



Town Council Meeting
September 12, 2022 at 6:00 PM
Howey-in the-Hills Town Hall
101 N. Palm Ave.,
Howey-in-the-Hills, FL 34737

Join Zoom Meeting: <https://us06web.zoom.us/j/85466031554?pwd=enNpWEErDjBwdE1Xb2hySGRydzR6Zz09>
Meeting ID: 854 6603 1554 | **Passcode:** 356306

AGENDA

Call the Town Council Meeting to order
Pledge of Allegiance to the Flag

ROLL CALL

Acknowledgement of Quorum

AGENDA APPROVAL/REVIEW

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.** The approval of the minutes and ratification and confirmation of all Town Council actions at the August 22, 2022 Town Council Meeting.
- 2.** The approval of the minutes and ratification and confirmation of all Town Council actions at the September 8, 2022 Town Council Budget Public Hearing.
- 3.** Consideration and Approval: **Reappointment of Ron Francis III to the Planning and Zoning Board**

PUBLIC HEARING

- 4.** Consideration and Approval: **Resolution 2022-005 - Non-Ad Valorem Assessment Roll for Solid-Waste Collection**
 - Mayor MacFarlane will open for Public Comment and Questions for this item only.
 - Mayor MacFarlane will close Public Comment
 - Mayor MacFarlane will have written Public Comments read out loud.
 - Council Discussion
 - Motion to approve Resolution 2022-005
 - Roll Call Vote

- 5.** Consideration and Approval: **414 Amola Way Variance request from Section 5.01.08 Swimming Pools and Pool Enclosures**
- 6.** Consideration and Approval: **Ordinance 2022-016 - Simpson Parcels - Rezoning from MDR1 and MDR 2 to PUD**
- 7.** Consideration and Approval: (Second Reading) **Ordinance 2022-018 - Amend Building Services Fee Schedule**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO REGULATION OF BUILDING CONSTRUCTION; PROVIDING FINDINGS OF TOWN COUNCIL PERTINENT TO TOWN FEES AND CHARGES; REVISING THE TOWN'S BUILDING-PERMIT FEE SCHEDULE IN ITS ENTIRETY; WAIVING CODIFICATION AND PROVIDING FOR POSTING OF FEES AND CHARGES ON THE TOWN'S WEBSITE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

- Mayor MacFarlane will read the Ordinance title
- Town Administrator will explain Ordinance 2022-018
- Mayor MacFarlane will open Public Comment and Questions for this item only.
- Mayor MacFarlane will close Public Comment.
- Motion to approve Ordinance 2022-018
- Council Discussion
- Roll Call Vote

OLD BUSINESS

NEW BUSINESS

- 8.** Consideration and Approval: **Town Manager Contract**

DEPARTMENT REPORTS

- 9.** Town Hall
- 10.** Police Department
- 11.** Code Enforcement
- 12.** Public Works
- 13.** Library
- 14.** Parks & Recreation Advisory Board / Special Events
- 15.** Town Attorney
- 16.** Town Administrator / Finance Manager - Finance and Development Reports

COUNCIL MEMBER REPORTS

- 17.** Mayor Pro Tem Gallelli
- 18.** Councilor Lehning
- 19.** Councilor Miles

20. Councilor Klein

21. Mayor MacFarlane

PUBLIC COMMENTS

Any person wishing to address the Mayor and Town Council and who is not on the agenda is asked to speak their name and address. Three (3) minutes is allocated per speaker.

ADJOURNMENT

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

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

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

Topic: **Town Council Meeting**

Time: **Sept 12, 2022 06:00 PM Eastern Time** (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/85466031554?pwd=enNpWEerdjBwdE1Xb2hySGRydzR6Zz09>

Meeting ID: 854 6603 1554

Passcode: 356306

Dial by your location

+1 646 558 8656 US (New York)

+1 346 248 7799 US (Houston)

Meeting ID: 854 6603 1554

Passcode: 356306

Find your local number: <https://us06web.zoom.us/j/85466031554>

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.



Town Council Meeting
August 22, 2022 at 6:00 PM
Howey-in the-Hills Town Hall
101 N. Palm Ave.,
Howey-in-the-Hills, FL 34737

MINUTES

Mayor MacFarlane called the Town Council Meeting to order at 6:00 p.m. Mayor MacFarlane led the attendees in the Pledge of Allegiance to the Flag. Mr. Jim Steele, Lake County Poet Laureate, read a poem titled “Embrace”.

ROLL CALL

Acknowledgement of Quorum

MEMBERS PRESENT:

Councilor David Miles | Councilor Rick Klein | Mayor Pro Tem Marie V Gallelli | Mayor Martha MacFarlane

MEMBERS ABSENT:

Councilor George Lehning

STAFF PRESENT:

Sean O’Keefe, Town Administrator | John Brock, Town Clerk | Morgan Cates, Public Works Director | Rick Thomas, Police Chief | Tara Hall, Library Director | Tom Wilkes, Town Attorney (via Zoom) | Tom Harowski, Town Planner (via Zoom)

AGENDA APPROVAL/REVIEW

Motion made by Mayor Pro Tem Gallelli to allow Councilor Klein to participate and vote via Zoom due to extenuating circumstances; seconded by Councilor Miles. Motion passed unanimously by voice vote.

Voting

Yea: Councilor Miles, Councilor Klein, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: None

Motion made by Councilor Miles to approve the agenda; seconded by Mayor Pro Tem Gallelli. Motion passed unanimously by voice vote.

Voting

Yea: Councilor Miles, Councilor Klein, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: None

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. The approval of the minutes and ratification and confirmation of all Town Council actions at the August 8, 2022 Town Council Meeting.

Councilor Miles stated that he had discovered an error in the minutes. Councilor Miles recommended changed the word “remined” to “reminded” on page 5, two lines into Mayor MacFarlane’s report.

Motion made by Mayor Pro Tem Gallelli to approve with the correction to the August 8, 2022 Town Council Meeting minutes that Councilor Miles recommended; seconded by Councilor Klein. Motion passed unanimously by voice vote.

Voting

Yea: Councilor Miles, Councilor Klein, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: None

PUBLIC HEARING

None

OLD BUSINESS

None

NEW BUSINESS

2. Consideration and Approval: **Reappointment of Trey Purser to the Police Pension Board**

Motion made by Councilor Miles to reappoint Trey Purser to the Police Pension Board; seconded by Mayor Pro Tem Gallelli. Motion approved unanimously by roll-call vote.

Voting

Yea: Councilor Miles, Councilor Klein, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: None

3. Consideration and Approval: **Appointment of Lynne Husemann to the Police Pension Board**

Mrs. Lynne Husemann spoke about her interest in serving on the Police Pension Board and her background, including her twenty years of accounting experience.

Motion made by Councilor Miles to appoint Lynne Husemann to the Police Pension Board; seconded by Mayor Pro Tem Gallelli. Motion approved unanimously by roll-call vote.

Voting

Yea: Councilor Miles, Councilor Klein, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: None

4. Consideration and Approval: **Appointment of Jonathan Arnold to the Police Pension Board**

Mr. Jonathan Arnold explained that he had been a resident of Howey-in-the-Hills for almost six years and had previously served in the Air Force.

Motion made by Mayor Pro Tem Gallelli to appoint Jonathan Arnold to the Police Pension Board; seconded by Councilor Miles. Motion approved unanimously by roll-call vote.

Voting

Yea: Councilor Miles, Councilor Klein, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: None

5. Consideration and Approval: **Temporary Reimbursement of Laptop Project Grant**

Mayor MacFarlane asked Sean O’Keefe, Town Administrator, to explain and introduce this item. Mr. O’Keefe stated that the Town had applied for and received a USAC E-Rate grant (administered by USAC on behalf of the Federal Communication Commission for \$45,600) to purchase 120 laptops for Howey homeschool children, which would be managed through the library. The commitment of the reimbursement for this project has been guaranteed, and the laptops were ordered and delivered to the library. Lucien Group, LLC had purchased the laptops (with terms of payment being due on a net-30 day basis) and submitted the request to the FCC/USAC for reimbursement. Due to reimbursement processing delays on the part of USAC, Lucien Group, LLC is running out of time on the payment for the laptops. Mr. Sheldon Lucien has asked for the Town to temporarily reimburse Lucien Group, LLC for the cost of the items for the remaining time that it would take for the FCC reimbursement to be processed, which would then be refunded by Lucien Group, LLC to the Town.

Mr. Sheldon Lucien explained that Lucien Group, LLC, was nearing the end net terms and was being held financially liable for the 120 laptops that were currently in the Town’s possession at the library. Mr. Lucien stated that, originally, the terms from their distributor was net-30 days and they were able to get an extension to net-45 days.

Councilor Klein asked if the Town would be incurring an expense by having an agreement written up by our Town Attorney to ensure that Lucien Group LLC repays the Town when the grant money is dispersed. Mr. O’Keefe did answer that the Town would be incurring that expense and Councilor Klein was concerned because the Town would be now incurring this expense.

Councilor Miles suggested that in the future, the Town should submit for grants in such a manner so that the Town is directly reimbursed, not vendors.

Mayor MacFarlane opened Public Comment for this item only.

Renee Lannaman, 710 Calabria Way – Mrs. Lannaman asked for clarification on the reimbursement of the grant.

Motion made by Councilor Miles for the Town to reimburse Lucien Group LLC the onetime payment of \$45,600 with an appropriate security agreement between the Town and Lucien Group to ensure that the Town gets reimbursed; seconded by Mayor Pro Tem Gallelli. Motion approved by roll-call vote.

Voting

Yea: Councilor Miles, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: Councilor Klein

6. Consideration and Approval: (First Reading) **Ordinance 2022-018 - Amend Building Services Fee Schedule**

Martha MacFarlane, Mayor, read Ordinance 2022-018 by title only:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO REGULATION OF BUILDING CONSTRUCTION; PROVIDING FINDINGS OF TOWN COUNCIL PERTINENT TO TOWN FEES AND CHARGES; REVISING THE TOWN’S BUILDING-PERMIT FEE SCHEDULE IN ITS ENTIRETY; WAIVING CODIFICATION AND PROVIDING FOR POSTING OF FEES AND CHARGES ON THE TOWN’S WEBSITE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Mayor MacFarlane asked Town Administrator, Sean O’Keefe, to introduce and explain this proposed ordinance. Mr. O’Keefe explained that Town Staff had been working on removing the schedule of fees from being codified within Municode in order to have them published primarily on the Town’s website. In addition, the Building Permit fees were being modified to be more in line with other local municipalities.

Councilor Miles made a recommendation for changes with the ordinance. Councilor Miles thought that the location of the word “plus” used for many sets of fees was incorrect. As an example, on line 64 of the ordinance, the word plus should be moved so that the lines 64 should read “Minimum fee 75.00, plus”.

Public Works Director, Morgan Cates, explained that the Lot Grading Inspection fees of \$150 were not located in the ordinance and should be added before the second reading

Mayor MacFarlane opened the Public Comment for this item only. Seeing as there was no public comment, Mayor MacFarlane closed Public Comment.

Councilor Miles asked why these building permit fees were being removed from being codified with Municode. Town Clerk, John Brock, explained this was due to the time it takes for changes in fees to be codified (6 months or longer in some case), and the cost of codifying the fees with Municode.

Motion made by Mayor Pro Tem Gallelli to approve Ordinance 2022-018 with the amendments of changing the syntax of where the word “plus” was used and the addition of the Lot Grading Inspection Fee; seconded by Councilor Miles. Motion approved unanimously by roll-call vote. Ordinance 2022-018 will move forward to a second reading.

Voting

Yea: Councilor Miles, Councilor Klein, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: None

7. Consideration and Approval: **Venezia Townhomes Final PLAT Submission Approval**

Mayor MacFarlane asked Town Administrator, Sean O’Keefe, to introduce this item. Mr. O’Keefe introduced the item and asked the Town Planner, Tom Harowski, to explain the item. Mr. Harowski explained that the applicant was asking for final approval of the Plat for the Venezia Townhomes development. Approval of the Plat would give the applicant the ability to begin selling lots even though the final construction of the streets and utilities has not been completed. Under state law and local codes, the applicant has the ability to provide a performance bond of the amount of the remaining construction value of the project and then record the Plat. There are three components that would be reviewed in this process: the Plat document (the map showing the lots), a set of covenants and restrictions, and performance bond. Mr. Harowski explained that Tom Wilkes, the Town Attorney, wanted some changes to the performance bond prior to approve that could be made within the motion.

Mr. Harowski explained that, when the final subdivision plans were approved, there were two conditions that were made. The first condition was related to the fence between the project and the houses on Calabria Way: the Venezia Townhomes HOA would need to maintain and clean their side of the fence and, if there was damage to the fence that resulted from the townhomes’ side of the fence, the

townhomes HOA would be responsible to repair the fence. The first condition was reflected in the covenants and restrictions section 11.8.7. The second condition was that the Venezia Townhomes HOA architectural review group needed to review and approve satellite dish locations in the townhome's neighborhood. The second condition was reflected in the covenants and restricts in section 12.31.

Mr. Harowski explained that the Plat document would not be recorded in the public records until the performance bond was review, accepted, and signed off. No building permits for any townhouse units would be issued until construction of all of the public improvements are completed and the Town issues a Certificate of Completion. Also, no building permits for townhouse units will be issued until a maintenance bond for 20% of the cost of construction of all public improvements was issued. The maintenance bond is typically provided prior to the issuance of the Certification of Completion. The maintenance bond is held for a time of two years.

Councilor Miles wanted to know what the rush was, and why the Town would do this.

Roger Vanauker, speaking for Forestar (the development team), stated that typically they like to bond and record the Plat so that they can begin selling lots in the development.

Mayor MacFarlane stated that this process was not abnormal, and that the Town did this with Talichet. Mr. Harowski stated that this was commonly done throughout the state. Town Attorney, Tom Wilkes, explained that this process was the custom and practice around the state and country. Mr. Wilkes also explained that there was a motion that he suggested that the Town Council used to ensure that the performance bond gets modified accordingly. Mr. Wilkes also stated that other attorneys in his Law firm, GrayRobinson, P.A., represented DR Horton, the parent company for Forestar, and that Mr. Wilkes had informed the Town administration of this months ago.

Mayor MacFarlane opened Public Comment for this item only.

Renee Lannaman, 710 Calabria Way – Mrs. Lannaman stated that many of the homeowners in Venezia were concerned about the satellite dishes and the landscaping in the townhomes project.

Motion made by Mayor Pro Tem Gallelli to (i) approval of the proposed final plat for the Venezia Townhomes project and (ii) approval of its execution by the Mayor and Town Attorney, but only upon receipt by the Town Clerk of both the performance bond as proposed by the developer, with the edits recommended by the Town Attorney, and the required power of attorney for the person executing the performance bond on behalf of the surety; seconded by Councilor Klein. Motion approved by roll-call vote.

