



PLANNING & ZONING BOARD MEETING AGENDA

June 15, 2023 at 5:30 PM

COMMISSION CHAMBERS - 202 E. MAIN STREET, DUNDEE, FL 33838

Phone: 863-438-8330 | www.TownofDundee.com

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

DELEGATIONS-QUESTIONS & COMMENTS FROM THE FLOOR

(Each speaker shall be limited to three (3) minutes)

APPROVAL OF MINUTES

1. December 15, 2022 Planning & Zoning Meeting

January 19, 2023 Planning & Zoning Meeting

February 16, 2023 Planning & Zoning Meeting

PUBLIC HEARINGS

DISCUSSION ITEMS

- 2. DISCUSSION, TRANSPORTATION ADEQUACY DETERMINATION AND CONCURRENCY MANAGEMENT PLAN**

REPORTS FROM OFFICERS

Planning Department Comments

Town Attorney Comments

Board Member Comments

Chairperson Comments

ADJOURNMENT

***PUBLIC NOTICE:** Please be advised that if you desire to appeal from any decisions made as a result of the above hearing or meeting, you will need a record of the proceedings and in some cases, a verbatim record is required. You must make your own arrangements to produce this record. (Florida statute 286.0105)*

If you are a person with disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the town clerk's office at 202 east main street, Dundee, Florida 33838 or phone (863) 438-8330 within 2 working days of your receipt of this meeting notification; if you are hearing or voice impaired, call 1-800-955-8771.



PLANNING & ZONING BOARD MEETING MINUTES

February 16, 2023 at 5:30 PM

COMMISSION CHAMBERS - 202 E. MAIN STREET, DUNDEE, FL 33838

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CALL TO ORDER by Chair Gunter at 5:31pm

Chair Gunter thanked member Hall for staying on the board.

PLEDGE OF ALLEGIANCE led by Chair Gunter

ROLL CALL: Interim Town Clerk, Trevor Douthat

MEMBERS PRESENT:

Ron Hall

Suzetta Henson

Jill Kitto

Annette Wilson

Jeff Gunter

DELEGATIONS-QUESTIONS & COMMENTS FROM THE FLOOR

(Each speaker shall be limited to three (3) minutes)

Town Clerk Jenn Garcia announced her resignation from the Town and that Trevor Douthat would be taking her place as Interim Town Clerk.

Assistant Town Attorney Claytor advised the chair that because there is no delegation present that there is no need to open discussion to delegation.

New board member Annette Wilson introduced herself and thanked the board for the opportunity to serve.

APPROVAL OF MINUTES

1. Planning & Zoning October 20, 2022 Meeting Minutes

MOTION TO APPROVE made by Kitto, Seconded by Hall.

Voting Yea: Hall, Henson, Kitto, Wilson, Gunter

PUBLIC HEARINGS

2. ORDINANCE 23-02, TOWN-INITIATED REQUEST FOR A 2030 COMPREHENSIVE PLAN TEXT AMENDMENT- LEVEL OF SERVICE

Town Planner Peterson gave the presentation.

The Level of Service quantifies the types and number of services customers receive. The established Level of Service helps the Town plan for future development by ensuring enough water will be available for that development. The Town proposes to update the Level of Service for potable water to reflect current needs and requirements from the South Florida Water Management District.

Member Hall questioned why the reduction.

Town Planner Peterson explained we are required to reduce usages to bring the Town into compliance with the Town's Comprehensive Plan.

Member Henson posed questions about using reclaimed water

Special Projects Manager Tracy Mercer explained that some newer subdivisions are installing reclaimed water systems.

Motion to recommend approval to the Town Commission made by Kitto, Seconded by Henson.
Voting Yea: Hall, Henson, Kitto, Wilson, Gunter

3. ORDINANCE 23-03, 2022 ANNUAL UPDATE TO THE 2030 COMPREHENSIVE PLAN'S CAPITAL IMPROVEMENT ELEMENT (CIE)

Town Planner Peterson gave the analysis:

The Florida Statutes mandates that local governments should update and adopt the Capital Improvement Element (CIE) (including the CIE 5-Year Schedule of Improvements) after adoption of the Annual Budget and CIE. This update includes fiscal years 2021/2022 through 2025/2026. The 5-year Schedule of Capital Improvements consists of items identified in the Capital Improvement Program portion of the Town's Operating Budget that implement specific objectives and policies contained in the Comprehensive Plan.

