

**MINUTES
PLANNING AND ZONING BOARD MEETING
MEETING
April 24, 2018**

The City of Lake Wales Planning and Zoning Board held a meeting on April 24, 2018 at 5:38 p.m. in the City Commission Chambers located in the Municipal Building at 201 W. Central Avenue.

ATTENDANCE

Planning Board Members (Shaded area indicates absence):

Chairman Christopher Lutton	Charlene Bennett Vice-Chair	John Gravel	Jo Fuller (Excused)	Mark Bennett	Linda Bell	Narvell Peterson
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City Staff:

Dept. of Planning and Development
Kathy Bangley - Planning Director Autumn Cochella - Planning Technician Karah Clark- Recording Secretary

1. CALL TO ORDER – Chairman Lutton called the meeting to order at 5:38 p.m.
2. ROLL CALL – Jo Fuller was not in attendance. A quorum was present.
3. APPROVAL OF MINUTES – Charlene Bennett made a motion to approve the April 4, 2018 minutes. Narvell Peterson seconded the motion. The minutes were approved unanimously.
4. COMMUNICATIONS AND PETITIONS

NEW BUSINESS

**5. SPECIAL EXCEPTION USE PERMIT- LAKE WALES PSYCHIC
911 STATE ROAD 60 E.**

Ms. Bangley reviewed the staff report.

Public Hearing: Required – notice requirements have been met

Applicant: Robert Hodge, Owner
PO Box 413, Georgetown, MD 21930

Project: Lake Wales Psychic
911 State Road 60 East

Description: Personal Service/Palm & Tarot Card Readings

Approval Requested: Special Exception Use Permit for conversion from a residential to

non-residential use, and for a Personal Service use in the PF zoning district

FLUM/Zoning: RO – Residential Office/PF – Professional

1. Application Request

Request of All County Polk, agent for Robert Hodge, owner, for a Special Exception Use Permit allowing conversion of a residential dwelling unit to non-residential use, and for a Personal Service use in the PF zoning district.

2. Background and Site Information

The subject property is located along State Road 60 in the Professional zoning district. The property to the east was converted to a non-residential use in 2011, and the property to the west remains residential. There is an existing privacy fence along the residential property line. The conversion of this property from a residential to a non-residential use with caretaker on premises was originally approved by this board in March of 2013; however, soon thereafter the property reverted back to residential dwelling unit only.

On site is a 1,456 square-foot house with a two-car covered carport and twenty-four foot wide driveway onto State Road 60. The driveway is approximately forty-one feet in length with a turnout area allowing for vehicles to safely turn around and exit onto SR 60 in a front-facing position.

3. Code References and Review Criteria

23-431 – Special Exception Uses

23-421 – Permitted Uses and Special Exception Uses in Standard Zoning Districts

4. Staff Comments

A personal service use of this nature is appropriate for Professional zoning district and is compatible with uses in the surrounding area. The City’s Comprehensive Plan supports low intensity office and commercial uses in conjunction with residential use in the RO land use category.

Ms. Bangley mentioned to the board that this is back before the board because of the difference in the approval from being non-residential with caretaker to just straight non-residential use. Mr. Lutton stated a disclosure that the property to the west is his residence and that the property did have the same use previously. Gary Stevens stood to address any questions the board may have. Ms. Bangley asked what relation Mr. Stevens had to the property and he stated he is the business owner. Ms. Bennett asked if he was renting and Mr. Stevens said yes. Mr. Lutton expressed concerns about the previous business branching off into different types of business and the hours they were operating. Mr. Lutton asked the hours of operation proposed and Mr. Stevens said 9:30 am to 6:00 pm. Mr. Lutton asked about how many vehicles were going to be coming in and out of the property. Mr. Stevens stated that the business is for his wife and she generates approximately 8-15 people a month and it is by appointment only. Mr. Lutton said the last sign for the business had lights shining and he would like to just have the lights on the sign and not pointing in every direction.

Chairman Lutton opened the public hearing and seeing no one, closed the public hearing.

Ms. Bennett made a motion to approve the special exception use permit. Mr. Peterson seconded the motion. The motion passed by roll call vote.

6. PRELIMINARY SITE PLAN APPROVAL AND PLAT RECOMMENDATION
SAN JUAN CITRUS SUBDIVISION

Public Hearing: Not Required

Applicant: John Patrick Schirard, San Juan Citrus
Scott McGuire – Knight, McGuire, & Associates, Inc.

Project: San Juan Citrus Residential Subdivision
Plan: Preliminary Plat for San Juan Citrus
Signed March 14, 2018
Prepared by: Knight, McGuire, & Associates, Inc.

Description: Residential Subdivision
PID: 27-30-12-000000-021030/022030/022020

Approval Requested: Approval of subdivision plan and recommendation of preliminary plat approval to City Commission

FLUM/Zoning: LDR Low Density Residential
R-1B Single-Family Residential

5. Application Request

The owner, San Juan Citrus, LLC, is proposing a 68-lot residential subdivision on 33.41 acres along Bellview Drive.

