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WHEREAS, the Town Council of the Town of Howey-in-the-Hills, Lake County, Florida, has adopted a comprehensive plan pursuant to, and in compliance with Chapter 163 of the Florida Statutes.

WHEREAS, the Town of Howey-in-the-Hills has determined that an amendment to the Town of Howey-in-the-Hill’s Land Development Code to add “Historic and Archeological Property Overlay” as a new overlay district intended to support the preservation and adaptive reuse of historic and archeological resources is necessary to implement the comprehensive plan.

WHEREAS, the Town Council has decided it is appropriate to amend the Town's adopted Land Development Code in response to the application for the amendment.

Section 1. The Town Council hereby approves the revisions to the Land Development Code for the Town of Howey-in-the-Hills as indicated by the underlined and strikethrough language in the amended Land Development Code attached hereto as **Attachment A.**

Ordinance No. 2017-002 Page 1

35
36
37 **Section 3.** All ordinances made in conflict with this Ordinance are hereby repealed.

38 **Section 4.** All other provisions of the Land Development Code shall remain unchanged,
39 ratified, and confirmed by this ordinance.

40 **Section 5.** The revisions reflected in the Attachments shall be codified and incorporated
41 into the Land Development Code of the Town of Howey-in-the-Hills, Lake County, Florida.

42 **PASSED AND ORDAINED** this ____ day of _____, 2017, by the Town Council of
43 the Town of Howey-in-the-Hills, Florida.

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49 _____
Chris Sears, Mayor

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51
52 **ATTEST:**

APPROVED AS TO FORM AND LEGALITY

For use and reliance by the Town of
Howey-in-the-Hills, Florida, only.

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54
55
56
57 _____
58 Dairian Burke
59 Acting Town Clerk

Heather M. Ramos
Town Attorney

60
61
62 Town Council First Reading held _____.
63 Town Council Second Reading and Adoption held – _____.
64 Advertised for Town Council _____ and _____.
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80 ATTACHMENT A
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83 **2.03.04 Historic and Archeological Property Overlay**
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- 85 **A. Purpose:** The Historic and Archeological Property Overlay is intended to preserve
86 historic and archeological assets by designating sites which meet the specified criteria; by
87 providing for alternative and adaptive reuse opportunities for designated properties
88 consistent with neighborhood conditions; result in the preservation of the historic or
89 archeological resource. The overlay is intended to preserve the underlying zoning as the
90 base use for the property and the zoning which will be effective on the property should
91 the designated resource be removed for any reason.
92
- 93 **B. Applicability:** The overlay designation may be applied to one or more parcels in any
94 zoning district if both of the following conditions are met.
95
- 96 1. The historic or archeological asset is listed on the National Register of Historic
97 Places; designated by the State of Florida as a historic or archeological resource;
98 approved by the Town Council as a locally significant site.
 - 99 2. The original use of the building or site no longer functions in the current environment
100 or would create negative secondary impacts to the surrounding neighborhood if
101 utilized for its original use.
102
- 103 **C. Review and Approval Process:** An application for designation as a Historic Property
104 Overlay shall follow the following procedures.
105
- 106 1. The applicant shall submit an application for rezoning to the historic property overlay
107 as required by Section 4.11.00 Special Overlay Districts including compliance with
108 the requirements for review of the application and notice procedures.
 - 109 2. The adoption process for the Historic Property Overlay shall follow requirements of
110 4.15.04 and 4.15.05 so as to follow the same requirements as established for Land
111 Development Code Amendment requirements.
 - 112 3. Once approved the Historic Property Overlay shall be denoted by the addition of the
113 designation "H" to the underlying zoning classification.
 - 114 4. For the area included within the Historic Property Overlay, the special development
115 plan required by Section 4.11.01B shall consist of the Historic Resource Management
116 Plan (HRMP). In addition to the requirement specified in Section 4.11.01.B, the
117 HRMP shall address all requirements specified by the Town Planner, which may
118 include some or all of the following: permitted uses; a conceptual site plan; site
119 development requirements including but not limited to access, parking, landscaping,
120 signage, and dimensional requirements; any waivers from code provisions essential to
121 implement the HRMP; and other provisions found necessary to implement the
122 HRMP.
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127 The HRMP shall also include a plan and program to preserve the supporting historic or
128 archeological resource including a time frame for implementation of necessary
129 renovations, restoration or other related improvements including compliance with U.S.
130 Secretary of the Interior's "Illustrated Guidelines for Rehabilitating Historic Buildings."
131

- 132 **D. Vacation of the Historic Property Overlay:** Should the historic or archeological
133 resource which forms the basis of the Historic Property Overlay be destroyed or removed
134 from the property for any reason, the Historic Property Overlay shall be vacated and the
135 property shall assume the designation of the underlying zoning.
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MINUTES OF THE PLANNING & ZONING BOARD MEETING HELD JUNE 22, 2017

Chairman Llewellyn called the meeting to order at 6:03 p.m.

Present: Chairman Llewellyn, Member Ricci, Member St. Clair, Member Lehning and Member Douthit.

Also Present: Town Planner Harowski and Acting Town Clerk Burke

APPROVAL OF MINUTES

Minutes of Regular Meeting held May 25, 2017

Member Lehning, seconded by Member St. Clair moved to approve the minutes as presented. Motion passed unanimously.

NEW BUSINESS

Consideration and Recommendation to the Town Council for amendment of the Land Development Code to include a Historic and Archeological Property Overlay District.

Town Planner Harowski said that the topic is the same proposal from the May 25, 2017 Planning and Zoning Board Meeting but in ordinance format. In order to move forward the Planning and Zoning Board must approve and recommend the ordinance to the Town Council.

Member Lehning asked if once the Town Council approves the ordinance the next step for the applicant would be to submit a request. **Town Planner Harowski** replied that the ordinance provides the applicant with the tools they need to apply for a zoning change.

Member Lehning asked if part of the zoning change would be the consideration of what will happen to Citrus Avenue. **Town Planner Harowski** replied yes, that all of those questions could be a part of the negotiation.

Clay Cowherd, Purchaser of the Howey Mansion, introduced himself and said that he looked forward to working with the Town.

Member Ricci, seconded by Member St. Clair moved to recommend the amendment of the Land Development Code to include a Historic and Archeological Property Overlay District. Motion passed unanimously.

Discussion: Review the Land Development Code- Chapter 5: Accessory and Temporary Uses and Structures.

Chairman Llewellyn gave background on a shed in Town.

Member Lehning asked if the Town could rescind a permit.

Member St. Clair read aloud from the Land Development Code that limited storage may be allowed in any attached or detached garage provided such storage does not create a nuisance or prevent use of the garage for parking motor vehicles. (Chapter 5, Section 5.01.02, number 14).

Member Ricci asked if a neighborhood could sign a petition.

Town Planner Harowski said that when talking about sheds in the Land Development Code you must look under Section 5.01.03 for requirements or restrictions.

Member Lehning asked if the Town had ever rescinded a permit. **Chairman Llewellyn** said that he didn't think so.

PUBLIC COMMENTS- No Comments

The meeting adjourned at 6:37 p.m.

Chairman Llewellyn

ATTEST:

Dairian Burke
Administrative Assistant II