Voting

Yea: Councilor Klein, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: Councilor Miles

DEPARTMENT REPORTS

8. Town Administrator / Finance Manager - Finance and Development Reports

Sean O'Keefe, Town Administrator, stated that the Town was in the process of hiring a Finance Supervisor (Abigail Herrera) and that her first day would be August 29th. Mr. O'Keefe presented a summary of the financial ratios derived from the Annual Financial Report (AFR) to the council and spoke about the fiscal health of the Town. Mr. O'Keefe also stated that the Town was not awarded the CDBG-CV grant that it had applied for last year to assist with paying for the Well and Water Treatment Plant on the north side of Town. Mr. O'Keefe stated that he would be attending and speaking before the Lake County Board of County Commissioners on the topic of the Town not receiving funding for its Library Impact fee application.

COUNCIL MEMBER REPORTS

9. Mayor Pro Tem Gallelli

Mayor Pro Tem Gallelli informed the audience that there was a Planning and Zoning Board Meeting scheduled for Thursday, August 25, 2022 at 6:00 p.m. At the Planning and Zoning Board meeting, the board members would be discussing the Town's grid street policy and the proposed Simpson development on the south side of Town.

10. Councilor Lehning

Not in attendance

11. Councilor Miles

Councilor Miles asked for clarification about the Town's wastewater facilities in Venezia and Talichet. Councilor Miles requested a Town Council Workshop meeting in September about the future of Water and Wastewater in the Town.

12. Councilor Klein

Councilor Klein encouraged the Town residents to get out and vote on Tuesday, August 23rd.

13. Mayor MacFarlane

Mayor MacFarlane asked the Town Clerk to pass on to Building Official and Jack Pavlik, the Building Services Clerk, that no building permits would be issued for Venezia Townhomes until after they receive a Certificate of Completion and have given an appropriate maintenance bond. Mayor MacFarlane asked for Councilor Miles' assistance in ensuring that the Town manages grants correctly in the future. Mayor MacFarlane also gave time to Town Clerk, John Brock, to give an update on the Town's election qualifying window.

Mr. Brock stated that there had been three seats up for re-election and that there were three candidates that qualified to run. Those three candidates would be running unopposed, so there would be no need for them to appear on a ballot in November. The three candidates were Martha MacFarlane, David R. Miles, and Renee Lannaman.

PUBLIC COMMENTS

Any person wishing to address the Mayor and Town Council and who is not on the agenda is asked to speak their name and address. Three (3) minutes is allocated per speaker.

Banks Helfrich, 9100 Sam's Lake Road, Clermont, FL – Mr. Helfrich gave a personal story about a previous teacher of his. Mr. Helfrich also thanked teachers for their hard work.

Renee Lannaman, 710 Calabria Way – Mrs. Lannaman thanked the Town Council for their diligence with the DR Horton project. Mrs. Lannaman also stated that she looked forward to working with the other Town Councilors in the future and really wanted to help created a Walkable Downtown for Howey.

ADJOURNMENT

There being no further business to discuss, a motion was made by Councilor Miles to adjourn the meeting; Mayor Pro Tem Gallelli seconded the motion. Motion was approved unanimously by voice vote.

The Meeting adjourned at 7:32 p.m. | **Attendees: 34**

Mayor Martha MacFarlane

ATTEST:

John Brock, Town Clerk

DRAFT



**Town Council Public
Hearing on Tentative
Budget and Proposed
Millage Rate**

**September 08, 2022 at 5:05 PM
Howey-in the-Hills Town Hall
101 N. Palm Ave.,
Howey-in-the-Hills, FL 34737**

MINUTES

Mayor MacFarlane called the Town Council Meeting to order at 5:05 p.m.
Mayor MacFarlane led the attendees in the Pledge of Allegiance to the Flag.

ROLL CALL

Acknowledgement of Quorum

MEMBERS PRESENT:

Councilor David Miles | Councilor George Lehning | Mayor Pro Tem Marie V Gallelli | Mayor Martha MacFarlane

MEMBERS EXCUSED ABSENT:

Councilor Rick Klein

STAFF PRESENT:

Sean O’Keefe, Town Administrator | John Brock, Town Clerk | Morgan Cates, Public Works Director | Abigail Herrera, Finance Supervisor | Tara Hall, Library Director

Confirmation of Meeting Notification and acknowledgement of Quorum was completed.

PUBLIC HEARING

1. Consideration and Approval: **Resolution 2022-006 - Tentative Millage Rate**

Martha MacFarlane, Mayor, read Resolution 2022-006 by title only and the following statements.

RESOLUTION NO. 2022-006, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA; ADOPTING A TENTATIVE MILLAGE RATE OF 7.50 FOR THE TOWN OF HOWEY-IN-THE-HILLS, LAKE COUNTY, FLORIDA FOR AD VALOREM TAXES FOR FISCAL YEAR 2023; PROVIDING FOR AN EFFECTIVE DATE.

- The Taxing Authority is the Town of Howey-in-the-Hills.
- The Rolled-Back Rate is 6.7227 mills.
- The percentage over the Rolled-Back Rate is 11.56%, which is the percentage increase in property taxes.
- The proposed Millage Rate to be levied is 7.500.

Mayor MacFarlane opened Public Comment and Questions for this issue only.

There were no public comments or questions.

Mayor MacFarlane closed Public Comment and Questions.

Mayor MacFarlane opened Councilor Comment and Questions for this issue only.

There were no councilor comments or questions.

Mayor MacFarlane closed Councilor Comment and Questions.

Motion made by Mayor Pro Tem Gallelli to approve Resolution 2022-006, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA; ADOPTING A TENTATIVE MILLAGE RATE OF 7.50 FOR THE TOWN OF HOWEY-IN-THE-HILLS, LAKE COUNTY, FLORIDA FOR AD VALOREM TAXES FOR FISCAL YEAR 2023; PROVIDING FOR AN EFFECTIVE DATE; Seconded by Councilor Lehning. Motion was approved unanimously with a roll-call vote.

Voting

Yea: Councilor Miles, Councilor Lehning, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: None

2. Consideration and Approval: **Resolution 2022-007 - Tentative Budget**

Martha MacFarlane, Mayor, read Resolution 2022-007 by title only and the following statements.

RESOLUTION NO. 2022-007, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA; ADOPTING A TENTATIVE BUDGET FOR THE TOWN OF HOWEY-IN-THE-HILLS, LAKE COUNTY, FLORIDA FOR FISCAL YEAR 2023 AND PROVIDING AN EFFECTIVE DATE.

The Tentative Budget for the Town of Howey-in-the-Hills for Fiscal Year 2022 to be adopted by Fund Department is as follows:

- General Fund in the amount of \$2,479,898.
- Infrastructure fund in the amount of \$233,227.
- Enterprise fund in the amount of \$1,463,696.
- Police Pension Fund in the amount of \$95,653.
- Police Advanced Training in the amount of \$3,000.
- Impact fees in the amount in the amount of \$626,600.
- Building Services in the amount of \$219,615.
- Total all Funds \$5,121,689.

Mayor MacFarlane opened Public Comment and Questions for this issue only.

There were no public comments or questions.

Mayor MacFarlane closed Public Comment and Questions.

Mayor MacFarlane opened Councilor Comment and Questions for this issue only.

There were no councilor comments or questions.

Mayor MacFarlane closed Councilor Comment and Questions.

Motion made by Councilor Lehning to approve Resolution 2022-007, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA; ADOPTING A TENTATIVE BUDGET FOR THE TOWN OF HOWEY-IN-THE-HILLS, LAKE COUNTY, FLORIDA FOR FISCAL YEAR 2023 AND PROVIDING AN EFFECTIVE DATE; seconded by Mayor Pro Tem Gallelli. Motion was approved unanimously with a roll-call vote.

Voting

Yea: Councilor Miles, Councilor Lehning, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: None

PUBLIC COMMENTS

Any person wishing to address the Mayor and Town Council and who is not on the agenda is asked to speak their name and address. Three (3) minutes is allocated per speaker.

There were no Public Comments.

ADJOURNMENT

There being no further business to discuss, a motion was made by Councilor Lehning to adjourn the meeting; Councilor Miles seconded the motion. Motion was approved unanimously by voice vote.

The Meeting adjourned at 5:14 p.m. | **Attendees: 11**

Mayor Martha MacFarlane

ATTEST:

John Brock, Town Clerk

TOWN OF HOWEY-IN-THE-HILLS APPLICATION FOR BOARDS/COMMITTEES

Please Print Legibly

Name: Ronald Francis III Date: 8-29-22

Home Mailing Address: 725 Calabria Way Howey in the Hills, FL 34737

Home Physical Address: 725 Calabria Way Howey in the Hills, FL 34737

Florida Drivers License or ID: _____

Phone Number: 352-804-5841 E-mail Address: rjf192@gmail.com

Education: Bachelor's Degree

Business (Name & Type): Edward Jones - Financial Advisor

Business Address: 2619 E Gulf to Lake Hwy Inverness, FL 34453

Business Phone: 352-341-0579 Position: Financial Advisor

Training or experience related to activities of boards or committees to which appointment is sought:

Vice Chairperson Planning + Zoning Board - Howey in the Hills

Professional Organizations: _____

Have you served on a Town Board(s)/Committee(s) in the past? Yes No

Name of Boards/Committee(s): Planning + Zoning Board - Howey in the Hills Dates Served: May 2019 - Current

Please check Board(s)/Committee(s) that interest you.

- Cemetery Board
- Historic Preservation Board
- Library Board
- **Police Pension Board
- **Planning & Zoning Board
- Parks & Recreation Board
- Other

** Florida Commission on Ethics require board members to complete and submit Form 1, Statement of Financial Interests

I will attend meetings in accordance with the adopted policies of the Town of Howey-in-the-Hills. If at any time my business or professional interests conflict with the interests of this Board or Committee, I will not participate in such deliberations. References may be secured from the following individuals:

	Name	Address	Phone Number
1	Danielle Francis	725 Calabria Way Howey in the Hills FL	352-638-5155
2	Anne Labrusca	22228 Drawbridge Dr Leesburg FL	352-409-7312
3	Andy Labrusca	22228 Drawbridge Dr Leesburg FL	412-973-4573

[Signature]
Signature of Applicant

In completing this application, you are acknowledging that personal information you provide is subject to Florida's Public Records Policy as stated in Chapter 119, Florida Statutes, and Article I, Section 24 of the State Constitution.

Additional information may be attached to this form.

FOR TOWN HALL USE

Received by _____ Date _____

Reviewed by Board _____

Appointed by Town Council _____ Date _____

RESOLUTION 2022-05
of the
Town Council
for the
Town of Howey-in-the-Hills, Florida
adopting the
The Non-Ad Valorem Assessment Roll for Solid-Waste Collection

Whereas, the Town Council for the Town of Howey-in-the-Hills, Florida, adopted Ordinance No. 2021-004 on June 28, 2021, which authorizes the Town to impose non-ad valorem special assessments to fund the costs and expenses of solid-waste collection.

Whereas, on February 22, 2021, the Town Council adopted Resolution 2021-02, declaring the Town's intent to use the uniform method of collecting non-ad valorem assessments as provided in section 197.3632 of the Florida Statutes to fund the costs and expenses of solid-waste collection.

Whereas, in order to impose non-ad valorem assessments, Ordinance No. 2021-004 and subsection 197.3632(4) of the Florida Statutes requires the Town Council to hold a public hearing to adopt a non-ad valorem assessment roll which establishes the amount of the assessments, with such amendments as the Town Council deems appropriate, after hearing comments, input and objections of all interested parties.

Whereas, the assessment roll for the solid waste costs and expenses has been made available for inspection by the public.

Whereas, notice of the public hearing on the assessment roll has been published in the newspaper and mailed to all interested parties, as required by Ordinance No. 2021-004 and subsection 197.3632(4)(b) of the Florida Statutes, to provide notice to all interested persons of an opportunity to be heard.

Now Therefore, Be It Resolved by the Town Council of the Town of Howey-in-the-Hills Florida:

Section 1. Recitals. The foregoing findings are incorporated herein by reference and made a part hereof.

Section 2. Adoption of the Non-Ad Valorem Assessment Roll for Solid Waste Assessments. The Town Council of the Town of Howey-in-the-Hills hereby approves and adopts the non-ad valorem assessment roll for solid-waste costs and expenses attached hereto as **Attachment A.**

Section 3. Length of Assessment. As authorized by Subsection 197.3632(6), Florida Statutes, the assessment is to be collected year-to-year, for a period of more than one year.

Section 4. Increases to the Solid Waste Non-Ad Valorem Assessment. The maximum non-ad-valorem assessment allowed each year by Town ordinance, this resolution, and other applicable law is \$387.84, adjusted annually by the following:

- a. Beginning in 2023, the solid waste assessment may be adjusted annually by an amount not to exceed the increase in the Consumer Price Index (“CPI-U”) Water, Sewer and Trash Collection Services (CUSR0000SEHG) as published by the U.S. Department of Labor for the preceding 12 month period, April 1 through March 31, plus
- b. The rate/percentage of increase in costs to the Town’s solid-waste provider resulting from changes in federal, state or local environmental or other law or regulation which changes affect operations concerning the receipt, handling transportation or disposal of solid waste.

Section 5. Certification of the Assessment Roll. The Town Council authorizes and directs the Mayor, or her designee, to certify to the Lake County Property Appraiser, on or before September 15, 2022, the non-ad valorem assessment roll for the solid-waste costs and expenses. The assessment roll to be certified shall consist of all adjustments, if any, as authorized by the Town Council.

Resolved this 12th day of September, 2022.

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

By: Town Council

By: _____
Martha MacFarlane, Mayor

Attest:

John Brock, Town Clerk

ATTACHMENT A

Non-Ad Valorem Assessment Roll for Solid-Waste Collection

Howey-in-the-Hills – Solid Waste Roll

Parcel ID	Roll Year	TC Code	. of Units	Amount
2520250100B0200300	2022	C115	3	1163.52
2520250100B0200600	2022	C115	2	775.68
2520250100B0302500	2022	C115	2	775.68
2520250500C0502400	2022	C115	2	775.68
2620250400D1001200	2022	C115	2	775.68
2620250400D1101800	2022	C115	2	775.68
242025000300000701	2022	C115	1	387.84
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242025000300000703	2022	C115	1	387.84
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John Brock, Town Clerk
Town of Howey in the Hills
jbrock@howey.org

Re: Non-ad valorem special assessment notice for solid waste and recycling

Mr. Brock,

Please accept this written notice as our objection to the amount of this assessment. The objection is not regarding the amount billed by GFL but the other fees being charged. The details provided of itemizations of this special assessment are delivered in a confusing manner. It would be helpful to simply bullet how the total \$387.84 amount is broken down.

After contacting Councilor Galleili and Councilor Klein to obtain this clarification, we were informed the Town of Howey's fee is to continue collecting 3% of the \$387.84 as they have always collected. This fee despite being told previously that the Town of Howey wanted to shift the solid waste charge from utility billing to county non-ad valorem special assessment in order to reduce the Town's administrative costs. Therefore, it appears the residents of the town are not benefitting from this shift and in fact are having to pay additional administrative costs being the usual 3% to the Town and an unknown additional fee to Lake County.

The Town of Howey in the Hills administrative workload was greatly reduced when the county took over this special assessment, therefore, why would the Town's fee to the residents not also be reduced? In light of the residents' home insurance premiums and property taxes continuing to increase, it would be prudent and accurate to reduce the Town's fee for the minimal time it takes to process paperwork. Lastly, when residents call Town Hall Office with issues regarding solid waste pick-up, we are instructed to contact the solid waste company directly. This instruction is fine yet another example of the Town having minimal duties related to any such solid waste fee.