6. Background Information

The subject property was annexed into the City in 2012 and given a Low Density Residential land use designation. Eighteen-hundred citrus trees had been planted on site, irrigated with City reuse water, and no development was proposed in the near term at that time.

7. Proposal

The proposed 68-lot subdivision is irregularly shaped and is configured along Bellview Drive and 11th Street South. Over 39,000 square feet of recreation area is designed, along with an internal 5-foot sidewalk system. The minimum lot size of 9,697 square feet exceeds the standard

required for R-1B zoning; no reductions in building setbacks or other waivers of strict compliance are requested.

Roadways and Access:

The subdivision is split by Bellview Drive. The 28 lots north of Bellview Drive are designed along a looping road meeting local road standards to be built by the developer named San Juan Circle. The remaining 40 lots south of Bellview Drive are proposed along two internal local roads San Juan Way and San Juan Court, to be built by the developer, both ending in a cul-de-sac and having a secondary access point from Bellview Drive.

City code requires that new residential developments with more than 10 lots proposed must be accessed from a road meeting minor collector standards, having a minimum of 66 feet of right-of-way. Bellview Drive is a County Road classification RNC with varying right-of-way widths; the plan is required to show the right-of-way dedication on Bellview Drive along the boundaries of the subject property.

Buffers:

A 10-foot landscape buffer is provided along the external roadways, Bellview Drive and 11th Street. A 5-foot landscape buffer is also required between abutting properties, including the Atlantic Coastline Railroad.

Landscaping:

The development will be required to meet current landscape standards. Per Section 23-307.2.a.3 the residential density requirement is two (2) trees per each dwelling unit on site. Per Section 23-307.4.b buffers along drainage retention areas shall be planted with at a minimum of five (5) shade trees per 300 linear feet. Per Section 23-310.d.2 a minimum of five (5) trees per acre shall be required in recreation areas.

8. Code References and Review Criteria

- Sec. 23-222.3 Preliminary Subdivision Plat Review
- Table 23-422A Dimensional Area Standards – Residential Districts
- Sec. 23-303.3.c. Street access requirements – Residential Development
- Sec. 23-307 - Landscaping

9. Staff Comments and Proposed Conditions of Approval

The proposed development is a standard subdivision meeting all requirements of the Land Development Regulations to date. The planning board shall either approve, approve subject to stated conditions, or deny the preliminary site plan. In doing so, they shall enter specific findings of fact delineating their reasons.

10. Attachments

- Preliminary Plat for San Juan Citrus, signed March 14, 2018, prepared by Knight, McGuire, & Associates, Inc.
- Reduced Overall Site Plan

Mr. Lutton said Whispering Ridge has similar parks and they aren't too bad. Ms. Bennett asked what the term "parks" meant in this discussion and Ms. Bangley said there must be some sort

of amenities included and must meet City code. Mr. Lutton said the plans say “storm/park” and Ms. Bennett said the term “recreational area” applies to the one park and Ms. Bangley answered no, that it applies to every park and Ms. Cochella, for better clarification, stated that it is mislabeled on the plans. Mr. Lutton asked if anyone had any questions for the applicants and Mr. Bennett said on the plans 2-A, there is a reference to the County Attorney, and asked for clarification as to why. Mr. Pat Schirard, applicant, addressed Mr. Bennett’s question stating it should say “City Attorney”. Mr. Bennett asked why there is a cul-de-sac on the plans and not connecting to the main road, Ms. Bangley said the reasoning is because it abuts grove roads that are not county maintained right of way and it serves the property the best. There was discussion on Grove Road 3 whether it is public or private road. Mr. Gravel asked if the applicant was going to build houses or just sell lots and Mr. Schirard said at this point they are unsure, they plan on working with staff to determine the best plan in the future. Ms. Bangley said she has had two builders inquire with her in the last month because the City’s platted inventory is running out. Mr. Bennett asked how far out Whispering Ridge is and Ms. Bangley said she was unsure, however, they have a phase two that is fully permitted and could go into site development. Ms. Bell asked what price point homes they are thinking of selling and Mr. Schirard said something similar to Whispering Ridge but a little more upscale. Mr. Lutton asked about the 10 foot buffer along the railroad and if there are any requirements to but a landscape buffer along that portion and Mr. Schirard said that is owned by the Railroad and they do not have a right to any of that land.

Chairman Lutton asked if there were any other questions of the board and reminded the board members that it is a two-step approval.

Mr. Gravel made a motion to approve the subdivision site plan as presented. Ms. Bell seconded the motion. The motion passed by roll call vote.

Mr. Gravel made a motion to recommend the preliminary plat to City Commission. Mr. Peterson seconded the motion. The motion passed by roll call vote.

Ms. Bangley stated that the agenda item will move to the third Tuesday in May for City Commission consideration.

OTHER BUSINESS

Ms. Bangley gave a brief update on projects that were in progress and beginning.

Mr. Bennett wanted to state for the record that last week there was discussion on requirements for recusal and he had spoken to the City Attorney and he should have left the room so for future reference that is what needs to happen.

The meeting was then adjourned at 6:26 pm.

Attest: Karah Clark

Christopher Lutton, Chairman