



CITY COUNCIL REGULAR MEETING

City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Tuesday, June 21, 2022 at 6:30 PM

AGENDA

Welcome! We are very glad you have joined us for today's Council meeting. If you are not on the agenda, please complete an appearance form and hand it to the City Clerk. When you are recognized, state your name and address. The Council is pleased to hear relevant comments; however, a **five (5) minute limit** has been set by Council. Large groups are asked to name a spokesperson. **Robert's Rules of Order** guide the conduct of the meeting. **Please silence all cellular phones and pagers during the meeting.** Thank you for participating in your City Government.

A. CALL TO ORDER

B. INVOCATION & PLEDGE OF ALLEGIANCE

C. ROLL CALL & DETERMINATION OF QUORUM

D. PRESENTATION OF PROCLAMATION

E. APPROVAL OF MINUTES

- [1.](#) May 17, 2022 City Council Draft Meeting Minutes

F. CONSENT AGENDA

Items on the consent agenda are defined as routine in nature, therefore, do not warrant detailed discussion or individual action by the Council. Any member of the Council may remove any item from the consent agenda simply by verbal request prior to consideration of the consent agenda. The removed item(s) are moved to the end of New Business for discussion and consideration.

G. ORDINANCES

- [1.](#) Ordinance 2022-04 LOT SPLITS

AN ORDINANCE OF THE CITY OF EDGEWOOD AMENDING 3 CHAPTER 126 OF THE CODE OF ORDINANCES, "SUBDIVISIONS," 4 PROVIDING FOR A LOT SPLIT PROCEDURE FOR THE DIVISION OF 5 A SINGLE LOT INTO TWO LOTS IN LIEU OF REPLATTING OR 6 PLATTING UNDER; PROVIDING FOR SEVERABILITY; PROVIDING 7 FOR CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE

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

- [1.](#) Ordinance 2022-02 Window Signage

I. UNFINISHED BUSINESS

J. NEW BUSINESS

- [1.](#) Fiscal Year 2022-2023 non-ad valorem assessment

K. GENERAL INFORMATION

L. CITIZEN COMMENTS

M. BOARDS & COMMITTEES

- [1.](#) Variance Request 2022-VAR-03
600 Gatlin Avenue fence and gate

N. STAFF REPORTS

City Attorney Smith

Police Chief Freeburg

City Clerk Meeks

O. MAYOR AND CITY COUNCIL REPORTS

Mayor Dowless

Council Member Chotas

Council Member Pierce

Council Member Rader

Council Member Lomas

Council President Horn

P. ADJOURNMENT

UPCOMING MEETINGS

Monday, July 11, 2022.....Meeting Info

Tuesday, July 19, 2022.....Meeting Info

Meeting Records Request

You are welcome to attend and express your opinion. Please be advised that **Section 286.0105**, Florida Statutes state that if you decide to appeal a decision made with respect to any matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made.

Americans with Disabilities Act

In accordance with the American Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, he or she should telephone the **City Clerk at (407) 851-2920**.



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City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Tuesday, May 17, 2022 at 6:30 PM

DRAFT MEETING MINUTES

CALL TO ORDER

Council President Horn called the meeting to order at 6:30 pm. He asked for a moment of silence, followed by leading everyone in the Pledge of Allegiance.

ROLL CALL & DETERMINATION OF QUORUM

Councilmember Chotas made a motion to excuse Councilmember Pierce's absence; seconded by Councilmember Rader. Approved (4/0).

PRESENT

Mayor John Dowless
Council President Horn
Councilmember Chotas
Councilmember Lomas
Councilmember Rader

ABSENT

Councilmember Pierce

STAFF

Sandra Riffle, Interim City Clerk
John Freeburg, Police Chief
Shannon Patterson, Police Department Chief of Staff
Stacey Salami, Code Enforcement Officer
Drew Smith, City Attorney
Ellen Hardgrove, City Planner
Galen Pugh, PLA, AICP Director Landscape Architecture, CPH
David Mahler, P.E. Chief Operations Officer, CPH
Michelle Tanner, Sr. Land Planner

Applicants and Other Attendees

Scott Howat, President, Foundation for OCPS
Wellington Goulart, Art Stone Surfaces
Rick Baldocchi, P.E., AVCON
Tom Daly – Daly Design Group

PRESENTATION AND PROCLAMATIONS

- **Orange County Public Schools, One-mill Ad Valorem Millage**

Scott Howat, President for the Foundation for OCPS, gave a PowerPoint presentation to Council regarding the August 23, 2022 primary ballot proposal supporting the continuation of the current one-mill ad valorem millage. The presentation was followed by a short discussion with City Council.

Councilmember Chotas explained to Mr. Howat that during the review of the proposed school on Holden Avenue, the Orange County School Board was exempt from fees that the Edgewood taxpayers had to pay. He suggested that the school board should consider absorbing the fees.

APPROVAL OF MINUTES

- **April 19, 2022 meeting minutes**

The following corrections were made to the April 19, 2022 minutes: Page 5 – The last two lines on the roll call vote: changed “Favor” to “Absent, and the last line changed “Lomas” to “Chotas”.

Councilmember Rader made a motion to approve the April 19, 2022 meeting minutes with corrections; seconded by Councilmember Lomas

ORDINANCES FIRST READING

- **Ordinance 2022-03 - Comprehensive Plan Amendment**

Attorney Smith read Ordinance 2022-03 in title only.

The Ordinance is a proposed comprehensive plan amendment to add a new future land use designation for uses that require site specific development standards to ensure land use and environmental compatibility. The proposed amendment adds a sixth future land use designation, Site Specific Plan, to Future Land Use Policy 1.1.6. to help the city plan for future growth and development. The proposed policy also requires that development on a property with this designation be rezoned to a new zoning district.

Planner Hardgrove said that during the April 19, 2022 meeting, Council voted not to transmit the amendments and tabled the Ordinance.

She said to use the new designation there needs to be a specific policy, a development agreement and rezoning. The Planning and Zoning Board has started to consider the creation of the new zoning district.

Discussion ensued regarding the approval procedure. City Hall will receive an application which will go to staff review. The applicant will then have a community meeting prior to the

Planning and Zoning meeting. The staff report will be submitted to Planning and Zoning and then to Council. A development agreement will also be required.

Councilmember Chotas requested additional information about the definitions of environmental compatibility and environmental sustainability. Planner Hardgrove said she could add those definitions and that the verbiage resulted from Planning and Zoning considering the need for sustainable development including using techniques such as for water conservation, LEED building design, and use of electric vehicles.

Attorney Smith said that Planning and Zoning was looking at potential bonuses. They wanted the ability to incorporate environmental sustainability into development. He added that what Council is currently considering is not Code; it is the Comprehensive Plan to allow the Code to be written.

Councilmember Chotas said he wanted words such as “environmental sustainability and compatibility” to have meaning. He said he would like to approve the transmittal but would like those terms to be deleted.

Councilmember Rader said he does not think there is a need to transmit the amendment. He said the concept is good, but does not like legislating to a single property; i.e., the Randall Knives property adjacent to Legacy. He understands flexibility. He does not see a benefit for other properties.

Councilmember Rader also stated his concerns about noise and traffic resulting from a commercial property on the Randall Knives property location.

Mayor Dowless said he thought this type of ordinance would benefit the City in more than one area. He said the City needs more commercial development to improve revenue.

Further discussion ensued regarding compatibility with abutting properties. Councilmember Rader said that putting C-3 zoning next to residential is not being a good neighbor. Councilmember Lomas expressed concern about controlling commercial noise close to a residential neighborhood. She is also concerned about trucks turning out of Orange Blossom Trail and then onto Holden Avenue. She said that she also understands that this could be a good tool to add some control.

Planner Hardgrove said another part of the proposed amendment is to clarify the listed densities/intensities of the future land use designations are not an entitlement; but instead a maximum.

There was no public comment.

Councilmember Chotas made a motion to transmit the proposed amendment to the DEO as proposed in Ordinance 2022-03 with the deletion of “environmental compatibility” on line 24, “and/or environmental compatibility” on line 102, “and to provide environmental sustainability” on line 106, and “and environmental compatibility” on line 110.

The motion was seconded by Councilmember Lomas. Approved (3/1).

The motion was approved by roll call vote.

Councilmember Rader	Oppose
Councilmember Chotas	Favor
Council President Horn	Favor
Councilmember Lomas	Favor
Councilmember Pierce	Absent

PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)

- **Ordinance 2022-01 - County Zoning to City Zoning**

Attorney Smith read Ordinance 2022-01 in title only.

Planner Hardgrove said this Ordinance would create new zoning districts for properties annexed from Orange County into the City. The purpose is to maintain the site standards of the County to avoid nonconforming development standards of existing uses, while providing the City with permitted use control.

She said most County comparisons are similar to the City’s standards, but there are some differences such as the City’s R-1AA requires a minimum floor area of 2,200 square feet, and R-1A requires a minimum 1,800 square feet versus the County’s requirement of 1,200 square feet. In changing the minimum requirement, there is a possibility for legally nonconforming properties.

Planner Hardgrove confirmed to Councilmember Chotas that a legally nonconforming situation might not be allowed to rebuild if the County standards were changed to 1,800 or 2,200 square feet. She said the Ordinance, as written, avoids the probability of nonconformity.

Councilmember Chotas stated his reluctance to impose burdens without knowing the effect on homesteads.

