

**MINUTES  
PLANNING AND ZONING BOARD MEETING  
REGULAR MEETING  
October 27, 2020, 5:30PM**

The City of Lake Wales Planning and Zoning Board held a meeting on October 27, 2020 at 5:30 p.m. via hybrid in the Commission Chambers at City Hall, 201 W. Central Ave. Lake Wales Florida and through the GoToWebinar platform.

**ATTENDANCE**

**Planning Board Members (Shaded area indicates absence):**

Chairman Christopher Lutton	Vice- Chairman Charlene Bennett	John Gravel	VACANT	Linda Bell	Kyra Love	VACANT
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**City Staff:**

<b>Dept. of Planning and Development</b>
Mark J. Bennett – Director of Development Services
Autumn Cochella – Development Services Manager
Christina Adams – Recording Secretary

1. CALL TO ORDER – Mr. Lutton called the meeting to order at 5:31 p.m.
2. ROLL CALL - Mr. Gravel was absent but a quorum was present.
3. READING OF VIRTUAL MEETING STATEMENT
4. CHAIR AND VICE CHAIR NOMINATION AND VOTE – Mr. Bennett asked the Board for Chairman and Vice-Chair nominations. Ms. Love nominated Mr. Lutton as Chairman and made motion and Ms. Bell seconded the motion. The vote passed unanimously by vocal vote. Ms. Love motioned to keep Ms. Bennett as vice-chair and Ms. Bell seconded the motion. The vote passed unanimously by vocal vote.
5. APPROVAL OF MINUTES  
Regular Meeting via hybrid – September 29, 2020  
Motion by Ms. Love to approve and Ms. Bell seconded the motion. The minutes were approved unanimously by voice vote.
6. COMMUNICATIONS AND PETITIONS

**NEW BUSINESS**

**7. KINGDOM FITNESS SPECIAL EXCEPTION USE PERMIT**

Review Staff report by A. Cochella  
Begin Report:

**PROJECT:** Kingdom Fitness and Nutrition Health Club  
**APPLICANT:** Fred Beasley, Property Owner  
 Arthur White, Business Owner, Agent for Property Owner  
**ADDRESS OR LOCATION:** 1049 Resmondo Drive Units 4 & 14  
 PID: 27-29-35-880012-000030

**APPROVAL REQUESTED:** *Special Exception Use Permit – Health Club*  
**FLUM/ZONING:** *LCI – Limited Commercial Industrial*  
**PUBLIC HEARING:** *Requirements have been met*

End Report.

Ms. Cochella reviewed the staff report with the Board. Mr. Lutton asked if the Board had any questions or comments to which there were none. He opened the floor to the public and with no movement he closed the public hearing and asked the Board for a motion. Ms. Love motioned to approve the Special Exception Use Permit and Ms. Bell seconded the motion. The item was approved unanimously.

## 8. PROPOSED AMENDMENTS TO CHAPTER 23 LAND DEVELOPMENT REGULATIONS

Review Staff report by A. Cochella  
Begin Report:

**PROJECT:** Proposed Amendments to Zoning Regulations  
**APPLICANT:** City of Lake Wales  
**APPROVAL REQUESTED:** Recommendation to City Commission for Amendments of Chapter 23  
**PUBLIC HEARING:** Required – requirements have been met

Ms. Cochella reviewed the staff report with the Board. Mr. Lutton voiced his concern for street trees being a burden in residential neighborhoods and Ms. Cochella explained that street trees would only be within the downtown area. She stated that this round of amendments and the next round were to be less restrictive and more business friendly. Mr. Lutton asked the Board if they had any comments or concerns.

Ms. Bennett stated she was not comfortable with the changes in section 23-302 on page 5 stating a development could have only one entrance for up to 150 dwelling units. She was concerned about the potential problems if the one entrance was blocked during a major fire and reiterated that she was not comfortable with this section. Ms. Cochella stated that the Development Review Committee which includes the Fire Marshal and a Police Lieutenant would have the opportunity to review development designs and layouts and if they weren't comfortable with the one entrance then they would not approve the site plan and submit comments to the developer for changes. Mr. Lutton stated that some developers don't have an opportunity for more than one entrance and Ms. Bennett stated that a developer's convenience shouldn't supersede safety. She stated she would accept the proposed change since the Fire Marshal is involved with the Development Review Committee.

Ms. Bennett stated she had a concern with the proposed changes to section 23-422 on page 16 that give the City Manager the right to approve a 20% reduction waiver for dimensional standards. She didn't think that just one person should be making that decision and those decisions should remain with the Planning Board. She stated that the Board is a group of people that brings thought together to make a good decision rather than one person who may be getting pressured from who knows who to make a specific decision. Ms. Cochella explained this item would grant relief to a developer or homeowner requesting a small reduction and the Board could approve a smaller percentage than 20%. She clarified if the degree of relief is within that percentage then the City Manager at the time could approve or deny based on a recommendation from staff. Mr. Bennett stated it would be a check and balance system and Mr. Lutton stated that the City Manager would raise a concern if he was receiving multiple requests for the same relief in a specific area. Ms. Bennett asked what City Manager would want to do

this and stated she was comfortable with the Director of Development Services making a decision, but not a City Manager. She stated that she hoped she wouldn't have to vote down the entire agenda item for this one specific item and proposed staff take it out of the package to be able to continue moving forward. Mr. Lutton clarified that the Director would review the request and created a memorandum for the City Manager with a recommendation before the City Manager could give an answer and Mr. Bennett confirmed this would be the process and if the applicant wished to appeal the decision then they would have the opportunity to do so with the City Commission. He stated this would be saving the applicant money, particularly the individual homeowners who submit these types of requests and staff would use best judgement in preparing a recommendation. Ms. Bennett stated that this process would give anybody the option to go over the Director's head for a decision to which Ms. Love and Mr. Lutton answered no. Ms. Love clarified applicants would have to work with the Director to get the request to the City Manager she then proposed changing the wording to provide more clarification of the process. Ms. Bennett requested that this particular item and Mr. Lutton stated that could be done within the motion. Mr. Lutton opened the public hearing and with no movement he closed the hearing. He asked to Board for a motion to approve the item for recommendation to City Commission minus section 23-422. Ms. Love made the motion and Ms. Bell seconded. The item was approved unanimously for recommendation without section 23-422.

The Board requested a revision of 23-422 and Ms. Cochella asked them to give her clear direction and asked Ms. Bennett if she was uncomfortable with the percentage amount to which she replied she was uncomfortable with the whole idea.

#### 9. DISCUSS HOLIDAY MEETING DATES

The Board confirmed the regular scheduled meeting date of Tuesday November 24<sup>th</sup> would be okay for a meeting and the proposed date of Wednesday December 16<sup>th</sup> would be okay for that month's meeting date.

#### OTHER BUSINESS

There was discussion about the new location of High Point Church. Ms. Cochella confirmed there would be a November meeting as there is already one item to be presented. Ms. Bennett stated that back when Margaret Swanson was the Planning Director once or twice a year there would be a presentation from staff about the Board's past decisions and how they turned out and said she would like to see that again. Ms. Cochella stated that was a great suggestion and staff would make efforts to implement that.

The meeting adjourned at 6:18 PM.

  
Attest: Christina Adams

  
Chairman: Christopher Lutton

