



City Council Meeting

Tuesday, January 16, 2024 06:30 PM
City Hall – Council Chamber

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, INVOCATION, & PLEDGE OF ALLEGIANCE**
- B. **ROLL CALL & DETERMINATION OF QUORUM**
- C. **PRESENTATIONS**
- D. **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.

1. November 28, 2023 meeting minutes
2. December 19, 2023 draft meeting minutes

E. ORDINANCES (FIRST READING)

1. County To City Rezoning
2. Ordinance 2023-18 Rezoning - Lk Mary Jess Shores Court
3. Ordinance 2023-19 Rezoning - Lk Mary Court
4. Ordinance 2023-20 Rezoning - John Scott Property
5. Ord 2024-01 Golf Carts

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

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. Elect new Council President Pro-Tem

I. GENERAL INFORMATION

J. CITIZEN COMMENTS

K. BOARDS & COMMITTEES

L. STAFF REPORTS

City Attorney Smith

Police Chief DeSchryver

1. Chief DeSchryver's December 2023 Report

City Clerk Riffle

M. MAYOR AND CITY COUNCIL REPORTS

Mayor Dowless

Council Member Chotas

Council Member Pierce

Council Member Rader

Council Member Lomas

Council President Horn

N. ADJOURNMENT

UPCOMING MEETINGS

Monday, February 12, 2023 at 6:30 pmPlanning and Zoning

Tuesday, February 20, 2023 at 6:30 pm.....City Council

**CALL TO ORDER,
INVOCATION, & PLEDGE
OF ALLEGIANCE**

ROLL CALL & DETERMINATION OF QUORUM

PRESENTATIONS & PROCLAMATIONS

CONSENT AGENDA



DRAFT MINUTES

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

Council President Horn called the meeting to order at 6:30 pm. He asked for a moment of silence and then led the Pledge of Allegiance.

B. ROLL CALL AND DETERMINATION OF QUORUM

City Clerk Riffle announced there was a quorum with four Councilmembers present. Councilmember Rader could not attend and requested to be excused.

Councilmember Pierce made a motion to excuse Councilmember Rader's absence from the meeting; seconded by Councilmember Chotas. Motion approved by voice vote (4/0).

Councilmembers Present:

Council President Richard A Horn
Councilmember Lee Chotas
Councilmember Susan Lomas
Councilmember Ben Pierce

Councilmember(s) Absent:

Councilmember Rader

Staff Present:

Sandra Riffle, City Clerk
Dean DeSchryver, Police Chief
Miguel Garcia, Deputy Chief
Shannon Patterson, PD Chief of Staff
Drew Smith, City Attorney
Ellen Hardgrove, City Planner
Allen Lake, City Engineer

C. PRESENTATIONS & PROCLAMATIONS

• **Swearing in of Deputy Chief Garcia**

Chief DeSchryver introduced and swore in Deputy Chief Miguel Garcia. Deputy Chief Garcia thanked the Council and Edgewood citizens for the opportunity to serve the City. He also thanked his wife for her encouragement and support.

D. CONSENT AGENDA

- **October 17, 2023 City Council Draft Meeting Minutes**

Before the meeting, Mayor Dowless noted that the second paragraph on the Boise Cascade motion should be deleted.

Mr. Muszynski noted that under Citizen Comments, "mother-in-law" should be changed to "mother."

Councilmember Lomas made a motion to approve the October 17, 2023 minutes as amended; seconded by Councilmember Chotas. Motion approved by voice vote (4/0).

E. ORDINANCES (FIRST READING)

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

- **Ordinance 2023-16 Impervious Surface Ratio**

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING SUBPART B “LAND DEVELOPMENT REGULATIONS”, CHAPTER 134-224, “R1-AA-CA AND R-1A-CA—SITE STANDARDS,” IN THE CODE OF ORDINANCES; PROVIDING ALLOWANCE FOR POOL CONSTRUCTION IN SAID DISTRICTS TO EXCEED THE MAXIMUM IMPERVIOUS SURFACE RATIO WHEN APPROVED BY THE CITY COMMISSION UPON THE ESTABLISHMENT OF REQUISITE FACTS; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

Attorney Smith read the second reading of Ordinance 2023-06 in title only. There was no discussion or public comment.

Councilmember Pierce made a motion to approve Ordinance 2023-06; seconded by Councilmember Pierce. Motion approved by roll call vote (4/0).

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

G. UNFINISHED BUSINESS

H. NEW BUSINESS

- **Resolution 2023-05 Fiscal Year 2022-23 Budget Amendment**

A RESOLUTION OF THE CITY OF EDGEWOOD, FLORIDA AMENDING THE CITY'S BUDGET FOR THE 2022/2023 FISCAL YEAR; AUTHORIZING THE MAYOR AND/OR HIS DESIGNEE TO TAKE ALL

ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS RESOLUTION;
PROVIDING FOR AN EFFECTIVE DATE.

Attorney Smith read Resolution 2023-05 in title only. Mayor Dowless said the primary adjustments were for the grants that the City received.

There was no public comment.

Councilmember Pierce made a motion to approve Resolution 2023-05; seconded by Councilmember Chotas. Motion approved by roll call vote (4/0).

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

I. GENERAL INFORMATION

- **2024 Municipal Election and Presidential Preference Primary**

City Clerk Riffle said that qualifying for the 2024 Municipal Election would be from Monday, December 4, 2023 through Monday, December 11, 2023. The election will be on Tuesday, March 19, 2023, the same day as the Presidential Preference Primary.

J. CITIZEN COMMENTS

Ben Rust, an Edgewood resident said that the Harbour Gardens HOA applied for the Neighborhood Partnership Grants Program. Mayor Dowless said that he intended to address that during the meeting and would give the application further review.

K. BOARDS & COMMITTEES

- **Variance 2023-06 515 Mandalay Rd - Boat Dock**

Engineer Lane introduced the request for a variance to an existing dock located at 515 Mandalay Road to be allowed to maintain its location and to allow for a boat house adjacent to the dock. The dock was constructed next to the property line.

He said that CPH did not have objections to the request and the Planning and Zoning Board recommended approval of the request.

Engineer Lane confirmed to Council President Horn that the applicant does not wish to reconstruct the dock and that the boathouse will meet setback requirements. He also confirmed that most of the dock is landward of the Normal High Water Elevation. Engineer Lane also verified that no additional length of dock will be added, and a portion will be deconstructed.

There was no public comment.

Council President Horn made a motion to approve the variance request to allow the existing boat dock to maintain a 4.7' side setback with an addition of a boathouse; seconded by Councilmember Pierce. Motion approved (4/0) by roll call vote.

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

• **11 Lake Gatlin Rd - Variances 2023-07 Landscaping and 2023-08 Parking**

Planner Hardgrove said the proposed variances and commercial review are for a proposed coffee house with a playground for children located on the north side of Lake Gatlin Road, which is a dead-end road. All food would be offsite prepared. The applicant plans to have four (4) employees with operating hours of 8:00 am to 5:00 pm.

The property is zoned ECD but was reviewed as C-1 since no building expansion is planned and the proposed use is permitted in the ECD. The City’s intent is to encourage redevelopment and future assemblage of the block.

The proposed changes to the site include modification to the existing parking area and added landscaping. Interior building renovations are also planned, which will include re-orienting the front door towards Lake Gatlin Road. A patio will also be established along the new front of the building. There is an existing covered walkway from the existing parking area to the building that is proposed to be removed to optimize the available area for parking on the property.

Planner Hardgrove explained the proposed variances which are necessary to approve the site plan.

- A variance in Code Section 114-4(1)a.1 to allow the landscape buffer strip width between the parking lot and Lake Gatlin Road to be a minimum of three (3) feet in lieu of seven (7) feet.
- A variance in Code Section 114-4(4) to allow the building perimeter buffer width to be three (3) feet in width in lieu of eight (8) feet.
- A variance in Code Section 114-4(1)b. to allow the landscape buffer between the vehicular use area and the adjacent property (east) to be 5 feet 4 inches in width in lieu of 7 feet and to allow the use of understory trees in lieu of shade trees.
- A variance in Code Section 134-605(a)(21) to allow the parking ratio to be 1 space per 160 square feet of inside restaurant space in lieu of 1 space/100 square feet.

P&Z and staff recommend approval of all requested variances conditioned that the variances only apply to the existing development onsite.

A lengthy discussion ensued for each variance request, particularly regarding available parking spaces and potential traffic on Lake Gatlin Road. It is a nonconforming situation as the building was built in 1961 and pre-dated current code. There are six (6) existing spaces and plan to expand to twelve (12). A restaurant would require 18 spaces.

At P&Z, there was opposition from residents of the two subdivisions that are on the south side of Lake Gatlin Road with concerns about traffic and an inability to meet parking.

Planner Hargrove verified that there is no exit that would allow connection to Gatlin Avenue. Attorney Smith said P&Z recommended the elimination of the cross-access easement and recommended a barrier.

There was discussion amongst the applicant Jovana Bratonozić, Council, and staff related to an existing 12 feet wide easement shown on the eastern side of the property to be used (12 feet not to be owned by the applicant).

Applicant Morgan Claytor explained they intend to source from local businesses, and they will not have a full kitchen. Their vision is to offer a space to gather. She said she has a letter of support from a resident who would like a walkable coffee shop. She distributed the letter and conceptual photos to the Council which were kept for the record.

Public Comments:

Kevin Clayton, an Edgewood resident, spoke in opposition. He stated concerns that traffic is difficult on Orange Avenue and that Lake Gatlin Road is a residential road. He said the business would be injurious to the neighborhood and public welfare.

Tony and Melissa Phillip, Edgewood residents, spoke in opposition. They said the intersection of Lake Gatlin and Orange Avenue is dangerous. Mr. Phillip said the proposed business would cause traffic to be slower than it already is and does not want to set a precedent.

