SUMTER COUNTY BOARD OF COMMISSIONERS
EXECUTIVE SUMMARY

SUBJECT: **Request by Zoning & Adjustment Board for the Board of County Commissioners to Consider an Ordinance to Revise the Approval Process for Operating Permits (For Information Only).**

REQUESTED ACTION: For Information Only.

☐ Work Session (Report Only) **DATE OF MEETING:** 10/25/11
☒ Regular Meeting ☐ Special Meeting

CONTRACT: ☒ N/A Vendor/Entity:
Effective Date: Termination Date:
Managing Division / Dept: Planning

BUDGET IMPACT: N/A
☐ Annual **FUNDING SOURCE:** N/A
☐ Capital **EXPENDITURE ACCOUNT:** N/A
☒ N/A

HISTORY/FACTS/ISSUES:
At the Zoning & Adjustment Board (ZAB) meeting on May 2, 2011, the ZAB requested staff to come back to the next meeting with information regarding the approval process for Operating Permits.

At the October 3, 2011, ZAB meeting, the ZAB brought the Operating Permit issue forward for discussion. Mr. Frank Topping made a motion for staff to submit a request to the Board to see if the Board has interest in amending the Land Development Code to include ZAB review and recommendation for the approval of Operating Permits. The motion was seconded and passed 5-0.

The ZAB's interest in being part of the approval of Operating Permits is a concern that after they make their recommendation on the Conditional Use, which occurs prior to the Operating Permit, the final details of the Operating Permit may not be reflective of the ZAB's concerns. In addition, the ZAB expressed a concern that often during the Conditional Use process details of proposed uses may be pushed off to the Operating Permit and not addressed during the Conditional Use process.

At the October 17, 2011, ZAB meeting, Mr. Arnold, County Attorney, provided the ZAB a response to their concerns. Mr. Arnold advised the ZAB that they have the ability to make recommendation on the Conditional Use that would carry over to the Operating Permit. In addition, Mr. Arnold advised the ZAB that they can request information from applicants to be sure they have the appropriate information to make a recommendation. The ZAB does not have to accept a response from the applicant that "the information will be provided as part of the Operating Permit".

The ZAB concurred with Mr. Arnold's information. Mr. Topping made a motion to rescind the request to for the Board to consider including the ZAB as part of the Operating Permit approval process. The motion was seconded and passed 5-0. The ZAB recognized they will consider future Conditional Uses based on the direction provided by Mr. Arnold.