

MINUTES OF THE HOWEY IN THE HILLS PLANNING AND ZONING BOARD MEETING
HELD JUNE 28, 2019

Chairman Llewellyn called the meeting to order at 6:01 p.m.

Present: Chairman Llewellyn, Vice Chairman St. Clair, Member Wells, Member Lehning.

Also present: Town Planner Harowski and Utility Billing/Admin Assistant Stephenson

PUBLIC HEARINGS

Consideration and action regarding amendments to Chapter 5 of the Land Development Code pertaining to fences, walls and storage sheds.

(Action to be taken by the Planning and Zoning Board – provide a recommendation on the proposed LDC amendment to the Town Council)

ORDINANCE NO. 2018-002 -- AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA AMENDING THE LAND DEVELOPMENT CODE BY AMENDING CHAPTER 5 TITLED "ACCESSORY AND TEMPORARY USES AND STRUCTURES" TO ADD REQUIREMENTS PERTAINING TO FENCES AND WALLS, ADD TYPES OF FENCING ALLOWED AND PROHIBITED FOR SINGLE-FAMILY RESIDENCES AND TO MODIFY THE RULES FOR THE PLACEMENT AND DESIGN OF STORAGE SHEDS ON RESIDENTIAL PROPERTY; AMENDING SECTION 5.01.03 TITLED "ALL ACCESSORY USES", SECTION 5.01.07 TITLED "FENCES AND WALLS", AND ADDING A NEW SECTION 5.01.09 TO BE TITLED "STORAGE SHEDS"; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Chairman Llewellyn read the ordinance

Member Wells asked if the Ordinance had changed since it was brought to Council.

Town Planner Harowski clarified on 5.01.07 to include dark green or black vinyl coated chain link fencing.

Member Wells asked who would determine what dark green is.

Vice Chairman St. Clair stated that dark green is included because of an existing fence on Lakeshore.

Member Lehning stated that it is still necessary to get a permit and that that process would require a color swab.

Town Planner Harowski stated that the recommendation that was drafted is what went to the Council.

Member Wells asked who would be approving sheds and fences

Town Planner Harowski stated that it is a Council administrative function to assign who approves; they can determine if P&Z or staff should look at it but this will not be in the Ordinance. P&Z has the authority grant relief if there were structural reason e.g. property lines, stand of trees or steeper sloping property

Member Wells stated that it would be a very long process if you had to go through P&Z and then go to the Council.

Town Planner Harowski didn't think it would go to Council, the permit request would go to P&Z to see if it meets the requirements and then to the Building Official to see if it meets the code.

Member Wells seconded by, Vice Chairman St. Clair moved to approve Ordinance No. 2018-002. Motion passed unanimous.

Consideration and action on the application from Center State Bank, N.A. to voluntarily annex 10 acres of property located north of South Palm Avenue, west of South Florida Avenue and east of South Mare Avenue, Lake County Property Appraiser parcel number 35-20-25-000100000100 and alternate key number 1036194.

(Action to be taken by the Planning and Zoning Board – consider the application, the applicant’s presentation, the Town Planner’s report, public input and comment, and provide a recommendation on the proposed annexation to the Town Council)

ORDINANCE NO. 2018-004 -- AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA PERTAINING TO VOLUNTARY ANNEXATION; ANNEXING A TEN ACRE PARCEL OF PROPERTY LOCATED NORTH OF SOUTH PALM AVENUE, WEST OF SOUTH FLORIDA AVENUE AND EAST OF SOUTH MARE AVENUE, LAKE COUNTY PROPERTY APPRAISER PARCEL NUMBER 35-20-25-000100000100 AND ALTERNATE KEY NUMBER 1036194; REDEFINING THE BOUNDARY LINES OF THE TOWN TO INCLUDE THE PROPERTY; PROVIDING FOR PUBLICATION OF NOTICE OF THE PROPOSED VOLUNTARY ANNEXATION AND FOR A COPY OF THE NOTICE TO BE SENT TO THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS; FILING A COPY OF THIS ORDINANCE WITH THE LAKE COUNTY CLERK OF CIRCUIT COURT, THE LAKE COUNTY CHIEF ADMINISTRATIVE OFFICER, AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR FILING OF A REVISION OF THE CHARTER; PROVIDING FOR A COPY OF THE REVISED CHARTER BOUNDARY ARTICLE TO BE SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING AN EFFECTIVE DATE.

Chairman Llewellyn read the ordinance

Town Planner Harowski said that this recommendation meets the three requirements for annexation, 1. Petition 2. Property has to be adjacent to Town Limits 3. Can’t create an enclave, in this eliminates an enclave.

