

## MINUTES

### PLANNING AND ZONING BOARD MARCH 18, 2009 6:00 P.M.

❖ **CALL TO ORDER:**

Chairman Burt called the meeting to order at 6:00 p.m.

❖ **PLEDGE OF ALLEGIANCE:**

Board Member Percy directed the Pledge of Allegiance.

❖ **ROLL CALL:**

BOARD MEMBERS PRESENT:      Board Member Percy  
   Vice-Chairman Brooks  
   Board Member Hall  
   Board Member Davidson  
   Chairman Burt

STAFF PRESENT:                      Marisa Barmby (CFRPC)  
   Marlene Sanchez (CFRPC)  
   Town Clerk Joe DeLegge

Marisa Barmby of the Central Florida Regional Planning Council introduced Marlene Sanchez, a new planner with the Central Florida Regional Planning Council who will be working as Dundee's planner and will be here every Wednesday. Ms. Barmby stated that she will still be doing work with Dundee but that she will not be here on a weekly basis.

**TAB 1: APPROVAL OF MINUTES:**

❖ **FEBRUARY 18, 2009 MEETING MINUTES**

Board Member Hall informed the Board that he talked to the Town Council at their last meeting and the subject of Boulevards was discussed and getting our roads named correctly. A general discussion followed concerning Boulevards.

Board Member Hall also stated that the status of vacating Old Dundee Road came up at the Town Council meeting. He said they read him the riot act and let him know that they were not supposed to be talking about vacating Old Dundee Road and that they have decided three times not to do that. Discussion followed.

**MOTION** by Chairman Burt, seconded by Board Member Brooks to approve minutes as corrected.

AYE: Percy, Brooks, Hall, Davidson, Burt

NAY: None

## **TAB 2: APPROVAL OF THE EVALUATION AND APPRAISAL REPORT (EAR)**

Marisa Barmby gave a brief power point presentation to the Board. She explained that the purpose of the EAR is to identify major community issues, review the Town's actions in implementing the Comprehensive Plan, assess how well the objectives have been achieved through this plan, and identify the ways that the Plan needs to be changed to address the current goals of the Town. She reminded the Board that a Public Workshop was held to get a list of major issues, and that both bodies, this Board and the Town Council were present. An agency scoping meeting was held that involved several agencies such as DEP and the Department of Transportation. Information from both of these meetings was taken as well as from discussions with staff to come up with a list of major issues.

The major issues that are identified are: transportation, housing, lakes preservation and recreation, future land use, historic preservation, inter-governmental coordination and water supply. Required EAR issues that come from the state include population, annexation, land use, infrastructure, levels of service, financial feasibility, and changes to state and regional requirements in plans that have occurred. Since 1991, the Town has annexed approximately 4,800 acres and 3,900 acres of the Town are considered developable which is about 54% of the Town. The population of the Town is anticipated to grow to 5,482 by the year 2030. The map of Dundee was reviewed and the subject of possible enclaves was discussed. It was explained by Ms. Barmby and Town Clerk DeLegge that no enclaves exist and that the Town Attorney has reviewed the recent annexations. Discussion followed.

Ms. Barmby continued her presentation and stated that all of the infrastructure has been operating at or above a level of service standard that includes roads, sewer, water, solid waste, and parks and recreation. Recommendations were made for each of the seven identified issues and the required EAR issues, and these are listed in the report. Ms. Barmby explained that after the Public Hearing was held, she was looking for a recommendation from the Board to the Town Council to approve the EAR report and transmit it to the Department of Community Affairs (DCA). The deadline to transmit to DCA is May 1<sup>st</sup>. She explained that the first reading by the Town Council is April 14<sup>th</sup> and the final reading is scheduled for April 28<sup>th</sup>, so the recommendation of the Board is needed tonight.

Board Member Hall stated that this is a lot of information that they have not gone over and have not discussed it in any kind of detail but we are called on to make a recommendation. He said it is also for meeting these deadlines, is not for understanding this document. He stated that he does not feel that is what they ought to be doing, that they ought to be ingesting it and sending it forward or not.

Chairman Burt said that he hoped that everyone had read the document and that the purpose of this meeting is to have sufficient discussion, questions and answers in order for them to understand it.

Ms. Barmby explained that since the Board's meeting date was changed to the third Wednesday of the month, there is a six week lag time between the time they do something to the time they approve their minutes that can go to the Town Council. She feels that this is not a slow timetable or a rushed deal; this is the same amount of time that is given to all of the cities they deal with. This is the only city that the CFRPC deals with that a set of approved minutes must go to the Council before a recommendation is acted on. The Town Council will have two weeks to read it and understand it and that they will get it on Tuesday. She said that she would be happy to go through it element by element to make sure the Board understands what is in the document. The EAR is the first step in the process in reviewing the Comp Plan.

Chairman Burt then said that unless the Board had a better suggestion, he was going to go through it page by page. He observed that he counted a total of forty-four (44) policies under Tab 5 (EAR Report), twenty-seven (27) were met, ten (10) were not met and four (4) were not entirely met. He said that it certainly indicates honesty and he wondered if it was going to hurt us when it is submitted to DCA. Ms. Barmby indicated that it was her understanding that it would not since these changes were made since 1991 and the Town was not required to do an EAR. There is no penalty; this is just a way to address everything you are supposed to address in you Comp Plan.

Chairman Burt then proceeded to go through the EAR report page by page. Board members then asked questions and asked for clarification on certain pages of the report.

