



## Planning & Zoning Board Meeting

September 28, 2023 at 6:00 PM  
Howey-in-the-Hills Town Hall  
101 N. Palm Ave.,  
Howey-in-the-Hills, FL 34737

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### MINUTES

#### CALL TO ORDER ROLL CALL

#### BOARD MEMBERS PRESENT:

Board Member Alan Hayes | Board Member Richard Mulvany | Board Member Ellen Yarckin | Board Member Shawn Johnson | Board Member Frances Wagler | Vice-Chair Ron Francis III | Chair Tina St. Clair

#### STAFF PRESENT:

John Brock, Town Clerk | Tom Harowski, Town Planner

#### CONSENT AGENDA

*Routine items are placed on the Consent Agenda to expedite the meeting. If a Planning & Zoning Board Member wishes to discuss any item, the procedure is as follows: (1) Pull the item(s) from the Consent Agenda; (2) Vote on the remaining item(s); and (3) Discuss each pulled item and vote.*

1. Consideration and Approval of the May 17, 2023, Planning and Zoning Board Joint Workshop with Town Council minutes.

**Motion made by Vice-Chair Francis III to approve the Minutes for the May 17, 2023 Planning and Zoning Board Joint Workshop with Town Council; seconded by Board Member Mulvany. Motion approved unanimously by voice vote.**

#### **Voting**

**Yea:** Board Member Hayes, Board Member Mulvany, Board Member Yarckin, Board Member Johnson, Board Member Wagler, Vice-Chair Francis III, Chair St. Clair

**Nay:** None

2. Consideration and Approval of the June 22, 2023, Planning and Zoning Board Meeting minutes.

**Motion made by Board Member Johnson to approve the Minutes for the June 22, 2023 Planning and Zoning Board Meeting; seconded by Vice-Chair Francis III. Motion approved unanimously by voice vote.**

## **Voting**

**Yea:** Board Member Hayes, Board Member Mulvany, Board Member Yarckin, Board Member Johnson, Board Member Wagler, Vice-Chair Francis III, Chair St. Clair

**Nay:** None

## **PUBLIC HEARING**

### 3. Consideration and Recommendation: **Ordinance 2023-009 Comprehensive Plan FLU Amendment and Rezoning - ASMA Parcel**

Town Planner, Tom Harowski, introduced and explained this item. Mr. Harowski reviewed his staff report that had been included in this meeting's packet with the Board.

Chair St. Clair allowed the applicants to make their presentation and speak on their own behalf. Present from the applicant included Nicole Gargas, Gemini Design LLC, Nick Asma, Owner of the property, and Brent Spain, Land Use Attorney representing Mr. Asma.

Mr. Spain gave a lengthy presentation in support of the applicant's project. Mr. Spain stated that the parcel in question was not ideally shaped for residential use but would be compatible for commercial use.

Chair St. Clair open Public Comment for this item only.

**Brittany Lerch, 25926 Bloomfield Ave., Howey-in-the-Hills (unincorporated Lake County)** – Mrs. Lerch stated that she lived in unincorporated Lake County, so she did not want to share her opinion about this proposed development. Mrs. Lerch did want to share information about crashes and the information that could be gathered from the Lake-Sumter MPO.

**Rodney Tate, 1003 Hamlin Ave.** – Mr. Tate lives near this area and was concerned about traffic this would bring. Mr. Tate was not in favor of this proposed project.

**Peter Tuite, 300 E. Croton Way** – Mr. Tuite had traffic concerns and was not in favor of this project.

**Tim Everline, 1012 N. Lakeshore Blvd.** – Mr. Everline had a problem with the traffic study and was not in favor of this project.

**Frank Martinez, 10400 Woodland Hills Ct., Howey-in-the-Hills (unincorporated Lake County)** – Mr. Martinez was concerned about parking for this project and was not in favor of this project.

**Larry Morris, 800 N. Citrus Ave.** – Mr. Morris was concerned about traffic and parking issues, and he was not in favor of this proposed project.

**Ron Holcomb, 902 N. Citrus Ave.** – Mr. Holcomb stated that the intersection of SR. 19 and N. Citrus Ave. was inadequate, and he was not in favor of this proposed project.

**Todd Hawkins, 1110 N. Lakeshore Blvd.** – Mr. Hawkins thinks this project would be wonderful, just not on this site; another area of the Town would be better.

**Sue Garner, 900 N. Citrus Ave.** - Ms. Garner had well placement and septic tank issues. Ms. Garner was upset that a commercial building would have an entrance onto a residential street, and she was not in favor of this proposed project.

