



Planning & Zoning Board Meeting

August 25, 2022 at 6:00 PM
Howey-in the-Hills Town Hall
101 N. Palm Ave.,
Howey-in-the-Hills, FL 34737

AGENDA

Join Zoom Meeting: <https://us06web.zoom.us/j/84260777879?pwd=VlBkcHhVSXJlU1hVRjBleFFtU3pQUT09>
Meeting ID: 842 6077 7879 | **Passcode:** 283655

CALL TO ORDER ROLL CALL

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 July 28, 2022, Planning and Zoning Board Meeting minutes.

PUBLIC HEARING

2. Consideration and Recommendation: **The applicant is requesting a variance from Section 5.01.08 Swimming Pools and Pool Enclosures. The applicant is requesting a variance of seven feet from the minimum rear yard setback of ten feet to allow a pool and pool deck to be constructed with three feet of the rear property line.**
3. Consideration and Recommendation: **Ordinance 2022-016 - Simpson Parcels - Rezoning from MDR1 and MDR 2 to PUD**
4. Consideration and Recommendation: **Simpson Parcels - Preliminary Subdivision Plan**

OLD BUSINESS

5. Consideration and Recommendation: **Town Council requested the Planning & Zoning Board input on policy 1.11.6 of the Future Land Use element requiring the extension of grid street patterns where possible. The Town Council is asking for a recommendation on keeping the policy as is, amending the policy, or deleting the policy.**

NEW BUSINESS

6. Consideration and Approval: **2022-2023 Planning and Zoning Board, Development Review Committee (DRC), and application submission cut-off dates**

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-STTS) 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: **Aug 25, 2022 06:00 PM Eastern Time (US and Canada)**

Join Zoom Meeting

<https://us06web.zoom.us/j/84260777879?pwd=VlBkcHhVSXJlU1hVRjBleFFtU3pQUT09>

Meeting ID: 842 6077 7879

Passcode: 283655

Dial by your location

+1 646 558 8656 US (New York)

+1 720 707 2699 US (Denver)

+1 346 248 7799 US (Houston)

Meeting ID: 842 6077 7879

Passcode: 283655

Find your local number: <https://us06web.zoom.us/j/84260777879>

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

July 28, 2022 at 6:00 PM

Howey-in the-Hills Town Hall
101 N. Palm Ave.,
Howey-in-the-Hills, FL 34737

MINUTES

CALL TO ORDER ROLL CALL

BOARD MEMBERS PRESENT:

Tina St. Clair - Chairperson | Sheldon Lucien | John Manning (via Zoom) | Shawn Johnson | Frances O'Keefe Wagler (via Zoom) |

BOARD MEMBERS ABSENT:

Richard Mulvany | Ron Francis III – Vice Chairperson

STAFF PRESENT:

John Brock - Town Clerk | Tom Harowski - Town Planner (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 May 26, 2022, Planning and Zoning Board Meeting minutes.

Motion made Sheldon Lucien to approve the agenda; Shawn Johnson seconded the motion. Motion was approved unanimously by voice vote.

PUBLIC HEARING

None

OLD BUSINESS

None

NEW BUSINESS

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

Tina St. Clair, Board Chairperson, asked Tom Harowski, Town Planner, to introduce and explain this item. Mr. Harowski explained that the applicant was asking for the shed to be placed in a location not directly behind his house. Mr. Harowski explained that the applicant has claimed that placing the shed behind the house would cause him to have to cut a tree down, which is a permissible reason to ask for permission to place the shed to the side. Mr. Harowski suggested that if the board grants the placement request, they may want to require the property owner to orient the front of the shed so that door to the shed faced east towards the interior of the lot.

James Mazzaro (owner of 602 Napoli Way) stated that he would have no objection to orienting the door to the interior of the property as suggested by Mr. Harowski. Mr. Mazzaro stated that the HOA had already approved the placement of the shed in the location that he had asked the Town for.

Motion made by Sheldon Lucien to approve as submitted by the applicant on the survey with the condition of the shed door facing to the rear yard (facing to the east); seconded by John Manning. Motion was approved unanimously by roll call vote.

Sheldon Lucien	YES	Chair Tina St. Clair	YES
Fran O'Keefe Wagler	YES	Richard Mulvany	Absent
Shawn Johnson	YES	Ron Francis III	Absent
John Manning	YES		

John Brock, Town Clerk, reminded all Planning and Zoning Board members of the Form 1 procedures that the Florida Ethics Commission requires annually. Mr. Brock stated that board members Frances O'Keefe Wagler, Tina St. Clair., and John Manning were on the list from the Florida Ethics Commission as having not submitted their Form 1 by the due date of July 1, 2022 and needed to submit prior to September 1, 2022 or would begin getting fined. Also, new members Sheldon Lucien and Shawn Johnson needed to file their Form 1s as well.

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

ADJOURNMENT

There being no further business to discuss, a motion was made by Sheldon Lucien to adjourn the meeting; Shawn Johnson seconded the motion. Motion was approved unanimously by voice vote.

The Meeting adjourned at 6:17 p.m. | **Attendees: 10**

Tina St. Clair Chairperson

ATTEST:

John Brock, Town Clerk



TMHConsulting@cfl.rr.com
97 N. Saint Andrews Dr.
Ormond Beach, FL 32174
PH: 386.316.8426

MEMORANDUM

TO: Howey-in-the-Hills Planning Board
CC: J. Brock, Town Clerk
FROM: Thomas Harowski, AICP, Planning Consultant
SUBJECT: 414 Amola Way Variance Request
DATE: August 8, 2022

The applicant is requesting relief from the requirement that swimming pools and pool decks be setback ten (10) feet from rear property lines (Section 5.01.08 B). The applicant has submitted a statement explaining why the requested variance is needed and how the variance is justified. The applicant is seeking a variance of seven feet to allow the pool and pool deck to extend within three feet of the rear property line.

The subject property is located within the Talichet Subdivision located off South Florida Avenue, and the house is a newly constructed residential unit. The applicant has owned the property since May 2021. Amola Way is a short cul-de-sac serving seven residential lots. Amola Way backs up to a wetland and stormwater retention area so that there are no houses to the rear of units accessed from Amola Way. The applicant has submitted a survey showing the pie-shaped lot and position of the existing house on the property. The survey shows a five-foot drainage and utility easement extending across the full width of the rear property line. The applicant submitted a proposed design for the pool and pool deck with the application form showing a portion of the pool deck intruding into the required rear yard setback by up to four feet at the deepest penetration. Subsequently the applicant submitted a revised pool and pool deck layout with the deck extending to within three feet of the rear property line, extending up to seven feet into the required rear yard. The main difference between the two designs is the amount of deck area between the house and the pool. The variance review will be based on the most recent site plan layout.

The applicant has stated several factors which are offered in support of the request. These include:

- The orientation of the house to the rear property line narrows the distance to the rear property line from 29 feet on one end to 23 feet on the other end.
- The rear lot orientation leaves inadequate room for a typical pool and pool deck.
- The proposed deck area is necessary to allow full access to all sides of the pool.
- There are no neighbors to be impacted by the reduced rear yard setback.

The applicant has also stated that other variances for pools have been granted, but the granting of a variance in one case has no bearing on future cases. Each variance is supposed to address a specific hardship that does not allow the property to be developed in full compliance with the code unless some relief is granted.

Analysis

The land development regulations set out a series of criteria to evaluate requests for variances in Section 4.13.04. These criteria are listed below:

4.13.01 Standards in Granting a Variance

The Board of Adjustment may authorize a variance from the terms of this LDC as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Code will result in unnecessary and undue hardship. In authorizing a variance from the terms of this LDC, the Board of Adjustment shall find:

- A. That special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district,
- B. That the special conditions and circumstances do not result from the actions of the applicant,
- C. That literal interpretation of the provisions of this LDC would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this LDC and would work unnecessary and undue hardship on the applicant,
- D. That the variance created is the minimum variance that will make possible the reasonable use of the land, building or structure, and
- E. That the granting of the variance will be in harmony with the general intent and purpose of this LDC and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
- F. In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this LDC. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this LDC.

For the current application the staff evaluation is as follows:

- A. The pie shaped lot does make the design of a pool and pool deck somewhat more difficult than for a standard rectangular lot, but the type of lot in question is not really unique in shape in the current subdivision or for other similarly zoned property.
- B. We do not have information on whether the applicants picked the design for the house and planned the site for the eventual construction of a pool. The house design could have been modified to accommodate a pool or a different house design selected if the intent was to include a pool.

- C. A literal interpretation of the code does not prohibit the construction of a pool, but would require a different design of the pool and pool deck.
- D. The proposed minimum variance of seven feet exceeds the minimum variance to accommodate the proposed design. The applicant submitted a design with the original application that has a lesser impact on the rear yard setback. The pool and pool deck cannot extend into the utility and drainage easement area unless the easement is vacated.
- E. The approval of the proposed design is in harmony with the general intent of the code. Approval of the variance and construction of the pool and pool deck is consistent with standard residential use of the property and would have no apparent impact to other properties. The fact that the parcel abuts a large wetland and stormwater retention area provides a visual and spacial shield and buffer from any properties to the rear of the parcel.
- F. In order to construct the pool at least two trees will need to be removed or relocated. These trees are part of the minimum landscape requirement and the trees either need to be transplanted or replaced with trees meeting the code minimum. If the trees are transplanted and then die, they must be replaced. Should the Planning Board recommend approval of the variance to Town Council, the tree relocation or replacement requirement should be recommended as a condition of approval.

Summary

Technically the request does not meet all of the criteria for approval of the requested variance. Note is taken of the placement of the lot in the subdivision such that construction of the pool and pool deck as proposed would have no measurable impact on neighboring properties. Construction of the pool and deck as proposed is in harmony with the use of the property as a single-family home and with the neighborhood in general, but it is not the minimum relief needed to overcome any hardship linked to the property. Should the Planning Board elect to recommend the variance to Town Council, approval of the variance should be for a lesser incursion into the rear yard set back (maximum four feet); conditioned on excluding any incursion into the drainage and utility easement; and requiring relocation or replacement of the trees in the proposed pool area.



VARIANCE APPLICATION

Howey-in-the-Hills

PLEASE PRINT LEGIBLY

Property Owner (if there are multiple owners, please provide all the information on the attached ownership list): Matthew Pedlar & Maritza Velazquez

Property Owner's Contact Information (If multiple owners, please provide mailing address, daytime phone, and fax and/or email for each owner):

First Owner: Matthew Pedlar
 Mailing Address: 414 Amola Way, Howey In The Hills, FL 34737
 Daytime Phone: Cell (347) 327-2889 • Home (352) 324-6445
 Fax and/or Email: _____

Second Owner: Maritza Velazquez
 Mailing Address: 414 Amola Way, Howey In The Hills, FL 34737
 Daytime Phone: 914-409-2633
 Fax and/or Email: _____

If more than two owners, please attach additional information.

Applicant (If different from owner): _____
 Mailing Address: _____
 Daytime Phone: _____
 Fax and/or Email: _____

If the Applicant does not own the property, or is not the sole owner, please complete the Authorized Agent Affidavit form, attached.

If the Applicant is Not the Owner of the Property, is the Applicant:

_____ A Tenant
 _____ An Authorized Agent for the Owner
 _____ Other (please explain): _____

Property's Physical Address: 414 Amola Way, Howey In The Hills, FL 34737

The attached Verified Legal Description Form must also be completed as part of the application.

A survey of the property, showing all current improvements on the site, to scale, is required as part of the application submittal. The survey can be no larger than 11" X 17" in size.

An additional copy of the survey or a site plan drawn to scale should be included as part of the application which specifically shows any improvements that are being requested as part of the variance. Again, this site plan can be no larger than 11" X 17" in size.

Property Information: Tax Parcel ID: 26-20-25-0010-000-01500 Alt Key #: 3922808

Please identify below the current land uses located on the site and all adjacent properties. For example, land uses would be identified as single family home, office, grocery store, etc.

Subject Site: 414 Amola Way, Howey In The Hills, FL 34737

Adjacent property to the North: Retention Area/Open Passive Space

Adjacent property to the South: Street (Cul De Sac)

Adjacent property to the East: Vacant Plot (Lot 16)

Adjacent property to the West: Single Family House

Does the property currently have:

Town Water:	<u>X</u>	YES	<u> </u>	NO
Central Sewer:	<u>X</u>	YES	<u> </u>	NO
Potable Water Well:	<u> </u>	YES	<u>X</u>	NO
Septic Tank:	<u> </u>	YES	<u>X</u>	NO

How long has the current owner owned the property? May 28, 2021

Please attach property tax records or other documentation to verify how long the current owner has owned the property.

What specific Code requirement is the applicant seeking a variance from?

The 10 foot rear setback. We are requesting to reclaim seven feet
(7') of the 10 foot setback to utilize for a pool and enclosed patio
space.

What, in the applicant's point of view, are the specific special conditions or circumstances that exist on the property?

The rear of our property is asymmetrical. Our yard directly behind
our house narrows from 29' on the right to 23' on the left. The 10'
setback would leave us with a very narrow pool enclosure.

What, in the applicant's point of view, is the unnecessary and undue hardship that exists to provide justification for the variance?

As a disabled retiree, the additional space will allow me to safely
navigate the patio area around the pool. It will also afford me egress
from all sides of the pool.

The applicant should provide any additional information that may be helpful to the Town in rendering a decision on the requested variance.

There are several properties within Howey that have received
variances regarding pools and or setbacks. Nothing will ever be built
behind our property due to the retention area & the large pond.
Reclaiming 7' (350 sq. feet) from the setback would allow for a safer,
more appropriately sized pool enclosure for the size of our
property and family.

Additional information may be necessary. The applicant is required to provide a daytime telephone number where he/she can be reached.

The applicant is required to provide the names and mailing addresses of all property owners within 300 feet of the subject property, in the form of mailing labels. Three (3) sets of labels are required. These names and addresses may be obtained from the Lake County Property Appraiser's Office.

The Town will also provide a sign which must be posted on the subject property, visible from the adjacent right-of-way or road access. The sign must be posted at least one week prior to the Planning and Zoning Board meeting where this application will be on the agenda and the sign must remain posted until the Town Council public hearing.

A \$400 application fee is due and payable at the time this application is submitted to the Town. In addition to this application fee, a \$1,000 review deposit is required. By signing this application, the applicant acknowledges that the \$400 application fee covers advertising costs, mailings, and the time spent on the application by the Town Clerk. The applicant also acknowledges by his/her signature below that he/she understands he or she will be responsible for any additional costs that the Town incurs as a result of having Town consultants review the application. Once those additional costs are paid by the applicant, the Town will return the balance of the \$1,000 review deposit to the applicant. By signing this application, the applicant also acknowledges that he/she understands that variances expire if not acted upon within the timeframes outlined in the Town's Land Development Regulations.

Witnesses:

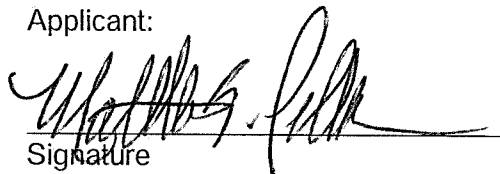
 Signature

 Print Name

 Signature

 Print Name

Applicant:


 Signature

Matthew Pedlar
 Print Name



Authorized Agent Affidavit

STATE OF FLORIDA
COUNTY OF LAKE

Before me, the undersigned authority, this day personally appeared Matthew Dollar hereinafter "Owner", and Martiza Velazquez hereinafter "Applicant", who, being by me first duly sworn, upon oath, depose and says:

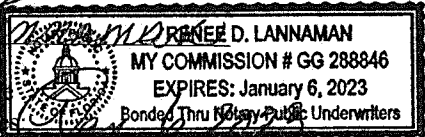
- 1. The Applicant is the duly authorized representative of the Owner, on the real property as described and listed on the pages attached to this affidavit and made a part of hereof.
- 2. That all Owners have given their full and complete permission for the Applicant to act in their behalf as set out in the accompanying application.
- 3. That the attached ownership list is made a part of the Affidavit and contains the legal description(s) for the real property, and the names and mailing addresses of all Owners having an interest in said land.

FURTHER Affiant(s) sayeth not.