There was no public comment.

Councilmember Chotas made a motion to approve Ordinance 2022-01; Seconded by Councilmember Rader. Approved (4/0).

The motion was approved with a roll call vote.

<i>Councilmember Lomas</i>	<i>Favor</i>
<i>Council President Horn</i>	<i>Favor</i>
<i>Councilmember Chotas</i>	<i>Favor</i>
<i>Councilmember Rader</i>	<i>Favor</i>

UNFINISHED BUSINESS - none

NEW BUSINESS

- **Resolution 2022-04 2nd Quarter Budget Amendment**

Interim City Clerk Riffle explained the budget amendments for Resolution 2022-04.

- Exhibit A - Adjusted to show the use of Restricted Funds.
- Exhibit B - Updated revenues not budgeted for receipt of payments for red light citations.
- Exhibit C - Adjusted the expense budget to show actual allocation from moving funds from interest to principal.
- Exhibit D - Moving unspent funds from the 2020/2021 Neighborhood Partnership Grants Program to the current budget. This was money set aside for the Harbour Island Association to install thirteen new light poles and underground wiring along Harbour Island Road, which is completed.

There was no public comment.

Councilmember Rader made a motion to approve Resolution 2022-04; seconded by Councilmember Lomas. Approved (4/0).

The motion was approved with a roll call vote:

Council President Horn	Favor
Councilmember Rader	Favor
Councilmember Lomas	Favor
Councilmember Chotas	Favor
Councilmember Pierce	Absent

CITIZEN COMMENTS - none

BOARDS & COMMITTEES

- **Special Exception 2022-02 - 169 Jamaica Ln. - Art Stone Granite**

Planner Hardgrove described the proposal to locate a granite and other stone showroom and manufacturing business, Art Stone Surfaces, at 169 Jamaica Lane. The business would entail storage of stone slabs, clientele visiting the site for material selection and ordering, and manufacturing (cut, fabricate, and polish) the product. Per Code Section 134-405, these uses are only allowed as a special exception within the C-3 district.

She said that Staff and Planning and Zoning recommended approval.

The surrounding properties consist of the railroad tracks to the east, heavy commercial to the west, heavy commercial to the north, and single family homes to the south on the other side of Jamaica Lane. She stated there is no access from Jamaica Lane to the residential neighborhood and that a fence was constructed along the residential property lines at the

time of the home construction. The existing heavy commercial uses on the north side of Jamaica Lane preceded the construction of the residential neighborhood.

She said there is sufficient parking for the proposed use, and according to the applicant, operating hours are 7 am to 7 pm, Monday through Friday.

Business owner Wellington Goulart said they would like to expand their operation in Georgia to Edgewood.

Mr. Goulart confirmed to Council President Horn that most of the product would be stored inside the warehouse, but remnant pieces would be stored outside for reuse.

Discussion ensued regarding height restriction or site attractiveness. Councilmember Rader proposed a landscape buffer in front of the property and Planner Hardgrove responded that the landscaping needed to be designed taking into consideration of delivery trucks and the need for irrigation. Mayor Dowless agreed with incorporating landscaping on the south side of the property.

There was no public comment.

Councilmember Rader made a motion to approve Special Exception 2022-02 to allow the use of granite/stone sales and manufacturing, including outdoor storage of merchandise, parts, and other equipment, building material storage and sales (new, no junk), storage and wholesale warehouse adjacent to a residential zoning district or property with a residential future land use designation including those across a right-of-way with the following conditions:

- ***specific use of granite/stone sales and manufacturing***
- ***outdoor storage of materials to be kept rear of the front building elevation,***
- ***allowable delivery hours of Monday through Friday, 8 am to 5 pm, and***
- ***incorporate additional irrigated landscaping at the front, subject to staff approval.***

The motion was seconded by Councilmember Lomas.

The motion was approved with a roll call vote.

Council President Horn	Favor
Councilmember Chotas	Favor
Councilmember Rader	Favor
Councilmember Lomas	Favor
Councilmember Pierce	Absent

3. Holden Avenue PD/Haven Oaks Development Plan/Preliminary Subdivision Plan

Planner Hardgrove said the Haven Oaks Planned Development (PD) was approved on February 16, 2021, and the Development Agreement (DA) was recorded on March 22, 2021.

The applicant has submitted the “Holden Avenue PD – Haven Oaks Development Plan/ Preliminary Subdivision Plan and landscape plans, which includes a comprehensive sign plan. The Planning and Zoning Board (P&Z) reviewed the submitted documents and recommended approval subject to several conditions, including some that required revision before the City Council’s public hearing. The revisions relative to Planning Staff review have been met.

The comprehensive sign plan would give the PD flexibility with the sign code. Code allows for one sign, and the PD requested an 8.5-foot-tall sign on both sides of the entrance road in front of the 6-foot-high wall.

Planning staff’s recommendation is approval of the plan received 4/7/2022 and the landscape plan dated 4/19/2022 conditioned on the following:

- A requirement that the DP/PSP be revised and resubmitted through the approval process should the preliminary construction drawings demonstrate the need to a) reduce the recreation areas below the minimum required per the Development Agreement or b) reduce the number of parking spaces shown on the Land Use Plan;
- A requirement to amend the DP/PSP to extend Tract J (lift station) to the west property line eliminating the “open space” of Tract F between Tract J and the west property line before final construction plan approval (without need for Council approval);
- Any other conditions the City Council would recommend related to issues identified in the City Engineer’s and Landscape Architect’s reports, which may include but are not limited to, a) a landscape buffer between the parking lot and Lot 21; and b) replacement trees for proposed tree removal; and, c) fire truck access through the front gate.

Discussion ensued regarding the configuration of the lots and green space.

Landscape Architect Galen Pugh CPH said the landscape plan on sheet L-102 and H-201 showed a 5’ separation between the parking lot sidewalk and lot 21. As a condition of approval, he requested the applicant shift the parking lot south to allow for a 10’ wide landscape buffer between the sidewalk and lot 21, to include a continuous 6’ high solid vinyl fence and evergreen understory trees, 20’ on center.

He also explained that for tree replacement, the applicant decided to replace inch for inch rather than tree for tree as required by Code. The applicant will need to ask the City Council to consider the inch per inch calculation they are proposing because the code does not allow for it.

He noted a scrivener’s error showing that tree #76 was saved, but it is located in the middle of the pond and was removed. This should be corrected on the plan sheet.

Public Comment:

Sandra DePorter, an Edgewood resident, said she had three concerns. She would like the gap by her property closed as she does not want people walking on her property, she would like to have the existing fence removed, and she would like the survey corrected to show her property in her name as the owner. Councilmember Rader reminded the applicant that the fence removal was mentioned several times during DRC and they promised Mrs. DePorter it would be removed. Mr. Daly said he will work with Mrs. DePorter.

Rick Baldocchi, with AVCON representing Toll Brothers, explained the need for the five feet space between Tract J and the property line: to maintain the wall easement. He also clarified there is no post planned in the middle of the gate and it will not be in the way of fire and rescue vehicles.

Further discussion ensued regarding tree replacement. Mr. Daly said they are saving 78 trees on 13 acres. Tom Daly with Daly Design Group said the replacement trees would be bigger than Code requirements, which will have a greater impact and benefits.

City Planner's conditions 2, 3a, 3b, and 3c were withdrawn.

Mr. Daly confirmed to Councilmember Rader the viburnums behind the sign would be maintained.

Councilmember Rader requested modification of the entrance area as he was concerned about incoming traffic cutting over to the exit lane, allowing for vehicles to sneak in the exit side of the gate. Mr. Daly confirmed they would do their best to rework the entrance. Councilmember Rader requested a condition for a mitigating measure to minimize the use of the exit for front entry.

Planner Hardgrove also included CPH's condition to shift the parking lot south 5 feet to allow a 10-foot landscape buffer between the sidewalk and lot 21.

Councilmember Rader made a motion for approval of Haven Oaks Planned Development Preliminary Subdivision Plan with the following conditions:

- ***A requirement that the DP/PSP be revised and resubmitted through the approval process should the preliminary construction drawings demonstrate the need to a) reduce the recreation areas below the minimum required per the Development Agreement or b) reduce the number of parking spaces shown on the Land Use Plan;***
- ***Condition for a mitigating measure during construction plan review to minimize the use of the exit for front entry;***
- ***Correct the scrivener's error on plan sheets to show that tree #76 was removed;***
- ***Avoid using the street trees and rear yard trees as replacement trees, or provide the same one-year warranty for all trees used for replacement trees on lots as provided for the common area/subdivision trees;***

- ***As a condition of approval, shift the parking lot to allow for the a 10’ wide landscape buffer between the sidewalk and lot 21 to a continuous 6’ high solid vinyl fence to begin at the front building setback of lot 21 extending to the west property line. The landscape buffer shall include evergreen understory trees, 20’ on center.***
- ***Preservation of the property boundary, at the wall, from the northernmost 30 feet of the west property line.***

The motion was seconded by Councilmember Lomas. Approved (4/0).

The motion was approved by a roll call vote.

Councilmember Rader	Favor
Councilmember Chotas	Favor
Council President Horn	Favor
Councilmember Lomas	Favor
Councilmember Pierce	Absent

- **School Concurrency Mitigation Agreement**

Attorney Smith referred to the interlocal agreement between the developer and the School Board.

