McNair Road on parcel# 2-13-3N-2W-1533-00000-0001. In a letter dated July 12, 2013 from the agent's RF Engineer to the Gadsden County Planning Director, the applicant states that the nearest county owned parcel is not located within a radius identified to satisfy needed coverage gaps for the northeast area of the county.

2. Subsection 5805 (A).2 requires that existing towers be considered before tower development on new sites are developed upon. The applicant also states in the letter referred to above that the nearest existing privately owned tower is more than two (2) miles away and will not satisfy needed coverage gaps in the area.
3. Subsection 5805(b).1 states that proposed tower sites with 0.5 miles of a Rural Residential District is not permitted. The applicant is requesting a deviation from this requirement because the proposed site satisfies its RF Engineer's coverage gap criteria for the area. The nearest Rural Residential District is 585 feet from the subject leased property, and the nearest resident within a Rural Residential District is 1,950 feet away.
4. Subsection 5806(A).3 requires that towers that are lit at night with red lights shall be at least 7x's the height of the tower from property lines of parcels of land which a residence is located. Florida Telecom is proposing a north property line setback of 2.5x's the height of the tower or 550 feet. The nearest residential structure is 1.950 feet away, and the Federal Aviation Administration (FAA) and Federal Communication Commission (FCC) require towers that are over 200 feet be lit at night with red lights.

He then recommended Option 1: approval of the Florida Telecom Service Preliminary Site Plan (Sp-2013-05) to allow a 220-foot Self Supporting Lattice Tower with a 20-foot access easement, 6-foot surrounding fence and landscape with 6-foot Red Maple Trees and 30-inch Viburnum Hedges on a leased site 3,500 square feet in area on the Peavy and Son Construction site at 39 Schwall Road on parcel #2-11-3N-2W-0000-000340-0000 as permitted by Subsection 5811 (H) of the Land Development Code based on findings in this agenda report and with the following conditions:

- a. Applicant will comply with the conditions of the County Environmental Compliance Review Specialist as follows:
  - i. The word "Evergreen" should be removed from sheet L-1 of the Landscape Plan because the proposed "Red Maple" plant material is not an evergreen plant or change the plant material type.
  - ii. Remove "Note 2" on Sheet L-1 of the Landscape Plan. Grow bags are permitted as and alternative irrigation method in place of an automated underground irrigation system and is more cost effective.
  - iii. Insert close-out requirements on page T-1 of the site plan from Chapter 6, Subsection 6102 (Design Standards), of the Land Development Code under "Scope of Work", or "Construction Notes". Thus, once construction of all required improvements are completed, the applicant shall furnish the County Engineer with "As-Built" plans and profiles which must be prepared by a Licensed Land Surveyor or Engineer.

- b. Deviations granting a waiver from the requirements of Subsection 5805(A).1; Subsection 5805(A).2, Subsection 5805(B).1; and Subsection 5806(A).3 based on the “Analysis and Findings” contained within this report and criteria consistent with Subsection 5811(H) as follows:
- i. Deviation to waiver from the requirement that towers not be located within 0.5 mile radius of the Rural Residential District.
  - ii. Deviation to waive requirement that towers that are lit at night with red lights be at least 7x’s the height of the tower from property lines of parcels of land with a residence.
  - iii. Deviation to waive requirement that towers be located on publicly owned lands.
  - iv. Deviation to waive requirement that towers be located on existing towers in the area.

Commissioner Tranchand asked what a rollback was. He asked would it deteriorate.

Commissioner Dixon asked would the light strobe.

Commissioner Allen asked about the setback.

Chair Davis called for public comment. All were sworn by the deputy clerk before proceeding with discussions.

- **Marion Lasley**, 5 Dante Court, discussed concerns about deviations. She questioned the density of the rural residential was. “According to my figures of 585ft and the code requires 2040 that’s a significant difference. Height of tower from property line. Red lights flashing would be annoying.” She said there was a capability problem and mentioned there was no sign on Hwy 27.
- **Annie McBride**, 17 Schwall Road, discussed concerns on health associated with the towers. She asked why they are being allowed the 4 deviations. She also discussed the precautionary issues. She said the burden of truth should be on applicant not citizens. She also had problems with notification. She asked for some type of study associated with the towers to ease health concerns.

Commissioner Chukes asked how many showed up to the Citizens Bill of Rights.

Mrs. McBride said there were only 4.