Sworn to and subscribed before me this
26 day of July, 2022

Matthew Dollar
Owner

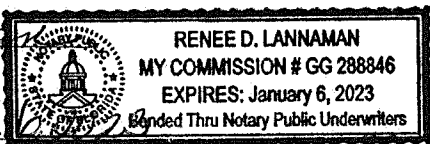
Renee D. Lannaman
Notary Public
State of Florida at Large
My Commission Expires: Jan 6, 2023



Sworn to and subscribed before me this
26 day of July, 2022

Martiza Velazquez
Owner

Renee D. Lannaman
Notary Public
State of Florida at Large
My Commission Expires: Jan 6, 2023



Sworn to and subscribed before me this
____ day of _____, 20____

Owner

Notary Public
State of Florida at Large
My Commission Expires: _____

Sworn to and subscribed before me this
____ day of _____, 20____

Owner

Notary Public
State of Florida at Large
My Commission Expires: _____



Ownership List

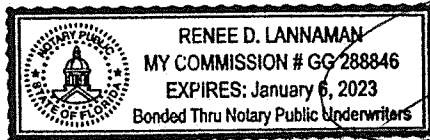
(must be completed by all owners)

Owner's Name: Maritza Velazquez
 Ownership Interest: _____
 Mailing Address: 414 Amola Way
Howey In The Hills, FL 34737
 Legal Description: _____

[Signature]
 Signature

7/26/2022
 Date

The foregoing instrument was acknowledged before me on 7/26/22 by Maritza Velazquez who is personally known to me or has presented Driver License as identification and who did _____ or did ☒ not take an oath.



Seal

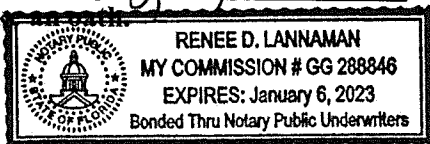
[Signature]
 Notary Public

Owner's Name: Matthew Pedlar
 Ownership Interest: _____
 Mailing Address: 414 Amola Way
Howey In The Hills FL 34737
 Legal Description: _____

[Signature]
 Signature

07/26/2022
 Date

The foregoing instrument was acknowledged before me on 7/26/22 by Matthew Pedlar who is personally known to me or has presented Driver License as identification and who did _____ or did ☒ not take an oath.



Seal

[Signature]
 Notary Public

MULTIPLE COPIES OF THIS FORM MAY BE MADE AND ATTACHED AS NECESSARY.

Please hand deliver completed application and fee to:

Town Clerk
Town of Howey in the Hills
101 N. Palm Avenue
Howey in the Hills, FL 34737

Please make application fee and review deposit checks payable to the Town of Howey in the Hills.

The Town Clerk may be reached at 352-324-2290 or by visiting Town Hall during normal business hours.

FOR TOWN CLERK OFFICE USE ONLY

Date Received: _____

- _____ 3 sets of labels attached?
- _____ current survey attached?
- _____ site plan attached showing proposed improvements?
- _____ verified legal description form attached?
- _____ authorized agent affidavit attached?
- _____ ownership list attached?

APPLICATION NO. _____

Reviewed and Accepted By: _____

Provided to Town Planner on: _____

Planning & Zoning Board meeting date: _____

Town Council meeting date: _____

PLOT PLAN

(AS SPECIFIED BY CLIENT)

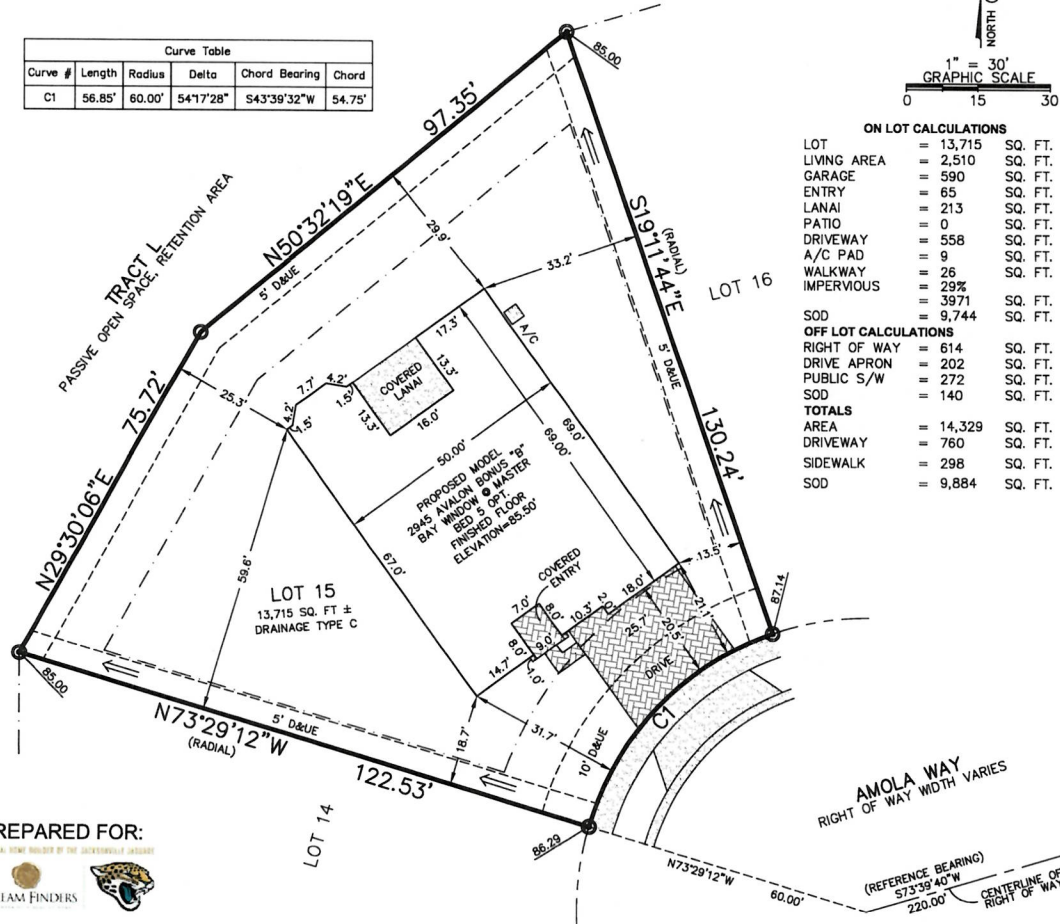
DESCRIPTION:(UNRECORDED)

LOT 15, TALICHET AT VENEZIA NORTH

AS RECORDED IN PLAT BOOK ----, PAGE(S) ----, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

THIS PLOT PLAN IS BASED ON A PLAT THAT HAS NOT BEEN EITHER APPROVED NOR SUBMITTED TO LAKE COUNTY, FLORIDA AND IS SUBJECT TO CHANGE.

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord
C1	56.85'	60.00'	54°17'28"	S43°39'32"W	54.75'



ON LOT CALCULATIONS		
LOT	= 13,715	SQ. FT.
LIVING AREA	= 2,510	SQ. FT.
GARAGE	= 590	SQ. FT.
ENTRY	= 65	SQ. FT.
LANAI	= 213	SQ. FT.
PATIO	= 0	SQ. FT.
DRIVEWAY	= 558	SQ. FT.
A/C PAD	= 9	SQ. FT.
WALKWAY	= 26	SQ. FT.
IMPERVIOUS	= 29%	
SOD	= 3971	SQ. FT.
SOD	= 9,744	SQ. FT.
OFF LOT CALCULATIONS		
RIGHT OF WAY	= 614	SQ. FT.
DRIVE APRON	= 202	SQ. FT.
PUBLIC S/W	= 272	SQ. FT.
SOD	= 140	SQ. FT.
TOTALS		
AREA	= 14,329	SQ. FT.
DRIVEWAY	= 760	SQ. FT.
SIDEWALK	= 298	SQ. FT.
SOD	= 9,884	SQ. FT.

PREPARED FOR:

OFFICIAL HOME BUYER BY THE JOINTLY OWNED JOINTLY



BUILDING SETBACKS

FRONT: 20' PER CLIENT
 REAR: 15'
 SIDE: 5.5'
 SIDE STREET: 15'
 POOL: 10' REAR / 12.5' SIDE

NOTES:

1. PROPOSED ELEVATIONS SHOWN HEREON ARE BASED ON THE APPROVED ENGINEERING PLANS PREPARED BY BESH.
2. ELEVATIONS ARE BASED ON NAVD 1988 DATUM.

THIS PLOT PLAN IS INTENDED FOR PERMITTING PURPOSES ONLY. THIS IS NOT INTENDED FOR THE CONSTRUCTION OF THE PROPOSED STRUCTURE. THE CONTRACTOR AND/OR OWNER ARE REQUIRED TO VERIFY ALL SETBACKS, BUILDING DIMENSIONS, AND LAYOUT SHOWN HEREON PRIOR TO ANY CONSTRUCTION.

THIS IS NOT A SURVEY
 THIS IS A PLOT PLAN ONLY

FLOOD NOTE:

I HAVE EXAMINED THE F.I.R.M. MAP NO. 12069C0485E, DATED 12/18/12, AND FOUND THE SUBJECT PROPERTY APPEARS TO LIE IN ZONE "X". AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. THE SURVEYOR MAKES NO GUARANTEES AS TO THE ABOVE INFORMATION. PLEASE CONTACT THE LOCAL F.E.M.A. AGENT FOR VERIFICATION.

BEARING BASIS:

BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF AMOLA WAY BEING S73°39'40"W, PER PLAT.

(FIELD DATE):

SCALE: 1" = 30 FEET

APPROVED BY: JB

JOB NO. 200824 LOT 15

DRAWN BY: RMB

REVISED:

HOUSE REPOSITION 09.22.20 JG
 PLOT PLAN 08/25/2020 JG

---	BUILDING SETBACK LINE
---	CENTERLINE
---	RIGHT OF WAY LINE
xx.xx	PROPOSED ELEVATION
→	PROPOSED DRAINAGE FLOW
CONCRETE	CONCRETE
BRICK PAVERS	BRICK PAVERS
A/C	AIR CONDITIONER
S/W	SIDEWALK

LEGEND:

PI	POINT OF INTERSECTION
PC	POINT OF CURVATURE
PT	POINT OF TANGENCY
RP	RADIUS POINT
PCP	POINT OF REVERSE CURVATURE
PCP	PERMANENT CONTROL POINT
TYP	TYPICAL
CS	CONCRETE SLAB
(P)	PER PLAT
(C)	CALCULATED
PB	PLAT BOOK
PGS	PAGES
SQ. FT.	SQUARE FEET
F.E.M.A.	FEDERAL EMERGENCY MANAGEMENT AGENCY
F.I.R.M.	FLOOD INSURANCE RATE MAP
NAVD	NORTH AMERICAN VERTICAL DATUM
D&E	DRAINAGE & UTILITY EASEMENT
DE	DRAINAGE EASEMENT
UE	UTILITY EASEMENT

SURVEYOR NOTES:

1. THE SURVEYOR HAS NOT ABSTRACTED THE LAND SHOWN HEREON FOR EASEMENTS, RIGHT OF WAY, RESTRICTIONS OF RECORD WHICH MAY AFFECT THE TITLE OR USE OF THE LAND.
2. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
3. NOT VALID WITHOUT THE AUTHENTIC ELECTRONIC SIGNATURE AND THE AUTHENTIC ELECTRONIC SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



Digitally signed by James W Boleman
 DN: c=US, st=Florida, o=Orlando,
 o=AMERICAN SURVEYING &
 MAPPING, INC., cn=James W
 Boleman,
 email=jboleman@asmcorporate.com
 Date: 2020.09.22 15:13:43 -0400
 Adobe Acrobat version: 11.0.23

JAMES W. BOLEMAN PSM# 6485

FOR THE FIRM

ASM

AMERICAN
 SURVEYING
 & MAPPING INC.

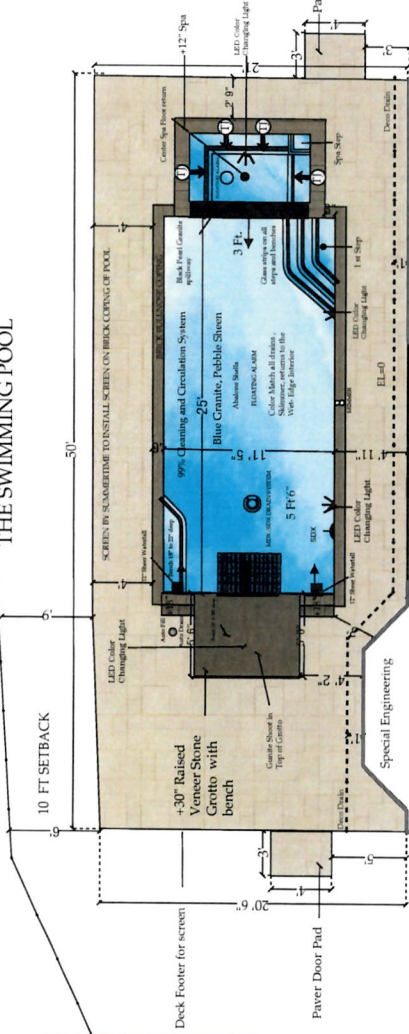
CERTIFICATION OF AUTHORIZATION NUMBER LB#6393
 3191 MAGUIRE BOULEVARD, SUITE 200
 ORLANDO, FLORIDA 32803
 (407) 426-7979
 WWW.AMERICANSURVEYINGANDMAPPING.COM



MATTHEW PEDLAR & MARITZA VELAZQUEZ

HOWEY IN THE HILLS

ADDEC FOUR (4) FT OF
DECKING TO THE REAR OF
THE SWIMMING POOL



Water valve for P3

Gas Heater

ZONING DEPARTMENT MAY RELOCATE POOL EQUIPMENT PER PERMITS WITH RAILING SETBACK LINES AND EASEMENTS

Jandy Pool Equipment with 3 years parts and labor warranty
VARIABLE SPEED WITH IQ AUTOMATION
1 Aqua Link IQ Smart Phone App

Jandy Cartridge Filter
Jandy Salt System
Jandy Energy Efficient Water Feature Pump
Blower for Therapy Jets (4)

250 K Propane gas heater
Gas Heaters: Pool Company will set & install gas heaters, including thermostat adjustment. Placement of gas tank/service is the responsibility of the owner. POOL COMPANY is not responsible for purchase of gas tank or incorrect regulators installed. Owner to purchase GAS tank and installation to gas heater by Florida Law

THIS IS A CONCEPT DESIGN DRAWING and customer agrees that dimensions are approximate and may vary during construction. Pool Contractor reserves the right to add, delete or change, substitute and or alter specifications, features, dimensions, designs, equipment and prices due to code requirements, job site conditions, and conditions beyond its control. The final construction drawing showing any changes shall be approved by contractor prior to commencement of construction. All dimensions have a 5% Tolerance. Gas line hook up not included. Concrete Decks not included. Setting, leveling or discoloration. LOCATION POINTS: DIMENSIONS AND CONSTRUCTION SPECIFICATIONS. I AGREE TO ME AND I APPROVE THEM. I UNDERSTAND THAT ANY CHANGES WILL NECESSITATE EXTRA CHARGE. SIGN & DATE

NOTE: This rendering is an artistic interpretation of the general appearance of the design. It is not meant to be an exact rendition. Colors in this program are not the actual colors chosen.

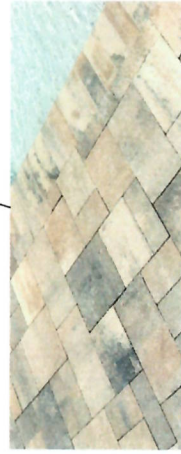
LANDSCAPING, DECOR FURNITURE AND ACCESSORIES ARE NOT INCLUDED AND ARE FOR ILLUSTRATION PURPOSES ONLY. THEY ARE NOT INCLUDED IN YOUR QUOTE.