Barbara Bucket, an Edgewood resident, spoke in opposition. She said she was hit at the Gatlin and Holden Avenue intersection. She does not believe it makes sense to add more traffic on a road with children who live in the subdivision.

Sean and Meghan Milligan, Edgewood residents said that their kids ride bikes and walk dogs in that area. Overflow parking will cause a lot of traffic on Lake Gatlin Road.

Mr. Milligan submitted a petition with 36 resident signatures in opposition to the proposed business, which was kept for the record. Ms. Milligan said it would be dangerous and there would be too much clientele on the road.

Jaqueline Tinsley, an Edgewood resident, spoke in opposition. She suggested that there are alternatives for family venues in Edgewood and that there could be 100 cars on that street.

Bruce Tinsley, an Edgewood resident, suggested a block wall or to have access through the lot on the north.

Ryal Lancaster, an Edgewood resident, spoke in opposition and said that Lake Gatlin Road is truly a residential street. He has concerns about street parking.

Mary Kozak, an Edgewood resident, also spoke in opposition and questioned if this was a proper use of the site given the potential impact.

Mayor Dowless said he recalled that Ms. Kozak spoke before the Orange County Commission and said she did not have issues about turning left on Orange Avenue. She confirmed that she did say that. She maintained that the cafe would be catastrophic to the neighborhood with the traffic. Mayor Dowless said her statement was incongruent to what she had earlier testified.

Ben Rust, an Edgewood resident, said that walking to the café would be great and he likes the concept, but Lake Gatlin Road was not designed for high-volume traffic.

Dennis Miller, an Edgewood resident, said that traffic is brutal, and the business is not a good idea.

The applicant, Ms. Claytor, said she and Ms. Bratonozic have talked to several neighboring businesses and they have verbal parking commitments from some of these businesses. They do not have written contracts yet.

Councilmember Chotas noted that he could support the landscape variances, but he is not sure he can support the parking variances.

Planner Hardgrove reviewed the 6 variance criteria and discussion ensued regarding the relevance of each of the criteria. There is a parking issue, but the use is consistent with the ECD vision. the business is west of the line where commercial uses exist along Orange Avenue and does not intrude into the neighborhood.

Councilmember Pierce said the property is only developable if it includes the lot to the north because the lot is too small.

Engineer Lane commented that without a variance a literal interpretation of the code would deny the rights commonly enjoyed by other properties. He said that the existing business would not be allowed to exist there because it does not meet the code for parking requirements.

Councilmember Chotas made a motion to approve the three landscaping variances with the condition of approval that should the site be razed, the new development shall meet current land development regulations.

1) Variance in Code Section 114-4(1)a.1 to allow the landscape buffer strip width between the parking lot and Lake Gatlin Road to be a minimum of three (3) feet instead of seven (7) feet.

2) Variance in Code Section 114-4(4) to allow the building perimeter buffer (south side) width to be three (3) feet in width instead of eight (8) feet.

3) Variance in Code Section 114-4(1)b to allow the landscape buffer between the vehicular

use area and the adjacent property (east) to be 5 feet 4 inches in width instead of 7 feet and to allow the use of understory trees instead of shade trees.

Councilmember Pierce seconded the motion. Motion approved (3/1) by roll call vote.

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

Councilmember Pierce made a motion to approve Variance 2023-08 – 1 to allow the dimensions of the parking spaces to be 9 feet x 18 feet in lieu of either 9 feet x 20 or 10 feet by 18 feet. The motion was seconded by Councilmember Chotas. Motion approved (4/0) by roll call vote.

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

Councilmember Chotas made a motion, based on the inability to meet Variance Criteria five and six, to deny Variance 2023-08-2 in Code Section 134-605(a)(21) and not to allow the parking ratio to be one space per 160 square feet of inside restaurant space in lieu of one space per 100 square feet. The motion was seconded by Councilmember Lomas. The motion to deny was approved (4/0) by roll call vote.

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

- **Site Plan Approval 11 Lake Gatlin Rd**

The applicant withdrew their application for site plan approval as the variances were not approved.

L. STAFF REPORTS

- **City Attorney Smith**

- Mayor Dowless had a question about animals in the city code; particularly about miniature goats. Code prohibits them if they constitute a nuisance but does not define what a nuisance animal would be.

Mayor Dowless suggested that quantity could be based on what kind of land is available. Furthermore, establishing limits will prevent Council from having to make subjective decisions.

Attorney Smith said that the code can remain flexible, or the nuisance language can be removed. He will create an ordinance for Council to see and to make a decision.

- State law changed so that a person has to be at least 16 years of age to operate a golf cart. The City's golf cart ordinance is what allows golf carts in the City. Council President Horn said he is in favor of mainlining the ordinance and changing the allowable age.
- Live local is affordable housing legislation. State law for affordable housing allows affordable housing to be developed on commercial and industrial property. Planner Hardgrove is working on an ordinance to address this topic
- **Police Chief DeSchryver – October report**
 - Officers worked on railroad and school safety.
 - The Trunk or Treat event went well and they are now planning for the Santa Fly-In on December 1st. The City is accepting toys and food items for the Orlando Union Rescue Mission.
 - Officer Ron Beardslee will retire on January 5th
 - Job offers are out to three candidates for officers.
- **City Clerk Riffle**
 - Finished OCPS and workers compensation audits and is waiting for the reports.
 - Now working on the financial audit.

M. MAYOR AND CITY COUNCIL REPORTS

- **Mayor Dowless**
 - Mayor Dowless recommended the re-appointment of David Nelson to Planning and Zoning. Council approved Board Member Nelson's appointment (4/0) by voice vote.
 - He asked the Council for their opinion on sponsorship of Pioneer Days. Council approved placing an ad in the event brochure. The City does not need to staff a table.
 - Employee HRA Update – Mayor Dowless asked for the Council's opinion on reimbursing employees for a medical weight loss program and gym memberships.

Councilmember Pierce suggested approving whatever the IRS says is appropriate. Chief DeSchryver said that some weight loss programs are under the supervision of physicians. Council President Horn said that if a doctor prescribed a program and an employee lost weight, the employee may be at a lower risk of health issues.

Councilmember Chotas said he wants dollars to be used for public functions. Councilmember Pierce said it is important to be a good employer but would say no to gym memberships. Councilmember Lomas said she would support doctor-approved programs.

The consensus was that if it is prescribed it would be reimbursed.

- Centennial event – Mayor Dowless said the event would most likely be at the end of March 2024. He met with someone who secures talent and is considering Water’s Edge shopping center as the venue. He is working to get a committee organized and to secure sponsorships.

- **Council Member Chotas** - no report
- **Council Member Pierce** asked about short-term rentals and Attorney Smith said that HOAs have some control over them.
- **Council Member Lomas** said she went to a Florida League of Cities event and learned more about Form 6. Mayor Dowless said if a council member does not want to complete the form, they have to resign by December 30th.
 - Councilmember Lomas has spoken with Granada Woods residents about short-term rentals.
 - She asked about the police officers serving as code enforcement over the weekends and at night. Attorney Smith said they can do that, but they need to be careful that they come across appropriately to the public.
- **Council President Horn** – no report
- **Council Member Rader** - absent

N. ADJOURNMENT

The meeting adjourned at 9:27 pm.

Richard A. Horn, Council President

Attest:

Sandra Riffle, City Clerk

Approved in the _____ Council meeting.



DRAFT MINUTES

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

Council President Horn called the meeting to order at 6:30 pm. He asked for a moment of silence and then led the Pledge of Allegiance.

B. ROLL CALL AND DETERMINATION OF QUORUM

City Clerk Riffle announced there was a quorum with all four Councilmembers present, with Councilmember Chotas having resigned from the Council.

Councilmembers Present:

Council President Richard A Horn
Council President Pro Tem Ben Pierce
Councilmember Susan Lomas
Councilmember Rader

Staff Present:

Sandra Riffle, City Clerk
Dean DeSchryver, Police Chief
Miguel Garcia, Deputy Police Chief
Shannon Patterson, Police Chief of Staff
Ellen Hardgrove, City Planner
Allen Lane, City Engineer
Drew Smith, City Attorney

C. PRESENTATIONS & PROCLAMATIONS

Mayor Dowless presented a proclamation and a gift to Councilmember Ben Pierce upon his resignation from serving on the City Council.

D. CONSENT AGENDA

- **November 28, 2023 Special City Council Draft Meeting Minutes**

The November 28, 2023 minutes were not completed and will be made available for review and approval in the January 2024 meeting.

E. ORDINANCES (FIRST READING)

- **Ordinance 2023-18: County to City Rezoning Lake Mary Jess Shores**
- **Ordinance 2023-19: County to City Rezoning Lake Mary Court**
- **Ordinance 2023-20: County to City Rezoning 220 Mary Jess Road**

Attorney Smith read Ordinance 2023-18 in title only.

The ordinance is proposed to rezone the Lake Mary Jess Shores subdivision from County R1AA to City R1AA-CA.

The site development standards of the proposed City zoning district, R1AA-CA, are identical to the County's district, with the exception that the City's district establishes a maximum impervious surface ratio (ISR) of 45%. The County's district does not have an impervious surface maximum.

Several lots in the subdivision exceed the 45% ISR limit. All these lots have pools, and the ISR is not expected to increase in the future. Pools can be approved in nonconforming ISR situations without a variance if there is no adverse effect to the public welfare.

Public Comment

James Muszynski, an Edgewood resident, spoke as an opponent because of the minimum required square footage of 1200 square feet and noted that homes on that street are not that small. He was concerned about replacement construction being compatible with existing homes.

Planner Hardgrove explained that the intent was to protect property rights and avoid the creation of non-conforming situations and create. Redistricting would assign a City zoning district that most closely resembles the existing Orange County zoning designation being rezoned.

