



**PLANNING AND LAND DEVELOPMENT  
REGULATION COMMISSION (PLDRC)  
REGULAR MEETING  
Lake Helen City Hall – 327 S. Lakeview Drive  
October 22, 2018 at 7:00 P.M.**

**CALL TO ORDER:** Meeting called to order by Chairman Joseph Hammett the October 22, 2018 Planning and Land Development Regulation Commission Regular Meeting at 6:59 pm.

**Present:**

Chairman Joseph Hammett	Vice Chairman Joy Taylor
Commissioner Ann E. Nehrig	Commissioner Robert G. Feather
Commissioner Stacy Eckert	Commissioner Travis Grimm
Commissioner Roxann Goodman	Interim City Administrator Becky Witte
Alternate Commissioner Todd Preston	

**ITEM 1: ADDITIONS, DELETIONS, OR MODIFICATIONS TO THE AGENDA AS PUBLISHED:**  
**Item 8: consideration changed to discussion – not a voting topic**

**ITEM 2: COMMISSION ANNOUNCEMENTS: None**

**ITEM 3: APPROVAL OF MINUTES:** September 24, 2018  
**MOTION by Commissioner Stacy Eckert** to approve the minutes of September 24, 2018. **SECOND** by Commissioner Ann E. Nehrig. **MOTION CARRIED UNANIMOUSLY.**

**ITEM 4: PUBLIC COMMENTS: None**

**ITEM 5: QUASI-JUDICIAL: Special Exception for Model Home**

- **Disclosure of Exparte Communication:**
  - Commissioner Robert Feather: None
  - Commissioner Travis Grimm: None
  - Commissioner Ann Nehrig: None
  - Vice Chairman Joy Taylor: None
  - Commissioner Stacy Eckert: None
  - Commissioner Todd Preston: None
  - Commissioner Roxann Goodman: None
  - Chairman Joe Hammett: None
- **Those wishing to speak were sworn in by Interim City Administrator Becky Witte**
- **Emails that are to be entered into the record from:** Debbie and Jeff Ritchey (W Michigan Ave)
- **Applicant Presentation:** Tim Dirkin (Vintage Estate Homes)
- **Questions by Planning Commission:** Vice Chairman Joy Taylor, Commissioner Roxann Goodman, Chairman Joe Hammett, Commissioner Travis Grimm, Commissioner Ann Nehrig, Commissioner Stacy Eckert, Interim City Administrator Becky Witte, Ariel Faith (Historic Design Consultant)
- **Staff report by Interim City Administrator Becky Witte**
- **Discussion with input from Planning Commission**
- **Public Comment:**
  - Jeff Ritchey (W Michigan)

**Discussion with input from** Commission and Interim City Administrator Becky Witte  
**Special meeting dated for October 30<sup>th</sup> at 7PM tentatively. We will know by 1pm.**

**MOTION by Commissioner Travis Grimm** to recommend the City Commission grant the Special Exception for Model Home on lot 5 in the Woods of Lake Helen (391 W. Michigan Avenue) with the following conditions:

Time frame of 36 months, Limit hours of operation to 10am-5pm Monday – Saturday and Sunday 12pm-5pm, appearance not be of a typical model home (no garage sales office), no additional parking, and pending approval of the Historic Preservation Board.

**SECOND by Vice Chair Joy Taylor.  
MOTION CARRIED UNANIMOUSLY**

**ITEM 6: QUASI-JUDICIAL: Variance for Sign  
TABLED UNTIL SPECIAL MEETING ON OCTOBER 30th.**

**ITEM 7: QUASI-JUDICIAL: Special Exception for Private Event Facility**

- **Disclosure of Exparte Communication:**  
 Commissioner Robert Feather: None  
 Commissioner Travis Grimm: None  
 Commissioner Ann Nehrig: FORM 8B (non-voting because of conflict)

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS	
LAST NAME - FIRST NAME - MIDDLE NAME <i>Ann Nehrig</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>CITY OF LAW TOWER PLANNING AND LAND DEVELOPMENT COMMISSION</i>
MAILING ADDRESS <i>161 New Avenue</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON PRESENT BOARD OR LAST OF <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY TOWNSHIP	NAME OF POLITICAL SUBDIVISION <i>CITY OF LAW TOWER</i>
Date when MERGED VOTE OCCURRED <i>October 25, 2018</i>	POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

**WHO MUST FILE FORM 8B**

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

**INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES**

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal) by which he or she is retained; to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 183.355 or 183.357, F.S., and officers of independent special tax districts elected on a one-size, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

**ELECTED OFFICERS:**  
 In addition to abstaining from voting in the situations described above, you must disclose the conflict:  
 PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting, and  
 WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

**APPOINTED OFFICERS:**  
 Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.  
 IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:  
 • You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, *Ann Nehrig*, hereby declare that on *October 22*, 20 *18*:

