



# PLANNING AND ZONING BOARD MEETING

City Hall – Council Chamber  
405 Bagshaw Way, Edgewood, Florida  
Monday, July 11, 2022 at 6:30 PM

Steve Kreidt  
Chair

Ryan Santurri  
Vice-Chair

David Gragg  
Board Member

David Nelson  
Board Member

Melissa Gibson  
Board Member

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## DRAFT MEETING MINUTES

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### CALL TO ORDER

Chair Kreidt called the meeting to order at 6:32 pm. He gave an invocation and led everyone in the Pledge of Allegiance.

### ROLL CALL AND DETERMINATION OF QUORUM

Interim Clerk Riffle confirmed there was a quorum with all Board Members present.

The following Planning and Zoning and staff members were present:

#### **Board Members:**

Steve Kreidt, Chair

Ryan Santurri, Vice-Chair

Melissa Gibson, Board Member

David Gragg, Board Member

David Nelson, Board Member

#### **Staff:**

Sandra Riffle, Interim City Clerk

Michael Fraticelli, Police Sergeant

Drew Smith, City Attorney

Ellen Hardgrove, City Planner

#### **Applicants**

Chris Pashley, 525 Mandalay Road

Chris Dawson, 495 Mandalay Road

Sheila Cichra, Streamline Permitting

Sam Sebaali, FEG for Suncoast Building Materials

William Johns, Suncoast Building Materials

### APPROVAL OF MINUTES

- June 13, 2022 Planning and Zoning Meeting Minutes  
*Board Member Nelson made a motion to approve the June 13, 2022 Planning and Zoning meeting minutes as presented. The motion was seconded by Board Member Santurri. Approved (5/0).*

Note: The order of the agenda was changed. The minutes reflect business items in the order they were presented.

**NEW BUSINESS**

- **Variance 2022-06: 525 Mandalay Rd. - Boat Dock**

The applicant requested a variance for an existing side setback to remain at 6.93’ and to allow a future addition for a boathouse and covered deck to be added onto an existing dock that is 10 feet from the property line, instead of the required 15 feet per the City land development code, Sec 14-11 (b)(1).

The existing dock was permitted and built 20 years ago. Engineer Lane stated in his report that it is not feasible to modify the existing dock to bring the existing dock up to City code. With the exception of the setback, the proposed addition to the dock meets the dock regulations. There was mention that the dock encroached 0.2 feet into the maximum 25% of the canal width, but the applicant’s representative, Sheila Cichra corrected this information stating the dock meet the 25% maximum, projecting only 19.11 feet (22%) of the canal width.

Engineer Lane confirmed her correction was accurate. He had no objections and recommended approval of the variance request. Because the dock is located on a canal, Engineer Lane said two criteria must be met: no more than 25% of the width of the canal, and there must be 25 feet between docks.

The applicant provided a letter of no objection from the affected adjacent property owner.

Ms. Cichra explained the existing dock was inadvertently constructed too close to the property line 20 years ago due to a fence that was not installed on the shared property line, but almost 30’ North (near the NHWE) of the shared property line. The dock builder didn't know he was near the property line. She confirmed to Chair Kreidt that the fence was built over the property line.

Discussion ensued regarding the plans and dimensions for the proposed dock addition.

There was no public comment.

***Board Member Gibson made a motion to recommend approval of Variance 2202-06 to allow an existing side setback of 6.93’ and an extension to the dock 10 feet from the property line, instead of the required 15 feet per the City land development code, Sec 14-11 (b)(1). The motion was seconded by Chair Kreidt. Approved (5/0).***

The motion was approved by roll call vote.

Board Member Gibson	Favor
Board Member Gragg	Favor
Board Member Nelson	Favor
Chair Kreidt	Favor
Vice-Chair Santurri	Favor

- **Variance 2022-04: 495 Mandalay Rd. - Boat Dock**

Engineer Lane explained the applicant is requesting a variance to Sec 14-11(b)(2) of the City's code to allow a recently constructed dock to remain 24.4 feet away from the dock across the canal, in lieu of the minimum 25ft requirement; and to allow the dock to remain 28% into the canal, in lieu of the 25% maximum. It was also built 1.7 feet farther into the canal than what was in the original plans. The distance between the boat dock across the canal is 0.6 feet less than the minimum 25 feet.

He explained that the project also included a seawall which reduced the navigable width of the canal. CPH did not see any extenuating circumstances that would cause the contractor to have built in the wrong location. As both of these hardships are due to the construction of the dock and not to existing conditions, he said CPH cannot support the variance request.