The City's R-1AA zoning has a minimum of 2,200 square feet. When the city revised R-1AA standards, non-conforming properties were created.

Discussion ensued amongst the Council, city attorney, and city planner about avoiding non-conforming situations. Planner Hardgrove thought it was worth analyzing to see the average square footage of the homes.

Councilmember Pierce said the market will drive what size homes are constructed and did not have an issue with the 1,200 minimum square feet. Mayor Dowless added that market conditions would result in requests for code change.

City Council decided to have more analysis and table the ordinance until the January 16, 2024 meeting.

Councilmember Rader motioned to table Ordinances 2023-18, 2023-19, and 2023-20 to January 16, 2024; seconded by Councilmember Lomas. The motion was approved (4/0) by voice vote.

- **Ordinance 2023-21: Animals**

Attorney Smith read Ordinance 2023-01 in title only. He said he suggested quantities, but they can be changed.

He listed some changes, including:

In the fourth Whereas clause, changing “foul” to “fowl”, strike “to” and “two”, and there should be a line break before Section 10-7.

In response to Councilmember Lomas, Attorney Smith said that the language regarding the Audubon Society exists in the current code. He noted that the City is a bird sanctuary.

A lengthy discussion ensued regarding the types and quantities of animals that should be allowed, limited, or prohibited within the City.

Councilmember Rader said farm animals do not belong in a city.

Mayor Dowless asked if there was a consensus for hoofed animals with a maximum of two per acre. Council President Horn said he did not object to that.

Public comment

James Muszynski suggested comparing Belle Isle or Maitland’s code. He said he does not think livestock is appropriate in Edgewood and that it would put a burden on Code Enforcement.

Council President Horn asked if they were creating a problem that did not exist. Mayor Dowless said the code is based on nuisance, and Attorney Smith said it would make it easier to make a case.

The proposed changes to the ordinance were to:

- Modify Section 10-5 so the allowances for two miniature goats or pot-bellied pigs, or one of each on single-family zoned residential property is listed first and the prohibitions listed after.
- Strike the proposed new language in Section 10-6.
- In Section 10-7, change “dogs or cats” to “animals”. Add other common disturbing animal noises and remove “disturb the peace and quiet of any person or family.”

Councilmember Rader made a motion to approve the first reading of Ordinance 2023-21 with the changes discussed; seconded by Councilmember Lomas. The motion was approved by roll call vote (4/0).

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

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

G. UNFINISHED BUSINESS

H. NEW BUSINESS

- **Resolution 2023-06: Live Local Act**

Attorney Smith read Resolution 2023-06 in title only

He said The state requires the City to inform people what land is available for affordable public housing Edgewood does not own much property and it is all being used for city purposes so there is no property to be listed.

There was no public comment.

Councilmember Lomas made a motion to approve Resolution 2023-06; seconded by Councilmember Rader. The motion was approved by roll call vote (4/0).

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

- **Contract Renewal - Hurricane Debris and Monitoring**

City Clerk Riffle informed City Council that the storm management contracts for CMTS and Crowder Gulf were up for renewal for 2024. She recommended approval of the renewal as CMTS provided excellent service during Hurricane Ian. Crowder Gulf is the backup debris removal company that the City used during Hurricane Irma.

There was no public comment.

Councilmember Rader made a motion to approve the renewal of storm debris monitoring contracts for CMTS and Crowder Gulf; seconded by Councilmember Pierce. Motion approved by voice vote (4/0).

I. GENERAL INFORMATION

J. CITIZEN COMMENTS

K. BOARDS & COMMITTEES

L. STAFF REPORTS

- **City Attorney Smith** - No report.
- **Police Chief DeSchryver – November 2023 Report**
 - Chief DeSchryver said that the city has received large donations of food and toys for Orlando Union Rescue Mission.
 - The Santa fly-in was a huge success. Kids came from all over the area and guests enjoyed the event.
 - Three new officers have started employment with the City.

Councilmember Rader said that left-lane jumpers are terrible on SR 527. He said FDOT bumped out some curbs, and there are some places without barriers. Council President Horn concurred and said he would usually see this multiple times a week. Chief said that can be brought up at the next VZAP meeting.

- **City Clerk Riffle**
 - City Clerk Riffle announced that the qualifying period to fill Councilmember Chotas' and Councilmember Pierce's seats ended. Beth Steele qualified, and there is still one seat to be filled.
 - She recommended moving the March 19, 2024 Council meeting because the Presidential Preferential Primary will be on the regular Council meeting day. There was no objection from the Council, and the March meeting was scheduled for March 26, 2024, at 6:30 pm.
 - She said City Hall enjoyed working with Chief DeSchryver and the Police Department for the Santa fly-in. Brett Sollazzo worked on the City Hall side with social media and targeted communication to get the message out in conjunction with the Police Department's efforts.

M. MAYOR AND CITY COUNCIL REPORTS

- **Mayor Dowless**
 - Mayor Dowless reminded Council of the holiday luncheon on Friday, December 22nd at 11:30 am.
 - He invited Council and staff to the January 18, 2024, Tri-County Florida League of Cities luncheon, which the City of Edgewood will host. Mayor Dowless will be sworn in as the new Tri-County President.
 - The City's Centennial Celebration is planned for March 23, 2024, and will be at Water's Edge Shopping Center. Mayor Dowless is securing talent for a concert and other entertainment for the event.
- **Council Member Pierce** - No report
- **Council Member Rader**

- Councilmember Rader asked about the status of the properties on S. Orange Avenue at Meineke. Mayor Dowless said the people who bought the Le Coq au Vin have presented different ideas to Planner Hardgrove and that the Fulford property is keeping the same use. The property at the corner is listed for sale and Planner Hardgrove is trying to encourage different options.

- **Council Member Lomas**

Councilmember Lomas would like transient/short-term rentals in single-family homes to be covered in the next Edgewood Exclusive newsletter, similar to what Orange County did in their newsletter.

- **Council President Horn - No report**

N. ADJOURNMENT

The meeting was adjourned at 8:20 pm.

Richard A. Horn, Council President

Attest:

Sandra Riffle, City Clerk

Approved in the _____ Council Meeting.

ORDINANCES (FIRST READING)



Date: January 11, 2024
To: City Council
From: Ellen Hardgrove, City Planning Consultant
XC: Brett Sollazzo, Administrative & Permitting Manager
Drew Smith, City Attorney
Sandy Riffle, City Clerk
Re: County to City Rezoning - Lake Mary Court

At the December 19, 2023 public hearing, Council considered establishing R-1AA-CA for the lots of the Lake Mary Court subdivision since a city zoning district was never established after it was annexed in 1991. Based on public input from a subdivision resident, Mr. Muszynski, who opposed establishing the City R1-AA-CA due to the minimum living area (1,200 square feet), Council tabled the item to allow for more analysis.

The Analysis showed the following:

- 1) It was discovered that the existing zoning was not as what is shown on City zoning map. Based on archived Orange County zoning maps, most of the subdivision (Lots 1-6 and 10-13) is zoned County R-1A and not R-1AA (see Attachment 1). It is unclear why the City's zoning map shows the entire subdivision zoned County R-1AA as there is no record of the City rezoning the subdivision. The lake front lots (Lots 7-9) are zoned County R-1AA.
- 2) Lots 1-6 and 10-13 (see Attachment 2) are consistent with the discovered zoning (R-1A) site standards; i.e. at least 75 feet wide and the houses on these lots are setback 25 feet consistent with the minimum R-1A front setback of 25 feet. Had these lots been R-1AA, they would be nonconforming as the required R-1AA minimum front setback would be 30 feet and the minimum lot width would be 85 feet.
- 3) Lots 7, 8, and 9, the lakefront lots, meet the County R-1AA site standards at a minimum of 85 feet in lot width and front setback of at least 30 feet.
- 4) The smallest house size in the Lake Mary Court subdivision, according to Orange County Property Appraiser online records, is 1,284 square feet. R-1A-CA and R-1AA-CA minimum living area is 1,200 square feet. Attachment 3 provides the list of all living areas of the units in this subdivision.
- 5) Review of the other property in the City with County R-1AA zoning (or recently changed to R-1AA-CA) showed house sizes consistent with the R-1AA-CA standard (minimum 1,200 square feet). Attachment 4 shows the smallest houses in these R-1AA subdivisions.

