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**CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
CITY COUNCIL CHAMBERS, CITY HALL
DECEMBER 20, 2007**

BOARD MEMBERS PRESENT

**John Tanner
Jimmy Horner
Sam Grist
Donald Baltunis
Brent Albertson**

STAFF MEMBERS PRESENT

**Jacques Skutt, Comm. Dev. Director
Alisha Sullivan, Senior Planner
Mike Fitzgerald, Zoning Technician
Bob Williams, City Attorney
Pamela Huckins, Admin. Assistant**

BOARD MEMBERS ABSENT

**John Adams, Chairman
James Gardner, Vice Chairman**

CALL TO ORDER

Acting Chairman, John Tanner, called the meeting to order at 3:00 p.m. and the pledge of allegiance was recited.

APPROVAL OF MINUTES OF October 18, 2007

Sam Grist moved to approve the minutes of the November 15, 2007 Planning and Zoning Board Meeting as submitted. Jimmy Horner seconded the motion, which carried unanimously, 5-0.

SWEARING IN OF THOSE GIVING TESTIMONY

Attorney Williams gave the oath to those members of the audience who indicated they would be giving testimony.

CASES TO BE HEARD

1) Ordinance 2007-44 – Lane Park Ridge - Rezone

STAFF REPORT

Jacques Skutt presented the case. Mr. Skutt stated this is a rezoning of property owned by the City – 3.7 acres located southeast of Camp Road. Previously, this parcel was part of the Lane Park Ridge planned development and the owner traded his property with the City for a surplus 2 acre parcel that was attached to the City's water treatment plant. This ordinance will change the existing zoning from Planned Development to PFD.

Mr. Tanner asked if there were any audience comments. Ms. Florence Bowen of 2960 County Road, Tavares and her daughter, Debra Bain, 103 North Lakeshore Drive, Howey-in-the-Hills approached the podium. Ms. Bowen owns the property next to the property to be rezoned. Ms. Bain stated that Ms. Bowen wanted to know how the

1 rezoning would affect the value of her property. Mr. Tanner said he was not sure the
2 Board could speak to the value of real estate. Mr. Tanner confirmed with Mr. Skutt that
3 this property was at one time going to be part of a planned development subdivision.
4 Mr. Skutt stated the property, while owned by Lane Park Ridge, was going to be used
5 as a retention area and the City is currently viewing it as a potential for a water retention
6 area if and when Captain Haynes Road is extended and also incorporated with the road
7 is a trail and possibly a trailhead facility. Mr. Tanner stated that if he were to live next to
8 the property, he would prefer the City be responsible for the care of the water retention
9 area and not a developer or HOA as he believes the City would be more responsive to
10 the care of the retention area.

11
12 Mr. Grist stated that any retention pond area put into the City actually increases the
13 value of property because he feels it adds beauty to the area, like a pond.

14
15 Mr. Tanner suggested that when changes are proposed to the property, Ms. Bowen and
16 Ms. Bain should attend the meetings to keep informed of the proposed changes and
17 express any further concerns. Mr. Williams said the City would notify adjoining owners
18 of any proposed changes involving the rezoning of the property.

19
20 Mr. Skutt stated Staff requests the Planning and Zoning Board recommend to City
21 Council the approval of Ordinance 2007-44.

22

23 **MOTION**

24

25 **Sam Grist moved to recommend approval of Ordinance 2007-44, seconded by**
26 **Jimmy Horner. The motion carried unanimously 5-0.**

27

28

29 **2.) Ordinance 2007-45 – Lane Park Ridge – Small Scale Future Land Use**

30

31 Mr. Skutt presented the case. Mr. Skutt stated this ordinance is so the land use
32 coincides with the zoning to change the future land use to public from suburban
33 expansion.

34

35 Mr. Skutt stated Staff requests the Planning and Zoning Board recommend to City
36 Council the approval of Ordinance 2007-45.

37

38

39 **MOTION**

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41 **Donald Baltunis moved to recommend approval of Ordinance 2007-45, seconded**
42 **by Sam Grist. The motion carried 5-0.**

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45 **3.) Ordinance 2007-38 – Lane Park Storage - Variance**

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47 Mr. Skutt presented the case. He stated this is an application to consider a variance to
48 the development regulations Chapter 11, Section 4B dealing with perimeter landscape
49 buffers. It is a piece of industrial property. The applicant is proposing to construct a

1 70,000 square foot self storage warehouse. The property is roughly 3.8 acres in size
2 and zoned industrial. The subject property is across the street from the Idamere mobile
3 home subdivision and Idamere apartment complex. Chapter 11, Section 4B, perimeter
4 landscape buffers per the City's land development regulations, requires an E type buffer
5 along the portion of this property that abuts Lane Park Cutoff because the property
6 across the roadway is zoned for residential use. This buffer requires a 6-foot high block
7 or brick wall. The applicant has designed the site to minimize any detrimental visual
8 impacts of the warehouse by placing a retention area in the front of the building, thus
9 moving the building as far back as possible. There are 6 parking spots located along
10 the side and a small office building located in front of the storage building. The
11 applicant is providing enhanced landscaping including hedging, canopy trees and an
12 iron decorative fence along the frontage on Lane Park Cutoff. Limited traffic activity is
13 expected. It is Staff's opinion that the proposed landscape buffer and strategic
14 placement of the warehouse building towards the rear of the property compensates for
15 the required wall and the proposed landscaping and decorative iron fence will be
16 visually pleasing and in harmony with the existing residential area across the street.
17

18 Mr. Skutt stated Staff requests the Planning and Zoning Board recommend to City
19 Council the approval of Ordinance 2007-38.
20