Please do not hesitate to contact us with any questions or clarifications.

Respectfully submitted,
Joe & Chanda McCollom
122 W Magnolia Ave

Lisa Spence
596 Avila Place
Howey in the Hills, FL
34737

July 30, 2022

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

Dear Howey in the Hills Town Council,

I object to the proposed non-ad valorem assessment for solid waste collection.

If the fee for garbage collection has increased, the increase should be noted on the monthly water bill for sanitation. Ideally, fees for garbage pick-up should be collected by the company providing the service – GFL!

If an individual does not pay for garbage collection – that individual's garbage collection service should stop. It should not become a tax certificate against someone's property. Garbage collection should not increase an individual's mortgage or annual property tax.

Additionally – we do not need to have garbage collected twice a week. If the cost has increased – manage it by decreasing the number of collections and have individuals who need more than one can for a weekly pick-up purchase another can.

Sincerely,
Lisa Spence



John Brock

From: Simon Ambrose <simonambrose@ymail.com>
Sent: Thursday, July 28, 2022 4:54 PM
To: John Brock
Subject: Ordinance No: 2021-004 Non Ad Valorem Special Assessment

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Waste to Tax Roll Project

Caution: This email originated from outside the organization. DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.

Mr Brock

Regarding the proposed non ad valorem assessment for the collection of solid waste, yard waste and recycling materials that is proposed for the town. First of all , as it stands I object to the proposal without knowing what might have entailed in reducing the towns waste collection costs before arriving at the current situation. Have ways of reducing the towns cost been reviewed?

Personally I do not believe that there is any need at all for a Monday and Thursday collection of regular waste. I have lived in the town since 2008 and have never needed to use both collections in a week. Neither do any of my neighbors use the regular waste collection twice a week so surely there is a cost saving to be had by reducing that to once a week along with the once a week recycling collection. If anything needs to happen with the waste collection in the town the recycling carts need to be bigger than they currently are as mine is often full to the brim on collection day. If the Towns residents were educated more on recycling in general I feel sure that a lot of what gets put in the regular trash cart should have been put in the recycling cart.

Simon Ambrose
(352) 874-3703 Cell

simonambrose@ymail.com

From: Wendy D
Sent: Wednesday, July 27, 2022 5:39 PM
To: jbrock@howey.org
Subject: Special Assessment for Sanitation

Address:
111 East Laurel Avenue

Dear Sirs

We are only at our home for two to three months a year. We will be taking our own trash to the local landfill.

We will no longer ask for the town of Howey in the Hills to service our address. Please feel free to recover your cans and we will be sure to tend to our own trash and recyclables.

Please confirm you have received this request. I will be sure to put a copy into the mail as well.

Wendy Dowdall

NYS Licensed Real-Estate Salesperson

Howard Hanna Real Estate Services

Cell 607 226 2689

Office 607 336 8080

John Brock

From: MARTHA SUAU <suauma@aol.com>
Sent: Wednesday, July 27, 2022 2:12 PM
To: John Brock
Subject: Special Assessment

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Waste to Tax Roll Project

Caution: This email originated from outside the organization. DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.

In regard to the special assessment you are planning to establish, we think that you should consider as an alternative to reduce the garbage pickup to only one day per week. That way you can reduce the costs and expenses the town incurs for solid waste collection. We have noticed that a majority of our neighbors only take the garbage can out only once a week both for solid waste and recycling. Some of our surrounding communities serviced by Lake County, such as Mission Inn Las Colinas, only have one day service and it has been successful. Only one day service for both solid waste and recycling should reduce costs and eliminate the need of the assessment. We respectfully ask you to consider this alternative for the benefit of all residents of Howey in the Hills.

Miguel A. Suau
44 Camino Real
Howey in the Hills

Sent from my iPad

John Brock

From: Diane Villegas <beachbunny0823@gmail.com>
Sent: Monday, July 25, 2022 5:44 PM
To: John Brock
Subject: 9/12 meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Waste to Tax Roll Project

Caution: This email originated from outside the organization. DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.

Unfortunately I will be out of town on 9/12 or I would be attending the meeting. The trash/recycle company the town uses is a joke! I cannot tell you how many times they skip our street (N. Valencia Ave) either trash or recycling. They do not always pick up yard waste either. This morning we watched as they drove right by our house and skipped our garbage pick up. I called immediately and was told they would send them back out. Just now 5:40 pm a garbage truck drove down our street and did not stop!!!! I have been beyond frustrated with this company and now we are being assessed \$387.84?!

Diana Villegas
1001 N Valencia Ave
Howey in the Hills

Sean, John.

This is a request to have the information below read at the public hearing on September 12, 2022 to set the rate for solid waste. I sent the information regarding the proposed rate to the town attorney who agrees that the town cannot profit from providing the service other than to charge a reasonable administration fee which I believe he conveyed to the Town Administrator.

\$89.52 per household is not reasonable since the assessment is collected on the tax roll. I accept that there is a cost to create the file plus the 2% that the tax collector charges the town but this in no way amounts to \$89.52.

I would ask that the town reconsider the rate and lower it to a figure that is reasonable.

Best Regards.

Graham Wells

(407) 491-7777



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

MEMORANDUM

TO: Howey-in-the-Hills Town Council
CC: J. Brock, Town Clerk
FROM: Thomas Harowski, AICP, Planning Consultant
SUBJECT: 414 Amola Way Swimming Pool Variance
DATE: August 29, 2022

The property owner at 414 Amola Way in the Talichet subdivision has applied for a variance from the 10-foot rear yard setback for swimming pools to allow the construction of a pool and pool deck to extend into the required rear yard. The Planning Board conducted a public hearing on the requested variance at their regular meeting of August 25, 2022. The Planning Board reviewed the application submitted by the property owner and the staff report, both of which accompany this report.

The Planning Board recommended a variance of five-feet to allow for construction of the pool and pool deck with the specific requirement that the applicant avoid impacting the five-foot utility and drainage easement that runs along the rear lot line of the property. The applicant has been directed to submit a revised design for the pool and pool deck showing the location of the pool and pool deck relative to the drainage and utility easement. With regards to the staff recommendation to relocate or replace the required trees in the rear yard, the property owner testified that he has already transplanted the trees to other locations on the lot.

The Town Council has the option to deny the variance, approve the variance as recommended by the Planning Board or approve a variance with other limitations and conditions. It is important to remember that encroachment into the existing drainage and utility easement should not be allowed unless the easement is vacated. The easement is an essential element of the drainage system for the Talichet subdivision and interest in the easement is held by the property owners' association for the benefit of all the property owners in the subdivision.



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.

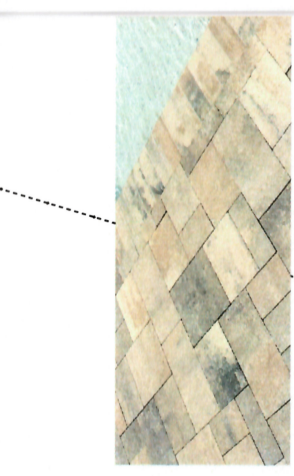
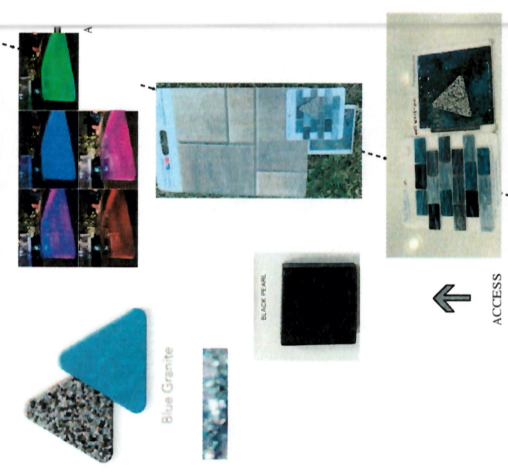
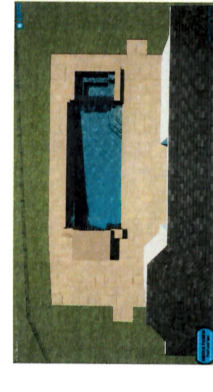
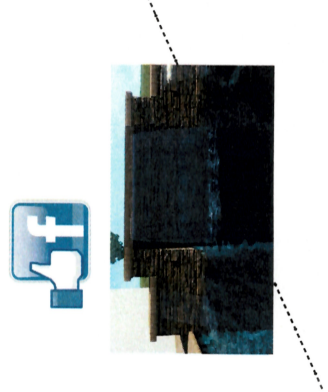
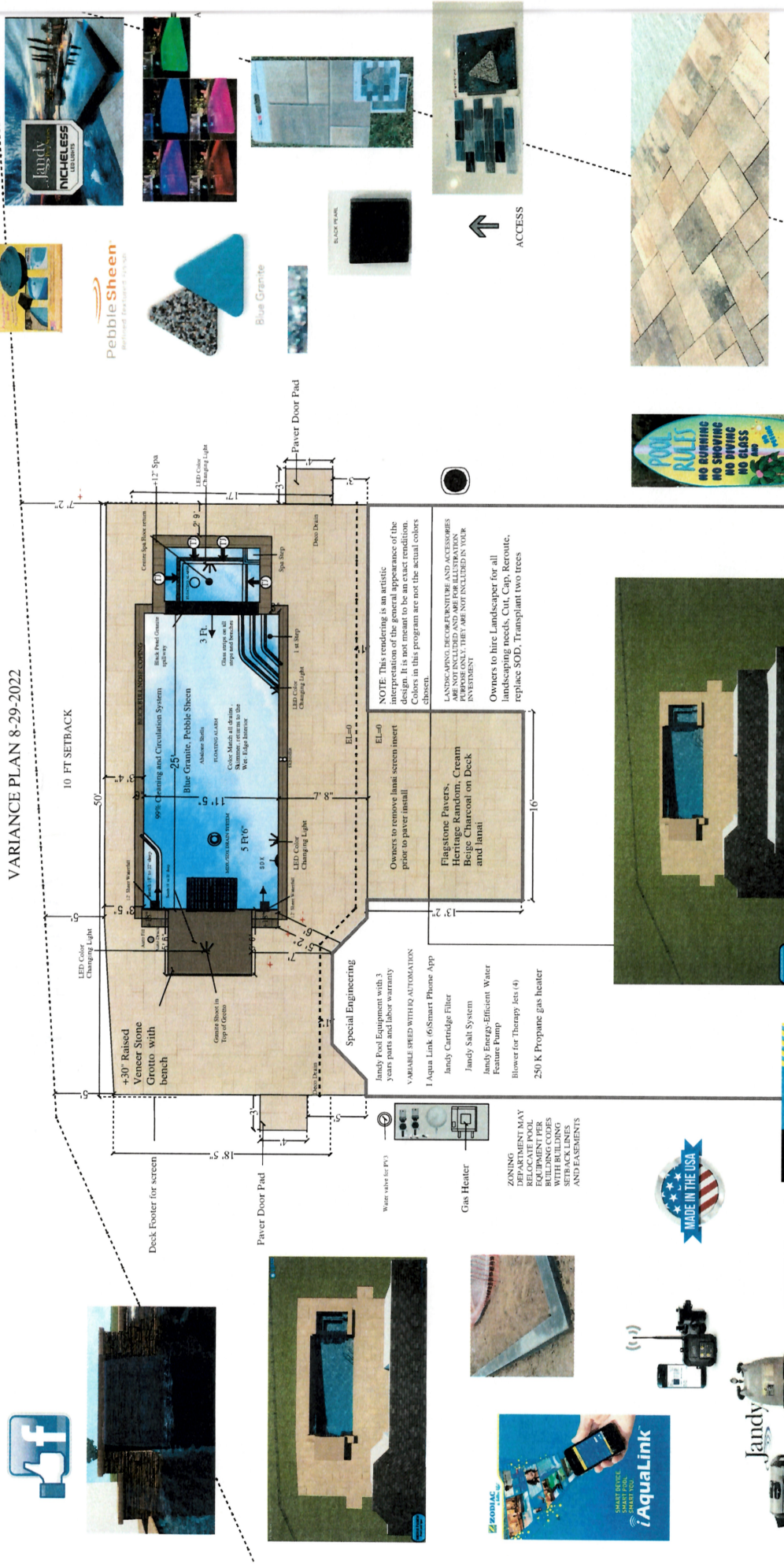
- C. A literal interpretation of the code does not prohibit the construction of a pool, but would require a different design of the pool and pool deck.
- D. The proposed minimum variance of seven feet exceeds the minimum variance to accommodate the proposed design. The applicant submitted a design with 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

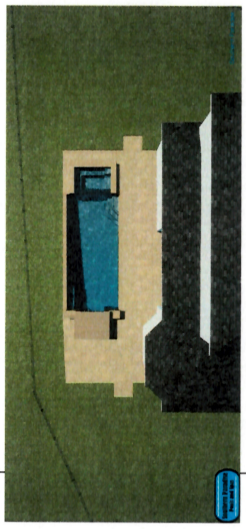
Technically the request does not meet all of the criteria for approval of the requested variance. Note is taken of the placement of the lot in the subdivision such that construction of the pool and pool deck as proposed would have no measurable impact on neighboring properties. Construction of the pool 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.



MATTHEW PEDLAR & MARITZA VELAZQUEZ
HOWEY IN THE HILLS
VARIANCE PLAN 8-29-2022



FLAGSTONE PAVERS
QUALITY & STRENGTH INTERLOCKED



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 INVESTMENT.

Owners to hire Landscaper for all landscaping needs, Cut, Cap, Reroute, replace SOD, Transplant two trees

Owners to remove lanai screen insert prior to paver install.

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

- Special Engineering**
- Jandy Pool Equipment with 3 years parts and labor warranty
 - VARIABLE SPEED WITH IQ AUTOMATION
 - 1 Aqua Link 66 Smart Phone App
 - Jandy Cartilage Filter
 - Jandy Salt System
 - Intech Energy Efficient Water Feature Pump
 - Blower for Therapy Jets (4)
 - 250 K Propane gas heater
- ZONING DEPARTMENT MAY RELOCATE POOL EQUIPMENT PER BUILDING SETBACK LINES AND EASEMENTS**



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:

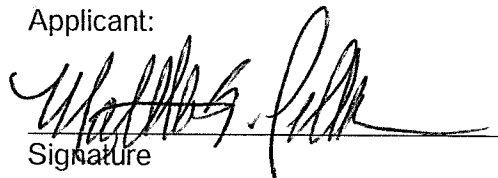
Signature

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 Pollak hereinafter "Owner", and Martina Velazquez hereinafter "Applicant", who, being by me first duly sworn, upon oath, depose and says:

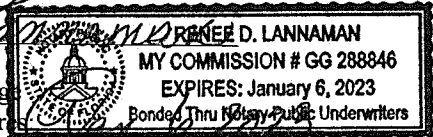
1. The Applicant is the duly authorized representative of the Owner, on the real property as described and listed on the pages attached to this affidavit and made a part of hereof.
2. That all Owners have given their full and complete permission for the Applicant to act in their behalf as set out in 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 E. Pollak
Owner

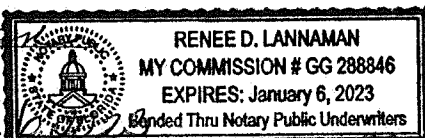
Renee D. Lannaman
Notary Public
State of Florida at Large
My Commission Expires: Jan 6, 2023



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

Martina 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

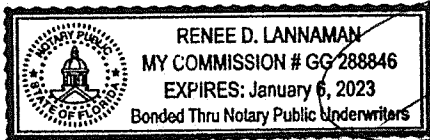
(must be completed by all owners)

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.



