



**CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
201 E. MAIN STREET, TAVARES
JUNE 20, 2024**

BOARD MEMBERS PRESENT

Gary Santoro, Chairman
Deborah Murphy, Vice-Chairman
Dian Joy, Board Member
Bruce Peterman, Board Member
Brooke Matthews, Board Member - Absent
James Sweezea, Board Member
Dara Treadwell, Board Member

LAKE COUNTY SCHOOL BOARD

Helen LaValley - Absent

STAFF MEMBERS PRESENT

Antonio Fabre – Community Development Director
Amanda Boggus, City Attorney
Erick Hernandez, Staff Assistant

I. CALL TO ORDER

Chairman Santoro called the meeting to order at 3:00 p.m. and asked those present to silence their cell phones. He led those present in the Pledge of Allegiance.

II. APPROVAL OF MINUTES

Chairman Santoro asked if there are any additions or corrections to the April 18, 2024, Planning and Zoning Board Workshop Meeting minutes. Board Member Treadwell stated a typo on page 6, 2nd line, "Country Road 19" corrected to "County Road 19".

MOTION

James Sweezea moved to approve the minutes of the April 18, 2024, Planning and Zoning Board Workshop Meeting as amended, seconded by Deborah Murphy. The motion carried unanimously 6-0.

SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE COMMUNICATIONS

Attorney Boggus swore in those who were present and wished to provide testimony.

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Attorney Boggus asked the Board Members if there were any ex-parte communications. There were none.

III. PUBLIC HEARING

1) Recommendation on Resolution 2024-11 – The request to vacate a portion of the unimproved Wood Avenue Right-of-Way located at 490 East Clifford of the P.W Harrington's Addition as recorded in Plat Book 1, Page 1 of the Public Records of Lake County Florida

Mr. Fabre gave the following presentation:

This is a request to vacate a platted right-of-way easement located at 490 Clifford of the P.W Harrington's Addition as recorded in Plat Book 1, Page 1 of the Public Records of Lake County, Florida. This is a condition stipulated in the City's Fred Stover Sprouts Complex Purchase and Sale Agreement with the School Board of Lake County. This agreement stipulated that the City would make a good faith effort to vacate certain rights-of-way(s). and certain right-of-way dedications in order to clear title on the subject property.

City staff reviewed the vacate request and determined no conflicts in the vacation regarding drainage utilities, health, safety or welfare of the Public. As a result, this official vacation will remove the city's public land interest in this land.

STAFF RECOMMENDATION

Staff recommends that the Planning and Zoning Board moves to recommend approval of Resolution 2024-11 vacating a portion of unimproved Wood Avenue Right-of-Way located at 490 East Clifford of the P.W Harrington Addition as Recorded in Plat Book 1, Page 1 of the Public Records of Lake County, Florida.

Chairman Santoro asked for public comment. There was none.

Chairman Santoro asked for comments from the Board.

Board Member Treadwell asked if at a previous date the property was residential in nature. Attorney Boggus stated it was the original plat of Tavares and eventually became a baseball field.

MOTION

James Sweeza moved to recommend approval of Resolution 2024-11, seconded by Bruce Peterman. The motion carried unanimously 6-0.

2) Recommendation on Ordinance 2024-12 – The request to vacate an unnamed unimproved 16-foot-wide alleyway located at 490 East Clifford Street of the P.W

Harrington's Addition as recorded in Plat Book 1 Page 1 of the Public Records of Lake County, Florida

Mr. Fabre gave the following presentation:

This is a request to vacate a platted right-of-way easement located at 490 East Clifford of the P.W Harrington's Addition as recorded in Plat Book 1, Page 1 of the Public Records of Lake County, Florida. This is a condition stipulated in the City's Fred Stover Complex Purchase and Sale Agreement with the School Board of Lake County. This agreement stipulates that the City would make a good faith effort to vacate certain right-of-way(s) and certain right-of-way dedications in order to clear title on the property.

City staff reviewed the vacate request and determined no conflicts in the vacation regarding drainage, utilities, health, safety, or welfare of the Public. As a result, this official vacation will remove the city's public interest in this land.

STAFF RECOMMENDATION

Staff recommends that the Planning and Zoning Board moves to recommend approval of Resolution 2024-12 vacate unnamed unimproved 13-foot-wide alleyway located at 490 East Clifford Street if the P.W. Harrington's Addition as recorded in Plat Book 1, Page 1 of the Public Records of Lake County, Florida.

Chairman Santoro asked for public comment. There was none.

Chairman Santoro asked for comments from the Board. There was none.

MOTION

Deborah Murphy moved to recommend approval of Resolution 2024-12, seconded by James Sweeza. The motion carried unanimously 6-0.