Member Lehning seconded by **Member Wells** moved to approve ORDINANCE NO. 2018-004 -- AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA PERTAINING TO VOLUNTARY ANNEXATION; ANNEXING A TEN ACRE PARCEL OF PROPERTY LOCATED NORTH OF SOUTH PALM AVENUE, WEST OF SOUTH FLORIDA AVENUE AND EAST OF SOUTH MARE AVENUE, LAKE COUNTY PROPERTY APPRAISER PARCEL NUMBER 35-20-25-000100000100 AND ALTERNATE KEY NUMBER 1036194; REDEFINING THE BOUNDARY LINES OF THE TOWN TO INCLUDE THE PROPERTY; PROVIDING FOR PUBLICATION OF NOTICE OF THE PROPOSED VOLUNTARY ANNEXATION AND FOR A COPY OF THE NOTICE TO BE SENT TO THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS; FILING A COPY OF THIS ORDINANCE WITH THE LAKE COUNTY CLERK OF CIRCUIT COURT, THE LAKE COUNTY CHIEF ADMINISTRATIVE OFFICER, AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR FILING OF A REVISION OF THE CHARTER; PROVIDING FOR A COPY OF THE REVISED CHARTER BOUNDARY ARTICLE TO BE SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING AN EFFECTIVE DATE. Motion passed 4-0 with a roll call vote.

Consideration and action on the application from Center State Bank, N.A. for a comprehensive plan amendment from Lake County Urban Low Density Residential to Medium Density Residential and rezoning from Lake County Agriculture to Planned Unit Development for 10 acres of property located north of South Palm Avenue, west of South

Florida Avenue and east of South Mare Avenue, Lake County Property Appraiser parcel number 35-20-25-000100000100 and alternate key number 1036194.

(Action to be taken by the Planning and Zoning Board – consider the application, the applicant's presentation, the Town Planner's report, public input and comment, and provide a recommendation on the proposed comprehensive plan amendment and rezoning to the Town Council)

ORDINANCE NO. 2018-005 -- AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA AMENDING THE TOWN'S COMPREHENSIVE PLAN AND REZONING A TEN ACRE PARCEL OF PROPERTY LOCATED NORTH OF SOUTH PALM AVENUE, WEST OF SOUTH FLORIDA AVENUE AND EAST OF SOUTH MARE AVENUE, LAKE COUNTY PROPERTY APPRAISER PARCEL NUMBER 35-20-25-000100000100 AND ALTERNATE KEY NUMBER 1036194; AMENDING THE FUTURE LAND USE DESIGNATION ON THE FUTURE LAND USE MAP OF THE TOWN'S COMPREHENSIVE PLAN FROM LAKE COUNTY URBAN LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL; AMENDING THE TOWN'S ZONING MAP FROM LAKE COUNTY AGRICULTURE TO PLANNED UNIT DEVELOPMENT; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Chairman Llewellyn read the ordinance

Member Wells asked once it's annexed it's a request to change the density to the Town's MDR. **Town Planner Harowski** stated that an annexation is a three-step process, 1. Approve Annexation. 2. Designate on Future Land Use/Comprehensive Plan 3. Assign Zone. Request is for MDR/4 units/acre. Intent of owner is the amend this property into the adjacent development project which they have. In the Comp. Plan the Town is required to do a level of service analysis for water and sewer. Applicant submitted a Traffic Study for this and the adjacent land. Lake County Schools issued a certificate that is good for 2 years. The Town has sufficient capacity in the Public Parks. The Storm Water Management level of service will be met on site, developer is required to meet the Town and FWM requirements.

Public Comment:

Sal Gallelli 1104 Tangerine is Talichet going to be 4 homes per acre/quarter acre per house?

Town Planner Harowski stated that the density is set by the Comp. Plan and lot size are separate. Comp. Plan density is determined by net acres, exclude wetland/bodies of water, and divide by 4 to get the number of units. Lot sizes are defined by Zoning, in this case Planned Unit Development process

Sal Gallelli 1104 Tangerine how do you determine what's wetland and what's usable?

Town Planner Harowski Land Development folks mark wetlands

Chairman Llewellyn asked for a vote. Motion passed 4-0

Member Lehning seconded by, Vice Chairman St. Clair moved to approve ORDINANCE NO. 2018-005 -- AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA AMENDING THE TOWN'S COMPREHENSIVE PLAN AND REZONING A TEN ACRE PARCEL OF PROPERTY LOCATED NORTH OF SOUTH PALM AVENUE, WEST OF SOUTH FLORIDA AVENUE AND EAST OF SOUTH MARE AVENUE, LAKE COUNTY PROPERTY APPRAISER PARCEL NUMBER 35-20-25-000100000100 AND ALTERNATE KEY NUMBER 1036194; AMENDING THE FUTURE LAND USE DESIGNATION ON THE FUTURE LAND USE MAP OF THE TOWN'S COMPREHENSIVE PLAN FROM LAKE COUNTY URBAN LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL; AMENDING THE TOWN'S ZONING MAP FROM LAKE COUNTY AGRICULTURE TO PLANNED UNIT DEVELOPMENT;

Consideration and action on the application from Charles C. Hiott, P.E., Principal with BESH, for a substantial amendment to the Venezia North Conceptual Land Use Plan.

