

Planning & Zoning Board Meeting

July 24, 2025 at 6:00 PM
Howey-in the-Hills Town Hall
101 N. Palm Ave.,
Howey-in-the-Hills, FL 34737

MINUTES

Board Chair Tina St. Clair called the meeting to Order at 6:00 PM.
Board Chair Tina St. Clair led the attendees in the Pledge of Allegiance to the Flag

ROLL CALL

MEMBERS PRESENT:

Board Member Joshua Husemann | Board Member Alan Hayes | Board Member Richard Mulvany | Vice Chair Frances Wagler | Board Member Erick Bright | Board Member Paul Johns | Chair Tina St. Clair

STAFF PRESENT:

Lida Busto, Town Planner | Sean Parks, Town Planner | Victoria Pedane, Executive Assistant | John Brock, Deputy Town Manager / 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 June 26, 2025, Planning and Zoning Board Meeting minutes.

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

Voting

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

Nay: None

PUBLIC HEARING

2. Consideration and Recommendation: **Ordinance 2025-004 - Amending Pool Setbacks in LDC**

Board Chair St. Clair read Ordinance 2025-004 out loud by title only.

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO THE USE OF LAND; PROVIDING FINDINGS; AMENDING PARAGRAPHS 2.02.04.D.10, 2.02.14.D.8, 2.02.15.D.8, 2.03.03.B.10, 5.01.08.B.1, 5.01.08.B.2, 5.01.08.B.3, 5.01.08.F.2, AND 5.01.08.F.1, AND SUBSECTION 5.01.08.D OF THE TOWN'S LAND DEVELOPMENT CODE, AND ADDING NEW SUBSECTION 5.01.08.G TO LAND DEVELOPMENT CODE, ALL OF WHICH RELATE TO ALLOWABLE SETBACKS FOR RESIDENTIAL POOLS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

The Planning and Zoning Board held an in-depth discussion regarding Ordinance 2025-004, which seeks to amend the Land Development Code to provide more flexible pool setback regulations for smaller residential lots. Currently, pools, decking, and screen enclosures must observe a 10-foot rear and side setback. The proposed ordinance would reduce the required rear setback to five feet for lots of 9,600 square feet or less, while side yard setbacks would be equal to those of the principal dwelling or a maximum of 10 feet, whichever is less. The ordinance would also permit pool equipment to be located within side yard setbacks, provided it does not extend into utility easements.

Board Members engaged in a thorough debate over the merits of the proposal. Board Member Hayes expressed opposition, stating that the amendment would be unfair to homeowners who had already gone through the variance process, often incurring significant expense. He emphasized that the Board's responsibility is to evaluate variances individually based on the characteristics of the property, not to broadly alter standards in response to repeated requests. Vice Chair Wagler shared this concern, noting that the Land Development Code had only recently been rewritten after an extensive public process involving both the Planning and Zoning Board and Town Council. She argued that changing it so quickly sends the message that the Town is willing to discard prior consensus simply to accommodate homeowner demands. Both she and Board Member Mulvany stressed that variances already provide a mechanism to balance the needs of property owners with neighborhood compatibility, and that pool builders should be designing pools to fit within the existing regulations.

Board Member Husemann advocated strongly for the ordinance, citing data he compiled from plats and subdivision approvals showing that approximately 1,700 homes in new or planned developments would be affected by the 9,600 square foot threshold. He argued that the existing 10-foot setback standard was developed for larger MDR-1 and MDR-2 lots and is impractical for smaller planned unit development lots, where a pool is often impossible under current regulations. He further noted that surrounding jurisdictions, including Lake County, Groveland, Tavares, and Mount Dora, allow reduced setbacks for smaller lots, and that Howey-in-the-Hills risks becoming overly restrictive by comparison. Board Member Johns supported this perspective, noting that the ordinance would bring consistency and reduce the Town's workload, as variance decisions had been inconsistent in the past and consumed significant staff and board time. He stressed the value of having clear, standardized rules that both homeowners and builders can rely upon.

The Board also debated the definition of "pool equipment." Board Member Mulvany initially raised concerns about pool pumps and enclosures encroaching into the reduced setback, particularly when combined with required fencing. Board Members Husemann and Hayes clarified that the ordinance was intended to cover only permanent, hardwired, or hard-plumbed systems such as pumps, heaters, and filtration or sanitation equipment, not moveable items like pool vacuums or chemicals. Board Chair St. Clair emphasized the need for clear wording to prevent future confusion.