[Signature]
 Notary Public

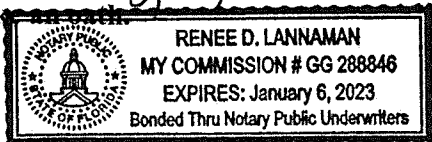
Seal

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.



[Signature]
 Notary Public

Seal

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)

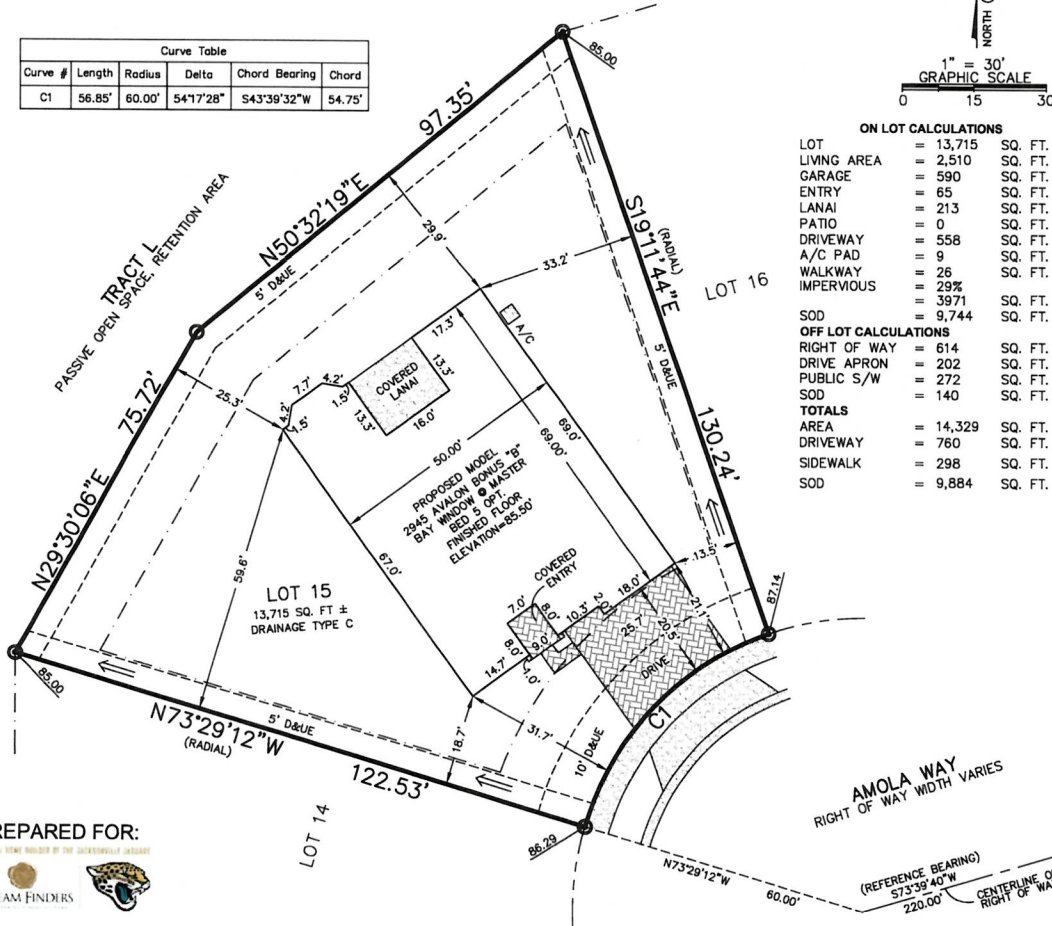
DESCRIPTION:(UNRECORDED)

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
C1	56.85'	60.00'	54°17'28"	S43°39'32"W



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%	SQ. FT.
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:



BUILDING SETBACKS

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

NOTES:

- PROPOSED ELEVATIONS SHOWN HEREON ARE BASED ON THE APPROVED ENGINEERING PLANS PREPARED BY BESH.
- 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. 12069CD485E, 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

LEGEND:

- BUILDING SETBACK LINE
- CENTERLINE
- RIGHT OF WAY LINE
- PROPOSED ELEVATION
- PROPOSED DRAINAGE FLOW
- CONCRETE
- BRICK PAVERS
- A/C
- S/W
- AIR CONDITIONER
- SIDEWALK
- PI POINT OF INTERSECTION
- PC POINT OF CURVATURE
- PT POINT OF TANGENCY
- RP RADIUS POINT
- PRC POINT OF REVERSE CURVATURE
- PCP PERMANENT CONTROL POINT
- TYP TYPICAL
- CS CONCRETE SLAB
- PER PLAT
- (P) CALCULATED
- (C) 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&UE DRAINAGE & UTILITY EASEMENT
- DE DRAINAGE EASEMENT
- UE UTILITY EASEMENT

SURVEYOR NOTES:

- 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.
- NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
- 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, In=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

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

JAMES W. BOLEMAN PSM# 6485 DATE

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
647 Avila Pl
Howey In The Hills FL 34737

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JACKSONVILLE FL 32256

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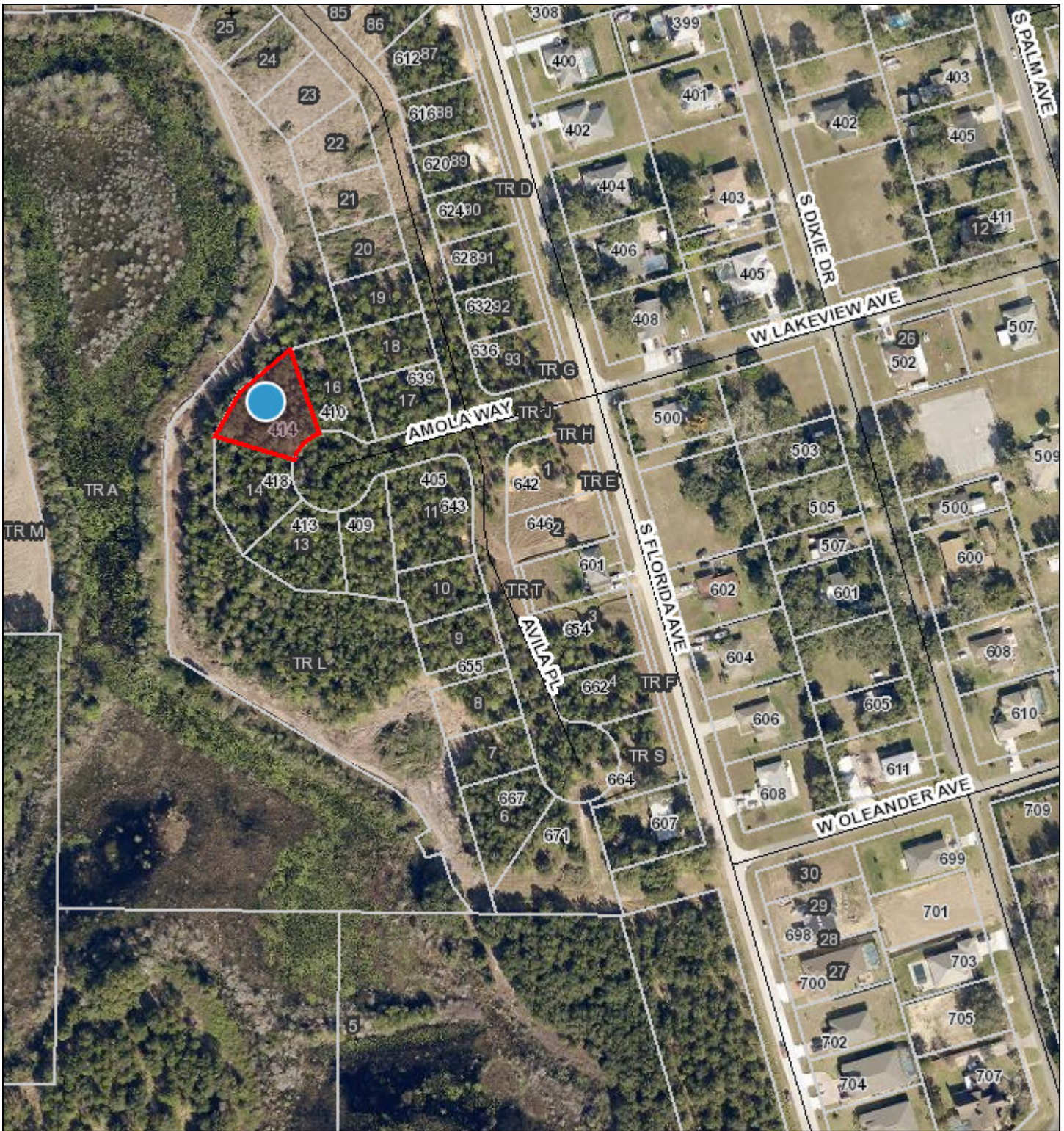
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LAKE MARY FL 32746

414 Amola Way Location

Item 5.



July 28, 2022

1:2,500

pointLayer



Override 1

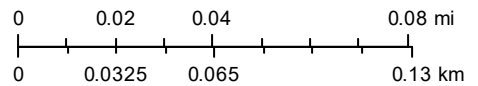
polygonLayer



Override 1

Street Names

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



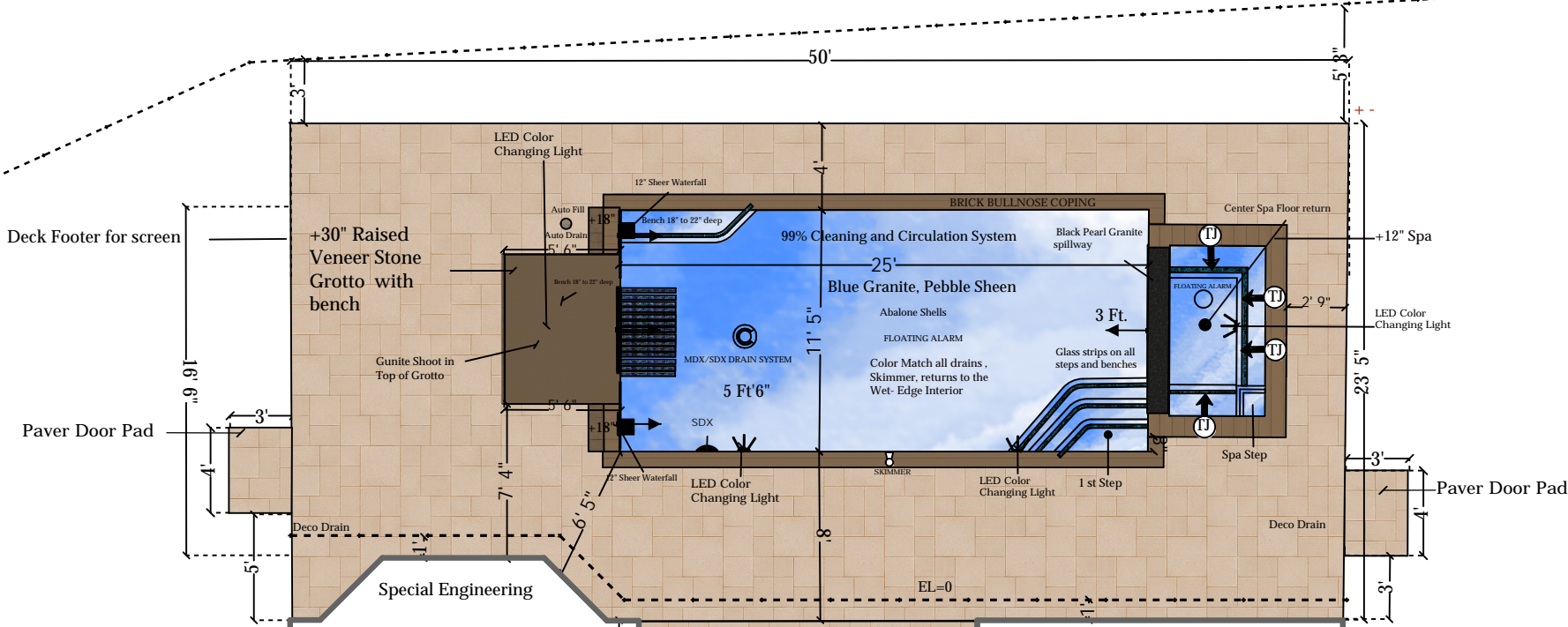
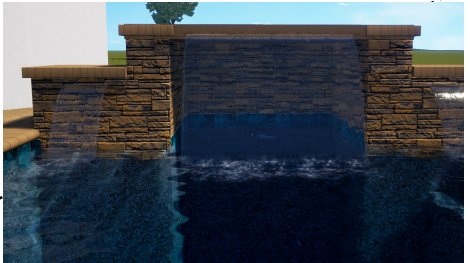
Lake County Property Appraiser
Lake BCC



MATTHEW PEDLAR & MARITZA VELAZQUEZ

HOWEY IN THE HILLS

VARIANCE PLAN 8-04-2022



- Jandy Pool Equipment with 3 years parts and labor warranty
- VARIABLE SPEED WITH IQ AUTOMATION
- I Aqua Link (6)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

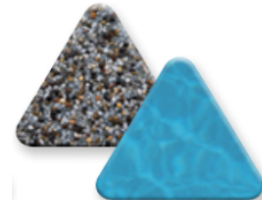
NOTE: This rendering is an artistic interpretation of the general appearance of the design. It is not meant to be an exact rendition. Colors in this program are not the actual colors chosen.

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

Owners to hire Landscaper for all landscaping needs. Cut, Cap, Reroute, replace SOD, Transplant two trees



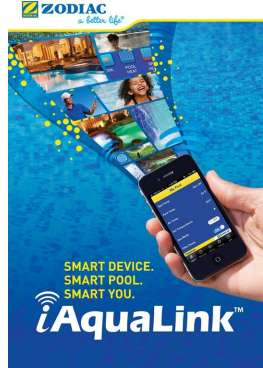
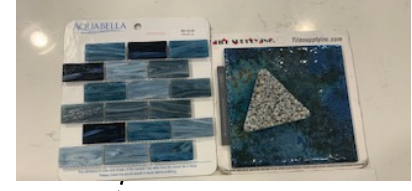
PebbleSheen® Refined Textured Finish



Blue Granite

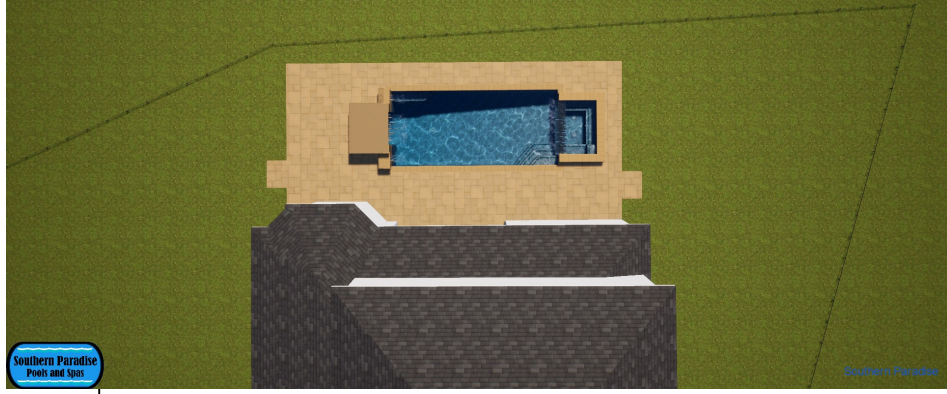


ACCESS



SAVE MONEY WITH VARIABLE SPEED PUMPS

Jandy SIMPLE RELIABLE TRU CLEAR



FLAGSTONE PAVERS QUALITY & STRENGTH INTERLOCK

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.



