



CITY COUNCIL MEETING

City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Tuesday, September 17, 2024 at 6:30 PM

MINUTES

A. CALL TO ORDER, INVOCATION, & PLEDGE OF ALLEGIANCE

Council President Horn called the meeting to order at 6:30 pm.

B. ROLL CALL & DETERMINATION OF QUORUM

City Clerk Riffle confirmed there was a quorum. Councilmember Lomas was unable to attend the Council meeting because she was out of town.

Councilmember Rader moved to excuse Councilmember Lomas' absence; seconded by Councilmember McElroy. Motion approved by voice vote (4/0).

Elected Officials Present:

John Dowless, Mayor
Richard A. Horn, Council President
Chris Rader, Council President Pro-Tem
Casey McElroy, Councilmember
Beth Steele, Councilmember

Absent:

Susan Lomas, Councilmember

Staff Present:

Sandra Riffle, City Clerk
Dean DeSchryver, Police Chief
Stacey Salemi, Code Enforcement Officer
Ellen Hardgrove, City Planner
Allen Lane, City Engineer
Holly New, City Attorney

C. PRESENTATIONS AND PROCLAMATIONS

D. CONSENT AGENDA

1. August 1, 2024 2nd Budget Workshop Meeting Minutes
2. August 15, 2024 3rd Budget Workshop Meeting Minutes
3. August 21, 2024 City Council Meeting Minutes
4. September 9, 2024 1st Budget Hearing Meeting Minutes

Councilmember Rader made a motion to approve the consent agenda as presented; seconded by Councilmember Steele. Motion approved by voice vote (4/0).

E. ORDINANCES (FIRST READING)

1. **Ordinance 2024-08: County to City Rezoning Jessamine & Posada**

Ordinance 2024-08 through Ordinance 2024-17 is the continuation of the City’s effort to rezone previously annexed areas where the County zoning has remained after annexation to a City zoning district.

Attorney New read Ordinance 2024-08 in title only. The subject area to be rezoned from County R-1AA to City R1AA-CA is an assemblage of tax parcels along Jessamine Lane and one tax parcel on Posada Drive.

Planner Hardgrove said the site development standards of the proposed City zoning district, R1AA-CA, are identical to the County’s district, except that the City’s district establishes a maximum impervious surface (IS) percentage of 45%. Preliminary review of all the parcels showed compliance with the R-1AA-CA standards.

There was no public comment.

Councilmember Rader made a motion to approve Ordinance 2024-08; seconded by Councilmember Steele. Motion was approved by roll call vote (4/0).

Councilmember Rader	Favor
Councilmember Steele	Favor
Councilmember McElroy	Favor
Council President Horn	Favor
Councilmember Lomas	Absent

2. **Ordinance 2024-09: County to City Rezoning Cranes Point**

Attorney New read Ordinance 2024-09 in title only. The subject area to be rezoned from County R-1AA to City R1AA-CA is the Cranes Point subdivision

Planner Hardgrove said a preliminary review of all parcels in the Cranes Point subdivision showed compliance with the R-1AA-CA standards.

There was no public comment.

Councilmember Rader made a motion to approve Ordinance 2024-09, seconded by Councilmember McElroy. The motion was approved by roll call vote (4/0).

Councilmember Steele	Favor
Councilmember McElroy	Favor
Councilmember Rader	Favor
Council President Horn	Favor
Councilmember Lomas	Absent

3. Ordinance 2024-10: County to City Rezoning Granada Woods Unit 1

Attorney New read the ordinance in title only. The subject area to be rezoned from County R-1AA to City R1AA-CA is that area identified as Granada Woods Unit 1.

Planner Hardgrove said a preliminary review of the lots in Granada Woods Unit 1 showed only three (3) lots in the subdivision exceed the 45% Impervious Surface (IS) limit. All of them are not expected to have additional impervious surface as all three have pools, and there is limited area for a house addition.

There are three (3) lots without pools that are at or near the limit as listed in Exhibit 4. Construction of a pool on these three lots can be approved without a variance if the City Council finds the excess impervious surface will not adversely impact the health, safety, or public welfare.

Public comment

Teresa Jones, a resident in Granada Woods Unit 1, said she researched and found that the Legacy at Lake Jessamine and the new Haven Oaks subdivisions exceed the IS limit.

Planner Hardgrove said that is because they are planned developments (PDs) and the stormwater management systems for the developments were designed to accommodate the projected impervious surface calculations.

Councilmember Rader commented that the PD streets and stormwater are taken care of by the neighborhood, not the city, and they are responsible for their own maintenance and repair. There was a negotiated impervious surface limit during the design phase of the developments.