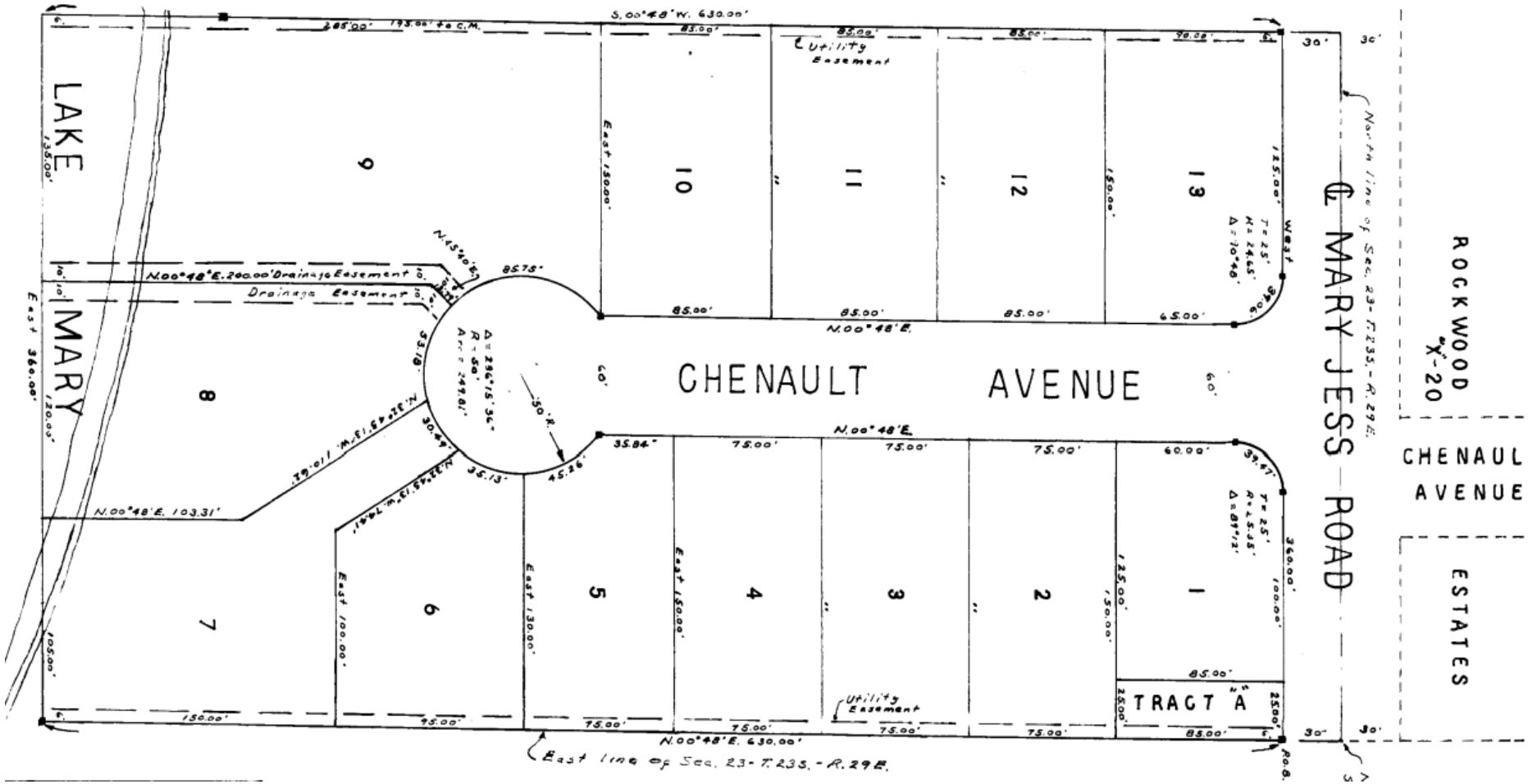
Staff recommends rezoning Lots 1-6 and 10-13 to R-1A-CA, and R-1AA-CA for Lots 7-9.

Staff does not recommend changing the minimum living area in the R-1A-CA or R-1AA-CA district, as requested by Mr. Muszynski, since close to 200 property owners received letters stating, “the site development standards of the proposed City zoning district, [R-1X-CA] are identical to the County’s district...” and changing the minimum living area in these new districts would create nonconforming situations. The intent of the R-1X-CA districts was to create and assign a City zoning district that most closely resembles the existing Orange County zoning designation being replaced in order to preserve property rights and avoid the creation of non-conforming situations.

An option could be to rezone the Lake Mary Court subdivision with a minimum living area restriction as is allowed by Code Section 134-121(i)(5). However, the practice of restricted zoning would hamper the public’s understanding of the zoning district(s), which is one of the key reasons the City has embarked on this County to City rezoning effort. If it is done for these lots, what is to stop establishing a specific restriction for each neighborhood? Furthermore, establishing such a restriction affects housing choice as well as could artificially affect market forces. The fact that this zoning has existed since the 1960’s and not created a public health, safety or general welfare problem, which is the basis for zoning, leads to the conclusion that maintaining the minimum living area per the County R-1A district is reasonable.

Attachments follow

Attachment 2 – Lake Mary Court Plat Showing Lot Widths



Attachment 3 - House Size in Lake Mary Court

Lot #	Living Area (Lot Order)	Lot #	Unit Living Area (House size Order)
1	1540	10	1284
2	1971	1	1540
3	1725	4	1547
4	1547	5	1593
5	1593	6	1644
6	1644	3	1725
7	1967	13	1801
8	1845	8	1845
9	2029	7	1967
10	1284	2	1971
11	3084	9	2029
12	2208	12	2208
13	1801	11	3084

Attachment 4 - Smallest House Sizes

County R-1AA Subdivisions	Smallest House Size
Granada Woods	1503
Harbour Island	2421
Jessamine Glen	1804
Lake Mary Shores	1656
North side Gatlin	1349
Oak Cove	2631
South Side Gatlin	1670 (two legal nonconformities: 720, 942)
Waterwitch	2183
Woods of Jessamine	2540

County R-1A Subdivisions	Smallest House Size
Deporter Sandra L	1634
Lake Jessamine Estates	1622
Oak Cove	1690

Standards Comparison County R1AA and Proposed City R1AA-CA

	R1AA-County	City R1AA-CA
Minimum Lot Area	10,000 square feet	10,000 square feet
Minimum Living Area	1,200 square feet	1,200 square feet
Minimum Lot Width	85 feet	85 feet
Minimum Building Setback		
Front Yard	30 feet	30 feet
Rear Yard	35 feet	35 feet
Side Yard	7.5 feet	7.5 feet
Maximum Height	35 feet	35 feet
Maximum Impervious Surface*	n/a	45%
Private Recreation Area**	40%	40%

*50% of the water surface in a pool is assumed to count as pervious.

**Includes the required front, rear and side yards (excluding paved driveways) and recreational structures such as, but not limited to, pools, tennis courts and porches.

Site Standards Comparison Proposed R1A-CA and Existing County R1A

	County R1A	R1A-City Annexed (CA)
Minimum Lot Area	7,500 square feet	7,500 square feet
Minimum Living Area	1,200 square feet	1,200 square feet
Minimum Lot Width	75 feet	75 feet
Minimum Building Setback		
Front	25 feet	25 feet
Rear	30 feet	30 feet
Side	7.5 feet	7.5 feet
Maximum Height	35 feet	35 feet
Maximum Impervious Surface	n/a	45%**
Minimum Private Open Space*	40%	40%

*Includes the required front, rear and side yards (excluding paved driveways) and recreational structures such as, but not limited to, pools, tennis courts and porches.

**50% of the water surface in a pool is assumed to count as pervious.

Exhibit A – Rezoning County R1AA to R1AA-CA



Lake Mary Court Official Records Book Z / Page 64 Lots 7, 8, & 9

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

ORDINANCE NO. 2023-18

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, REZONING AND CHANGING THE OFFICIAL ZONING MAP CLASSIFICATION OF PROPERTIES CURRENTLY ZONED COUNTY R1AA WHICH WERE PREVIOUSLY ANNEXED INTO THE CITY OF EDGEWOOD BUT WHICH HAVE NOT YET BEEN ASSIGNED A CITY OF EDGEWOOD ZONING DISTRICT DESIGNATION; REPLACING THE ORANGE COUNTY ZONING DESIGNATION FOR SUCH PROPERTIES WITH THE MOST CONSISTENT EXISTING CITY OF EDGEWOOD ZONING DESIGNATION; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, over a period of years, the City of Edgewood has annexed certain properties described herein located in Orange County; and

WHEREAS, the properties designated herein have not yet been assigned a City of Edgewood zoning designation; and

WHEREAS, in the interest of clarity and efficiency, as well as compliance with the City of Edgewood’s Comprehensive Plan, the City Council finds this Ordinance assigning City of Edgewood zoning designations to said properties to be reasonable and appropriate and in the best interest of the City; and

WHEREAS, by this Ordinance, the City assigns the City of Edgewood zoning district designation that most closely resembles the Orange County zoning designation being replaced; and

WHEREAS, the Planning and Zoning Board has determined the zoning designation amendments contemplated herein to be consistent with the City of Edgewood Comprehensive Plan and has made a recommendation of approval to the City Council; and

WHEREAS, the City Council finds the zoning designation amendments provided for herein to be consistent with the City of Edgewood Comprehensive Plan; and

WHEREAS, attached hereto as composite Exhibit “A” which identifies by parcel and/or map those parcels rezoned hereby, the Orange County designation being replaced and the City of Edgewood designation being assigned.

NOW THEREFORE, BE IT ENACTED BY THE EDGEWOOD CITY COUNCIL AS FOLLOWS:

Section 1. Rezoning. Upon the enactment of this Ordinance, the mapped real property in Exhibit A shall be rezoned from Orange County zoning designation R1AA to City of Edgewood zoning designation R1AA-CA.

48 **Section 2. Zoning Map Amendment.** Upon the effective date of this Ordinance, the
49 City Clerk or designee shall amend the Official Zoning Map of the City of Edgewood in accordance
50 with this Ordinance and shall execute any other documents and take any other action as necessary
51 to effectuate this change.

52
53 **Section 3. Severability Clause.** In the event that any term, provision, clause, sentence, or
54 section, or Exhibit of this Ordinance shall be held by a court of competent jurisdiction to be partially
55 or wholly unenforceable or invalid for any reason whatsoever, any such invalidity, illegality, or
56 unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences,
57 or sections of this Ordinance, and this Ordinance shall be read and/or applied as if the invalid, illegal,
58 or unenforceable term, provision, clause, sentence or section did not exist.

59
60 **Section 4. Ordinances in Conflict.** All ordinances or parts thereof, which may be
61 determined to be in conflict herewith, are hereby repealed and superseded by this Ordinance, to the
62 extent of such conflict.

63 **Section 5. Effective Date.** This Ordinance shall become effective on the date adopted by
64 City Council.