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

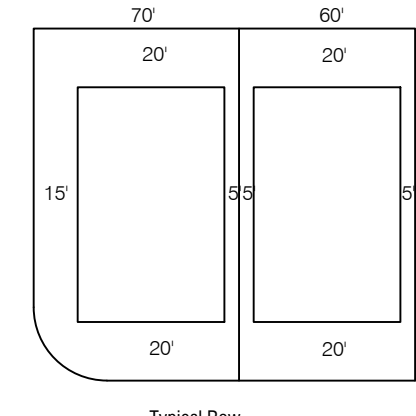
PARCEL NO. 1 (35-20-25-0150-000-00100)
LOT 1 IN 1ST SUBDIVISION OF HOWEY, ACCORDING TO THE TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 32, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

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".

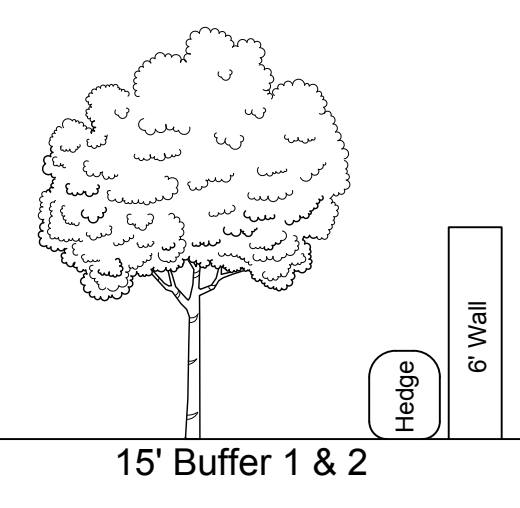
PARCEL NO. 3 (02-21-25-0001-000-03700)
THAT PART OF THE NORTH 1/2 OF GOVERNMENT LOTS 1 AND 2 IN SECTION 2, TOWNSHIP 21 SOUTH, RANGE 25 EAST, IN LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHEAST CORNER OF SAID SECTION

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.

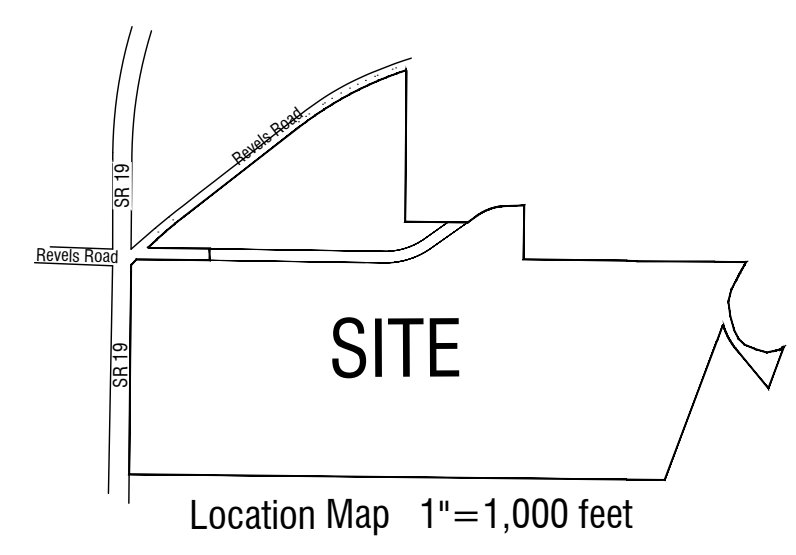
Total Acreage: 99.19



Typical Lot (not to scale)



15' Buffer 1 & 2



Location Map 1"=1,000 feet

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%)

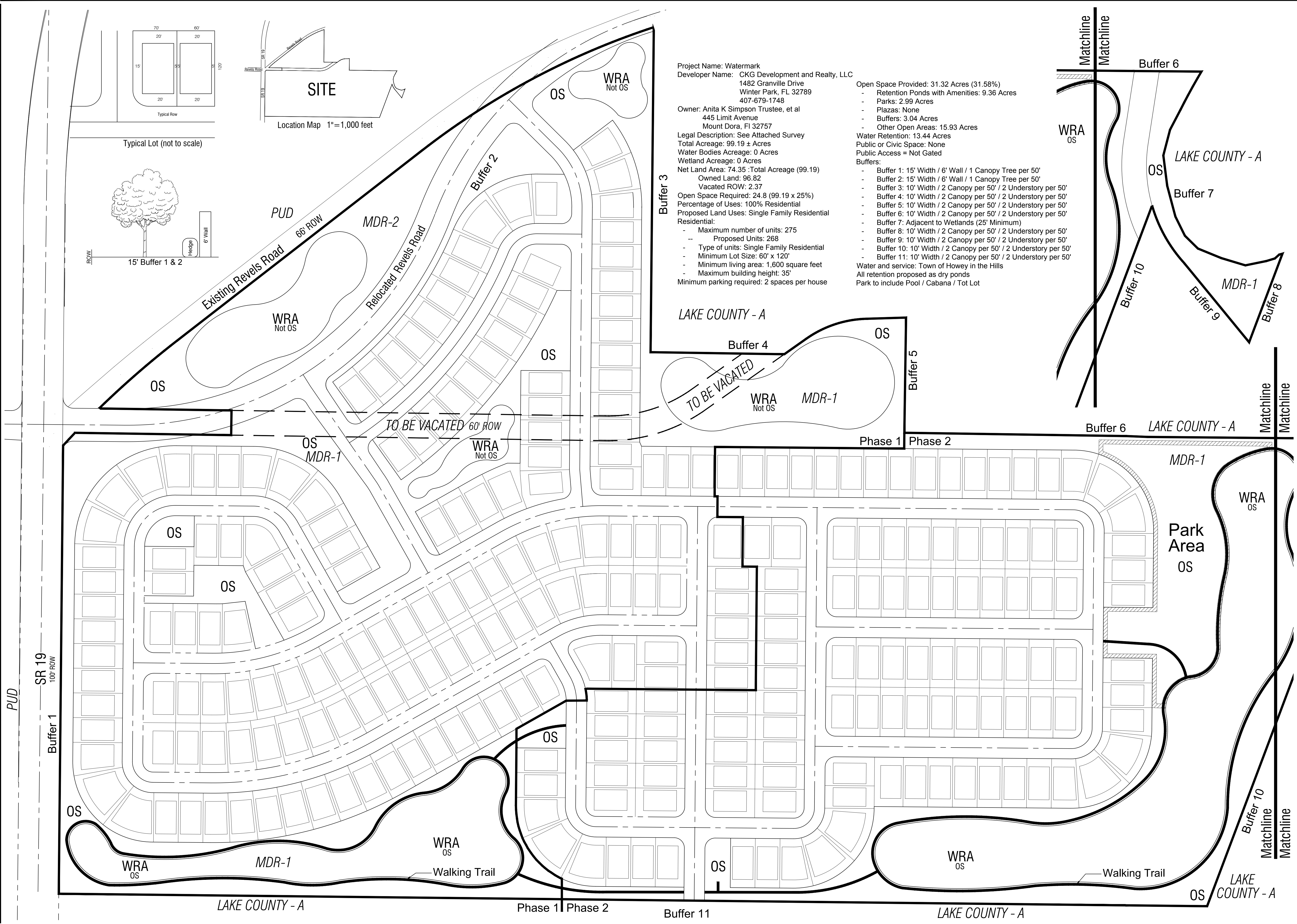
- Retention Ponds with Amenities: 9.36 Acres
- Parks: 2.99 Acres
- Plazas: None
- Buffers: 3.04 Acres
- Other Open Areas: 15.93 Acres

Water Retention: 13.44 Acres
 Public or Civic Space: None
 Public Access = Not Gated

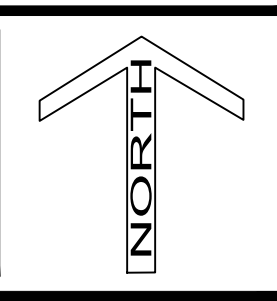
Buffers:

- 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

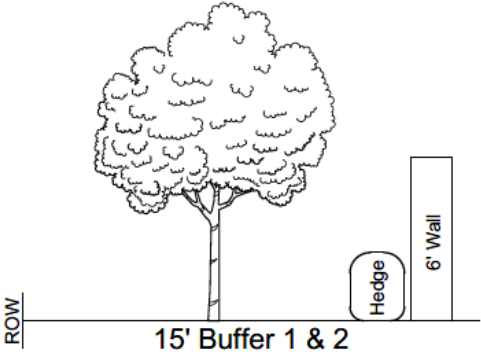
The development shall have a connected street system that serves vehicles, pedestrians and bicycles which connects to recreation facilities and adjacent residential/community areas. All streets shall be public and shall be dedicated to and maintained by the Town. No streets in the Project may be gated 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
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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.

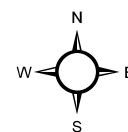
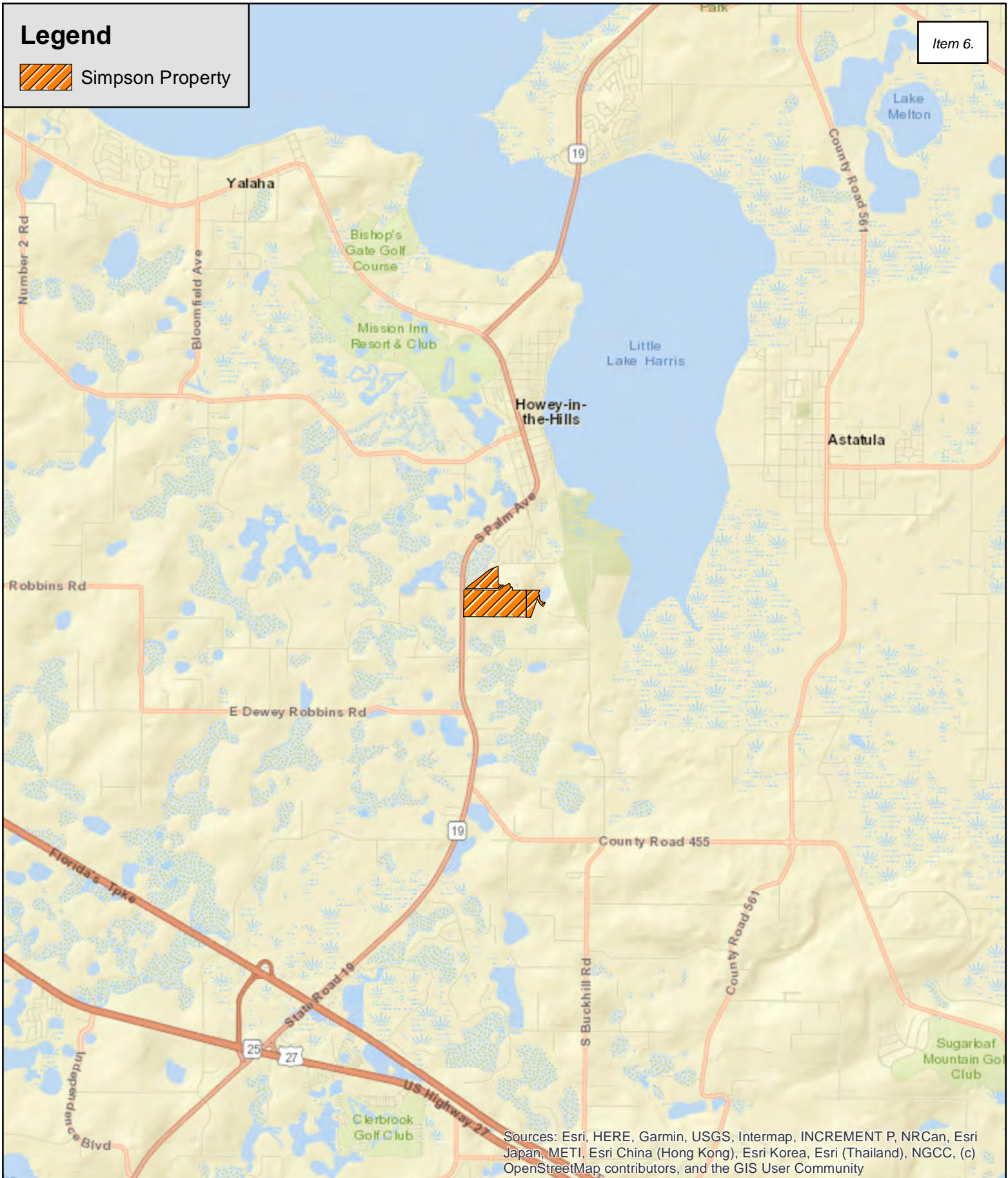
Persons are advised that if they decide to appeal any decision made at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made which includes testimony and evidence upon which the appeal is based per Section 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 6.



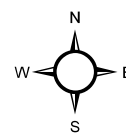
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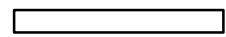
 Simpson Property

Item 6.



