



PLANNING AND ZONING BOARD MEETING

City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Monday, June 10, 2024 at 6:30 PM

Ryan Santurri
Chair

David Nelson
Vice-Chair

Melissa Gibson
Board Member

David Gragg
Board Member

Todd Nolan
Board Member

MINUTES

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Vice Chair Nelson called the meeting to order at 6:30 pm and led everyone in the Pledge of Allegiance.

ROLL CALL AND DETERMINATION OF QUORUM

Administrative & Permitting Manager Sollazzo confirmed there was a quorum with three (3) Board Members present. Chair Santurri and Board Member Gibson were unable to attend.

BOARD MEMBERS PRESENT

Vice Chair David Nelson
Board Member David Gragg
Board Member Todd Nolan

BOARD MEMBERS ABSENT

Chair Ryan Santurri
Board Member Melissa Gibson

STAFF PRESENT

Brett Sollazzo, Administrative & Permitting Manager
Drew Smith, City Attorney
Ellen Hardgrove, City Planner
Scott Zane, Officer

APPROVAL OF MINUTES

May 13, 2024 Planning & Zoning Meeting Minutes

Board Member Gragg made a motion to approve the May 13, 2024 Planning and Zoning meeting minutes as presented. The motion was seconded by Board Member Nolan. Approved (3/0) by voice vote.

NEW BUSINESS

1. Variance 2024-04: 5525 Jessamine Ln. - Rear Setback

Planner Hardgrove presented a request for a variance to allow a 15.5-foot rear yard (north) setback instead of the required 35 feet for a new home at 5525 Jessamine Lane.

The property is a zoned County R1AA, since a City zoning has never been established. As such, it is a non-conforming lot zoned. The lot is smaller than the required 10,000 square feet minimum and has been in this category since before October 7, 1957. A house meeting minimum size requirements can be built on the property, but it would harm several mature oak trees, including removing at least one. The variance is requested to protect the trees.

The neighboring property's configuration as a flag lot and the existence of a wall along the subject property's north property line, minimizes the impact of reducing the rear yard setback. Similar setbacks

exist for nearby properties: the house to the east is 13 feet from the north property line, and the garage to the west is 18 feet from the north property line. The proposed house would be 15.5 feet from the line. Typically, variance approvals require meeting specific criteria. However, an exception is made for requests solely to preserve historic or specimen trees, which is the case for the subject request. Staff recommends approving the variance to reduce the rear yard setback from 35 to 15.5 feet on the condition that the property is developed as shown in the site plan submitted with the variance application in order to maximize tree preservation.

Applicant Nathan Alexkosky supported the planner's proposal, confirming that all options to save the tree without a variance had been explored. There were no public comments.

Vice Chair Nelson made a motion to recommend approval of Variance 2024-04 to allow a rear yard setback (north property line) of 15.5 feet in lieu of County R1AA required 35 feet conditioned on the site is developed as proposed on the site drawing submitted with the variance application, which maximizes tree preservation.

The motion was seconded by Board Member Nolan. Approved (3/0) by roll call vote.

The motion was approved by roll call vote.

Vice Chair Nelson	Favor
Board Member Gragg	Favor
Board Member Nolan	Favor
Chair Santurri	Absent
Board Member Gibson	Absent

2. Variances 2024-02 & 2024-03: 425 Oak Lynn Dr. - Pool Equipment & Fence

Variances 2024-02: Pool Equipment

Planner Hardgrove presented a request for a variance to allow pool equipment and appurtenant fixtures to be located 12 feet from the west property line at 425 Oak Lynn Drive. City Code Section 134-483(e) requires pool equipment and appurtenant fixtures to adhere to building setbacks, which is 15 feet for this property’s Haverill Drive side according to Code Sections 134-484(g) and 134-550(b).

Pool equipment has already been installed 12 feet from the property line without prior city review. The county was apparently unaware of city regulations, and a survey error omitted the 15-foot right-of-way easement. The equipment could have been placed on the north side of the house in compliance with the code.

A complication in the equipment placement is a 15-foot right-of-way easement exists along the west property line, established with the plat in in November 2020. This easement, which was granted by variance in lieu of the required 25-foot dedication to provide a standard width for Haverill Drive, allows for its public use including, but not necessarily limited to pedestrians, potential road widening, sidewalks, or future utilities like sewer lines.

Planner Hardgrove stated that the applicant has not met the six criteria for variance approval under Code Sections 134-104(3)b and therefore recommended denial. If the applicant can demonstrate these criteria

at the public hearing, the variances may be granted, contingent upon City Council approval of a right-of-way utilization permit and the owner's agreement to remove any equipment within the easement at their sole expense if the easement is needed for future city use.

Variations 2024-03: Fence

Planner Hardgrove presented a request for a variance to allow a six-foot fence to be located ten feet from the west property line at 425 Oak Lynn Drive. City Code Section 134-517(c)(1)c. mandates a 15-foot setback for fences on this property line, while Code Section 134-484(g) requires a 15-foot setback from the side street.

Similar to the pool equipment, the requested fence location is complicated by the 15-foot right-of-way easement. However, unlike the pool equipment, the fence has not yet been installed and can be located to comply with the code by extending it north from the northwest corner of the house.

Planner Hardgrove stated that the applicant has not met the six criteria for variance approval and recommended denial. If the applicant can demonstrate these criteria at the public hearing, the variances may be granted, contingent upon City Council approval of a right-of-way utilization permit and the owner's agreement to remove the fence at their sole expense if the easement was needed for future city use.