65

66 PASSED ON FIRST READING THIS _____ DAY OF _____, 2023.

67

68 PASSED AND ADOPTED THIS _____ DAY OF _____, 2024.

69

70 CITY OF EDGEWOOD, FLORIDA
71 CITY COUNCIL

72

73 _____
74 Richard A. Horn, Council President

75 ATTEST:

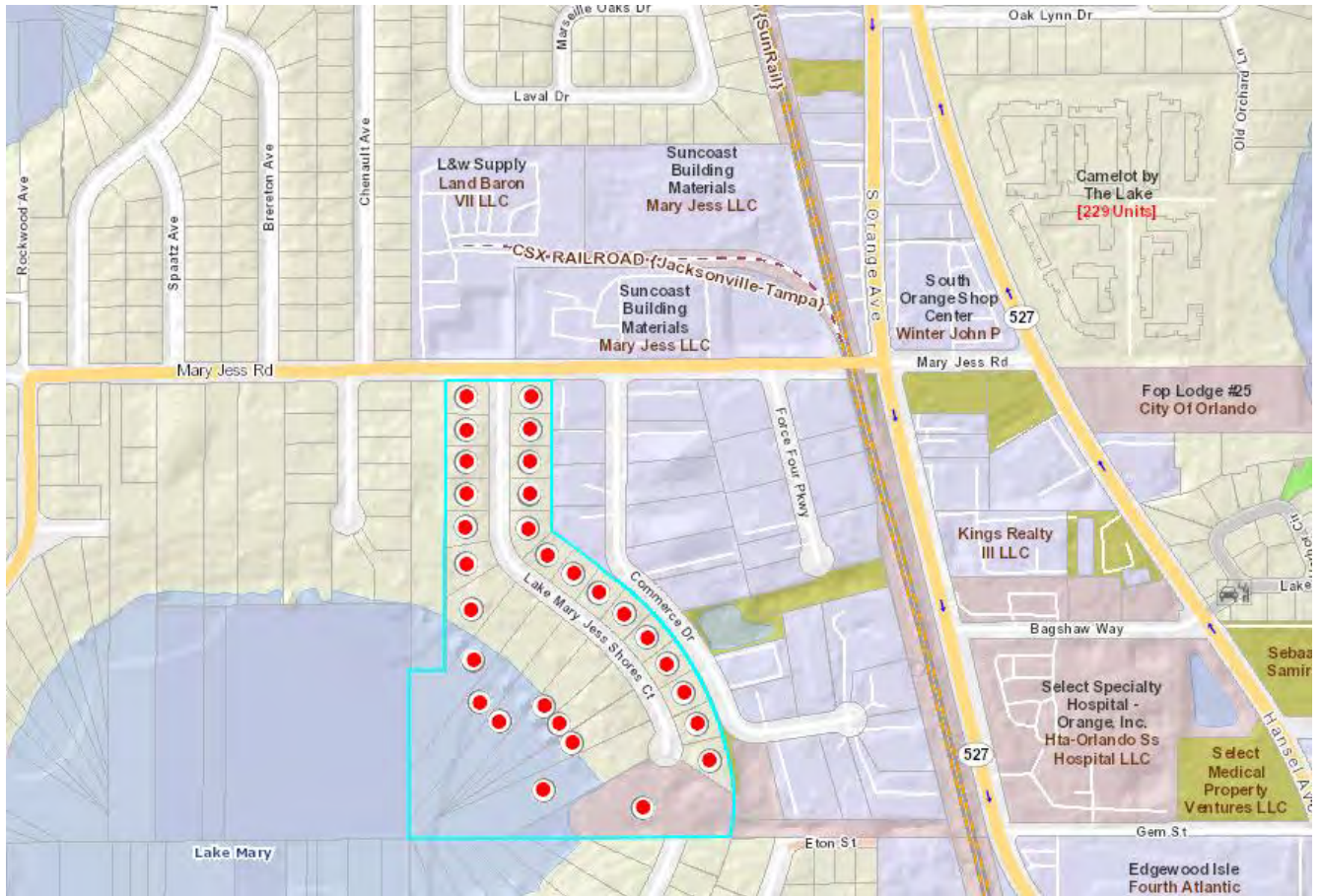
76

77 _____
78 Sandy Riffle, City Clerk

79

80

Exhibit A



81

82

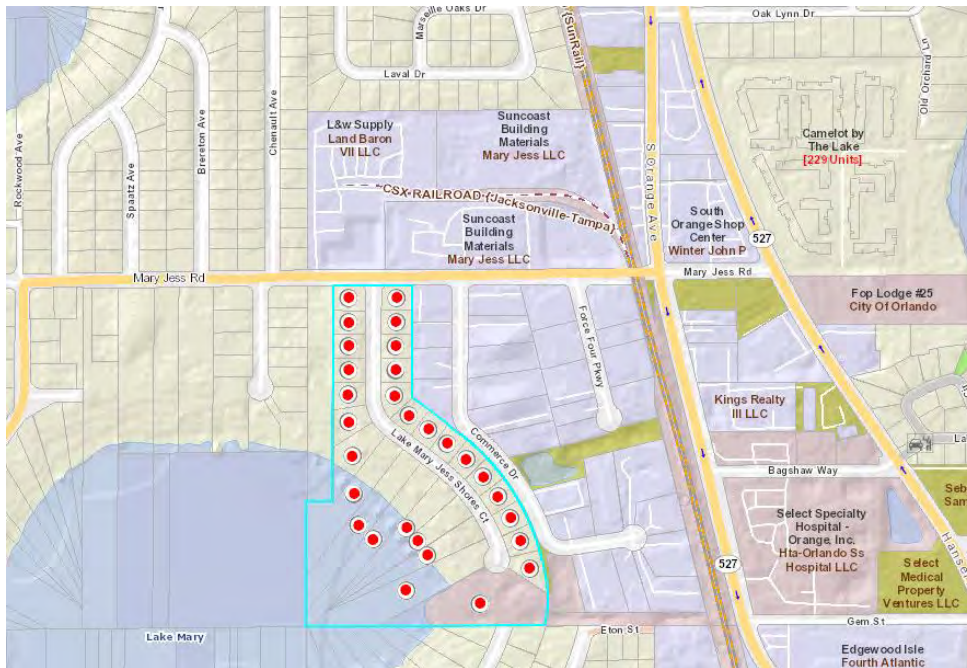
ALL OF LAKE MARY JESS SHORES SUBDIVISION PLAT, PB 8/ PG 130

Date: November 13, 2023
 To: Planning and Zoning Board
 From: Ellen Hardgrove, City Planning Consultant
 XC: Brett Sollazzo, Administrative & Permitting Manager
 Drew Smith, City Attorney
 Sandy Riffle, City Clerk
 Re: County to City Rezoning: R1AA to R1AA-CA Lake Mary Jess Shores

This agenda item is the continuation of the City’s effort to rezone previously annexed areas of the City where the County zoning has remained after annexation to a City zoning district. Per Code Section 134-172, all territory that was annexed into the City is considered to be zoned in the same manner as existed when under the County zoning classification unless such classification is affirmatively changed by the City. This is a city-sponsored rezoning; staff recommends approval.

For this agenda item, the area to be rezoned from County R1AA to City R1AA-CA is outlined in Exhibit 1, which is the Lake Mary Jess Shores subdivision.

Exhibit 1



As shown in Exhibit 2, the site development standards of the proposed City zoning district, R1AA-CA, are identical to the County’s district, with the exception that the City’s district establishes a maximum impervious surface of 45%; i.e., the amount of land that can be covered with buildings and pavement. (Note: 50% of the water surface in a pool is assumed to count as impervious). The County’s district does not have an impervious surface maximum.

Exhibit 2: Standards Comparison County R1AA and Proposed City R1AA-CA

	R1AA-County	City R1AA-CA
Minimum Lot Area	10,000 square feet	10,000 square feet
Minimum Living Area	1,200 square feet	1,200 square feet
Minimum Lot Width	85 feet	85 feet
Minimum Building Setback		
Front Yard	30 feet	30 feet
Rear Yard	35 feet	35 feet
Side Yard	7.5 feet	7.5 feet
Maximum Height	35 feet	35 feet
Maximum Impervious Surface*	n/a	45%
Private Recreation Area**	40%	40%

*50% of the water surface in a pool is assumed to count as pervious.

**Includes the required front, rear and side yards (excluding paved driveways) and recreational structures such as, but not limited to, pools, tennis courts and porches.

Preliminary review of the lots in Lake Mary Jess Shores showed several lots in the subdivision exceed the 45% limit as listed in Exhibit 3. All these lots have pools and the ISR is not expected to increase in the future.

Exhibit 3: Lake Mary Jess Shores Lots Likely Exceeding the 45% Maximum ISR

Lot #	Address	Current Owner	House Size sq ft	Estimated ISR	Has a Pool
4	5526 Lake Mary Jess Shores Ct	Felipe S and Thibodeau Andre-Guy Soto	2,960	58%	Yes
18	5645 Lake Mary Jess Shores Ct	Ezequiel and Kathryn Flores	3,351	49%	Yes

The following lots are close to the limit and do not yet have a pool. Should the addition of a pool be pursued that would result in an ISR exceeding the 45% maximum, per a recently approved ordinance, the maximum impervious surface can be exceeded if City Council finds the excess impervious surface will not adversely impact the health, safety, or public welfare.

Exhibit 4: Lake Mary Jess Shores Lots Near the 45% Maximum ISR

Lot #	Address	Current Owner	House size sq ft	Estimated Current ISR	Has a Pool
17*	5653 Lake Mary Jess Shores Ct	Clinton and Helen P Lott Trust	2,871	51%	Above ground
21	5621 Lake Mary Jess Shores Ct	Carlos Geronimo Torres and Rhina Yaride Terrero	3,025	41%	No
23	5605 Lake Mary Jess Shores Ct	Vernon L Brenda J and Hargrave	3,079	42%	No
26	5519 Lake Mary Jess Shores Ct	Robert L and Janet E Brown	3,010	42%	No

Rezoning the subdivision to R1AA-CA is in the best interest of the City, most closely resembles the Orange County zoning designation being replaced, and is consistent with the City of Edgewood Comprehensive Plan.

