



SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
CITY HALL
THURSDAY, JANUARY 18TH, 2024 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, January 18th, 2024, at City Hall.

Chairman Tim Sennett called the meeting to order at 4:30 p.m.

The following Commission members were present:

Tim Sennett - Chairman
Nathaniel Sanders – Vice-Chairman
Ted Bowersox
Frazier Marshall
John O’Kelley
Stewart Kaplan
Ze’ Shieca Carter
Ken Simeone

The following Commission members were absent:

Darin Akkerman

City staff that was present included Dan Miller, Planning & Zoning Director, Sabrina Mitchell, Executive Assistant I, Kandi Harper, Deputy Director, Max Van Allen, Planner and Melissa Medders, Planner. City Attorney Grant Watson was also present.

The meeting opened with an invocation given by Commissioner Bowersox, followed by the Pledge of Allegiance to the Flag.

Dan Miller informed the audience of the rules of participation and the need to sign the speaker’s registry. He also informed Commissioners and the audience that the City Commission meeting dates are tentatively scheduled.

MINUTES OF THE PLANNING COMMISSION MEETING FOR THURSDAY,

DECEMBER 14TH, 2023.

Commissioner Kaplan moved to APPROVE the minutes from the December 14th, 2023 meeting. Commissioner Carter SECONDED the motion, which PASSED by a vote of 6-0.

Sabrina Mitchell swore in staff as well as anyone wishing to speak.

Chairman Sennett called for the first case under new business be brought forward.

NEW BUSINESS

1) **PUBLIC HEARING CASE # VAR-23-529 – 100 AND 104 JOHNSON STREET- VARIANCE**

REQUEST FOR A VARIANCE FROM SECTION 25-280 TABLE 4-2 DISTRICT DEVELOPMENT STANDARD, TO ALLOW FOR A REDUCTION OF THE R-2 (MEDIUM DENISTY RESIDENTIAL) MINIMUM REQUIRED LOT SIZE FROM 7,000 SQUARE FEET TO 5,000 SQUARE FEET, FOR A PROPERTY GENERALLY LOCATED WEST OF LEE STREET AND SOUTH OF JOHNSON STREET, AS LEGALLY DESCRIBED IN SECTION 23, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(FINAL DECISION IS BY THE PLANNING COMMISSION)** (100 and 104 Johnson Street VAR)

Dan Miller introduced case number #VAR-23-529 – 100 and 104 Johnson Street – Variance into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, and staff recommendations.

Dan Miller gave a background and explanation of the subject property, location, zoning, and requests.

Max Van Allen, Planner utilized a power point presentation to demonstrate the area of the proposed site for the case.

Department Review Summary: This case was sent out to all the different City departments, Lake County Public Works, and the Lake County School Board there were no substantive comments from the City Departments. Lake County Public Works had no comments. City of Leesburg Electric Department require an easement across the front. Lake County School Board had no comment. Public responses – we did not receive any public responses from the State of Florida and City of Leesburg notice requirements, posted signs, and newspaper.

Dan Miller read the Staff Recommendations into the record for the case; Staff supports the case; recommended approval.

Commissioners' and Dan Miller discussed surprised not an urgency to improve road; lot of record, dirt road; Dan Miller stated it's a City street, lots of record, Staff does share your surprise, been that dirt road, not many homes; Johnson Street, nothing to the south, houses back to north, Staff didn't find any negative impact; setbacks; in Ordinance; Dan Miller stated to extend that we can; odd shaped lot, squeeze; to get home there, front house; sideways, front setbacks; side, rear setbacks; sides, side backs; front and rear, shift house; on lot, ability; home, not going to be; 300k-400k home; nice upgrade; area, walkable to downtown, close to schools; felt work the effort, no parking; street; Dan Miller stated when we spoke to Mr. Huang about it; turning the house to fit correctly and we talked specifically about drive way and garage requirements, and parking; not aware; issues on Johnson; parking issues, increase population, in cars; Dan Miller stated we felt opportunity home; affordable, new; opportunity we should take on property.