Simpson Property
 Lake County, Florida
 Figure 2
 2019 Aerial Map



600
 Feet

Project #:
 Produced By 94 H
 Date: 5/18/2021

46	Work started prior to permit issuance	
47Double the permit fee (per Florida Building Code)	
48	Failure to call for inspection	
49	Fee.....	50.00
50	Re-inspection fee	
51	Fee.....	75.00
52	Zoning fee (if not otherwise specified in the town code)	
53	Fee.....	75.00
54	General	
55	Building permit technology fee	
56	Minimum fee	7.50, plus
57	15% of permit fee
58	Building permit administration fee	
59	Minimum fee.....	7.50, plus
60	15% of permit fee
61		
62	B. Commercial building	
63	New structure	
64	Minimum fee plus	75.00
65	Per thousand total valuation.....	9.00
66	Addition	
67	Minimum fee plus	75.00
68	Per thousand total valuation.....	9.00
69	Remodel	
70	Minimum fee plus	75.00
71	Per thousand total valuation.....	9.00
72	Accessory structure	
73	Minimum fee plus	75.00
74	Per thousand total valuation.....	9.00
75	Plan Review	
76	Minimum fee plus	50.00
77	50% of the total building permit fees.....	
78	Plan Re-review	
79	Minimum fee plus	100.00
80	Per thousand total valuation.....	1.25
81	Landscaping and water conservation inspection	
82	Commercial.....	300.00
83	Electrical permit	
84	Minimum fee plus	75.00
85	Per thousand total valuation.....	0.90
86	Gas permit	
87	Minimum fee plus	75.00
88	Per thousand total valuation.....	0.90
89	HVAC permit	
90	Minimum fee plus	75.00

91	Per thousand total valuation.....	0.90
92	Plumbing permit	
93	Minimum fee plus.....	75.00
94	Per thousand total valuation.....	0.90
95	Irrigation permit	
96	Up to First acre plus.....	75.00
97	Per thousand total valuation.....	0.90
98	Change in occupancy or use	
99	Without alteration.....	150.00
100		
101	C. Residential building	
102	New structure	
103	Minimum fee plus.....	75.00
104	Per thousand total valuation.....	6.00
105	Addition	
106	Minimum fee plus.....	75.00
107	Per thousand total valuation.....	7.50
108	Remodel	
109	Minimum fee plus.....	75.00
110	Per thousand total valuation.....	7.50
111	Accessory structure	
112	Minimum fee plus.....	75.00
113	Per thousand total valuation.....	7.50
114	Plan Review	
115	Minimum fee plus.....	50.00
116	50% of the total building permit fees.....	
117	Plan Re-review	
118	Minimum fee plus.....	100.00
119	Per thousand total valuation.....	1.25
120	Electrical permit	
121	Minimum fee plus.....	75.00
122	Per thousand total valuation.....	0.90
123	Gas permit	
124	Minimum fee plus.....	75.00
125	Per thousand total valuation.....	0.90
126	HVAC permit	
127	Minimum fee plus.....	75.00
128	Per thousand total valuation.....	0.90
129	Plumbing permit	
130	Minimum fee plus.....	75.00
131	Per thousand total valuation.....	0.90
132	Irrigation permit	
133	Up to First acre plus.....	75.00
134	Per thousand total valuation.....	0.90

135	Landscaping and water conservation inspection	
136	Residential.....	150.00
137	Change in occupancy or use	
138	Without alterations.....	150.00

139

140 **D. Fire Safety**

141	Fire safety review and inspection	
142	Minimum fee plus	75.00
143	Per thousand total valuation.....	5.00
144	Fire Development Review	
145	Up to one acre	250.00
146	Over one acre	500.00
147	Fire System Permit	
148	Minimum fee plus	75.00
149	Per thousand total valuation.....	9.00
150	Fire System Plan Review	
151	Minimum fee plus	75.00
15250% of the fire system permit	

153

154 **E. Floodplain Administration**

155	Flood Screen	
156	Fee.....	30.00 Each
157	Flood Permit	
158	Fee.....	250.00
159	FEMA MT-1	
160	Single Lot.....	180.00
161	Multiple lots	250.00
162	Up to 100 acres	1600.00
163	Over 100 acres	2000.00
164	Flood zone determination letter	
165	Each.....	250.00

166

167 Where pertinent, the value of construction is determined by the most recent
168 publication of the International Code Council (ICC), Building Valuation Data, to
169 estimate per-square-foot value, including the regional modifier, of all areas under
170 roof according to the type of construction and use.

171

172

173 **Section 3. Authorization for fee-schedule amendments by resolution.** To the extent
174 not inconsistent with general law, the Town Council is authorized hereby to amend, revise, add,
175 and delete from time to time the fees and charges on the schedule in Section 2 by resolution.

176

177 **Section 4. Deletion from Town Code.** Subsection 30-3.B of the Town Code of Ordinances
178 is revised by striking from the table titled “Chapter/Type of Fee,” all of part (2), titled “Chapter
179 61, Building Permit Fees,” and inserting “(2) Reserved.”

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Section 5. Website posting; waiver of codification.

- a) The Town Clerk shall post on the Town’s website, and from time to time shall update on the website as necessary or useful, the schedule of fees and charges in Section 2.
- b) Except for the deletion required in Section 4, no part of this ordinance shall be codified in the Town’s Code of Ordinances.

Section 6. Severability. If any part of this ordinance is held by a court of competent jurisdiction to be invalid or unconstitutional, the holding shall not affect the validity of the remaining parts of the ordinance. To that end, this ordinance is declared to be severable.

Section 7. Effective date. This ordinance shall take effect upon enactment.

ORDAINED AND ENACTED this 12th day of September, 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: _____
Martha MacFarlane, Mayor

ATTEST:

John M Brock, Town Clerk

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

Thomas J Wilkes, Town Attorney

First Reading August 22, 2022
Advertising- Second Reading September 2, 2022
Second Reading and Adoption September 12, 2022

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:	08/26/2022
Order Number:	7710428
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	58.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
LEE Daily Commercial	1	09/02/2022 - 09/02/2022	Govt Public Notices
LEE dailycommercial.com	1	09/02/2022 - 09/02/2022	Govt Public Notices

Total Order Confirmation	\$101.64
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Ad Preview

Item 7.

NOTICE OF A PUBLIC HEARING TOWN OF HOWEY-IN-THE- HILLS, FLORIDA

Ordinance No. 2022-018

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO REGULATION OF BUILDING CONSTRUCTION; PROVIDING FINDINGS OF TOWN COUNCIL PERTINENT TO TOWN FEES AND CHARGES; REVISING THE TOWN'S BUILDING-PERMIT FEE SCHEDULE IN ITS ENTIRETY; WAIVING CODIFICATION AND PROVIDING FOR POSTING OF FEES AND CHARGES ON THE TOWN'S WEBSITE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

The Town Council for the Town of Howey-in-the-Hills will hold a public hearing for Ordinance 2022-018 on September 12, 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 Ordinance 2022-018 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 – September 2, 2022

ORDINANCE 2022-018

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO REGULATION OF BUILDING CONSTRUCTION; PROVIDING FINDINGS OF TOWN COUNCIL PERTINENT TO TOWN FEES AND CHARGES; REVISING THE TOWN’S BUILDING-PERMIT FEE SCHEDULE IN ITS ENTIRETY; WAIVING CODIFICATION AND PROVIDING FOR POSTING OF FEES AND CHARGES ON THE TOWN’S WEBSITE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section 1. Legislative findings.

- a) The Town Council of the Town of Howey-in-the-Hills finds that the various fees charged by the town to recover the cost to the Town of regulating building construction to protect and ensure public health and safety are no longer sufficient for that purpose. Therefore, the Town Council enacts this ordinance to ensure that the various fees associated with building permits and building inspections are sufficient to recover the costs to the Town of its regulation of building construction.
- b) The Town Council finds further that the Town’s Code of Ordinances is not an effective medium of public information for the numerous fees and charges imposed for Town services and for use of Town facilities. The Town Council finds, instead, that the Town’s website is far more efficient, effective, and timely as a medium for informing the public of the various Town fees and charges. The Town Council has determined that the Town’s code can be difficult to update in timely manner and, therefore, can be frequently misleading to members of the public seeking information on Town fees and charges.

Section 2. Revised building-permit fees and charges. The following schedule of building-permit fees and charges is approved by Town Council:

Building-Permit Fees and Charges

The fees and charges for building permits, building inspections, and other services by the Town in administration and enforcement of the Town’s building codes are as follows:

A. Administrative fees

46	Work started prior to permit issuance	
47Double the permit fee (per Florida Building Code)	
48	Failure to call for inspection	
49	Fee.....	50.00
50	Lot Grading Inspection	
51	Fee.....	150.00
52	Re-inspection fee	
53	Fee.....	75.00
54	Zoning fee (if not otherwise specified in the town code)	
55	Fee.....	75.00
56	General	
57	Building permit technology fee	
58	Minimum fee	7.50, plus
59	15% of permit fee
60	Building permit administration fee	
61	Minimum fee.....	7.50, plus
62	15% of permit fee
63		
64	B. Commercial building	
65	New structure	
66	Minimum fee.....	75.00, plus
67	Per thousand total valuation.....	9.00
68	Addition	
69	Minimum fee.....	75.00, plus
70	Per thousand total valuation.....	9.00
71	Remodel	
72	Minimum fee.....	75.00, plus
73	Per thousand total valuation.....	9.00
74	Accessory structure	
75	Minimum fee.....	75.00, plus
76	Per thousand total valuation.....	9.00
77	Plan Review	
78	Minimum fee.....	50.00, plus
79	50% of the total building permit fees.....	
80	Plan Re-review	
81	Minimum fee.....	100.00, plus
82	Per thousand total valuation.....	1.25
83	Landscaping and water conservation inspection	
84	Commercial.....	300.00
85	Electrical permit	
86	Minimum fee.....	75.00, plus
87	Per thousand total valuation.....	0.90
88	Gas permit	
89	Minimum fee.....	75.00, plus
90	Per thousand total valuation.....	0.90

91	HVAC permit	
92	Minimum fee.....	75.00, plus
93	Per thousand total valuation.....	0.90
94	Plumbing permit	
95	Minimum fee.....	75.00, plus
96	Per thousand total valuation.....	0.90
97	Irrigation permit	
98	Up to First acre.....	75.00, plus
99	Per thousand total valuation.....	0.90
100	Change in occupancy or use	
101	Without alteration	150.00

102

103 **C. Residential building**

104	New structure	
105	Minimum fee.....	75.00, plus
106	Per thousand total valuation.....	6.00
107	Addition	
108	Minimum fee.....	75.00, plus
109	Per thousand total valuation.....	7.50
110	Remodel	
111	Minimum fee.....	75.00, plus
112	Per thousand total valuation.....	7.50
113	Accessory structure	
114	Minimum fee.....	75.00, plus
115	Per thousand total valuation.....	7.50
116	Plan Review	
117	Minimum fee.....	50.00, plus
118	50% of the total building permit fees.....	
119	Plan Re-review	
120	Minimum fee.....	100.00, plus
121	Per thousand total valuation.....	1.25
122	Electrical permit	
123	Minimum fee.....	75.00, plus
124	Per thousand total valuation.....	0.90
125	Gas permit	
126	Minimum fee.....	75.00, plus
127	Per thousand total valuation.....	0.90
128	HVAC permit	
129	Minimum fee.....	75.00, plus
130	Per thousand total valuation.....	0.90
131	Plumbing permit	
132	Minimum fee.....	75.00, plus
133	Per thousand total valuation.....	0.90
134	Irrigation permit	
135	Up to First acre.....	75.00, plus

136	Per thousand total valuation.....	0.90
137	Landscaping and water conservation inspection	
138	Residential.....	150.00
139	Change in occupancy or use	
140	Without alterations.....	150.00

141

D. Fire Safety

142	Fire safety review and inspection	
143	Minimum fee.....	75.00, plus
144	Per thousand total valuation.....	5.00
145	Fire Development Review	
146	Up to one acre	250.00
147	Over one acre	500.00
148	Fire System Permit	
149	Minimum fee.....	75.00, plus
150	Per thousand total valuation.....	9.00
151	Fire System Plan Review	
152	Minimum fee.....	75.00, plus
153	50% of the fire system permit
154		

155

E. Floodplain Administration

156	Flood Screen	
157	Fee.....	30.00 Each
158	Flood Permit	
159	Fee.....	250.00
160	FEMA MT-1	
161	Single Lot.....	180.00
162	Multiple lots	250.00
163	Up to 100 acres	1600.00
164	Over 100 acres	2000.00
165	Flood zone determination letter	
166	Each.....	250.00
167		

168

Where pertinent, the value of construction is determined by the most recent publication of the International Code Council (ICC), Building Valuation Data, to estimate per-square-foot value, including the regional modifier, of all areas under roof according to the type of construction and use.

169

170

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174

Section 3. Authorization for fee-schedule amendments by resolution. To the extent not inconsistent with general law, the Town Council is authorized hereby to amend, revise, add, and delete from time to time the fees and charges on the schedule in Section 2 by resolution.

175

176

177

178

179 **Section 4. Deletion from Town Code.** Subsection 30-3.B of the Town Code of Ordinances
180 is revised by striking from the table titled “Chapter/Type of Fee,” all of part (2), titled “Chapter
181 61, Building Permit Fees,” and inserting “(2) Reserved.”

182
183 **Section 5. Website posting; waiver of codification.**

184
185 a) The Town Clerk shall post on the Town’s website, and from time to time shall update on
186 the website as necessary or useful, the schedule of fees and charges in Section 2.

187
188 b) Except for the deletion required in Section 4, no part of this ordinance shall be codified in
189 the Town’s Code of Ordinances.

190
191 **Section 6. Severability.** If any part of this ordinance is held by a court of competent
192 jurisdiction to be invalid or unconstitutional, the holding shall not affect the validity of the
193 remaining parts of the ordinance. To that end, this ordinance is declared to be severable.

194
195 **Section 7. Effective date.** This ordinance shall take effect upon enactment.

196
197
198 **ORDAINED AND ENACTED** this 12th day of September, 2022, by the Town Council of
199 the Town of Howey-in-the-Hills, Florida.

200
201
202 **TOWN OF HOWEY-IN-THE-HILLS,**
203 **FLORIDA**
204 By: its Town Council

205
206
207 By: _____
208 Martha MacFarlane, Mayor

209 **ATTEST:**
210
211
212 _____
213 John M Brock, Town Clerk

214
215 **APPROVED AS TO FORM AND LEGALITY**
216 (for the use and reliance of the Town only)

217
218
219 _____
220 Thomas J Wilkes, Town Attorney

221
222
223 First Reading August 22, 2022
224 Advertising- Second Reading September 2, 2022
225 Second Reading and Adoption September 12, 2022

226
227
228 #48194325 v1

TOWN OF HOWEY-IN-THE-HILLS

**TOWN MANAGER
EMPLOYMENT AGREEMENT**

This Employment Agreement is made and entered into by and between **the Town of Howey-in-the-Hills** (“Town”), a municipal corporation organized and operating under the Constitution and laws of the State of Florida and the Charter of the Town and acting through its Town Council, and **Sean O’Keefe**, an individual (“Town Manager”).

WITNESSETH:

WHEREAS, on August 23, 2022, the Town voters approved an amendment to the Town’s Charter to authorize and require the Town Council to select and hire a Town Manager to serve, at the Town Council’s pleasure, as the chief executive officer of the Town, effective October 1, 2022; and

WHEREAS, Sean O’Keefe has faithfully performed the duties of Town Administrator for the Town of Howey-in-the-Hills since his hire on April 19, 2021, and has demonstrated through his service as a Town employee, as well as through his professional education, experience, and job performance, the level of professional and administrative skill and competency desired by the Town in its position of Town Manager; and

WHEREAS, the Town Council intends to hire Mr. O’Keefe as its Town Manager on the terms and conditions, and with the compensation and benefits, as are set forth in this Employment Agreement; and

WHEREAS, Mr. O’Keefe has indicated willingness to accept the responsibilities and render specific performance to the Town as Town Manager; and

WHEREAS, both the Town Council and Mr. O’Keefe believe it would be mutually beneficial to have a contract of employment between the Town and the Town Manager, setting forth expectations and understandings which: (1) provide inducement for Mr. O’Keefe to accept the job of Town Manager, (2) make possible his full work productivity by assuring Mr. O’Keefe’s morale and peace of mind with respect to future security, and (3) provide a just means for terminating the Town Manager’s services at such time as the Town Council may desire to terminate his employ.

