



## Planning & Zoning Board Meeting

June 27, 2024, 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

#### 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

#### 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 Hayes to approve the Consent Agenda and the May 23, 2024, Minutes; seconded by Board Member Johnson. The motion was approved unanimously by roll call vote.**

*(These minutes did not exist at the time of this meeting, so there was nothing to be approved. The minutes for the 5/23/2024 Planning and Zoning Board meeting will be brought for consideration and approval at a later Board Meeting.)*

#### PUBLIC HEARING

None

#### OLD BUSINESS

None

#### NEW BUSINESS

2. Consideration and Approval: **602 Napoli Way - Shed Placement**

Town Planner, Tom Harowski, introduced and explained this item. Mr. Harowski explained that the applicant was requesting relief from the Town's requirements for shed placement. Mr. Harowski explained that the Town's Land Development Code (LDC) allowed the Town's Planning and Zoning Board to grant a waiver for certain location requirements for sheds. Mr. Harowski explained that this was the second such request from this applicant.

Mr. Harowski stated that the application before the board was to approve a second shed to be located in the far southwestern corner of the property, in the side yard area. Due to the size of the shed, the applicant will be required to paint the shed to match the primary house color. Mr. Harowski stated that the reason for the shed needing to be placed in the requested side yard would be to preserve a tree directly behind the house.

Chair St. Clair asked if the applicant was in attendance at the meeting. The applicant was not in attendance at the meeting.

**Motion made by Board Member Yarckin to allow the applicant to place the shed in the requested location; seconded by Board Member Johnson. 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

### 3. Consideration and Recommendation: **Whispering Heights Final Subdivision Plan**

Town Planner, Tom Harowski, introduced and explained this item. Mr. Harowski reviewed his staff report with the Board. Mr. Harowski stated that this project used to be call Whispering Hills.

Mr. Harowski explained that this project had been rezoned in the past from MDR 1 to MDR 2 and then had received a Preliminary Subdivision Plan approval. Now the project was seeking a Final Subdivision Plan approval, which was essentially an engineering review. Mr. Harowski stated that the Town Engineer had signed off on the plan set for the project.

Mr. Harowski stated that there were four conditions that he was recommending be added to the approval of this Final Subdivision Plan. Those four conditions included:

1. The plan for sewer is to use a force main to connect the project to the lift station on the school board property. The Town and the School District have worked out the terms of an easement to allow the connection, but the easement still needs to be finalized and recorded.
2. The Central Lake Community Development district has provided the applicant with a letter stating their willingness and ability to serve the project. The applicant still needs to pay the necessary fees to reserve the actual treatment capacity
3. The applicant will need to provide current permits for stormwater treatment facilities, utility construction, and connection to Buckhill Road.
4. The School District has responded to the Town Planner's inquiry that the concurrency assessment is current and valid for 107 units. When the project size was increased to 156 units, the added units were not vetted for school concurrency. Staff recommends the Planning Board add the update to school concurrency as a condition of approval. The applicant will need to make an application for concurrency review to the School District for the additional units. The application should be filed prior to consideration of the application by Town Council.

Chair St. Clair asked the applicant to come forward, introduce themselves and speak on their own behalf. Clay Frankel, with Red Jacket Development, came forward and introduced himself. Mr. Frankel gave a brief recent history of the development project.

Board Member Hayes asked about a 48-slip marina shown on the north side of the plans. Mr. Frankel explained that the marina did not connect to their land, so it was not part of the current request. Mr. Frankel stated that the Florida Department of Environmental Protection (FDEP) had already approved the 48-slip marina, but that was someone else's project. Board Member Hayes asked if the Planning and Zoning Board would get a chance to approve that project, because he did not want to see 48 boats polluting the lake air. Mr. Harowski stated that, if the adjacent marina project were to move forward, the Town would have to approve the site plans.

Vice Chair Wagler asked about the process of increasing the allowable lots from 107 to 156 (changing the zoning from MDR 1 to MDR 2). Mr. Harowski stated that the approvals for that had already been completed by the Town.

Chair St. Clair open Public Comment for this item only.

**Tim Everline, 1012 N. Lakeshore Blvd.** – Mr. Everline was concerned that the developer did not have to be held to the new Comprehensive Plan minimum standards of 10,890 square foot lots. Also Mr. Everline thought that a 2,400 square foot home was too big for a 9,000 square foot lot. Mr. Everline was also concerned that the developer did not have to have a Development Agreement.

There was a lengthy discussion on sunset clauses and when the Town began requiring them.

**Motion made by Board Member Johnson to recommend approval with Mr. Harowski's 4 conditions; seconded by Board Member Yarckin. Motion approved by roll call vote.**

#### **Voting**

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

**Nay:** Board Member Hayes

#### **4. Discussion: Review of Chapter 10 - Comprehensive Plan (Concurrency)**

Town Planner, Tom Harowski, introduced and explained this item. Mr. Harowski reviewed his staff report with the Board.

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

#### **5. Discussion: Review of - Comprehensive Plan (Intergovernmental Coordination)**

Town Planner, Tom Harowski, introduced and explained this item. Mr. Harowski reviewed his staff report with the Board.

There was a lengthy discussion on school concurrency requirements.

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

**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**

Chair St. Clair asked the staff to create a spreadsheet for each development that shows the status of the development and when approvals or denials occurred. Chair St. Clair said that it would be helpful to have back history on each development.

Board Member Hayes stated that he had been looking into records and could find no records in reference to the Town’s Cemetery Board meeting within the last 4 years. Board Member Hayes stated that he thought the cemetery was important and he would like more information about it.

Vice Chair Wagler gave some history on the Cemetery Board being disbanded in the past by Mayor MacFarlane and that the cemetery is now under the auspices of the Parks and Recreation Board.

**ADJOURNMENT**

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

The Meeting adjourned at 7:32 p.m.

ATTEST:  


John Brock, Town Clerk

  
Tina St. Clair Chairperson