



Town Council Meeting

May 28, 2024 at 6:00 PM

Howey-in the-Hills Town Hall 101
N. Palm Ave., Howey-in-the-Hills,
FL 34737

MINUTES

Mayor MacFarlane called the Town Council Meeting to order at 6:00 p.m.
Mayor MacFarlane led the attendees in the Pledge of Allegiance to the Flag.
Councilor Reneé Lannamañ delivered an invocation.

ROLL CALL

Acknowledgement of Quorum

MEMBERS PRESENT:

Councilor Reneé Lannamañ | Councilor David Miles | Councilor George Lehning | Mayor Pro Tem Marie V. Gallelli | Mayor Martha MacFarlane

STAFF PRESENT:

Sean O'Keefe, Town Manager | Tom Wilkes, Town Attorney | Tom Harowski, Town Planner | John Brock, Town Clerk

AGENDA APPROVAL/REVIEW

Motion made by Councilor Lannamañ to approve the meeting's agenda; seconded by Mayor Pro Tem Gallelli. Motion approved unanimously by voice-vote.

Voting

Yea: Councilor Lannamañ, Councilor Miles, Councilor Lehning, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: None

CONSENT AGENDA

Routine items are placed on the Consent Agenda to expedite the meeting. If Town Council/Staff wish 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. The approval of the minutes and ratification and confirmation of all Town Council actions at the April 22, 2024 Town Council Meeting.
2. The approval of the minutes and ratification and confirmation of all Town Council actions at the April 8, 2024 Town Council Meeting.

Motion made by Councilor Lannamañ to approve the Consent Agenda; seconded by Councilor Lehning. Motion approved unanimously by voice-vote.

Voting

Yea: Councilor Lannamañ, Councilor Miles, Councilor Lehning, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: None

PUBLIC HEARING

3. Consideration and Approval: (second reading) **Ordinance 2024-001 Mission Rise PUD Rezoning**

Town Attorney, Tom Wilkes, read Ordinance 2024-001 out loud by title only:

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO LAND USE; REZONING FOUR PARCELS OF LAND LOCATED GENERALLY IN THE SOUTHWEST PART OF THE TOWN AND COMPRISING THE PROPOSED PLANNED UNIT DEVELOPMENT TO BE KNOWN AS “MISSION RISE” ON AN L-SHAPED AGGREGATE OF ABOUT 243.3 ACRES WEST AND SOUTH OF THE DEVELOPMENT KNOWN AS “THE RESERVE AT HOWEY-IN-THE-HILLS” (NOW ALSO KNOWN AS “HILLSIDE GROVES”), WITH PART OF THE LANDS BEING SOUTH OF NUMBER TWO ROAD AND EAST OF SILVERWOOD LANE AND OTHER PARTS OF THE LAND BEING WEST OF STATE ROAD 19 AND SOUTH OF REVELS ROAD, THE FOUR PARCELS BEING IDENTIFIED WITH LAKE COUNTY PROPERTY APPRAISER ALTERNATE KEY NUMBERS 1780616, 1780811, 1030421, AND 3835991; AMENDING THE TOWN’S ZONING MAP TO APPROVE PLANNED-UNIT-DEVELOPMENT (PUD) ZONING FOR THE PARCELS; PROVIDING FINDINGS OF THE TOWN COUNCIL; APPROVING PUD ZONING FOR THE PARCELS, WITH DEVELOPMENT TO BE GOVERNED BY A DEVELOPMENT AGREEMENT AND A REVISED CONCEPTUAL LAND USE PLAN AND BY THE TOWN’S LAND DEVELOPMENT CODE AND OTHER TOWN ORDINANCES GOVERNING THE DEVELOPMENT OF LAND; REPEALING PRIOR ORDINANCES AND SUPERSEDING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Town Planner, Tom Harowski, reviewed his staff report and the history of the proposed Mission Rise development. Mr. Harowski made comparisons of the applicant’s submittal to previous submittals.

Mayor MacFarlane asked that representatives for the applicant step up and introduce themselves. Jonathan Huels with Lowndes Law and Rhea Lopes with RVI Planning introduced themselves.

Mr. Huels explained that during the March 11, 2024, Town Council Meeting, Councilor Miles had made a motion to approve the Ordinance with 11 conditions. Mr. Huels explained that his team had reviewed the conditions and had accepted the majority of the conditions with some exceptions.