END

Date: November 13, 2023
 To: Planning and Zoning Board
 From: Ellen Hardgrove, City Planning Consultant
 XC: Brett Sollazzo, Administrative & Permitting Manager
 Drew Smith, City Attorney
 Sandy Riffle, City Clerk
 Re: County to City Rezoning: R1AA to R1AA-CA Lake Mary Court

This agenda item is the continuation of the City’s effort to rezone previously annexed areas of the City where the County zoning has remained after annexation to a City zoning district. Per Code Section 134-172, all territory that was annexed into the City is considered to be zoned in the same manner as existed when under the County zoning classification unless such classification is affirmatively changed by the City. This is a city-sponsored rezoning; staff recommends approval.

For this agenda item, the area to be rezoned from County R1AA to City R1AA-CA is outlined in Exhibit 1, which is the Lake Mary Court subdivision.

Exhibit 1



As shown in Exhibit 2, the site development standards of the proposed City zoning district, R1AA-CA, are identical to the County's district, with the exception that the City's district establishes a maximum impervious surface of 45%; i.e., the amount of land that can be covered with buildings and pavement. (Note: 50% of the water surface in a pool is assumed to count as impervious). The County's district does not have an impervious surface maximum.

Exhibit 2: Standards Comparison County R1AA and Proposed City R1AA-CA

	R1AA-County	City R1AA-CA
Minimum Lot Area	10,000 square feet	10,000 square feet
Minimum Living Area	1,200 square feet	1,200 square feet
Minimum Lot Width	85 feet	85 feet
Minimum Building Setback		
Front Yard	30 feet	30 feet
Rear Yard	35 feet	35 feet
Side Yard	7.5 feet	7.5 feet
Maximum Height	35 feet	35 feet
Maximum Impervious Surface*	n/a	45%
Private Recreation Area**	40%	40%

*50% of the water surface in a pool is assumed to count as pervious.

**Includes the required front, rear and side yards (excluding paved driveways) and recreational structures such as, but not limited to, pools, tennis courts and porches.

Preliminary review of the lots in Lake Mary Jess Shores showed all of the lots were in compliance with the maximum ISR.

Rezoning the subdivision to R1AA-CA is in the best interest of the City, most closely resembles the Orange County zoning designation being replaced, and is consistent with the City of Edgewood Comprehensive Plan.

END

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

ORDINANCE NO. 2023-19

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, REZONING AND CHANGING THE OFFICIAL ZONING MAP CLASSIFICATION OF PROPERTIES CURRENTLY ZONED COUNTY R1AA WHICH WERE PREVIOUSLY ANNEXED INTO THE CITY OF EDGEWOOD BUT WHICH HAVE NOT YET BEEN ASSIGNED A CITY OF EDGEWOOD ZONING DISTRICT DESIGNATION; REPLACING THE ORANGE COUNTY ZONING DESIGNATION FOR SUCH PROPERTIES WITH THE MOST CONSISTENT EXISTING CITY OF EDGEWOOD ZONING DESIGNATION; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, over a period of years, the City of Edgewood has annexed certain properties described herein located in Orange County; and

WHEREAS, the properties designated herein have not yet been assigned a City of Edgewood zoning designation; and

WHEREAS, in the interest of clarity and efficiency, as well as compliance with the City of Edgewood’s Comprehensive Plan, the City Council finds this Ordinance assigning City of Edgewood zoning designations to said properties to be reasonable and appropriate and in the best interest of the City; and

WHEREAS, by this Ordinance, the City assigns the City of Edgewood zoning district designation that most closely resembles the Orange County zoning designation being replaced; and

WHEREAS, the Planning and Zoning Board has determined the zoning designation amendments contemplated herein to be consistent with the City of Edgewood Comprehensive Plan and has made a recommendation of approval to the City Council; and

WHEREAS, the City Council finds the zoning designation amendments provided for herein to be consistent with the City of Edgewood Comprehensive Plan; and

WHEREAS, attached hereto as composite Exhibit “A” which identifies by parcel and/or map those parcels rezoned hereby, the Orange County designation being replaced and the City of Edgewood designation being assigned.

NOW THEREFORE, BE IT ENACTED BY THE EDGEWOOD CITY COUNCIL AS FOLLOWS:

Section 1. Rezoning. Upon the enactment of this Ordinance, the mapped real property in Exhibit A shall be rezoned from Orange County zoning designation R1AA to City of Edgewood zoning designation R1AA-CA.

48 **Section 2. Zoning Map Amendment.** Upon the effective date of this Ordinance, the
49 City Clerk or designee shall amend the Official Zoning Map of the City of Edgewood in accordance
50 with this Ordinance and shall execute any other documents and take any other action as necessary
51 to effectuate this change.

52
53 **Section 3. Severability Clause.** In the event that any term, provision, clause, sentence, or
54 section, or Exhibit of this Ordinance shall be held by a court of competent jurisdiction to be partially
55 or wholly unenforceable or invalid for any reason whatsoever, any such invalidity, illegality, or
56 unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences,
57 or sections of this Ordinance, and this Ordinance shall be read and/or applied as if the invalid, illegal,
58 or unenforceable term, provision, clause, sentence or section did not exist.

59
60 **Section 4. Ordinances in Conflict.** All ordinances or parts thereof, which may be
61 determined to be in conflict herewith, are hereby repealed and superseded by this Ordinance, to the
62 extent of such conflict.

63 **Section 5. Effective Date.** This Ordinance shall become effective on the date adopted by
64 City Council.

65

66 PASSED ON FIRST READING THIS _____ DAY OF _____, 2023.

67

68 PASSED AND ADOPTED THIS _____ DAY OF _____, 2024.

69

70 CITY OF EDGEWOOD, FLORIDA
71 CITY COUNCIL

72

73

74 _____
Richard A. Horn, Council President

75 ATTEST:

76

77

78 _____
Sandy Riffle, City Clerk

79

80

Exhibit A



81

82

ALL OF LAKE MARY COURT SUBDIVISION PLAT, PB Z/Pg 64

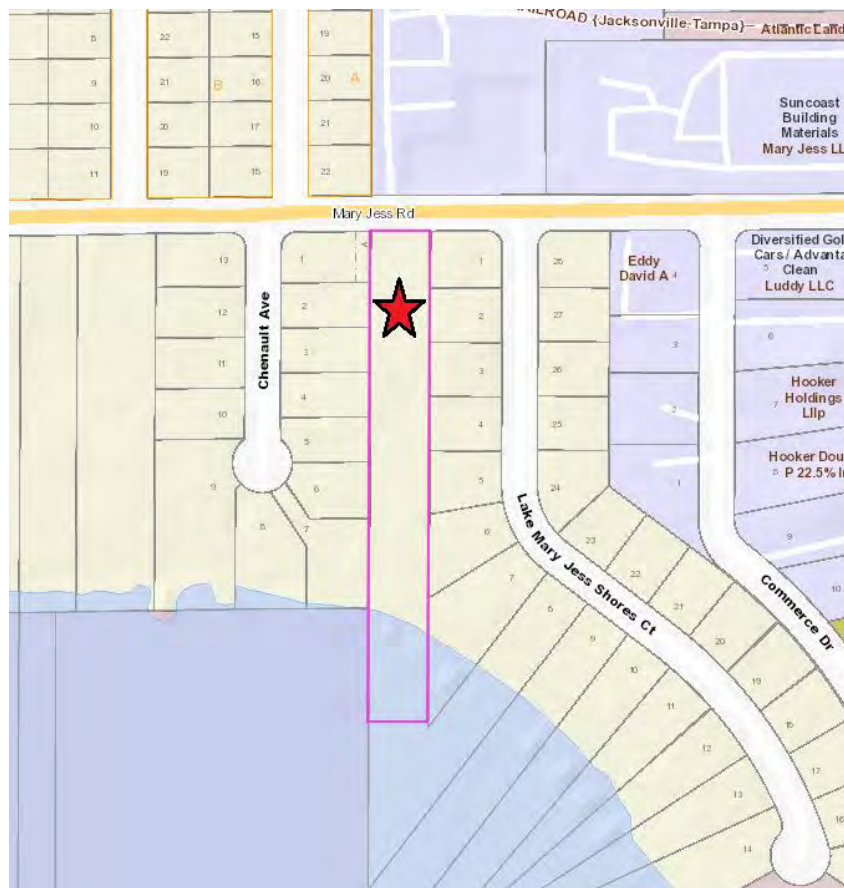


Date: November 13, 2023
To: Planning and Zoning Board
From: Ellen Hardgrove, City Planning Consultant
XC: Brett Sollazzo, Administrative & Permitting Manager
Drew Smith, City Attorney
Sandy Riffle, City Clerk
Re: County to City Rezoning: R1AA to R1AA-CA John Scott Property

This agenda item is the continuation of the City’s effort to rezone previously annexed areas of the City where the County zoning has remained after annexation to a City zoning district. Per Code Section 134-172, all territory that was annexed into the City is considered to be zoned in the same manner as existed when under the County zoning classification unless such classification is affirmatively changed by the City. This is a city-sponsored rezoning; staff recommends approval.

For this agenda item, the property to be rezoned from County R1AA to City R1AA-CA is outlined in Exhibit 1, which is currently owned by John Scott at address 220 Mary Jess Road.

Exhibit 1



As shown in Exhibit 2, the site development standards of the proposed City zoning district, R1AA-CA, are identical to the County's district, with the exception that the City's district establishes a maximum impervious surface of 45%; i.e., the amount of land that can be covered with buildings and pavement. (Note: 50% of the water surface in a pool is assumed to count as impervious). The County's district does not have an impervious surface maximum.