Owners to hire Landscaper for all landscaping needs, Cut, Cap, Remove, replace SQD, Transplant two trees

Owners to remove final screen insert prior to paver install

Flagstone Pavers, Heritage Random, Cream Beige Charcoal on Deck and lanai

Access and Pool Equipment location TBD at pre-site inspection of home. The Pool Equipment placed in this Pre-sire inspection. If swimming pool equipment needs to be moved per local Building and Zoning Department's. Then it will be placed at it's best location. The owner agrees to this policy



FLAGSTONE PAVERS
QUALITY & STRENGTH INTERLOCKED

KEITH & STEPHANY BERTRAM
418 AMOLA WAY
HOWEY IN THE HILLS FL 34737

FKH SFR PROPCO J LP
1850 PARKWAY PL STE 900
MARIETTA GA 30067

Kemuel & Lucelys Navaez
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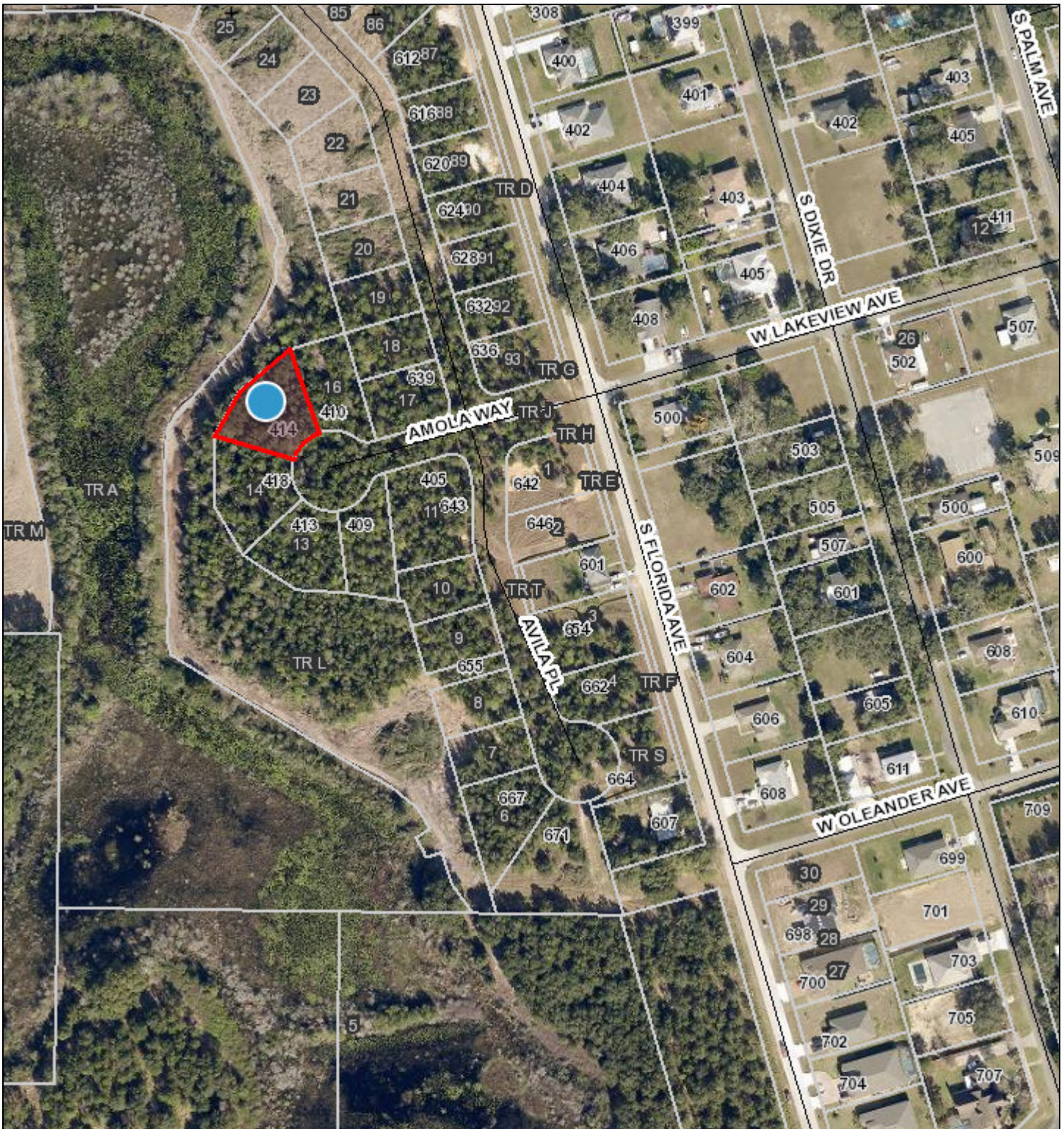
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414 Amola Way Location

Item 2.



July 28, 2022


1:2,500

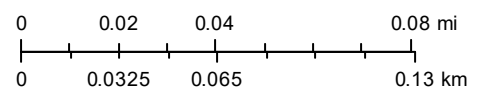
pointLayer

 Override 1

polygonLayer

 Override 1
Street Names

— Local Streets
Subdivision Lot Numbers
+ Address Locations
Property Name
 Tax Parcels



Lake County Property Appraiser
Lake BCC

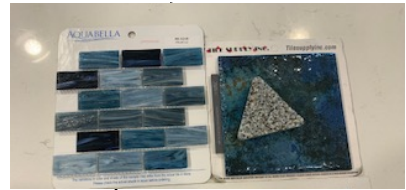
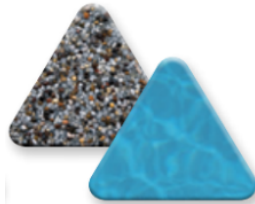
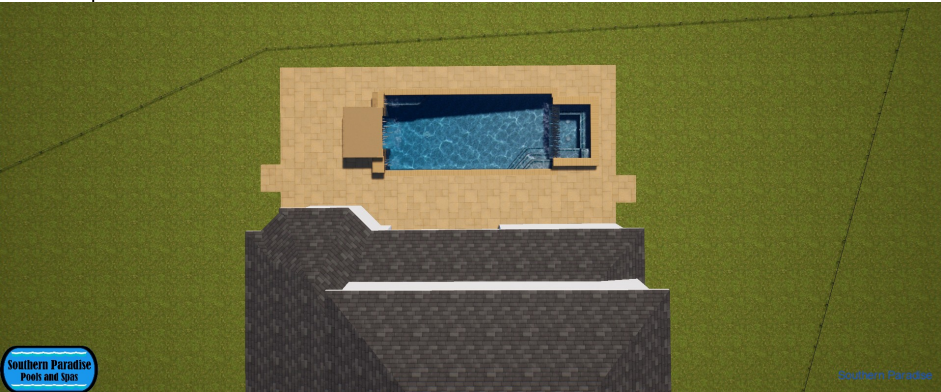
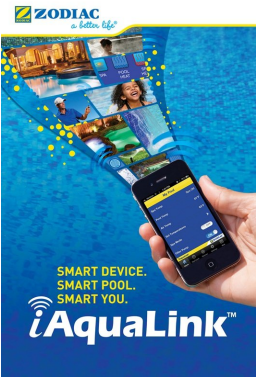
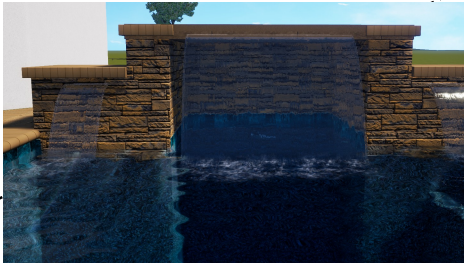
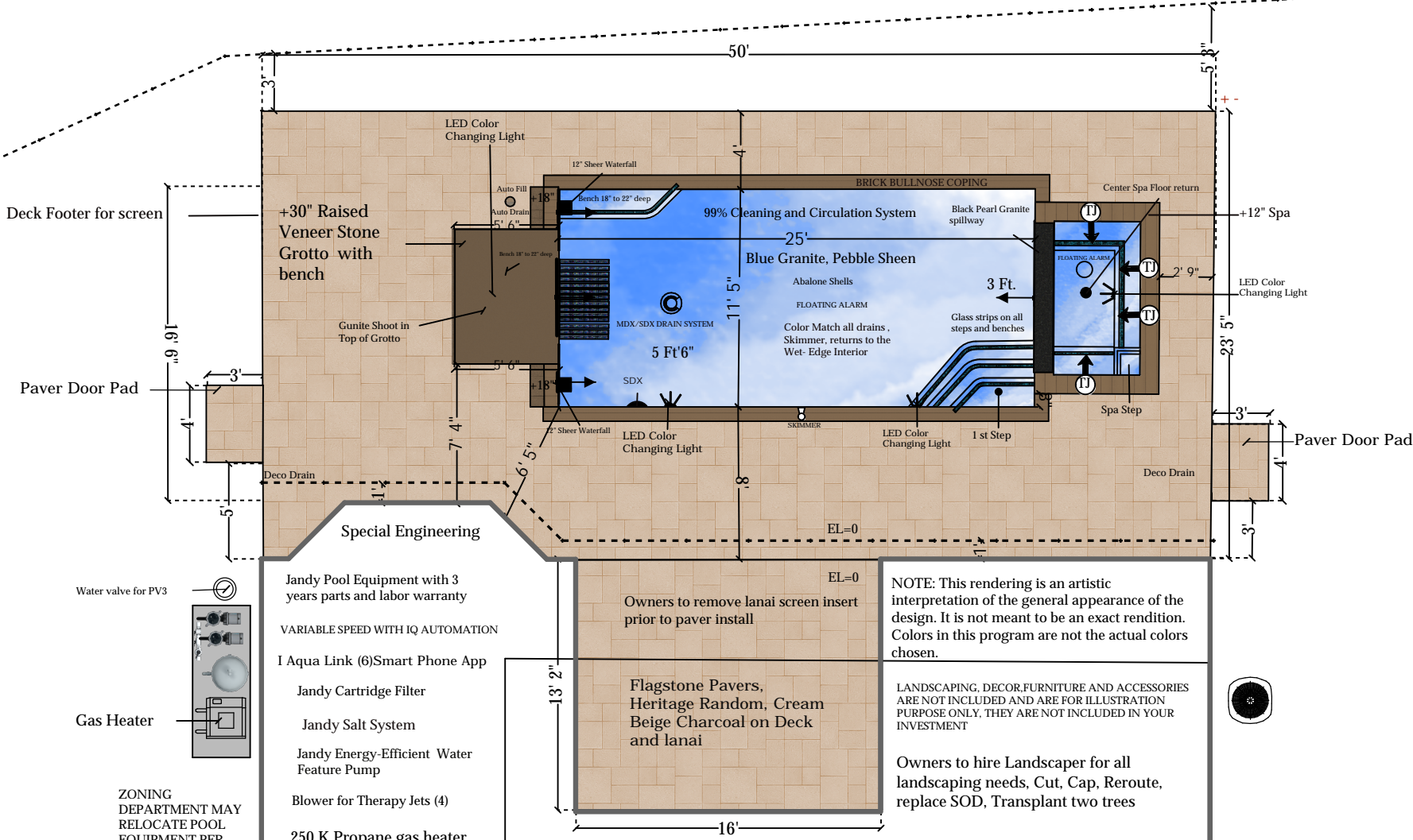


MATTHEW PEDLAR & MARITZA VELAZQUEZ

HOWEY IN THE HILLS

VARIANCE PLAN 8-04-2022

Item 2.



Account Number:	532726
Customer Name:	Town Of Howie In The Hills
Customer Address:	Town Of Howey-In-The-Hills 101 N Palm AVE Howey In The Hills FL 34737-3418
Contact Name:	John Brock
Contact Phone:	352-324-2290
Contact Email:	jbrock@howey.org
PO Number:	

Date:	08/09/2022
Order Number:	7642872
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	74.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	1	08/15/2022 - 08/15/2022	Govt Public Notices
LEE dailycommercial.com	1	08/15/2022 - 08/15/2022	Govt Public Notices

Total Order Confirmation **\$126.92**

NOTICE OF PUBLIC HEARINGS
TOWN OF
HOWEY-IN-THE-HILLS,
FLORIDA

Matthew Pedlar and Maritza Velazquez have requested a variance from Section (5.01.08 B) of the Howey-in-the-Hills Land Development Code to permit construction of a swimming pool and pool deck at 414 Amola Way, Howey-in-the-Hills, Florida. The proposed swimming pool and pool deck would not meet the required ten (10) feet setback from the rear property line. The applicant is seeking a variance of seven feet to allow the pool and pool deck to extend within three feet of the rear property line.

The Planning and Zoning Board for the Town of Howey-in-the-Hills will hold a public hearing for this variance application on August 25, 2022, at 6:00 P.M. (or as soon thereafter as the matter may be considered). All public hearings will be held in Town Hall at 101 North Palm Avenue, Howey-in-the-Hills, Florida.

The Town Council for the Town of Howey-in-the-Hills will hold a second and final public hearing for this variance application on September 12, 2022, at 6:00 P.M. (or as soon thereafter as the matter may be considered). All public hearings will be held in Town Hall at 101 North Palm Avenue, Howey-in-the-Hills, Florida.

The purposes of the hearings are to take public comment, both written and oral, concerning the Variance Application.

Copies of the documents regarding the Variance Application are available in the Town Clerk's Office, 101 N. Palm Ave., Howey-in-the-Hills, FL 34737 for inspection during normal business hours of Mon-Thurs 8 a.m. – 5 p.m. In compliance with the Americans with Disabilities Act (ADA) anyone who needs a special accommodation for this meeting should contact the Town Clerk at least 48 hours before the meeting.

Persons are advised that if they decide to appeal any decision made at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made which includes testimony and evidence upon which the appeal is based per Section 286.0105 of the Florida Statutes.

John Brock, Town Clerk
Town of Howey-in-the-Hills
Publish Date: August 15, 2022



TMHConsulting@cfl.rr.com
 97 N. Saint Andrews Dr.
 Ormond Beach, FL 32174
 PH: 386.316.8426

MEMORANDUM

TO: Howey-in-the-Hills Planning Board
CC: J. Brock, Town Clerk
FROM: Thomas Harowski, AICP, Planning Consultant
SUBJECT: Simpson Parcel PUD Agreement and Preliminary Subdivision Plan
DATE: July 19, 2022

The applicant is requesting rezoning from MDR-1 and MDR-2 to Planned Unit Development (PUD) for an approximately 99-acre parcel located at the southeast corner of the intersection of SR-19 and Revels Road. The parcel is currently developed as citrus grove. The subject property is designated as Medium Density Residential which allows residential development up to four units per acre. The applicant is also seeking approval of a preliminary subdivision as presented in the exhibits to the planned unit development agreement. This report will present the decisions to be made in the Planning Board recommendation to Town Council and the report will review the proposed development agreement and comprehensive plan considerations.

Action Required

The Planning Board is being requested to provide a recommendation on the proposed Planned Unit Development agreement including a preliminary subdivision plan. The primary impact of the applicant's request is to reduce the single-family residential lot sizes from 100 x 120 (MDR-1) and 75 x 120 (MDR-2) to allow residential lots measuring 60 x 120 as the dominant lot size with lots measuring 70 x 120 at corner lots. The project proposes 275 total lots which falls within the maximum density allowed by the Town's comprehensive plan. No revision to the future land use map or the goals, objectives, and policies of the comprehensive plan is necessary or contemplated.

There is no obligation on the part of the Town to amend the zoning as the development backed expectations for the property are limited to the current zoning assigned to the parcel. If the Planning Board believes the proposed plan and development parameters will result in an improved development plan for the subject parcel over the current standard zoning districts, then the Planning Board should recommend the project as submitted or with amendments to the Town Council.

Project Description

The development agreement includes a plan for the development of the subject property which contains all the requirements for a preliminary subdivision plan. The Preliminary subdivision plan is intended to allocate proposed uses on the site, present a proposed street and lot layout, identify general areas for stormwater management, identify buffers, and identify any other uses intended for the project. If the PUD, including the preliminary subdivision plan, is approved, the applicant may then proceed with a final subdivision plan which will provide the detailed engineering for streets, lots and utilities. A graphic representation of the preliminary subdivision plan is provided and includes the following key elements:

- Two hundred and seventy-five single-family lots
- A relocation of a portion of Revels Road to connect with SR 19 at a standard 90-degree intersection
- Three access points to the project including two access points on Revels Road and one access point to the south that would connect with potential future development
- No street connection to SR 19 or the large-lot single-family development area to the east
- Landscape buffers along SR 19 and Revels Road that meet the Town's required design standards
- Perimeter buffers at all other project boundaries
- Stormwater retention areas at the perimeter of the project to further add to buffering of adjacent properties (Note that retention areas are likely to be dry except for major storm events.)
- A proposed park area and pedestrian trails on the eastern and southern areas of the project
- Construction of a multi-use bicycle/pedestrian trail along the Revels Road frontage in accordance with the Town's bicycle and pedestrian plan

The draft development agreement text has been reviewed by staff via the Development Review Committee on July 14, 2022, during which meeting the applicant agreed to the following revisions to the draft agreement. A revised agreement is expected prior to the Planning Board meeting.

- Confirmation that Buffers 1 and 2 will comply with Section 7.02.01 B of the land development code. This compliance is intended by the applicant, and the revised language is simply to confirm the code will apply if there are any differences between the code requirement and the buffer detail provided on the plan.
- A 10–12-foot multi-use trail along Revels Road will be added to the preliminary subdivision plan.
- A description of the phasing will be added to the text noting that each phase will be a fully functional unit for access and utility service and that revisions to the phasing plan are a minor amendment to the development agreement.
- The number of proposed 60 x 120 and 70 x 120 lots will be added to the graphic or the text.

- A statement will be added to the tree protection section noting that citrus tree removal does not require tree replacement. This statement is consistent with current Town code and is added only for clarification and ease in finding the provision.
- A section will be added clarifying what is considered a major amendment (full Town Council approval) and what constitutes a minor amendment (approvable by staff and/or Town Council without public hearing).
- Minor edits to the text for clarification and correction of typographical errors.

Comprehensive Plan and Concurrency Analysis

Any new development is required to conform to the goals, objectives, and policies of the comprehensive and to ensure that public services to the project are available at the time service impacts occur. These requirements are called consistency and concurrency in the comprehensive plan terminology.

Consistency Analysis

The property is designated as Medium Density Residential by the future land use map. The maximum allowable density, calculated on net land area, is four units per acre. Based on the net land area as identified on the conceptual land use plan, the maximum allowable number of units 297 (73.35 acres x 4 units/acre). Therefore, the proposed project falls within the maximum allowable project size.