Chairman Sennett stated if the Commission have any questions of the applicant, or anyone from the Public wants to speak on the case.

Chairman Sennett closes discussion from the Public, entertained a motion, and then the voting took place.

Chairman Sennett called for a vote on the first case.

Vice-Chairman Sanders made a motion to APPROVE case # VAR-23-529 – 100 AND 104 JOHNSON STREET – VARIANCE Commissioner Kaplan SECONDED the motion.

The roll call vote was:

Commissioner O'Kelley	Yes
Commissioner Kaplan	Yes
Commissioner Carter	Yes
Commissioner Marshall	Yes
Commissioner Sanders	Yes
Chairman Sennett	Yes
Commissioner Bowersox	Yes

Seven yeas, no nays, the Planning Commission approved case # VAR-23-529 – 100 AND 104 JOHNSON STREET – VARIANCE.

Chairman Sennett called for the second case under new business be brought forward.

2) PUBLIC HEARING CASE # VAR-23-560 – SHEPHERD'S VILLAGE – VARIANCE

REQUEST FOR A VARIANCE FROM SECTION 25-280 TABLE 4-2 DISTRICT DEVELOPMENT STANDARD TO ALLOW FOR

REDUCED FRONT, SIDE, AND REAR SETBACKS FROM 30 FEET TO 25 FEET, 15/5 FEET TO 10/5 FEET, AND FROM 18 FEET TO 15 FEET, RESPECTIVELY, IN THE R-3 (HIGH DENSITY RESIDENTIAL) ZONING DISTRICT, FOR A PROPERTY GENERALLY LOCATED EAST OF FLATWOODS ROAD AND NORTH OF CASTEEN ROAD, AS LEGALLY DESCRIBED IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(FINAL DECISION IS BY THE PLANNING COMMISSION)**
(Shepherd's Village VAR)

Dan Miller introduced case number #VAR-23-560 – Shepherd's Village - Variance into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, and staff recommendations.

Dan Miller gave a background and explanation of the subject property, location, zoning, requests, and went over aerial map.

Max Van Allen, Planner utilized a power point presentation to demonstrate the area of the proposed site for both cases.

Department Review Summary: This case was sent out to all the different City departments, Lake County Public Works, and the Lake County School Board there were no substantive comments from the City Departments, connection to city water and wastewater is required, natural gas is required in 80% for single family detached units; agreement with the developer; over capacity, School Board is aware of that requirement. Lake County School Board comments noted; read into the record. Lake County Public Works had no comments. Public responses – Staff did receive one visit from a concerned citizen, comments noted; read into the record and the concerned citizen wanted to address concerns to the applicant and Commission so that he could be on the record from the State of Florida and City of Leesburg notice requirements, posted signs, and newspaper. Dan Miller gave a brief background and explanation of the development process to the Commission. Staff also noted that we will speak with the engineer of record on the project to alert then of his concerns and will get back with the citizen.

Dan Miller read the Staff Recommendations into the record for the case; Staff supports the case; recommended approval.

Grant Watson, City Attorney stated for the record to have applicant come up to address the parking issue.

Ralph Odum at 3307 Peaceful Valley Drive Clermont, Florida with protocol being established wants to thank the Commission for allowing them the opportunity to present this project; overflow parking; green space area, overflow parking; neighborhood event,

working in conjunction with the church, engage the community, events, establish the neighborhood association, retention pond, future recreation area; identified areas, part of the vision; centered around community engagement, hold value; neighborhood, definitely in conjunction with you, initial design; single entrance; with cul-de-sac, vision; shorten amount of houses; community, U-shape or horseshoe style entry/exit; emergency standpoint, increase inventory; provide more attainable homes; for community, lost amount of inventory, based on engineers dimension; didn't work.

Chairman Sennett stated if the Commission have any questions of Staff.

Chairman Sennett stated if the Commission have any questions of the applicant.