Contractor Sheila Cichra with Streamline Permitting said the nonconformity was caused by a series of mistakes. The contractor did not account for the position of the seawall or where the boat dock would go. The new seawall was built in front of the existing wall. She said the dock's location does not present a navigational hazard and the encroachment is less than 1.5 feet. The applicant would have to cut off most of his catwalk to make the boat dock meet code and then it would not be functional.

There was a short discussion regarding options to reduce the encroachment. Engineer Lane said that, theoretically, the catwalk could be removed and the post for the roof could remain. Staff noted to the Board that staff requested the Orange County Sheriff's Department verify the encroachment did not impact the navigability of the canal.

The Sheriff Department's conclusion was there is ample distance to the other dock. Chair Kreidt said the boat dock is located in a dead-end canal which results in less traffic in that location. It was reviewed by the Sheriff's Office and was assessed to be adequate for navigation and there was no objection from the neighboring property.

Board Member Nelson asked about the permitting process and when Orange County scheduled its inspections during the construction process. It would be helpful if the inspection was early in the process to correct a mistake before the dock is completely built. Interim Clerk Riffle said she will inquire with the County.

There was no public comment.

***Board Member Gragg made a motion to recommend approval of Variance 2022-04 to allow a variance to Sec 14-11(b)(2) of the City's code to allow a recently constructed dock to remain 24.4 feet away from the dock across the canal, in lieu of the minimum 25 feet requirement, and to allow the dock to remain at 28% into the canal, in lieu of the 25% maximum. The motion was seconded by Board Member Nelson. Approved (4/1).***

The motion was approved by roll call vote.

Board Member Gragg	Favor
Board Member Nelson	Favor
Chair Kreidt	Favor
Vice-Chair Santurri	Oppose
Board Member Gibson	Favor

- **Special Exception 2022-03: Suncoast Building Materials 101 Mary Jess Road**

The applicant requested modification to Condition 11 of the 2016 special exceptions. Condition 11 limits hours of operation to 6:00 am to 6:00 pm, Monday through Saturday. The requested change is to allow the hours of operation to be limited from 5:00 am to 8:00 pm, Monday through Saturday

Planner Hardgrove told the Planning and Zoning Board that a special exception can only be approved if it does not adversely affect the public interest or the character and value of the surrounding land. She said that Staff recommended denial of the proposed amendment as there have been no changes in conditions since the Special Exception was approved in 2016.

In response to Attorney Smith, Planner Hardgrove said that based on public input, amending the hours of operation would negatively impact the neighborhood. There is outdoor activity adjacent to residential and most of the abutting houses are two-story high.

In response to Vice-Chair Santurri’s inquiry of the applicant’s compliance with other conditions of the 2016 approval, Interim City Clerk Riffle said she drove and observed that the wall was repaired and painted, and shrubbery and vines were planted. She saw no evidence of dead trees. Sam Sebaali, with FEG, representing the property owner said that the landscaping was addressed, and the City engineer inspected the site.

Engineer Sebaali said the main operation is on the south parcel which is about 300 feet from residential. In 2016, the development was intended to be on the north parcel, which is closer to residential, so there was a change of conditions from when the Special Exception was approved. The property was formerly a concrete plant that produced more noise than Suncoast’s operations. The challenge for the owner is that his trucks need to leave in the morning to make deliveries and then return to the facility. Sometimes they cannot make it back by 6:00 pm.

Engineer Sebaali said the applicant wished to change the request to keep the opening at 6:00 am as noise is more apparent in the morning but needs the flexibility in the evenings for a later closing time for when the trucks return. Noise regulations hours allow up to 9:00 pm and they are requesting to operate until 7:00 pm or 8:00 pm.

He explained to Attorney Smith that the office closes at 4:00 pm; trucks return to the property and park. Arriving by 6:00 pm has been a challenge due to heavy traffic.

In response to the statement that the trucks beep when they are on the property, property owner, William Johns said the trucks park in a line. They do not move in reverse with beeping. Drivers park the trucks on the south parcel and then go home.

Mr. Johns explained to Board Member Nelson that they have discontinued fueling at the location and the trucks now go to a gas station.

Planner Hardgrove said the special exception applies to both the north and south parcels.

**Public Comment:**

Andre Soto, an Edgewood resident, spoke as an opponent. He stated his concern that increased hours could affect the resale value of homes due to the sounds of trucks when families are home after hours. He hears the trucks from his house on Lake Mary Jess Shores Court and there is traffic from the business in the evening.

