

**TOWN OF ASTATULA
PLANNING & ZONING
BOARD MINUTES**



**SPECIAL MEETING
WEDNESDAY DECEMBER 21, 2022
TOWN HALL**

Having been duly advertised as required by law, Chairman Boyd called the Special Planning & Zoning meeting to order at 6:00 pm and led the Pledge of Allegiance.

Members Present:

Marjorie Boyd, Chairman
Sean Donnelly, Vice-Chair
Karen Smith

Absent:

Leigh Ann Pflugh
Theresa Ann LaBree

Town Staff Present:

Graham Wells, Town Clerk
Tim Green, Town Planner

Roll Call was performed, and it was determined that a quorum was present. Chairman Boyd welcomed town planner, Tim Green. Clerk Wells confirmed that the proper notice of the public hearing had been posted, four notices had been sent to property owners and a notice had been posted outside the main gate of County Materials.

MINUTE APPROVAL

Approval of Minutes – November 7, 2022 Regular P & Z Meeting.

MOTION by Member Donnelly to approve; SECONDED by Member Smith

For: Smith, Boyd, Donnelly

MOTION CARRIED 3-0

PUBLIC HEARING

RESOLUTION 2022-32 VARIANCE APPLICATION – AK #1788293 AND 3809584

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF ASTATULA, FLORIDA; DOCUMENTING THE VARIANCE APPROVED BY THE TOWN COUNCIL FOR LAND LOCATED AT 25704 COUNTY ROAD 561 IN THE TOWN OF ASTATULA, LAKE COUNTY PROPERTY APPRAISER PARCEL NO.: 29-20-26-1300-00B-00007 & 29-20-26-0100-00B-00603; PROVIDING AN EFFECTIVE DATE.

Mr. Green said that Green Consulting Group, Inc. (GCG) has conducted a review for the requested variance to the height requirements for a new building on property located at 25704 CR 561 in the Town of Astatula. A variance is requested under Chapter 4 - Zoning Regulations: 4.9.9 (4)(d)(4) of the Town of Astatula Land Development Regulations.

The request is for a building with height of 41.5 feet which is 1.5 feet above the maximum allowed by the Land Development Regulations for the Industrial site. GCG has reviewed the Variance Criteria as outlined in the Town of Astatula Land Development Regulations, Chapter 1, 1.10 Variance.

Mr. Green went over the provisions in the code for approving a variance along with his recommendation whether the application conforms or not. The applicant has stated in the application that a special condition and circumstance exists in that "the proposed building height is needed to accommodate equipment".

The special condition and circumstance may not be totally because of an action of the applicant IF the equipment required for the specific function is only manufactured with certain height requirements for operation.

A literal interpretation of the provisions would not necessarily deprive the applicant of rights commonly enjoyed by other properties in the same zoning district as this is the only property in the Town with this zoning. The literal interpretation could be an undue hardship of not allowing this specific equipment to be utilized as part of the onsite manufacturing process.

As requested, the applicant feels that the request is the minimum height required to house the proposed equipment. The granting of this variance could be considered to be in harmony with the general intent and purpose of this Code and the Comprehensive Plan, in this case restricting the maximum height of buildings, as on this site it appears there are many existing buildings exceeding the requested height.

The granting of the variance would not necessarily be detrimental to the property or improvements in the area in which the property is located. The applicant has indicated the proposed building and equipment is like the last building and requires the height to house the specific equipment.

Mr. Green stated that if the application does conform to code and recommended that the board recommend approval of the application to council.

The Chairman opened up for comment from the board. Member Donnelly asked for clarification on the height calculation and recommended approval of a greater height than what was requested in case there is any unforeseen issues that arise during the construction. Following discussion, the chairman requested a motion.

**MOTION by Member Donnelly, to recommend that Council approve Resolution 2022-32 approving the variance of up to five feet over the height restriction in the code; SECONDED by Member Smith
For: Smith, Boyd, Donnelly
MOTION CARRIED 3-0**

NEW BUSINESS

APPLICATION FOR MAJOR SITE PLAN REVIEW – COUNTY MATERIALS AK #1788293 AND 3809584

Mr. Green stated that Green Consulting Group, Inc. (GCG) has conducted a 2nd review of the Site Plan for the above referenced project. The Site Plan was prepared by Al Andreansky P.E. and was sealed with the date of December 8, 2022 and consists of 15 sheets. The property is zoned 1-2. The total site is 22.80 acres. The site is currently used as industrial.

He went over the review of the application and defined the various notes for items not provided on the plan as follows.

Note 1: Replacement building on existing impervious area of site.

Note 2: Existing Site.

Note 3: Internal Building that does not alter internal circulation.

Note 4: Traffic impacts are expected to be equal to previous demolished building.

Note 5: Separate building permits will be required.

The issue of flood lights on the outside of the building was brought up and requested to be lower on the building so as to not affect the passing traffic with glare. The Clerk said that he would talk to them about it. Mr. Green stated his recommendation was for approval of the site plan and following some discussion from the board a motion was requested.

**MOTION by Member Smith, to recommend to Council to approve the Site Plan;
SECONDED by Member Donnelly**

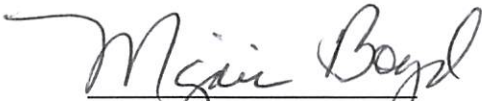
For: Smith, Boyd, Donnelly

MOTION CARRIED 3-0

ADJOURNMENT


There being no further business, Chairman Boyd thanked everyone for attending; the meeting was adjourned at 6:29 pm.

Respectfully submitted,



Marjorie Boyd, Chairman

ATTEST:



Graham Wells, Town Clerk