- **Michael Dorian**, mentioned the FCC was very hard to work with. He said when they wrote codes they weren’t allowed to talk about safety concerns. He asked Mr. Brown if towers fell could they land near residences.

Mr. Brown responded no; with the height even if it collapsed at full length it would not fall near residences.

- **Roberta Moore**, Planning Consultant, said there would be a blinking light. She commented notification was provided in the Havana Herald, she said the requirement was only once, but they did it twice and sent notification for a ½ mile for citizens. About 93 mail outs. She said for health concerns of telecommunication towers they are directed to FCC to go to their website. She stated FCC would not allow them to answer questions concerning the towers.

Commissioner Sheffield said they would have white lights during the day.

Commissioner Ganus commented only a 1000ft would be notified.

Mr. Brown said mailings were mailed ten days prior to meeting,

Mrs. Jeglie, said the Citizen's Bill of Rights, does not require posting, but mail-outs and 3 papers, Regular Meeting all was posted.

Commissioner Allen said if they turned down enough request regarding towers FCC would come out answer questions regarding the towers.

- **John Ruth**, Managing Member of Florida Telecom Services, said he would love to answer questions concerning health. However, FCC forbids. He said the FCC website is full of information. He said this was due to him not being an expert concerning these issues, so FCC won't allow us to answer questions.

Commissioner Sheffield asked was this is new development design.

Mr. Ruth said it was not.

Commissioner Dixon asked would the light strode or not.

Mr. Ruth commented it appears to be blinking.

Commissioner Ganus what process did you use, to pick location.

Mr. Ruth said the carriers chose the spot.

Commissioner Chukes voiced his problem is with health concerns.

Mr. Brown said there are 46 existing towers already in Gadsden County. He said legally we can only discuss the 4 legal deviations.

Commissioner Allen motioned and it was seconded by Commissioner Simmons, to table



the approval of Florida Telecom Services until they could visit web site concerning health related concerns.

Commissioner Chukes and Dixon voiced concerns.

Chair Davis voiced the motion before them does not deal with the legality.

Commissioner Allen withdrew the motion.

Commissioner Dixon seconded by Commissioner Sheffield motioned to approve option 1.

Commissioner Tranchand voiced concerned with all the variances and said it may be precedent setting.

Commissioner Rowan said staff has researched and he agrees with them.

Commissioner Dixon called the question.

**UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER SHEFFIELD, THE COMMISSION VOTED 6 – 4, BY VOICE VOTE, FOR APPROVAL OF OPTION 1 AS STATED ABOVE. (COMMISSIONER’S GANUS, TRANCHAND, ALLEN AND CHUKES OPPOSED THE MOTION.) MOTION PASSED.**

Chair Davis mentioned that this would be forwarded to the Board of County Commission and they could address additional concerns there.

7. **PUBLIC HEARING (Quasi-Judicial) – V-Stop Variance Request (Douglas City L.L.C.) (V-2013-01) –** Variance approval is requested for PID#3-09-2N-4W-0000-00212-0100 located at 16854 Blue Star Highway, Quincy, to consider three variance to allow the expansion and replacement of an existing 912<sup>+</sup> square foot canopy with a 2,050 square foot canopy and two gasoline dispensers. Variances are requested to the roadway and corridor road setbacks. (BOCC 09/17/2013)

Jill Jeglie was sworn by deputy clerk, she then discussed the V-Stop Variance Request. Douglas City LLC, The applicant, with Ed Hinson as the representative, request three (3) variances from the Gadsden County Land Development Code (LDC). These variances are necessary to allow the applicant to expand and replace the existing canopy over two (2) new gasoline dispensers at their convenience store and gasoline station located at 16854 Blue Star Highway, Quincy, Florida 32351, Tax Parcel ID #3-0-2N-4W-0000-00212-0100. The following variances are requested:

- Major Collector Setback – A variance request is proposed to reduce the required 110’ foot setback from the centerline of S.R. 12 (Greensboro Highway) right-of-way (r-o-w), a major

collector roadway, to 64'± (Subsection 5203.3 of the LDC).

- Arterial Setback – A variance request is proposed to reduce the required 120' foot setback from the centerline of U.S. 90 (Blue Star Highway) r-o-w, a principal arterial roadway to 84'± (Subsection 5203.3 of the LDC).
- Corridor Road Setback – A variance to allow construction with a reduction in the 'Corridor Road Setback' from 50' to 32'± (Subsection 5405 of the LDC).

