



## Planning & Zoning Board Meeting

May 25, 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 | Chair Tina St. Clair

#### **BOARD MEMBERS ABSENT**

Vice-Chair Ron Francis III

#### **STAFF MEMBERS 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 April 27, 2023, Planning and Zoning Board Meeting minutes.

**Motion made by Board Member Mulvany to approve the Consent Agenda; seconded by Board Member Hayes. Motion approved unanimously by voice vote.**

#### **Voting**

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

**Nay:** None

#### **PUBLIC HEARING**

2. Consideration and Recommendation: **489 Avila Place - Pool Variance**

Board Chair St. Clair asked the Town Planner, Tom Harowski, to introduce this item. Mr. Harowski reviewed his staff report with the Planning and Zoning Board.

Board Chair St. Clair asked the applicants if they would like to come forward and speak on their own behalf. Applicants Tony and Crystal Costello spoke on their own behalf and stated their desires for the pool. John Pocock with Kura design Pools was also available to answer questions.

Board Chair St. Clair opened Public Comment for this item only.

**Joshua Husemann, 671 Avila Pl.** – Mr. Husemann was upset about the Town’s code requiring a 10-foot rear setback, when other areas of Lake County only required a 5-foot rear setback.

Seeing no further public comments, Board Chair St. Clair closed Public Comment for this item.

**Motion made by Board Member Johnson to approve the variance request; seconded by Board Member Yarckin. Motion failed on a tie with a roll-call vote of three to three.**

**Voting**

**Yea:** Board Member Yarckin, Board Member Johnson, Chair St. Clair

**Nay:** Board Member Hayes, Board Member Mulvany, Board Member Wagler

There were no further motions on this item.

**David Miles, 500 E Camelia Way (Town Councilor)** – Councilor Miles stated that he would like to see the Planning and Zoning Board make a motion that would address both the requested setback variance, but also project’s expected overage utilizing impervious space.

**OLD BUSINESS**

None

**NEW BUSINESS**

3. Consideration and Approval: **211 E Laurel Ave. - Elevation and Zoning Review**

Board Chair St. Clair asked the Town Planner, Tom Harowski, to introduce this item. Mr. Harowski reviewed his staff report with the Planning and Zoning Board. Mr. Harowski stated that his staff recommendation was for approval of this item.

Board Chair St. Clair asked the applicant for this item if they would like to speak. Chris Sears, applicant for this item, spoke and stated that he and his wife were looking forward to getting this house built and moving back into Town.

Board Chair St. Clair open Public Comment for this item only. Seeing no public comment Board Chair St. Clair closed Public Comment for this item.

**Motion made by Board Member Hayes to approve this item; seconded by Board Member Mulvany. Motion passed unanimously by roll-call vote.**

**Voting**

**Yea:** Board Member Hayes, Board Member Mulvany, Board Member Yarckin, Board Member Johnson, Board Member 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.*

Tom Harowski, Town Planner, gave an update to the Planning and Zoning Board on two items that were passed by the Florida legislature this year. This first item that the Board should be aware of was a bill that stated: on any Industrial or Commercially zoned land, a builder can build multifamily affordable housing, and the local government cannot deny that. The second item was that, if a citizen challenges a development and takes the developer to court and the citizen loses, the citizen would be liable for the developer's legal fees.

Frances O'Keefe Wagler, Board Member, brought up that, at the last Town Council meeting, the Councilors had cancelled the June Joint Planning and Zoning/Town Council workshop. Board Member Wagler said that she was not happy with the Town Council cancelling the Planning and Zoning Board's meeting.

**David Miles, 500 E Camelia Way (Town Councilor)** – Councilor Miles stated that not all of the Councilors agreed with Mr. Harowski's report about the last joint workshop. Councilor Miles also stated that some of the Councilors were not happy with the way that county residents, who live along Number Two Rd, had hijacked the joint workshop. Also, the Town Council did not cancel the June joint workshop, they merely postponed it to the August timeframe. This postponement would allow both the Town Council and Planning and Zoning Board members time to review both the Town's Comprehensive Plan and the Town's Land Development Code.

**Wendy Zermeno, 25896 Bloomfield Ave., Howey-in-the-Hills (unincorporated Lake County)** – Mrs. Zermeno stated that she disagreed with Councilor Miles' assessment of the joint workshop.

**David Miles, 500 E Camelia Way (Town Councilor)** – Councilor Miles refuted Mrs. Zermeno's assessment of past Town Council meeting.

**Joshua Husemann, 671 Avila Pl.** – Mr. Husemann questioned if residents can still email suggestions about the Land Development Code to the [office@howey.org](mailto:office@howey.org) email address. Town Clerk, John Brock, stated that residents could still do that.

## **ADJOURNMENT**

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

The Meeting adjourned at 7:01 p.m. | **Attendees: 22**

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Tina St. Clair Chairperson

ATTEST:

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John Brock, Town Clerk