**Note: A copy of the Evaluation and Appraisal Report (EAR) is on file in the office of the Town Clerk.**

Chairman Burt opened the Public Hearing and asked if there was anyone from the public who wished to be heard. Hearing from no one, the Public Hearing was closed.

Ms. Barmby then summarized the changes that were made by the Board. On Section 3, page 8, spell out AL to Agriculture and on Appendix C, change City to Town on the title on the cover sheet.

Chairman Burt asked the Board if there were any comments, observations or objections. Board Member Davidson stated he had no objections. Board Member Percy stated that it was a well planned, well written package. Chairman Burt agreed. Board Member Hall said he would recommend it.

**MOTION** by Board Member Percy that the Planning and Zoning Board recommend that the Town Council approve the 2009 Town of Dundee Evaluation and Appraisal Report of the Comprehensive Plan and convey it to the Department of Community Affairs (DCA) for review and a finding that it is in compliance with statutory requirements. Seconded by Board Member Hall.

AYE: Percy, Brooks, Hall, Davidson, Burt  
NAY: None

Chairman Burt commended the Regional Planning Council for the work they did on the report recognizing that it is not an easy thing to put together.

### **TAB 3: DISCUSSION OF ELECTRONIC MESSAGE BOARDS**

Ms. Barmby said that this item could be tabled at this time. A short discussion followed.

**MOTION** by Board Member Percy, seconded by Board Member Hall to table this item until the next meeting.

AYE: Percy, Brooks, Hall, Davidson, Burt  
NAY: None

### **TAB 4: STATUS REPORTS**

#### **A. REPORT ON STATUS OF ITEMS THAT HAVE BEEN HEARD BY PLANNING AND ZONING BOARD AT PREVIOUS MEETINGS.**

Chairman Burt commented that he thinks it is great having this report so that they can keep track of what is happening after it leaves the Board.

Board Member Hall again pointed out the vacating of Old Dundee Road back in June and the action should be that the Council said they voted not to do this so we should go ahead and write it off. We should just go ahead and end it.

There was a question by Chairman Burt if Council has taken formal action. (about the Old Dundee Road) Ms. Barmby responded that this item with your recommendation has not been taken to them because one of the applicants has sold his land and the new owner's signature is needed on the application. She stated that now that Doug Leonard is back from his surgery, he is meeting with them again.

Board Member Brooks inquired as to why they (Town Council) feel this way; something has to be done. Somebody is going to have to make a move. Board Member Percy stated that it needs to be vacated and given to the people, or we need to go down there and take care of that road. Board Member Brooks agreed. Board Member Percy stated that that it does not make sense to fix it. Board Member Hall said that the only reason they (Town Council) gave was to keep the access to the lake.

### **DELEGATIONS- QUESTIONS & COMMENTS FROM THE FLOOR**

None.

## **REPORTS FROM OFFICERS**

- **PLANNING DEPARTMENT COMMENTS**

Ms. Barmby responded to the Board about their individual terms and handed out a document showing their term of office. If there are any corrections, notify the Town Clerk.

Ms. Barmby asked the Board to review the map on the bulletin board which is the Central Polk Parkway PD and E Study. There are two corridors that could potentially come through Dundee.

Ms. Barmby thanked the Board for reading the EAR report and also thanked them for their input.

- **TOWN ATTORNEY COMMENTS**

Not present.

- **BOARD MEMBER COMMENTS**

Board Member Brooks reminded Ms. Barmby about the Fruit Tree. Ms. Barmby responded that she had met with the Town Manager, the Building Manager and the Code Enforcement Officer relating to the Fruit Tree and that Town staff is collectively working on it. There was also discussion about foreclosures and the cleaning of the property if it becomes a problem.

- **CHAIRPERSON COMMENTS**

Chairman Burt said that he did not know about the legal situation of the location of town limit signs. He questioned whether the Town had to be on both sides of the road in order to have the town limit sign put up. The sign he had asked about at the last meeting is still on Tindel Camp Road and there is property that goes beyond Dekle Road, but it is only on one side of the road. He pointed out that our sign is not as far south as our property goes, at least on one side of the road. It did not get moved far enough by a mile and a quarter. A short discussion followed.

Chairman Burt also pointed out that we have not had a Town limits sign on Eighth Street when one comes from Lake Hamilton into Dundee, and to his knowledge we have never had such a sign. He thinks that there should be notification there when entering the Town of Dundee.

Chairman Burt saw in the Ledger a reference to Polk's future growth planning under review. There is reference to cooperation, better notice of public advocate and more use of the county's stakeholder registry. He indicated he did not know what that meant. The particular thing that he had was adopting "value added" development review processes including concurrent growth map and development permit review, more use of electronic submissions and better coordination among agencies. He inquired if the CFRPC is involved in working on that. Ms. Barmby stated that she was not personally involved in it but that people in her office are involved in it and that intergovernmental coordination is one of the things in the EAR report that is being worked on. Chairman Burt stated that it was frustrating to him that development may be occurring outside the town limits that we may be annexing in the near future or distant future. He would hope that we would have some say in what is happening on our boundaries. Ms. Barmby pointed out that the County does notify us of things happening on our boundaries.

## **ADJOURNMENT**

**MOTION** to adjourn the meeting was made by Board Member Hall, seconded by Board Member Percy.

AYE: Percy, Brooks, Hall, Davidson, Burt  
NAY: None

Chairman Burt adjourned the meeting at 7:41 p.m.

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Bob Burt, Chairman

ATTEST:

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Joseph J. DeLegge, Town Clerk