

TOWN OF WELAKA

ZONING BOARD MEETING AGENDA

July 20, 2023 at 6:00 PM
Honorable Willie Washington, Jr. Town Council Room
400 4th Ave., Welaka, FL 32193

(This meeting will be broadcasted, for view only, on the Town of Welaka Facebook page)

1. **CALL TO ORDER** by Chairman David Jeltos
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL** by Town Clerk, Meghan Allmon
 - Chairman David Jeltos
 - Lenore Toole
 - Les Thomas
 - Marianne Milledge
 - Town Attorney Patrick Kennedy
4. **APPROVAL OF PREVIOUS MINUTES:**
 1. June 15, 2023, Meeting Minutes
5. **NEW BUSINESS:**
 1. Zoning District Use Interpretation – 580 3rd Avenue, Welaka, FL 32193
6. **OLD BUSINESS:**
 1. Continued Land Development Code Binder Review
7. **PUBLIC COMMENT**
8. **ADJOURN**

TOWN OF WELAKA
ZONING BOARD MEETING
June 15, 2023 @ 6:00 P.M.
Honorable Willie Washington, Jr. Council Room
400 4th Ave., Welaka FL 32193

MINUTES

1. **CALLED TO ORDER** by Chairman David Jeltos at 6:00 PM
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALLED** by Town Clerk, Meghan Allmon: Chairman David Jeltos - present; Lenore Toole - present; Les Thomas – present; Marianne Milledge - present; and Town Attorney Patrick Kennedy - present.
4. **APPROVAL OF PREVIOUS MINUTES:**
 1. May 18, 2023, Zoning Board Meeting Minutes.
Corrections:
 1. Old Business 13-14 lines down, barrow should be narrow.
 2. Third line down on second page – Councilwoman Dugger’s house – state that Toole mentioned that her house was placed sideways.

Motion Made by Milledge to accept the 5/18/23 Minutes with corrections, Seconded by Toole.
Passed 4/0.
5. **OLD BUSINESS:** None.
6. **NEW BUSINESS: Land Development Code: Article 2 – Permitted Uses (Binder Tab # 2)**

Town Attorney – All members have binders with printed pages.
Town Clerk – They’re welcome to leave them here at Town Hall.
Town Attorney – Starting with Article 2 because it has the most critical elements and makes it easier to use. This will allow the employees here not need the Town Attorney so often for zoning needs.

The red text in the binders is the edits from the Town Attorney. The only version of the ORD that he can find, is not signed. Not sure if the provisions added were actually adopted or not. We’ve been working from the 1992-93 ORD.

Kennedy - Page 1 of Article 2 – just shortened the words to make it easier to understand.
Jeltos – Is the comp. plan map the same thing as the FLUM?
Kennedy – They’re 2 different maps, and the FLUM is implementing the zoning map. The NEFRC cleaned up the FLUM last year.
Toole – You can’t enforce what’s effective in the comp. plan until 2035?
Kennedy – The comp. plan and FLUM is in effect currently up until 2035. We’re forced to update it every 7-10 years.
Kennedy - Next Page, section F – when it looks like it’s split zoned, it may not be, it may be combined. There was some split-zoning that was updated with the recent map Kennedy updated. This gives flexibility to adjust minor lot splits. It’s all written well.
Next Page – The table is new. Kennedy explained the zoning district’s table.
Jeltos – The table is helpful. Anybody reading the table, it’s confusing, we should label the

columns with titles more appropriately.

Jeltes – He found recreation, but he didn't find RV or mobile home park.

Kennedy – These are allowed under C1 category. We don't have any mobile home parks now.

Toole – Do they come under a PUD with a minimum of 10 acres?

Kennedy – Make it its own zoning category.

2-107 Use Determination – Kennedy added this section. He borrowed this from the county.

Kennedy wrote this back in 2004-05. This outlines the ORD that the Town just passed to prohibit specific use or businesses in the Town. He said that when we create specific lists, if mobile homes or something else comes to Town, then this can generalize the use categories without being on a specific list. The Town Council is responsible for this, or maybe a Town Manager in the future. To sum it up, it must be similar to something existing here, unless it's specifically prohibited. A drug store is similar to a medical marijuana store, but they are specifically different. An appeal can always be brought to the Town Council.