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

Lynne Husemann, 671 Avila Pl. - Town Resident, Lynne Husemann, stated that she supported the ordinance. She noted that both the Planning and Zoning Board and Town Council already face long meetings and that handling a growing number of variance applications is not a good use of time when the Town could instead set fair, consistent standards in advance.

Motion made by Board Member Husemann to recommend Ordinance 2025-004, while adding amendments to the Ordinance defining “Pool Equipment” as being hard-plumbed or hardwired; seconded by Board Member Bright. Motion passed by a roll call vote.

Voting

Yea: Board Member Husemann, Board Member Bright, Board Member Johns, Chair St. Clair

Nay: Board Member Hayes, Board Member Mulvany, Vice Chair Wagler

3. Consideration and Recommendation: **Ordinance 2025-005 - Platting Process Changes**

Board Chair St. Clair read Ordinance 2025-005 out loud by title only.

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO DEVELOPMENT; PROVIDING FINDINGS; AMENDING SECTION 4.09.00 OF THE HOWEY-IN-THE-HILLS LAND DEVELOPMENT CODE; DELETING OBSOLETE AND INCORRECT LANGUAGE REQUIRING VACATION OF PRIOR PLATS BEFORE REPLATTING; CLARIFYING AND REVISING PROCEDURES AND REQUIREMENTS FOR REVIEW AND APPROVAL OF PROPOSED PLATS OF LAND TO CONFORM TO 2025 AMENDMENTS TO PART I OF CHAPTER 177 OF THE FLORIDA STATUTES; REQUIRING TOWN COUNCIL APPROVAL AS A CONDITION TO APPROVAL OF PLATS FOR PRIVATE, GATED SUBDIVISIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

Town Planner, Lisa Busto, explained that Ordinance 2025-005 would revise the Town’s Land Development Code to reflect the new statutory requirements by deleting outdated provisions, clarifying the review process, and specifying that approval of plats for private, gated subdivisions must be granted by the Town Council before administrative review. The ordinance also codifies the steps of the administrative process.

Town Clerk, John Brock, provided additional context, noting that the Florida Legislature’s intent was to remove elected and appointed bodies from the final plat approval stage, leaving review to administrative officials such as the Town Manager, Deputy Manager, or designated Department heads, with oversight from the Town Attorney, Engineer, and Surveyor. He emphasized that all substantive conditions and requirements for developments are imposed earlier in the planning process, during preliminary subdivision approval and construction plan review, while platting is a technical and legal step primarily ensuring accuracy of boundaries, legal descriptions, and survey work. He further noted that the Town Council had already passed a resolution authorizing administrative plat approval on an interim basis, and the proposed ordinance would formalize that process within the Land Development Code.

Board Members acknowledged that the ordinance was largely procedural and necessary for compliance with state law.

Motion made by Board Member Husemann to recommend Ordinance 2025-005; seconded by Board Member Mulvany. Motion approved unanimously by roll call vote.

Voting

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

Nay: None

OLD BUSINESS

None

NEW BUSINESS

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. The general Public Question & Comment period will be limited to a maximum of thirty (30) minutes unless extended by the Presiding Officer.

None

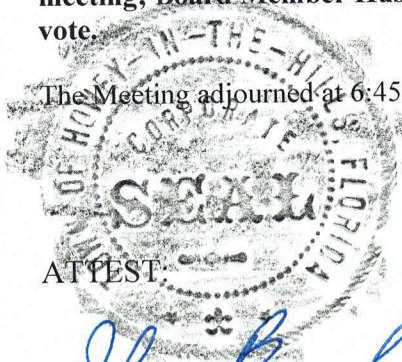
BOARD COMMENTS

None

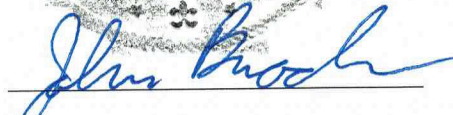
ADJOURNMENT

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

The Meeting adjourned at 6:45 p.m. | **Attendees: 12**



ATTEST:


John Brock, Town Clerk


Tina St. Clair, Chairperson