HAVANA TOWN COUNCIL
Public Hearing
Quasi-Judicial Hearing
September 26, 2023 @ 6:00 p.m.

Item No. 7

Public Hearing No 1 - 106 N Main ST - First Hearing

Mayor Loughmiller requested the Clerk to read the agenda item by title only. Mr. Green, Town Clerk read the agenda item title.

Mayor Loughmiller requested the Town Manager to go over the procedures for the Quasi-Judicial Hearing. Mrs. Wilkerson, Town Manager explained the procedures for the hearing.

Mayor Loughmiller called the Public Hearing to order.

Mayor Loughmiller requested the Clerk to confirm that all advertisement and notice requirements have been met. Mr. Green, Town Clerk acknowledged all advertisement & notice requirements were met.

Mayor Loughmiller requested Town Manager to go over ex-parte communications for the hearing. Mrs. Wilkerson, Town Manager stated that all communications must be noted and requests if any council members have any reasons to be excused that it be noted at this time. Mrs. Wilkerson stated that all communications have been collected and distributed to Town Councilpersons. No council members were excused.

Mr. Green, Town Clerk requested all affected parties to stand and be sworn in. Mrs. Wilkerson, Town Manager, Ben Chandler and Donald Morgan, ARPC and Jim & Elizabeth Kellum were sworn in.

Mrs. Wilkerson presented the following exhibit:

Exhibit 1 - Zoning application to split the lot 104/106 North Main Street - forwarded to ARPC on July 27, 2023 - ARPC recommendation of approval of application and compliance was received on 8/15/2023.

Mrs. Wilkerson, Town Manager, called Donald Morgan, ARPC to testify.

Mr. Morgan, ARPC, testified that parcel is in the Central Business District. Current property parcel is .75 acre and application submitted is to split the parcel into two parcels (.50 acre & .25 acre). Both parcels proposed fall into the Code parameters as well as meet the setback requirements.

Mrs. Kellum, testified that the reason for the lot split is to allow sale of one property.

Public Comment - None

Town of Havana waived any additional remarks.

Mayor Loughmiller announced that time for questions and the presentation of evidence, testimony and comment in this public hearing has now ended. A second public hearing on this matter will be held on October 24, 2023, and is subject to the same public advertisement and notice requirements as tonight's hearing. At this second public hearing, no further testimony or presentations will be given, but the Town Council will publicly deliberate on what it has heard tonight and will make a decision on this matter by a final vote, which will approve or deny the application. Town Council members are encouraged to not have further communications with others about this matter until the second hearing is held. If any such communications between now and the second hearing, those must be disclosed at the next hearing.

Item No. 8

Public Hearing No 2 - Circle Drive - First Hearing

Mayor Loughmiller requested the Clerk to read the agenda item by title only. Mr. Green, Town Clerk read the agenda item title.

Mayor Loughmiller requested the Town Manager to go over the procedures for the Quasi-Judicial Hearing. Mrs. Wilkerson, Town Manager explained the procedures for the hearing.

Mayor Loughmiller called the Public Hearing to order.

Mayor Loughmiller requested the Clerk to confirm that all advertisement and notice requirements have been met. Mr. Green, Town Clerk acknowledged all advertisement & notice requirements were met.

Mayor Loughmiller requested Town Manager to go over ex-parte communications for the hearing. Mrs. Wilkerson, Town Manager stated that all communications must be noted and requests if any council members have any reasons to be excused that it be noted at this time. Mrs. Wilkerson, Town Manager stated that all communications have been collected and distributed to Town Councilpersons. No council members were excused. Councilman Bert acknowledged speaking to one (1) resident within the past two (2) months. Councilman Bass acknowledged speaking to two (2) different families within the past two (2) months.

Trent Wright, Wright Homes, LLC, Kendrah Wilkerson, Town Manager, Michael Freiden, Dewberry Engineers and Ben Chandler and Donald Morgan, Apalachee Regional Planning Council were all sworn in by the Mr. Green, Town Clerk.

Mrs. Wilkerson presented the following exhibits:

Exhibit 1 - Zoning Application for lot split - forwarded to ARPC on 6/30/2023. ARPC recommendation of approval of application and compliance was received on 8/10/2023.

Exhibit 2 - Composite Exhibit which consists of correspondences that note a position for or against the lot split.

Exhibit 3 - Neighborhood opposition to proposed lot split with information provided in response by the Town in RED.

Exhibit 4 - Composite Exhibit which consists of correspondences sent directly to Apalachee Regional Council that notes a position for or against the lot split. These correspondences were provided but Ben Chandler, ARPC on 9/25/2023.

