

1 MINUTES, UMATILLA PLANNING & ZONING MEETING
2 MAY 10, 2016 7:00 P.M.
3 CITY COUNCIL CHAMBERS, 1 S CENTRAL AVENUE, UMATILLA, FLORIDA
4

5 Pledge led and Invocation given by **Chairman Eric Pringle**.
6

7 **Call to order at 7:02 p.m.**
8

9 IN ATTENDANCE: Chairman Eric Pringle; Board Members Lisa Hawkins, Mike Sebree and Lynne
10 Zimmerman; Public Works Director Aaron Mercer; City Attorney Kevin Stone; City Land Planner Sherie
11 Lindh; City Manager Scott Blankenship; City Clerk Karen Howard

12 ABSENT:
13

14 **APPROVAL OF MINUTES**

15 1) Approval of Minutes January 12, 2016
16

17 **MOTION by Zimmerman; SECOND by Hawkins; to approve Minutes of the January 12,**
18 **2016 meeting as presented. Motion carried.**
19

20 **ELECTION**

21 Board Vice Chair
22

23 **MOTION by Zimmerman; SECOND by Hawkins; to appoint Mike Sebree as Board Vice**
24 **Chair. Motion carried.**
25

26 **PUBLIC HEARING**

27 2) Olde Mill Stream
28

29 **City Attorney Kevin Stone** swore in all persons who would be giving testimony during the meeting.
30

31 **City Attorney Kevin Stone** read the ordinance by title:
32

33 **ORDINANCE 2016 - B**

34 **AN ORDINANCE OF THE CITY OF UMATILLA, FLORIDA, AMENDING THE TERMS AND**
35 **CONDITIONS FOR THE CONDITIONAL USE PERMIT OF OLDE MILL STREAM;**
36 **REVISING CONDITIONS AND UPDATING CERTAIN PROVISIONS; PROVIDING FOR**
37 **CONFLICTS, SEVERABILITY; AND AN EFFECTIVE DATE.**

38 **City Attorney Kevin Stone** read the resolution by title:
39

40 **RESOLUTION 2016 -07**
41

42 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA,**
43 **GRANTING A VARIANCE TO THE LAND DEVELOPMENT REGULATIONS (LDR) RULE**
44 **OF OCCUPANCY OF SPACE IN AN RV PARK REQUIREMENT FROM ONE HUNDRED**
45 **EIGHTY (180) DAYS OUT OF EVERY THREE HUNDRED SIXTY FIVE (365) DAYS TO**
46 **ALLOWING FIFTEEN PERCENT (15%) OF THE OCCUPANTS TO REMAIN TWELVE**
47 **MONTHS PER YEAR; GRANTING A VARIANCE TO THE LDR RULE OF RESTROOMS**
48 **AND SHOWER FACILITIES; AND GRANTING A VARIANCE FROM LDR RULE OF**

49 **SANITARY STATIONS FROM ONE FOR EVERY 100 SPACES TO ONE FOR EVERY 250**
50 **SPACES ON THE DESCRIBED PROPERTY LOCATED AT 1000 N. CENTRAL AVE. IN THE**
51 **CITY OF UMATILLA FLORIDA, OWNED BY EVERS ENTERPRISES LLLP, AND**
52 **PROVIDING FOR AN EFFECTIVE DATE.**

53 **Land Planner Greg Beliveau** gave the staff report regarding the Olde Mill Stream. There are two
54 requests; a conditional use permit change and a variance. The park models are a new offering and the
55 length of stay request is to change 15% of all of the lots to allow a 12 month stay. Approved total spaces
56 are 536 of which 15% would be 80 units. Most of the spaces will be temporary in nature.
57 The tent spaces are being removed.

58
59 Staff sees this as a positive upgrade and recommends approval.

60
61 There is a correction to the standards for park models which should be changed from ANSI standards to
62 HUD standards. The RV park models will be a maximum of 500 square feet, not a minimum of 500
63 square feet.

64
65 The request in Resolution 2016-07 deals with a change in the requirements for bathroom facilities. Staff
66 supports the variance as there are already enough facilities on site. Staff recommends approval.

67
68 Applicant **Tim Hoban** representing Olde Mill Stream responded to a question regarding the park model
69 by stating the park model has a permanency and are built to RV and HUD standards.

70
71 **Carl Ludecke** said the park models are 13.5' wide and are one piece. The tongues and wheels remain on
72 the unit with lattice work put around as skirting. At this point we are the only RV park in the state that
73 does not have park models or year round residents. Right now 15% will

74
75 We are looking at 22 sites in Phase I for park models because people are looking for something a little
76 more permanent than RVs as the Park Models allow more space and additional storage. There are a small
77 percentage of people who would like to stay year round. We would like to get them in town and keep
78 them here.

79
80 **Elliott Seabrook**, property owner adjacent to the permanent residences which are very nice. I think the
81 RV park is an asset to the city and it is very well managed. My observation it is more of a mobile home
82 park than an RV park. It is being transformed to a mobile home park. The discussion is not how long the
83 units are here, but how long the people are here. There was a lot of opposition about thirty (30) years ago.
84 It was approved with a Conditional Use Permit. **Mr. Ludecke** has come back and sought relief.

85
86 **Elliott Seabrook** said his only concern is that you do not approve a boat ramp with this Conditional Use
87 Permit.

88
89 **Tim Hoban** said from a legal standpoint Florida Statute defines mobile home parks and RV parks and we
90 are following statutes and not asking for any exceptions.

91
92 Discussion focused on the RVs staying in place year round with **Chairman Pringle** noting the city staff
93 should be maintaining and verifying the records involved.

94
95 **Mr. Ludecke** noted that from day one there was permission to leave the units on the spaces. As far as the
96 lake goes there are around nine or so boats.