The property does not contain any wetland areas or flood prone areas based on available mapped data. Therefore, the comprehensive plan policies for these impacts are not applicable to project. The parcel is near fully developed with citrus grove suggesting that threatened or endangered species are not a likely concern for the property.

The project design for road access and for the provision of pedestrian and bicycle facilities is consistent with comprehensive plan policies for these items.

The project will be developed with central water and sewer as required by the code. Stormwater design has been addressed on the conceptual plan and will be further detailed should the project be approved for development.

Concurrency Assessment

The Town's comprehensive plan establishes a level of service for a set of basic services provided to residents. The purpose of a concurrency assessment is to ensure that these services will be available when required to serve new homes and businesses. While an assessment is done at this point in the planning process to identify what service improvements may be needed, the official concurrency determination will occur with the final subdivision plan phase when a development is approved to begin construction. However, basic service needs are identified as follows:

Traffic: The Town has identified initial problems with some key intersections from previous traffic studies. The Town has initiated conceptual design and programming of road improvements for a “fair share” program which will require payments from new development for their proportionate share of costs for improvements designed to address budding traffic concerns. The level of impact to traffic issues is based on the level of impact each project has as determined by a qualified traffic study. The Town has approved the methodology for a traffic study, and future action will be determined in part by the results of that traffic study once it is submitted. The proposed improvements to the SR-19 and Revels Road intersection may qualify as a credit against any proportionate share payment. The development agreement recognizes the proportionate share concept.

Potable Water: The Town currently has treatment capacity at its primary water treatment plant on Number Two Road to meet the demands of the project. The major problem currently is extending service lines to the project site. The project will eventually be able to connect to lines extended by the Hillside Groves (The Reserve) project and link to existing lines extended to Revels Road by the Venezia South development. Specific timing on the potential line extensions is not clear at this point.

Sanitary Sewer: The project will need to connect to sanitary sewer, but the current sewage treatment provider has stated that treatment capacity is not currently available. The project will need to work with Central Lake Community Development District on funding an expansion of the treatment facility to accommodate the project or otherwise obtain a capacity commitment. Sewer lines will also need to connect to the treatment plant. Typically collection lines will be installed within the project and then force main will link the project to lines leading to the treatment facility. As with potable water lines, this connection will likely be through the Hillside Groves development.

Stormwater Treatment: The Town has a stormwater treatment standard that is consistent with FDEP and SJRWMD requirements. Typically stormwater management is done on-site in compliance with Town and permitting agency requirements. It is expected this project will follow that format.

Public Schools: School capacity is managed by the Lake County School District to assure that there are sufficient student stations to support new residents. The school district has its own application process which ultimately results in the school district issuing a concurrency satisfaction document. Recent reviews have included negotiated payments to the school district to support school capacity improvements. The applicants have been directed to submit the necessary application to the school board.

Recreation: The Town has sufficient capacity to meet the recreation standards. This project is proposing a park and bicycle/pedestrian trails within the project boundary to support at least some of the recreation demand. Typically the larger developments have included park and recreation facilities as a project amenity which also reduces overall demand on many Town facilities.

Summary

The applicant is seeking approval of a planned unit development agreement primarily to allow construction of single-family homes on lots smaller than those that are allowed by the current traditional zoning classifications. The proposed project is consistent with the goals, objectives, and policies of the comprehensive plan, and the staff, through the Development Review Committee process, has worked with the applicant to prepare a development plan and development agreement that will result in the project meeting the land development code requirements.

The key question for the Planning Board to consider in its recommendation to the Town Council is whether the overall project design has sufficient benefits to the Town that the change to a smaller lot size is desirable. If the answer to this question is yes, then the Planning Board should recommend approval. If the answer is no, the Planning Board should recommend the proposal not be approved and include a statement as to why the Board supports this recommendation. For example, the Board can take the position that the current zoning can produce a reasonably equivalent project and that the fewer total number of units that the standard zoning is likely to yield will reduce impacts to key services such as traffic capacity, sanitary sewer service and potable water demand.



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PH: 386.316.8426

MEMORANDUM

TO: Howey-in-the-Hills Development Review Committee
CC: J. Brock, Town Clerk
FROM: Thomas Harowski, AICP, Planning Consultant
SUBJECT: Simpson Parcel PUD Agreement Review
DATE: July 11, 2022

The applicants are seeking rezoning from the current MDR-1 and MDR-2 to Planned Unit Development. They have resubmitted a proposed PUD Development Agreement and a conceptual land use plan prepared by the Green Consulting Group, Inc dated May 17, 2022. The DRC will review the proposed development agreement and plan in preparation for submittal of the proposal to the Town's Planning Board. DRC will apply the standards of a preliminary subdivision plan along with the PUD requirements for a concept plan. Should the proposed development be approved, applying the preliminary subdivision approval will allow the project to move to the final subdivision plan stage for a phase of the project or for the entire project. The comments provided in this report will address the comprehensive plan considerations, basic zoning considerations, comments on the conceptual land use plan and comments on the proposed development agreement.

Comprehensive Plan Considerations

1. The subject property is designated as Medium Density Residential on the future land use map. Medium Density Residential allows development up to four units per acre with the maximum unit yield being calculated on the net land area. (Future Land Use Policy 1.1.4.) Based on the net land area identified on the conceptual land use plan, the maximum unit yield for the project is 297 units (74.35 acres x 4units/acre). The proposed development size of 275 units is within the allowable density range.
2. The applicant needs to provide a concurrency analysis for the proposed project documenting that public services are available to support the proposed development or will be available at the time actual demand occurs. Currently the Town is aware of capacity issues for sewage treatment and public school facilities. Potable water limitations may be linked to the timing on the extension of service lines.

3. The applicant needs to submit an application for concurrency review to the Lake County School District. The district has a specific application process.
4. The Town has approved a methodology for the traffic impact analysis. What is the status of this review?
5. The revised plan includes two entrances accessing Revels Road and third “emergency access” to the property to the south. The staff will not recommend the emergency access over a full public access connection.

Preliminary Subdivision Plan Comments

1. Section 4.05.12 of the Town’s land development code identifies the requirements for a preliminary subdivision plan and Section 4.10.09 identifies the requirements for a conceptual land use plan included as part of a planned unit development agreement. The applicant has modified the original submittal to include the items require by the preliminary subdivision plan.
2. Typically a tree survey is required as well, but in this case all of the area proposed for development is former grove. Any existing wooded areas are in locations where buffers or open space are proposed, so there does not appear to be a need to do a tree survey. If this factor changes during later design review, a tree survey may be required at that time.
3. Has FDOT been contacted regarding the re-alignment of Revels Road and the intersection with SR 19 since the last project review? If not, this needs to be done to determine if the proposed alignment is allowable.
4. The project buffers along SR 19 and Revels Road (Buffers 1 and 2) need to comply with Section 7.02.01 B. A cross-section has been provided, but the cross-section detail is not fully compliant with code requirement (understory trees are not noted and shrubs do not have to be applied as a hedge). The full code requirement will be applied to any final subdivision review.
5. The Town is asking for the addition of a 10-12 foot multi-use bicycle/pedestrian path along the Revels Road frontage. This portion of a path is consistent with the Town’s bicycle/pedestrian plan and can link to a proposed trail head on Sr 19 and a pathway planned through The Reserve development from SR 19 to Number Two Road. This pathway can be addressed with streets and sidewalks on page 6 of the development agreement.
6. Please identify the number of 60-foot wide lots and the number of 70-foot wide lots proposed. The section on lot size in the proposde development agreement is an appropriate place to do this.
7. Consideration might be given to retaining the citrus grove within some of the planned open space areas with the remainin trees to a community garden type activity.

Development Agreement Comments

1. Phasing has been added to the preliminary subdivision plan, and a section needs to be added to the development agreement referencing the phasing and stating that each phase will operate independently with regard to traffic and utility services. Note that revisions to the phasing schedule shall be considered as minor amendments to the agreement which may be approved by Town Council with no formal amendment of the agreement.
2. Setbacks and lot coverage for swimming pools need to be addressed in the development agreement. With lots in the 60-foot range, the Town has been encountering issues with homeowners trying to fit swimming pools onto the properties while meeting the Town's general swimming pool requirements.
3. Note that the Town staff will not recommend an "emergency access" for the proposed road connection to the south.
4. In the section on tree retention it might be prudent to add a statement that citrus are excluded from tree protection requirements.
5. The section on amendments needs to be modified to clarify what constitutes a major amendment and what constitutes a minor amendment.
6. The land use section on page 4 of the draft development agreement references the conceptual plan as Exhibit B. There is no Exhibit A proposed. Typically and Exhibit A would be the legal description, but the legal is included in the body of the development agreement in this case.
7. There are a few additional edits to the agreement text that are recommended.
 - a. On page 1 Recital B eliminate "concurrently" as there is no land use action happening at the same time.
 - b. On page 2 Section 1 spell out Planned Unit Development as well as using the PUD symbol. The formal name of the zoning classification includes both.
 - c. Page 3 Section 2, same comment as above.
 - d. Page 3 General, in the first paragraph change "city" to "Town".

GRIFFEY ENGINEERING, INC.

July 6, 2022

Watermark PUD (AKA Simpson Parcel)

Engineering Review Comments

Page 1

The following are previous review comments that were not addressed in the resubmittal:

Transportation

The section stating “All streets shall have a fifty foot (50’) right-of-way with a minimum 24 foot pavement and curb width” should be revised to state: All streets shall have a fifty foot (50’) right-of-way, curb & gutter, and a minimum 24 foot pavement width with 12 foot travel lanes.

Language should be added that the realignment of East Revels Road will be part of this subdivision construction.

From: Azure Botts, Code Enforcement Officer
To: DRC
Re: Simpson Parcel PUD Submittal
Date: 7/6/2022

I would like some restrictions added to the signage section of the developer agreement for Simpson PUD. Below is how the paragraph should read.

Entrance signs and informational signage may be located in buffers, setbacks/and or signage easements as approved by the Planning and Zoning Board. The owner/developer shall present a sign plan for review and approval by the Planning and Zoning Board within 45 days after the effective date of this agreement. The Town Council has approved the owner/builder use of vertical marketing flags, also known as feather banners, with the following stipulations.

1. Feather banners cannot be placed less than 200 feet apart.
2. A maximum of 10 feather banners in total.
3. Feather banners cannot be placed within the right of way.
4. Feather banners cannot be located off site of PUD property.
5. Feather banner itself cannot exceed 12 feet in height.
6. Feather banners must be replaced if they become faded, torn, or tattered.
7. Feather banners must be removed when ninety (90) percent of the homes in the development are permitted.

All additional signage not previously approved must be in compliance with the requirements in the Town's Land Development Code.

ORDINANCE 2022-_____

AN ORDINANCE OF THE TOWN OF HOWEY IN THE HILLS, FLORIDA, PERTAINING TO LAND USE; PROVIDING FINDINGS OF THE TOWN COUNCIL; AMENDING THE TOWN'S OFFICIAL ZONING MAP TO REZONE FROM MDR-1 AND MDR-2 TO PLANNED UNIT DEVELOPMENT CERTAIN LANDS LOCATED IN THE SOUTHEAST QUADRANT OF THE INTERSECTION OF STATE ROAD 19 AND REVELS ROAD, AS MORE PARTICULARLY DESCRIBED IN ATTACHMENT A TO THIS ORDINANCE; INCORPORATING CONDITIONS, REQUIREMENTS, RESTRICTIONS, AND OTHER TERMS GOVERNING THE USE AND DEVELOPMENT OF THE PROPERTY; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA:

Section 1. Findings. In enacting this ordinance, the Town Council of the Town of Howey-in-the-Hills, Florida makes the following findings and declarations:

(1) The land described in **Attachment A**, located generally in the southeast quadrant of the intersection of State Road 19 and Revels Road ("**Property**"), is located within the town limits of the Town of Howey-in-the-Hills;

(2) The Town's Comprehensive Plan designates the Property on the Town's Future Land Use Map for medium density residential future land use, and current zoning of the Property is MDR-1 and MDR-2.

(3) The owner of the Property intends to use and develop the Property for single-family residential purposes.

(4) The Town Council finds that rezoning the Property from MDR-1 and MDR-2 to Planned Unit Development is consistent with both the Town's Comprehensive Plan and the Town's Land Development Code ("LDC") and will not adversely affect the public health, safety, and welfare of the Town.

Section 2. Amendment to the Official Zoning Map. The Town Council hereby amends the Town's Official Zoning Map to zone the Property for Planned Unit Development.

Section 3. Use and Development of the Property. Use and development of the Property under its Planned Unit Development zoning is subject to the conditions, requirements, restrictions, and other terms of the following:

- (1) This Ordinance 2022- ____;
- (2) A development agreement, to be approved by Town Council and executed by the Mayor, setting forth the specific conditions, requirements, restrictions and other terms for the use and development of the Property;
- (3) The Town's Land Development Code; and
- (4) All other Town ordinances governing the development of the Property.

Section 4. Severability. If any part of this ordinance is declared by a court of competent jurisdiction to be void, unconstitutional, or unenforceable, the remaining parts of this ordinance shall remain in full effect. To that end, this ordinance is declared to be severable.

Section 5. Conflicts. If this ordinance conflicts with other ordinances in regulation of the use and development of the Property, this ordinance shall control and supersede to the extent of the conflict.

Section 6. Codification. The amendment to the Official Zoning Map in Section 2 shall be codified and made part of the Town's LDC and Official Zoning Map.

Section 7. Effective Date. This ordinance shall take effect upon the later of (i) its enactment by the Town Council or (ii) the date by which a development agreement for the Property has been approved by Town Council and taken effect.

[Signatures on the next page]

ENACTED AND ORDAINED this ____ day of _____, 2022, by the Town Council of the Town of Howey-in-the-Hills, Florida.

**TOWN OF HOWEY-IN-THE-HILLS,
FLORIDA**

By: its Town Council

By: _____
Hon. Martha MacFarlane, Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY
(for use and reliance of the Town only)

John Brock
Town Clerk

Thomas J. Wilkes
Town Attorney

Planning and Zoning Meeting held _____, **2022**

First Reading held _____, **2022**

Second Reading and Adoption held _____, **2022**

Advertised _____, **2022**, _____, **2022**

and _ _____, **2022**

**Attachment A
To
Ordinance 2022 - ____**

LEGAL DESCRIPTION

(35-20-25-0150-000-01200)
ORB 2732, PG 1039

LOT 12; ALSO BEGIN 99 FEET SOUTH 1°32' WEST OF THE NORTHWEST CORNER OF LOT 16, THENCE RUN EAST TO THE SOUTHEASTERN BOUNDARY OF LOT 16; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERN BOUNDARY OF LOT 16; THENCE NORTHERLY ALONG THE WESTERN BOUNDARY OF LOT 16 TO THE POINT OF BEGINNING; LOTS 26 AND 27, LESS THAT PART INCLUDED IN CLAY PIT, ALL ACCORDING TO THE PLAT OF FIRST SUBDIVISION OF HOWEY, RECORDED IN PLAT BOOK 5, PAGE 32, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
ORB 2732 PG 1041

