



Planning & Zoning Board Meeting

February 24, 2022 at 6:00 PM

In Person and via Zoom

Join Zoom

Meeting: <https://us06web.zoom.us/j/83018830920?pwd=R3oyZThZbFZFVnR3RjVlVHh3azU5UT09>

Meeting ID: 830 1883 0920 | Passcode: 432609

Due to COVID-19, the Town of Howey-in-the-Hills is limiting the number of public attendees at meetings to 10 individuals. The Town of Howey-in-the-Hills is also requesting all audience members to wear masks when attending the meeting. The Town encourages everyone who is interested in participating in the meeting to join virtually via ZOOM.

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 January 27, 2022, Planning and Zoning Board Meeting minutes.

CALL TO ORDER

ROLL CALL

PUBLIC HEARING

OLD BUSINESS

2. Discussion: **Parliamentary Procedure Review**

NEW BUSINESS

3. Consideration and Recommendation: **Flagpoles updates to Land Development Code**
4. Consideration and Recommendation: **Land Development Code (LDC) Amendment - Temporary Carports and Covers**
5. Discussion: **Process for Recommending LDC Updates**

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.

ADJOURNMENT

To Comply with Title II of the Americans with Disabilities Act (ADA):

Qualified individuals may get assistance through the Florida Relay Service by dialing 7-1-1. Florida Relay is a service provided to residents in the State of Florida who are Deaf, Hard of Hearing, Deaf/Blind, or Speech Disabled that connects them to standard (voice) telephone users. They utilize a wide array of technologies, such as Text Telephone (TTYs) and ASCII, Voice Carry-Over (VCO), Speech to Speech (STS), Relay Conference Captioning (RCC), CapTel, Voice, Hearing Carry-Over (HCO), Video Assisted Speech to Speech (VA-STS) and Enhanced Speech to Speech.

NOTICE: ONE OR MORE COUNCILORS MAY BE PRESENT TO HEAR OR PARTICIPATE IN DISCUSSION REGARDING MATTERS WHICH MAY COME BEFORE TOWN COUNCIL FOR ACTION.

Howey Town Hall is inviting you to a scheduled Zoom meeting.

Topic: Planning & Zoning Board Meeting

Time: Feb 24, 2022 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

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Dial by your location

+1 646 558 8656 US (New York)

+1 720 707 2699 US (Denver)

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Find your local number: <https://us06web.zoom.us/j/83018830920?pwd=R3oyZThZbFZFVnR3RjVlVHh3azU5UT09>

Please Note: In accordance with F.S. 286.0105: Any person who desires to appeal any decision or recommendation at this meeting will need a record of the proceedings, and that for such purposes may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based. The Town of Howey-in-the-Hills does not prepare or provide this verbatim record. Note: In accordance with the F.S. 286.26: Persons with disabilities needing assistance to participate in any of these proceedings should contact Town Hall, 101 N. Palm Avenue, Howey-in-the-Hills, FL 34737, (352) 324-2290 at least 48 business hours in advance of the meeting.



Planning & Zoning Board Meeting

January 27, 2022 at 6:00 PM
In Person and via Zoom

MINUTES

CALL TO ORDER ROLL CALL

MEMBERS PRESENT:

Tina St. Clair - Chairperson | Ron Francis III – Vice Chairperson | Berniece Hower | John Manning | Richard Mulvany (via Zoom) | Frances O’Keefe Wagler (via Zoom)

STAFF PRESENT:

Sean O’Keefe - Town Administrator | John Brock - Town Clerk | Victoria Elfers - Building Services Clerk | Tom Harowski - Town Planner (Via Zoom) | Morgan Cates - Public Works Director

Ron Francis III explained that board members Richard Mulvany and Frances O’Keefe Wagler were both sick and unable to attend the meeting in person. Both members were attending virtually via Zoom.

Ron Francis III made a motion for both Richard Mulvany and Frances O’Keefe Wagler to be able participate and vote during the meeting via Zoom; John Manning seconded the motion. The motion passed unanimously by voice vote.

CONSENT AGENDA

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1. Consideration and Approval of the November 18, 2021, Planning and Zoning Board Meeting minutes.