NOW, THEREFORE, in consideration of the mutual covenants and promises which the parties set forth below, the Town and the Town Manager agree as follows:

1. Employment of Town Manager. The Town hereby employs Sean O’Keefe as its Town Manager, and Sean O’Keefe hereby accepts such employment upon the terms and conditions hereinafter set forth.

2. Term. The term of this Employment Agreement shall commence on October 1, 2022. Mr. O’Keefe shall serve at the pleasure of the Town Council. This agreement shall terminate upon a vote to do so by the Town Council as set forth in the Charter or upon the resignation of Mr. O’Keefe, and as further clarified in Section 6 below.

3. Duties. The Town Manager shall perform for the Town all duties normal and customary to the position of a town manager, plus all duties imposed on him by the Town of Howey-in-the-Hills Charter, applicable laws, ordinances, and regulations, plus all such other proper and legally permissible duties as he may be directed to perform by the Town Council or by such appropriate authority as the Town of Howey-in-the-Hills Charter may provide.

The Town Manager agrees to perform the functions of his office in a competent and professional manner.

4. Compensation. Beginning October 1, 2022, the Town Manager shall receive an annual salary as already budgeted for the position within the 2022-2023 fiscal year budget, which shall be paid in equal bi-weekly installments as employee checks are issued by the Town.

Commencing October 1, 2022 and notwithstanding any provision or policy which could be construed to cap or limit the amount of annual employee compensation, but otherwise to the extent consistent with the Town’s pay policies, the Town Manager shall receive an annual increase in his compensation of a rate of 3% or the percentage of the Consumer Price Index for All Urban Consumers (CPI-U), all items, from the Bureau of Labor Statistics, whichever is greater.

5. Benefits. Except as hereinafter provided, the Town Manager shall receive, immediately upon employment as the Town Manager, the same benefits as all other Town employees, including but not limited to paid vacation leave, sick leave, workers’ compensation, retirement fund contributions, life insurance and health insurance, as well as any additional benefits that may be offered to employees at a future date, including but not limited to participating in the Florida Retirement System (FRS), for which the Town Manager would be classified as “Senior Manager.” All vacation leave and sick leave not taken, including such leave as may be accumulated and not taken as of the date of this agreement, may be accumulated by the Town Manager, and the Town agrees to pay the Town Manager for all such accumulated vacation leave and sick leave upon termination or expiration of this agreement for any reason, with accumulated sick leave payment being pro-rated at 25% of the full value.

Regardless of any changes to employee benefits generally, the Town shall continue to contribute an amount matching up to 10% of the Town Manager’s salary into the 457(b) retirement fund.

Notwithstanding any contrary provisions of the Town’s vacation benefits or policies, the Town Manager shall be entitled, in each year of service, to exchange up to two weeks of accrued vacation for cash compensation at or after each anniversary of the commencement of this agreement for cash compensation in the pro rata amount of the Town Manager’s then base salary.

The Town agrees to pay the Town Manager’s professional dues for membership in the International City/County Management Association (ICMA), the Florida City and County Management Association (FCCMA), as well as such other national, regional, state, and local associations and organizations that are necessary and desirable for the continued professional participation, growth and advancement of the Town Manager and for the good of the Town. Costs for conference attendance which is reasonable and necessary for professional development of the Town Manager shall, pending Council budget approval, be paid by the Town.

6. Termination of Employment. This agreement may be terminated prior to its expiration as follows:

(a) **By the Town Council.** The Town Council may declare this agreement terminated at any time, and such termination shall take effect immediately or on such later date as the Town Council may specify. Promptly upon such termination, the Town shall pay to the Town Manager a sum equal to 20 weeks salary, or as limited by Florida Statute, vacation leave and deferred compensation that is accrued but unpaid as of the date of termination, as well as payment of health insurance premiums for the four subsequent calendar months.

(b) **By the Town Manager.** The Town Manager may terminate this agreement at any time, but only after providing written notice to the Town Council of his intent to terminate, and such notice shall be delivered not less than 90 days before the date of termination.

(c) **For Cause.** In the event that the Town Manager is charged for indictment or information with a felony, or a crime involving moral turpitude, he may, at the discretion of the Town Council, be suspended from his duties without pay. Upon his conviction of any such charge, this agreement, at the option of the Town Council, may be terminated and the Town Manager discharged from his duties without further compensation. Upon the dismissal of such charges or upon the Town Manager being acquitted of same, he shall be reinstated and entitled to full back pay and other accrued benefits.

7. Outside Employment. The Town Manager recognizes and understands that the position of the Town Manager for Town of Howey-in-the-Hills shall require his full-time attention and accordingly agrees to devote all time necessary to fully discharge his duties.

However, nothing contained in this agreement will be construed so as to prevent the Town Manager from accepting honoraria or consulting fees from educational institutions, units of local government or state agencies for lectures, articles, instructional material, or consultation

in the area of local government which shall not be in conflict with the Town Manager’s responsibilities to the Town.

The Town Manager nevertheless shall refrain from accepting any such engagement that would interfere in any way with the faithful performance of his services.

8. Severability. All agreements and covenants herein are severable, and in the event that any of them shall be held invalid by a competent court, this agreement shall be interpreted as if such invalid agreements or covenants were not contained herein.

9. Complete Agreement in Written Document. This written agreement embodies the whole agreement between the parties and there are no inducements, promises, terms, conditions or obligations made or entered into by either the Town or the Town Manager other than contained herein. This agreement shall inure to the benefit of the estate of the Town Manager.

Except as otherwise provided herein, this agreement may not be modified or waived unless in writing and duly executed by both parties to this agreement, and any amendments hereto or waiver of material requirements herein shall be binding against the Town only if expressly approved by the Town Council.

IN WITNESS WHEREOF, the parties have made and executed this agreement on the respective dates under each signature. Town of Howey-in-the-Hills through its Town Council authorized the Mayor to execute this agreement on the 12th day of September 2022.

**TOWN OF HOWEY-IN-THE-HILLS
By: its Town Council**

By: _____
Hon. Martha MacFarlane, Mayor

Date: _____, 2022

ATTEST:

By: _____
John Brock, Town Clerk

TOWN MANAGER

Sean O’Keefe

Date: _____, 2022

#48316011 v4



MEMO

To: Town Council

CC:

From: John Brock, Town Clerk

RE: August 2022 Month-End Town Hall Report

Date: 09/09/2022

Utility Billing:

We have been able to get many of the top bad debt accounts to pay over the last month. The Town’s past due over \$100 has dropped to 12 individuals

Top Utility Bill Bad Debt for August 2022

service_address	Action	total_balance	current_charges	past_due_amount
107 E MYRTLE ST	Lien-Turned Off	3305.77	25.65	3280.12
624 AVILA PL-IRRIGATION	Dreamfinders Account	1079.05	158.12	920.93
606 S FLORIDA AVE	Payment Plan	531.72	41.13	490.59
440 AVILA PL-IRRIGATION	Turned Off	385.13	41.13	344.00
219 MESSINA PL-IRRIGATION		311.41	86.08	225.33
1104 N HAMLIN AVE	Payment Plan	261.32	53.85	207.47
325 TERRACOTTA TER-POTABLE	Payment Plan	288.66	87.13	201.53
406 BELLISSIMO PL-IRRIGATION		259.61	115.50	144.11
240 MESSINA PL-POTABLE		231.50	102.73	128.77
440 AVILA PL-POTABLE		246.18	128.31	117.87
714 CALABRIA WAY-IRRIGATION		242.09	133.66	108.43
406 N DIXIE DR		171.96	71.34	100.62

Activity Log Event Summary (Totals)

Howey-in-the-Hills PD
(08/01/2022 - 08/31/2022)

<No Event Type Specified>	1	Alarm Activation	4
Animal Complaint	3	Anti-Social Behavior	37
Arrest	1	Assault & Battery	2
Assist other Agency- Alarms	4	Assist other Agency- Back-up	12
Assist other Agency- In Progress calls	1	Assist other Agency- Other	5
Baker Act-Juvenile	1	Be on the look-out- BOLO	3
Child Neglect-Abuse	2	Citizen Assist	6
Civil Complaint-Legal Advice	2	Criminal Mischief	1
Death Investigation	1	Disabled Vehicle - Business	1
Disabled Vehicle (DAV)	7	Disturbance	1
Golf Cart Registration	1	Mental Health Illness	2
Patrol	231	Patrol-Busines	2
Patrol-School	236	Property Check-Boat Ramp	34
Property Check-Business	56	Property Check-Residence	35
Property Check-Schools/Govt. Bldg.	61	Property Check-Town Property	166
Public Relations	5	Reckless Driver	3
Road Hazard	2	Security Check Request	2
Sick/Injured Person	4	Special Detail	1
SRO School Meeting	2	Suspicious Incident	1
Suspicious Person	3	Suspicious Vehicle	3
Traffic Complaint	1	Traffic Crash	3
Traffic Stop-Civil Citation	118	Traffic Stop-Criminal Citation	3
Traffic Stop-warning	91	Traffic Watch	74
Training-	2	VIN Verification	2
Well Being Check	2		

Total Number Of Events: 1,241

Code Summary Report Violation Name

Violation Date 10/01/2021 TO 08/31/2022

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Row Total
Accumulation of Junk Sec. 127-4	4	1	1	2	1	0	2	1	0	0	6	0	18
Accumulation of Refuse Sec. 127-2	4	0	0	2	0	1	3	2	0	0	5	0	17
Excessive or Untended Growth of Vegetation Sec. 127-3	1	1	0	6	2	6	2	6	0	0	2	0	26
Fence Material 5.01.07(D)	0	0	0	0	0	0	0	1	0	0	0	0	1
Fence Permit 5.01.07(A)	0	0	0	0	0	0	0	2	0	0	0	0	2
Florida Building Code 105.1	2	1	1	0	1	0	0	0	0	4	0	2	11
Land Clearing LDC Chap 7.13.00	0	0	1	0	0	0	0	0	0	0	0	0	1
Movable Module Storage Units LDC 5.02.06	1	0	0	0	0	0	0	1	0	0	0	0	2
Parking-Boats and RVs (A) Article I, Sec. 166-3	0	0	0	0	2	0	0	1	0	2	2	0	7
Parking-Boats and RVs (C) Article I, Sec. 166-3	2	2	1	1	3	0	2	2	0	0	0	0	13
Parking-Boats and RVs (D) Article I, Sec. 166-3	0	1	4	1	0	0	0	1	0	0	0	0	7
Political Signs 5.03.05(K)	4	0	0	0	7	0	0	0	0	0	3	0	14
Prohibited Signs 5.03.04	0	0	0	0	9	0	0	0	0	8	2	0	19
Required Landscaping 7.08.01	0	0	0	0	0	0	0	66	0	0	0	0	66
Storm water Management 8.05.05 (K)(2)(o)	0	1	0	0	0	0	0	0	0	0	0	0	1
Stormwater Maintenance 8.05.05(l)(5)(b)(2)	0	0	0	0	0	0	0	1	0	0	0	0	1
Stormwater Maintenance 8.05.05(M)(4)	0	0	0	0	0	0	0	1	0	0	0	0	1
Stormwater Maintenance 8.05.05(M)(5)	0	0	0	0	0	0	0	1	0	0	0	0	1
Tree Permit LDC Chap 7.12.01	0	0	1	0	0	0	0	0	0	0	0	0	1
Water Restriction Sec. 171-123(c)(1)	1	5	0	2	8	5	23	1	0	0	0	0	45
Water Restriction Sec. 171-123(c)(2)	0	0	10	0	2	6	0	0	0	0	0	0	18
Totals:	19	12	19	14	35	18	32	87	0	14	20	2	272

Code Summary Report Violation Name

Violation Date 08/01/2022 TO 08/31/2022

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Row	Total
Accumulation of Junk Sec. 127-4	0	0	0	0	0	0	0	1	0	0	0	0	1	1
Accumulation of Refuse Sec. 127-2	0	0	0	0	0	0	0	2	0	0	0	0	2	2
Excessive or Untended Growth of Vegetation Sec. 127-3	0	0	0	0	0	0	0	6	0	0	0	0	6	6
Fence Material 5.01.07(D)	0	0	0	0	0	0	0	1	0	0	0	0	1	1
Fence Permit 5.01.07(A)	0	0	0	0	0	0	0	2	0	0	0	0	2	2
Movable Module Storage Units LDC 5.02.06	0	0	0	0	0	0	0	1	0	0	0	0	1	1
Parking-Boats and RVs (A) Article I, Sec. 166-3	0	0	0	0	0	0	0	1	0	0	0	0	1	1
Parking-Boats and RVs (C) Article I, Sec. 166-3	0	0	0	0	0	0	0	2	0	0	0	0	2	2
Parking-Boats and RVs (D) Article I, Sec. 166-3	0	0	0	0	0	0	0	1	0	0	0	0	1	1
Required Landscaping 7.08.01	0	0	0	0	0	0	0	66	0	0	0	0	66	66
Stormwater Maintenance 8.05.05(l)(5)(b)(2)	0	0	0	0	0	0	0	1	0	0	0	0	1	1
Stormwater Maintenance 8.05.05(M)(4)	0	0	0	0	0	0	0	1	0	0	0	0	1	1
Stormwater Maintenance 8.05.05(M)(5)	0	0	0	0	0	0	0	1	0	0	0	0	1	1
Water Restriction Sec. 171-123(c)(1)	0	0	0	0	0	0	0	1	0	0	0	0	1	1
Totals:	0	0	0	0	0	0	0	87	0	0	0	0	87	87

Code Summary Report Activity Type

Activity Date 10/01/2021 TO 08/31/2022

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Row Total
Email	2	1	3	0	1	0	0	155	0	0	0	2	164
Initial Inspection	18	25	14	14	26	18	9	86	0	18	12	3	243
Issue Citation	0	0	0	0	0	0	0	0	0	2	0	0	2
Meeting	0	0	0	1	0	1	0	67	0	0	0	0	69
Office visit	1	0	2	0	0	0	0	1	0	0	0	1	5
Phone call	7	4	10	4	11	1	9	21	0	10	6	5	88
Re-Inspection	13	6	16	7	28	15	15	3	0	17	12	12	144
Research	2	0	10	1	17	14	27	96	0	0	2	2	171
Send Letter	2	3	13	3	6	2	2	8	0	4	3	1	47
Verbal Warning	0	0	0	0	0	0	0	0	0	0	1	0	1
Totals:	45	39	68	30	89	51	62	437	0	51	36	26	934

Code Summary Report Activity Type

Activity Date 08/01/2022 TO 08/31/2022

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Row Total
Email	0	0	0	0	0	0	0	155	0	0	0	0	155
Initial Inspection	0	0	0	0	0	0	0	86	0	0	0	0	86
Meeting	0	0	0	0	0	0	0	67	0	0	0	0	67
Office visit	0	0	0	0	0	0	0	1	0	0	0	0	1
Phone call	0	0	0	0	0	0	0	21	0	0	0	0	21
Re-Inspection	0	0	0	0	0	0	0	3	0	0	0	0	3
Research	0	0	0	0	0	0	0	96	0	0	0	0	96
Send Letter	0	0	0	0	0	0	0	8	0	0	0	0	8
Totals:	0	0	0	0	0	0	0	437	0	0	0	0	437



Public Works

August 2022 – Monthly Report

Activity	Location/ Address	Notes
Road Maintenance / Potholes		
Street Signs		
Stormwater/Drainage	704 S. Florida Ave.	Public Works staff re-conformed the stormwater ditch in front of 704 S. Florida Ave.
Sidewalk Maintenance	Town Hall N. Lakeshore Blvd	Public Works staff ground down trip hazards on sidewalks at Town Hall and N. Lakeshore Blvd.
Building Maintenance	Library	Public Works staff repaired timer for outside lights at the Library.
Grounds Maintenance	Library	The contractor cut all hedges and shrubs at the Library for visibility and security concerns.
Tree Trimming/Tree Removal/Stump Removal	E. Laurel Ave E. Lakeview Ave Island Drive	Tree contractor has removed a tree limb on E. Laurel, tree trimming on E. Lakeview Ave at Lake Hills School. Contractor removed a fallen tree on Island Drive and trimmed trees and cut back the right of way.
Mowing/Weed Eating	Main Water Plant Well # 3 Lakeshore Blvd Cemetery	Monthly Maintenance mowing, weed eating and edging. Monthly Mowing of Town Right of Way
Boardwalk Repairs	Sara Maude Mason Nature Preserve	See attached Monthly Report
Landscape/Irrigation/Lot Grading Inspections/Sidewalk Inspections	Talichet Phase 1 112 E. Myrtle Street	2 Landscape/Irrigation Inspections 2 Lot Grading Inspections 1 Sidewalk Inspection

Additional Notes:

- Contractor has started the replacement of walk boards and handrails on the Fishing Pier.