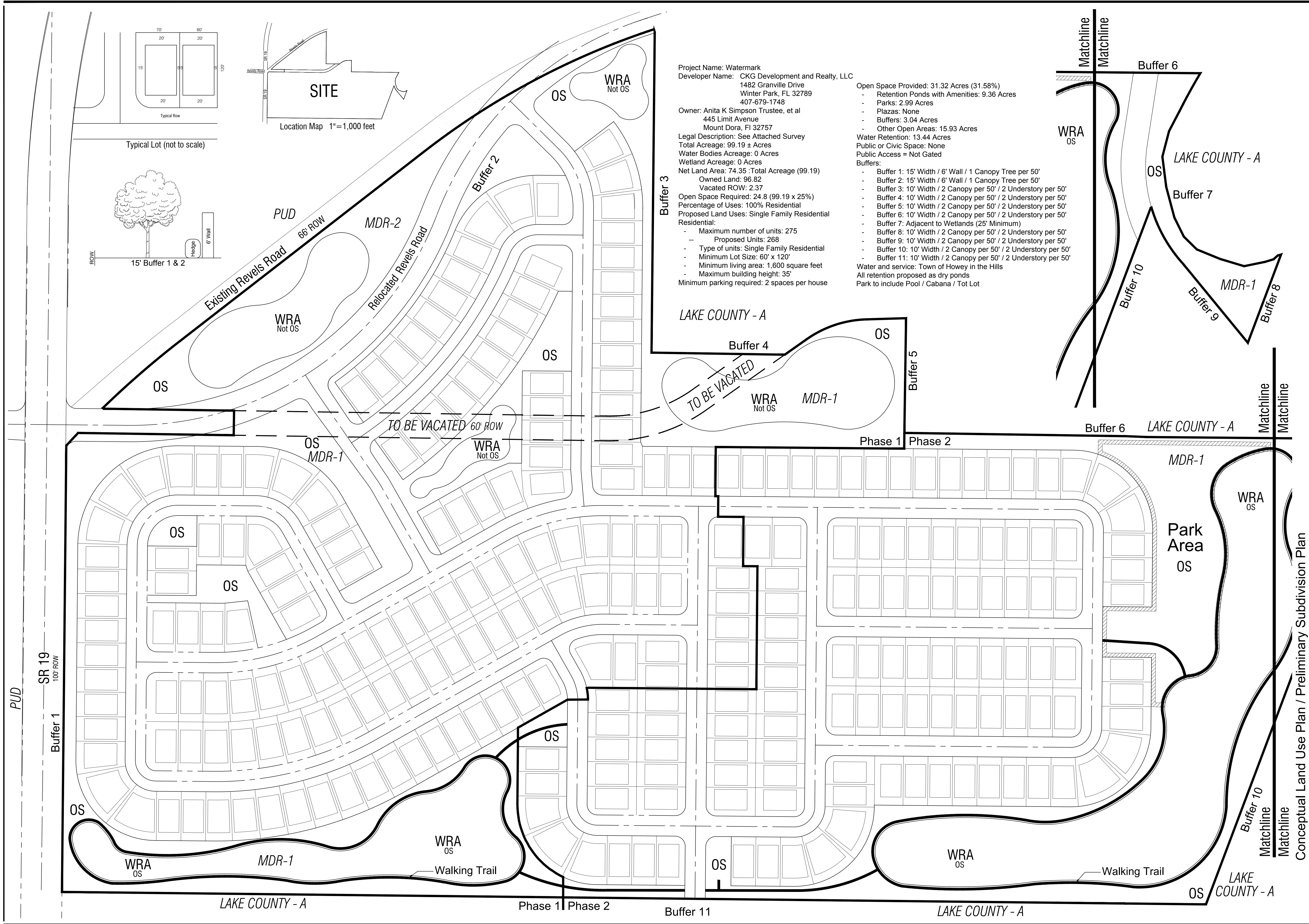
PARCEL NO. 1 (35-20-25-0150-000-00100)
LOT 1 IN 1ST SUBDIVISION OF HOWEY, ACCORDING TO THE TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 32, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL NO.2 (35-20-25-0150-000-00100)
THAT PART OF 1ST SUBDIVISION OF HOWEY, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 32, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: BEGIN AT THE INTERSECTION OF THE NORTH LINE OF SECTION 1, TOWNSHIP 21 SOUTH, RANGE 25 EAST, IN LAKE COUNTY, FLORIDA, WITH THE EASTERLY LINE OF THE RIGHT OF WAY OF SUNSET DRIVE AS SHOWN UPON SAID PLAT AND RUN THENCE EAST ALONG SAID NORTH LINE TO A POINT ON THE WATERS-EDGE OF LAKE BERTHA, SAID POINT BEING HEREBY DESIGNATED AS POINT "A". BEGIN AGAIN AT THE POINT OF BEGINNING AND RUN SOUTHERLY AND SOUTHEASTERLY ALONG THE EASTERLY LINE OF SAID RIGHT OF WAY TO THE WESTERLY LINE OF LOT 4 AS SHOWN UPON SAID PLAT; THENCE NORTHEASTERLY ALONG THE WESTERLY LINE OF SAID LOT 4 TO THE WATERS OF LAKE BERTHA; THENCE WESTERLY AND NORTHERLY ALONG AND WITH THE WATERS OF LAKE BERTHA TO THE ABOVE-DESIGNATED POINT "A".

PARCEL NO. 3 (02-21-25-0001-000-03700)
THAT PART OF THE NORTH 1/2 OF GOVERNMENT LOTS 1 AND 2 IN SECTION 2, TOWNSHIP 21 SOUTH, RANGE 25 EAST, IN LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHEAST CORNER OF SAID SECTION

2, RUN THENCE SOUTH 00°06'05" EAST ALONG THE EAST LINE THERE OF, 1139.8 FEET; THENCE RUN NORTH 89°29'20" WEST 2668.76 FEET TO THE WEST LINE OF SAID GOVERNMENT LOT 2; THENCE RUN NORTH 00°09'00" WEST ALONG SAID WEST LINE 1125.96 FEET TO THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 2; THENCE RUN SOUTH 89°46'40" EAST ALONG THE NORTH LINE OF SAID SECTION 2 FOR 2669.20 FEET TO THE POINT OF BEGINNING.

Total Acreage: 99.19



Project Name: Watermark
Developer Name: CKG Development and Realty, LLC
1482 Granville Drive
Winter Park, FL 32789
407-679-1748

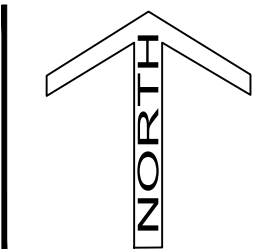
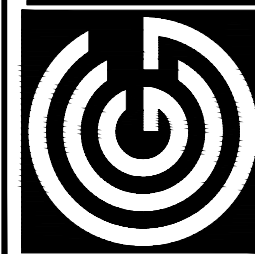
Owner: Anita K Simpson Trustee, et al
445 Limit Avenue
Mount Dora, FL 32757
Legal Description: See Attached Survey
Total Acreage: 99.19 ± Acres
Water Bodies Acreage: 0 Acres
Wetland Acreage: 0 Acres
Net Land Area: 74.35 Total Acreage (99.19)
Owned Land: 96.82
Vacated ROW: 2.37
Open Space Required: 24.8 (99.19 x 25%)
Percentage of Uses: 100% Residential
Proposed Land Uses: Single Family Residential
Residential:
- Maximum number of units: 275
- Proposed Units: 268
- Type of units: Single Family Residential
- Minimum Lot Size: 60' x 120'
- Minimum living area: 1,600 square feet
- Maximum building height: 35'
Minimum parking required: 2 spaces per house

Open Space Provided: 31.32 Acres (31.58%)
- Retention Ponds with Amenities: 9.36 Acres
- Parks: 2.99 Acres
- Plazas: None
- Buffers: 3.04 Acres
- Other Open Areas: 15.93 Acres

Water Retention: 13.44 Acres
Public or Civic Space: None
Public Access = Not Gated
Buffers:
- Buffer 1: 15' Width / 6' Wall / 1 Canopy Tree per 50'
- Buffer 2: 15' Width / 6' Wall / 1 Canopy Tree per 50'
- Buffer 3: 10' Width / 2 Canopy per 50' / 2 Understory per 50'
- Buffer 4: 10' Width / 2 Canopy per 50' / 2 Understory per 50'
- Buffer 5: 10' Width / 2 Canopy per 50' / 2 Understory per 50'
- Buffer 6: 10' Width / 2 Canopy per 50' / 2 Understory per 50'
- Buffer 7: Adjacent to Wetlands (25' Minimum)
- Buffer 8: 10' Width / 2 Canopy per 50' / 2 Understory per 50'
- Buffer 9: 10' Width / 2 Canopy per 50' / 2 Understory per 50'
- Buffer 10: 10' Width / 2 Canopy per 50' / 2 Understory per 50'
- Buffer 11: 10' Width / 2 Canopy per 50' / 2 Understory per 50'

Water and service: Town of Howey in the Hills
All retention proposed as dry ponds
Park to include Pool / Cabana / Tot Lot

Green Consulting Group, Inc.
Landscape Architecture ■ Land Planning ■ Development Assistance
4070 United Avenue, Mount Dora, Florida 32757
352-357-9241 ■ Fax 352-357-9278 ■ LC26000288



Drawing Number: 1561-12
Originated From: 1561-11
Date: May 17, 2022
Scale: 1"=100'
Drawn By: JMA
Layout: 24"x36"

Conceptual Land Use Plan / Preliminary Subdivision Plan

Simpson Property
Howey in the Hills, Florida

This instrument prepared by
and should be returned to:

Carolyn R. Haslam
Akerman LLP
420 S. Orange Avenue, Suite 1200
Orlando, Florida 32801

As approved by Town Council
for the Town of Howey-in-the-Hills, Florida

THE WATERMARK PUD DEVELOPER'S AGREEMENT

This WATERMARK PUD DEVELOPER'S AGREEMENT is made this ____ day of _____, 2022 (the "Effective Date"), between the **Town of Howey-in-the-Hills**, Florida, a Florida municipal corporation (the "Town"), and **CKG Development and Realty, LLC**, a Florida limited liability company (the "Owner").

RECITALS

A. The Owner is the owner of approximately 99.19 acres of property more particularly described herein ("the Property").

B. The Property is within the corporate limits of the Town. The Town has assigned the Property a future-land-use designation of Medium Density Residential and has concurrently herewith rezoned the Property to PUD - Planned Unit Development.

C. The Owner intends to develop the Property as a single-family residential development as more specifically set forth herein ("the Project").

D. The Town and Owner desire to enter into this Agreement in order to set forth the negotiated terms and conditions of approval for the development of the Property.

NOW, THEREFORE, in consideration of the foregoing recitals, the mutual covenants and benefits herein contained and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, Town and Owner agree as follows:

ORDINANCE 2022-_____

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HOWEY IN THE HILLS, COUNTY OF LAKE, STATE OF FLORIDA, CLASSIFYING THE ZONING TO PUD TOWN OF HOWEY IN THE HILLS FOR THE HEREAFTER DESCRIBED LANDS WITHIN THE TOWN OF HOWEY IN THE HILLS, FLORIDA; OWNED BY ANITA K SIMPSON TRUSTEE ET AL, PROVIDING FOR DIRECTIONS TO THE TOWN MAYOR; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the town of Howey in the Hills, Florida, as follows:

Section 1: Purpose and Intent.

That the zoning classification of the following described property, being situated in the Town of Howey in the Hills, Florida, shall hereafter be designated as PUD as defined in the Town of Howey in the Hills Land Development Regulations.

LEGAL DESCRIPTION:

(35-20-25-0150-000-01200)

ORB 2732, PG 1039

LOT 12; ALSO BEGIN 99 FEET SOUTH 1°32' WEST OF THE NORTHWEST CORNER OF LOT 16, THENCE RUN EAST TO THE SOUTHEASTERN BOUNDARY OF LOT 16; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERN BOUNDARY OF LOT 16; THENCE NORTHERLY ALONG THE WESTERN BOUNDARY OF LOT 16 TO THE POINT OF BEGINNING; LOTS 26 AND 27, LESS THAT PART INCLUDED IN CLAY PIT, ALL ACCORDING TO THE PLAT OF FIRST SUBDIVISION OF HOWEY, RECORDED IN PLAT BOOK 5, PAGE 32, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

ORB 2732 PG 1041

PARCEL NO. 1 (35-20-25-0150-000-00100)

LOT 1 IN 1ST SUBDIVISION OF HOWEY, ACCORDING TO THE TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 32, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL NO.2 (35-20-25-0150-000-00100)

THAT PART OF 1ST SUBDIVISION OF HOWEY, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 32, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: BEGIN AT THE INTERSECTION OF THE NORTH LINE OF SECTION 1, TOWNSHIP 21 SOUTH, RANGE 25 EAST, IN LAKE COUNTY, FLORIDA, WITH THE EASTERLY LINE OF THE RIGHT OF WAY OF SUNSET DRIVE AS SHOWN UPON SAID PLAT AND RUN THENCE EAST ALONG SAID NORTH LINE TO A POINT ON THE WATERS-EDGE OF LAKE BERTHA, SAID POINT BEING HEREBY DESIGNATED AS POINT "A". BEGIN AGAIN AT THE POINT OF BEGINNING AND RUN SOUTHERLY AND SOUTHEASTERLY ALONG THE EASTERLY LINE OF SAID RIGHT OF WAY TO THE WESTERLY LINE OF LOT 4 AS SHOWN UPON SAID PLAT; THENCE NORTHEASTERLY ALONG THE WESTERLY LINE OF SAID LOT 4 TO THE WATERS OF LAKE BERTHA; THENCE WESTERLY AND NORTHERLY ALONG AND WITH THE WATERS OF LAKE BERTHA TO THE ABOVE-DESIGNATED POINT "A".

PARCEL NO. 3 (02-21-25-0001-000-03700)

THAT PART OF THE NORTH 1/2 OF GOVERNMENT LOTS 1 AND 2 IN SECTION 2, TOWNSHIP 21 SOUTH, RANGE 25 EAST, IN LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHEAST CORNER OF SAID SECTION 2, RUN THENCE SOUTH 00°06'05" EAST ALONG THE EAST LINE THERE OF, 1139.8

FEET; THENCE RUN NORTH 89°29'20" WEST 2668.76 FEET TO THE WEST LINE OF SAID GOVERNMENT LOT 2; THENCE RUN NORTH 00°09'00" WEST ALONG SAID WEST LINE 1125.96 FEET TO THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 2; THENCE RUN SOUTH 89°46'40" EAST ALONG THE NORTH LINE OF SAID SECTION 2 FOR 2669.20 FEET TO THE POINT OF BEGINNING.

Total Acreage: 99.19

Section 2: Zoning Classification.

That the property being so designated as PUD is subject to the following terms and conditions:

General

Development of this Project shall be governed by the contents of this document, the comprehensive plan, and applicable sections of the Town of Howey in the Hills Land Development Regulations and Code of Ordinances and all other applicable rules, regulations and ordinances of the City.

Where in conflict, the terms of this document shall take precedence over the Town of Howey in the Hills Land Development Regulations and Code of Ordinances, and all other applicable rules, regulations and ordinances of the Town.

The term "conceptual" means the location of land uses on the site including areas for residential development, open space, stormwater management, parks and roads in relation to the site area and other uses on the site. Subsequent plan development is expected to result in a refinement of the details based on the application of more detailed engineering design. "Conceptual" does not mean the modification of proposed housing types or the relocation of land uses and roads other than minor adjustments dictated by engineering needs.

Unless otherwise noted, the definition of all terms shall be the same as the definitions set forth in the Town of Howey in the Hills Land Development Regulations.

Purpose

The purpose of the Watermark PUD is to:

1. Create an attractive and high-quality environment which is compatible with the scale and character of the local environment;
2. Develop a residential area that is safe, comfortable and attractive to pedestrians;
3. Create a community with direct visual and physical access to open land, with amenities in the form of community open space, and with a strong community identity;
4. Provide a network of open space provision; and
5. Provide for a diversity of lot sizes and housing choices to accommodate a variety of age and income groups, and residential preferences, so that the Town's population diversity may be maintained.

Land Uses

The Concept Plan for the Project is attached hereto as Exhibit “B” and is an integral part of this PUD document. Elements in the Concept Plan include single-family detached homes and approximately 31.32 acres of recreation. The residential development shall be comprised of up to 275 single family detached homes.

Setbacks

The following setbacks shall be applied:

Front:	20 feet
Rear:	20 feet
Side:	5 feet
Wetland:	25 feet
Corner:	15 feet
Pool / Accessory	10 feet

Lot Size

A range of lot sizes shall be provided in order to create variety and offer opportunity for different income households. Minimum lot size will be 60’ x 120’.

Dwelling Size

The minimum dwelling size for all single-family residences shall be 1,600 square feet of heated/air-conditioned space under roof and a 2-car garage minimum of 400 square feet.

Lot Width

The minimum lot width at building line shall be 60 feet with a minimum street frontage of 30 feet.

Lot Coverage

Lots shall have a maximum lot coverage of 60% to include principal dwelling, all paved areas and swimming pools.

Height of Structures

No residential structure shall not exceed 35 feet in height.

Building Design

Building design shall be in accordance with the Architectural Requirements of the Town’s Land Development Regulations and will comply with the design requirements of Section 4.06.02 B and 4.06.03.

The following principles seek to promote a high quality development that will create a sense of place and community through the development of the site.

- A diversity of housing styles, shapes and materials shall meet the Towns Land Development Regulations.
- The different housing types shall be integrated architecturally in order to give the development a harmonious appearance.

- The creation of visual richness shall be considered when choosing materials and details. Local characteristics are encouraged.
- Side entrances for garages are encouraged.
- A variety of roof heights, pitches and materials will be encouraged.
- Landscaping shall be incorporated into the overall design as a means of linking the development areas with the open spaces.
- An exterior wall for a single-family home must be a minimum of two materials and a minimum of two colors. Primary facades shall have one base color and a complementary wall material may be used to meet the second color requirement.
- Block face restrictions may be reduced to 300 linear feet. The same house model may not be used more than three times within a single block face. For purposes of this requirement, a different house model is a different floor plan, not the same floor plan flipped in a different direction and not the same floor plan with a different exterior treatment.

Wetlands Buffer Requirement

No development shall be allowed within jurisdictional wetlands on the property. An minimum upland buffer of 25 feet shall be in a tract and shall be maintained by the HOA. No development except passive recreation shall be permitted in wetland areas.

