



## Planning & Zoning Board Meeting

April 28, 2022 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:

Tina St. Clair - Chairperson | Sheldon Lucien | John Manning | Richard Mulvany | Shawn Johnson | Frances O'Keefe Wagler (via Zoom)

#### STAFF PRESENT:

Sean O'Keefe - Town Administrator (via Zoom) | Victoria Elfers - Building Services Clerk | Tom Harowski - Town Planner | Azure Botts - Code Enforcement Officer

#### 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. Consideration and Approval of the March 24, 2022, Planning and Zoning Board Meeting minutes.

**Motion made by John Manning to approve the agenda; Richard Mulvany seconded the motion.  
Motion was approved unanimously by voice vote.**

#### PUBLIC HEARING

2. Consideration and Recommendation: **Ordinance 2022-004**

Tina St. Clair, Board Chair, read Ordinance 2022-004 by title only:

**AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO LAND USE; AMENDING THE FUTURE LAND USE MAP OF THE TOWN'S COMPREHENSIVE PLAN FOR A 1.82-ACRE PARCEL LOCATED SOUTH OF EAST REVELS ROAD AND WEST OF SUNSET DRIVE, AS LEGALLY DESCRIBED IN THE ORDINANCE, FROM LAKE COUNTY DESIGNATION OF "RURAL TRANSITION" TO THE TOWN'S DESIGNATION OF "RURAL LIFESTYLE"; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

Tina St. Clair introduced this item and asked Town Planner, Tom Harowski, to present this item. Mr. Harowski explained due to time constraints that he would explain Ordinance 2022-004, 2022-007, 2022-003, 2022-005, 2022-006, and 2022-008 as they are all related and similar in nature. Mr. Harowski explained that Mr. Hixson had submitted applications to have a parcel annexed into Town, have the Future Land Use Map designation changed to Town Rural Lifestyle (with a Comprehensive Plan Amendment), and rezone the parcel to Town Agricultural. Mr. Harowski also stated that applicant Mr. Hixson had also asked for the Town's assistance in working with Lake County to vacate some of the County Easement to the north of the parcel in question. Mr. Harowski also explained the Town submitted an administrative request to annex Town-owned property (a former landfill located off Revels Road), designate a land use on the Town's future land use map of Rural Lifestyle, and assign zoning to the parcel as Agricultural.

Public Comments:

**Rutledge Avery, 10918 E. Revels Rd** - Mr. Avery asked the board if the easement will be taken away and if the Town has contracted a geological surveyor to survey the property. He believes the land is caving into the claypit, which he assumed may be a sinkhole.

Mr. Harowski explained the Town has not conducted a geological survey.

Mr. O'Keefe reasoned that if the land is caving in, it was caused by the landfill that use to occupy the property.

**Charles Pasch, 11040 E. Revels Rd** - Mr. Pasch commented that he appreciated that if the easement was vacated, he would get a thirty-foot property extension and the tree line that separates the parcels would not be removed or affected.

**Buddy Niles, Pine Hills** - Mr. Niles owns property off East Revels Rd- Mr. Niles asked how many acres the Town owns, and if homes will be built on the property. He also presumed the applicant, Mr. Hixson, will cut down the trees.

Mr. Harowski answered that the Town owns approximately five acres, and the applicant will own two acres.

**Mark Linn, 24030 Sunset Dr.** – Mr. Linn asked if Sunset Drive would be affected by right-of-way.

**Linda Lindsey, 24115 Sunset Dr** – Mrs. Lindsey explained she moved away from Orlando to avoid development and expressed she does not want the annexation to occur.

**Laura Channel, 10738 E. Revels Rd** – Mrs. Channel asked who will be responsible for the right-of-way.

**Eddie Channel, 10738 E. Revels Rd** – Mr. Channel stated that he felt neither the County nor the Town will take responsibility for the right-of-way.