Jeltes – Cover sheet for Section 107. Does a designee need to be more specific in this section?

Kennedy – It's stated like this so that it's left up to the Town Council.

Toole – Are the harbor and River Hill considered vested lots?

Kennedy – Yes, they are vested lots. They must try to meet setbacks.

Toole – the canal takes up room on the harbor lots and makes it limited. The lots are small.

Kennedy – We haven't had a setback issue in River Hill.

Milledge – Welaka Village has narrow lots also.

Kennedy - Added language in Section 2-109. A lot of people ask what they can do in the Town and Kennedy sends them the paperwork to better understand. The comp. plan is a big part of these questions and decisions. We want to make this Land Development Code consistent with the comp. plan.

Section 2 – Use Categories – Kennedy said there's so many uses. We don't want to make a specific list since there's so many. Things get excluded non-intentionally. Single-family uses does not mean they're allowed in every zoning district.

Toole – Some areas are designated to have certain homes: 309-river and N. McClure & S Broad. Are those homes only and no mobile homes are allowed?

Kennedy – Yes. Correct. Looks like some mobile or modular homes are placed there. There's a sticker on the home to show it's a mobile home from the DMV.

Milledge – If it's attached to the land, you can pull the sticker off.

Kennedy – You cannot pull the sticker off since it's a mobile home.

Jeltes – Likes the definitions/detailed sections. It's easier to understand.

Toole – Do any sections prohibit fast-food establishments?

Kennedy – They're not prohibited and it's up to the ZB to determine what it looks like if a McDonald's wishes to come to Town.

Jeltes – He lists should be listed alphabetically so uses are easier to find.

Kennedy and all ZB members agreed.

Kennedy – If what someone proposes is prohibited, the ZB can decide if it's allowed or not. We have a light industry area in the Town.

Milledge – Easier to read on paper rather than on the computer.

Some sections describe fully how we can take in the RV park and campground categories.

Milledge - No dry camping in a tent in 40-acre park?

Kennedy – No. It's not governed by the Town and there's no camping in the park per their regulations. We received a grant to update the park, but we don't own it.

Kennedy – Should we break out a separate zoning category for the harbor?

Toole – Agrees because it's so small down there.

Thomas – We apply lots that are 30' wide so we allow different setbacks in St. Augustine.

Toole – We could keep other areas as-is because there's some lots that are 75 foot.

Thomas – St. Augustine made their lots 100 foot.

Kennedy – 70 foot lots are good. Toole agreed.

Toole – Setbacks on the county riverfront are different than on a canal.

Kennedy – There may be more environments regulations causing these different setbacks.

Jeltes – The harbor has some issues.

Toole – Back in the 60's, the harbor was for small single-wide mobile-homes.

Jeltes – If they cannot meet the 70' does this open up avenues for the River Hill community then?

Toole – The harbor floods a lot.

Milledge – Said that her neighborhood floods also.

Thomas – The 2 areas are very different.

Jeltes – In favor of creating a zoning district for the harbor.

Toole – Designate it just for the harbor area.

Kennedy – Come up with justification that doesn't look too made up. We're dealing with issues that have come up today and that the rest of the Town cannot get this.

Toole – FEMA bathrooms and showers were brought there, so clearly there's a problem with the harbor area.

Kennedy – Will start with 50 and go from there for the harbor lots.

SR1-A – Changes Kennedy made in this section.

Jeltes – If you change the width, do you have to change the lot size?

Kennedy – If it's a vested lot, there's no issue.

Jeltes – 100' deep by 75' wide, that's within the 10,000 lot size minimal.

Kennedy – A lot of the lots don't meet the exact 10,000 size. Not all will be SR1A.

He pulled up Milledge's neighborhood. These are vested lots. One is 8' deep and 85' wide.

Thomas – 75' is just the minimum.

Next Page – Multi-Family – Kennedy said look at the individual uses. He's crossed out and substituted new verbiage here. A PUD may be needed.

Thomas – No cemeteries in MR1?

Kennedy – No, he took that wording out. Not sure why it was in there.

