

**CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
201 E. MAIN STREET, TAVARES
JANUARY 20, 2022**

BOARD MEMBERS PRESENT

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

LAKE COUNTY SCHOOL BOARD

Helen LaValley - Absent

STAFF MEMBERS PRESENT

Antonio Fabre – Planning Coordinator
Mike Fitzgerald, Community Development Director
Lindsay Holt, City Attorney
Jillian Roberts, Deputy City Clerk

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.

Chairman Santoro asked for approval to add 'Correspondence to the City Council from the Planning and Zoning Board' to the agenda.

MOTION

Bruce Peterman moved to approve the addition of item 'Correspondence to the City Council', seconded by Dian Joy. The motion carried unanimously 5-0.

APPROVAL OF MINUTES

Chairman Santoro asked if there are any additions or corrections for November 18, 2021 Planning and Zoning Board Meeting minutes. There were none.

MOTION

Dian Joy moved to approve the minutes of the November 18, 2021 Planning and Zoning Board Meeting, seconded by Brooke Matthews. The motion carried unanimously 5-0.

SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE COMMUNICATIONS

Attorney Holt swore in those who were present and stated exparte communications should be disclosed by the Board Members. There were none.

PUBLIC HEARING

1) Recommendation on Resolution 2021-01 – Badeau Property – Vacate a Portion of an Easement Located at 719 Dolphin Drive

Mr. Fitzgerald provided the following staff report:

SUMMARY:

This is a request to vacate a portion of platted easement lying across the property located at 719 Dolphin Drive Tavares, Florida 32778. As a stipulation of the proposed sale of the property, the mortgage company issuing the buyer's mortgage is requiring the current owner of the property to petition to vacate a portion of an existing easement where the rear of the existing mobile home encroaches. City staff reviewed the vacate request and determined no conflicts in the vacation with regard to drainage, utilities, health, safety, or welfare of the Public. This vacate will remove the city's public interest in this land, thus allowing the applicant to eliminate any perceived exception to clear title of this property.

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of Resolution 2022-01 vacation of an easement located at 719 Dolphin Drive, Lot 40 in Imperial Mobile Terrace 5th Addition as recorded in Plat Book 23, Page 46.

2. That the Planning & Zoning Board moves to recommend denial of Resolution 2022-01.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Resolution 2022-01 vacation of an easement located at 719 Dolphin Drive, Lot 40 in Imperial Mobile Terrace 5th Addition as recorded in Plat Book 23, Page 46.

Chairman Santoro asked for comments from the audience. There were none.

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

MOTION

Deborah Murphy moved to recommend approval of Resolution 2021-01, seconded by Dian Joy. The motion carried unanimously 5-0.

2) Recommendation on Ordinance 2021-01 – Trzaskoma Property – Planned Development Amendment for Approximate 3 Acres of Property Located at the Northeast Corner of Ann Rou Road and Lake Eustis Drive.

Mr. Fitzgerald provided the following staff report:

SUMMARY:

The subject property is approximately 3 acres located at the northeast corner of Ann Rou Road and Lake Eustis Drive. The property is currently vacant and is part of the Etowah Planned Development approved by City Council on April 6, 1994, with subsequent amendments in 2004,

2005, 2006 and 2009. As part of the Etowah Planned Development, the property was designated as Phase 4 with multi-family use and a maximum allowance of 17 dwelling units. On November 16, 2021, the property was sold by CG Land Services, LLC, and the new owner desires single family use rather than multifamily use. Ordinance 2022-01 proposes an amendment to the Etowah Planned Development to redesignate the subject property from multi-family use to single-family use with a maximum allowance of two (2) dwelling units. The subject property shall retain its Planned Development (PD) zoning classification, and shall be subject to the provisions of the Etowah Planned Development and the City of Tavares Land Development Regulations as they pertain to single family development.