Town Clerk, John Brock, read out loud two letters and an email that had been submitted to Town Hall about this item. The first was from Mercedes and Ron Holcomb, the second was from Lynn and Rodney Poling and Jeff Haertel, and the third was from Nick Ripostella.

Brent Spain, representing the applicant, spoke to answer the concerns of the public. Mr. Spain spoke up on 10 points. They were:

- 1) Concern that the Commercial building would need to be on a septic system – A residential building would need to be on a septic system as well.
- 2) Retail Uses – These would require a review and conditional uses that require a review were what was read out by a member of the public earlier.
- 3) Traffic Use – General office uses were used to determine this number.
- 4) Parking Requirements – The proposed amount of parking is what the Town requires.
- 5) The owner of the property was not obligated to help the Howey Mansion and their need for additional parking.
- 6) Dumpster – The owner had stated that a dumpster would not be used; trash cans that would be shielded from public view would be used.
- 7) Density concerns – This was a low intensity project.
- 8) Driveway – FDOT controls the ability to put a driveway on to SR 19, and N. Citrus Ave. was a public road.
- 9) Preserving Howey and Mansion – The property owner was working hard to fit in to the neighborhood, and all four sides of the proposed building would be consistent. Also, his client has property rights.
- 10) Traffic Safety – Anything built on this property would have an effect.

Chair St. Clair opened Board Comments for this item.

Board Member Wagler stated that she was employed by the Howey Mansion, and that she was the Manager of the Howey Mansion. She stated that she did not believe that she needed to recuse herself from this vote.

Board Member Wagler stated that she believed that, historically, Mr. Howey would have wanted commercial growth on Central Ave.

Board Member Wagler asked the property owner, Mr. Asma, if he had offered to sell this parcel of land to the owners of the Howey Mansion. Mr. Asma stated that he had not.

**Motion made by Board Member Mulvany to NOT Recommend Ordinance 2023-009 to the Town Council; seconded by Board Member Wagler. Motion to NOT Recommend Ordinance 2023-009 passed unanimously by roll-call vote.**

#### **Voting**

**Yea:** Board Member Hayes, Board Member Mulvany, Board Member Yarckin, Board Member Johnson, Board Member Wagler, Vice-Chair Francis III, Chair St. Clair

**Nay:** None

The Board's stated reasons for voting to NOT recommend this Ordinance were: they were concerned about the safety factor with traffic from this project going onto E. Citrus Ave then turning onto SR 19; the Town of Howey had pride in the Howey Mansion and Griffin Village and this would detract from it; they were concerned about the increase in traffic that this project would bring; this was a residential neighborhood, not a commercial area; and they were concerned about the value of the residential property going down in this area if they were to recommend.

#### **OLD BUSINESS**

None

## NEW BUSINESS

### 4. Consideration and Approval: **Final Subdivision Plans - Hillside Groves**

Town Planner, Tom Harowski, introduced and explained this item. Mr. Harowski reviewed his staff report that had been included in this meeting's packet with the Board. Mr. Harowski stated that what the Board was reviewing during this meeting was only if the Final Subdivision Plans met the Town's Engineering Standards. Mr. Harowski explained that, if approved, the applicant would have 18 months to begin construction on the development.

Vice Chair Francis III voiced his concern about whether Number Two Road could handle any traffic from this project.

Board Member Hays wanted to know if the Town Council had gone against the recommendation of the Planning and Zoning Board when approving this project.

Chair St. Clair allowed the applicants to make their presentation and speak on their client's behalf. Present on behalf of the applicant were Bill Ray, Planner for the applicant, and Justin Williams, Engineer on Record for the project.

Mr. Ray gave a brief presentation on the history of the project. Mr. Ray stated the revised binding agreement would dedicate right-of-way (ROW) on Number Two Road to Lake County.

Mr. Ray explained that Duke Energy would do the final lighting engineering for the streetlights in the development.

Board Member Wagler asked about sewer services for the project. Mr. Ray explained that the owners already had agreements with the Central Lake CDD for wastewater services.

Chair St. Clair open Public Comment for this item only.

**Tim Everline, 1012 N. Lakeshore Blvd** – Mr. Everline stated that he believed all Development Agreements needed to have sunset dates. Mr. Everline wanted to know who the builder would be for this development.

**Brittany Lerch, 25926 Bloomfield Ave., Howey-in-the-Hills (unincorporated Lake County)** – Mrs. Lerch was not in favor of this development. Mrs. Lerch stated that the county residents on Number Two Rd. wanted the spine road that connected SR. 19 to Number Two Rd. to be removed.