Councilmember Chotas made a motion to approve the Orange County Public School Mitigation Agreement; seconded by Councilmember Rader. Approved (4/0).

The motion was approved by a roll call vote.

Councilmember Lomas	Favor
Councilmember Rader	Favor
Council President Horn	Favor
Councilmember Chotas	Favor
Councilmember Pierce	Favor

STAFF REPORTS

- City Planner Hardgrove – said that in 2005, Council approved a resolution to create a a simple subdivision process known as a lot split process. This is for a lot to be split into two without new roads or stormwater. The resolution was not followed up with an Ordinance.

She said creating the legislation for a lot split would avoid the need for the platting process. Attorney Smith said the Statute regarding platting is for more than two lots. She asked for direction from Council, and there was no objection.

- City Attorney Smith – no report
- Police Chief Freeburg

- He sent his officers for active shooter training with other agencies. The Committee of 100 is assisting in funding the training.
- Councilmember Rader said that Florida Attorney General Ashley Moody complimented Chief Freeburg.
- The Police Department will receive its accreditation on June 16, 2022.
- Holden already seeing an increase in traffic due to the expansion on the west side of Orange Blossom Trail.
- The ARP annual report was submitted and accepted.
- The Code Enforcement truck is no longer serviceable and it will be sold at auction.

- **Interim City Clerk Riffle** – no report

MAYOR AND CITY COUNCIL REPORTS

- Mayor Dowless – no report
- Council Member Chotas – no report
- Council Member Pierce - absent
- Council Member Rader – no report
- Council Member Lomas – no report
- Council President Horn – Thanked Council for excusing his absence from the May 17, 2022 meeting. He said his daughter’s team made to the State Finals and won the Championship.

ADJOURNMENT

Councilmember Rader made a motion to adjourn the meeting; seconded by Councilmember Chotas. Approved (4/0).

The meeting was adjourned at 9:25 pm.

Richard A. Horn
Council President

Attest:

Sandra Riffle, CMC, CBTO
Interim City Clerk

Approved in the _____ Council meeting.



Memo

To: Mayor Dowless, Council President Horn,
Council Members Chotas Lomas, Pierce, and Rader

From: Sandy Riffle, Interim City Clerk

Date: June 15, 2022

Re: Proposed Ordinances Planning and Zoning Report

Ordinance 2022-04 – Lot Splits

Ordinance 2022-04 was reviewed by the Planning and Zoning Board on Monday, June 13, 2022. Three Board members were present at the meeting but one Board Member had a voting conflict. With two voting members there was not a quorum for a vote; however, the Board's consensus was to recommend approval of the Ordinance.

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ORDINANCE 2022 – 04

AN ORDINANCE OF THE CITY OF EDGEWOOD AMENDING CHAPTER 126 OF THE CODE OF ORDINANCES, “SUBDIVISIONS,” PROVIDING FOR A LOT SPLIT PROCEDURE FOR THE DIVISION OF A SINGLE LOT INTO TWO LOTS IN LIEU OF REPLATTING OR PLATTING UNDER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Edgewood, Florida, finds it necessary and in the best interests of the citizens of the City to provide a lot split procedure for division of lots in lieu of re-platting or platting; and,

WHEREAS, the city of Edgewood has received several requests from property owners to divide single existing lots into two lots; and,

WHEREAS, within this Ordinance, deletions are identified by strikethrough text and additions are identified by underline text.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA, AS FOLLOWS:

SECTION ONE. The findings set forth in the recitals above are hereby adopted as legislative findings of the City Council pertaining to this Ordinance.

SECTION TWO. Chapter 126.61 “Exemptions” is hereby amended as follows:

Sec. 126-61.

(a) For subdivisions where no new streets, water, sewer or drainage structures are involved, sections 126-62 through 126-67 and 126-93 through 126-95 may be waived; provided, however, that a sketch plan of the proposed subdivision shall be submitted to the office of the mayor for review by the planning and zoning board to ensure that the proposed subdivision conforms to other applicable requirements of this chapter and further compliance with sections 126-62 through 126-67 and 126-93 through 126-95.

(b) If the proposed subdivision is a proposal for the division of a single lot into two lots, in lieu of platting or replatting, the subdivider may conform to the procedural requirements to be known as a “Lot Split,” as set out in this section, or the subdivider may comply with the procedure for platting or replatting contained in this chapter at the applicant's option, except as otherwise determined pursuant to subsection (b)(3). A lot shall not be created by this process if a lot does not have

35 legal access to a public right-of-way, or the resulting lots are not conforming to land
36 development regulations or comprehensive plan requirements. The Lot Split
37 procedure shall not apply to a subdivision into more than two lots. The intention
38 being that this procedure may only be used once as it pertains to all or any portion
39 of the lands involved in or previously utilizing or subject to this procedure.

40 (1) Lot Split Application. A subdivider shall apply to the city on an application
41 form as well as submit to the city the plan for subdivision with the following
42 minimum submittal requirements:

- 43 a. A sketch drawn to scale showing the existing lot and improvements,
44 location of easements, names of bordering streets, proposed lot lines,
45 minimum required building setbacks on each proposed lot, names and
46 locations of all bodies of water, wetland, drain fields, and all other
47 waterways and watercourses abutting or encroaching upon subject
48 property. This sketch must also show existing buildings and lot
49 dimensions. The scaled drawing may coincide with the certified
50 boundary survey required below.
- 51 b. A brief description of all utilities and city services, including sewers,
52 potable water facilities, and fire hydrants electric and telephone poles,
53 streetlights, storm drains and any other utilities or services relevant to
54 the maintenance of subject properties.
- 55 c. A listing of the names and addresses of the record owners abutting
56 subject property.
- 57 d. A boundary survey of the lands subject to this procedure, as existing
58 (i.e., prior to the proposed lot split) and as proposed (i.e., after the
59 proposed lot split), performed and prepared by a professional licensed
60 surveyor and mapper. The survey shall be certified to and submitted to
61 the city. Said surveys shall include the depiction of existing
62 improvements and easements thereon.
- 63 e. Proposed legal instruments creating and granting proposed easements,
64 conditions and restrictions upon the proposed lots.
- 65 f. Application fee.

66 (2) Staff Review. Once the application is determined to be complete, staff shall
67 review the request for compliance with the code and providing necessary
68 easements and access for public services and utilities (e.g. compliance with
69 lot dimensions requirements, setbacks for existing buildings, easements, legal
70 access, etc.). A staff report, with or without conditions or restrictions, the
71 application, together with the recommendations, conditions and restrictions,

72 shall be presented to the Planning and Zoning board at its next available
73 regular meeting or session, for a recommendation of approval or disapproval.

74
75 (3) The city staff may require an applicant to follow the standard subdivision
76 procedure contained in this chapter if they determine that the lot-split
77 procedure is being utilized by an applicant in order to defeat the objectives of
78 subdivision requirements or the lot-split procedure would be inadequate to
79 address matters presented by the application that could be more adequately
80 addressed through the platting or replatting procedure.

81
82 (4) Planning and Zoning Board Review. The Planning and Zoning Board
83 recommendation may take the following actions:

- 84 a. Approve the application as recommended by staff.
- 85 b. Approve the application, deleting or supplementing the conditions and
86 restrictions of staff.
- 87 c. Approve the application, adding conditions and restrictions as determined
88 by the Planning and Zoning Board.
- 89 d. Disapprove the application.

90
91 (5) City Council Review. The Planning and Zoning Board recommendation shall
92 be presented to the City Council at the next available Council meeting.

93 (6) Conditions. The city may condition the lot split upon the recording in the
94 Orange County public records legal instrument(s), in a form acceptable to the
95 city, showing the new boundaries of the lots created by the lot split and
96 creating any easements, conditions and restrictions upon the lots necessary
97 for the orderly and proper development of the lots.

98 If staff or the Planning and Zoning Board determines that an easement or
99 right-of-way is necessary for the subdivision of the subject property, the
100 applicant must provide a proper and satisfactory executed deed of easement
101 or right-of-way prior to any final approval by City Council.

102 (7) Appeals. Appeals of any decision of the City Council shall follow that stated in
103 Section 126-590 of the Edgewood Code.

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ORDINANCE NO. 2022-02

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, RELATING TO SIGNS; AMENDING CHAPTER 122 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES RELATING TO WINDOW SIGNS; PROHIBITING WINDOW SIGNAGE; PROVIDING AN EXCEPTION FOR ONE WINDOW SIGN NO LARGER THAN FIVE SQUARE FEET IN COPY AREA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE.

WHEREAS, the regulation of signs is necessary to protect the public health, safety and welfare of the citizens, businesses and visitors to the City of Edgewood (“the City”); and

WHEREAS, during the implementation of new sign regulations, the City has monitored the effectiveness and efficiency of said regulations; and

WHEREAS, the City continues to face challenges in effectively controlling window signage in a manner that avoids sign clutter and aesthetic impacts to buildings; and

WHEREAS, some businesses continue to abuse the allowances for window signage the City has tried to maintain; and

WHEREAS, as building practices evolve and more glass and windows are used in buildings, the challenges presented by window signage become more significant; and

WHEREAS, in order to avoid sign clutter and protect the aesthetic beauty of the City of Edgewood, the City Council finds it appropriate and necessary to further restrict the usage of window signage within the City of Edgewood.