Commissioners' and Dan Miller discussed property size; units per acre; Dan Miller stated 5.3 acres; units per acre; 3.5, normally around just under 3; Citadel of Hope Church creating an attainable; type of development, quality house; built, reasonable size lot; in town, setback question; 30 to 25; front, 15 and 5; sides, 18 to 15; rear; put in regular; PUD, normal setback; standard zoning district, 5 or 10 or 7.5:7.5; total 15; min. 5, most PUD's on 50' lots; 5:5 require gutters, in case; making subdivision; good quality housing, utilize smaller lots; in town, aware of the Commission preference; larger lots, not sure that this the best place; large lots, house of worship and connected; work together, in Leesburg; new house, 300k, price point; 225k to 250k, quality homes, requesting same setbacks; PUD done, convenient location 19 homes; no traffic issue, Staff supports, parking; don't cover sidewalks; Dan Miller stated that's correct; reason for 25, applicant aware; clay plate comes through that area; make sure engineer aware, along south street; Dan Miller stated we are aware of some wetlands and flood areas other side of south street; subdivision development process; core samples taken; in soil, if it doesn't work; not do it, lot sizes clarification; Dan Miller stated 50x90; min. 5000 min.; lot sizes, square footage homes; Dan Miller stated 1400 and up; 1300; smallest, 3:2 and 4:2 bedrooms/bathrooms, essentially same, models on property; lower cost, allow good homes, good business; Dan Miller stated his opinion a good project, guest parking, concern; appreciates the church plans.

Dan Miller went over site plan to address guest parking; potential for additional parking exist on the eastern side of horseshoe bend road, went over retention area, green space, and recreation space, living there; happy place to live, U-shape entry/exit; engineer thought about single entrance with big cul-de-sac at end; deeper lots, bigger front/back yards, one driveways; entirely, thought emergency egress/ingress; reason, cul-de-sac; same density, same number of homes; with bigger lots, went over conceptual plan; better project, provisions site plan; approval, fence area or privacy buffer; Dan Miller stated generally residential to residential not required; if the applicant willing to commit to replacing the fence; part of Variance or more of the construction plan development, fall on the lines of asking your neighbor to fix a fence; Grant Watson, City Attorney stated if your neighboring property owner is impacting your rights or damaging your property; remedy for that neighbor to neighbor versus City issues, if privacy fencing as something enlight of granting the grace and setback; Commission believes appropriate safeguard to go along with the

changes and setbacks; that would be appropriate, previous hearings allow developer to grant those things; planning portion, site plan; ask developer to make consideration; Dan Miller gave a brief explanation of the conditions of a PUD for clarification purpose; Variance specific to the setbacks; Commission could request the developer to full-fill the conditions in order for the Variance approval, land pushed up; caused lot of drainage issues, appears reasonable to Staff, original fence; required of the church, function of the church; not residential, lots split off, different company of ownership; request by Commission; to put in and say you have to put a fence in, dirt; land grading, no malice intent; Dan Miller stated in order to complete the subdivision and flatten out the land; moved, move dirt; condition, applicant get with engineer; regarding concern, wetland section; concern, water flowing off of south street; Dan Miller went over flood zone map; concern development of the property; help situation, fence not maintained; no picture provided, possibility of the years gone by; growth of plants; don't remember the fence; solid or wood fence; deuterate after a while.

Grant Watson, City Attorney stated you could impose other conditions that are reasonable with respect to the Variance if you like to do that; if the Commissions has specific concerns and conditions that they would like to include as part of the Variance approval.

Chairman Sennett stated if anyone from the Public want to speak on this case.

Citizens' comments were based on resided on Flatwood Road since 1996, in my opinion the property in questions along with Flatwood Road won't be able to handle this proposed 19 units, drainage issues; worse over past few months, top soil; pushed to side, mounted up on property line, prevented the flow of rainwater, provided Staff with pictures; traffic; Flatwood Road issue, used to avoid west main street; south street intersection, many don't follow speed limit, rough estimate proposed area; 5.5 acres, potential 38 vehicles, more congested, propose entry/exit; back side property Casteen Road owned by same organization; different name, proposal pushed through; substantial attention be put on drainage issues in the area, northeast corner next to proposed property; lived there since 2000, church built, meeting, 6' fence; poorly maintained, serious disrepair, bulldozed 6' wall of dirt; up against fence, Villages; built, privacy compromised, 6' fence built; on burn; preserve privacy, populated; busy.