**David Miles, 500 E Camellia Way** – Mr. Miles stated that he had 8 items that he had questions about. Mr. Miles asked about a 2<sup>nd</sup> entrance onto Number Two Rd., turn lane road improvement on Number Two Rd, a sign at the north entrance, number of streetlights on the spine road, and the number of lanes at the south entrance to the development.

**Sandy Russ, 6183 Lake View Dr, Yalaha, FL** – Ms. Russ was concerned about the extra road traffic this development would cause. Ms. Russ would like to see a pause in all development around her.

Chair St. Clair allowed representatives of the applicant to speak again.

Mr. Ray stated that the Hillside Groves project was fully vested in 2009 when the applicant had submitted Engineering plans and that the Town Attorney had confirmed that at the last round of hearings.

Mr. Ray said that the state of Number Two Rd. was a Lake County issue, not a Town issue and that the spine road that was incorporated in the plans for the development had been added at the request of the Town.

Mr. Ray stated that Duke Energy would complete the final engineering plans for the streetlights for the development.

Mr. Williams addressed issues with turn lanes and street designs at the south entrance of the development.

Mr. Harowski, Town Planner, reiterated that the decision that the Board had this evening was not a debate about lot sizes or setbacks, but the Board was there to determine if the submitted plans complied with the Town's Engineering and Construction standards.

**Motion made by Board Member Johnson to recommend approval; seconded by Vice-Chair Francis III. Motion approved by roll-call vote.**

**Voting**

**Yea:** Board Member Hayes, Board Member Mulvany, Board Member Johnson, Board Member Wagler, Vice-Chair Francis III, Chair St. Clair

**Nay:** Board Member Yarckin

5. Consideration and Approval: **Fiscal Year 2023-2024 Planning & Zoning Board Meeting and DRC Meeting Schedules**

Town Planner, Tom Harowski, explained that the Planning and Zoning Board typically approves both the Planning and Zoning Board's schedule for the next year, but also the Development Review Committee's (DRC) schedule. It was decided that there would be one change in Mr. Harowski's proposed schedule, that the March 28, 2023, Planning and Zoning Board meeting would be moved to March 21, 2023.

Board Member Wagler stated that she had a conflict with the November Planning and Zoning Board Meeting date, but the consensus from the other Board Members was to leave that date alone.

**Motion made by Board Member Yarckin to approve the Fiscal Year 2023-2024 Planning & Zoning Board Meeting and DRC Meeting Schedules with the amendment that the March 28, 2023, Planning and Zoning Board meeting would be moved to March 21, 2023; seconded by Board Member Johnson. Motion approved by roll-call vote.**

**Voting**

**Yea:** Board Member Hayes, Board Member Mulvany, Board Member Yarckin, Board Member Johnson, Vice-Chair Francis III, Chair St. Clair

**Nay:** Board Member Wagler

Board Member Wagler stated that the November Planning and Zoning Board Meeting date would not be moved even though the March date had been moved. Board Member Wagler stated that she was upset that there had been Planning and Zoning Board meetings that had been canceled and that she was not going to attend the November meeting.

Board Member Mulvany stated that he had been "called on the carpet" by Town Councilors and wants the Planning and Zoning Board to meet even if there is no business.

**PUBLIC COMMENTS**

*Any person wishing to address the Planning and Zoning Board and who is not on the agenda is asked to speak their name and address. Three (3) minutes is allocated per speaker.*

**David Miles, 500 E. Camellia Way-** Mr. Miles stated that Town Councilors value the Planning and Zoning Board’s input. Mr. Miles reminded everyone that the original plan for the Reserves was to have a spine road with four lanes, not two.

Mr. Miles stated that he wanted the Planning and Zoning Board to hold developers to the Town’s Code. Mr. Miles stated that he believed the developers had allowed too much density in the past.

**BOARD COMMENTS**

Board Member Yarckin stated that she was concerned that the Town Council did not have to follow the recommendations of the Planning and Zoning Board.

Chair St. Clair stated that Town Council had gotten better about following the Planning and Zoning Board’s recommendations.

**ADJOURNMENT**

**There being no further business to discuss, a motion was made by Board Member Mulvany to adjourn the meeting; Vice-Chair Francis III seconded the motion. Motion was approved unanimously by voice vote.**

The Meeting adjourned at 9:06 p.m. | **Attendees: 53**



ATTEST:

  
John Brock, Town Clerk

  
Tina St. Clair Chairperson