Mrs. Wilkerson, Town Manager, called Ben Chandler, ARPC for testimony.

Mr. Chandler, ARPC, testified that parcel is in the Neighborhood Conservation District and single-family use is allowable. Current property parcel is .42 acre and application submitted is to split the parcel into two parcels (.19 acre & .23 acre). Code minimum lot size in this district is 5500 sq ft which is approximately .13 acre. Both parcels proposed fall into the Code parameters as well as meet the setback requirements.

ARPC reviewed and determined that parcels do meet the lot size parameters and the setback parameters in the Code. ARPC recommend approval recognizing that there are other factors that are looked at from a building code and engineering perspective.

Mr. Freiden, Dewberry Engineering, testified that after review of the site there are no concerns from an engineering perspective with regards to storm water drainage and the impervious surface ratio.

Dewberry Engineering recommend approval of application.

Trent Wright, Wright Homes, LLC testified that he is requesting parcel to be split at 902 Circle Drive. He bought property in 2018 and had in mind all along to split the lot. Wright Homes, LLC signs have been up and only two (2) phone calls received of which none were from the concerned citizens.

Councilman Bass stated that based on plat, most houses were built on two lots for space or home size. This parcel in question was changed by previous owner to change from two lots to one lot.

Mr. Wright stated that if more people move to Havana this will help lower taxes and create more income for expenses in the community/Town.

Mayor Loughmiller inquired of Mr. Wright as to what price point will these homes be sold for. Mr. Wright stated $300K.

Councilwoman Nelson inquired of Mr. Wright if he had buyers for these homes. Mr. Wright stated the first home being built has a buyer but the second home does not at this time due to waiting on the decision of the lot split.

Councilman Reed inquired as to the square footage of the homes. Mr. Wright stated 1900 sq ft under roof (1500 H & C). Mayor Loughmiller requested confirmation that the second home would be the same. Mr. Wright confirmed as it will be a flip floor plan.

Town of Havana/witness waived any cross examination.

Public Comment:

The following individuals were sworn in by Mr. Green, Town Clerk.

Mark McEwen - 105 Oak Avenue
Nancy Carter - 103 Oak Avenue
Phil Parks - 110 Oak Avenue
Lyndsey Johnson - 801 Circle Drive
Sheila Shellman - 901 Circle Drive
Debbi Parks - 110 Oak Avenue
Suzanna Nielson - 912 Circle Drive

Michael Shellman - 901 Circle Drive
Don Nielson - 912 Circle Drive
Rhonda Vickers McEwen - 105 Oak Avenue
Louise Bates - 908 Circle Drive
Michelle "Shelly" Cassidy - 904 Circle Drive
David Wesolowski - 310 N Main Street
Shirley Aaron - 101 Cherry Drive

Comments Against Lot Split -

Section 3301 of the Neighborhood Conservation District was read along with discussion about houses used in comparison, small neighborhood, spacious living on larger lots, dislike for shotgun houses, water issues (no water pressure, lead pipes, etc), current construction on 900 lot, etc. Statements were made of support of construction of one (1) home on one (1) lot. Much discussion by the parties on the previous issues were presented of which the three (3) main concerns were conformity of the Neighborhood Conservation District, stormwater drainage/runoff and water pressure.

Comment For Lot Split

Ms. Cassidy spoke in support of what is best for Havana with regards to more people and more money for the Town of Havana. Mr. Wesolowski spoke in regards to within 1000 ft of the parcel in question are 6 parcels that range from .24-.31 acres. He also stated that currently there are only two (2) houses for sale and not one rental home. Mr. Wesolowski stated that if Mr. Wright is willing to invest over ½ million into the Town of Havana, he is open and willing to allow growth.

Wright Homes, LLC waived any additional remarks.

Town of Havana waived any additional remarks.

Mayor Loughmiller announced that time for questions and the presentation of evidence, testimony and comment in this public hearing has now ended. A second public hearing on this matter will be held on October 24, 2023, and is subject to the same public advertisement and notice requirements as tonight's hearing. At this second public hearing, no further testimony or presentations will be given, but the Town Council will publicly deliberate on what it has heard tonight and will make a decision on this matter by a final vote, which will approve or deny the application. Town Council members are encouraged to not have further communications with others about this matter until the second hearing is held. If any such communications between now and the second hearing, those must be disclosed at the next hearing.

Mayor Loughmiller closed the public hearing.

TIMOTHY LOUGHMILLER, JR, MAYOR

ATTEST:

Shrylan R. Alexander, Town Clerk