Ms. Jones said that Tract A of the Granada Woods Unit 1 subdivision is for runoff and on Del Rio Street there is a lift station. When she researched, she found that the City of Orlando's IS limit is at 55%, Maitland's is at 70%, Pinellas Park In Pinellas County is at 60%, and Cape Coral's in Lee County is at 60%. She asked why the Council placed the higher restriction on their neighborhood.

Councilmember Rader said the proposed rezoning of Granada Woods would establish the same IS, except for the two PDs, as the rest of the city.

Planner Hardgrove said the county uses a 45% private recreation area requirement rather than an IS calculation. Private recreation area includes setbacks, landscaping, pools, porches, or anything used for recreation.

Ms. Jones asked about the possibility of Council agreeing to a variance in the future. They are being impeded to putting in another driveway or deck, etc. and it is restrictive compared to other cities around Edgewood.

Planner Hardgrove said that Tract A is only for Jessamine Glen, not Granada Woods. There is no stormwater management in Granada Woods. The water goes right to the lake.

Council President Horn said newer developments have treatment areas before the water goes to the lakes. You are supposed to retain all your water. Lake Gatlin and Lake Jessamine are impaired water bodies. Citing Cape Coral’s ISR requirement is likely not comparable, and they probably have other problems.

Council President Horn explained how runoff is generated from different sized lots. Council President Horn said the City's regulatory limit for impervious surface is 45%. PDs have their own ponds designed for runoff.

In response to Councilmember Rader, Engineer Lane said six lots of the subdivision are at 45 to 50 percent and the others are below 45%.

Planner Hardgrove confirmed to Council President Horn that the calculations stated in the staff report were estimates without surveys.

Planner Hargrove explained that allowance of increased IS would impact quality of the lake. As IS increases, there is more runoff. Allowing an increased IS limit, would likely result in the need to retrofit neighborhoods as they did in College Park (City of Orlando). It is an expensive, long-term project. The IS limit helps the City plan for the future and protects the welfare of the environment.

Council President Horn said the lakes are flooding right now and boat ramps are closed.

Engineer Lane said runoff is coming from places that do not have stormwater measures in place.

Councilmember Rader made a motion to approve Ordinance 2024-10; seconded by Councilmember Steele. Motion approved by roll call vote (4/0).

Councilmember McElroy	Favor
Councilmember Rader	Favor
Councilmember Steele	Favor
Council President Horn	Favor
Councilmember Lomas	Absent

4. Ordinance 2024-11: County to City Rezoning Granada Woods 2

Attorney New read Ordinance 2024-11 in title only. The subject area to be rezoned from County R-1AA to City R-1AA-CA is that area identified as Granada Woods Unit 2.

Planner Haradgrove said the site development standards of the proposed City zoning district, R-1AA-CA, are identical to the County’s district, except that the City’s district establishes a maximum impervious surface (IS) percentage of 45%.

Preliminary review of the lots in Granada Woods Unit 2 showed four (4) lots in the subdivision exceed the 45% limit. Two of them (Lots 25 and 34) are not expected to have additional impervious surface as both have pools and there is limited area for a house addition. Lots 29 and 30 do not have pools; construction of a pool on these two lots can be approved without a variance if City Council finds the excess impervious surface will not adversely impact the health, safety, or public welfare.

There was no public comment.

Councilmember Rader made a motion to approve Ordinance 2024-11; seconded by Councilmember McElroy. Motion approved by roll call vote (4/0).

Councilmember Rader	Favor
Councilmember Steele	Favor
Councilmember McElroy	Favor
Council President Horn	Favor
Councilmember Lomas	Absent

5. Ordinance 2024-12: County to City Rezoning Granada Woods 3

Attorney New read Ordinance 2024-12 in title only. The subject area to be rezoned from County R-1AA to City R-1AA-CA is that area identified as Granada Woods Unit 3.

The site development standards of the proposed City zoning district, R-1AA-CA, are identical to the County’s district, except that the City’s district establishes a maximum impervious surface (IS) percentage of 45%.

Planner Hardgrove said seven (7) lots in the subdivision exceed the 45% limit. All but one, Lot 46, are not expected to have additional impervious surface as the other six have pools and there is limited area for a house addition. Lot 46 does not have a pool; construction of a pool on can be approved without a variance if City Council finds the excess impervious surface will not adversely impact the health, safety, or public welfare.

There was no discussion.

Public comment

Teresa Jones said the Ordinance would put lot 7 in violation.

Councilmember Rader clarified that they are legally nonconforming lots, not illegal.

Ms. Jones said she owns lot 40 and she opposes the ordinance. She is now within guidelines, which Planner Hardgrove confirmed at approximately 39% ISR.