WHEREAS, the City Council finds that this Ordinance is concerned with the secondary effects of speech including but not limited to aesthetics and traffic safety, and are not intended to regulate viewpoints or censor speech, and for those and other reasons that the foregoing provisions are not subject to, or would not fail, a “prior restraint” analysis.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA, AS FOLLOWS:

SECTION ONE. The findings set forth in the recitals above are hereby adopted as legislative findings of the City Council pertaining to this Ordinance.

42 **SECTION TWO.** Chapter 122, “Signs,” of the City of Edgewood Code of Ordinances is
43 hereby amended as set forth as follows (note: additions are indicated by underline, deletions are
44 indicated by ~~strikethrough~~, and portions of the Code that remain unchanged and which are not
45 reprinted here are indicated by ellipses (***):
46

47 **Sec. 122-10. Prohibited signs.**

48 ***

49 (23) Window signage ~~that exceeds 25 percent of the total glass area of all windows and 333~~
50 ~~glass doors~~ except as expressly allowed within this Chapter. Window signage lawfully
51 existing as of _____ shall be allowed to remain until the earlier of: 1) voluntary
52 removal of the window signage or 2) a change of occupancy in the unit upon which the
53 window signage is located.

54

55 **Sec. 122-13. Signs subject to permitting.**

56 (b) *Non-residential.*

57 ***

58 (4) Subject to the maximum total copy area, the following signs shall be permitted in all
59 non-residential zoning districts:

60 a. *Ground signs.* Ground signs shall be permitted pursuant to the following:

- 61 1. One low-profile sign, one tall-profile sign, consistent with the definitions for
62 same, or one electronic changeable message sign consistent with the
63 requirements in subsection 122-13(b)(4)a.5 below, shall be allowed along
64 each public road right-of-way the parcel abuts.
- 65 2. On multi-occupant parcels at least five acres in size with at least 375 feet of
66 parcel depth measured from the front property line to the rear property line,
67 one large parcel sign, consistent with the definition for same, shall be
68 allowed in lieu of a low-profile, tall-profile, or electronic changeable
69 message sign.
- 70 3. On parcels abutting multiple public road rights-of-way, one additional
71 ground sign shall be allowed per secondary road frontage. The sign location
72 along the secondary frontage shall be at least 100 feet from the point of road
73 intersection with the primary road, as measured along the right-of-way. The
74 secondary frontage shall be the road with the lowest traffic count.

75 ***

76 b. *Attached signs.* The following attached signs shall be permitted:

- 77 1. One wall sign, one projecting sign, or one hanging sign shall be allowed per
78 principal building façade facing a public road right-of-way for each principal
79 building located on a parcel; such sign or signs allowed herein do not have to
80 be located on the building façade facing the public road right-of-way, but
81 only one such sign shall be allowed per building façade.
- 82 i. No wall sign or supporting structure for a wall sign shall project
83 more than 12 inches from the wall of a building nor over any
84 public right-of-way. Wall signs may not disrupt architectural
85 features of the building and must be architecturally compatible and
86 consistent with the building. Further, no wall sign shall extend
87 above the roofline except where an exterior parapet wall projects
88 above the roofline, in which case such sign may extend to the top
89 of such wall.
- 90 ii. No projecting sign shall extend beyond three feet beyond the face
91 of the building. No sign face of any projecting sign may be greater
92 than six square feet in area. A projecting sign shall be hung at a 90-
93 degree angle from the face of the building and the bottom of the
94 projecting sign shall be at least seven feet above grade.
- 95 iii. The edge of any hanging sign furthest from the building shall not
96 extend beyond the edge of the roofline. No sign face of any
97 hanging sign may be greater than six square feet in area. A hanging
98 sign shall be hung either parallel to or at a 90-degree angle from
99 the face of the building. The bottom of the hanging sign shall be at
100 least seven feet above grade.
- 101 2. One awning sign shall be allowed per awning installed upon the principal
102 buildings located upon the premises.
- 103 c. Window Signs. Window Signs shall be allowed only on the ground floor of a
104 building. One window sign not exceeding 5 square feet in copy area or two
105 matching window signs with each sign located on a different window in a
106 symmetrical manner not exceeding a cumulative 7 square feet in copy area shall
107 be allowed. Window signs shall be counted in the total copy area allowed. and
108 shall be limited to an area that does not exceed 25 percent of each window area.
109 The remaining 75% of the windows shall remain transparent. A glass door shall
110 be categorized as a window for this regulation.
- 111 d. One fuel pump sign with copy area no greater than two square feet located upon a
112 functional and properly licensed fuel pump. Fuel pump signs shall not be included
113 in the calculation of maximum total copy area.
- 114 e. Governmental right-of-way signs.
- 115 (5) In addition to the maximum number of signs and total square footage allowed per
116 parcel, each business location located within a multiple-occupant building with an
117 individual exterior entrance location, shall be permitted one attached sign consistent

118 with subsection 122-13(b)(4)b. and window signage consistent with subsection 122-13
119 (b)(4)(c), which signs shall be located proximate to the primary entrance to such
120 business location. Such multiple-occupant signage shall be subject to the following:

121 a. The total maximum copy area available for such multiple-occupant signage per
122 parcel shall be two square feet of copy area for each linear foot of building
123 frontage of the building. ~~If the building has multiple stories which are utilized for~~
124 ~~business locations, then the width of each additional story shall be utilized in~~
125 ~~calculating the building frontage.~~ Each occupant of the building shall then be
126 allocated sign square footage based on their rental (or owned) square footage
127 percentage of the total available square footage in the building. In no event,
128 however, may any one business location exceed a maximum of 100 square feet of
129 total copy area except as otherwise authorized for an anchor tenant.

130 b. Anchor tenants upon a multiple-occupant parcel shall be allowed an additional
131 one square foot of copy area for each linear foot of building frontage of that
132 portion of the building occupied by the anchor tenant over 100 linear feet. Said
133 additional copy area shall not exceed 200 square feet of copy area per anchor. The
134 copy area allowed within this paragraph shall be wall signage, awning signage, or
135 a combination thereof.

136 **SECTION THREE.** If any section, subsection, sentence, clause, phrase, word or
137 provision of this Ordinance is for any reason held invalid or unconstitutional by any court of
138 competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall
139 be deemed a separate, distinct and independent provision, and such holding shall not affect the
140 validity of the remaining portions of this Ordinance.

141
142 **SECTION FOUR.** It is the intent of the City Council of the City of Edgewood that the
143 provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority
144 in codifying the provisions of this Ordinance.

145
146 **SECTION FIVE.** This Ordinance shall take effect immediately upon adoption as
147 provided by the Charter of the City of Edgewood.

148
149 PASSED ON FIRST READING THIS _____ DAY OF _____, 2022.

150
151 PASSED AND ADOPTED THIS _____ DAY OF _____, 2022.

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CITY OF EDGEWOOD, FLORIDA
CITY COUNCIL

Richard A. Horn, Council President

ATTEST:

Sandra Riffle, Interim City Clerk



Memo

To: Mayor Dowless, Council President Horn,
Council Members Chotas Lomas, Pierce, and Rader
From: Sandy Riffle, Interim City Clerk
Date: June 16, 2022
Re: 2022-2023 FY Non-ad Valorem Assessment

I have received the Orange County Property Appraiser’s request to update, if applicable, our parcel file and confirm the rate per unit for the City’s solid waste service.

Below is a table showing the parcel and unit counts for the fiscal year 2020/2021 and the current fiscal year. This year, FCC’s parcel count matches OCPA data.

Fiscal Year	Parcels	Units	Explanation
2020/2021	867	877	The City added two parcels; 433 Mandalay Road and 5426 Lazy Oaks Lane
2021/2022	870	878	<ul style="list-style-type: none"> 425 Oak Lynn is now split into three parcels, accounting for additional 2 parcels. (they have not initiative FCC services) 441 Mandalay Rd was added with the new SFR (they have initiated FCC services)

The City’s current Non-ad Valorem assessment to the residents is \$292.96.

HISTORY OF BILLING RATE CHANGE (Currently capped at 3% per FCC contract)

- 2014 - \$18.30
- 2015 - \$19.27 (+.97)
- 2016 - \$19.30 (+.03)
- 2017 - \$19.62 (+.32)
- 2018 - \$20.02 (+.40)
- 2019 - \$20.52 (+50)
- 2020 - \$20.88 (+36)
- 2021 - \$19.68 (-1.78)
- 2022 - \$20.12 (+.44)

FCC is requesting to adjust current collection rates, beginning on October 1, 2022 and continuing until the next adjustment period. The change in base period is 4.4%; which does exceed the capped 3% threshold.

The may be a disposal increase from Orange County Solid Waste, but it has not yet been announced. Once received, FCC may request to adjust the current disposal rates, beginning on October 1, 2022, and continuing until the next adjustment period. For budgeting purposes, the City can be up to a 3% increase specifically for the disposal rate in addition to the 3% increase to the collection rate.

I inquired with Mitch Dahlstrom regarding rates and was provided with the CPI information; this is provided in the agenda. There will be a rate increase to \$20.12 before disposal rates are assessed.