(Action to be taken by the Planning and Zoning Board – consider the application, the applicant’s presentation, the Town Planner’s report, public input and comment, and provide a recommendation to approve, approve with revisions, or deny the proposed amendment to the conceptual land use plan to the Town Council)

ORDINANCE NO. 2018-006 -- AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA AMENDING A PORTION OF THE CONCEPTUAL LAND USE PLAN APPROVED BY ORDINANCE 2005-348 FOR THE PROJECT KNOWN AS VENEZIA NORTH AND TO BE RENAMED TALICHET; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Chairman Llewellyn read the ordinance

Town Planner Harowski read two Staff Reports on this item and a supplement to the report. Applicant included a number of items in the submitted application that would require a recommendation by P&Z and a Council policy decision for requests that vary from the Town’s Code of Ordinances. The supplement lists the requests, requirements and the DRC recommendation.

Member Wells asked are we voting on each of the items in the supplement.

Town Planner Harowski said it depends on how you want to do it.

Chairman Llewellyn vote at the end

Town Planner Harowski read June 11, 2018 memo. Venezia North, 68.2 acres, lot size project with 93 single family units. The new request increase to 165 lots with a reduction in minimum lot size to 51’/120’. Project stays within the 4/units/acre. Concept Plan is in your packet; phase 1 is original Talichet, phase 2 the additional 10 acres. Development Plan proposes a “U” shaped access, single access opposite Florida and Lakeview Avenues, road extends 2,500 ft from Florida Avenue to a cul-de-sac, 20ft emergency access opposite Myrtle Ave. a small walking trail around a storm water retention pond/track E., no other community facilities are proposed. Comprehensive plan identifies wetlands to be preserved and require upland buffers. Comp. Plan considerations, orig. 68 acres is Village Mixed Use (requirements on page 3 of the staff report) meets criteria 1 and 6. 3, 4 & 7 don’t apply (commercial) e.g. 15% land area allocated to non-residential use, they want to meet 15% rule with recreational use. The Concept Dev. Plan does not define where the 15%, 4.08 acres, is other than the walking trail.

Vice Chair St. Clair asked if it is currently only the walking trail.

Town Planner Harowski confirmed it is currently only the walking path. There is discussion of an option to provide active recreation outside the development, one of the options discussed was a 12ft wide walk/bike path along Florida Avenue, available for public use. Staff suggestion is full length from Hwy 19 to Central Avenue be required or other active recreational component, playground, swimming pool, etc.

Future Land Use, 1.11.6, adherence to Town’s grip pattern. If P&Z does not recommend extending Myrtle and Florida Ave. the board must recommend relief, because it doesn’t make sense to extend the grid pattern due to the wetland, to be consistent with the policy.

Vice Chair St. Clair said that the grid doesn’t make sense because of the 2-lot depth before the wetland.

Town Planner Harowski said that the recommendation has to be made depending on the Town Policy.

Developer's Traffic study does not follow Town Code, no scoping letter, applied national v.s. Lake/Sumter MPO turn-lane standards. The DRC provided comments, one was you have to look at the intersection of Central and SR 19 and they didn't look at that. We haven't received responses to the 2nd round of comments.

Member Lehning what are the impacts of the developer not fulfilling our Traffic Study requirement?

Town Planner Harowski it's hard to get an impact because of current limited traffic. We didn't see anything that would result in failed intersections.

Member Lehning asked for the impact between the national v.s. Lake/Sumter requirements. Turn lanes?

Town Planner Harowski Under Lake County standard they might have to put in turn lanes. The Town has specific Access for Subdivisions and Subdivision Design Code and just because a study says there is sufficient capacity doesn't mean it overrides the requirements of our Code. Section 802.05B Land Development Code, requirement for 2 separate and distinct accesses; definitely has ability on No. 2 road and Florida Avenue, that's public safety, a waiver doesn't apply. The DRC has said from the beginning that this project has to have a second entrance. A second entrance may eliminate need for turn lane on Florida. The second issue is that our code says that the max. length of cul-de-sac of 650 ft. Talichet is a big cul-de-sac of over 2500 ft. the DRC thinks the proposed length is excessive. The third issue which is not addressed and we haven't had a meeting with the developer to discuss it are the improvements to Lakeview Ave. Our city engineer pointed out 802.05G, requires that plans take into account traffic, pedestrian movement and safety, etc. Their traffic study shows that 45% of the traffic will use Lakeview Ave. and SR 19. DRC's problem with that is that Lakeview is essentially a wide alley and there are no sidewalks, so that road needs to be brought up to standard. The last traffic item, from a study in 2007-8, Fair-Share contribution to signals, one of those locations for signals was Florida and SR19. The Town Council said that Venezia didn't need to make that contribution but don't know that that took that away for Venezia North/Talichet. The Town should make that determination.