21 Aaron Mercer of BESH Engineering, representing Mr. Steve Haskins, owner of the
22 property, stated that what they are asking for is consistent to what the Board has
23 granted to other property owners throughout the City. Mr. Mercer stated the property is
24 buffered and setback almost 100 feet. With the additional landscape, he believes the
25 property will be tastefully done. Mr. Tanner asked how far the front of the office building
26 sits back on the property. Mr. Mercer responded about 80 feet. Mr. Albertson
27 confirmed with Mr. Mercer the warehouse buildings are roughly 100 feet back. Mr.
28 Tanner's concern was the piece located to the side of the warehouse to the West and
29 whether it was industrial zoned. Mr. Tanner asked if the piece were eventually
30 developed, would a buffer as appealing as the current proposed buffer be installed to be
31 visually appealing to the mobile homeowners located across the street. Mr. Tanner's
32 concern was that if the developer went in at an angle with their buffer, there might still
33 be a visual sight plan problem into the adjacent piece of property. Mr. Tanner asked Mr.
34 Mercer how high the berm would be and Mr. Mercer responded 3 feet. Mr. Albertson
35 stated that Mr. Mercer was asking for a variance only for the buffer along the road. Mr.
36 Mercer stated in lieu of a wall, they placed a berm and vegetation on the application.
37 Mr. Albertson stated the fact the building is setback so far from the road and coupled
38 with the wrought iron fence and landscaping it is going to be considerably better with a lot
39 less visual impact. Mr. Tanner reiterated his concern was what will go into the piece of
40 property next to the warehouse. Mr. Skutt stated that whatever goes into the piece of
41 property will be zoned industrial and will be required to have a wall unless they apply for
42 a variance. Mr. Albertson confirmed with Mr. Mercer there will be a berm in lieu of a
43 wall and the wrought iron fence will be placed on top of the berm. Mr. Mercer stated he
44 did not have the civil plans and the berm could be shorter than 3 feet. Mr. Mercer
45 stated the developer will place a combination of berm/landscape/fence that will total 6
46 feet and be aesthetically pleasing. Mr. Tanner asked Mr. Skutt what the maximum
47 height requirement is for a berm and Mr. Skutt responded 3 feet. Mr. Grist asked Mr.
48 Mercer who the storage units were to be rented to – individuals or industrial groups. His
49 concern was the proposed limited traffic might not be the case as companies may be

1 going in and out of the facility every day. Mr. Mercer stated he expects limited traffic
2 whether it is rented to individuals or groups. Mr. Mercer said he could not be specific as
3 to whom the warehouse will be rented to. Mr. Albertson stated to maximize the impact
4 of the visual appeal, there should be at least a minimum height of berm with a hedge
5 and fence on top of it to get up to at least 6 feet. Mr. Albertson stated he'd like to see a
6 minimum of a 2 foot berm with a hedge on top of the berm and a 4 foot fence on top of
7 it. Mr. Mercer agreed. Mr. Mercer stated the only concern was the construction of the
8 berm in relation to the pond and the sidewalk. Mr. Mercer stated they would do their
9 best to squeeze it in there.

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11 **MOTION**

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13 **Brent Albertson moved to recommend approval of Ordinance 2007-38, with the**
14 **stipulation that the 6 foot wall be replaced with an appropriate combination of**
15 **landscaped berm and decorative metal fence with a total height of 6 feet and a**
16 **minimum berm height of 1½ feet. Sam Grist seconded the motion. The motion**
17 **carried 5-0.**

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20 **OTHER BUSINESS**

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22 Mr. Grist commented on the Approved Items for 2007 list provided to the P&Z Board
23 members in their current packet. Mr. Grist stated he understood when the ordinance for
24 Brett's Motorcycle was passed, Brett's asked for an ordinance regarding a buffering for
25 landscaping, etc. and they stated they would not place any vehicles in the yards, that
26 everything would be kept inside the buildings for show. Mr. Grist stated the vehicles are
27 now out in the yard to the sidewalk. Mr. Skutt stated the City is aware of the violation
28 and Code Enforcement has visited the property and is proceeding to rectify the problem.
29

30 Mr. Tanner asked Mr. Skutt if the City allowed the sale of cars, motor homes and boats
31 in the City's public parks. Mr. Tanner stated he's noticed it at Hickory Point. Mr. Skutt
32 stated he'd already received a call regarding the issue and he passed the information to
33 Code Enforcement.
34

35 Mr. Tanner asked Mr. Skutt if the Board members would have the water study in
36 January of 2008 and for an idea of the number of units that have been approved on
37 SR19 and a list of the number of approved housing units now available that have not yet
38 been built. Mr. Skutt responded he hopes to have the water study for the Board at the
39 January 2008 meeting. Mr. Skutt pointed out the City of Tavares growth map he
40 provided to Board members prior to the beginning of the meeting. He stated the map
41 has a list of the number of dwelling units, not necessarily yet fully approved. Mr. Skutt
42 stated through our CRA Master Plan Study currently going on, these type of issues are
43 being closely examined. Mr. Skutt stated at some future time, the City Council and
44 Planning and Zoning Board will have a workshop regarding codes and comp. plan.
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1 Mr. Tanner expressed his thanks to the Staff. He stated the Board has been getting
2 their plans a lot earlier than usual thereby giving the Board members time to look at and
3 study them and the Board members appreciate the phone calls with reminders and
4 updates keeping Board members informed. The Board also appreciates having their
5 packets 3-hole punched.

6

7 **ADJOURNMENT**

8

9 **Jimmy Horner moved to adjourn the meeting, and Donald Baltunis seconded the**
10 **motion. The motion carried unanimously, 5-0. The meeting adjourned at 3:35 p.m.**

11

12 Respectfully submitted,

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Pamela Huckins

17 Administrative Assistant