Projection:

Collection Element rate (3% adj. per CPI) \$14.77 x 3%	\$15.21
Disposal Rate*	\$ 4.91
Total	\$20.12

*Subject to change if Orange County Solid Waste increases

CURRENT ASSESSMENT LIST

I received a copy of the City’s current assessment list from the Orange County Property Appraiser’s (OCPA) office on May 7, 2022. The list contained 870 dwellings/parcels. Commercial properties that were incorrectly listed on last year’s report were removed and the five missing residential properties are now included in the list. The unit (garbage containers) count is 878.

The City’s deadline to submit to the Orange County Property Appraiser is **on or before July 1, 2021**. We are required to submit the parcel and unit count, along with the non-ad Valorem assessment rate and Form DR408A.

UNIT COUNT (Containers)	MONTHLY INVOICE (Effective 7/1/2022)	ANNUAL COST	*REVENUES vs. EXPENSES
878	878 x \$20.12 = \$17665.36	\$17,665.36 X 12 = \$211,984.32	\$292.96 x 878 = \$257,218.88 \$257,218.88- 211,984.32= \$45,234.56

***REVENUES CONTINGENT ON PAYMENTS RECEIVED.**

RECOMMENDATION/ACTION NEEDED: Consider the information above and provide Interim City Clerk Riffle with a Non-ad Valorem assessment rate to provide to the Orange County Property Appraiser’s office.



June 17, 2022
 City of Edgewood
 Attn: Sandy Riffle, MMC, CPM, CBTO, City Clerk
 Residential Solid Waste Collection Services

Subject: **10.3 Adjustments to Rates**

Dear Bea:

FCC is requesting In accordance with 10.3 (A-1) to adjust current collection rates, beginning on October 1, 2022 and continuing until the next adjustment period. Pursuant to aforementioned item (a-1) we have determined the following calculation in the table provided below and the link published by United States Bureau of Labor Statistics. The change in base period is **4.27%**; this meets the requirement and **does exceed** the capped 3% threshold.

FCC is anticipating a disposal increase but at this time it hasn't been announced; once received FCC will request In accordance with 10.3 (A-2) to adjust current disposal rates, beginning on October 1, 2022 and continuing until the next adjustment period. For budgeting purpose you could anticipate at least a **4%** increase.

**CPI for All Urban Consumers (CPI-U)
 Original Data Value**

Series Id: CUUR0000SEHG02
Not Seasonally Adjusted
Series Title: Garbage and trash collection in U.S. city average, all urban consumers, not seasonally adjusted
Area: U.S. city average
Item: Garbage and trash collection
Base Period: DECEMBER 1983=100
Years: 2012 to 2022

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
2012	398.880	400.381	401.692	400.913	401.067	402.793	406.243	406.823	407.594
2013	411.126	411.805	412.305	413.675	414.511	414.802	416.505	417.760	418.357
2014	422.440	422.483	423.413	425.393	425.242	425.930	426.562	426.771	427.327
2015	427.734	429.248	429.235	429.807	431.234	430.813	431.229	432.967	433.843
2016	437.205	438.296	437.699	437.676	438.317	437.858	438.607	439.358	439.707
2017	446.266	447.699	446.987	447.129	447.272	448.046	448.328	448.717	449.008
2018	453.354	454.915	455.230	458.722	462.887	465.041	465.579	470.457	471.026
2019	475.687	477.474	478.569	479.449	480.865	480.984	482.138	483.987	484.346
2020	491.003	494.429	495.288	494.432	494.946	496.679	498.564	500.882	501.756
2021	512.722	517.270	518.505	518.579	516.440	517.202	521.185	524.408	529.934
2022	533.078	538.313	540.719	542.564					

CPI Index Base Month April 2021: 518.579
 CPI Index Base Month March 2022: **540.719**
 Calculation $(540.719-518.579)/518.579 = 4.27\%$ - Actual: **3% allowable increase**
 Source: <https://data.bls.gov/PDQWeb/cu>



Item (a-1) currently, our collection element rate is \$14.77 per hhd/month and with the new change of 3.0% capped limit would calculate to \$15.21 plus the current disposal element of \$4.91, our new monthly rate beginning October 1, 2022 would be \$20.12 per hhd/month.

We will update the City of Edgewood once we have the official notice from Orange County Solid Waste referencing to a disposal increase.

FCC respectfully requests your review and approval of the aforementioned change. Please let us know if you would like to discuss further, or if you have any questions.

Sincerely, Mitchell Dahlstrom, Regional Director of Operations

**CPI for All Urban Consumers (CPI-U)
Original Data Value**

Series Id: CUUR0000SEHG02
Not Seasonally Adjusted
Series Title: Garbage and trash collection in U.S. city average, all urban
Area: U.S. city average
Item: Garbage and trash collection
Base Period: DECEMBER 1983=100
Years: 2012 to 2022

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	HALF1	HALF2
2012	398.880	400.381	401.692	400.913	401.067	402.793	406.243	406.823	407.594	409.495	410.155	410.416		
2013	411.126	411.805	412.305	413.675	414.511	414.802	416.505	417.760	418.357	419.687	421.427	422.237		
2014	422.440	422.483	423.413	425.393	425.242	425.930	426.562	426.771	427.327	427.995	427.808	428.187		
2015	427.734	429.248	429.235	429.807	431.234	430.813	431.229	432.967	433.843	434.829	436.428	436.996		
2016	437.205	438.296	437.699	437.676	438.317	437.858	438.607	439.358	439.707	440.311	443.343	444.745		
2017	446.266	447.699	446.987	447.129	447.272	448.046	448.328	448.717	449.008	452.196	453.820	453.596		
2018	453.354	454.915	455.230	458.722	462.887	465.041	465.579	470.457	471.026	472.535	486.650	485.935	458.358	475.364
2019	475.687	477.474	478.569	479.449	480.865	480.984	482.138	483.987	484.346	486.133	486.485	486.708	478.838	484.966
2020	491.003	494.429	495.288	494.432	494.946	496.679	498.564	500.882	501.756	503.315	504.970	508.190	494.463	502.946
2021	512.722	517.270	518.505	518.579	516.440	517.202	521.185	524.408	529.934	530.114	529.053	532.538	516.786	527.872
2022	533.078	538.313	540.719	542.564										

	Actual adjustment	Cap Adjustment	
% PI	4.27%	3.00%	1.27%

Current Rate	Current "disposal" rate	Current "collection" rate	Price Adjustment	New Rate	New Diposal Rate	Total New Collection Rate
\$19.68	\$4.91	\$14.77	\$0.44	\$20.12	\$0.00	\$20.12



Memo

To: Mayor Dowless, Council President Horn,
Council Members Chotas Lomas, Pierce, and Rader

From: Sandy Riffle, Interim City Clerk

Date: June 18, 2022

Re: 2022-2023 FY Non-ad Valorem Assessment – Agenda Addendum

Addendum:

If Orange County raises FCC’s disposal rate, FCC is permitted to raise the City’s disposal rate up to 3%. It is expected that Orange County will raise the disposal rate, but we will not know before the Council meeting. The 3% on the disposal rate is in addition to the collection element rate that was calculated in the earlier memo.

I have reformulated the table to show the 3% increase for both the collection element and the disposal rate.

Projection:

Collection Element rate (3% adj. per CPI) \$14.77 x 3%	\$15.21
Disposal Rate \$4.91 x 3%	\$5.06
Total	\$20.27

PROJECTED ASSESSMENT LIST: With increased disposal and collection element rates and the current non-ad valorem rate.

UNIT COUNT (Containers)	MONTHLY INVOICE (Effective 7/1/2022)	ANNUAL COST	*REVENUES vs. EXPENSES
878	878 x \$20.27 = \$17,797.06	\$17,797.06X 12 = \$213,564.72	<p>\$292.96 x 878 = \$257,218.88 (\$292.96 is the current non-ad valorem rate charged to the resident)</p> <p>\$257,218.88 - \$213,564.72 = \$43,654.16 projected revenue \$49.72 per unit</p>

***REVENUES CONTINGENT ON PAYMENTS RECEIVED.**



Memo

To: Mayor Dowless, Council President Horn,
Council Members Chotas, Lomas, Pierce, and Rader

From: Sandy Riffle, Interim City Clerk

Date: June 16, 2022

Re: Variance Request – 2022-VAR-03 600 Gatlin Avenue

2022-VAR-03 Waiver of Code Section 134-517 – fences and wall beyond the front building line

The Planning and Zoning Board met on May 9, 2022, to consider a fence and gate to be built beyond the front building long higher than the allowable height of four feet at 600 Gatlin Avenue. The applicant requested a 5-foot-high fence with a 6-foot –high motorized gate. Staff had no objection to the request.

The following motion was made by the Planning and Zoning Board:

Board Member Nelson made a motion to recommend denial of Variance 2022-03 to erect a gate and fence beyond the front building line greater than a height of four feet based on the following variance criteria not being met:

- ***That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.***
- ***That literal interpretation of the provisions contained in this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant***
- ***That approval of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.***

The motion was seconded by Chair Kreidt. Approved (3/0).

A roll call vote was taken.

Chair Kreidt	Favor
Board Member Gragg	Favor
Board Member Nelson	Favor
Board Member Santurri	Absent
Board Member Gibson	Absent

April 26, 2022

Ms. Sandy Riffle, CMC
Deputy City Clerk
City of Edgewood
405 Bagshaw Way
Edgewood, FL 32809-3406

**RE: 600 Gatlin Avenue – fence variance request review
CPH Project No. E7601**

Dear Ms. Riffle;

We are in receipt of a variance request for the above listed address. The request is to install a 5 foot tall fence in the front yard of the single family home residence. The variance request also includes the request to install a 6 foot tall driveway entry swing gate. Included in the variance submittal was the application, a plan sheet depicting the location of the proposed fence and gate, and a contractors cost estimate to install the fence.