97

98 **Attorney Kevin Stone** said the CUP allows the units to stay on site but not residents. The city has the
99 right but not the obligation to enforce; it is within the discretion of the city to take action.
100

101 **Mr. Ludecke** discussed that all units have licenses. The impact fees are based on the agreement with the
102 city. Our water and sewer fees have doubled over the last few years with the adoption of city utility
103 increases.
104

105 **Bill Mosley** 40636 Fletcher Road asked the definition of an RV park. Some of the trailers have never
106 been used.
107

108 **Mr. Ludecke** gave a brief history on the project and said the primary reason for this request was the
109 hardship caused by the city's increased water and sewer rates which amounts to \$20,000. The year round
110 designation will not be assigned to any particular lot.
111

112 **Mr. Hoban** said the variance was requested because the number of bathrooms required by city
113 regulations far exceeds the state requirements.
114

115 **Elliott Seabrook**, adjacent property owner said the conventional permanent residences are very nice. He
116 questioned whether Olde Mill Stream was not so much an RV park as a mobile home park and discussed
117 the differences between the two from an RV park and Mobile Home Park and his belief that it is
118 transitioning from one to the other. Through the years Mr. Ludecke has gotten relief from some of the
119 CUP issues.
120

121 **Mr. Seabrook** asked that approval not be given for a boat ramp.
122

123 **Mr. Hoban** responded RVs are licensed and under the Florida Statute definition Olde Mill Stream is
124 following the letter of the law as it pertains to the designation of an RV.
125

126 **Chairman Pringle** questioned whether city staff was policing the length of stay requirement because it
127 sounds there are some RVs that are there year round although the residents are not there.
128

129 **Mr. Ludecke** responded from day one permission was granted to leave the units on lots year round.
130

131 Discussion took place on a previous request for a permanent boat ramp that was denied and the
132 requirements that units could not stay on site.
133

134 **Attorney Stone** said the existing CUP does not allow the residents to remain year round. The policing
135 provides the owners will keep specific records pertaining to length of stay. The city has the right but not
136 the obligation to verify the records.
137

138 Discussion took place on the opening of a Conditional Use Permit and amended changes allow the old
139 verbiage to remain in place.
140

141 **Attorney Stone** said the year round stay could apply to park model units or the RV spaces overall with
142 **Mr. Beliveau** noting it would affect approximately 80 lots overall. Discussion took place on the park
143 model sites. There are 22 units planned for Phase 1 and 13 units planned for Phase 2.
144

145 **Mr. Hoban** noted when the property appraiser sees the building permits the property taxes will be
146 adjusted accordingly.
147

148 Issues with the launching area for boats and lake usage was discussed by **Bill Mosley** who said the area
149 over there it is dirt, it is not good to look at, and the users all have motors on their boats. There are
150 sometimes 8-9 boats on the lake.

151
152 **Kent Merrill** described problems he experienced on the lake with people fishing at night and those
153 putting fishing lines and hooks on my dock. There is a tractor on the premises that is used to put boats
154 into the lake.

155
156 **Mr. Beliveau** read the condition on boat rental (see 2008 ordinance). **Chair Pringle** noted there is no
157 change in the CUP on boats. **Mr. Beliveau** said you can address any component in the CUP. Staff had
158 not heard of any issues regarding boats. The CUP does not say they cannot have boats and there is no
159 definition of a stabilized boat ramp.

160
161 **Chair Pringle** said it would be possible to make a recommendation to include amending that portion with
162 **Mr. Beliveau** confirming that recommendation could be made to the City Council.

163
164 **Chair Pringle** closed the floor and asked for Board discussion. Discussion took place on the differences
165 in RVs and park models and the negative issues raised by those in opposition pertaining to use of the lake.

166
167 Discussion took place on changes the Board might wish the City Council to take into consideration and
168 asked about the length of the CUP. **Mr. Beliveau** explained the CUP runs the life of **Mr. Ludecke's**
169 ownership of the property.

170
171 **Attorney Stone** noted that in Umatilla regulations CUPs do not run with the land, but with the property
172 owner. The property is zoned Tourist Commercial and the zoning allows for RV parks.

173 If the property is conveyed to a new owner the CUP process would take place. Variances run with the
174 land and the aspects done by variance would be in perpetuity. Applications for a variance allows for the
175 showing of some type of hardship unique to the property.

176
177 **Mr. Hoban** said there is an economic hardship in that we are asked to build more water, sewer, and dump
178 stations that would not be used since the RVs are individually hooked up to water and sewer.

179 We are asking for no variance from the State of Florida regulations.
180

181 Discussion took place on the installation of water and sewer hook ups.

182
183 **Attorney Stone** noted the variance as drafted allows only 15% of units to stay year round.

184
185 **MOTION by Zimmerman to recommend approval of Ordinance 2016-B amendment to Conditional**
186 **Use Permit with the so noted changes from staff.**

187
188 **AMENDED MOTION by Sebree; SECOND by Hawkins; to recommend approval of Ordinance**
189 **2016-B with the maximum of 500 square foot park model and draw special attention to the boat**
190 **ramp be reviewed by the City Council. Motion carried 4-0.**

191
192 **MOTION by Hawkins; SECOND by Zimmerman; to recommend approval to the City Council of**
193 **Resolution 2016 - 07 Variance. Yes: Hawkins and Zimmerman; No: Sebree and Pringle. Tie vote;**
194 **no recommendation made.**

195
196
197 **Meeting adjourned 8:17 p.m.**
198

199
200
201 _____
202 Eric Pringle
203 Board Chair
204
205
206 ATTEST:
207
208
209 _____
210 Karen H. Howard, CMC
211 City Clerk