Chairman Sennett closes discussion from the Public, entertained a motion, and then the voting took place.

Chairman Sennett called for a vote on the second case.

Commissioner Marshall made a motion to APPROVE case # VAR-23-560 – SHEPHERD'S VILLAGE – VARIANCE Vice-Chairman Sanders SECONDED the motion.

The roll call vote was:

Commissioner Kaplan

Yes

Commissioner Carter	Yes
Commissioner Marshall	Yes
Commissioner Sanders	Yes
Chairman Sennett	Yes
Commissioner Bowersox	Yes
Commissioner O’Kelley	Yes

Seven yeas, no nays, the Planning Commission approved case # VAR-23-560 – SHEPHERD’S VILLAGE – VARIANCE.

DISCUSSION ITEMS

ANNOUNCEMENTS

Kandi Harper gave an brief update to the Commission on the 10-Year Water Supply Facilities Work Plan; reviewing revised 10-Year Water Supply plan, and four COMP plan elements, as one COMP plan amendment; formally adopt the City’s 10-Year Water Supply plan, four elements: conservation, potable water, capital improvements, intergovernmental coordination; COMP plan element; update to City COMP plan; come before Commission; for review this spring and Comprehensive Plan Update; takes place approximately every 10 years based on the census; consist of 14 elements, currently being reviewed and updated by the City consultant, and mentioned two citizen’s comments workshop held in February and March; dates, times, and locations noted; and read into the record; and stated the workshops are advertised by the City Clerk office as workshops for Public comments where no official decisions will be made. Grant Watson, City Attorney may have more to say regarding Sunshine Law and simultaneously attendance of both elected and volunteer City officials.

Dan Miller stated we are in the middle of updating the City’s Comprehensive Plan; last time done was in 2012, COMP plan is a book that is a blue print of how the city is going to grow in development; broken into elements essentially chapters; address specific subjects such as land use, transportation, drainage, recreation, water, and wastewater. Staff working with a consultant; COMP plan updated; these two workshops; everyone has opportunity to come and ask questions. 10-Year Water Supply Facilities Work Plan; every city has a consumptive use permit from St. Johns; have to be updated as well and they work together. Dan Miller encourages the Commissioner’s to come to the meetings; also, mentioned appointed and elected officials being in the same room and talking to each other; if he needed to give Staff advice on that from the City Attorney; City Clerk advertise as a workshop; Grant Watson, City Attorney stated he can check with the City Clerk; advertise in such a way so everybody can show up and talk about everything going on, if not a advertised Public meeting the Commission could not talk to each other about business that can potential come before the Board; look at how we

advertise to make sure that's done in a way that will allow a meaningful discussion and encourages Staff to get with him.

Commissioner O'Kelley stated to the Commission in case anyone don't know what's going on over the weekend on Sunday, in 1944 on January 24, young man from Leesburg was killed; Franklin Hall, Leesburg boy, and his remains were returned to Leesburg; by Beyers Funeral Home this Sunday his funeral is at Lone Oak Cemetery; reception escorted by a number of vehicles, military, private citizens, and 150 motorcycles; ancestors are the Robertson's and Hester's; they proceeded Evander Lee; sold land, Leesburg named after him; family history; goes back to 1844; encourages the Commission to come and please welcome him home.

Chairman Sennett stated to the Commission to think about Sunshine Law seminar; likes everybody to be updated; Grant Watson, City Attorney stated talked about that in the pass and look at agenda that we might have some time at the end; and if any of the Commissioners have any questions; email me or give me a call and will be happy to talk to you on any concerns on Sunshine or public records.

Chairman Sennett entertained a motion to adjourn.

ADJOURNMENT

Meeting was adjourned at 5:46 p.m.

Timothy H. Sennett, Chairman

Sabrina Mitchell, Executive Assistant I