Vice Chair St. Clair asked isn't the question that the signal wasn't warranted but as more traffic comes wouldn't that fall on the town?

Town Planner Harowski it would probably fall on DOT. We don't know when or if it will ever pass signal warrant.

Vice Chair St. Clair asked if the Town hadn't waived the \$190k would they have to pay the \$190k when it became needed or put it in an escrow fund until it is needed?

Town Planner Harowski yes, it would be put into a fund and the Town would have to use it for that purpose. But the Town made the policy decision not to implement that portion of the agreement.

Lakeview and SR 19: had a discussion with the engineer and the model is showing that the majority of the traffic is going to go left on SR 19 at Lakeview. The geography of that is that we have a hill there and there is a sight-line issue, not the best location. People are going to use the shortest way.

Vice Chair St. Clair said that except you have to go 35 mph there and if you came out on Florida and 19. you'd be closer to 55 mph

Town Planner Harowski if there was a signal at Florida and 19 it would be more attractive but there may be a substantial body of traffic.

Waiver from current regulations: it's a layout of the dimensional requirements, we have a revised set of requirements, they shortened the front setback from 20 to 15 ft. They increased the rear setback from 10 to 15 ft, they increased the side setback from 5 to 5.5 ft., 10 ft. on the corner. Minimum dwelling size 1,500 sq. ft., minimum lot width of 51 ft. at the building line, our code has a requirement that each parcel has a minimum of 30 ft. at the road front. Maximum footprint is 70% of the parcel would be impermeable or 30% would be lawn, maximum height 35ft.

Relief from the two points of access: They want to do the cul-de-sac/closed subdivision. They want to eliminate the requirements for landscaped medians and islands in straight of ways, staff is OK with that; and elimination of landscaped center in cul-de-sac, again staff was OK with that, it allows the cul-de-sac to be bigger.

They are proposing 2-inch caliper trees, the code requires 4-inch caliper.

They are proposing different minimum architectural standards from our code.

I attached the May 22nd 2018 DRC report because there are number of things that need to be reviewed but didn't warrant discussion. DRC is requesting that a buffer, section 7.02.01, be provided on both No. 2 Road and Florida Ave. required for walled landscaping. It's required for No. 2 Road as a collector road but not for Florida Ave. DRC would like the residents on Florida Ave. to have a view of something consistent rather than different fence types or someone's backyard. The mail slots are poorly located, DRC suggested something at each entrance or other location.

Member Lehning said that it seems premature to be brought to this board. It seems to me that the Developer and DRC has not sat down and worked out these issues.

Town Planner Harowski stated that the DRC is at a point where we needed policy guidance and direction. We haven't been able to reach any accommodation on the two entrances issue.

Member Lehning asked how many times has DRC met with the developer

Town Planner Harowski said probably 4 or 5 dating back the last year. DRC could continue to meet but a key decision is what size lots are they going to be permitted. If the answer is that the Town Council is not going to allow 50ft lots. Basically, where we are now is that DRC recommends that the development plan not be approved and we gave you seven reasons: doesn't comply with the two access requirement, exceeds the maximum allow length of a closed development, doesn't address offsite impacts, traffic study did not follow established procedure and development regulations, has not addressed comments from DRC, requests waivers from land development regulations that have not been justified, the language needs clarification in several provisions and documentation for the 15% land use has not been fully illustrated with regard to the designated recreational use. Not all of these are fatal items but we didn't feel the document was ready.

Ron Roberts (Venezia Developer) said that first, he has provided a packet of information, Talichet property is a previously approved PUD. Many of the items Mr. Harowski pointed out were vetted years ago with the exception of some minor things. The project was approved in 2005. I was back here in 2013 working with the Town Council on Venezia. Between the original approval and now the Town change their Comp. Plan. Village Mixed Used doesn't really apply to this property. In the package is a preliminary site plan, a cartoon of what the development would be. It is the same as what was previously presented. There are also elevations of what has been built in Venezia or built by builders who want to build in Talichet, most are in the 300k to 400k.

Member Wells said that the most popular models are going for \$280. There aren't more that a handful over \$400k. Pathfinder homes are in the low \$200s.

Ron Roberts I'm saying that the builders are reporting this.

Member Wells said it's important to know what is actual. What your saying isn't right. I see all the comps. It's a big difference when you're going to building 1,500 sq. ft. homes and you're comparing 2,000 sq. ft. homes.