Mary Woznack, an Edgewood resident, spoke as an opponent. She said the owner of Suncoast knew the hours of operation in 2016. She stated the business operations do not currently follow the hours set with the 2016 special exception approval. She has witnessed activity on the property as late as 2:00 and 3:00 am. She suggested that they should have moved to an industrial rather than a commercial location. She said Code Compliance Officer Salemi has done a fantastic job enforcing property management, and the Police Department has assisted with overnight hours.

Virginia Rice, an Edgewood resident, spoke as an opponent. She said trucks are parked along Mary Jess Road in the early hours of the morning. She leaves early in the morning and has to go around the trucks to get to Orange Avenue. The trucks are just parked waiting to go into the facility. She is concerned about Suncoast's impact on the value of her real estate.

Vice-Chair Santurri commented that if they have to park their trucks on the road, allowing them into the facility could help traffic on the road.

Michael Flanders, an Edgewood resident, spoke as an opponent. He said he has seen lights on at the property as early as 4:00 am. The light shines from the property into his house.

Cindy Beckner, an Edgewood resident, spoke as an opponent. She said Suncoast starts much earlier than 6:00 am and there are often 5-6 tractor trailer trucks lined up. Each truck takes one light cycle to get through at Orange Avenue and she can hear the trucks going up the street. She would suggest starting at 7:00 am rather than at 6:00 am but she does not believe they would adhere to the allowable hours. She said this company may not be the right fit for this location.

Cliff Rathbon, an Edgewood resident, spoke as an opponent. He said he has to make U-turns to get out of his road due to the trucks. He also said each truck takes a whole light cycle to go through the Orange Avenue/Mary Jess Road intersection.

Jim Muszynski, an Edgewood resident, spoke as an opponent. He suggested a satellite location for the trucks to park in the evening. He asked to recommend denial.

Mr. Muszynski asked if the fuel tank was approved and Interim City Clerk Riffle said she would look into it.

Richard Yates, an Edgewood resident, spoke as an opponent. He said there are cars in the parking lot at 4:30 or 5:00 am. The noise has improved but still exists. He hears the backup alarms on the machinery. He objects to extending the hours of operation.

Board Member Nelson agreed that the traffic at the light at Mary Jess Road is bad. Sometimes it takes 3-5 light cycles in the mornings to get through the intersection.

Emails stating objections to the application were sent to City Hall and were given to the Board Members for their review.

The property owner, Mr. Johns, asked when the residents have seen the trucks because he does not think they were there in the last few months. The trucks now stage in the shopping center and they do not leave that location until 6:00 am.

Chair Kreidt confirmed he has seen the trucks at the shopping center preparing to go to the site.

Mr. Johns said he spoke to Code Compliance Office Salemi and they are in compliance. They have permission from the City to store metal, intended for the new building, outside. He said no one has been in the office between 8:00 pm and opening time and traffic west of their entrance would not involve them.

He said that the noise at 4:00 am is coming from Rosen Materials not his site. He stated he is being accused of something he is not doing.

There was a short discussion about landscaping. Engineer Sebaali said the hedge meets the landscape requirements and Mr. Johns added the shrubs will be 25 feet high. They planted trees that were taller than what was required. He noted that he will turn down the lights and that he has addressed everything.

Planner Hardgrove noted that Rosen Materials has no restriction on their operating hours. They are a legally nonconforming use and should not be used as a precedent for this decision.

***Board Member Nelson made a motion to strongly recommend denial of the request to amend the special exception and change the operating hours to 5:00 am to 8:00 pm Monday through Saturday, with the finding that the proposed activity would adversely affect the character of the neighborhood. Approved (5/0).***

The motion was approved by roll call vote.

Board Member Gragg	Favor
Board Member Nelson	Favor
Chair Kreidt	Favor
Vice-Chair Santurri	Favor
Board Member Gibson	Favor

- **Ordinance 2022-06: Fence Regulation**

Ordinance 2022-06 was removed from the agenda and will be brought back for Planning and Zoning’s review in August.

**UNFINISHED BUSINESS**

1. **Ordinance 2022-05: Site-Specific Zoning**


Ordinance 2022-05 was removed from the agenda. It will go to City Council for first reading in August, but Planning and Zoning can review it before second reading in September.

**COMMENTS/ANNOUNCEMENTS**

**ADJOURNMENT**

The meeting adjourned at 8:57 pm.

  
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 Ryan Santurri, Vice-Chair

  
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 Sandra Riffle, Interim City Clerk