Councilor Miles’ original conditions that he made during the previous meeting included:

1. All minor changes must go through the Planning and Zoning Board for recommendation and be approved by the Town Council.
2. At least 20% of the lots in the PUD must be at least 10,800 square feet and the remaining 80% of the lots must be at least 9,600 square feet, and no lot will have less than 50 linear feet of frontage on a road or an alley.
3. Setbacks – Front setback shall be 25 feet, the rear setback shall be 25 feet, the side setback shall be 10 feet, corner setback at 12.5 feet, and the pool/accessory setback shall be 10 feet from any lot boundary.
4. The minimum dwelling size shall be 1,600 square feet, minimum 2-car garage size shall be 441 square feet, and the maximum dwelling size 4,600 square feet under air.

5. The maximum impervious lot coverage shall be 50%.
6. For a 300-foot lot face there shall be a maximum of 2 iterations of the same model that can be used (not 3).
7. The ownership of all water, reclaim water, and wastewater infrastructure shall be dedicated to the town.
8. In section 1 (j)(1)(F) of the Development Agreement (pg. 7), remove (which may be reduced to 11-foot travel lanes when adjacent to on-street parking) from the first sentence.
9. In the landscape requirement of the Development the street trees (in buffer/public areas) shall be a minimum of 3” caliper.
10. Street lighting shall be set to intervals of 250 feet.
11. The height of residential structures may not exceed 35 feet or 2 stories.

Ms. Lopes explained that the applicant could accept 7 of the conditions with no changes. Ms. Lopes stated that, in condition #2, the applicant would like the 80% of lots to be 7,200 square feet, rather than 9,600 square feet. Ms. Lopes stated that, in condition #3, the applicant would like the front setbacks to exclude the setback to the porch (effectively making the front setback 18 feet rather than 25 feet.) Ms. Lopes stated that, in condition #4, the applicant would like the minimum garage size to be 400 square feet, rather than 441 square feet. Lastly, Ms. Lopes explained that, in condition #5, the applicant would like the maximum impervious lot coverage to be 55% rather than 50%.

Mayor MacFarlane opened Public Comment for this item only.

Tim Everline, 1012 N Lakeshore Blvd. – Mr. Everline stated that he did not believe that the applicant has done enough and that the lot sizes need to be larger.

Sandy Russ, 6813 Lakeview Dr., Yalaha FL. – Mrs. Russ said that she agreed with Mr. Everline and that the number of approved homes needed to be lowered. Mrs. Russ also stated that she only wanted the Number Two Road entrance to be used for emergencies.

Eric Gunesch, 448 Avila Pl. – Mr. Gunesch said that he thought a 400 square foot garage was too small, as that is what he had.

Peter Tuite, 300 E Croton Way – Mr. Tuite stated that he did not think people used porches and did not want a change in zoning.

Frank Martinez, 1400 Woodland Hills Ct., Howey-in-the-Hills (unincorporated Lake County) – Mr. Martinez was concerned about the traffic that would be created.

Tom Ballou, 1005 N Tangerine Ave. – Mr. Ballou stated that he thinks that lots being bigger is the most important thing to residents.

Ken Dunsmoor, 9950 Orange Blossom Rd., Howey-in-the-Hills (unincorporated Lake County) – Mr. Dunsmoor was concerned about traffic going onto his road.

Mayor MacFarlane closed Public Comment for this item.

Motion made by Councilor Miles to approve Ordinance 2024-001 Mission Rise PUD Rezoning, subject to the following conditions:

1. All minor changes must go through the Planning and Zoning Board for recommendation and be approved by the Town Council.
2. At least 20% of the lots in the PUD must be at least 9,600 square feet and the remaining 80% of the lots must be at least 8,400 square feet, and no lot will have less than 50 linear feet of frontage on a road or an alley.

3. **Setbacks – Front setback (excluding setback to the front porch, which will be set at 19 feet) shall be 25 feet, the rear setback shall be 25 feet, the side setback shall be 10 feet, corner setback at 12.5 feet, and the pool/accessory setback shall be 10 feet from any lot boundary.**
4. **The minimum dwelling size shall be 1,600 square feet, minimum 2-car garage size shall be 420.5 square feet, and the maximum dwelling size 4,600 square feet under air.**
5. **The maximum impervious lot coverage shall be 55%.**
6. **For a 300-foot lot face there shall be a maximum of 2 iterations of the same model that can be used (not 3).**
7. **The ownership of all water, reclaim water, and wastewater infrastructure shall be dedicated to the town.**
8. **In section 1 (j)(1)(F) of the Development Agreement (pg. 7), remove (which may be reduced to 11-foot travel lanes when adjacent to on-street parking) from the first sentence.**
9. **In the landscape requirement of the Development the canopy street trees (in buffer/public areas) shall be a minimum of 3” caliper.**
10. **Street lighting shall be set to intervals of 250 feet.**
11. **The height of residential structures may not exceed 35 feet or 2 stories.**

