

BOARD OF ADJUSTMENT PUBLIC HEARING OF LAKE BUTLER, FLORIDA
MEETING MINUTES



March 18, 2025
5:45PM
City Hall Lake Butler
200 SW 1st Street
Lake Butler, Florida 32054

AGENDA

1. **Call to order – Roll Call.**

Mayor Hendrix called the public hearing to order at 5:46pm.

In Attendance:

City Commission – Commissioner Sirmones, Vice-Mayor Huggins, Commissioner Redman, Commissioner Stephenson, Mayor Hendrix

City Staff – City Manager Hayes, City Attorney Maines, Finance Director Mecusker, Administrative Assistant Page

a. Admin Content

If a person decides to appeal a decision made with respect to any matter at this meeting or hearing, he or she will need a record of the proceedings and may need to ensure that a verbatim record is made.

2. **Approval of The Agenda Format.**

A. Motion to approve the agenda format.

Motion to approve the agenda format was made by Commissioner Redman. Motion seconded by Vice-Mayor Huggins. Unanimous approval. Motion passed 5-0.

3. **Public Hearing for SE 25-01 (Concerning a Special Exception as Provided for in the City of Lake Butler Land Development Regulations)**

A. Motion to open the public hearing for SE 25-01

Motion to open the public hearing for SE 25-01 was made by Commissioner Sirmones. Motion seconded by Commissioner Redman. Unanimous approval. Motion passed 5-0.

Mayor Hendrix asked the Board if there was any discussion. Mayor Hendrix stated some concerns with the Resolution, stating that there are a lot of things within the Resolution that states the board has determined but stated that the Board of Adjustment has not seen the referenced items. Mayor Hendrix also raised concerns with the bullet points within the Resolution, referenced letter C referencing the overtax on the load on public facilities, as well as letter E, which references the increase in traffic congestion and effect on public safety. Mayor Hendrix also referenced the ingress or egress, and referenced the site plan listed in the Resolution, but did state that the Board of Adjustment has not seen the site plan or any of the Wawa documents, and suggested that the Board may need to review this information further, and was going to request a continuation of this hearing and stated that discussions need to be held with the Planning Council, City Attorney Maines, and City Manager Hayes, and stated that some of these items seem to be premature. Mayor Hendrix stated that a lot of things that have been listed are jumping steps that have not been done but wanted to get the Board's view to address the concerns raised.

Commissioner Stephenson asked where the Resolution came from. City Attorney Maines advised that this Resolution came from the Planning Council.

City Attorney Maines advised that with the items Mayor Hendrix brought up, that the continuation of this public hearing to a date and time certain would make it possible to continue without readvertising this hearing, and would be the correct procedural way. City Attorney Maines agreed with Mayor Hendrix's comments on the concerns of the terms and conditions of the document.

Mayor Hendrix referenced the issue regarding the property, with Wawa representing the Pritchett lots, and that they would have to have the lots combined prior to moving forward, and stated that she is not comfortable with moving forward, and asked how the Board of Adjustment can approve the items within the Resolution without seeing any of the documents. Mayor Hendrix referenced the issues with roadways with DOT that took place previously.

Commissioner Stephenson asked how the Planning Council added all of these items without the Board seeing them, and Mayor Hendrix responded to Commissioner Stephenson, stating that is why the Board may want to have a continuation to further discuss this in more detail to get clarification. Mayor Hendrix stated that if the Board approves the Resolution tonight, who would be responsible for fixing the roads with the increased traffic.

Vice Mayor Huggins asked Mayor Hendrix if the Board does a continuation, if there would be a special meeting or would it take place at the next regular meeting. Mayor Hendrix stated that the suggestion is to continue it to the next regular meeting, because it may take that much time to have discussions and get the answers and have the document changed to align with the steps we are taking.

City Manager Hayes stated that the continued public hearing could take approximately 15 minutes and would be before the regular meeting.

Commissioner Stephenson asked if this would approve them for preliminary permits, and Mayor Hendrix advised that they have no permits currently, and City Attorney Maines explained the general procedure for developments within the City, detailing the process of applications, planning council review and comments and stated that this issue has been treated differently.

City Attorney Maines stated that the Planning Council has all the documents, and referenced the site plan, and stated that the members of the Board of Adjustment should have all these documents to be able to review them before the meeting.

Commissioner Stephenson stated that he is not sure that the Board of Adjustment is qualified to make these determinations, and Mayor Hendrix stated that the Planning Council does have the ability to review these documents, but that the Board should have these documents for review well as well as the comments and recommendations from the planning council.

Bobby Eggleston from RMC Property Group requested to speak, and referenced they are the developers for Wawa and stated that Dustin Dillingham is also in attendance on the call as well.