The CIE must be reviewed on an annual basis and modified as necessary in accordance with Section 163.3187 or Section 163.3185, Florida Statutes, in order to maintain a financially feasible 5-Year schedule of capital improvements. CIE amendments require only a single public hearing before the governing board which shall be an adoption hearing.

Assistant Town Attorney Claytor clarified that this is just a housekeeping matter. The Board previously reviewed and recommended the updated CIE for approval however, the CIE required must reflect the appropriate LOS.

Assistant Town Attorney Claytor stated, "Let the record reflect that the chair is not asking for delegation comments because there is no delegation present."

Motion to recommend approval to the Town Commission made by Kitto, Seconded by Hall.
Voting Yea: Hall, Henson, Kitto, Wilson, Gunter

DISCUSSION ITEMS

Member Kitto advised that she prefers to have all minutes up to date at each meeting for reference on discussed matters; asked about the traffic study and for clarification on whether or not Lk Hamilton doing a traffic study affects the Town's.

Member Hall can the Town get leverage for issues with US 27

Assistant Town Attorney Claytor responded that the Town's study is comprehensive and looks at all relevant factors.

Member Henson questioned having a light at Frederick Ave and how that is determined. Also, about the Winn Dixie turn in.

Assistant Town Attorney Claytor provided an update related to the Winn Dixie turn in.

Member Hall asked about the current state of Lake Dell

Public Works Director gave the update.

REPORTS FROM OFFICERS

- Planning Department Comments
- Town Attorney Comments
- Board Member Comments
- Chairperson Comments

ADJOURNMENT

Motion to adjourn made by Kitto, Seconded by Henson.
Voting Yea: Hall, Henson, Kitto, Wilson, Gunter

Adjournment at 6:14PM

Respectfully Submitted,

Trevor Douthat
Trevor Douthat, Interim Town Clerk

APPROVAL DATE: _____



PLANNING & ZONING BOARD MEETING MINUTES

December 15, 2022 at 5:30 PM

COMMISSION CHAMBERS - 202 E. MAIN STREET, DUNDEE, FL 33838

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CALL TO ORDER at 5:30 P.M. by Chair Hall

PLEDGE OF ALLEGIANCE- Chair Hall

ROLL CALL- Town Clerk, Jenn Garcia

MEMBERS PRESENT:

Ron Hall
Suzetta Henson
Jill Kitto
Ray Hunt
Jeff Gunter

MEMBERS ABSENT:

None

STAFF PRESENT:

Jenn Garcia, Town Clerk
Seth Claytor, Assistant Town Attorney
John Vice, Public Works Director
Lorraine Peterson, Town Planner
Jorge Rodriguez, Code Enforcement Officer

DELEGATIONS-QUESTIONS & COMMENTS FROM THE FLOOR

(Each speaker shall be limited to three (3) minutes)

Chair Hall opened the floor for public comments, seeing no public come forth the floor was closed.

Lorraine Peterson, Town Planner, introduced the new Code Enforcement Officer, Jorge Rodriguez.

Jorge Rodriguez, Code Enforcement Officer, greeted the board.

1. APPROVAL OF MINUTES

MOTION TO APPROVE the September 15, 2022 Planning and Zoning Board meeting minutes. Motion made by Kitto, Seconded by Henson. Passed Unanimously.

Voting Yea: Henson, Hunt, Kitto, Gunter, Hall

PUBLIC HEARINGS

2. Right-of-Way Vacation- Portion of Helicopter Road

Town Planner, Lorraine Peterson, gave the presentation.

This is an applicant-initiated request for approval of a right-of-way vacation of a portion of Helicopter Road between Dekle Road and Tindel Camp Road, a total of 0.5 miles (2,634 feet).

Assistant Town Attorney gave the background and history of the TECO Solar Farm project.

Member Henson expressed concern about this issue and how it can negatively impact the Town in the future.

Member Kitto stated that it would have been best if the unincorporated Polk County portions of this project were annexed into Dundee.

Assistant Town Attorney Claytor explained that with the current situation, there is no development in that area. The same owner owns the property on both sides of the unpaved and undeveloped right-of-way. He further explained that what the board is considering for purposes of this request is whether the request satisfies the requirements of the Town of Dundee Land Development Code; whether the request is inconsistent with the policies set forth by the 2030 Comprehensive Plan; and whether the vacation would deprive any person of their legal right of egress or ingress to any property as it is currently situated.