Applicants Steven and Lauren Betancourt claimed to meet all six variance criteria and attributed the issue to an incorrect survey that omitted the right-of-way easement.

Board members discussed the matter with Planner Hardgrove and Attorney Smith, considering the potential code violation if the requests were denied. They reviewed each variance criterion and determined that both the criteria for variance approval has been met for both the pool equipment/appurtenant fixtures and fence, provided the applicant agrees to a right-of-way utilization agreement and removal of the anything placed in the easement at their expense should the city need to use the easement in the future.

There were no public comments for either request.

Board Member Gragg made a motion to recommend approval of Variations 2024-02 and 2024-03 to allow pool equipment and appurtenant fixtures to the residence be 12 feet from the west property line instead of 15 feet; and to allow a 6 feet high fence 10 feet from the west side property line. Recommendation conditioned on City Council approval of a right-of-way utilization permit and acceptance that should the City need to use the right-of-way easement in the future, any equipment/appurtenant/accessory fixtures/fence within the easement will be removed at that time solely at the owner's expense.

The motion was seconded by Board Member Nolan. Approved (3/0) by roll call vote.

The motion was approved by roll call vote.

Vice Chair Nelson	Favor
Board Member Gragg	Favor
Board Member Nolan	Favor
Chair Santurri	Absent
Board Member Gibson	Absent

3. Special Exception 2024-01: 220 Verzon Ct. - Guest Cottage

Planner Hardgrove presented a request for a special exception to allow a guest cottage on a property zoned R1A (single-family residential) at 220 Verzon Court. The property currently has a 2,570-square-foot single-story house.

A guest cottage is defined as “living quarters within a detached accessory building located on the same lot or parcel of land as the principal building, to be used exclusively for housing members of the family occupying the principal building and their nonpaying guests, such quarters shall have no kitchen facilities and shall not be rented or otherwise used as a separate dwelling.” Approval of a special exception depends on a finding that the proposed use is compatible with the neighborhood and will not negatively impact property values, required open space, or parking.

The property is part of the Lake Jessamine Estates single-family residential subdivision and building a guest cottage would not alter the neighborhood's character. While it is an accessory structure, the cottage is proposed to meet the same setback requirements as a primary residence (30 feet front, 35 feet rear, 10 feet side) within the R1A district. Construction of the cottage also will not result in exceeding the maximum 45% impervious surface and 40% required recreation area. The same square footage could be added to the main house without a special exception due to the property's size. The lot is nearly three times larger than the typical 7,500-square-foot lot in the subdivision, measuring 20,038 square feet according to the Orange County Property Appraiser.

The proposed guest cottage location will maintain the neighborhood's character. It will be invisible from the street and only visible to one neighboring property, which supports the project via a letter of support from that resident submitted to City Hall on May 23, 2024. The cottage's occupancy restrictions will preserve the single-family character of the neighborhood, preventing negative impacts on property values. The other adjacent property that the cottage will be visible from are non-residential properties (railroad, commercial areas, and water features).

No additional parking spaces are planned. Existing extra-long driveway space (approximately 50 feet) can accommodate any potential parking needs due to the guest cottage, as the house is already set back further than the minimum requirement.

The applicant/homeowner was unable to attend the meeting but will be present at the City Council meeting to provide comments. No public comments were received.

Vice Chair Nelson made a motion to recommend approval of Special Exception 2024-01 as presented to allow a guest cottage on the property located at 220 Verzon Court. The motion was seconded by Board Member Nolan. Approved (3/0) by roll call vote.

The motion was approved by roll call vote.

Vice Chair Nelson	Favor
Board Member Gragg	Favor
Board Member Nolan	Favor
Chair Santurri	Absent
Board Member Gibson	Absent

4. Proposed Sign Regulation Changes

Planner Hardgrove presented proposed changes to the city's sign regulations (Chapter 122). Over time, inconsistencies and outdated language have developed within the regulations. Staff has conducted a comprehensive review and recommends the proposed changes to improve clarity for all stakeholders, reduce sign clutter, and protect public health, safety, and welfare.

The board reviewed the proposed changes prior to the meeting and had no questions on the clarity-focused revisions. The discussion centered on the significant changes to the regulation, including new regulations for business signs, flags, and window signs.

There were no public comments.

Vice Chair Nelson made a motion to recommend that the proposed sign code amendments be forwarded to City Council for consideration as presented by staff. The motion was seconded by Board Member Gragg. Approved (3/0) by roll call vote.

The motion was approved by roll call vote.

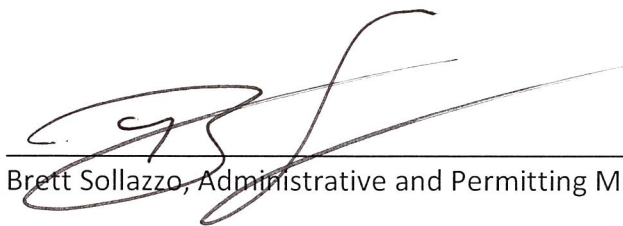
Vice Chair Nelson	Favor
Board Member Gragg	Favor
Board Member Nolan	Favor
Chair Santurri	Absent
Board Member Gibson	Absent

ADJOURNMENT

The meeting was adjourned at 8:25 PM.



Ryan Santurri, Chair



Brett Sollazzo, Administrative and Permitting Manager