Exhibit 2: Standards Comparison County R1AA and Proposed City R1AA-CA

	R1AA-County	City R1AA-CA
Minimum Lot Area	10,000 square feet	10,000 square feet
Minimum Living Area	1,200 square feet	1,200 square feet
Minimum Lot Width	85 feet	85 feet
Minimum Building Setback		
Front Yard	30 feet	30 feet
Rear Yard	35 feet	35 feet
Side Yard	7.5 feet	7.5 feet
Maximum Height	35 feet	35 feet
Maximum Impervious Surface*	n/a	45%
Private Recreation Area**	40%	40%

*50% of the water surface in a pool is assumed to count as pervious.

**Includes the required front, rear and side yards (excluding paved driveways) and recreational structures such as, but not limited to, pools, tennis courts and porches.

Review of this property showed the property was in compliance with the maximum ISR.

Rezoning the property to R1AA-CA is in the best interest of the City, most closely resembles the Orange County zoning designation being replaced, and is consistent with the City of Edgewood Comprehensive Plan.

END

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

ORDINANCE NO. 2023-20

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, REZONING AND CHANGING THE OFFICIAL ZONING MAP CLASSIFICATION OF PROPERTY CURRENTLY ZONED COUNTY R1AA WHICH WAS PREVIOUSLY ANNEXED INTO THE CITY OF EDGEWOOD BUT WHICH HAS NOT YET BEEN ASSIGNED A CITY OF EDGEWOOD ZONING DISTRICT DESIGNATION; REPLACING THE ORANGE COUNTY ZONING DESIGNATION FOR THE PROPERTY WITH THE MOST CONSISTENT EXISTING CITY OF EDGEWOOD ZONING DESIGNATION; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, over a period of years, the City of Edgewood has annexed certain property described herein located in Orange County; and

WHEREAS, the property designated herein has not yet been assigned a City of Edgewood zoning designation; and

WHEREAS, in the interest of clarity and efficiency, as well as compliance with the City of Edgewood’s Comprehensive Plan, the City Council finds this Ordinance assigning a City of Edgewood zoning designation to said property to be reasonable and appropriate and in the best interest of the City; and

WHEREAS, by this Ordinance, the City assigns the City of Edgewood zoning district designation that most closely resembles the Orange County zoning designation being replaced; and

WHEREAS, the Planning and Zoning Board has determined the zoning designation amendment contemplated herein to be consistent with the City of Edgewood Comprehensive Plan and has made a recommendation of approval to the City Council; and

WHEREAS, the City Council finds the zoning designation amendment provided for herein to be consistent with the City of Edgewood Comprehensive Plan; and

WHEREAS, attached hereto as composite Exhibit “A” which identifies the property and/or map of that property rezoned hereby, the Orange County designation being replaced and the City of Edgewood designation being assigned.

NOW THEREFORE, BE IT ENACTED BY THE EDGEWOOD CITY COUNCIL AS FOLLOWS:

Section 1. Rezoning. Upon the enactment of this Ordinance, the mapped real property in Exhibit A shall be rezoned from Orange County zoning designation R1AA to City of Edgewood zoning designation R1AA-CA.

48 **Section 2. Zoning Map Amendment.** Upon the effective date of this Ordinance, the
49 City Clerk or designee shall amend the Official Zoning Map of the City of Edgewood in accordance
50 with this Ordinance and shall execute any other documents and take any other action as necessary
51 to effectuate this change.

52
53 **Section 3. Severability Clause.** In the event that any term, provision, clause, sentence, or
54 section, or Exhibit of this Ordinance shall be held by a court of competent jurisdiction to be partially
55 or wholly unenforceable or invalid for any reason whatsoever, any such invalidity, illegality, or
56 unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences,
57 or sections of this Ordinance, and this Ordinance shall be read and/or applied as if the invalid, illegal,
58 or unenforceable term, provision, clause, sentence or section did not exist.

59
60 **Section 4. Ordinances in Conflict.** All ordinances or parts thereof, which may be
61 determined to be in conflict herewith, are hereby repealed and superseded by this Ordinance, to the
62 extent of such conflict.

63 **Section 5. Effective Date.** This Ordinance shall become effective on the date adopted by
64 City Council.

65

66 PASSED ON FIRST READING THIS _____ DAY OF _____, 2023.

67

68 PASSED AND ADOPTED THIS _____ DAY OF _____, 2024.

69

70 CITY OF EDGEWOOD, FLORIDA
71 CITY COUNCIL

72

73 _____
74 Richard A. Horn, Council President

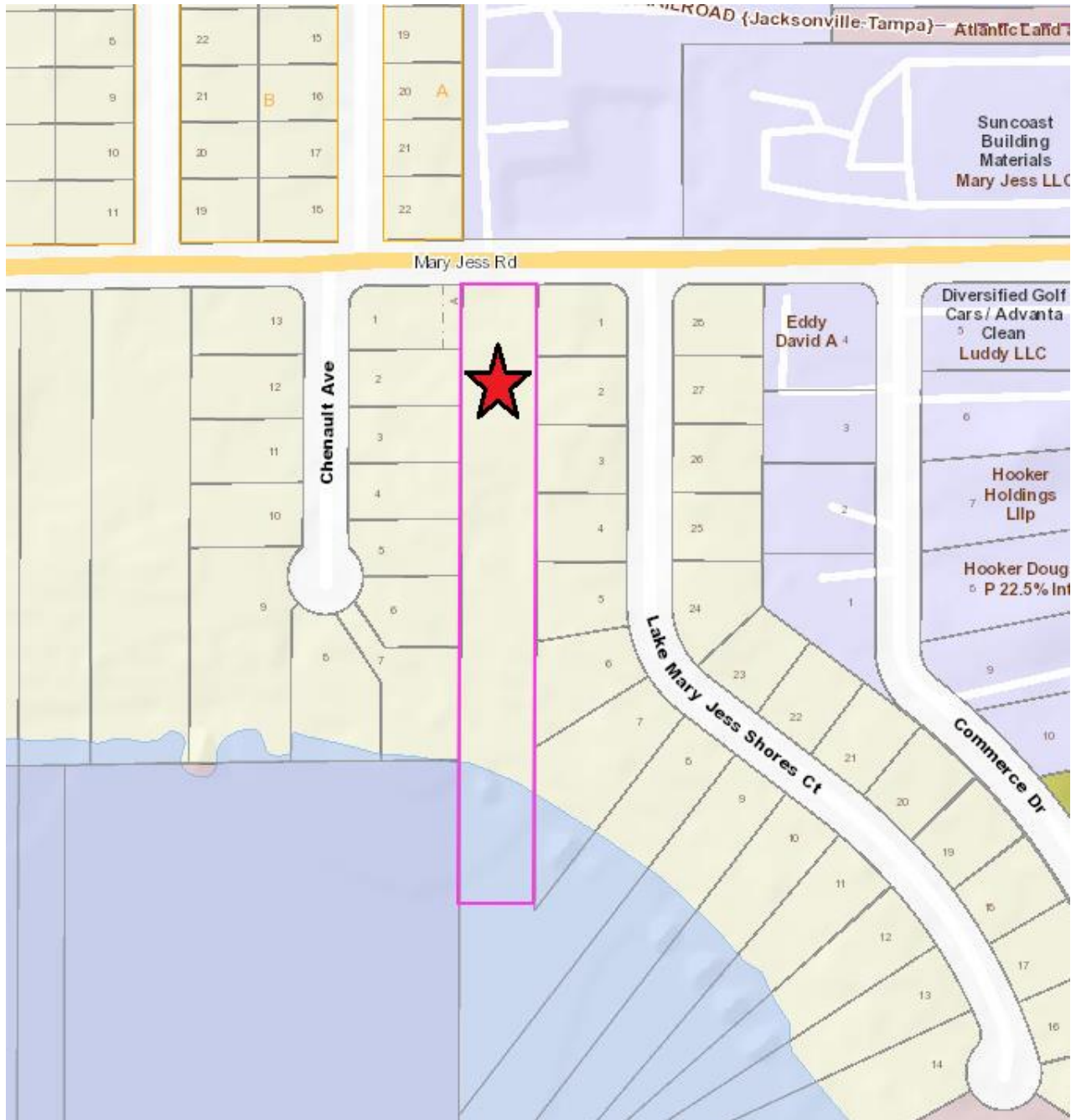
75 ATTEST:

76

77 _____
78 Sandra Riffle, City Clerk

79

Exhibit A



81
82
83

Legally described as the west 100 feet of north 850 feet of NW1/4 of Section 24-23-29, subject to the right of way over the north 30 feet thereof

47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92

As used in this Article, the following words and terms shall have the meaning ascribed thereto:

(a) A "Golf Cart" shall mean a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of twenty (20) miles per hour;

(b) A "Speed Modified Golf Cart" is a golf cart originally manufactured for speeds up to 20 miles per hour that has been modified after initial manufacture to travel at speeds over 20 miles per hour;

(c) A "Low Speed Vehicle" is any four-wheeled electric vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including neighborhood electric vehicles;

(d) A "Neighborhood Electric Vehicle" is an electrically driven vehicle designed for speeds of 20 to 25 miles per hour. A Neighborhood Electric Vehicle is considered a low speed vehicle;

Sec. 62-81. Authorization to Operate Golf Carts on Designated City Streets.

(a) The City Council may by Resolution designate and approve certain City streets as streets authorized for Golf Cart use. The City Council may at any time revoke the designation and approval for Golf Cart use of any designated City street. Upon designating any City streets as authorized for use by Golf Carts, the City shall install proper signage to identify the designated City streets.

(b) Subject to the restrictions and limitations provided herein, Golf Carts, as defined in Section 62-80(a) shall be authorized for use upon City streets designated and approved pursuant to this Section.

(c) This Article does not authorize the use of Golf Carts on State or County Roads or Highways.

(d) This Article does not create any authorization for operation of Speed-Modified Golf Carts or Neighborhood Electric Vehicles or other Low Speed Vehicles on City streets and such vehicles shall continue to be subject to all regulations and restrictions existing under State law.

