

**TOWN OF WELAKA
REGULAR ZONING BOARD MEETING
January 18, 2024 @ 6:00 PM**

Honorable Willie Washington, Jr. Council Room
400 4th Avenue, Welaka FL 32193

MINUTES

(This meeting was broadcasted for view only on the Town of Welaka's Facebook page)

1. **CALLED TO ORDER** by Chairman David Jeltres at 6:00 PM
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALLED** by Town Clerk, Meghan Allmon:
Chairman David Jeltres - present; Lenore Toole - present; Les Thomas - absent; Pamela Washington - present; Jennifer Burres - present, and Town Attorney Patrick Kennedy - present.
Four members are present, we have a quorum.
4. **APPROVAL OF CURRENT AGENDA:**
Motion Made by Washington to accept the 1/18/24 Meeting Agenda and seconded by Burres.
Passed 4/0.
5. **APPROVAL OF PREVIOUS MINUTES:**
Motion Made by Washington to accept the 12/21/23 Meeting Minutes with corrections and seconded by Burres. Passed 4/0.
6. **REQUEST TO SPEAK** – None.
7. **CORRESPONDENCES**
 1. Chris Kelly – Outback Smoke Shack parking and drainage issues at 413 Elm Street, Welaka.
Kennedy – we should get a handle on this parking issue before it becomes a larger problem.
Jeltres- how does the Code Dpt. Address the parking issue?
Kennedy – it's been and is approved as a restaurant. Parking doesn't meet the old or the new code. A restaurant under our code must have a minimum of 10 spaces. Not sure if there's 10 spots right now.
Jeltres – is this a separate ORD?
Kennedy – yes, building and design section. It's in our 82-3 ORD now.
Toole – referenced the Kelly correspondence. If Outback wants to expand, there's never any water on their property, and if he wants to expand the business, make sure we don't approve until Outback addresses the drainage issue out in the back.
Kennedy – he already knows.
Burres – is that 10 spaces now?
Kennedy – not sure. The parking lot includes the coffee shop also and that's not a sit-down restaurant.

Kennedy – referenced the 83-2 ORD, # 15, parking and overflow of parking. Not sure how to manage that particular dept. He's had the conversation with Outback's AJ and he needs to expand the parking if he plans to expand the restaurant. We will discuss it when we get to this. 10 parking spaces is standard for all restaurants it seems.

Jeltes – any action for this correspondence letter?

Kennedy – no action needed. Conditional Use Permit will be helpful with this and combining the parcels. This is a conditional of approval, so that one parcel cannot get sold off.

Washington – anyone see the video?

Jeltes and Burres – yes.

Burres – must have been a police department special occasion with all of the vehicles.

Washington – still going to be a problem. If someone called for an emergency vehicle to go down that road, it'll be a problem.

Toole – they can use the Aza Health parking lot.

Kennedy – that's the Town's parking lot and we don't want to make this an official decision because it may become a future problem once the building is occupied.

Jeltes – Chris Kelly did a good job writing the letter.

8. NEW BUSINESS – None.

9. OLD BUSINESS:

1. Review of the proposed Land Development Code

a. Section 4. Accessory Uses and Structures

Kennedy – started on Page 2 reviewing the red-lines of Section 4. A shed should not be in your front yard's first 25' setback. If the house is placed 35-50 back, that allows the shed to be in between the home and the road. Are you all ok with this?

Jeltes – his preference is to not allow the shed in front of the house.

Kennedy – some of the fronts of homes are on the water/river, so a shed will be in the rear but looks like the front of the home.

Washington – correct.

Kennedy – this is the way it currently reads.

Toole – with the 50' lots in the harbor it's hard to place a shed. You need to be lenient with the shed locations. We should make special conditions for this.

Kennedy – has never seen this in other codes.

Jeltes – seems appropriate as some lots are smaller. It's not a dilemma until someone wants to do it.

Kennedy – maybe some accessory usage should be only allowed in the back yard or apply for a simplified variance.

Washington – may be easier to do on a case-by-case inquiry.