Public Facilities

Potable Water and Wastewater

The Project shall be connected to the Town's Potable Water and Sanitary Sewer system, prior to any Certificate of Occupancy being issued for any structure (except temporary construction uses) on the Project. Should the Town require extensions of the City Potable Water and Sanitary Sewer systems for future development a developer's agreement shall be negotiated between the Town and the Owner/Developer. Such Utility Agreement may include prepayment of impact fees to aid expansion of facilities, reimbursement of offsite costs paid by the Owner/Developer by impact fee credits and/or cash reimbursement at the time of interconnections, if any and the installation of reuse lines for irrigation.

Solid Waste

Solid Waste collection shall be pursuant to Town regulations, as amended.

Drainage

The maintenance of the drainage system shall be the responsibility of the Homeowners Association(s).

Transportation

There shall be a two (2) ingress and egress points (to Revels Road) and one (1) emergency only (access to Lake County-A) for the Project. These shall be in the approximate location shown on the Concept Plan. All streets shall have a fifty foot (50') right-of-way with a minimum 24 foot pavement and curb width. Provision shall be made for underground utilities.

All portions of the development shall be accessible by a direct, convenient, attractive, safe, and comfortable system of pedestrian facilities, and the development should provide appropriate pedestrian amenities.

Transportation Concurrency and Proportionate Fair Share Mitigation

The Project will undergo a concurrency review, as required by the Town of Howey in the Hills Land Development Regulations and Code of Ordinances. The Owner agrees to complete a traffic impact analysis and if required based on that traffic study, the Owner agrees to fund its proportionate fair share of traffic improvements along SR-19 and other key roads as concluded by the traffic study's analysis of project traffic contributing to the needed improvements, in compliance with applicable Florida Statutes.

Street and Sidewalks

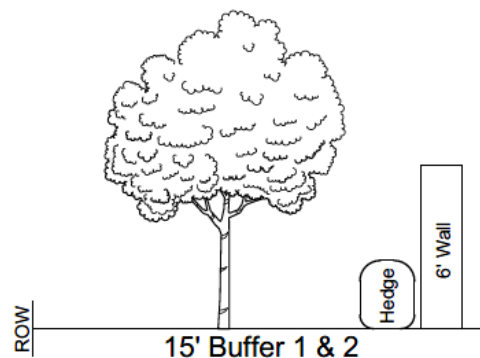
The development shall have a connected street system that serves vehicles, pedestrians and bicycles which connects to recreation facilities and adjacent residential/community areas. All streets shall be public and shall be dedicated to and maintained by the Town. No streets in the Project may be gated or otherwise restricted or obstructed by the Owner, by a homeowners' or property owners' association, or by any other person or entity.

A minimum of a five-foot (5') sidewalk shall be constructed along both sides of all interior streets. All sidewalks within rights-of-way shall be dedicated to and maintained by the Town.

Landscaping Requirements

All landscaping and buffer requirements shall be in accordance with the Town's Land Development Regulations as illustrated on the Concept Plan with the exception of the following: All buffer, street, and canopy trees planted at the Project will be a minimum of a 2" caliper. The Owner shall require homebuilders to plant at least one canopy tree for each single-family lot of at least 3" DBH. Developer will replace 30 percent of total inches removed. All trees planted at the Project shall adhere to the current guidelines established by the Florida Grades and Standards for nursery-grown trees and must be Florida grade #1 or better.

Developer shall be responsible for the installation of street trees along the roadway where common areas abuts the road per Town of Howey in the Hills LDR'S.



Cross-Section of Buffers 1 and 2

Tree Protection

Under no circumstances shall any tree, regardless of size or species, be removed from any designated wetland or Conversation Easement.

Trees proposed to be maintained on site shall meet the Town of Howey in the Hills LDR'S. No construction activity, equipment or material shall be permitted inside the tree protection barrier.

Lighting

Decorative street lighting (Sanibel fixture, a Duke Energy standard fixture) shall be installed at every intersection, at the end of each cul-de-sac and at intervals of 300 feet, or as approved by the Town Staff. Street lighting shall be installed by the Owner/Developer. All lighting shall be directional, shielded lighting designed to minimize light pollution. All lighting shall be maintained by the HOA.

Utilities

All utilities shall be underground.

Signage

Entrance signs and informational signage may be located in buffers, setbacks/and or signage easements as approved by the Planning and Zoning Board. Before any marketing signs are erected on the property, the Owner and/or builder(s) shall present a sign plan for review and approval by the Planning and Zoning Board. It is noted that The Town Council has previously approved the Owner's and/or builder(s) use of banner signs. Specifically Builders will be allowed the standard vertical Marketing Flags and the signage as previously approved in the Venezia South community by the Town. All additional signage not previously approved must be in compliance with the requirements in the Town's Land Development Code.

Maintenance of Common Areas

Maintenance of all common areas within the residential component of the Project shall be the responsibility of the Homeowner's Association(s) formed to govern such subdivision.

Amendments

Any substantial deviation from the PUD Concept Plan, or deviation from the terms of this Ordinance, shall be approved by the Town Council in accordance with the legal procedures to amend zoning ordinances.

Any minor amendments that may be needed once final engineering is completed shall be reviewed and approved by staff without referring to the Planning and Zoning Board or Town Council.

Prohibited Uses

No manufactured or modular homes are allowed.

Section 3: Notices

All notices or payments required to be made hereunder shall be made at the following addresses:

To Town:	Hon. Martha MacFarlane, Mayor Town of Howey-in-the-Hills 101 North Palm Avenue Howey-in-the-Hills, FL 34737 mmacfarlane@howey.org
With copies to:	Sean O’Keefe, Town Administrator Town of Howey-in-the-Hills 101 North Palm Avenue Howey-in-the-Hills, FL 34737 sokeefe@howey.org
	Thomas J. Wilkes Gray Robinson, P.A. 301 East Pine Street, Suite 1400 Orlando, FL 32801 twilkes@gray-robinson.com
To Owner:	Anita K. Simpson, Trustee of the Anita K. Simpson Trust 445 Limit Avenue Mount Dora, Florida 32757
With copies to:	Chris Gardner, Manager CKG Development and Realty, LLC 1482 Granville Drive Winter Park, FL 32789 chrisg@condevfl.com
With copies to:	James H. McNeil, Jr. Akerman LLP 420 S. Orange Avenue, Suite 1200 Orlando, Florida 32801 Jim.mcneil@akerman.com

Section 4: Consistent with Comprehensive Plan

The zoning classification is consistent with the Comprehensive Plan of the Town of Howey in the Hills, Florida.

Section 5: Official Zoning Map

That the Town Mayor, or designee, is hereby authorized to amend, alter, and implement the official zoning maps of the Town of Howey in the Hills, Florida, to include said designation.

Section 6: Severability.

That if any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 7: Binding Effect.

This Agreement is binding upon and enforceable by and against the parties hereto and their successors in interest. This Agreement runs with the land and is binding on and enforceable by and against all successors in interest. However, no Lot Owner shall have the rights or obligations of the Owner under this Agreement. For that purpose, a “Lot Owner” means an end-user of a lot created within the Property with a completed residential unit constructed thereon, for which a certificate of occupancy has been issued. Each party covenants to each other party that this Agreement is a legal, valid, and binding agreement, enforceable against the party in accordance with its terms. Finally, no persons or entities other than the Owner and the Town and their respective successors in interest have any rights under this Agreement. To that end, the parties declare there are no third-party beneficiaries.

Section 8: Conflict.

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 9: Negotiated Agreement.

The land use, density, and all of the conditions of approval of the Project have been negotiated and agreed to by the Owner and the Town. The Concept Plan constitutes an agreement among the parties with the knowledge that the Owner’s successors in title, the future homeowners and other landowners within the Property, as well as the Town all will rely justifiably on the agreed-to land use and density, being authorized hereby for the Property. For that reason, the Owner and the Owner’s successors in interest have the contract right to develop the PUD with the uses and density approved by the Town, subject to the restrictions and requirements in the conditions of approval. Neither the Owner (or its successors in interest) nor the Town shall have the right in the future to rezone or downzone the property, or otherwise alter the uses, densities and intensities, or delete, waive or amend any conditions of approval except through an amendment to the Plan (i) negotiated and approved by the Town and the Owner of the then-subject parcel or (ii) as set forth in Section 2 above. This section shall survive the termination and expiration of this Agreement.

Section 10: Governing Law.

This Agreement shall be governed by the law of the State of Florida. Venue for any judicial proceeding pertaining to the Agreement shall be in the Fifth Judicial Circuit of Florida, in Lake County, Florida.

Section 11: Effective Date.

This Ordinance shall become effective immediately upon its approval and adoption by the Town Council.

Section 12: Recording.

This Agreement shall be recorded by the Town, at the Owner’s expense, in the Public Records of Lake County, Florida, and shall constitute a covenant running with the land.

IN WITNESS WHEREOF, the parties are signing this Agreement on the Effective Date.

TOWN OF HOWEY-IN-THE HILLS,
FLORIDA

By: _____
The Honorable Martha McFarlane, Mayor

Attest:

By: _____
John Brock, CMC Town Clerk

Approved as to form and correctness:

By: _____
Thomas J. Wilkes, Town Attorney

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was executed, sworn to and acknowledged before me this ____ day of _____, 2022, by Martha McFarlane, as Mayor of the Town of Howey-in-the-Hills.

(SEAL)

Signature of Notary Public

Name of Notary Public
(Typed, Printed or stamped)

Personally Known ____ OR Produced Identification ____

Type of Identification Produced: _____

Witnesses:

“CKG DEVELOPMENT AND REALTY, LLC”

CKG Development and Realty, LLC, a Florida
limited liability company

Printed Name: _____

By: _____

Printed Name: Christopher J. Gardner

As its: Authorized Member

Printed Name: _____

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was executed, sworn to and acknowledged before me this ____ day of _____, 2022, by Christopher J. Gardner, as Authorized Member of CKG DEVELOPMENT AND REALTY , LLC, a Florida limited liability company, on their behalf.

(SEAL)

Signature of Notary Public

Name of Notary Public
(Typed, Printed or stamped)

Personally Known ____ OR Produced Identification ____

Type of Identification Produced: _____

Account Number:	532726
Customer Name:	Town Of Howie In The Hills
Customer Address:	Town Of Howey-In-The-Hills 101 N Palm AVE Howey In The Hills FL 34737-3418
Contact Name:	John Brock
Contact Phone:	352-324-2290
Contact Email:	jbrock@howey.org
PO Number:	

Date:	08/09/2022
Order Number:	7642811
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	89.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	1	08/15/2022 - 08/15/2022	Govt Public Notices
LEE dailycommercial.com	1	08/15/2022 - 08/15/2022	Govt Public Notices

Total Order Confirmation **\$150.62**

NOTICE OF PUBLIC HEARINGS
TOWN OF HOWEY-IN-THE-
HILLS, FLORIDA

Ordinance No. 2022-016

AN ORDINANCE OF THE TOWN OF HOWEY IN THE HILLS, FLORIDA, PERTAINING TO LAND USE; PROVIDING FINDINGS OF THE TOWN COUNCIL; AMENDING THE TOWN'S OFFICIAL ZONING MAP TO REZONE FROM MDR-1 AND MDR-2 TO PLANNED UNIT DEVELOPMENT CERTAIN LANDS LOCATED IN THE SOUTHEAST QUADRANT OF THE INTERSECTION OF STATE ROAD 19 AND REVELS ROAD, AS MORE PARTICULARLY DESCRIBED IN ATTACHMENT A TO THIS ORDINANCE; INCORPORATING CONDITIONS, REQUIREMENTS, RESTRICTIONS, AND OTHER TERMS GOVERNING THE USE AND DEVELOPMENT OF THE PROPERTY; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.

The Planning and Zoning Board for the Town of Howey-in-the-Hills will hold a public hearing for Ordinance 2022-016 on August 25, 2022, at 06:00 P.M. (or as soon thereafter as the matter may be considered). All public hearings will be held in Town Hall at 101 North Palm Avenue, Howey-in-the-Hills, Florida.

The Town Council for the Town of Howey-in-the-Hills will hold a second and final public hearing for Ordinance 2022-016 on September 26, 2022, at 06:00 P.M. (or as soon thereafter as the matter may be considered). All public hearings will be held in Town Hall at 101 North Palm Avenue, Howey-in-the-Hills, Florida.

NOTE: A condition of approval (if granted) of the PUD zoning will be compliance by the land developer with the requirements of a proposed "Developer's Agreement".

All parties in interest and persons for or against the proposed ordinance shall have an opportunity to be heard at said public hearings. Copies of Ordinance 2022-016 and its proposed Developer's Agreement are available in the Town Clerks Office, 101 N. Palm Ave., Howey-in-the-Hills, FL 34737 for inspection during normal business hours of Mon-Thurs 8 a.m. – 5 p.m. In compliance with the Americans with Disabilities Act (ADA) anyone who needs a special accommodation for this meeting should contact the Town Clerk at least 48 hours before the meeting.

Persons are advised that if they decide to appeal any decision made at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made which includes testimony and evidence upon which the appeal is based per Section 286.0105 of the Florida Statutes.

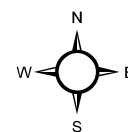
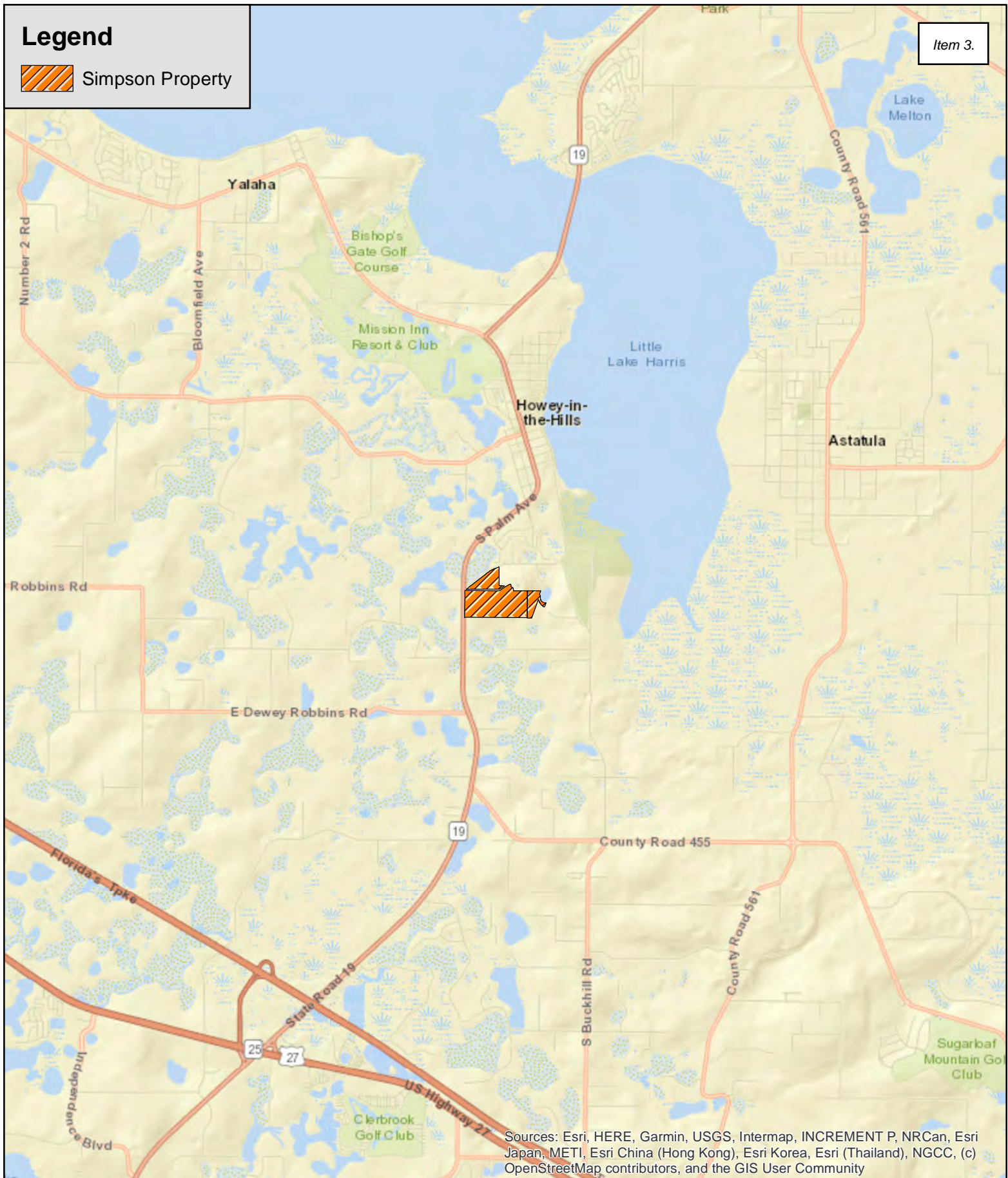
John Brock, Town Clerk
Town of Howey-in-the-Hills
Publish Date: Aug. 15, 2022

Legend




Simpson Property

Item 3.