Shelton Rice, Peterson & Meyer Law Firm, 225 East Lemon St., Lakeland, addressed the board on behalf of the applicant requesting a favorable vote.

Kevin Kitto, 150 Kitto Lane, Dundee, recommended approval of the right of way vacation if the applicant commits to turning Tindel Camp Road into four lanes.

Assistant Attorney Claytor stated that Tindel Camp Road is a county road. He further advised that the board should not recommend conditional approval on an element of a development that is outside of the jurisdiction of the Town.

Chair Hall stated he is not in favor of vacating the Helicopter Road right-of-way or any other right of ways within the Town.

MOTION TO RECOMMEND APPROVAL of the Right-of-Way vacation of a portion of Helicopter Road to the Town Commission made by Hunt. Seconded by Gunter. Motion Passed 3 to 2.

Voting Yea: Hunt, Hall, Gunter

Voting Nay: Henson, Kitto

3. **2022 Annual Update to the Comprehensive Plan's Capital Improvement Element (CIE)**

Town Planner, Lorraine Peterson, gave the analysis.

The CIE has been reviewed and updated in accordance with Section 163.3187 or Section 163.3185. The Capital Improvement Element Amendment and the updated 5-year Capital Improvements Plan schedule of capital improvements is included in the update.

Tracy Mercer, Public Services Director/Special Projects, made a presentation of the CIE to the board.

MOTION TO RECOMMEND APPROVAL as presented of the 2022 Annual Update to the Comprehensive Plan's Capital Improvement Element to the Town Commission made by Hunt, Seconded by Henson. Motion passed unanimously.

Voting Yea: Henson, Hunt, Kitto, Gunter, Hall

4. **Special Exception- Xtreme Car Center Inc.**

Lorraine Peterson, Town Planner, gave the presentation.

This is an applicant-initiated request for approval for a Special Exception for a minor automotive repair and automotive sales shop with a zoning designation of General Retail Commercial (CC) at 217 Dundee Road. Staff recommends approval with conditions, a Concurrency Developer's Agreement and Water Supply Allocation Agreement.

Member Henson stated that it would be beneficial if the entrance driveway were shared with the gas station next door to the location.

Member Kitto questioned if they are prepared to begin building.

Town Planner Peterson responded that the reason the last special exception expired was because of constraints caused by COVID 19.

Town planner Peterson confirmed to Chair Hall that there will be no work performed on vehicles outside of the designated work area.

David Prado, the applicant representative, addressed the board requesting a favorable vote.

MOTION TO RECOMMEND APPROVAL to the Town Commission for a Special Exception with stated conditions for Xtreme Car Center Inc made by Gunter. Seconded by Hunt.

Voting Yea: Henson, Hunt, Kitto, Gunter, Hall

REPORTS FROM OFFICERS

Planning Department Comments

Board Comments:

Henson: Inquired of the status of the US 27 Trucking Company code violations and lack of a business license.

Kitto: Questioned Town requirements for food trucks.

Requested maps that were promised at the last meeting.

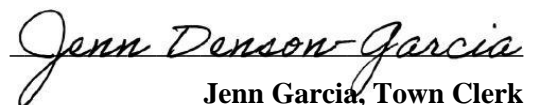
Expressed frustration the US 27 Trucking Company is still actively conducting business although they are violating the Town's Code.

Assistant Attorney Claytor advised against discussing the open code cases at the board meeting.

Hall: Welcomed new member, Jeffery Gunter. Appreciated the efforts of the Town Attorney and Planning to ensure that the board members are properly informed.

ADJOURNMENT at 7:07 P.M.

Respectfully Submitted,


Jenn Garcia, Town Clerk



PLANNING & ZONING BOARD MEETING MINUTES

January 19, 2023 at 5:30 PM

COMMISSION CHAMBERS - 202 E. MAIN STREET, DUNDEE, FL 33838

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CALL TO ORDER by Chair Hall at 5:30pm

PLEDGE OF ALLEGIANCE led by Chair Hall

ROLL CALL taken by Jenn Garcia

MEMBERS PRESENT:

Ron Hall
 Suzetta Henson
 Jill Kitto
 Jeff Gunter

MEMBERS ABSENT:

Ray Hunt

Assistant Town Manager Garcia informed the board that Board Member Ray Hunt submitted his resignation from the board on January 17, 2023.