(e) Any person operating a golf cart on any city road does so at his or her own risk and must operate such a vehicle with due regard for the safety and convenience of other motor vehicles, bicyclists and pedestrians. The City, in extending operating privileges to golf carts, does so on the express

93 condition that the operator undertakes such operation at his own risk and
94 assumes sole responsibility for operating said vehicle, and shall be deemed to
95 defend, release, indemnify and hold harmless the City of Edgewood, its
96 officials and employees from any and all claims, demands, damages, or causes
97 of action, known or unknown, of any nature arising from such operation and
98 upon registration of a golf court shall execute an acknowledgement of such
99 agreement to hold the City and its officials and employees harmless.

100
101 Sec. 62-82. Restrictions on Golf Cart Modifications.

102
103 No Golf Carts used on designated City streets pursuant to this Article shall
104 have any power, wheelbase, tire size or other tire modifications to the original
105 manufactured specifications of the Golf Cart.

106
107 Sec. 62-83. Minimum required equipment.

108
109 (a) All Golf Carts operated on designated City streets pursuant to this
110 Article shall at a minimum be equipped with the following:

- 111
- 112 1) properly functioning brakes,
- 113 2) two properly functioning brake lights,
- 114 3) properly functioning steering apparatus,
- 115 4) safe tires,
- 116 5) a rearview mirror,
- 117 6) Florida Department of Transportation approved lap safety belts for
- 118 the driver and all passengers, and
- 119 7) Reflectorized warning devices in the rear of the Golf Cart.
- 120

121 (b) All Golf Carts operated on designated City streets in fog, smoke
122 and rain and/or operated earlier than thirty minutes after sunrise or later than
123 thirty minutes before sunset shall at a minimum be equipped with the
124 following:

- 125
- 126 1) two properly functioning headlights,
- 127 2) a properly functioning horn,
- 128 3) properly functioning left and right turn signals,
- 129 4) an approved windshield, and
- 130 5) reflective devices or reflective tape on both sides of the of the Golf
- 131 Cart.
- 132

133 Sec. 62-84. Additional Restrictions on use of Golf Carts on Designated City Streets.

134
135 (a) ~~No person younger than 14 years of age shall drive a Golf Cart on~~
136 ~~a City street as authorized in this Article. Any person without a valid driver's~~
137 ~~license or learner's permit must be accompanied by a parent or legal guardian~~
138 ~~while operating a golf cart on designated City streets pursuant to this Article.~~

139 ~~unless such person possesses a valid driver's license or learner's permit. No~~
140 ~~person under the age of eighteen (18) years of age may operate a golf cart on~~
141 ~~designated City streets pursuant to this Ordinance unless such person~~
142 ~~possesses a valid driver's license or learner's permit. Any person possessing~~
143 only a learner's permit while operating a Golf Cart on designated City streets
144 pursuant to this Ordinance shall at all time during operation of the Golf Cart
145 be accompanied by a parent or legal guardian.

146
147 (b) In no event shall a Golf Cart be driven on public sidewalks.

148
149 (c) All Golf Carts operated on a City street as authorized in this
150 Article shall be properly insured for liability on account of accidents arising
151 out of the use of the Golf Cart on designated City streets. The required limits
152 of liability shall be as follows:

- 153
154 1) In the amount of \$10,000 because of bodily injury to, or death of,
155 one person in any one crash;
156 2) Subject to such limits for one person, in the amount of \$20,000
157 because of bodily injury to, or death of, two or more persons in any
158 one crash;
159 3) In the amount of \$10,000 because of injury to, or destruction of,
160 property of others in any one crash

161
162 (d) While operating a Golf Cart on a City street as authorized in this
163 Article, the operator shall comply with and obey all applicable state and local
164 traffic laws. A Golf Cart operator who violates any traffic law may be
165 ticketed in the same manner as the operator of a motor vehicle.

166
167 Sec. 62-85. Golf Cart Registration.

168
169 (a) The owner of any Golf Cart to be operated on designated City
170 streets pursuant to this Article shall first register said Golf Cart with the City
171 of Edgewood. The owner registering the Golf Cart must be at least eighteen
172 years of age. The City shall charge an initial registration fee as set by
173 Resolution of the City Council. Regardless of the date of registration, all Golf
174 Cart registrations shall be valid from January 1 until December 31.

175
176 (b) The owner of a Golf Cart to be operated on designated City Streets
177 pursuant to this Article shall be required to renew the Golf Cart registration
178 prior to January 1 of the year following initial registration. The City shall
179 charge a renewal fee as set by Resolution of the City Council for each
180 registration renewal. An owner who fails to renew the registration of a Golf
181 Cart prior to January 1, shall be required to obtain a new registration and pay
182 the fee for an initial registration established pursuant to paragraph (a), above.

183

184 (c) All owners of properly registered Golf Cart shall be issued a
185 registration sticker which sticker shall be placed and maintained on the
186 driver's side rear fender of the Golf Cart. The City of Edgewood shall
187 maintain a list of all Golf Cart registrations.
188

189 ~~An owner of a golf cart intending to allow an unlicensed minor to~~
190 ~~operate a golf cart in accordance with Section 62-84 shall provide the name of~~
191 ~~the minor at the time of registration or renewal of the registration. Registrants~~
192 ~~who reside within the City may schedule a time for a representative of the~~
193 ~~City to inspect the golf cart and the residence. Registrants who reside outside~~
194 ~~the City of Edgewood shall be responsible for lawfully transporting the golf~~
195 ~~cart to the City Police Department for inspection and registration.~~
196

197 (e) The owner of a golf cart to be operated on designated City Streets
198 pursuant to this Article shall provide proof of insurance coverage at the time
199 of registration or renewal.
200

201 Sec. 62-86. Enforcement.
202

203 (a) The City of Edgewood may enforce the provisions of this Article
204 through any legal means including prosecuting violations of this Article
205 pursuant to Chapter 162, Florida Statutes.
206

207 (b) The operation of an unregistered Golf Cart, the operation of a Golf
208 Cart which has been modified so as to no longer comply with the provisions
209 of this Article, the operation of a Golf Cart without minimum required
210 equipment for the conditions, and the operation of any Golf Cart on non-
211 designated City Streets presents an immediate threat to the public health,
212 safety and welfare. Accordingly, anyone adjudged by a court of competent
213 jurisdiction, a code enforcement board, a code enforcement special magistrate,
214 or the City Council, sitting in a quasi-judicial capacity, shall be subject to
215 revocation of Golf Cart registration.
216

217 **SECTION 3.** The provisions of this ordinance shall be codified as and become and be
218 made a part of the Code of Ordinances of the City of Edgewood.
219

220 **SECTION 4.** If any section, sentence, phrase, word or portion of this ordinance is
221 determined to be invalid, unlawful or unconstitutional, said determination shall not be
222 held to invalidate or impair the validity, force or effect of any other section, sentence,
223 phrase, word or portion of this ordinance not otherwise determined to be invalid,
224 unlawful or unconstitutional.
225

226 **SECTION 5.** All ordinances that are in conflict with this ordinance are hereby repealed.
227

228 **SECTION 6.** This ordinance shall become effective immediately upon its passage and
229 adoption.

230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245

PASSED AND ADOPTED this _____ day of _____, 2023, by the
City Council of the City of Edgewood, Florida.

PASSED ON FIRST READING: _____

PASSED ON SECOND READING: _____

Richard A. Horn, Council President

ATTEST:

Sandra Riffle, City Clerk

**PUBLIC HEARINGS
(ORDINANCES – SECOND
READINGS & RELATED
ACTION)**

UNFINISHED BUSINESS

NEW BUSINESS

GENERAL INFORMATION

CITIZEN COMMENTS

BOARDS AND COMMITTEES

STAFF REPORTS

City Attorney Smith

Police Chief DeSchryver

Edgewood Police Department
City Council Report
December 2023

	November	December
Residential Burglaries	0	1
Commercial Burglaries	1	0
Auto Burglaries	0	1
Theft	3	1
Assault/Battery	1	4
Sexual Battery	0	0
Homicides	0	0
Robbery	0	0
Traffic Accident	18	20
Traffic Citations	69	58
Traffic Warnings	71	81
Felony Arrests	6	4
Misdemeanor Arrests	3	6
Warrant Arrests	2	1
Traffic Arrests	3	2
DUI Arrests	2	1
Code Compliance Reports	18	20

Department Highlights:

- On December 1st the Edgewood Police Department participated in the 8th Annual Santa Fly in held in the Edgewood Complex.
- On December 1st the Central Florida Criminal Justice Association hosted its annual staff assistant appreciation breakfast. Chief DeSchryver and Deputy Chief Garcia were in attendance to celebrate Shannon Patterson, Stacey Salemi and Haymee Watkins.
- On December 6th Detective Crock and Sergeant Cardinal worked off duty for the Pop Warner Super Bowl in which they met the Edgewood Eagles Football Team from Rhode Island.
- On December 13th the Edgewood Police Department and Edgewood City Hall presented a trailer load of toys and non-perishable foods to the Orlando Union Rescue Mission.
- From December 15th through January 1st, the Edgewood Police Officers participated in Drive Sober or Get Pulled Over. During this time, Officer Scott Zane conducted a DUI stop on an individual who was involved in a hit and run.
- On December 15th Detective Crock and Haymee Watkins attended an LGBTQ+ training for Criminal Justice Professionals & Allies.
- On December 22nd, the Edgewood Police Department and City Hall had their annual Holiday Party and swore in the three newest members of the Agency.

Reporting Dates: December 1st – 31st

City Clerk Riffle

MAYOR & CITY COUNCIL REPORTS

Mayor Dowless

Council Member Chotas

Council Member Pierce

Council Member Rader

Council Member Lomas

Council President Horn

ADJOURN