She mentioned this is a quasi-judicial action in conjunction with an advertised public hearing as a Type III procedure per Subsections 7203 and 7301 of the LDC. Public notice as described in Subsection 7501 has been provided.

She said staff is recommending Option 1: Authorize the BOCC Chairman to sign a Final Order for the V-Stop Douglas City LLC Variance (V-2013-01) to allow a 2,050 square foot canopy with two gasoline dispensing stations for the subject property with the following variances as listed below based on the findings presented in this staff report and as follows:

- a. Grant a variance to allow a 64'± foot major collector roadway setback from the centerline of the r-o-w from S.R. 12 (Greensboro Highway) (Subsection 5203.3 of the LDC); and,
- b. Grant a variance allow an 84'± arterial roadway setback from the centerline of the r-o-w of U.S. 90 (Blue Star Highway) (Subsection 5203.3 of the LDC); and,
- c. Grant a variance to allow a 32'± 'Corridor Road Setback' (Subsection 5405 of the LDC).

Commissioner Ganus pointed out some clarifications. He asked that they take a look at references, on the first page of the agenda report at the very bottom and the last sentence with reference to 5003.B.6. He added he didn't feel as if that applies because that's where a non-conforming use ceases to exist and I don't think that's the case here. "They are probably still in business. On the very last page of the report the final order, the last where as the reference given there to 5611.G.1 refers to the number of access points to be approved? I don't see where that has anything to do with this deviation either."

Mrs. Jeglie agreed to make those corrections.

Commissioner Bright said she was trying to visualize where the other 2 pumps would go.

**Ed Hinson**, owner, currently there is 2 under canopy. He said the additional 2 would go underneath the canopy as well.

Chair Davis called for public comment and there was none.

**UPON MOTION BY COMMISSIONER SHEFFIELD AND SECOND BY COMMISSIONER DR. BRIDGES – BRIGHT, THE COMMISSION VOTED BY VOICE VOTE, FOR APPROVAL OF OPTION 1 AS STATED ABOVE.**

**8. PUBLIC HEARING (Legislative) – Churches, Class I & Access (LDR-2013-03) – An Ordinance**

**amending Subsections 4202.K and Subsection 5611.G. of the Land Development Code to clarify Churches as Class I uses and to allow Churches to access through residential areas as follows:**

AN ORDINANCE AMENDING SUBSECTION 1202.K INSTITUTIONAL USES, AMENDING CHAPTER 5, DEVELOPMENT STANDARDS: SUBSECTION 5611. STREETS, DRIVEWAYS AND ACCESS MANAGEMENT; AMENDING SUBSECTION 5611.G. ACCESS, SUBSECTION 5611.G.5 OF THE LAND DEVELOPMENT CODE FOR THE PURPOSE OF ALLOWING CHURCHES THAT QUALIFY AS CLASS I INSTITUTIONAL USES TO ACCESS THROUGH AREAS DESIGNED, APPROVED OR DEVELOPED FOR RESIDENTIAL USES; AND, PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR SEVERABILITY. (BOCC 09/17/2013)

Jill Jeglie said this one is brought by staff in working with this Code of the years it is apparent that there was an impractical practice was a typo under Class 1 Institutional Uses in the Land Development Code where it talks about where you allow churches and cemeteries. It is stated they are only allowed as Class 2 Institutional Uses, they are used by right in Agriculture and Rural Residential District if you would apply Class 2 to Churches and Cemeteries then none of uses issued under the Class 1 uses and churches that are stand alone churches have always been allowed in both agricultural and rural residential areas as an Administrative Approval of a site plan. She discussed the Planning and Community Development Department (P&CD) is requesting review and approval of an Ordinance amending Subsection 4202.K 'Institutional Uses' and Subsection 5611.G. % 'Access to Residential lots' of the Land Development Code (LDC) to clarify that churches are Class 1 uses and to consider allowing churches to access through non- residential areas (Attachments #1 & 2).

Non-residential uses, including churches, shall not access through and area designed, approved or developed for residential use. Many existing churches access through residential designed or developed areas. As churches are a 'use by right' in the Agricultural and Rural Residential Future Land Use Categories, churches have required variances and will continue to require variances through residential developed areas unless the LDC is amended.

Commissioner Simmons voiced his concerns he said some of the churches have duly uses and they access through the property for worship but, added they also have daycare or school. He asked how you would regulate it.

Mrs. Jeglie commented that is not allowed. She said as long as they come into us and let us know they are expanding for these uses then we would tell them no. She said that is an issue, they can have the church but not the other associated uses. It would have to be reviewed as a Class 2.