Ron Roberts said they are requesting a minimum of a 51 ft. lot we may decide to do 61 ft. lots. That doesn't mean that every lot is going to be 51 ft.

Member Wells asked how many lots are on the plan?

Ron Roberts said 130 or 132,.

Member Wells said that that's without the additional 10 acres which is an additional 26. Looking at the plan most of them are in straight lines and the corner lots and most of them are 51 ft. lots in order to get to that density? What does the plat represent? With that would the Avalon fit on a 51 ft. lot?

Ron Roberts said 165 is the maximum number of houses on both parcels, it would fit on a 60 ft. lot. In Naples there are some expensive homes built on 50 ft. lots.

Member Wells asked what is your best estimate on these 1,500 sq. ft. homes that are going to be built on these lots?

Ron Roberts said that he believed that they would start in the mid 2's.

Member Wells asked then you're going to build more expensive homes than are going on bigger lots than Venezia?

Ron Roberts said that when Venezia came online, in 2005, 6 and 7 D.R. Horton was going to pay over \$80k/lot before the economy crashed. Builders aren't paying half that. The minimum sq. ft. in Venezia is 1,500. With the increase in prices and cost of materials and labor I can't imagine that they'll be able to do something for less than \$250k. That's from my experience in the past. We feel that building the same thing as Venezia doesn't do anyone any good. We believe they should be differentiated and the smaller lot sizes on this parcel are justified. If the Town Council says live with what you previously had I'll live with that. I don't think that that's the right thing to do.

Member Wells said Talichet is probably not going to happen until mid to end of 2019 and Venezia is approx. 70% built out and there is a new builder able to build faster than the previous builder. Dream Finder's is building multiple spec houses. Would you not feel that Venezia is almost going to be built out before you begin Venezia North? It would be a natural progression to continue the success story of Venezia South into Talichet which would appease a lot of people by not building cookie cutter homes.

Ron Roberts said that if you vote that way and pass it on to the Council that's OK. Builders have expressed to me they want to have smaller lots and the ability to offer smaller houses/affordability. As the developer and the owner of the property that's what I would like to offer.

Doug and I attempted to lay out a list of the items we are looking for changes from the originally approved PUD and give a summary because there are so many things to talk about. 10 ft. vs. 5.5 ft. Side yard setbacks, to maximize building footprint, pole accessory structure setbacks the code is 10 ft. the proposed PUD is 5 ft. We already talked about the minimum 51 ft. lot size under the old PUD we had a mix of 65 and 75 ft. lots approved in Venezia and we're looking to use the balance in Talichet. Cul-de-sac length code is 660ft we're asking for 1,320 ft. none of that was in the original PUD it's in the new code. Our reason is it's an overbearing requirement and keep it consistent with other jurisdictions. Our engineer says that 1,320 ft. is typical in other developments. The median islands the code is 600 ft., highlighted them on the drawing, I think that staff is OK with eliminating them, they are a huge inconvenience getting in and backing out of driveways, and it wasn't required under the old PUD. Landscape buffer, the code is 15 ft. we're proposing 5ft. buffer with a wall and fencing and we're proposing 10 ft. for the Town along Florida Ave and 10 ft. for the County along No. 2 Rd. Landscaping, code requires 4-inch trees, we're proposing 2-inch trees. 2-inch trees are more readily available and take less water. We're fine with what was approved for Venezia, 4-inch trees in the front and 2-inch trees in the back. Recreation, net requirement is 1.7 acres and we're proposing 1.6, a 5 ft. sidewalk from SR 19 to Central and a dog park in the plan where there was a boat/RV section. One of the big comments was the entrances the

current PUD has two, a boulevard and an emergency entrance. It depends on how the code is interpreted, we believe that the emergency access on No. 2 Rd is the second. Two full blown access would invite through traffic, homeowners would not like that.

Member Wells asked where is the emergency entrance in Venezia?

Ron Roberts said that another access point could invite more crime. We're proposing the same thing previously approved. Another thing is the impact of the grid system, the plan was never considered. If homeowners face Florida Ave. they are going to struggle with having to pay HOA dues. I looked at the area and some houses look nice and some not so nice. I spoke with the builders and they did not want lots facing Florida, we're going to respectfully decline. We aren't going to build something that no one is going to buy. Finally, the signal at SR 19, we agree with what Mr. Harowski said. There is no guarantee that a signal will ever be warranted. If it's warranted when we bring commercial in we'll gladly pay our portion of it. We'd like one but it has to be on DOTs radar and timeline. I don't see any site line issues on Lakeview and Florida Ave. it is a 3-way stop and it will be a 4-way stop. We talked to our traffic consultant and we cannot improve Lakeview so the engineer proposed putting a No Through Traffic sign on Lakeview. Ticketing by the Police should change people's behavior to go right or left. There was a comment about the mail kiosk, maybe moving it to the entrance. We have it in the center of the community where there is enough land to get out of their car and check their mail. We think that is the ideal spot, I don't know why that is an issue. I will go back and check on the home prices and report to the Council.