OPTIONS:

1. The Planning & Zoning Board moves to recommend approval of Ordinance 2022-01 a Planned Development Amendment for Approximately 3 Acres of Property Located at the Northeast Corner of Ann Rou Road and Lake Eustis Drive, redesignating the property from multi-family use to single-family use.
2. The Planning & Zoning Board moves to recommend denial of Ordinance 2022-01.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2022-01 a Planned Development Amendment for Approximately 3 Acres of Property Located at the Northeast Corner of Ann Rou Road and Lake Eustis Drive, redesignating the property from multi-family use to single-family use.

Chairman Santoro asked for comments from the audience.

Chairman Santoro asked for comments from the Board.

MOTION

Dian Joy moved to recommend approval of Ordinance 2021-11, seconded by Brooke Matthews. The motion carried unanimously 5-0.

OTHER BUSINESS

1) Correspondence to City Council

Chairman Santoro said he is impressed with the Planning and Zoning Boards' due diligence and operation. He stated concern that the board's recommendations are not being followed by the City Council and questioned the Planning and Zoning Board's role and possible disbanding. He discussed recent ordinances that came before both boards where the Council did not follow the Planning and Zoning Boards recommendation including a proposed apartment complex and the Lake County Supervisor of Elections offices.

Board Member Murphy noted a need for housing and stated concern for lost revenue with the Council's denial of an apartment complex on SR 19. She said staff reviews projects and ensures the comprehensive plan is followed and all requirements are met.

Attorney Holt said the Planning and Zoning Board could not be disbanded by City Charter, and members have singularly or collectively have the right to resign. She noted with resignations, interim placements would be made for the remainder of term(s).

Lou Buigas, W. Ianthe Street, Tavares, Florida, stated she previously served on both the Planning and Zoning Board and City Council. She commended the Planning and Zoning Board and said the Board plays an important role and need for the City. She recommended open dialogue with the City Council and noted a concern regarding influence from people who do not reside in the City or pay city taxes. She thanked the Planning and Zoning Board members for their service.

Attorney Holt suggested holding workshops, Planning and Zoning Board members expressing their concerns to the City Council at an upcoming Council meeting, or corresponding individually or collectively with the Council. She discussed court magistrate procedures. She said when a property owner petitions the City, presentation and materials may differ by the time a request is heard by the Council as more due diligence is completed and Planning and Zoning Board questions are reviewed. Attorney Holt noted the Planning and Zoning Board has an important role and noted the minutes of the meeting would be available to the Council and reflect the Boards' frustration.

Chairman Santoro noted concern regarding public comment previously made during a Council meeting regarding an application that purportedly violated the Comprehensive Plan. He said the Community Development Director was not provided an opportunity to dispute the claim.

Attorney Holt said the staff report in the agenda would identify any outstanding items and noted the Council often follows the Planning and Zoning Board recommendation.

Mike Fitzgerald noted the majority of the credit goes to Antonio Fabre, City Planner. Attorney Holt Confirmed.

Board Member Joy said she visits every property sites that come before the Planning and Zoning Board so that she can develop her questions and thoughts to share during meetings. She said the Planning and Zoning Board does a good job, should stay solvent and believes dialogue with the City Council would be beneficial.

Board Member Murphy noted her preference for holding a workshop with the City Council.

Mr. Fitzgerald said a Smart Growth Horizon Team had recently been developed. The Horizon Team will hold workshops and could potentially incorporate the role of the Planning and Zoning Board. He said a review process takes significant time from staff and developers before items are brought before both Boards for consideration. Mr. Fitzgerald said he believes the Council recognizes the Planning and Zoning Boards' value and plans on including that value in the education process during workshops.

Chairman Santoro requested Attorney Holt relay the Planning and Zoning Boards frustrations to Mr. Drury and the City Council. Attorney Holt confirmed.

PUBLIC COMMENT

ADJOURNMENT

MOTION

Bruce Peterman moved to adjourn the meeting at 3:30 PM, seconded by Dian Joy. The motion carried unanimously 5-0.

Respectfully submitted,

Jillian Roberts,
Deputy City Clerk