(a) A measure came or will come before my agency which (check one):  
 inured to my special private gain or loss;  
 inured to the special gain or loss of my business associate;  
 inured to the special gain or loss of my relative;  
 inured to the special gain or loss of *Fast Pitch Orlando (Russell Pierce)* by whom I am retained; or  
 inured to the special gain or loss of \_\_\_\_\_ which \_\_\_\_\_ is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:  
*I am the Realtor for Fast Pitch Orlando (Russell Pierce) for the subject property seeking Special Exception for Private Event Facility.*

Date Filed: *10-22-2018* Signature: *Ann Nehrig*

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

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Commissioner Joy Taylor: replied to emails that are on record  
 Commissioner Stacy Eckert: None  
 Commissioner Todd Preston: None  
 Commissioner Roxann Goodman: None  
 Chairman Joe Hammett: met the applicant in the office

- Those wishing to speak were sworn in by Interim City Administrator Becky Witte
- Emails that are to be entered into the record from: Carol A. Johnson (Forsythe Rd), Derek Mears (Lemon Ave), Dave Vanderpool (Forsythe Rd.), Lani Stover (E Kicklighter Rd), Kerri and Chris Dixon (Kicklighter).
- Applicant Presentation: Russell Pierce (Fast Pitch Orlando)
- Questions by Planning Commission – Chairman Joe Hammett, Commissioner Joy Taylor, Commissioner Travis Grimm
- Staff report by Interim City Administrator Becky Witte
- Discussion with input from Planning Commission, Interim City Administrator Becky Witte, Russell Pierce (Fast Pitch Orlando)
- Public Comment:  
 John Znorowski (E Kicklighter)  
 Megan Znorowski (E Kicklighter Rd)  
 Terry & Denise Neighbours (E Kicklighter Rd)  
 Eric Hopton (Duroc Dr)

Chris Wright (Perry Lane)  
Wade Wright (Perry Lane)  
Carol Johnson (Forsythe Rd)  
Von Russell (E Kicklighter)  
Allan Cooke (Pervat Rd)  
Barry Barnard (690 Stair Way)  
William Hyde (E Ohio Ave)  
Jeff Richey (W Michigan)

**Discussion with input from Commission**

**Motion** by **Commissioner Roxann Goodman** to table request until traffic study and updated plan. **Second** by **Chairman Joseph Hammett**.

**Discussion with input from commission, Russell Pierce (Fast Pitch Orlando)**

**Vote:**

**Yes:** Commissioner Roxann Goodman, Chairman Joseph Hammett

**No:** Vice Chair Joy Taylor, Secretary Stacy Eckert, Commissioner Robert Feather, Commissioner Travis Grimm, Commissioner Todd Preston

**MOTION DID NOT CARRIED by 5-2 majority.**

**MOTION** by **Vice Chair Joy Taylor** to recommend that the City Commission **not** grant the Special Exception for Private Event Facility for 20 acres on the corner of E Ohio Avenue and Prevatt Avenue (Parcels: 7130-02-91-0010 and 7130-01-69-0010) for the following reasons:

*Not in compliance with the special exemption guidelines of 4.09.00*

**SECOND** by **Commissioner Travis Grimm**

**VOTE:**

**NO:** Commissioner Roxann Goodman, Chairman Joseph Hammett

**YES:** Vice Chair Joy Taylor, Secretary Stacy Eckert, Commissioner Robert Feather, Commissioner Travis Grimm, Commissioner Todd Preston

**MOTION CARRIED by 5-2 majority.**

**ITEM 8: Consideration of review of land Development Code: Gateway Overlay Landscaping (Articles 5.04.10)**

Discussion with input from Interim City Administrator Becky Witte.

**ITEM 9: Consideration of Annexation and Utility Agreement with the City of DeLand**

Discussion with input from Interim City Administrator Becky Witte.

**MOTION** by **Commissioner Travis Grimm** to recommend the City Commission enter into the ~~Joint Planning Agreement~~ Annexation and Utility Agreement with DeLand.

**SECOND** by **Commissioner Ann Nehrig**.

Discussion with input from Interim City Administrator Becky Witte.

**VOTE:**

**NO:** Commissioner Robert Feather

**YES:** Vice Chair Joy Taylor, Secretary Stacy Eckert, Commissioner Travis Grimm, Commissioner Roxann Goodman, Chairman Joseph Hammett, Commissioner Ann Nehrig

**MOTION CARRIED by 6-1 majority.**

**ITEM 10: Discussion with Ariel Faith, City of Lake Helen Historic Design Consultant**

**Ariel Faith, Joy, Interim City Administrator Becky Witte, Chairman Joseph Hammett**

**ITEM 11: Staff & Commission Discussion: MOA with Ivy Hawn - Chairman Joseph Hammett**

**ADJOURNMENT:** Chairman Joseph Hammett adjourned the October 22, 2018 Planning and Land Development Regulations Commission Regular Meeting at 9:47pm.