3) Recommendation on Resolution 2024-13 – Dedication of certain City owned property as public Right-of-Way known as East Clifford Street, North Disston Avenue and East Givens Street

Mr. Fabre gave the following presentation:

This is to dedicate certain city owned property as public Right-of-Way known as East Clifford Street, North Disston Avenue and East Givens Street. This is a condition stipulated in the City's Fred Stover Sports Complex Purchase and Sale Agreement with the School Board of Lake County. This agreement stipulates that the city would make a good faith effort to vacate certain rights-of-way(s) and certain right-of-way dedications to clear title of the subject property.

City staff has determined that the city can maintain and regulate the proposed right-of-way. Moreover, the dedication of said property is consistent with the transportation and mobility goals, objectives, and policies of the City's Comprehensive Plan.

STAFF RECOMMENDATION

Staff recommends that the Planning and Zoning Board moves to recommend approval of Resolution 24-13 dedication of certain city owned property as public Right-of-Way known as East Clifford Street, North Disston Avenue and East Givens Street.

Mr. Fabre stated the advertising and posting was more than the actual property size. The section that is being dedicated is smaller than the advertised segment. He noted that he confirmed with the City Attorney to confirm it is legally sufficient.

Chairman Santoro asked Attorney Boggus since the Board received the changes at the meeting, if it confirmed the validity of the Resolution because of the changes. Attorney Boggus stated what was advertised was a larger area, the portion pertaining to the Resolution was contained in the advertised area. After review, only a small section was needed to confirm the right-of-way so if the fields are moved or changed the City can bring the roads into compliance.

Chairman Santoro asked for public comment. There was none.

Chairman Murphy asked what the benefit of the right-of-way was. Attorney Boggus stated it is guaranteeing public access after the property is sold to Lake County School Board.

MOTION

Dian Joy moved to recommend approval of Resolution 2024-13, seconded by Dara Treadwell. The motion carried unanimously 6-0.

4) Recommendation on Resolution 2024-14 – Avalon Park Group, LLC request to Vacate Right-of-Way located at the northeasterly end of Avalon Park Boulevard of the Avalon Park Tavares Phase 1 subdivision

Mr. Fabre gave the following presentation:

This is a request to vacate a platted right-of-way easement approximately 1,234 square feet in size and located at the northeasterly end of Avalon Park Boulevard of the Avalon Park Tavares Phase 1 Subdivision, as recorded in Plat Book 75, Page 48-53, of the Public Records of Lake County, Florida. The Applicant is petitioning to vacate the subject right-of-way property since it was included in the design of Avalon Park Tavares Phase 2 townhomes. During the title and platting review process for Phase 2, a redesign of the r-o-w easement was incorporated, and the section petitioned is no longer needed.

City staff reviewed the vacate request and determined no conflicts in the vacation regarding drainage, utilities, health, safety, or welfare of the Public. As a result, this vacation will remove the city's public interest in this land.

STAFF RECOMMENDATION

Staff recommends that the Planning and Zoning Board move to recommend approval of Resolution 2024-14 vacation of right-of-way easement located at the end of the northeasterly end of Avalon Park Boulevard of the Avalon Park Tavares Phase 1

Subdivision, as recorded in Plat Book 75, Page 48-23, of the Public Records of Lake County, Florida.

Chairman Santoro asked for public comment. There was none.

Chairman Murphy asked for clarification.

Erick Wills, Avalon Park Group, 3801 Avalon Park East Blvd, Suite 400, Florida, stated this squares off the property boundaries which will be incorporated into one of the lots.

Attorney Boggus stated the property is navigating legal procedures to clarify the purpose and ownership.

MOTION

James Sweezea moved to recommend approval of Ordinance 2024-03 seconded by Dian Joy. The motion carried unanimously 6-0.

IV. OTHER BUSINESS

Discussion was held expressing concern of the Planning & Zoning Boards recommendations not being relayed thoroughly or accepted by City Council.

Board Member Joy asked how Channel 6 obtained footage of the council meeting. Attorney Boggus stated that once the meeting is online, Channel 6 can access the footage.

Discussion was held pertaining to the Noise Ordinance hours. Mr. Fabre clarified the noise ordinance was to reflect other ordinances pertaining to noise such as construction. To be consistent with the other codes, the hours would be from 7AM to 7PM.

Attorney Boggus provided clarification pertaining to how City Council comes to their conclusion.

V. PUBLIC COMMENT

None.

VI. ADJOURNMENT

MOTION

James Sweezea moved to adjourn the meeting at 3:38 p.m., seconded by Dian Joy. The motion carried unanimously 6-0.

Respectfully submitted,

Jillian Roberts, Deputy City Clerk

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