Vice Chair St. Clair stated that unless they are underreporting in the MLS the average is between \$250k and \$275k, the most recent prices going up to \$286 to \$303. She asked about the one long road and the shortened drives, which reduces that number of cars that can park in the driveway, going from 20 to 15 ft., isn't it going to be more difficult for visitors being parked on the road and dodging the cars going to the end.

Chuch Hiott stated the 15 ft. added to the language is for an enclosed porch. The driveway will be 20 ft. to keep cars not parked in the garage off of the sidewalk.

Vice Chair St. Clair asked, so you are extending the driveway?

Chuch Hiott said the driveway will be 20 ft. to the garage door. If there's a covered porch we would have the ability to go to 15 ft. The road is 24 ft wide with 2 ft. curb and gutter so if someone does park on the street there will be room for emergency vehicles. It may be in the HOA docs, no overnight parking on the streets.

Ron Roberts said Venezia has that rule and several homeowners have contacted me about parking on the street. I've told them that those are city streets so they should contact the Chief. It is in the HOA docs but with the contractors building homes it can be difficult.

Vice Chair St. Clair asked about the recreational area, is there a reason you're not putting in tennis courts or a play area? My perspective as a real estate broker, the product is nice but people ask about the amenities, and I understand the HOA fee is not exorbitant, however people are looking for those type of amenities. Howey does have parks but if we're looking for families why wouldn't amenities be looked at.

Ron Roberts said he asked his builders for a justifiable HOA rate. That played a big part, we can't have a big HOA and draw customers to Howey-in-the-Hills. In Talichet it might be a reason to have smaller lots, so there are more homeowners to share the cost of the amenities. It's a function of what will people pay. You live in Venezia how much do you think is reasonable?

Graham Wells said that when he lived in Mt.Verde he paid \$400/year. In Venezia its \$480/year, there's 135 homes on ½ acre lots and the only real HOA cost is landscaping. I think in Venezia South the landscapers do a good job on the entrance but you have to badger them to do anything else. For example, the at the end of Calebria Way there's a drainage ditch that hadn't been mowed until last week because I called and provided pictures to the new management company. I really don't see what the \$480 I pay provides me.

Ron Roberts said the streets lights, maintenance of the bell tower and spots lights, irrigation. The water bills in Howey are on the high end.

Graham Wells said it's \$40 to water my lawn, if I used the St. John's Water District, I would have a \$200 water bill and you pay \$100 for domestic water, including my trash. I think it's really heavy and the fact that you can't drill a well.

Ron Roberts stated he's had discussion with the Town.

Planner Harowski asked to get back on topic.

Ron Roberts said the 4-inch trees take a lot of water, the overkill of landscaping all play a part.

Member Lehning asked if it's your company's option that you already have an agreement with the town?

Ron Roberts said we already have an approved PUD with the town.

Member Lehning has the Town attorney looked at that question and whether or not that's the Town's standing.

Planner Harowski said no.

Member Lehning said that he thinks we should because what they are claiming is that everything you've said in your report is false.

Planner Harowski said that a PUD is essentially a contract agreement. What they are saying in this agreement is that we want to open up the agreement and make changes and the Town's position is you have to bring it up to code.

Member Wells said that if they developed on the original 96 lots and additional 10 acres...

Planner Harowski said the 10 acres is a separate issue. We need to confirm that with the attorney.

Member Lehning said that he wants the town attorney to confirm so that we don't get sued.

Ron Roberts said there wouldn't be any suing going on. We worked with the Town on Venezia South and there was give and take.

Member Lehning asked why are we here trying to vote on details?

Member Wells said because of the 10 acres.

Planner Harowski said opening the agreement to change the lot sizes means it has to come into compliance with the Comp. Plan and the city gets to negotiate things it feels are important as well.

Chuck Hiott said the reason we're here is because we agreed to disagree. There are about 7 items that DRC is concerned with. But we feel strong enough that we don't want to comply with a few of the items and we need a PUD to do it.

Member Lehning said you're asking us to be the arbiter of all these disputes.

Ron Roberts said he agreed and I understand your concern.

Member Lehning said you're asking us to vote against the DRC.

Planner Harowski said there are differences in what they are asking for in the June 1st Development Agreement presented at the last DRC. It's important to note, look at the

picture because it becomes part of the agreement, the streets, lot layout and activities are shown on here. And a number of the things that we discussed are not show. A No Through Street sign would require a traffic study and it would apply to everybody, not just Talichet people but the people that live on those streets too.