The application referenced the City Code, Section 134-517 – fences and wall beyond the front building line. The City code states the maximum height of a fence shall be no more than 4 feet when installed in front of the building line. The variance request is to install a 5 foot tall fence and 6 foot tall entrance gate beyond the front building line of the home. Specifically, the plans submitted indicate the fence will extend from the northeast property corner to the northwest property corner. The plans do not indicate that a fence will be installed along the east or west property line from the front of the lot to the rear of the lot. The entrance gate will be offset from the front lot line. However, an offset distance was not provided.

The applicant provided a response to the seven justification questions on the application. We reviewed the responses and have a comment on the first response. The first justification question references “special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.” The response noted the home is on a very busy section of Gatlin Avenue that has more vehicle and pedestrian traffic than other neighborhoods within the City. We would agree that this is a special condition which may not exist on some other City streets. The applicant provided additional information to the first question which did not specifically support their request.

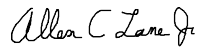
We reviewed the responses to questions 2 through 7 and do not have any objections to their responses.

Based on the plans submitted and the response to the seven justification questions, we would have no objection to the City approving this application.

We do have one item that needs to be considered when reviewing the application. Based on aerial maps, the other properties along Gatlin Avenue that have fences also have lush vegetation between the sidewalk and the fence. Will this site include landscaping along the front of the lot? Will the landscaping be in front or behind the fence?

This completes our review of the variance application.

Sincerely,
CPH, Inc.



Allen C. Lane, Jr., P.E.
Sr. Project Manager

CC: Brett Sollazzo, City of Edgewood
File

J:\E7601\Civil\Documents\City Plans-Application Review\600 Gatlin Ave fence app\letter\600 Gatlin fence variance request review letter 4-26-22.docx



APPLICATION FOR VARIANCE

Reference: City of Edgewood Code of Ordinances, Section 126-588

REQUIRED FEE: \$350 RESIDENTIAL \$750 COMMERCIAL
(Plus Applicable Pass-Through Fees - Ordinance 2013-01)

Please note this fee is non-refundable

Office Use Only:		Variance Application #:	2022-VAR-03
Received Date:	4/19/2022	Received by:	Brett Sollazzo
P&Z Meeting Date:	5/9/2022	City Council Meeting Date:	

IMPORTANT: A COMPLETE application with all required attachments and ten (10) copies must be submitted to the City Clerk ____ days before the next Planning & Zoning meetings. No application shall be deemed accepted unless it is complete and paid for. Notarized letter of authorization from Owner MUST be submitted if application is filed by anyone other than property owner.

Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

Applicant's Name:	Jay Voelpel	Owner's Name:	Jay Voelpel
Address:	600 Gatlin Ave. Orlando, FL 32806	Address:	600 Gatlin Ave.
Phone Number:	407-583-3029	Phone Number:	407-583-3029
Fax:		Fax:	
Email:	JVoelpel4@gmail.com	Email:	JVoelpel4@gmail.com
Legal Description:	GORES SUB F/41 LOT 15 & THAT PT OF N1/2 OF NE1/4 OF NW1/4 ON S SEC 13 23 29		
Zoned:	R-1AA		
Location:	600 Gatlin Ave, Orlando FL 32806		
Tract Size:	40,639 sqft (+/-) 0.93 acres (+/-)		
City section of the Zoning Code from which Variance is requested:	Section 134-517 - "Fences or walls beyond the front building line shall be limited to a maximum height of four feet."		
Request:	We are requesting that our front fence along a very public and main street (Gatlin ave.) be allowed to be 5' tall and the gate curve up to 6' in height. This Variance is in line with the the other fences and gates on Gatlin Ave. This is both a safety and security measure that would not adversely affect any neighbor or citizen, nor does it provide us any special favor.		
Existing on Site:			


The applicant hereby states that this request for Variance does not violate any deed restrictions on the property.
Application must be signed by the legal owner, not agent, unless copy of power of attorney is attached.



- To justify this variance, applicant must demonstrate the following (Sec. 134-404 (3)(b):**
1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.
 2. That the special conditions and circumstances do not result from the actions of the applicant
 3. That approval of the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same zoning district.
 4. That literal interpretation of the provisions contained in this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.
 5. That the variance approved is the minimum variance that will make possible the reasonable use of the land, building or structure.
 6. That approval of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
 7. That the variance sought will be consistent with the Edgewood Comprehensive Plan.

Applicant must agree that:



1. In granting any variance, the City may prescribe appropriate conditions and safeguards in conformity with the Ordinances, and any regulations enacted under its authority. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of Edgewood ordinances.

AGREE:	<input type="checkbox"/>		DISAGREE:	<input type="checkbox"/>
---------------	--------------------------	---	------------------	--------------------------

2. The variance recommended by the Planning and Zoning Board and approved by the City Council shall expire in 12 months in accordance with Chapter 134-104 (3) (e).

AGREE:	<input type="checkbox"/>		DISAGREE:	<input type="checkbox"/>
---------------	--------------------------	---	------------------	--------------------------

The applicant hereby states that the above request for Variance does not violate any deed restrictions on the property.

Applicant's Signature:		Date:	17 April 2022
Applicant's Printed Name:	John Voelpel		
Owner's Signature:		Date:	17 April 2022
Owner's Printed Name:	John Voelpel		

Please submit your completed application to City Hall via email at bmeeks@edgewood-fl.gov or sriffle@edgewood-fl.gov, via facsimile to 407-851-7361, or hand deliver to City Hall located at 405 Bagshaw Way. For additional questions, please contact City Hall at 407-851-2920.

Sandy, I would like to submit the following items for the consultant and council's consideration:

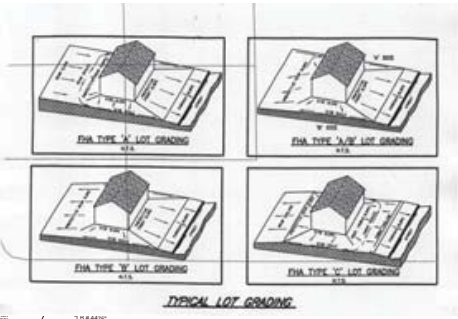
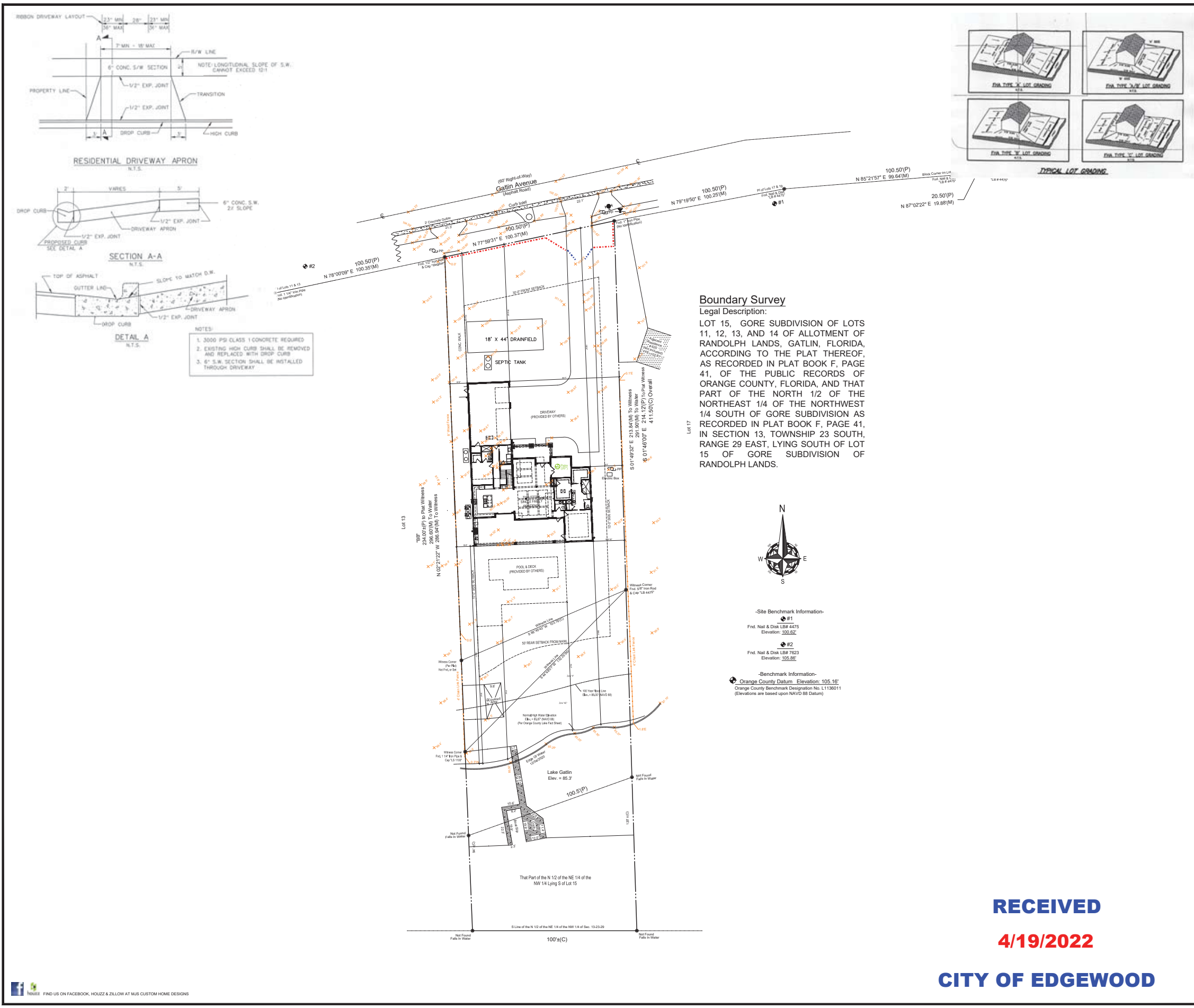
1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.
 - Our home is located on the very busy Gatlin Ave. that has considerably more vehicle and pedestrian traffic than other neighborhoods within the City. Additionally, as with other homes along Gatlin and on the lake, the land immediately slopes down from the road and sidewalks towards the water and is already at a lower elevation at the property line, there the fence will be located. This natural drop in elevation causes a hardship for a 4-foot-high fence, and it feels considerably lower when looking at it from the street and sidewalk which are at a higher elevation.
2. That the special conditions and circumstances do not result from the actions of the applicant
 - These conditions are not a result of anything we have done and are similar for our neighboring properties and residents on Gatlin Ave., and /or the lakes.
3. That approval of the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same zoning district.
 - Not only will we not confer any special privileges, but this will allow our front fence and gate to be in line with the other residences along Gatlin Ave. that exceed 4 feet in height. The variance does not impede on another residents or cause any hardships.
4. That literal interpretation of the provisions contained in this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.
 - The ability to maintain a secure and safe residence is a priority for us. Like the neighboring residents, we would appreciate the ability to enjoy the same piece of mind and security by allowing us to install the proposed aluminum fence and gate in a manner similar, and not exceeding, theirs.
5. That the variance approved is the minimum variance that will make possible the reasonable use of the land, building or structure.
 - We are asking both the consultant and councils consideration of a next step higher fence (4 to 5 feet fence). We know that there are some front fences and gates that exceed this slight increased height being requested, however, we are just asking for the minimum variance to accomplish the reasonable use.
6. That approval of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
 - The variance is not detrimental to our neighbors or public welfare, and we believe it to be in harmony with the general intent on the chapter. The variance will not negatively affect the beauty and curb appeal of the City and its streets, there could have minimal if any impact to visibility.
7. That the variance sought will be consistent with the Edgewood Comprehensive Plan.
 - The requested variance is in alignment with the Edgewood Comprehensive Plan and help ensure the safety, and welfare of the City's residents