Mayor Pro Tem Gallelli stated that she would second Councilor Miles’ motion, but that she would want to see the minimum garage size set at 400 square feet. Councilor Miles stated that he would not accept that amendment to his motion. **There was no second to this motion.**

Motion made by Councilor Lannamañ to accept the applicant’s proposed changes to the original motion those changes included;

1. **All minor changes must go through the Planning and Zoning Board for recommendation and be approved by the Town Council.**
2. **At least 20% of the lots in the PUD must be at least 10,800 square feet and the remaining 80% of the lots must be at least 7,200 square feet, and no lot will have less than 50 linear feet of frontage on a road or an alley.**
3. **Setbacks – Front setback (excluding setback to the front porch) shall be 25 feet, the rear setback shall be 25 feet, the rear setback shall be 25 feet, the side setback shall be 10 feet, corner setback at 12.5 feet, and the pool/accessory setback shall be 10 feet from any lot boundary.**
4. **The minimum dwelling size shall be 1,600 square feet, minimum 2-car garage size shall be 400 square feet, and the maximum dwelling size 4,600 square feet under air.**
5. **The maximum impervious lot coverage shall be 55%.**
6. **For a 300-foot lot face there shall be a maximum of 2 iterations of the same model that can be used (not 3).**
7. **The ownership of all water, reclaim water, and wastewater infrastructure shall be dedicated to the town.**
8. **In section 1 (j)(1)(F) of the Development Agreement (pg. 7), remove (which may be reduced to 11-foot travel lanes when adjacent to on-street parking) from the first sentence.**
9. **In the landscape requirement of the Development the canopy street trees (in buffer/public areas) shall be a minimum of 3” caliper.**
10. **Street lighting shall be set to intervals of 250 feet.**
11. **The height of residential structures may not exceed 35 feet or 2 stories.**

Mayor MacFarlane seconded Councilor Lannamañ's motion. Motion failed by a roll-call vote.

Voting

Yea: Councilor Lannamañ, Mayor MacFarlane

Nay: Councilor Miles, Councilor Lehning, Mayor Pro Tem Gallelli

Motion made by Councilor Miles to approve Ordinance 2024-001 Mission Rise PUD Rezoning, subject to the following conditions:

1. All minor changes must go through the Planning and Zoning Board for recommendation and be approved by the Town Council.
2. At least 20% of the lots in the PUD must be at least 9,600 square feet and the remaining 80% of the lots must be at least 8,400 square feet, and no lot will have less than 50 linear feet of frontage on a road or an alley.
3. Setbacks – Front setback shall be 25 feet (except that a front porch may be set back only 19 feet), the rear setback shall be 25 feet, the side setback shall be 10 feet, corner setback at 12.5 feet, and the pool/accessory setback shall be 10 feet from any lot boundary.
4. The minimum dwelling size shall be 1,600 square feet, minimum 2-car garage size shall be 400 square feet, and the maximum dwelling size 4,600 square feet under air.
5. The maximum impervious lot coverage shall be 55%.
6. For a 300-foot lot face there shall be a maximum of 2 iterations of the same model that can be used (not 3).
7. The ownership of all water, reclaim water, and wastewater infrastructure shall be dedicated to the town.
8. In section 1 (j)(1)(F) of the Development Agreement (pg. 7), remove (which may be reduced to 11-foot travel lanes when adjacent to on-street parking) from the first sentence.
9. In the landscape requirement of the Development the canopy street trees (in buffers/public areas) shall be a minimum of 3" caliper.
10. Street lighting shall be set to intervals of 250 feet.
11. The height of residential structures may not exceed 35 feet or 2 stories.

Councilor Miles' motion was seconded by Councilor Lehning. Motion was approved by a roll call vote.

Voting

Yea: Councilor Miles, Councilor Lehning, Mayor Pro Tem Gallelli

Nay: Councilor Lannamañ, Mayor MacFarlane

Mayor MacFarlane called a short 5-minute recess at 8:05 p.m.

OLD BUSINESS

4. Discussion: **High Density Zoning Land Use Proposal**

Mayor MacFarlane stated that she was in favor of the proposal and asked Councilor Miles, since it was his proposal, if there was anything he wanted to say about it. Councilor Miles stated that it should be added to the Town's code.

Mayor MacFarlane opened Public Comment for this item only.

Sandy Russ, 6813 Lakeview Dr., Yalaha FL. – Mrs. Russ thinks that the proposal is only good if it prevents town homes from being built.

Eric Gunesch, 448 Avila Pl. – Mr. Gunesch stated that he thought this area would only be good in the center of the town.