Council President Horn made a motion to approve Ordinance 2024-12, seconded by Councilmember Steele. The motion was approved by roll call vote (4/0).

Councilmember Steele	Favor
Councilmember McElroy	Favor
Councilmember Rader	Favor
Council President Horn	Favor
Councilmember Lomas	Absent

6. Ordinance 2024-13: County to City Rezoning Granada Woods 4

Attorney New read Ordinance 2024-13 in title only. The subject area to be rezoned from County R-1AA to City R1AA-CA is that area identified as Granada Woods Unit 4.

A preliminary review of the lots in Granada Woods Unit 4 showed eleven (11) lots in the subdivision are at or exceed the 45% limit. All but one, Lot 52, are not expected to have additional impervious surfaces as the other ten have pools, and there is limited area for a house addition. Construction of a pool on Lot 52 can be approved without a variance if the City Council finds the excess impervious surface will not adversely impact the health, safety, or public welfare.

There was no public comment or discussion.

Councilmember Rader made a motion to approve Ordinance 2024-13; seconded by Councilmember Steele. Motion approved (4/0).

Councilmember McElroy	Favor
Councilmember Rader	Favor
Councilmember Steele	Favor
Council President Horn	Favor
Councilmember Lomas	Absent

7. Ordinance 2024-14: County to City Rezoning Harbour Island

Attorney New read Ordinance 2024-14 in title only. The area to be rezoned from County R-1AA to City R-1AA-CA is the Harbour Island subdivision.

Planner Hardgrove said a preliminary review of the Harbor Island lots showed only two in the subdivision exceed the 45% limit. Both these lots have pools. Lot #5 is close to the limit and does not yet have a pool. Should the addition of a pool be pursued that would result in an ISR exceeding 45%, the maximum impervious surface can be exceeded if the City Council finds it will not adversely impact the health, safety, or public welfare.

Planner Hardgrove said these are big lots and 45% IS limit allows ample area to accommodate a large house and accessory uses.

Public Comment.

Brittany Reliford, a resident of the Harbour Island neighborhood, opposed the ordinance. She wanted to know what it would take for the City Council to deny one of these ordinances.

Councilmember Rader said the regulation provides for consistency throughout the City’s residential areas, except for PDs. A PD is responsible for the cost and maintenance of their own stormwater. Most of the annexed areas do not have stormwater management, thus, the burden of ensuring effective stormwater management is on the taxpayers.

Mayor Dowless confirmed to Ms. Reliford that the goal is to keep runoff from going into the lakes out of concern for the quality of the lakes.

Ms. Reliford said they have built a brand-new house and have followed all of the regulations. As new homes come in the issues will be handled by the County as they did with their home. Overregulation is not necessary. It has been fine for 60 years.

Councilmember Rader said they are applying the same standards to every resident of the City. He asked if her neighborhood should be treated differently; and if the rest of the city should pay for the cost of their additional runoff and pollution of the waterways.

Ms. Reliford said her premise is that the code that has been in place for 60 years has been fine. This is another stipulation being put into place preventing homeowners from developing their properties. Councilmember Rader informed Ms. Reliford that her three minutes of public comment was up. Ms. Reliford said she wanted it on the record that Councilmember Rader was combative.

Councilmember Rader made a motion to approve Ordinance 2024-14; seconded by Councilmember Steele. Motion approved by roll call vote (4/0).

Councilmember Rader	Favor
Councilmember Steele	Favor
Councilmember McElroy	Favor
Council President Horn	Favor
Councilmember Lomas	Absent

Ms. Reliford repeated her question about what it would take for the Council to vote against one of these ordinances. Council President Horn replied that he would need to hear a better argument.

8. Ordinance 2024-15: County to City Rezoning Jessamine Glen

Attorney New read Ordinance 2024-15 in title only. The subject area to be rezoned from County R-1AA to City R1AA-CA is the Jessamine Glen subdivision

Planner Hardgrove said a preliminary review of the lots in Jessamine Glen showed over half the lots in the subdivision exceed the 45% limit. These lots will have legal nonconforming status as per impervious surface. Seven (7) of the 15 have pools and limited area for a house addition; the IS on these lots is not expected to increase in the future. Construction of a pool on the other eight (8) lots can be approved without a variance if City Council finds the excess impervious surface will not adversely impact the health, safety, or public welfare.

There was no discussion or public comment.

Council President Horn made a motion to approve Ordinance 2024-15; seconded by Councilmember Steele. Motion approved by roll call vote (4/0).