MOTION TO ACCEPT the resignation of Ray Hunt made by Jill Kitto, Seconded by Ron Hall. Passed Unanimously.

Voting Yea: Henson, Kitto, Gunter, Hall

STAFF PRESENT:

Jenn Garcia, Assistant Town Manager/Town Clerk
 Seth Claytor, Assistant Town Attorney
 John Vice, Public Works Director
 Lorraine Peterson, Town Planner

APPOINTMENT OF CHAIR

MOTION TO NOMINATE Jeff Gunter as Chair of the Planning and Zoning Board made by Board Member Kitto. Seconded by Jeff Gunter. Motion carried 3 to 1.

Board Member Hall initially voted “AYE” and then requested to change his vote to “NAYE”.

AYES: Gunter, Henson, Kitto

NAYES: Hall

APPOINTMENT OF VICE-CHAIR

MOTION TO NOMINATE Board Member Henson as Vice Chair by Member Kitto, Seconded by Gunter.

Board Member Henson declined the nomination.

MOTION TO NOMINATE Ron Hall as Vice Chair made by Member Hall, Seconded by Member Henson. Motion failed due to a tie vote.

AYES: Henson, Hall

NAYES: Gunter, Kitto

MOTION TO NOMINATE Jill Kitto as Vice Chair made by Member Kitto, Seconded by Chair Gunter. Motion carried 3 to 1.

AYES: Gunter, Henson, Kitto

NAYS: Hall

DISCUSSION ITEMS

1. Discussion Item-Town Parks and Recreation Areas Operating Hours

Town Planner, Lorraine Peterson, gave the analysis.

This is a Town-initiated request for approval of Text Amendment to the Town of Dundee Code of Ordinances as it relates to Town Parks and Recreation Areas Operating Hours.

There was discussion among the board members regarding language that should and should not be included in the text amendment.

Kevin Kitto, 150 Kitto Lane, Dundee, recommended that the lighted parks can be open later for some of the leagues and such.

Ms. Peterson will investigate the parks with lighting to be opened later.

MOTION TO RECOMMEND APPROVAL of the Town Parks and Recreation Areas Operation Hours text amendment as presented to the Town Commission made by Gunter, seconded by Kitto.

Voting Yea: Henson, Kitto, Gunter

Voting Nay: Hall

Board Member Henson requested that staff place a discussion item on the next Planning and Zoning Board meeting related to the Town's noise ordinance.

Assistant Attorney Claytor recommended a motion with a vote of the board to place a discussion item on the next Planning and Zoning Board Agenda related to the Town's noise ordinance.

No motion was made.

2. Fee-in-Lieu, Developments, Account Balance, and Allocation of Funds

Town Planner Peterson and Assistant Attorney Claytor informed the Board that this request that was made by Member Hall, individually, and is therefore considered a public records request and the Town Clerk will fulfill the request to him.

3. Discussion Item-Traffic Maps

Town Planner, Lorraine Peterson, provided maps, as requested, for the board's information.

Assistant Attorney Claytor advised the board that, upon completion, the Traffic Study Determination and Recommendations will come before the board in the near future.

DELEGATIONS-QUESTIONS & COMMENTS FROM THE FLOOR

Chair Gunter opened the floor for delegation comments, having no one come forward the floor was closed.

REPORTS FROM OFFICERS

Planning Department Comments: Planning Department reported that there is a Level of Service amendment to the 2030 Comprehensive Plan which will provide a change in the water gallons per day (140 gpd to 115 gpd) and same will be brought to the Board for consideration.

Assistant Town Attorney Comments: Assistant Town Attorney reported that there are updates to the CIP levels of service that will be brought back before the board. The traffic study results are close to completion and will be brought before the board in the near future.

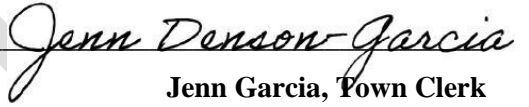
Board Member Comments

Board Member Kitto reassured member Hall that her nominations were for new representation on the board.

Board Member Hall shared concerns with the newest member of the board being the board chair.

ADJOURNMENT at 6:15pm

Respectfully Submitted,


Jenn Garcia, Town Clerk

DRAFT