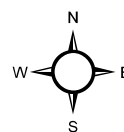
Legend

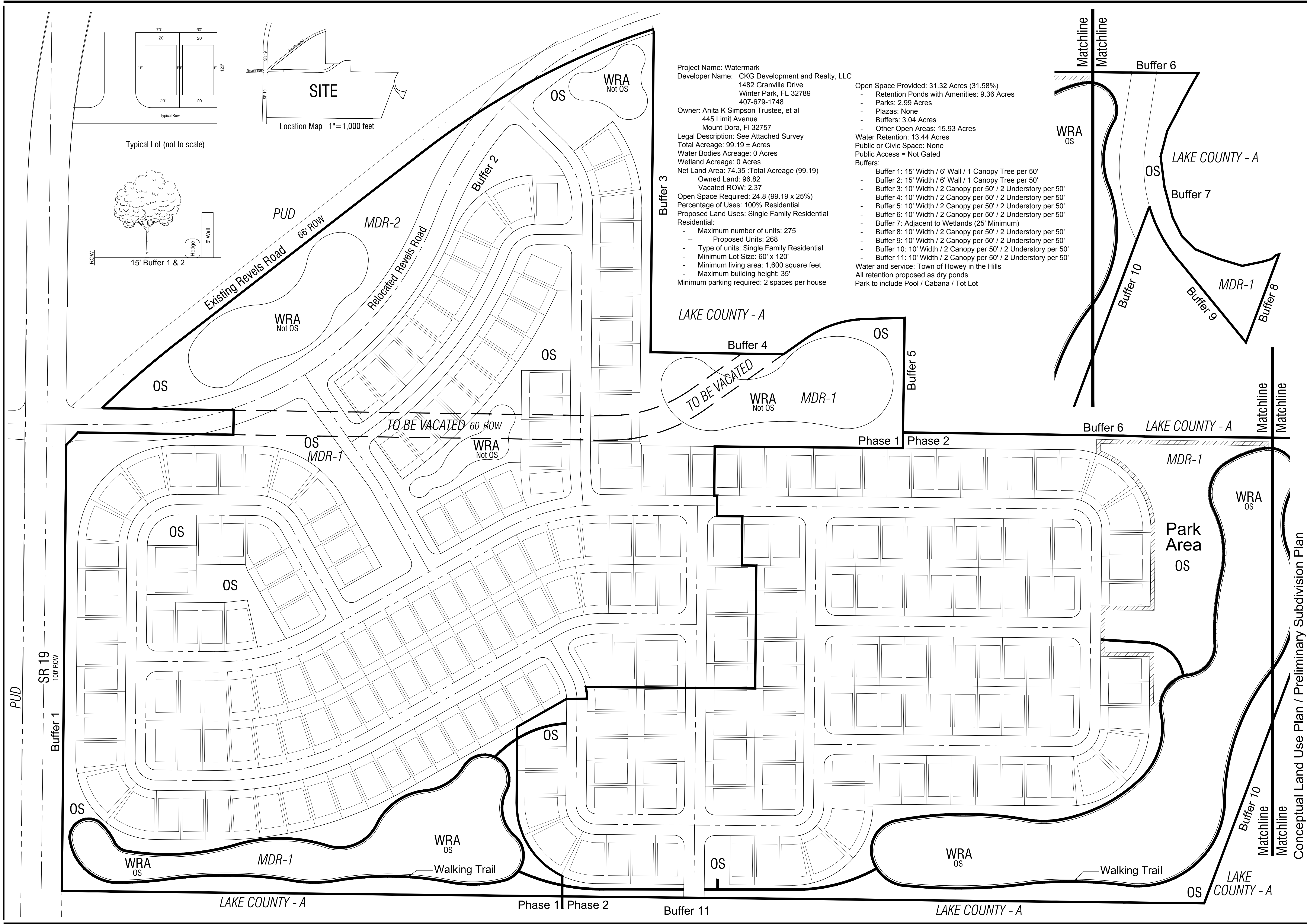
 Simpson Property

Item 3.



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





Project Name: Watermark
Developer Name: CKG Development and Realty, LLC
1482 Granville Drive
Winter Park, FL 32789
407-679-1748

Owner: Anita K Simpson Trustee, et al
445 Limit Avenue
Mount Dora, FL 32757
Legal Description: See Attached Survey
Total Acreage: 99.19 ± Acres
Water Bodies Acreage: 0 Acres
Wetland Acreage: 0 Acres
Net Land Area: 74.35 Total Acreage (99.19)
Owned Land: 96.82
Vacated ROW: 2.37
Open Space Required: 24.8 (99.19 x 25%)
Percentage of Uses: 100% Residential
Proposed Land Uses: Single Family Residential

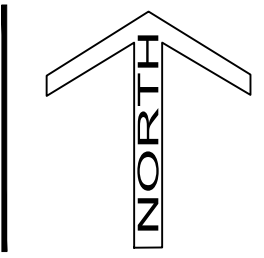
Residential:
- Maximum number of units: 275
- Proposed Units: 268
- Type of units: Single Family Residential
- Minimum Lot Size: 60' x 120'
- Minimum living area: 1,600 square feet
- Maximum building height: 35'
Minimum parking required: 2 spaces per house

Open Space Provided: 31.32 Acres (31.58%)
- Retention Ponds with Amenities: 9.36 Acres
- Parks: 2.99 Acres
- Plazas: None
- Buffers: 3.04 Acres
- Other Open Areas: 15.93 Acres

Water Retention: 13.44 Acres
Public or Civic Space: None
Public Access = Not Gated
Buffers:
- Buffer 1: 15' Width / 6' Wall / 1 Canopy Tree per 50'
- Buffer 2: 15' Width / 6' Wall / 1 Canopy Tree per 50'
- Buffer 3: 10' Width / 2 Canopy per 50' / 2 Understory per 50'
- Buffer 4: 10' Width / 2 Canopy per 50' / 2 Understory per 50'
- Buffer 5: 10' Width / 2 Canopy per 50' / 2 Understory per 50'
- Buffer 6: 10' Width / 2 Canopy per 50' / 2 Understory per 50'
- Buffer 7: Adjacent to Wetlands (25' Minimum)
- Buffer 8: 10' Width / 2 Canopy per 50' / 2 Understory per 50'
- Buffer 9: 10' Width / 2 Canopy per 50' / 2 Understory per 50'
- Buffer 10: 10' Width / 2 Canopy per 50' / 2 Understory per 50'
- Buffer 11: 10' Width / 2 Canopy per 50' / 2 Understory per 50'

Water and service: Town of Howey in the Hills
All retention proposed as dry ponds
Park to include Pool / Cabana / Tot Lot

Green Consulting Group, Inc.
Landscape Architecture ■ Land Planning ■ Development Assistance
4070 United Avenue, Mount Dora, Florida 32757
352-357-9241 ■ Fax 352-357-9278 ■ LC26000288



Drawing Number: 1561-12
Originated From: 1561-11
Date: May 17, 2022
Scale: 1"=100'
Drawn By: JMA
Layout: 24"x36"

Simpson Property
Howey in the Hills, Florida

Conceptual Land Use Plan / Preliminary Subdivision Plan

Account Number:	532726
Customer Name:	Town Of Howie In The Hills
Customer Address:	Town Of Howey-In-The-Hills 101 N Palm AVE Howey In The Hills FL 34737-3418
Contact Name:	John Brock
Contact Phone:	352-324-2290
Contact Email:	jbrock@howey.org
PO Number:	

Date:	08/11/2022
Order Number:	7642775
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	80.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	1	08/15/2022 - 08/15/2022	Govt Public Notices
LEE dailycommercial.com	1	08/15/2022 - 08/15/2022	Govt Public Notices

Total Order Confirmation **\$136.40**

NOTICE OF PUBLIC HEARINGS FOR PRELIMINARY SUBDIVISION PLAN APPROVAL

The Planning and Zoning Board for the Town of Howey-in-the-Hills will hold a public hearing on August 25, 2022 at 6:00 p.m., (or as soon thereafter as the matter may be considered), at Town Hall at 101 North Palm Avenue, Howey-in-the-Hills, Florida 34737.

The Town of Howey-in-the-Hills Planning and Zoning Board will consider an application from Timothy W Green and Green Consulting Group for a Preliminary Subdivision Plan approval on approximately 99.19 +/- acres. The subdivision would be located on parcels identified with Alternate Keys # 1257930, 1257913, 1257981, 2987448, and 1257751. Proposed subdivision is located generally on the southeast corner of East Revels Road and State Road 19.

No final action regarding the proposed application will be made at this public hearing before the Planning and Zoning Board. Following the public hearing, the Planning and Zoning Board shall provide a recommendation on the applications and proposed amendment to the Town Council. The Town Council will take final action on the request.

The Town Council for the Town of Howey-in-the-Hills will hold a second and final public hearing for the Preliminary Subdivision Plan approval on September 26, 2022, at 06:00 P.M. (or as soon thereafter as the matter may be considered). All public hearings will be held in Town Hall at 101 North Palm Avenue, Howey-in-the-Hills, Florida.

Copies of the applications and related public records may be viewed at the Town Clerk's Office, 101 North Palm Avenue, Howey-in-the-Hills, Florida 34737, for inspection during normal business hours of Mon-Thurs 8:00 a.m. - 5:00 p.m. Persons with disabilities needing assistance to participate in this proceeding should contact the Town Clerk at least 48 hours before the meeting. One or more of the subject public hearings may be held remotely and interested parties should contact the Town Clerk for information on participation.

Persons are advised that if they decide to appeal any decision made at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made which includes the testimony and evidence upon which the appeal is based, per Section 286.0105 F.S.

John Brock, Town Clerk
Town of Howey-in-the-Hills
Publish Date – August 15, 2022



TMHConsulting@cfl.rr.com
97 N. Saint Andrews Dr.
Ormond Beach, FL 32174
PH: 386.316.8426

MEMORANDUM

TO: Howey-in-the-Hills Planning Board
CC: J. Brock, Town Clerk
FROM: Thomas Harowski, AICP, Planning Consultant
SUBJECT: Grid Street Design
DATE: August 16, 2022

At the Board's May meeting, the Board discussed the comprehensive plan policy that requires new subdivisions extending from the grid street system in "Old Howey" to continue the grid street design. A report was prepared for the meeting discussing the policy and rationale for the policy and presented an analysis of the impacts of extending the current grid system north to SR 19. (A copy of this report is attached for your reference.) At that meeting, the Planning Board asked for some additional information primarily related traffic impacts. This memo is provided in response to the Board's request.

The conclusions from the initial memo to the Planning Board and the large body of research that has been done on grid street patterns versus other street patterns include:

1. The comprehensive plan policy requiring the extension of a grid street network is clear unless the Town Council finds that an extension is inappropriate for some cause.
2. Grid street patterns effectively support a wide range of traffic because the grid pattern offers multiple route options. (For example, a grid consisting of two blocks by two blocks offers six different routes, a 3 x 3 grid has 20 different routes, and a 10 x 10 grid has over 184,000 different routes.)
3. The more linkages that are provided in connecting new development to an existing grid the less traffic impact occurs on any one street. (See the table of trip assignments by scenario included in the first memo.)
4. There are techniques that can be applied to a grid network that would serve as a disincentive for cut through traffic from outside the neighborhood. (Placement of stop signs that interrupt continuous flow is one example.)

5. Grid street systems encourage lower speeds due to the frequency of intersections and therefore support more pedestrian and bicycle activity.
6. There is some evidence that grid street systems yield higher average land values.
7. A primary goal of the current grid extension policy is to encourage development that occurs adjacent to Old Howey to be reflective of the design and character of the existing neighborhoods.

The initial report also examined a case study using the proposed Thompson Grove development area. Based on the currently allowed residential density, the case study demonstrated that hourly traffic increases on current local streets would range from four to eleven trips per hour depending on the number of actual street connections. The worst case assumed 100% of southbound trips would use neighborhood streets rather than SR 19. Assuming 50% of southbound trips use neighborhood streets, the number of trips per hour falls to two to six trips depending on the number of street connections. Anything less than a 50% trip assignment drops the added trips per hour to one or two trips. There is a table in the first memo to the Planning Board that lays out the specifics.

Not calculated in this analysis is the number of trips generated by the existing neighborhood using the new development to access SR 19 eastbound. Experience on the ground in other developments has shown that outbound trips could exceed inbound trips from the new development.

The Planning Board asked about the level of traffic impacts from development across SR 19 and how that might impact traffic entering the existing neighborhood. There is no way to estimate this impact short of a rather expensive traffic model run. However, typical driver behavior suggests that once a trip accesses an arterial or collector road, drivers tend to take that route rather than cross the arterial to use the local street network; especially if the local street network is designed to lower speeds and lengthen trip times. Having an extended grid to SR 19 does offer the opportunity for a detour for the existing neighborhood should SR 19 become completely blocked as recently happened following a serious traffic accident.

There are some alternatives to a strict grid system such as a modified grid or a fused grid system. These formats have fewer through streets and more non-continuous streets and cul-de-sacs. Either of these options are available as design alternatives within the current comprehensive plan policy. Each of these options would reduce the flexibility of a completely connected grid, but as our case study analysis shows, the overall traffic impact to the existing neighborhood is still modest.

As a final note, the code also has a requirement that any development of 50 lots or more have a minimum of two access points for safety and improved traffic distribution. Depending on the specific location and landform of a proposed project, one of the connections might have to link with an existing neighborhood.

Options For Consideration

The Planning Board has some options available in making a recommendation to the Town Council. These options include:

1. Recommend no change to the current policy on grid streets which would keep the requirement in place while allowing the Council to deviate from the requirement on a case-by-case basis.
2. Recommend the policy be deleted from the comprehensive plan, with the expectation that new development will be walled off from existing neighborhoods by allowing no or minimal interconnections.



TMHConsulting@cfl.rr.com
 97 N. Saint Andrews Dr.
 Ormond Beach, FL 32174
 PH: 386.316.8426

MEMORANDUM

TO: Howey-in-the-Hills Planning Board
 CC: J. Brock, Town Clerk
 FROM: Thomas Harowski, AICP, Planning Consultant
 SUBJECT: Comprehensive Plan Policy
 Requiring Extension of Grid Street Pattern
 DATE: April 25, 2022

The Town's comprehensive plan includes a policy requiring the use of grid street patterns when appropriate. This policy has been called into question recently with the consideration of a development proposal of about 88 acres on the south side of SR 19 between the bridge and the CR 28 intersection. The comprehensive plan policy would require the extension of the existing grid system from "Old Howey" northward through the proposed development. Residents living in the area south of the proposed project have expressed concerns about the grid connections, and the Town Council has asked the Planning Board to review the policy and consider if the policy should be amended or removed from the comprehensive plan. This report is offered to provide information to the Planning Board for its consideration.

The Current Policy and Rationale

The policy in question, Policy 1.11.6, is presented in the Future Land Use Element in support of Objective 1.11 encouraging innovative land development applications. The language of the objective and policy are provided below.

OBJECTIVE 1.11: *Innovative Land Development Applications.* Future growth and development shall be managed through the preparation, adoption, implementation, and enforcement of innovative land development regulations.

POLICY 1.11.6: *New Development Following the Town's Existing Street Grid Pattern.* The Town shall require all new subdivisions, residential and commercial developments, approved after the adoption of this *Comprehensive Plan*, to follow the Town's existing street grid pattern when appropriate.

This policy was included in the comprehensive plan in 2010 when the plan was undergoing one of the routine reviews required by state statute. The policy was intended to support a development pattern that results in new developments reflecting the structure of “old Howey” as these developments are brought forward for consideration. The more recent projects approved by the Town including Venezia/Talichet, The Reserve and Lake Hills have been based on plans that were approved by the Town prior to the addition of Policy 1.11.6 to the comprehensive plan.

The most obvious location for the application of Policy 1.11.6 is for the 88-acre tract which has become known as the Thompson Grove property. This property is adjacent to a well-developed grid street pattern and has limited impacts from severe terrain or extensive wetlands that might negate the use of a grid street pattern. This property has been in agricultural use, but it is in an area that suggests other uses will become more appropriate over time.

The Land Use Plan and Proposed Project

The comprehensive plan future land use map designates the subject property as low density residential and the land development code has applied Single Family Residential (SFR) zoning to the parcel. The comprehensive plan designation limits the maximum project density to two units per acre; and zoning requires a minimum half-acre lot with lot dimensions of 100 feet by 150 feet. The existing neighborhood to the south is zoned MDR-1 which requires a minimum 15,000 square foot lot with the comprehensive plan allowing a maximum development density of four units per acre.