Ron Roberts said the main thing we accomplish today is pushing something towards Town Council.

Member Wells said that whatever we do, it took 4 goes to get an ordinance on a shed, you've got no chance of this going anywhere at this point. Based on that where do we realistically go from here.

Ron Roberts said he'd like to make a suggestion to have the board vote on each of the 7 items.

Member Well said that there are some items I don't feel comfortable with because we got the information 48 hours ago. I have made notes but I don't feel it would be fair to you.

Chairman Llewellyn asked to take a vote on all items.

Member Lehning said he'd like to put the question on the original PUD to the Town's attorney.

Chairman Llewellyn asked **Member Lehning** to make a motion

Member Lehning made a motion we petition city council to answer, are we operating under the original PUD?

Member Wells stated the only thing with the motions is that we know we're not voting on the original PUD. They've opened it up, they have an agreement on something but that's not what they want to develop and they're annexing the 10 acres means they can't do their old agreement.

Ron Roberts said not necessarily, if this becomes too burdensome, I don't own that other property, I'm the agent of record and I'd be happy to drop it. If this is too burdensome, I'd rather have my original deal but what we need you to do it and the attorney says it in there. You need to state, yes, we approve or no we deny or we approve with conditions. Approved with conditions means these 7 items, that's giving the Town Council guidance to make decisions. I want to push for "with conditions".

Chairman Llewellyn said we don't have a second for Member Lehning's motion so we don't have a motion. Go to public comment, please keep your comments to 3 minutes.

Public Comments

Sal Gallelli 1104 Tangerine, said he thinks the project needs a couple of access points. Planner Harowski is telling you what you have to do. There are codes and codes change. I think whatever's done now should be to current code. I think the homes should be built back to back. You can't tell the people on Lakeview they can't use the road.

Elwis Benson 406 S. Florida said you have to make a decision one way or another on this project and make a recommendation to the Council, you have two things to use, the Comp. Plan and the Land Use Plan. The Comp. Plan has to be used per Tom and his discussion with the lawyer for the PUD. I've provided copies of the Comp. Plan it covers the wetland/flood zones. The Talichet does not meet these requirements. On the colored flood zone map and put it over their development plan you'll see they have houses in the flood zone. The houses have to be 18-inches above flood zone. Those are legal issues that have not been addressed and it's in our Comp. Plan. The other issue is the goal on page 129, "retention of the quaint, distinctive character of the Town". That's something you have to make up your mind as to what this means. Their bringing in a development that's a compound, building with their backs to us. They are just using us as an address, buy your house in Howey. I will see the back of houses or a wall if it goes up. This is not Howey or what we came here for. Some people that left due to the late hour said that this not what they want. If you want to build here blend in with the community. If you look at an areal view of the town all of the walls that are going to go up, 48 and 19, the new fire department.

This is our town, let them come in and build what we want. They should go out and ask the community. I ask you to reject this plan, go back to the Comp. Plan and look at the flood zone, this developer is going to go away because he can't build enough houses.

Marie Gallelli 1104 N. Tangerine asked about sewers vs. septic. **Ron Roberts** responded sewers. **Marie Gallelli** You currently have 68.2 acres, 93 homes and now you have 78.2 acres for 165 homes. Recreation will be 15% of the 78 acres **Ron Roberts** said 68 acres, **Marie Gallelli** asked why? **Ron Roberts** said because the 10 acres is not in the Village Mixed Use criteria of the Comp. Plan. **Marie Gallelli** asked where you would want the emergency exit. **Vice Chair St. Clair** said No. 2 Road. **Marie Gallelli** asked about the size of the cul-de-sac **Ron Roberts** said the longer length was approved in the old PUD. **Marie Gallelli** said that if you have 5 ft. setbacks can utility trucks get behind these homes or where they need to be? **Ron Roberts** said that we're just talking about phone, power, cable and HVAC. **Marie Gallelli** asked about the wall and fencing on Florida Avenue. **Ron Roberts** said in the original PUD we had a Wall with landscaping in front of it. Around the Post Office would be tan vinyl fence and off of Central Avenue. **Chuck Hiott** said to answer, any land adjacent to right-of-way would have a wall and adjacent to residential has a vinyl fence

Kelly Cook 402 S. Florida stated that she follows with Mr. Benson, we want to keep Howey quaint. Also, our blinking stop light is part of the charm of Howey and increased traffic my force our hand and we may not be able to keep our blinking light. A suggestion for connecting Venezia to the community would be a golf cart path or bike/walking path connecting Venezia to Lakeshore, Sara Maude and other activities.

Member Wells said the trail from Venezia to Lakeshore has come up in the Town Council and Parks & Rec. and living there I want it. SR 19 is county right-of-way and we've already made applications to the state and we got a price on it but we're relying on the DOT.