Burres – do we know which lots are irregular?

Kennedy – no.

Toole – the harbor has the most irregular lots. Some homes have to use their side doors and not their front doors to allow for parking.

Jeltes – not sure how you'd write that.

Kennedy – not sure either. When you start making exceptions, it may become a rule in the future.

Jeltes – couldn't someone come in to do a small variance?

Kennedy – yes.

Jeltes – the section mentions that an exception can be added with some Zoning Board Variance approvals required.

Kennedy – will add the verbiage.

Kennedy – he deleted paragraph (d) on Page 2 based on their discussion. All have to meet the

setbacks.

Toole – campers and motorhomes? Hasn't read through this or the edits. Does it mention where they must be parked on the property?

Kennedy – larger trucks and RV's must be parked on the side, but he cannot answer this now. It's not address in what we're dealing with right now, an accessory structure.

Kennedy – did we decide on the square footage?

Toole – 300 feet.

Jeltes – yes, we agreed on 300 feet and remembers discussing.

Kennedy – Agricultural status established rather than a farm description.

Jeltes – Page 3 on the bottom, established the shed square footage also.

Kennedy – would like to present Article 2 and possibly Article 5, if it's ready, to the Town Council in February, 2024. Would like to get their review started since the Zoning Board deals with these issues daily. Medical marijuana establishment, beer/wine issues, etc.

Toole – if Shrimp's is on C1 and should be on C2, can we grandfather the present owners in until they change ownership and then it must be required to be rezoned if sold? Also, the St. Johns Marina restaurant, Carl Lyle, that's closed but it may re-open?

Kennedy – probably not if it changes ownership, but if it's out of business for more than 6 months, then yes, we can require this, or if they expand. It's not legal to attach to the ownership.

Toole – on the old ORD, it may be in there.

Washington – to her understanding, if it's closed for 6 months, yes, we can require it to be rezoned.

Toole – Gordan was making the mobile home off of the side of the road and if there was a change of ownership, the home had to be removed from the edge of the road.

Kennedy – just due to the change of ownership, we cannot pull the rug out from under a new restaurant owner.

Kennedy – he's talked to Shrimp's and at some point, we need to get his zoning appropriate.

Washington – is he expanding or improving anything?

Kennedy – he's improving what is currently there.

Kennedy – the Town Council discussed allowing beer/wine in C1 already.

All agree with the edits of Article 2. so far.

b. Article 5. Subdivisions

Kennedy – has not made any changes since the December 2023 meeting when it was handed out.

Jeltes – notes form last month: Line # 110 – it should say to show a minimum of 5 ft. contours.

Also, Line # 147, follow up to 20x36"

Kennedy – will double-check with the county and make the edit if necessary.

Kennedy – cleaned it up to abide by state and plat laws. Basically, did a lot of cleaning up of the language.

Toole – do we now have a Tree ORD? Does it say that trees are to be replaced when cut down?

Washington – the Tree Board is working on updating the ORD now and will be sharing the edited copy very soon.

Jeltes – it made sense last time when Kennedy went through it.

Toole – change of zoning, how are the surrounding property owners notified?

Kennedy – Town Clerk mails letters to all property owners within 400 feet and publish in the newspaper and at the Town Hall.

Toole – shouldn't we put a sign out on the property to notify everyone?

Kennedy – you'd have to add this to the ORD if you'd like to require this?

Kenney - No more questions/comments?

All – none.

Washington – did you address the Town Council about the food truck?

Kennedy – the Zoning Board has to address that with usage.

Washington – Melissa Clemmons may come back and ask questions.

Kennedy – I can ask about this at the 1/23/24 Town Council Meeting, along with other issues.

Toole – Charter Town Manager/Strong Mayor issue – how can we address the pay for the current and/or new Mayor position? Maybe we should increase the current Mayor's pay since it's a Strong Mayor position.

Jeltes – since this is not a Zoning Board matter, let's adjourn this meeting.

10. PUBLIC COMMENT: None.

11. ADJOURNED: 6:47 PM