The comprehensive plan clearly anticipated development when and if it proceeded northward from the existing neighborhoods to be done in a manner consistent with existing development. In September 2021, the Town reviewed a pre-application for development of the Thompson Grove parcel that proposed about 250 units on lots measuring 5,500 and 6,600 square feet along with a 10-acre commercial area. The concept plan showed two connections to the existing grid network to the south and one connection to SR 19. The applicant was advised that the proposed project could not be undertaken without an amendment to the future land use map and rezoning of the parcel. While a developer might propose a more intensive level of development than currently allowed, the Town is under no obligation to modify either its land use plan or its zoning to allow a more intensive project. A developer has no development expectations that those set by the current plan and current zoning. NO FURTHER ACTION HAS OCCURRED REGRADING THE PARCEL AS NO FORMAL APPLICATION HAS BEEN RECEIVED.

Based on the comprehensive plan policies the maximum number of units that may be permitted on the subject property is 163 units. This calculation is based on the net area of the site of 81.5 acres times two units per acre. The 6.53 acres of conservation area identified on the concept plan was excluded from the calculation. The actual number of units that may be development on the site could be less than the maximum allowed by zoning as the shape of the property may make it difficult to get the maximum number of units at the lot sizes required by the zoning.

The Grid Street System

A grid street pattern is typical of older communities and older neighborhoods as is the case with Old Howey. Grid street patterns have been touted in recent years by New Urban theorists because of the advantages they offer in their ability to support walkable neighborhoods, allow for land use flexibility, create a specific street character and because of their ability to absorb and disperse larger volumes of traffic because of the multiplicity of route options. Joe Minicozzi of Urban 3 has done an extensive amount of research that demonstrates a grid system also yields the highest value per acre. Traffic speeds in grid system tend to be lower due to the frequency of intersections.

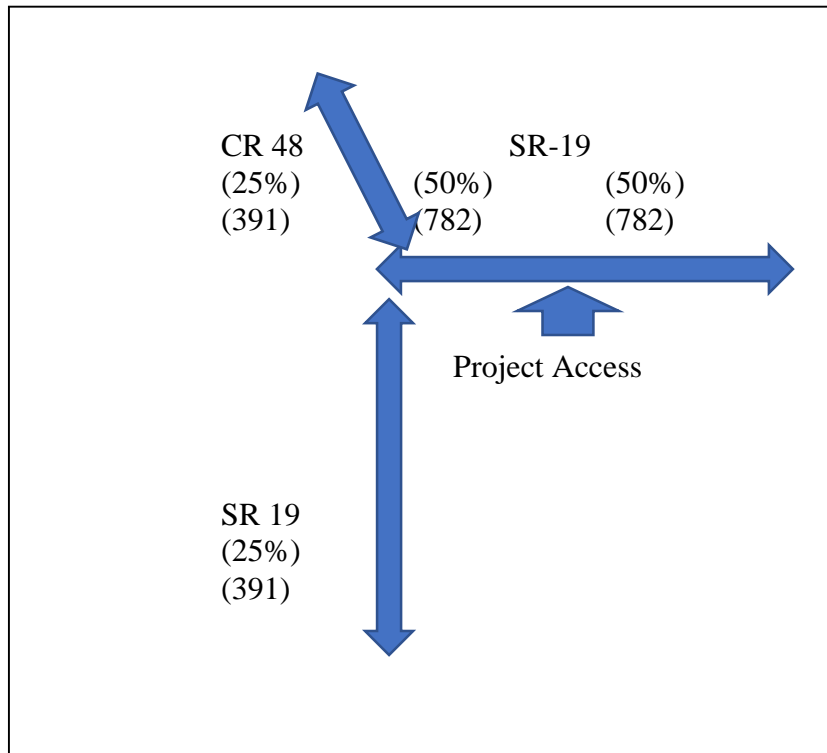
Dendritic street systems force traffic onto arterial and collector networks that provide relatively few alternatives with these routes generating higher average traffic volumes and they tend to generate congestion when accidents or other conditions occur. These systems tend to be higher speed on the collector and arterial network which shortens trip times when congestion is not present. Grid systems tend to impose themselves on the existing topography while the dendritic systems can more easily conform the topography and other site limiting conditions. These types of road networks have become what people living in a suburban setting have come to experience as the norm.

Traffic Estimates

While the grid street system and the dendritic design have advantages and disadvantages, the key issue behind the current examination is anticipated traffic impacts. This section is going to examine those issues. Traffic generation in a residential neighborhood is a function of the number of units that are developed. Traffic studies conducted over many years for a large number of single-family developments have settled on a trip generation of 9.6 trips per single family home. (These are really trip ends with each trip having a beginning and end point.) Trips include not only residents of the homes, but every other trip in the area including the mail delivery, trash collection, the pizza delivery driver and Amazon.

In this analysis the traffic distribution done for the Lake Hills project was used to allocate trips to the road network. Since Lake Hills is directly opposite the Thompson Grove parcel the traffic distribution is likely to be similar in character. If a formal application is ever received for the property, a traffic study specifically for the parcel needs to be done, but this analysis should be sufficient to understand how trips affecting Old Howey if connected by a grid system would be allocated. Traffic allocation is typically shown by a distribution tree. When a new development is proposed, nearby residents commonly anticipate major traffic impacts with associated negative outcomes. The following information estimates and allocates trips from a proposed development of the Thompson Grove parcel based on the maximum unit total allowed by the current land use designation.

The diagram below shows the distribution of trips based on the model cited above showing the percentage of trips and the estimated number of trips by direction. Note the following:



- Total trips are based on 9.6 trips per dwelling unit times the maximum site yield of 163 trips. ($163 \times 9.6 = 1564$)
- One half of the trips (782) generated are expected to go east towards Tavares.
- Approximately 25% of total trips (391) are expected to use CR 48 towards Leesburg
- Approximately 25% of total trips (391) are expected to go south along the SR 19 corridor

The question becomes how many of the southbound trips are likely to use local roads as opposed to using SR 19 which is likely to be the faster route. For trips to more remote locations like the Florida Turnpike, US 27 and the communities south of Howey, SR 19 is likely to be the preferred route. For destinations such as Griffin Park and perhaps some of the local businesses in the Central Avenue area, the local road network might be chosen.

To give some structure to the discussion regarding southbound traffic, the following table has been developed showing the trips assigned to the local road network at various levels of assignment and how these trips might be distributed over time based on the number of connections to the existing grid network.

Southbound Trip Assignment Scenarios					
Percent	100	50	30	20	10
Total Trips	391	195	117	78	39
Trips/Hour	22	11	6	4	2
Trips/Street 5 connections	4	2	1	1	0.5
Trips/Street 2 connections	11	6	3	2	1

1. Trips per hour are based on 18 hours assuming no trips between midnight and 6:00 AM
2. Trips per street per hour for five connections is the maximum number of linkages
3. Trips per street for two connections is based on the concept plan linkages.

The table shows that even if half the southbound trips generated by a development along the south side of SR 19 use the local street network, the grid system can distribute the trips so that impacts at any one time are minimal. The more connections that are available, the less is the impact on any one linkage. There are techniques that can be used to discourage southbound trips such as the placement of stop signs to interrupt flow in one direction.

This analysis also does not consider the potential for residents in the hrothern portion of Old Howey using trips through a new subdivision if access to SR 19 for eastbound trips toward Taveres is more convenient.

Questions and Discussion Issues

Given the background and information provided above, a primary question for discussion is:

Is the adopted policy for extension of the development pattern of grid street design from Old Howey to new, adjacent development still reflective of the basic community design that the Town desires?

If the answer to this question is yes, then the Town Council needs to implement the policy as new projects are brought forward. The analysis indicates that traffic impacts to existing neighborhoods, at least as evidenced by the Thompson Grove parcel, are minor. If the answer is no, then the Town Council should consider eliminating the policy.

The policy already has wording that allows variation on a case-by-case basis as a result of the “as appropriate” language. If the desire is to maintain the policy and consider individual cases, then the Town should consider adding some criteria to the policy that provide examples of when a grid pattern is inappropriate. For example, property which has wetlands located so that it would frequently interrupt a grid pattern extension, a dendritic street design might be more appropriate. There may be other reasons such as difficult terrain that may suggest a grid street pattern is a less effective design. Except for extraordinary circumstances, issues like traffic resulting from street extensions should not be a cause for abandoning the grid street policy. These are factors that might best be served by repealing the policy in favor of a design that promotes isolated and disconnected neighborhoods.

We are in a situation where the Board has ample time to consider the alternatives as there is no current project proposal that would require short-term application of the policy under discussion. If the Board has additional questions or desires additional information, staff can attempt to provide that input for the decision-making process.



Planning & Zoning Board Meeting

May 26, 2022 at 6:00 PM

Howey-in-the-Hills Town Hall
101 N. Palm Ave.
Howey-in-the-Hills, FL 34737

MINUTES

CALL TO ORDER

ROLL CALL

BOARD MEMBERS PRESENT:

Tina St. Clair - Chairperson | Sheldon Lucien | Richard Mulvany | Shawn Johnson | Frances O'Keefe Wagler (via Zoom) | Ron Francis III – Vice Chairperson

BOARD MEMBERS ABSENT:

John Manning

STAFF PRESENT:

Sean O'Keefe - Town Administrator | Tom Harowski - Town Planner | Azure Botts – Code Enforcement Officer

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 April 28, 2022, Planning and Zoning Board Meeting minutes.

Motion made by Frances O'Keefe Wagler to approve the agenda; Richard Mulvany seconded the motion. Motion was approved unanimously by voice vote.

PUBLIC HEARING

None

OLD BUSINESS

2. Item: **John Manning Form 8B to be read here.**

Town Administrator, Sean O'Keefe, read out loud John Manning's Form 8B that explained his conflicting interest which kept him from voting on Ordinance 2022-009 at the April 28, 2022, Planning and Zoning Board Meeting.

3. Discussion and Recommendation: **Requiring two-car garages for townhouse units.**

Tom Harowski, Town Planner, introduced and explained this topic to the board. Mr. Harowski explained that, during a previous Planning and Zoning Board meeting in which Venezia Town Homes development was being considered, it was discovered that the Town did not have a requirement for two-car garages for town houses, like it does for single family residences (SFR). The Board at that time asked to review possibly adding this requirement to the Town Land Development Code (LDC). Mr. Harowski explained that, by requiring a two-car garage, there would be trade off with aesthetics.

Public Comments:

Doug Hower, 444 Bellissimo Place – Mr. Hower gave comment on newer town homes having tiny driveways and was in support of requiring two-car garages.

George Lehning (Town Councilor), 1004 Citrus Ave. – Councilor Lehning stated that smaller lot line developments needed to have wider roads and generous landscaping to accommodate parking on roads.

Motion made by Ron Francis III to recommend that the Town will require two-car garages and driveway parking for any future town homes developments, just like what is required of single family resident developments; seconded by Board Member Sheldon Lucien. Motion was approved unanimously by roll call vote.

Sheldon Lucien	YES	Chair Tina St. Clair	YES
Fran O'Keefe Wagler	YES	Richard Mulvany	YES
Shawn Johnson	YES	Ron Francis III	YES
John Manning	Absent		

NEW BUSINESS

4. Discussion: **Comprehensive Plan basic concepts and review of other plans and programs that comprise the Town's overall planning effort. This is intended as an educational and information program for Planning & Zoning Board members and interested public.**

Tom Harowski, Town Planner, introduced and explained this topic to the board. Mr. Harowski gave his educational presentation on the Town's Comprehensive Plan and future possible developments to the board.

5. Discussion: **Town Council requested the Planning & Zoning Board input on policy 1.11.6 of the Future Land Use element requiring the extension of grid street patterns where possible. The Town Council is asking for a recommendation on keeping the policy as is, amending the policy, or deleting the policy.**

Tom Harowski, Town Planner, introduced and explained this topic to the board. Mr. Harowski explained that the current policy in the Town's Comprehensive Plan needs to extend street grids when possible. Mr. Harowski said that the most logical place applying would be on the north side of town, up through Camelia Way to State Road 19, through what is being called Thompson Grove. There has been some concerned expressed from residents that live along that northern boundary. This had been discussed at Town Council, who wanted to know what the Planning and Zoning Board would recommend on this issue. Mr. Harowski stated that grid street neighborhoods are good for "walking neighborhoods" and for absorbing traffic. Mr. Harowski stated a study that suggested that grid street neighborhoods typically get a higher value out of them.

Mr. Harowski did an analysis for the north area of town that is in question. His analysis/model shows that three quarters of the traffic going out of the neighborhood would not go south, it would go east to Tavares or west to Leesburg. Mr. Harowski stated that at full development there would be 390 trips that would want to go south, the question then becomes how many would want to drive through the neighborhood versus going out through SR 19. Mr. Harowski's study shows that, if the street grid were utilized, there would be 4 more cars going down the streets from the development and into "Old Howey" per hour than now.

Board Member, Fran O'Keefe, stated that she thought all streets needed to be extended in grids, not just some of them as suggested.

Mr. Harowski stated that it seemed there was a consensus with the Board that they wanted additional information to be able to make a recommendation. No recommendations or motions were made, and Chairperson, Tina St. Clair, asked Mr. Harowski to come back to the Board at a later date with additional information.

6. Consideration and Approval: Residential Design Compliance with Architectural Standards Review

Tom Harowski, Town Planner, introduced and explained this topic to the board. Mr. Harowski said that there was a proposed SFR at North Florida Avenue and West Cypress Avenue, and they have submitted a construction plan application and the Board was to review it for Architectural Standards. Mr. Harowski stated in his staff recommendation that he believed that the applicant had met the standards and should be approved.

Motion made by Richard Mulvany to approve of the application; seconded by Ron Francis III. Motion was approved unanimously by roll call vote.

Sheldon Lucien	YES	Chair Tina St. Clair	YES
Fran O'Keefe Wagler	YES	Richard Mulvany	YES
Shawn Johnson	YES	Ron Francis III	YES
John Manning	Absent		

7. Consideration and Recommendation: Ordinance 2022- 013 Annexation Daryl Carter Property

Tom Harowski, Town Planner, introduced and explained this topic to the board. Mr. Harowski explained that the applicant was seeking a conditional annexation, based on requests for certain abilities to develop in a fashion that they would like. Mr. O'Keefe explained that, if later development proposals are not accepted by either the Town or the applicant, it locks neither party into the annexation.

Public Comments:

Doug Hower, 444 Bellissimo Place – Mr. Hower asked if they can be annexed, since the CDD says they can not offer wastewater services. Mr. Hower asked how this would work with the County's proposed Rural Protection Areas.

Motion made by Sheldon Lucien to recommend the annexation; seconded by Shawn Johnson. Motion was approved unanimously by roll call vote.

Sheldon Lucien	YES	Chair Tina St. Clair	YES
Fran O'Keefe Wagler	YES	Richard Mulvany	YES
Shawn Johnson	YES	Ron Francis III	YES
John Manning	Absent		

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.



Doug Hower, 444 Bellissimo Place – Mr. Hower told a story about a developer saying they were going to make an affordable housing project in Tavares that was using a private traffic impact study. Tavares did not allow the development to go through.

ADJOURNMENT

There being no further business to discuss, a motion was made by Richard Mulvany to adjourn the meeting; Ron Francis III seconded the motion. Motion was approved unanimously by voice vote.

The Meeting adjourned at 8:10 p.m. | **Attendees: 9**

ATTEST:



John Brock, Town Clerk
Tina St. Clair Chairperson



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MEMORANDUM

TO: John Brock, Town Clerk
CC: S. O'Keefe, Town Administrator
FROM: Thomas Harowski, AICP, Planning Consultant
SUBJECT: 2022-2023 Proposed Planning Board and DRC Schedule
DATE: August 10, 2022

As we discussed I have drafted a proposed meeting schedule with cut off dates for the Planning Board meetings. I recommend we place this item on the next Planning Board Agenda and have the Board approve the schedule. The proposed schedule begins with September 2022 and concludes with September 2023 so we can place our schedule on the same timing as the Town's fiscal year.

I used the fourth Thursday of the month as the official meeting date, but I adjusted the meeting dates for November and December to avoid holidays. This schedule should give the staff time to verify the application is complete and all fees are paid; hold a DRC meeting if necessary; prepare staff reports and obtain any needed legal input; and complete the required advertising.

HOWEY-IN-THE-HILLS PLANNING BOARD AND DEVELOPMENT REVIEW COMMITTEE 2022-2023 MEETING SCHEDULE		
AGENDA CUT OFF DATE	DRC MEETING DATE	PLANNING BOARD MEETING DATE
August 26, 2022	September 8, 2022	September 22, 2022
September 30, 2022	October 13, 2022	October 27, 2022
October 28, 2022	November 10, 2022	November 17, 2022
November 18, 2022	December 8, 2022	December 22, 2022
December 30, 2022	January 12, 2023	January 26, 2023
January 27, 2023	February 9, 2023	February 23, 2023
February 24, 2023	March 9, 2023	March 23, 2023
March 31, 2023	April 13, 2023	April 27, 2023
April 28, 2023	May 11, 2023	May 25, 2023
May 26, 2023	June 8, 2023	June 22, 2023
June 30, 2023	July 13, 2023	July 27, 2023
July 28, 2023	August 10, 2023	August 24, 2023
August 25, 2023	September 7, 2023	September 21, 2023