Motion made by Ron Frances III to approve of the Consent Agenda; Seconded by John Manning. Motion was approved unanimously by voice vote.

PUBLIC HEARING

None

OLD BUSINESS

None

NEW BUSINESS

2. Consideration and Approval: **Venezia Townhomes Final Subdivision Plan Review**

Chairperson, Tina St. Clair, asked Town Planner Tom Harowski to present this item to the Board. Mr. Harowski introduced the matter to the board and explained that the Board would be reviewing the engineering and landscaping plans. Mr. Harowski reviewed the overall layout of the townhome project.

Chairperson, Tina St. Clair, allowed the developer group to present their project and respond to concerns. Ben Beckham, Engineer of Record for the project, presented the developer's presentation. Laurie Elder, Landscape Architect for the project, responded to concerns about landscaping issues with the project. Ron Roberts, developer for the project, also responded to issues about the project.

Chairperson, Tina St. Clair, opened up public comment on this issue.

Carmen Khaleel, 721 Calabria Way – Mrs. Khaleel explained she was a board member for the Venezia HOA and explained concerns and questions she had about the project.

Chairperson, Tina St. Clair, closed public comment on this issue and allowed further board discussion on this topic.

Town Planner, Tom Harowski, summarized the issues and conditions that the board had laid out during their discussions. Those issues were:

- 1) The mail kiosk location will be moved to the north portion of the project in the common area opposite lots 62 and 63. The Board made this recommendation to minimize impacts such as noise to nearby residences while still locating the mail kiosk where parallel on-street parking is available.
- 2) The trees located between lot 81 and the perimeter fence will be moved further away from the fence to provide additional clearance while maintaining the landscaping.
- 3) The magnolia trees near lot 81 and the magnolia street trees along the perimeter fence will be changed from Southern Magnolias to Sweet Bay Magnolias as the Sweet Bay Magnolia has a less extensive root system. This tree will be more compatible with the narrower planting strip and help with concerns about impacts to the single-family units to the east along Calabria Way.
- 4) The deed restrictions to be supplied with the final plat will include a provision obligating the homeowners' association for the project to maintain the side of the fence facing the townhouse project. (Pressure cleaning, etc.) If damage occurs due to the actions of townhouse units, the townhouse association will be obligated to replace any affected sections of fence.
- 5) The deed restrictions to be supplied with the final plat will require architectural review for approval of any television satellite dishes. The goal of the review is to prevent views of satellite dishes from Venezia Boulevard to the maximum extent possible.
- 6) The builder, DR Horton was required to upgrade the rear side of the buildings along the Venezia Boulevard frontage. The rear of these units will be clearly visible from Venezia Boulevard, and the Planning Board determined that the façade on the rear of these buildings needed to give more of the appearance of the building front. Specific recommendations include:
 - a. Adding shutters to the windows as is done on the front
 - b. Adding additional architectural detailing such as trim
 - c. Adding gable ends to the roof of the units projecting toward Venezia Boulevard to match the building frontage. (Current design is a shallow sloped roof only.)
 - d. Modifying the painting plan to provide more contrast between the units in the building.
 - e. Other design improvements that may be proposed by the applicant.
- 7) Revised plans are to be submitted to the Town by the close of business on February 4, 2022 so the Planning Board members, the public and staff have adequate time to verify the modification the plan have been made and to determine if the building revisions accomplish the intended task.

John Manning made a motion to conditionally recommend the project to Town Council with the seven aforementioned conditions that were summarized by Town Planner, Tom Harowski; Seconded by Berniece Hower. Motion passes with a roll call vote.

Voting

Yea: John Manning, Berniece Hower, Tina St. Clair, Richard Mulvany

Nay: Ron Francis III, Fran O’Keefe Wagler

CITIZEN 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 – Mr. Harowski stated that he was going to ask for clarification from the Town Attorney as to the ability of the Board to table motions.

ADJOURNMENT

There being no further business to discuss, a motion was made by Berniece Hower to adjourn the meeting; Frances O’Keefe Wagler seconded the motion. Motion was approved unanimously by voice vote.