Tim Everline, 1012 N. Lakeshore Blvd. – Mr. Everline wondered that, if this zoning classification were created, would it encourage people to try to rezone.

Mayor MacFarlane closed Public Comment for this item.

Mr. Wilkes and Mr. Harowski stated that they would evaluate the process of including this proposal in the existing amendments to the Town's Comprehensive Plan and Land Development Code.

NEW BUSINESS

5. Discussion: **Excess Usage of Irrigation**

Town Manager, Sean O'Keefe, led a general discussion on the Town's excessive usage of water for irrigation purposes within the Town. Mr. O'Keefe explained that 1/3 of the Town's homes have irrigation lines and that those irrigation lines use 2/3 of the Town's total amount of water.

Mayor Pro Tem Gallelli suggested sending an information letter to homes that were using excessive amounts of water.

Mr. O'Keefe stated that he was looking for a consensus from the Council for creating the ability for the Town to write administrative citations, similar to what other municipalities do.

Mayor MacFarlane opened Public Comment for this item only.

Eric Gunesch, 448 Avila Pl. – Mr. Gunesch stated that a golf course uses 750,000 gallons of water a day. Mr. Gunesch suggested requiring smart sprinklers within the Town.

Tim Loucks, 2700 N Semoran, Orlando - Mr. Loucks spoke about a Central Florida Initiative Water Study. As former mayor of the City of Groveland, Mr., Loucks recommended setting up tiered levels of charges for irrigation water. Mr. Loucks also recommended that, if the Town allowed for administrative citations, the Town should allow not only the Code Enforce Officer to write citations, but that Police Officers should have the ability (because Police Officers were around at all times, even at night).

Mr. O'Keefe stated that it seemed that there was a consensus from the Town Council for the staff to move forward in creating an ordinance to allow for administrative citations.

6. Consideration and Approval: **Cedar Creek Water Agreement**

Town Manager, Sean O'Keefe, introduced and explained this agenda item. Mr. O'Keefe explained that the Town did have the ability to provide water to the proposed Cedar Creek development. The Cedar Creek development would be between 100 and 104 homes.

Mr. O'Keefe recommended that, in the proposed agreement to service the Cedar Creek development, the developer should have to pay 100% of the water impact fees upfront and that there would be a 25% surcharge on water rates. Mr. O'Keefe further recommended that, in the agreement, the development should be forced to annex into the Town if and when it becomes contiguous with the Town's borders.

Tim Loucks, representative for the Cedar Creek developers, agreed with Mr. O’Keefe’s recommendations.

Mayor MacFarlane opened Public Comment, but seeing no comments, Mayor MacFarlane closed the Public Comment.

Motion made by Councilor Miles for the Town to enter into a proposed water agreement with the stipulations that the developer pay 100% of the water impact fees up front, the water rates would be 25% more than Town residents are charged, if and when the Cedar Creek development becomes contiguous with the borders of the Town the development would agree to immediately annex into the Town, the developers would be responsible for running all the water lines to the development, and the agreement would have a sunset date of 10 years; seconded by Councilor Lannamañ. Motion passed unanimously by roll call vote.

Voting

Yea: Councilor Lannamañ, Councilor Miles, Councilor Lehning, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: None

DEPARTMENT REPORTS

7. Town Manager

Town Manager, Sean O’Keefe spoke about a Florida Department of Transportation project that would improve or create new sidewalks in the Town starting in July of 2026.

COUNCIL MEMBER REPORTS

8. Mayor Pro Tem Gallelli

Mayor Pro Tem Gallelli reviewed the water restrictions that are listed on the Town’s water bills.

9. Councilor Lehning

None

10. Councilor Miles

None

11. Councilor Lannamañ

None

12. Mayor MacFarlane

Mayor MacFarlane suggested that the Town ask for a truck traffic assessment on SR 19.

PUBLIC COMMENTS

Any person wishing to address the Mayor and Town Council and who is not on the agenda is asked to speak their name and address. Three (3) minutes is allocated per speaker.

Tim Everline, 1012 N. Lakeshore Blvd. – Mr. Everline thanked the Council for voting for a reduction in the number of lots allowed in the Mission Rise development.

Andi Everline, 1012 N. Lakeshore Blvd. – Mrs. Everline stated that she thought the only Founder’s Day events should be at the Howey Mansion.

ADJOURNMENT

There being no further business to discuss, a motion was made by Councilor Lannamañ to adjourn the meeting; Councilor Miles seconded the motion. Motion was approved unanimously by voice vote.

The Meeting adjourned at 9:22 p.m. | **Attendees: 51**

Mayor Martha MacFarlane

ATTEST:

John Brock, Town Clerk

DRAFT