Next Page – Agriculture section – Kennedy said dude ranches would be allowed but not a day camp. He may want to provide more clarification in this section. Low density and setting if small livestock are going to live here. Certain places can allow overnight stays. Need to make sure we get this AG section correct and will get questioned.

Toole – SR1A or SR1 – are cows allowed?

Kennedy – No.

Toole – Pauline & Tyler have residential land and they have beautiful cows there.

Kennedy – We have a zoning regulation that addresses farm animals and non-domesticated animals. ORD was adopted in February of 2011, but cannot confirm because it's not signed.

Toole – The animals are well cared for and it's nice and neat but it's farm animals on residential property. She thanked Kennedy for the ORD because John Maluda has all kinds of animals: kangaroo, camel, ducks, geese, etc.

Kennedy – AG zoning did not have any dimensional controls. Feels like we need to regulate this from a building standpoint. 1 acre, 100 feet wide sounds fair for a minimal. We don't want to encourage AG because Welaka is so small. Accessory structure needs to be limited to how close they're allowed to the property line. Currently it's 4' from the property line. If the building reaches a larger size, the further away it should be from the line. ZB can edit and address this later.

Jeltes – Front or side yard. Is there any value to being consistent with these setbacks? Also, regarding the maximum lot coverage, can 75% combined be acceptable in 1 AG acre? Can 75% be taken up with a home and garage combined? It's not too clear and needs to be edited.

Thomas – roof structures are what's measured for coverage.

Kennedy – minimal living area up to the setbacks edit can be made so it's not confusing.

Residential Mobile Home Park (RMH) – Kennedy will look up the square footage and let the ZB know. He added some verbiage that he borrowed from other jurisdictions.

Tourist Commercial Section – mobile homes are also prohibited from these zoned areas.

Toole – Seeing the vision for the Town, she would like to see the River Ridge Cottage area an area where permanent structures should be. It’s right on the river and there’s not a lot of room to turn around. This would limit mobility and traffic. Possibly we can get less land and offer an RV park?

Kennedy – A person can sue the Town because we’re taking away their property rights.

Milledge – A small restaurant was there years ago, with a 3-room motel and single-wide mobile-homes. They were stationary. This all went away, and cottages were supposed to go there. They were told it was a PUD, but it was not.

Toole – when the zoning was changed, permanent structures were there.

Kennedy – just because one was chosen back then, it doesn’t mean we cannot allow the other now. We do not want to be subject to a lawsuit.

Milledge – If she purchases a home and there’s RV’s going in and out, where are her property rights?

Toole – Marty McCoy owns one of them and he rents it out as a vacation rental. This is wonderful but the traffic is horrible. The downtown vision may not be possible with an RV park there.

Kennedy – If they do a campground, then they cannot do mobile-home rentals.

Milledge – McCoy proposed a tiny house village in the River Ridge Cottage area, but it was denied.

Jeltes – Overnight recreational park verbiage needs to match the other area verbiage also.

Kennedy - Recreation vehicle area was created only for the Lazy Days area in the past.

Condos are zoned tourist-commercial, and we must figure this out too. The zoning map update was just to update the map so far.

Kennedy – We have someone interested in putting in a small campground with tiny cabins in the harbor area.

Kennedy - Section 2-309, C1 – medical and pharmacy businesses allowed under the conditional section. We must be consistent.

Toole – A drug store and a marijuana store are totally different.

Kennedy – C1 and C2 we need to address the sizes of the buildings. He will work on these minimum and maximum square footage sizes. For example, we could allow a smaller Publix, but not a full size one.

Kennedy – A light industrial area, we should be thinking about this and only allow light and nothing more. We have the industrial FLU section in our comp. plan, but we currently don’t have anything in the Town.

Kennedy - He added more education and specific uses he kept in there.

Toole – The Town used to have a facility to lock people up.

Milledge - We used to have a dog pound here also.

Kennedy – Flipped through the latter sections and said we will go over these in more detail after everyone’s review.

Jeltes – Asked the ZB members to go through this binder draft and bring up questions at the next ZB meeting.

Kennedy - Sounds good. Please review and do not talk to your Council members. He said he gave the ZB members the hardest part first.

7. **PUBLIC COMMENT:** None.

8. **ADJOURNED:** 7:44 PM