The Meeting adjourned at 8:11 p.m. | **Attendees: 22**

Tina St. Clair Chairperson

ATTEST:

John Brock, Town Clerk

Generally, in its review of a land-development project the Planning and Zoning Board has the option to recommend approval, recommend approval subject to conditions, or recommend denial.

- A board **can** delay making a recommendation on any reasonable basis. The term “reasonable” will depend on the circumstances of the proposed project. Generally, a postponement of a board vote would occur while the board requests and awaits additional information or suggests changes to the project as proposed. If the applicant refuses to supply the additional information or to make the suggested changes to the proposal, the board has the option of recommending denial of the project.
- A conditional recommendation **does not** require that satisfaction of the conditions be verified by the board. Nevertheless, the board may recommend approval subject to the condition that the applicant return to the board for its verification that changes to the proposed development have been made or the requested additional information has been supplied.
- An applicant **can** ask to proceed to council, even without a recommendation by the board. The board, in turn, can recommend denial if it is not supplied the additional information or the developer refuses to alter the proposed project as the board thinks necessary.

Considering the previous meeting, the possibilities would have been as follows:

Recommendation of approval with conditions:

- A board recommendation of approval subject to conditions would proceed to council. Verification that the conditions are satisfied would be done by Town Council or Town staff.
- The board could have postponed its vote by a motion and vote to continue the matter to a later meeting of the board. The applicant could then have requested to proceed to council without necessarily fulfilling all the conditions (including the condition to return to the board for secondary review). In that case, the board would have the prerogative to recommend denial, grounded on the board’s inability to get the additional information or changes to the proposed development.
- Council would then take into consideration the board’s recommendation of denial and the related grounds of inability to get more information or to get changes to the proposed development, all with input from staff.

Recommendation of denial:

- Otherwise, the board could have voted to *recommend denial*, with a statement of the grounds for its vote and the changes to the project, or the additional information, which might have resulted in a recommendation of approval. If the applicant asks for more time to provide the additional information or to make the requested changes to the proposed project, the board can opt to continue its vote to a later meeting.
- The applicant could either:
 - Work on requirements to satisfy the board by a subsequent meeting in order to obtain a *recommendation of approval*; or
 - Ask to proceed to council’s review in spite of a *recommendation of denial*; council would then take the *recommendation of denial* into consideration.



Date: January 19, 2022
To: Planning and Zoning Board
From: Azure Botts
Re: Flagpoles

Objective: Amend Section 5.01.11 “Flagpoles” of the Land Development Code’s verbiage in its entirety and adopt new regulations/verbiage for Section 5.01.11.

Summary:

The current section 5.01.11 “Flagpoles” of the Land Development Code is very vague and does not cover details pertaining to setbacks, how many flagpoles allowed per zoning designation, how many flags allowed per pole, and the lack of a required permit. The proposed verbiage will address the lack of these regulations.

Possible Motions:

The Town Council has the following options:

1. The Planning and Zoning Board motions to recommend to Town Council
OR
2. The Planning and Zoning Board motions to recommend to Town Council with the following conditions
OR
3. The Planning and Zoning Board motion to not recommend to Town Council

Fiscal Impact:

There will not be any fiscal impact or future impact.

Staff Recommendation: Staff recommends the adoption of this ordinance so there will be a clear and concise ordinance to enforce equally.

Current LDC

5.01.11 Flagpoles

Flagpoles shall conform to the maximum height limits established for the zoning classification where they are located. Individual flags displayed on the pole shall not exceed twenty-five (25%) percent of the height of the flagpole. Flagpoles shall not be located within required buffers but may be located within required yards.

1 5.01.11 Flagpoles

2 A. Residential single-family properties are allowed to have one flagpole not to exceed twenty (20) feet in
3 height above finished grade or extend no more than ten (10) feet from any building to which it is
4 associated.

5 B. Residential developments that are at least ten (10) acres are allowed to have up to three (3) flagpoles,
6 not to exceed thirty (30) feet in height, at each entrance that provides ingress/egress of an arterial or
7 collector road, provided there is at least 300 square foot separation between entrances.

8 1. Four additional flagpoles may be allowed, not to exceed 30 feet in height, within the common
9 area of the development provided that the flagpoles are not visible to motorist along any
10 frontage roadway.