Councilmember Steele	Favor
Councilmember McElroy	Favor
Councilmember Rader	Favor
Council President Horn	Favor
Councilmember Lomas	Absent

9. Ordinance 2024-16: County to City Rezoning Woods of Jessamine

Attorney New read Ordinance in title only. The subject area to be rezoned from County R-1AA to City R-1AA-CA is that area identified as Woods of Jessamine

Planner Hardgrove said a preliminary review of the lots in The Woods of Jessamine showed six (6) lots in the subdivision are near or exceed the 45% limit. Only Lot 2 is expected to potentially have an issue with the limit. This lot is at 44% ISR and does not have a pool. However, construction of a pool on this lot can be approved without a variance if the City Council finds the excess impervious surface will not adversely impact the health, safety, or public welfare.

In response to Mayor Dowless, Planner Hardgrove said Lot 8 is at 68% IS at 15,000 square feet. The largest lot is 20,000 square feet, which is about 1/2 acre.

There was no public comment.

In response to Council President Horn, Engineer Lane said this subdivision does have a stormwater pond. The subdivision was approved when still in the County, which does not have a maximum ISR.

Mayor Dowless said this neighborhood was one of the most flooded after hurricane Ian. They have a stormwater pond and the water was still into the roads and houses.

Planner Hargrove said the pond likely wasn't designed for the house size/impervious surface on the lots.

In response to Mayor Dowless, Engineer Lane said property owners do have options such as using pervious materials, depending on the use.

There were no public comments.

Councilmember Rader made a motion to approve Ordinance 2024-16; seconded by Councilmember Steele. Motion approved by roll call vote (4/0).

Councilmember McElroy	Favor
Councilmember Rader	Favor
Councilmember Steele	Favor
Council President Horn	Favor
Councilmember Lomas	Absent

10. Ordinance 2024-17: County to City Rezoning Lake Jessamine Estates

Attorney New read Ordinance 2024-17 in title only. The subject area to be rezoned from County R-1A to City R-1A-CA is Lake Jessamine Estates Lots 60-118

Planner Hardgrove said that part of the subdivision was annexed from Orange County, and the other is part of the City's original city limits. Planner Hardgrove said the site development standards of the proposed City zoning district, R-1A-CA, are identical to the County's district, except that the City's district establishes a maximum impervious surface (IS) percentage of 45%.

She said a preliminary review of all the subject lots showed 19 of the lots exceeded or were near the maximum IS, with seven (7) of these lots having pools. An addition to the house on these lots would require a variance. However, the construction of a pool, for those lots that do not have one yet, will be allowed without a variance upon a finding that the excess impervious surface will not adversely impact the health, safety, or public welfare.

Council President Horn said this neighborhood has a pond. The development was developed in phases and is unsure if both phases have a pond to serve it.

There was no public comment.

Council President Horn made a motion to approved Ordinance 2024-17; seconded by Councilmember Steele. The motion was approved by roll call vote (4/0).

Councilmember Rader	Favor
Councilmember Steele	Favor
Councilmember McElroy	Favor
Council President Horn	Favor
Councilmember Lomas	Absent

11. Ordinance 2024-18: County to City Rezoning Remaining Miscellaneous Properties

Attorney New read Ordinance 2024-18 in title only.

Planner Hardgrove said this ordinance includes lots proposed for either R-1A or R-1AA straight city zoning. The parcels of this agenda item are relatively large parcels that are either undeveloped or contain development that is consistent with the City zoning site standards, thus, a rezoning to one of the City standard zoning districts creates no disadvantage to the property owner.

The anticipation is that if they develop, they will follow the regular zoning.

The Planning and Zoning Board recommended that Lot 9 be removed from the list of properties on this proposed ordinance. Edgewood resident Ms. DePorter expressed her concerns about the rezoning and would like to have her property withdrawn and instead rezoned for R-1A-CA as the city district is more restrictive in lot width and the new zoning would not allow for her lot to be split.

There was no public comment.

Councilmember Rader made a motion to approve Ordinance 2024-18 and removing lot #9 from the ordinance. The motion was seconded by Councilmember Steele. The motion was approved by roll call vote (4/0).

Councilmember Steele	Favor
Councilmember McElroy	Favor
Councilmember Rader	Favor
Council President Horn	Favor
Councilmember Lomas	Absent

Mayor Dowless said that property rights have been seriously considered throughout this process. There comes a point with regards to flooding that a local government needs to establish limits. The growth in Florida is huge and building in one place affects another place. The City is trying to be proactive because, at some point, maximizing property does affect others nearby. He understands the concerns voiced at the meeting. When reviewing regulations, the City does not want onerous regulations; however, flooding is a long-term concern.

F. PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)

1. Ordinance 2024-06: Tattoo Establishments

Attorney New read Ordinance 2024-06 in title only.

There were no changes from the first reading except to correct "special" which was misspelled in the title on line 11.

Public comment

Jim Muszynski, an Edgewood resident, hopes Council will think through this and it is not clear why it should be allowed. The city does not allow soup kitchens or bail bonds. He asked if any

residents requested this to be added to the code. Mayor Dowless said Flair Salon Suites requested this.

Mr. Muszinski said Flair Salon Suites is located a few feet from the City line. It is best to keep the City’s standards and not allow tattoo businesses.

Councilmember Rader made a motion to approve Ordinance 2024-06; seconded by Councilmember Steele. The motion was approved by roll call vote (3/1).

Councilmember Steele	Favor
Councilmember McElroy	Favor
Councilmember Rader	Favor
Council President Horn	Oppose
Councilmember Lomas	Absent

2. Ordinance 2024-07: Awnings

Attorney New read Ordinance in title only.

There was no discussion or public comment.

Council President Horn made a motion to approve Ordinance 2024-07, seconded by Councilmember Steele. The motion was approved by roll call vote (4/0).

Councilmember McElroy	Favor
Councilmember Rader	Favor
Councilmember Steele	Favor
Council President Horn	Favor
Councilmember Lomas	Absent

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. Boise Cascade - Request for Variance Extension

Note: This item was heard after the Consent Agenda.

Paul Watters with Boise Cascade requested an extension of six months to their variance due to a significant price increase from their contractor.

He said said there were changes to the plans in that the height of the new building would be 30 feet high rather than the approved 40 feet high. The building will occupy the same footprint and the parking and landscaping plans are unchanged.

In response to Councilmember Rader, Planner Hardgrove confirmed that the variance approval was tied to the site plan, and they can maintain what they submitted. Only the building height will change. The request is for an extension of the variance expiration date.

Council President Horn made a motion to approve Boise Cascade's request for a variance extension of six months; seconded by Councilmember Steele. The motion was approved by roll call vote (3/1).

Councilmember Rader	Oppose
Councilmember Steele	Favor
Councilmember McElroy	Favor
Council President Horn	Favor
Councilmember Lomas	Absent

I. GENERAL INFORMATION

J. CITIZEN COMMENTS

Vernon Hargrave, an Edgewood resident and business owner spoke about Bell Rentals located at 5028 S. Orange Avenue.

Mr. Hargrave said businesses are leaving the City. He said there were 100 recreational vehicles stored on the Bell Rentals property that were told they could no longer be stored there. He wanted to know who changed the ordinance for the use.

Councilmember Rader said it was an illegal use of the property.

Mr. Hargrave said it was approved before the City Council and the removal of the vehicles puts a burden on 100 people.

Councilmember Rader said the use was never approved and the use cannot be continued. Mr. Bell can put in an allowed use.

Mr. Hargrave argued that the use was originally approved and a changed happened after and now there is a vacant property that looks terrible. Mr. Bell did a great job keeping the place safe. Le Coq Au Vin left, and nothing has happened to it. Mr. Bell might leave. The City needs to work with the businesses because they are paying the taxes.

Mr. Hargrave said he appreciates the Council and the box painted on the road in front of his business. We need to consider businesses and homes working together.

K. BOARDS & COMMITTEES

L. STAFF REPORTS

City Attorney Smith - no report

Police Chief DeSchryver

1. Chief's Report August 2024

Chief DeSchryver said the biggest issue at the Orange and Gatlin intersection is from people turning left from southbound Orange Ave to Gatlin Avenue because drivers do not see the last lane of traffic.

WDBO radio honored Officer Adam Lafan for his work with the City. He is an accreditation manager and works with their mental health program.

They are working on reducing speed on Gatlin Avenue. The electronic sign installed on eastbound Gatlin Avenue has resulted in decreased speed for 75% of vehicles.

City Clerk Riffle

City Clerk Riffle reminded Council of the final budget hearing on Friday, September 27, 2024 at 6:00 pm.

M. MAYOR AND CITY COUNCIL REPORTS

Mayor Dowless - no report

Council Member Lomas - no report

Council Member McElroy - no report

Council Member Rader - no report

Council Member Steele - no report

Council President Horn - no report

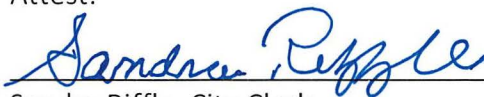
N. ADJOURNMENT

The meeting was adjourned at 8:08 pm.



Richard A. Horn, Council President

Attest:



Sandra Riffle, City Clerk