



Planning & Zoning Board Meeting

August 22, 2024, at 6:00 PM

Howey-in the-Hills Town Hall

101 N. Palm Ave.,

Howey-in-the-Hills, FL 34737

MINUTES

CALL TO ORDER ROLL CALL

MEMBERS PRESENT:

Board Member Joshua Husemann | Board Member Alan Hayes | Board Member Richard Mulvany | Board Member Ellen Yarckin | Board Member Shawn Johnson | Vice Chair Frances Wagler | Chair Tina St. Clair

STAFF PRESENT:

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

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 23, 2024, Planning and Zoning Board Meeting minutes.

Motion made by Board Member Husemann to approve the May 23, 2024, Planning and Zoning Board Meeting minutes; seconded by Board Member Mulvany. Motion approved unanimously by voice-vote.

Voting

Yea: Board Member Husemann, Board Member Hayes, Board Member Mulvany, Board Member Yarckin, Board Member Johnson, Vice Chair Wagler

Nay: None

2. Consideration and Approval of the June 27, 2024, Planning and Zoning Board Meeting minutes.

Motion made by Board Member Yarckin to approve the June 27, 2024, Planning and Zoning Board Meeting minutes; seconded by Board Member Johnson. Motion approved unanimously by voice-vote.

Voting

Yea: Board Member Husemann, Board Member Hayes, Board Member Mulvany, Board Member

PUBLIC HEARING

3. Consideration and Recommendation: **Ordinance 2024-002 LDC Amendments**

Town Attorney, Tom Wilkes, read Ordinance 2024-002 out loud by title only:

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO LAND DEVELOPMENT; PROVIDING FINDINGS AND DETERMINATIONS OF THE TOWN COUNCIL; AMENDING THE TOWN'S LAND DEVELOPMENT CODE (LDC) TO REVISE PROVISIONS GOVERNING "MEDIUM DENSITY RESIDENTIAL-1" (MDR-1), "MEDIUM DENSITY RESIDENTIAL-2" (MDR-2), AND PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICTS, EMPHASIZING LOT-SIZE AND OPEN-SPACE REQUIREMENTS; ADDING NEW "HIGH DENSITY RESIDENTIAL-1" (HDR-1) AND "HIGH DENSITY RESIDENTIAL- 2" (HDR-2) ZONING DISTRICTS AND THE RESTRICTIONS AND REQUIREMENTS THAT GOVERN LAND USE WITHIN THOSE DISTRICTS; AMENDING MISCELLANEOUS PROVISIONS OF OTHER ZONING DISTRICTS; CHANGING ALL REFERENCES TO "MAYOR" TO READ "TOWN MANAGER"; AMENDING SECTION 10.00 TO LIMIT PUD ZONING DISTRICTS TO LAND OF 100 ACRES OR MORE; AMENDING SUBSECTION 4.10.1 TO SPECIFY THE FORM AND MANNER IN WHICH CONDITIONS OF APPROVAL FOR PUD ZONING WILL BE MEMORIALIZED; ENACTING SUBSECTION 4.13.05 TO SPECIFY REQUIREMENTS FOR APPROVING VARIANCES; REVISING SUBSECTION 4.15.00 REGARDING PROCEDURAL REQUIREMENTS FOR AMENDMENTS TO THE LDC; AMENDING NUMEROUS REQUIREMENTS IN CHAPTER 7 OF THE LDC GOVERNING SIDEWALKS, CANOPY TREES, LANDSCAPE BUFFERS, ROOT BARRIERS, AND RELATED SEPARATION DISTANCES; ENACTING NEW SUBSECTION 7.10.02 TO CLARIFY TREE REQUIREMENTS IN RESIDENTIAL DEVELOPMENT; AMENDING TABLE 8.03.02 REGARDING REQUIREMENTS FOR LOCAL ROADS; AMENDING PARAGRAPH 8.05.01.3 TO SPECIFY REQUIREMENTS OF OWNERSHIP, OPERATION, AND MAINTENANCE OF WASTEWATER AND RECLAIMED-WATER SYSTEMS IN NEW DEVELOPMENTS; ENACTING PARAGRAPH 8.06.01D TO SPECIFY LIMITATIONS ON EXTERIOR LIGHTING NEAR RESIDENTIAL PROPERTIES; ENACTING SUBSECTION 8.08.02 TO SPECIFY REQUIREMENTS FOR APPROVALS OF RECREATIONAL AMENITIES IN NEW DEVELOPMENTS; TRANSFERRING SUBSECTION 8.10.0 TO NEW SUBSECTION 1.06.07 WITHOUT CHANGE; AMENDING SUBSECTION 10.02.03 TO SPECIFY THAT ROAD IMPROVEMENTS FOR NEW DEVELOPMENT TO MEET CONCURRENCY REQUIREMENTS MUST BE CONSTRUCTED AT NO COST TO THE TOWN; ADDING AND AMENDING NUMEROUS DEFINITIONS IN SUBSECTION 1.12.00 TO CONFORM AND COMPLEMENT SUBSTANTIVE AMENDMENTS IN OTHER SECTIONS OF THE LDC; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

Town Planner, Tom Harowski, introduced and explained this agenda item. Mr. Harowski began by recommending that Table 2.00.02 (C) Relationship Between Zoning Districts and Future Land Use Map be included in the amendment to the Land Development Code (LDC).

Board Chair St. Clair recommended that in Section 1.06.02 B, any references to Town Mayor be changed to Town Manager. There was a consensus from the Board to include this recommendation.