Bill Teese W. Oleander said he moved here in January from Pinellas County. We came here for the community, we face our neighbors. The grid pattern makes the town what it is. We didn't move here small lots. Traffic would increase by 300 cars every morning. It's about money for the developer, they can still make money on ½ acre lots.

Jason Cook 402 S. Florida said what goes on inside is debatable; what is not debatable is getting an excess of 200 cars out of that shallow entrance. It would be an issue of quality of life for us and probably for everybody in the room. I think you have some comparables from where that entrance would be, looking north and south on Florida and looking across, you have the same thing at Venezia with double lanes going both ways, you have a turn lane; that's the same number of cars coming out of an entrance that's only one lot deep. 200 cars every morning and evening, it's going to be a mess.

Carol Rivera 200 W. Holly said she's a realtor, Ron said they want a cul-de-sac because they didn't want through traffic. How do you think we'll feel with all of that through traffic? We would like to see you incorporate your community with our community.

Chuck Hoitt said they are not trying to change the Comp. Plan. Wetlands and the 100-year flood Comp. Plan, we'll have to meet the flood requirements. The boulevard and turn lane were put in Venezia for the future commercial and townhouse development.

Chairman Llewellyn asked Planner Harowski to go through the developer's list one-by-one.

Planner Harowski said that there are differences in the materials distributed tonight than the June 1st version. The landscape buffer is one of the new things that popped up tonight.

Chairman Llewellyn asked if there is any discussion

Marie Gallelli 1104 N. Tangerine said that it isn't fair to them or to you because they haven't had time with the material.

Chairman Llewellyn asked for a vote.

Member Wells seconded by, **Member Lehning** moved to deny Ordinance 2018-006 to give us more time to look this over. Motion passed 4-0 with a roll call vote.

Planner Harowski asked to clarify that it is a motion to deny, a recommendation to the Council to deny. **Chairman Llewellyn** said yes.

NEW BUSINESS

Consideration and Approval for a Zoning Clearance to construct a Single-Family Residence on North. Valencia Avenue and East. Camellia. (Alt Key 2555505)
(Action to be taken by the Planning and Zoning Board – consider the application and approve or deny the zoning clearance request)

Chairman Llewellyn read the request.

Planner Harowski said DRC received additional information and the developer is in compliance.

Chairman Llewellyn asked if Ron Von Frankenstein was on board?

Clerk Burke said that he reviewed it

Chairman Llewellyn asked for a motion

Member Lehning seconded by, **Vice Chairman St. Clair** moved to approve a Zoning Clearance to construct a Single-Family Residence on North. Valencia Avenue and East. Camellia. (Alt Key 2555505). Motion passed unanimously.

Consideration and Approval of Comprehensive Plan Amendment

- **Chapter 3 - Housing**
- **Chapter 5 - Conservation**
- **Chapter 11 – Recreation and Open Space**

(Action to be taken by the Planning and Zoning Board – consider and provide a recommendation on the proposed comprehensive plan amendment to the Town Council)

Chairman Llewellyn read the request.

Planner Harowski said that this is the update to the plan, we had to do updates to the elements. We have to get them all done by September. The plan is redlined. Housing: we updated the data, we dropped all citations to 9J5 because there isn't a 9J5 anymore. We deleted 1.4.3 because we completed that. I recommended dropping 1.9.2 annual house demand report. We dropped 1.11.3 because we didn't think that was needed. We dropped 1.11.4 because that's done. Conservation: stripped out all of the water stuff and referred to the Public Utilities element. No changes to the policy. Recreation and Open Space: We redid the calculations with new population projections, and we have plenty of park capacity for what we think is going to happen in the next 15 – 20 years. We amended 1.4.1. You asked to wait to vote until all of the other elements are done, that will give you time to look at the material and ask any questions at the next meeting.

Consideration and Recommendation to appoint Matthew McGill to the Planning and Zoning Board.

Chairman Llewellyn read the recommendation and said that Mr. McGill isn't here.

Vice Chair St. Clair said she votes no.

Chairman Llewellyn asked why?

Vice Chair St. Clair said he is the gentleman that has the fencing issue on Laurel and if he was really an advocate of Howey he would not be doing that.

Chairman Llewellyn said and he would be here

Vice Chair St. Clair said if he's not going to come to the meeting to present himself, I don't necessarily see him as an active member.

Chairman Llewellyn asked for a motion

Vice Chair St. Clair seconded by Member Lehning made a motion to deny appointing Mr. McGill to the Planning and Zoning Board. Motion passed unanimously.

PUBLIC COMMENTS

The meeting was adjourned at 8:05 p.m.

Chairman Llewellyn

ATTEST:

Dairian Burke
Town Clerk