Thank you so much for your consideration at the May meeting.

Regards,
Jay

Jay Voelpel, CPCU, AIC | VP of Client Services
Sedgwick | Delegated Authority
12650 Ingenuity Drive Suite 200
Orlando, FL 32826
DIRECT 407.583.3029
CELL 407.256.5551 | EMAIL Jay.Voelpel@Sedgwick.com
www.sedgwick.com/solutions/property | Caring counts®
[Digital Brochure - Sedgwick Delegated Authority](#)

 sedgwick | delegated authority



GENERAL NOTES KEY:

THIS IS NOT A SURVEY. MJS, INC. ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY. THE OWNER AND CONTRACTOR ARE TOTALLY RESPONSIBLE FOR PLACING THE BUILDING ON THE PROPERTY.

POOL DESIGN AND LOCATION SHOWN ARE ONLY SUGGESTED. THE OWNER AND CONTRACTOR ARE RESPONSIBLE FOR FINAL POOL DESIGN AND LOCATION.

LANDSCAPING DESIGN BY OTHERS.

MJS, INC. ASSUMES NO RESPONSIBILITY FOR SEPTIC DESIGN OR LOCATION. SEPTIC IF SHOWN ON PLANS IS PER BUILDER OR OWNER REQUIREMENTS. SEPTIC SYSTEMS ARE TO BE DESIGNED AND LOCATED PER DEPT. OF HEALTH REQUIREMENTS OR AS PER GOVERNING CODES.

NOTE:
 THE DRAINAGE MUST BE DIRECTED TOWARDS A DRAINAGE EASEMENT WITH A POSITIVE OUTFALL OR TO THE ROADWAY R/W. INCREASE OR CREATION OF "WATER PONDING" TO ADJACENT PROPERTIES IS PROHIBITED.

NOTE:
 PROPOSED IMPROVEMENTS WILL HAVE MINIMAL IMPACT TO EXISTING RUNOFF DRAINAGE PATTERNS. NO FILL WILL BE IMPORTED TO SITE EXCEPT FOR RESIDENCE FOUNDATION.

SITE COVERAGE DATA:

TOTAL SITE:	40,639 SQ. FT.
IMPERVIOUS MAX. ALLOWED 45%:	18,298 SQ. FT.
IMPERVIOUS AREA	45% MAX. PERMITTED
FIRST FLOOR:	2,743 SQ. FT.
PATIO:	1,000 SQ. FT.
GARAGE:	954 SQ. FT.
AC PADS / STOOPS:	48 SQ. FT.
DRIVE WALKWAY:	3,296 SQ. FT.
POOL / DECK:	1,964 SQ. FT.
EXISTING COV. AREA:	213 SQ. FT.
TOTAL:	9,578 SQ. FT. (23.5%)

REK ENTERPRISES LLC
 Florida Reg. #47515
 4701 Wigg Turkey Rd.
 Miami, FL 33274

RKI ENTERPRISES LLC
 Florida Reg. #47515
 4701 Wigg Turkey Rd.
 Miami, FL 33274

MJS designers group
 residential commercial and structure

A I B D

GOBA

Voelpel House
 600 Gatlin Ave.
 Orlando, FL 32806

WALTERS CONSTRUCTION

815 Oriole Ave., Suite #1040
 Altamonte Springs, FL 32701
 Ph: (407) 629-6711
 Fax: (407) 629-6776
 www.mjsdesignersgroup.com

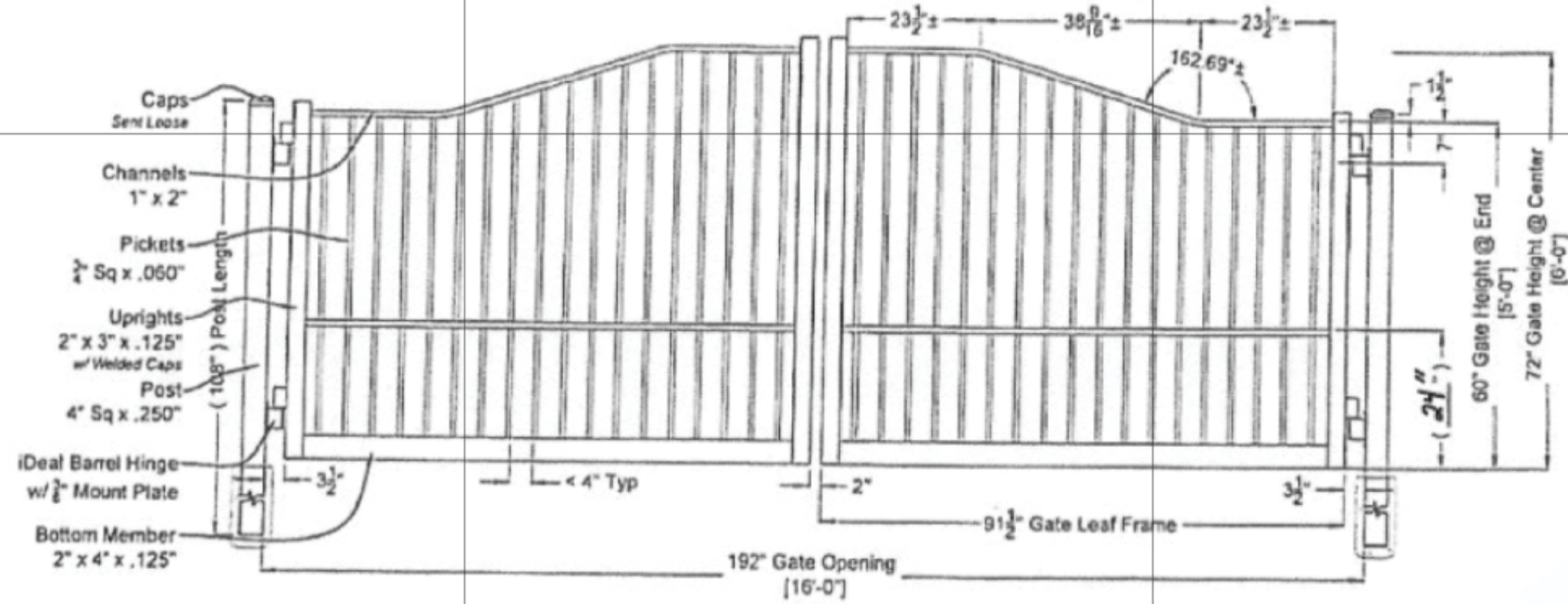
REPRODUCTION OF THIS DRAWING WITHOUT THE WRITTEN PERMISSION OF MJS, INC. IS PROHIBITED.