Mr. Eggleston apologized to the Board of Adjustment for the documents not being circulated to them, and explained the process that has taken place, that the documents were submitted to the City, which were then conveyed to the planning council who then subsequently told them that a special exception petition was required and is the reason for this hearing.

Mr. Eggleston asked the Board of Adjustment what the communication is and that a majority of the communication is with the planning council and understands that the Board of Adjustment needs the documents to be able to review as well.

Mr. Dillingham referenced the process that took place and suggested that the missed step was not circulating the documents to the Board of Adjustment. City Attorney Maines commented on Mr. Dillingham's remarks, confirming the process that has taken place so far.

City Attorney Maines stated that this Resolution has gone a great distance in addressing several matters and stated that communication needs to be taken with the Planning Council.

Mayor Hendrix stated that the developers are not needing to do anything at this time, but that the first step will be to have a discussion with the planning council to address the issues raised this evening, and to discuss the Resolution and concerns within the Resolution and stated that this Resolution is essentially giving a green stamp for approval of several things, and seems to be putting the cart before the horse in terms of the steps of the process.

City Attorney Maines advised the developers that the only thing that may be helpful to get from them would be additional copies of the site plan and documents that were provided originally.

Mr. Dillingham stated that they have no issues providing additional documents to be circulated to the Board to make sure it gets in front of the correct people.

City Attorney Maines suggested to Mr. Dillingham waiting until they hear back from the City after the City speaks to the Planning Council.

Mr. Dillingham clarified on the Board's next steps and asked when the developers can go before the Board again. City Attorney Maines stated that the City will know and can clarify more after speaking with the Planning Council.

Mayor Hendrix advised Mr. Dillingham that the suggestion would be to have the hearing continued to April, which would be the 3rd Tuesday of the month of April, which would give us the opportunity to review and discuss the planning council and to have discussions with the City Manager, City Attorney, and Planning Council.

Mr. Eggleston asked who they should be communicating with directly to make sure these items are addressed with the Board, and Mayor Hendrix & City Attorney Maines responded, stating City Manager Hayes would be the point of contact.

Commissioner Stephenson asked if they should have a workshop, and City Attorney Maines suggested having a continuation and not a workshop. Commissioner Stephenson stated that there will be discussions that take place, and the rest of the Board would not be involved. Mayor Hendrix clarified that the Board of Adjustment will have these documents to review, and that nothing will be approved without the Board of Adjustment, and that there will be nobody excluded from this process.

Commissioner Stephenson & Vice Mayor Huggins stated that the Board would not see it until the Friday before the meeting, and City Attorney Maines stated that these documents and the Resolution can be provided to the board ahead of time for sufficient time to review the information provided. City Manager Hayes stated that as soon as she receives it, she will forward it to the Commissioners.

Mr. Eggleston asked about the specifics of the contingency of combining the lots and asked for clarification on the terms and conditions of the contingency.

City Attorney Maines responded to Mr. Eggleston, stating that the review process and special exception petition and contingency will not be affected by the review.

Mayor Hendrix explained that the City understands the position that the developers are in, and explain that the planning council's required regulation states that before you can put anything on the properties, they must be combined.

City Attorney Maines & Mayor Hendrix reiterated that the Resolution contingency on the combination of the lots is not what the issue is tonight, but is the issues with the several items listed in the Resolution.

Mr. Eggleston asked who drafted this Resolution and why it has gone so above and beyond the Special Exception.

Mayor Hendrix advised it came from the Planning Council, and City Manager Hayes confirmed.

Mr. Dillingham advised Mr. Eggleston that the Resolution from his understanding was sent over by the Planning Council after the review of their special exception application.

Mr. Eggleston thanks the Board of Adjustment for their time this evening and apologized.

Mayor Hendrix asked if she needs to close the public hearing, City Attorney Maines advised her that a motion to continue the public hearing needs to be made.

Motion to continue the public hearing was made by Commissioner Sirmones.
Motion seconded by Vice-Mayor Huggins. Unanimous approval. Motion passed 5-0.

City Attorney advised that now the Board needs to make the motion to set the date and time for the continuation of the public hearing.

Motion to continue the public hearing to Tuesday, April 15, 2025 at 5:45pm was made by Commissioner Redman. Motion seconded by Vice-Mayor Huggins. Unanimous approval.
Motion passed 5-0.

B. Motion to close the public hearing for SE 25-01

4. Resolution No. BA SE 25-01 (Concerning a Special Exception as Provided for in the City of Lake Butler Land Development Regulations)

A. Motion to adopt Resolution BA SE 25-01 (Concerning a Special Exception as Provided for in the City of Lake Butler Land Development Regulations) and for the resolution to be read by title only.

5. Adjournment