Sara Maude Mason Nature Preserve

August 2022 – Monthly Report

Materials Purchased: Public Works purchased #1 marine grade lumber from our supplier total cost - \$700.00. Public Works will be ordering more lumber throughout the upcoming year.

Work Performed: Installed 13 walkboards, Trimmed/Removed tree limbs along nature trail, Monitoring motion activated security cameras along the boardwalk to report vandalism to Howey PD (will installed more cameras as needed).



Public Utilities

August 2022– Monthly Report

Activity	Location/ Address	Notes
Locates	Throughout Town	60 locates for pole replacements and boring
Data log	Throughout Town	6 logs for high usage and leak checks
Service Orders	Throughout town	21 Service orders for rereads, starting reads.
Repairs	West Palmetto/N Palm	Main line repair due to directional boring hitting main line



**Library Director's Report
Marianne Beck Memorial Library
For the Month of August 2022**

Statistics for August 2022

KOHA: 1,596, Digital: 154 total KOHA: 2105. Computer hours used: 107. Computer sessions: 156. Total items holding: 12,161. New patrons: 19

Funds collected for August:

Copies/Fax: \$166.70 **Fines:** \$104.69 **Total:** \$ 271.39 **FOL:** \$258.70

Activities during the month of August:

I have put in two work orders for the library. Both for doors within the library that need new locks. I had the carpets cleaned on the 10th of August. As always ValueMax did a wonderful job.

Lieutenant George Brown conducted four CPR classes for town employees and volunteers. Thank you George for doing such a great job teaching.

Our library was awarded an Impact Fee grant for \$7500.00 to purchase new fixtures and displays for the library. We are still awaiting the final decision on another Impact fee grant for a home school collection. I am scheduled to have a meeting September 14th with George Taylor, Cari Branco and Jennifer Parsick to discuss this grant.

The Marianne Beck Memorial Library will now host every election in the LEC for our district. Our first election went on without any issues. Thank you Virginia and your team for making it run so smoothly.

The Scrabble tournament was a success. We had four winners, one for adult, teen, 10-14 and under 10 years old.

Respectively Submitted,
Tara Hall, Library Director

Respectively submitted by
Tara Hall, Library Director

HOWEY-IN-THE-HILLS FINANCIAL REPORT Aug-22

<u>REVENUES</u>	<u>FYE</u> <u>2021</u>	<u>RECEIVED</u> <u>SINCE LAST REP.</u>	<u>RECEIVED</u> <u>YEAR-TO-DATE</u>	<u>ESTIMATED</u> <u>REVENUE</u>	<u>REVENUE</u> <u>TO BE RECEIVED</u>	<u>PERCENT</u> <u>RECEIVED</u>	<u>DIFFERENCE</u> <u>FROM LAST REP.</u>
GENERAL	\$ 2,490,840.72	\$ 34,748.31	\$ 1,975,507.01	\$ 2,074,421.00	\$ 98,913.99	95%	2%
POLICE ADV TRAINING	\$ 3,318.28	\$ 683.32	\$ 3,036.66	\$ 3,000.00	\$ (36.66)	101%	23%
WATER IMPACT FEES*	\$ 201,671.56	\$ 6,301.64	\$ 53,563.94	\$ 90,000.00	\$ 36,436.06	60%	7%
PARK IMPACT FEES*	\$ 93,591.14	\$ 5,893.52	\$ 28,472.62	\$ 40,000.00	\$ 11,527.38	71%	15%
POLICE IMPACT FEES*	\$ 101,152.17	\$ 8,505.08	\$ 32,556.73	\$ 50,000.00	\$ 17,443.27	65%	17%
INFRASTRUCTURE FUND	\$ 216,889.55	\$ 984.54	\$ 210,872.66	\$ 219,707.00	\$ 8,834.34	96%	0%
BUILDING FUND		\$ 35,263.61	\$ 181,271.47	\$ -	\$ (181,271.47)	#DIV/0!	
WATER/SANITATION FUND	\$ 1,067,854.09	\$ 88,696.42	\$ 1,551,515.92	\$ 1,126,500.00	\$ (425,015.92)	138%	8%
POLICE RETIREMENT	\$ 486,776.74	\$ 16,798.48	\$ 8,087.62	\$ 214,653.00	\$ 206,565.38	4%	8%
TOTALS	\$ 4,662,094.25	\$ 197,874.92	\$ 4,044,884.63	\$ 3,818,281.00	\$ (226,603.63)	106%	5%

*Subtotal for Impact Fees Revenues \$ 114,593.29

<u>EXPENDITURES</u>	<u>FYE</u> <u>2021</u>	<u>COMMITTED</u> <u>SINCE LAST REP.</u>	<u>COMMITTED</u> <u>YEAR-TO-DATE</u>	<u>CURRENT</u> <u>APPROPRIATION</u>	<u>AVAILABLE</u> <u>APPROPRIATION</u>	<u>PERCENT</u> <u>COMMITTED</u>	<u>DIFFERENCE</u> <u>FROM LAST REP.</u>
GENERAL	\$ 1,963,604.45	\$ 165,176.81	\$ 1,925,849.17	\$ 2,300,202.00	\$ 374,352.83	84%	7%
POLICE ADV TRAINING	\$ 1,950.82	\$ -	\$ -	\$ 3,100.00	\$ 3,100.00	0%	0%
WATER IMPACT FEES*	\$ 2,598.45	\$ -	\$ 17,263.23	\$ 54,000.00	\$ 36,736.77	32%	0%
PARK IMPACT FEES*	\$ 11,675.00	\$ 5,425.00	\$ 40,392.37	\$ 29,456.00	\$ (10,936.37)	137%	18%
POLICE IMPACT FEES*	\$ 31,022.45	\$ -	\$ 172,529.26	\$ 198,600.00	\$ 26,070.74	87%	0%
INFRASTRUCTURE FUND	\$ 108,974.72	\$ -	\$ 186,699.70	\$ 178,523.00	\$ (8,176.70)	105%	0%
BUILDING FUND		\$ 8,673.73	\$ 96,005.30	\$ -	\$ (96,005.30)	#DIV/0!	#DIV/0!
WATER/SANITATION FUND	\$ 921,015.41	\$ 84,417.62	\$ 1,076,630.90	\$ 1,174,269.00	\$ 97,638.10	92%	7%
POLICE RETIREMENT	\$ 93,290.98	\$ -	\$ 62,653.51	\$ 79,438.00	\$ 16,784.49	79%	0%
TOTALS	\$ 3,134,132.28	\$ 263,693.16	\$ 3,578,023.44	\$ 4,017,588.00	\$ 439,564.56	89%	7%

*Subtotal for Impact Fees Expenditures \$ 230,184.86

**HOWEY IN THE HILLS
FINANCIAL REPORT
Aug-22**

ACCOUNTS**LOANS**

151200

Florida Prime Account**STATE BOARD ADMINISTRATION BALANCE** (usually comes in 2nd week of month)

SBA FUND A	\$	19,092.95
INTEREST RECEIVED (APY 0.10%)	\$	1.38
TOTAL	\$	<u>19,094.33</u>

101076

SEACOAST MONEY MARKET ACCOUNT

(RESERVES) BEGINNING BALANCE	\$	658,562.39
TRANSFERS IN (OUT)		
INTEREST RECEIVED (APY 0.05%)	\$	27.97
ENDING BALANCE	\$	<u>658,590.36</u>

101080

SEACOAST #2 MONEY MARKET ACCOUNT

(BISHOPS GATE) BEGINNING BALANCE		2,926.04
TRANSFERS IN (OUT)		
Sinking Fund INTEREST RECEIVED (APY 0.01%)	\$	0.03
ENDING BALANCE	\$	<u>2,926.07</u>

101005

SEACOAST CHECKING ACCOUNT (Operating)

Operating Checking BEGINNING BALANCE	\$	2,632,449.72
REVENUES DEPOSITED	\$	256,692.69
TRANSFERS IN (OUT)		
EXPENDITURES CLEARED	\$	(471,959.01)
ENDING BALANCE	\$	<u>2,417,183.40</u>

101160

SEASIDE MONEY MARKET ACCOUNT

BEGINNING BALANCE	\$	343,285.42
TRANSFERS IN (OUT)	\$	-
INTEREST RECEIVED (APY 0.10%)	\$	31.04
ENDING BALANCE	\$	<u>343,316.46</u>

101110

SEASIDE CHECKING ACCOUNT (Pays to Loan)

BEGINNING BALANCE	\$	18,083.56
TRANSFERS IN (OUT)		
DEPOSITED	\$	-
ENDING BALANCE	\$	<u>18,083.56</u>

101120

SEASIDE SRF LOAN SWEEP ACCOUNT

BEGINNING BALANCE	\$	2,490.97
TRANSFERS IN (OUT)		
EXPENDITURES CLEARED		
ENDING BALANCE	\$	<u>2,490.97</u>

TOTAL \$ 3,461,685.15

FDEP SRF LOAN (2.71%/2.12% interest)*

BEGINNING BALANCE	\$	1,322,737.88
TRANSFERS IN (OUT)		\$0.00
ALLOCATED TO PRINCIPAL		\$0.00
ALLOCATED TO INTEREST		\$0.00
ENDING BALANCE	\$	<u>1,322,737.88</u>

*payments of \$72,314.68 are made in April and Oct. and will continue until 2032

TOTAL \$ 1,322,737.88

United Community Bank (renamed from Seaside)

HOWEY-IN-THE-HILLS FINANCIAL REPORT (Previous Month)

Jul-22

(revenues and expenditures updated one month after initial report completion)

<u>REVENUES</u>	<u>Balance Brought</u>	<u>FYE</u>	<u>RECEIVED</u>	<u>RECEIVED</u>	<u>ESTIMATED</u>	<u>REVENUE</u>	<u>PERCENT</u>
	<u>Forward</u>	<u>2021</u>	<u>CURRENT MON.</u>	<u>YEAR-TO-DATE</u>	<u>REVENUE</u>	<u>TO BE RECEIVED</u>	<u>RECEIVED</u>
GENERAL	\$ 796,058	\$ 2,490,840.72	\$ 363,996.69	\$ 1,940,758.70	\$ 2,074,421.00	\$ 133,662.30	94%
POLICE ADV TRAINING		\$ 3,318.28	\$ 377.44	\$ 2,353.34	\$ 3,000.00	\$ 646.66	78%
WATER IMPACT FEES*	\$ 731,659	\$ 201,671.56	\$ 3,150.82	\$ 47,262.30	\$ 90,000.00	\$ 42,737.70	53%
PARK IMPACT FEES*	\$ 273,129	\$ 93,591.14	\$ 1,169.32	\$ 22,579.10	\$ 40,000.00	\$ 17,420.90	56%
POLICE IMPACT FEES*	\$ 273,218	\$ 101,152.17	\$ 1,245.58	\$ 24,051.65	\$ 50,000.00	\$ 25,948.35	48%
INFRASTRUCTURE FUND	\$109,297	\$ 216,889.55	\$ 18,739.25	\$ 209,888.12	\$ 219,707.00	\$ 9,818.88	96%
BUILDING FUND	\$ 158,928		\$ 17,943.31	\$ 146,007.86	-	\$ (146,007.86)	
WATER/SANITATION FUND		\$ 1,067,854.09	\$ 108,753.62	\$ 1,462,819.50	\$ 1,126,500.00	\$ (336,319.50)	130%
POLICE RETIREMENT	\$1,676,709	\$ 486,776.74	\$ 100,720.33	\$ (8,710.86)	\$ 214,653.00	\$ 223,363.86	-4%
TOTALS		\$ 4,662,094.25	\$ 616,096.36	\$ 3,847,009.71	\$ 3,818,281.00	\$ (28,728.71)	101%

*Subtotal for Impact Fees Revenues \$ 93,893.05

<u>EXPENDITURES</u>	<u>FYE</u>	<u>COMMITTED</u>	<u>COMMITTED</u>	<u>CURRENT</u>	<u>AVAILABLE</u>	<u>PERCENT</u>
	<u>2021</u>	<u>CURRENT MON.</u>	<u>YEAR-TO-DATE</u>	<u>APPROPRIATION</u>	<u>APPROPRIATION</u>	<u>COMM.</u>
GENERAL	\$ 1,963,604.45	\$ 154,062.71	\$ 1,760,672.36	\$ 2,300,202.00	\$ 539,529.64	77%
POLICE ADV TRAINING	\$ 1,950.82	-	-	\$ 3,100.00	\$ 3,100.00	0%
WATER IMPACT FEES*	\$ 2,598.45	\$ 5,072.50	\$ 17,263.23	\$ 54,000.00	\$ 36,736.77	32%
PARK IMPACT FEES*	\$ 11,675.00	\$ 16,764.37	\$ 34,967.37	\$ 29,456.00	\$ (5,511.37)	119%
POLICE IMPACT FEES*	\$ 31,022.45	\$ 110,860.89	\$ 172,529.26	\$ 198,600.00	\$ 26,070.74	87%
INFRASTRUCTURE FUND	\$ 108,974.72	-	\$ 186,699.70	\$ 178,523.00	\$ (8,176.70)	105%
BUILDING FUND		\$ 5,596.86	\$ 87,331.57	-	\$ (87,331.57)	#DIV/0!
WATER/SANITATION FUND	\$ 921,015.41	\$ 91,569.42	\$ 992,213.28	\$ 1,174,269.00	\$ 182,055.72	84%
POLICE RETIREMENT	\$ 93,290.98	\$ 6,297.32	\$ 62,653.51	\$ 79,438.00	\$ 16,784.49	79%
TOTALS	\$ 3,134,132.28	\$ 390,224.07	\$ 3,314,330.28	\$ 4,017,588.00	\$ 703,257.72	82%

*Subtotal for Impact Fees Expenditures \$ 224,759.86