Commissioner Dixon talked about churches being in neighborhood. "What is the big problem with a allowing a church in residential neighborhood to have a daycare."

Mrs. Jeglie replied right now even a church is not allowed, that's why they are here testing the

waters. She said it would not allow a daycare or a school.

Commissioner Sheffield said when they start of as just a sanctuary but grow larger into daycare or school but, are limited to access through the neighborhood roads that's when it poses a problem for the people who live in the neighborhood.

Commissioner Allen referenced they had that come up this year with an earlier case.

Mrs. Jeglie said they see both ends of the spectrum so; they wanted to bring it to the Commission attention.

Commissioner Dixon referenced Metropolitan as an example being a big to do, but it didn't pan out to be as bad. "It became a great project."

Mrs. Jeglie stated he was correct, it came through the full Class II – Institutional Use.

Commissioner Dixon commented he just didn't see churches getting so big that they can't exist in residential neighborhoods if they have a daycare.

Commissioner Ganus asked what kind of rights the neighborhood would have other than coming to our meeting, if a Class II Project wanted to move in to their neighbor and they wanted an exception to do it, there only recourse would be to come in and argue their case against it.

Mrs. Jeglie stated they would have the Citizen's Bill of Rights Meeting." It does not establish precedent each case is a case by case."

Chair Davis called for public comment.

- **Marion Lasley**, 5 Dante Court, "I have been traveling around County and people are turning residential homes into churches, parking is a problem." She recalled Metropolitan Church who was told in the beginning they couldn't have the school and they sued the County. She said there must be restrictions, this is a huge concern. "It does not sit well to have a church in the middle of subdivision. I support leaving the Code as is or fix it. I think the people who will have the most impact should be allowed to voice their concerns and a variance is the only way to do that." She recommended denial and work on the whole Code collectively.

Commissioner Dixon voiced there is very limited ability dealing with religion intuitions. He asked for clarity in what they are trying to accomplish.

Commissioner Sheffield said she felt if a church wants to go in a residential neighborhood on a residential access they should come in for a variance, which is the way it is written now.

Commissioner Dr. Gail Bridges motioned to deny and was seconded by Commissioner Simmons the Ordinance to Amend Subsection 4202.K 'Institutional Uses' and Subsection 5611.G.5 "Access to Residential Lots' of the Gadsden County Land Development Code (LDC) (LDR-2013-03.)

Commissioner Ganus voiced in the Old Code it had Churches and Cemeteries are Class 1 Institutional Uses which are use by right in all agriculture and residential areas. "This was dated in the book July 1, 2003. I looked it up on line and what's on the County website and it has Class 2 on there now. Sometime another whenever it was revised or redone could you make change.

Mrs. Jeglie said she could revise the scribbler's error in the Code to allow it to remain Class 1 and no other change.

Commissioner Ganus also pointed out, "when you do a type 1 review if it's a case like Mrs. Lasley pointed out that the church occupies a house for their worship service and parking becomes a problem are they not required to seek permission to use that property and provide parking spaces and whatever else that goes along with it."

Mrs. Jeglie stated they are required to provide parking when they come in to do the use.

He said if they are doing it without proper parking, then they are doing it out permission to be there.

Mrs. Jeglie informed the Commission that was correct. She said there is a section under Parking that states if they is a problem they can come back and have them correct that problem.

**UPON MOTION BY COMMISSIONER DR. BRIDGES – BRIGHT AND COMMISSIONER SIMMONS, THE COMMISSION VOTED 10 – 0, BY VOICE TO DENY AND AMEND TO ACCEPT THE SCRIBBLERS ERROR.**

**9. PUBLIC COMMENTS**

Marion Lasley asked questions concerning towers, if they need one every half mile, what does that mean in the future.

Commissioner Sheffield said she didn't feel as if he meant they would be every half mile. She said she felt it was for data.

**10. DIRECTOR'S COMMENTS – None**

**11. ADJOURNMENT**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE CHAIR  
DECLARED THE MEETING ADJOURNED AT 8:15 P.M.**

**GADSDEN COUNTY, FLORIDA**

---

**REGINA DAVIS, CHAIR  
PLANNING COMMISSION**

**ATTEST:**

---

**BERYL H. WOOD, Deputy Clerk for  
NICHOLAS THOMAS, Clerk of the Court  
Gadsden County, Florida**