**Motion made by John Manning for recommendation of approval for Ordinance 2022-004; seconded by Board Member Richard Mulvany. Motion was approved unanimously by roll call vote.**

<b>Sheldon Lucien</b>	<b>YES</b>	<b>Chair Tina St. Clair</b>	<b>YES</b>
<b>Fran O'Keefe Wagler</b>	<b>YES</b>	<b>Richard Mulvany</b>	<b>YES</b>
<b>Shawn Johnson</b>	<b>YES</b>	<b>John Manning</b>	<b>YES</b>

3. Consideration and Recommendation: **Ordinance 2022-007**

Tina St. Clair, Board Chair, read Ordinance 2022-007 by title only:

**AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO LAND USE; AMENDING THE FUTURE LAND USE MAP OF THE TOWN'S COMPREHENSIVE PLAN FOR A 4.96-ACRE PARCEL LOCATED SOUTH OF EAST REVELS ROAD AND WEST OF SUNSET DRIVE, AS LEGALLY DESCRIBED IN THE ORDINANCE, FROM LAKE COUNTY DESIGNATION OF "RURAL TRANSITION" TO THE TOWN'S DESIGNATION OF "RURAL LIFESTYLE"; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

Town Planner, Tom Harowski stated that the same staff summary applied to this Ordinance.

Public Comment:

**Rutledge Avery, 10918 E. Revels Rd** - Mr. Avery repeated his concern for the possibility of a sinkhole.

Board Member John Manning asked if the site has been investigated.

Mr. Harowski answered it has not.

Mr. O'Keefe added the Town plans to unify the parcels and does not have plans to conduct a survey.

Board Member Richard Mulvany asked if the site used to be the Town's dump.

Mr. O'Keefe confirmed the site used to be used as the Town's landfill.

**Motion made by Board Member Richard Mulvany for recommendation of approval of Ordinance 2022-007; seconded by Board Member John Manning. The motion was approved by roll call vote.**

<b>Sheldon Lucien</b>	<b>YES</b>	<b>Chair Tina St. Clair</b>	<b>YES</b>
<b>Fran O'Keefe Wagler</b>	<b>YES</b>	<b>Richard Mulvany</b>	<b>YES</b>
<b>Shawn Johnson</b>	<b>YES</b>	<b>John Manning</b>	<b>YES</b>

#### **OLD BUSINESS**

4. Item: **Richard Mulvany Form 8B to be read here.**

Building Services Clerk, Victoria Elfers, read Board Member Richard Mulvaney's Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Officers statement aloud and announced that it would be included with the minutes from the March 24, 2022 Planning & Zoning Board Meeting.

#### **NEW BUSINESS**

5. Consideration and Recommendation: **Ordinances 2022-003 and 2022-005 pertaining to annexation of a 1.86 acre parcel and amendment of the official zoning map to designate the property as agriculture; and Consideration and Recommendation for vacation of unopened right-of-way adjacent to the property referenced.**

Mr. Harowski stated his staff report remained current.

Public Comment:

**Buddy Niles, Pine Hills** – Mr. Niles who owns property off East Revels Rd, expressed his concern for traffic flow.

**Linda Lindsey, 24115 Sunset Dr** – Mrs. Lindsey expressed concerned that construction vehicles will affect the easement and proposed a separate road should be used.

**Motion made by John Manning for recommendation of approval this agenda item; seconded by Fran O’Keefe Wagler. The motion was approved by roll call vote.**

<b>Sheldon Lucien</b>	<b>YES</b>	<b>Chair Tina St. Clair</b>	<b>YES</b>
<b>Fran O’Keefe Wagler</b>	<b>YES</b>	<b>Richard Mulvany</b>	<b>YES</b>
<b>Shawn Johnson</b>	<b>YES</b>	<b>John Manning</b>	<b>YES</b>

6. Consideration and Recommendation: **Ordinances 2022-006 and 2022-008 pertaining to the annexation the Howey landfill property and assigning a zoning classification of Agricultural.**

**Public Comment:**

**Buddy Niles, Pine Hills** – Mr. Niles stated he didn’t understand why the board was taking Public Comment again since the board was voting the way it wanted to anyway.