RECEIVED
4/19/2022
CITY OF EDGEWOOD

Site Layout
 SCALE 1" = 20'-0"

ISSUE DATE	03/24/2021
REVISIONS	
PROJECT	20-0518
SCALE	AS NOTED
DRAWN BY	C.C.
DESIGNED BY	MJS
SITE PLAN	S-01

Scanned with CamScanner



DATSON FENCE
 Project: Eyebrow Arch Gates
 Item #: CUSGDD107393

Checked By: _____ Quote / MST #: MST107393
 Drawn By: J. Mixon Drawn Date: 14-Dec-20
© 2013 iDeal CAD Systems/Drawings/Datson Fence C:\DWG\1-07393\MST-07393.dwg

iDeal
 aluminum
 fence gates piping
 3200 Parker Drive Phone 904.417.6400
 St Augustine, FL 32084 Fax 877.226.4469
 COPYRIGHT 2013
 iDeal Aluminum Products

DRAWING NOTES:
 Custom Rail Spacing
 Custom Arch

Customer Signature: _____

RECEIVED
4/19/2022
CITY OF EDGEWOOD



Proposal - Contract

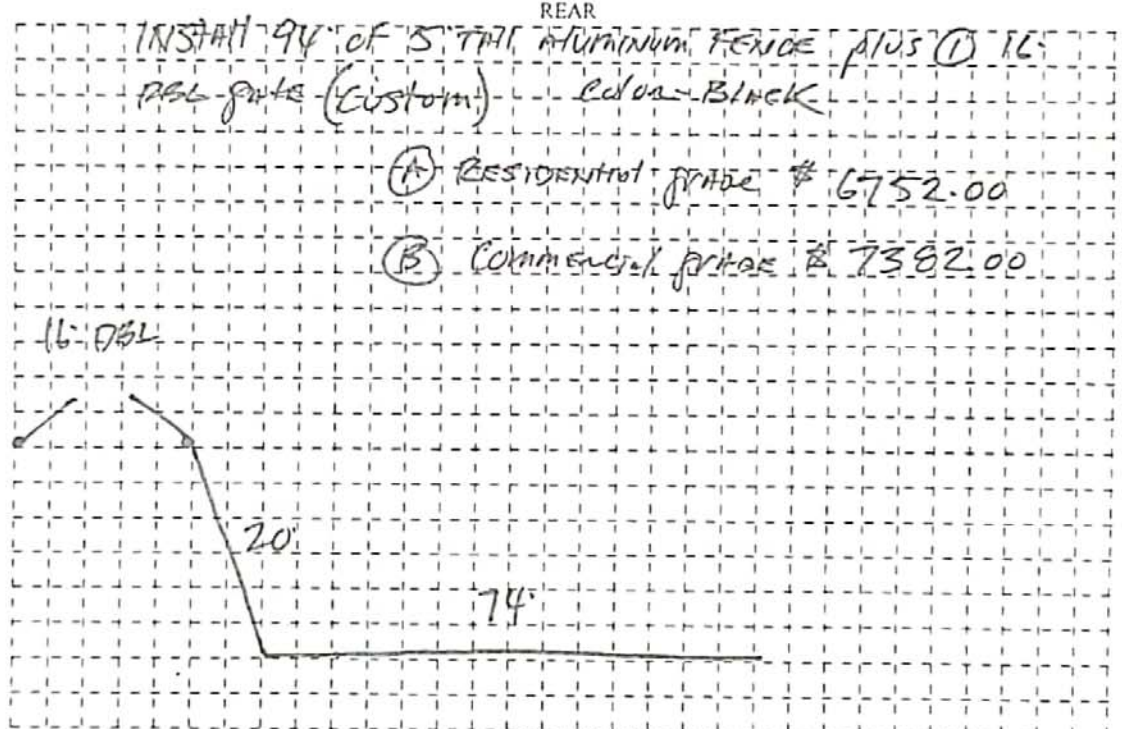
CITY OF EDGEWOOD

PO Box 592157 • Orlando, FL 32859-2157
Office: 407-297-8329 • Fax: 407-297-0188

Website: www.datsonfence.com • Email: datsonfence@aol.com

<input type="checkbox"/> GATE OPERATOR	<input checked="" type="checkbox"/> ALUMINUM
<input type="checkbox"/> WOOD	<input type="checkbox"/> VINYL CL
<input type="checkbox"/> CHAIN LINK	<input type="checkbox"/> PVC
<input type="checkbox"/> REPAIR	<input type="checkbox"/>
POSTS	
IN / OUT / IN-LINE	
WALK GATES	DRIVE GATES
N/A	1-16 DBL
ROLL GATES	LATCH TYPE
N/A	N/A
<input type="checkbox"/> WOOD	<input type="checkbox"/> PVC
LENGTH	HEIGHT
TYPE	STYLE
PICKET SIZE	STRINGER
TYPE TOP	
<input type="checkbox"/>	<input type="checkbox"/> POINTED
<input type="checkbox"/>	<input type="checkbox"/> FLAT TOP
<input type="checkbox"/>	<input type="checkbox"/> OTHER
CHAIN LINK	
LENGTH	HEIGHT
GAUGE	
11 12	9 6
DIAM. TOP RAIL	DIAM. GATE FRAME
TOT VINYL SYS	VINYL COLOR
VINYL WIRE ONLY	
DIAM. LINE POST	DIAM. TERM POST
GAGE FRAMEWORK	
BARBED WIRE	
# STRANDS	BARBARS IN OUT VERT
3 6	
<input checked="" type="checkbox"/> ALL ALUMINUM	<input type="checkbox"/> STEEL
LENGTH	HEIGHT
94'	5'
STYLE	COLOR
300	BLK.
SCREWS IN OUT	RESIDENTIAL EXTRA COMMERCIAL
IN	
TAKE DOWN	
LENGTH	HEIGHT
N/A	N/A
<input type="checkbox"/> LEAVE ON JOB	JOB CONDITIONS
<input type="checkbox"/> GOES TO DF	OK
<input type="checkbox"/> GOES TO DUMP	
SEE DRAWINGS ON BACK	
<input type="checkbox"/> TO BE SET TOP STRAIGHT	
<input type="checkbox"/> TOP OF FENCE TO FOLLOW GROUND	
Note: Company not responsible for any underground sprinkler lines.	

CUSTOMER <u>JAY VOELPEL</u>			* Datson Fence Company is not liable for any sprinkler systems.
STREET <u>600 GARDEN AVE</u>			
CITY <u>EDGEWOOD</u>	STATE <u>FL</u>	ZIP	
JOBSITE LOCATION		STREET	CITY PHONE
HOME PHONE	OFFICE	FAX	CONTACT
			CELL <u>256-5551</u>



No Warranty on Pressure Treated Pine from Warping

TOTAL PRICE INCLUDES:

MATERIAL TEAR-OUT & HAUL

LABOR PERMIT

CHECK HERE IF CUSTOMER IS ACCEPTING RESPONSIBILITY FOR GETTING PERMITS AND ANY RELATED FEES, FINES, ETC.

Total
50% Deposit
Balance

BALANCE MUST BE PAID TO CREW WHEN JOB IS COMPLETE

PLEASE READ AND BE SURE YOU UNDERSTAND THE TERMS AND CONDITIONS ON THE REVERSE SIDE BEFORE SIGNING THIS CONTRACT. MANY OF THEM WILL BE IMPORTANT TO YOU.

By signing this proposal, Customer is authorizing Datson Fence to do the proposed work, and is accepting the prices and specifications shown above, and Datson Fence's standard terms 1-15 which may be on the reverse side, attached, or not attached. Customer may request a copy of terms 1-15 by calling Datson Fence. Upon acceptance and signing by Customer, this becomes a binding contract.

Note: This proposal is valid for 5 days.

Authorized Signature [Signature] Date 4/5/22

Customer Signature X _____ Date _____

***DID YOU RECEIVE WARRANTY PAPERWORK? _____

Print Name _____

Clearly _____

Repeat Customer Yellow Pages Referral Other _____



7. 099
REC-111
2022-04-27

Any person aggrieved by a recommendation of the Planning and Zoning Board may file a notice of appeal to the City Council within seven days after such recommendation is filed with the city clerk.

The City of Edgewood desires to accommodate persons with disabilities. Accordingly, any person with a disability, pursuant to Chapter 286.26, *Florida Statutes*, should, at least 48 hours prior to the meeting, submit a written request that a person with disabilities desires to attend the meeting to the City Clerk's Office.

This public hearing may be continued to a future date or dates. Any interested party is advised that the date, time, and place of any continuation shall be announced during the public hearing and that no further notices regarding this matter will be published.

Should you desire additional information, regarding this application, please feel free to contact the City Clerk's Office at 407-851-2920, or e-mail at sriffle@edgewood-fl.gov.

Sandy Riffle, CMC
Interim City Clerk
405 Bagshaw Way
Edgewood, Florida 32809
Phone: (407) 851-2920

Dated: 4/27/2022

You may either mail in your comments and concerns on the space provided below or submit directly to City Hall. Please see above our hours of operation. We thank you for your participation.

The use of phrase "in front of the building line" is nebulous, and does not completely convey where the fence will be erected in relationship to the sidewalk on bathin Ave. we feel at least two foot of SPACE is necessary between any fence + the sidewalk.