11 C. All other properties may have a flagpole, not to exceed the building height as regulated in that zoning
12 classification.

13 D. Two flags are allowed to be displayed on a single flagpole with neither flag individually exceeding
14 more than 25% of the flagpole height.

15 E. Flagpoles shall have a minimum five (5) foot setback from all property lines.

16 F. Flagpoles shall not be located within required buffers but may be located within required yards.

17 G. All flagpoles fifteen (15) feet or higher requires a permit from the Town.

18 H. American flags should be flown in accordance with the U.S. Flag Code.

19 ~~Flagpoles shall conform to the maximum height limits established for the zoning classification where~~
20 ~~they are located. Individual flags displayed on the pole shall not exceed twenty five (25%) percent of the~~
21 ~~height of the flagpole. Flagpoles shall not be located within required buffers but may be located within~~
22 ~~required yards.~~



Date: January 18, 2022

To: Planning and Zoning Board

From: Azure Botts, Code Enforcement Officer

Re: Consideration and Recommendation: **Land Development Code (LDC) Amendment - Temporary Carports and Covers**

Objective: To amend section 5.02.08 “Temporary Carports and Covers” of the Town’s Land Development Code.

Summary:

This amendment to the LDC will allow the use of temporary carports and covers with specific guidelines to follow. The current LDC section 5.02.08 only defines what a temporary carport and covers are and where they may be placed on a property. The amendments will better define the definition as well as provide an allowable amount of time the temporary carport may be erected, provide setbacks for placement, and the maximum size of a carport and a limited height of 15 ft. Both current and amendments address the need for a permit and a timeframe in which the carport may be erected on the property; current LDC is 14 days and the amendment allows for 30 days.

Possible Motions:

The Town Council has the following options:

1. The Planning and Zoning Board motions to recommend to Town Council
OR
2. The Planning and Zoning Board motions to recommend to Town Council with the following conditions
OR
3. The Planning and Zoning Board motion to not recommend to Town Council

Fiscal Impact:

There will be no initial or reoccurring fiscal impact.

Staff Recommendation:

Staff recommends the adoption of this amendment to the Land Development Code to reduce the visual clutter within the Town of Howey in the Hills.

Current LDC

5.02.08 Temporary Carports and Covers

Temporary structures consisting of fabric or plastic coverings on metal, wood or other types of frames shall not be permitted in any front yard, nor may any such structure be permitted in any required rear or side yard. Property owners shall obtain a permit for erection of temporary covers. The permit shall be valid for no more than fourteen (14) days.

1 5.02.08 Temporary Carports and Covers

2 Temporary structures, that are without pre-engineered drawings from the manufacturer, consisting of
3 fabric or plastic coverings on metal, wood or other types of frames shall not be permitted on residential
4 or commercial property without first obtaining a temporary permit. Temporary structures shall be
5 located only in the rear or side yard and must meet required setbacks of five (5) feet from the rear and
6 side property lines and shall not extend beyond the plane of the front wall of principle structure. A
7 principle structure shall be in place on the parcel prior to the issuance of a temporary permit. The
8 maximum size of the temporary structure shall not exceed 200 square feet and shall not exceed 15 feet
9 in height. ~~in any front yard, nor may any such structure be permitted in any required rear or side yard.~~
10 ~~Property owners shall obtain a permit for erection of temporary covers.~~ The temporary permit shall be
11 valid for no more than thirty (30) ~~fourteen (14)~~ days and issued only once per year

Howey-in-the-Hills Townhouse Garages Two-Car Examples

Two Unit Building

2-Car Garage

Entry to Side

Landscape

Divider



Four Unit Building

2-Car Garage

End units Side entry

Interior Units Recessed entry

Landscape Divider



Four Unit Building

Side Access to Unit



Four Unit
Building

Same Building
Layout

Less
Landscaping

Recessed entry
end and middle



Two Unit Building

Recessed Middle Entry

2-Car Garage

Landscape Area by Entrance

Screen Door





Sixr Unit Building

1-car Garage

Post Separator

Essentially an Alley Access



Six Unit
Building

Alternate View

Entrance

Adjacent to

Garage

2 Parking Spaces
in Drive