**Motion made by Richard Mulvany for recommendation of approval of Ordinances 2022-006 and 2022-008; seconded by Fran O’Keefe Wagler. The motion was approved by roll call vote.**

<b>Sheldon Lucien</b>	<b>NO</b>	<b>Chair Tina St. Clair</b>	<b>YES</b>
<b>Fran O’Keefe Wagler</b>	<b>YES</b>	<b>Richard Mulvany</b>	<b>YES</b>
<b>Shawn Johnson</b>	<b>YES</b>	<b>John Manning</b>	<b>YES</b>

7. Consideration and Recommendation: **Ordinance 2022-009 Food Trucks**

**AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO LAND USE; AMENDING SECTION 5.02.01 OF THE TOWN’S LAND DEVELOPMENT CODE TO ADDRESS MOBILE FOOD TRUCKS AS TEMPORARY USES; CREATING SECTION 5.02.09, FOOD TRUCKS, TO PROVIDE REGULATION FOR FOOD TRUCKS OPERATING AS TEMPORARY USES WITHIN THE TOWN; ESTABLISHING CERTAIN REQUIREMENTS, RESTRICTIONS, AND PROHIBITIONS FOR FOOD TRUCKS AS TEMPORARY USES; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

Board Member John Manning recused himself from commenting or voting on the Ordinance due to a conflict of interest.

Code Enforcement Officer Botts explained the Town does not currently have an ordinance for food trucks; and reviewed the proposed ordinance.

**Public Comment:**

**Leslie Manning, 111 E Holly St** – asked the board 1) if she would be allowed to place a food truck in the gated area of her business, the Howey Market, 2) if the curfew could extend after 7 p.m., and 3) if the Special Events permit will have to be submitted each time her food truck is operating.

Officer Botts answered it would need to be discussed further regarding her business’s area, the curfew extension can be discussed with Town Council, and food truck events will need to be filled under Special Events.

Board Member Sheldon Lucien asked what area in Town is zoned as Town Commercial.

Mr. O’Keefe answered the general commercial area spans from Lakeshore Blvd and Florida Ave.

Chairperson Tina St. Clair quired if Town residents within the commercial area could accommodate food truck owners to park and operate on their property.

Officer Botts explained it would need to be discussed further due to the ordinance stating there can only be one food truck per 0.25 acre.

**Leslie Manning, 111 E Holly St** – asked how the operation hours and food truck areas were designated.

Officer Botts explained Town Staff collected data from surrounding cities.

Mr. Harowski suggested the board can make a conditional recommendation to extend the business hours.

**Janice Mclain 109 S Lakeshore Blvd** - debated food truck businesses should become a permanent basis instead of a special event function.

Board Member Francis O’Keefe Wagler asked if food trucks would be allowed to use Town parking spaces.

Officer Botts answered it is only allowed on private property.

Mr. O’Keefe added food trucks are allowed to park on owned/leased property.

Board Member Shawn Johnson asked if food trucks can park in neighborhoods.

Officer Botts explained subdivisions would fall under the Police Department’s jurisdiction, however, she believes it is allowed.

**Motion made by Richard Mulvany for recommendation of approval with the condition to extend business hours; seconded by Board Member Sheldon Lucien. The motion was approved by roll call vote.**

<b>Sheldon Lucien</b>	<b>YES</b>	<b>Chair Tina St. Clair</b>	<b>YES</b>
<b>Fran O’Keefe Wagler</b>	<b>YES</b>	<b>Richard Mulvany</b>	<b>YES</b>
<b>Shawn Johnson</b>	<b>YES</b>	<b>John Manning</b>	<b>RECUSED</b>

### **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.*

**Leslie Manning, 111 E Holly St** – Mrs. Manning expressed concerned with parking overflow on Central Ave.

Mr. Harowski reasoned business owners will have to negotiate parking.

**ADJOURNMENT**

**There being no further business to discuss, a motion was made by Richard Mulvany to adjourn the meeting; John Manning seconded the motion. Motion was approved unanimously by voice vote.**

The Meeting adjourned at 7:24 p.m. | **Attendees: 23**

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Tina St. Clair Chairperson

ATTEST:

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John Brock, Town Clerk

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