

MEMORANDUM

TO: HOWEY-IN-THE-HILLS TOWN COUNCIL  
CC: D. BURKE, TOWN CLERK  
FROM: THOMAS HAROWSKI, AICP, PLANNING CONSULTANT  
SUBJECT: TALICHET – BESH LETTER DATED AUGUST 9, 2018  
DATE: AUGUST 17, 2018

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BESH Engineering submitted a letter dated August 9, 2018 providing supplemental information regarding the proposed Talichet development. The letter presents some requests that have been made to vary from the Town's land development requirements including offering some reasons for the requests. This analysis is provided by staff to present the staff and Development Review Committee positions on these requests. The following analysis identifies the comment from the BESH letter and the staff response.

1. The Venezia PUD as previously approved by Howey under Ordinance 2005-348 is already vested and should not have been subjected to the Town's decision in 2010-2011 to change their Comprehensive Plan to Village mixed use for this parcel since it was already under construction. The Village mixed use requires additional burdensome requirements that this PUD as originally proposed and underwritten cannot meet without a substantial hardship to the property owner. However in the interest of time and since the comp plan was changed that impacted this parcel, we respectfully request the Town agree that the previously dedicated police station site (2.21 acres) and the revels road corner clip (.42 acre) count towards all the requirements of the revised comp plan.

***The designation of the "Talichet" parcel as Village Mixed Use on the future land use map was done using the appropriate procedures including public notice. If the applicant objected to the future land use designation or any aspects of the VMU land use, this concern should have been raised at that time. The applicant can apply for a comprehensive plan amendment if desired; but until a change is made, the VMU requirements must be applied to the property.***

***The property dedications cited in this comment do not address the comprehensive plan requirements in question. There are two requirements at issue which are not identified in the applicant's comments. The first is a requirement that 15% of the project area be devoted to non-residential use; and the second is a requirement to include an active recreation component to the project. In other documents the applicant has suggested that the north and south parcels should be considered a unified project (as was the***

**case at the time the comprehensive plan designation was applied) for the purpose of meeting these requirements. The south project includes a commercial area which could be assigned to meet the non-residential development component for both sections. The staff acknowledges that the north parcel, "Talichet" has no real commercial viability and therefore the 15% requirement would have to be met with civic, recreation or other land uses. The Town Council could consider applying the Venezia South commercial tract to meet the 15% requirement for both parcels.**

**However, the requirement for active recreation still remains. The Venezia South parcel includes no areas which can be applied to meet the active recreation area. Logically, the active recreation component should then be developed in the northern parcel for the full project. No active recreation is proposed in the current plan.**

2. Talichet 2nd access point on #2 road. We are in agreement to make this a full access point provided the County does not require any additional improvements to #2 road and will allow us to just connect. The access point will be emergency only should the county require any additional improvement/requirements for access.

**As has been documented previously the DRC position is that two entrances are needed and required by code regardless of the Lake County requirements. Based on our engineering estimates, an intersection with a left turn lane would cost about \$1,000 per lot for the proposed project size. This is an investment well worth it in terms of the return in improved access and safety.**

3. Talichet property fronting Florida Avenue. We will agree this will not be a wall. We will install columns and black aluminum as the fencing requirement for lots fronting FL Avenue. PVC fencing will be installed along other property perimeters as warranted.

**Staff understands that the neighborhood opinion is opposed to a wall on Florida Avenue, and staff concurs with the fence proposal under these circumstances. A landscaped wall is required on Number Two Road.**

4. Venezia HOA will dedicate an easement in favor of the town to connect to the school.

**This action has nothing to do with the Talichet project and should not be considered as part of the pending zoning action.**

5. Side yard setbacks will remain consistent as approved at 5.5'

**On a 51 foot lot, this setback leaves 40 feet of building width. Development will take some careful home design as the garage will consume at least half of the lot width.**

6. Pool/Accessory structure setback code is 10'. We propose 5'. This is to maximize building footprint. 5' is standard in other municipalities.

**No evidence has been presented as to setbacks in other jurisdictions, and what other communities use as dimensional requirements should have no impact on decisions in Howey. There is no justifiable reason to move pool enclosures closer to the property line.**

7. Cul-de-sac lengths Code is 660'. We propose 1,320'. Not previously required and is an overbearing requirement and to keep consistent with other local jurisdictions.

**Staff research shows that four Lake County jurisdictions have maximum cul-de-sac lengths at 800 feet or less. Four jurisdictions in Lake County allow cul-de-sacs up to 1,200 feet, but I could find no jurisdictions with longer runs. Just for clarification, the subdivision code in place when the Venezia subdivision was approved limited the cul-de-sac length to 600 feet (Sec. 1-17.2 J 7). With the second entrance any issues with the length of a cul-de-sac should be resolvable.**

8. Median and cul-de-sac islands every 600'. Not previously required. We propose these get eliminated altogether.

**DRC agreed to support this change.**

9. Landscape buffer code is 15'. We propose 5'. Aluminum fencing proposed 5' is sufficient for landscape and fence. We are dedicating 10' of right of way to the Town for Florida Avenue and 10' of right of way to the County for Central.

**This proposed change essentially eliminates any reasonable buffer. The proposed 5-foot landscaped buffer is barely enough to include a fence or wall where required, and provides no room for meaningful landscaping. The fact that additional right-of-way donations may be needed to provide a standard width street is irrelevant to the buffer requirement. The attempt here is to offer a substandard buffer design and should not be allowed.**

10. Landscaping tree requirement is 4". We propose 2" as was planted for most of Venezia. 2" trees are more readily available than 4". 4" trees use double the amount of water and the survival rate is less.

**The Town Council has previously allowed a reduction in size for street trees, but there is no real justification for the change other than to reduce cost for the applicant.**

11. Tree replacement - we will replace a maximum of 30% of total inches above 8" in diameter at breast height.

**At this time no analysis has been done on any required tree replacement. The Town Council should not waive or modify any code requirement for tree replacement given the insufficient information available at this time.**