Mr. Harowski began the discussion on Chapter 2 of the LDC. Mr. Harowski stated that the Town may have the most issues in the future with proposed changes to its MDR-2 zoning.

Board Chair St. Clair stated that in LDC 2.02.04 (E) (2), the garage minimum size was listed at 400 square feet, and she was unclear if it was meant to be listed at 400 or 440 square feet. Board Member Husemann stated that in LDC 2.03.03 (B) (13) townhomes had a minimum garage square footage of 441 feet.

Board Member Mulvany stated that increasing the minimum garage square footage from 400 to 440 square feet would increase the cost of the house between \$8,000 and \$9,000.

Motion made by Chair St. Clair to recommend that the Town's minimum garage square footage be set to 400 square feet; seconded by Board Member Husemann. Motion approved unanimously by roll call vote.

Voting

Yea: Board Member Husemann, Board Member Hayes, Board Member Mulvany, Board Member Yarckin, Board Member Johnson, Vice Chair Wagler, Chair St. Clair

Nay: None

Board Chair St. Clair stated that under MDR-1 zoning standards, in LDC 2.02.04 (D) (8), the street side yard setback was not listed in the Ordinance with 12.5 feet just having a strikethrough.

Motion made by Chair St. Clair to recommend that the Town's MDR-1 street side yard setback be set to 12.5 feet; seconded by Board Member Mulvany. Motion approved unanimously by roll call vote.

Voting

Yea: Board Member Husemann, Board Member Hayes, Board Member Mulvany, Board Member Yarckin, Board Member Johnson, Vice Chair Wagler, Chair St. Clair

Nay: None

Mr. Harowski stated that it would be better to have the Agricultural (AG) have its minimum square footage of principal dwelling size set at a numeric number rather than having it mirror another zoning designation

Motion made by Board Member Mulvany to recommend Agricultural (AG) Zoning have a minimum square footage for its principal dwelling be set at 1,500 square feet; seconded by Board Member Hayes. Motion approved unanimously by roll call vote.

Voting

Yea: Board Member Husemann, Board Member Hayes, Board Member Mulvany, Board Member Yarckin, Board Member Johnson, Vice Chair Wagler, Chair St. Clair

Nay: None

There was a discussion on proposed changes to minimum dwelling size for SFR, MDR-1 and MDR-2.

Motion made by Chair St. Clair to recommend going back to the original minimum square footages for SFR, MDR-1, and MDR-2 for require minimum dwelling size; seconded by Board Member Husemann. Motion approved by a roll call vote.

Voting

Yea: Board Member Husemann, Board Member Hayes, Board Member Mulvany, Board Member Johnson, Chair St. Clair

Nay: Board Member Yarckin, Vice Chair Wagler

Mr. Harowski spoke about how changing all of the LDC requirements will make many of the historic lots in in “Old Howey” in the MDR-2 Zoning area be not conforming and would require more variance requests in the future because of this. Mr. Wilkes suggested that a Grandfather clause could eliminate the need for many future variances and he recommended that this be considered.

Motion made by Board Member Husemann to recommend that the Town Attorney create a Grandfather Clause for LDC requirements, for already platted or built on lots within MDR-2 zoning for the Town and that street side, side setback for both MDR-1 and MDR-2 be set to 12.5 feet; seconded by Board Member Hayes. Motion approved by a roll call vote.

Voting

Yea: Board Member Husemann, Board Member Hayes, Board Member Mulvany, Board Member Johnson, Vice Chair Wagler, Chair St. Clair

Nay: Board Member Yarckin

There was a lengthy discussion on the remaining LDC chapters, but no recommendations for change or action.

Chair St. Clair open Public Comment for this item only. Hearing no comments, Public Comments were closed for this item.

Motion made by Chair St. Clair to recommend Ordinance 2024-002 to the Town Council with the previously voted recommended amendments to the Ordinance; seconded by Board Member Husemann. Motion approved unanimously by roll call vote.

Voting

Yea: Board Member Husemann, Board Member Hayes, Board Member Mulvany, Board Member Yarckin, Board Member Johnson, Vice Chair Wagler, Chair St. Clair

Nay: None

OLD BUSINESS

None

NEW BUSINESS

- 4. Consideration and Approval: **Fiscal Year 2024-2025 Planning & Zoning Board Meeting and DRC Meeting Schedules**

Motion made by Board Member Johnson to approve the Fiscal Year 2024-2025 Planning & Zoning Board Meeting and DRC Meeting Schedules; seconded by Board Member Hayes.

Voting

Yea: Board Member Husemann, Board Member Hayes, Board Member Mulvany, Board Member Yarckin, Board Member Johnson, Vice Chair Wagler, Chair St. Clair

Nay: None

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.

None

BOARD COMMENTS

Town Planner, Tom Harowski, told the Board that the Evaluation and Appraisal Report (EAR) process amendments were nearly ready to come back up before the Board. He stated that he would try to have this ready for the Board to make its final recommendation for their September meeting.

Mr. Harowski announced to the Board that he was resigning as Town Planner effective October 1, 2024.

ADJOURNMENT

There being no further business to discuss, a motion was made by Board Member Husemann to adjourn the meeting; Board Member Mulvany seconded the motion. Motion was approved unanimously by voice vote.

The Meeting adjourned at 8:15 p.m.

Tina St. Clair Chairperson

ATTEST:

John Brock, Town Clerk