



MONDAY, MARCH 9 2026 PLANNING & ZONING MEETING

City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Monday, March 09, 2026 at 6:30 PM

David Nelson
Chair

Caleb Castro
Vice-Chair

Evan Franco
Board Member

Todd Nolan
Board Member

Angie Sharp
Board Member

AGENDA

WELCOME! We are very glad you have joined us for today’s Planning and Zoning meeting. The Planning and Zoning Board is an advisory board to City Council comprised of citizen members who voluntarily and without compensation devote their time and talents to a variety of zoning and land development issues in the community. All P&Z recommendations are subject to final action by City Council. The results of today’s meeting will be presented at the noted City Council meeting for approval of recommended actions. Any person desiring to appeal a recommended action of the Board should observe the notice regarding appeals below. **CAUTION:** Untimely filing by any appellant shall result in an automatic denial of the appeal.

A. CALL TO ORDER & PLEDGE OF ALLEGIANCE

B. ROLL CALL AND DETERMINATION OF QUORUM

C. APPROVAL OF MINUTES

- 1. February 9, 2026 Planning & Zoning Meeting Minutes

D. NEW BUSINESS

E. UNFINISHED BUSINESS

- 1. Proposed Parking Regulations - Continued Discussion

F. COMMENTS/ANNOUNCEMENTS

G. ADJOURNMENT

UPCOMING MEETINGS

Tuesday, March 17, 2026.....City Council Meeting 6:30 PM
Monday, April 13, 2026.....Planning & Zoning Meeting 6:30 PM

General Rules of Order

You are welcome to attend and express your opinion. The Board is pleased to hear non-repetitive comments related to business before the Board; however, a **five (5) minute time limit per person** has been set by the Board. Large groups are asked to name a spokesperson. If you wish to appear before the Board, please fill out an Appearance Request Registration Form and give it to the City Clerk. When recognized, state your name and speak directly into the microphone. The City is guided by **Roberts Rules of Order** in governing the conduct of the meeting. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at (407) 851-2920 at least 24 hours in advance of the meeting.

We ask that all electronic devices (i.e. cell phones, pagers) be silenced during our meeting!

Thank you for participating in your government!

Appeals

According to Edgewood City Code Section 26-24 (2), “any person aggrieved by any recommendation of the Board acting either under its general powers or as a Board of Adjustment may file a notice of appeal to the City Council within seven (7) days after such recommendation is filed with the City Clerk. Per **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 proceeding 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**.

CALL TO ORDER & PLEDGE OF ALLEGIANCE

ROLL CALL & DETERMINATION OF QUORUM

APPROVAL OF MINUTES



PLANNING AND ZONING BOARD MEETING

City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Monday, February 9, 2026 at 6:30 PM

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MINUTES

These minutes provide a summary of the key discussions and decisions made during the February 9, 2026 Planning & Zoning Board Meeting. A complete audio recording of the meeting is available for public review for one year. After one year, the City will dispose of the recording in accordance with applicable regulations. To access the recording, please contact Edgewood City Hall at 407-851-2920.

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Chair Nelson called the meeting to order at 6:31 pm and led everyone in the Pledge of Allegiance.

ROLL CALL AND DETERMINATION OF QUORUM

Administrative Project Manager Sollazzo confirmed a quorum with three (3) board members present. Board Member Nolan had an excused absence, and Vice Chair Castro had not notified staff of an absence. Vice Chair Castro arrived at 6:43 pm, at which time the quorum increased to four (4) board members present.

BOARD MEMBERS PRESENT

Chair David Nelson
Vice Chair Caleb Castro (arrived at 6:43 pm)
Board Member Evan Franco
Board Member Angie Sharp

STAFF PRESENT

Brett Sollazzo, Administrative Project Manager
Drew Smith, City Attorney
Ellen Hardgrove, City Planner
Allen Lane, City Attorney
Michael Fraticelli, Police Sergeant

BOARD MEMBERS ABSENT

Board Member Todd Nolan

APPROVAL OF MINUTES

January 12, 2026 Planning & Zoning Meeting Minutes

Chair Nelson made a motion to approve the January 12, 2026 Planning and Zoning meeting minutes as presented. The motion was seconded by Board Member Sharp. Approved (3/0) by voice vote.

NEW BUSINESS

1. VARIANCE 2026-01: 4905 LAKE GATLIN WOODS COURT BOAT DOCK

Engineer Lane presented Variance 2026-01 for 4905 Lake Gatlin Woods Court. The subject property is a lakefront lot with approximately 23 feet of shoreline frontage along Lake Gatlin, as shown on the survey included in the meeting packet.

Engineer Lane explained that the applicant is requesting two side setback variances to allow a proposed dock to be set back three (3) feet from both the north and south property lines in lieu of the required ten (10) feet, as required by Chapter 14-11(B)(1) of the City Code for lots with less than 100 feet of shoreline frontage. Given the limited 23-foot-wide shoreline, compliance with the 10-foot setbacks would significantly restrict the ability to construct a functional dock.

Engineer Lane also addressed the third variance request related to dock size. The Code limits the maximum terminal platform area to 12 times the linear shoreline frontage. With 23 feet of frontage, the maximum permitted terminal platform area would be 276 square feet. The application indicated a proposed 405-square-foot terminal platform; however, upon review, Engineer Lane clarified that the actual walkable terminal platform area is 175 square feet. As this is below the 276-square-foot maximum allowed by Code, staff determined that the size variance is not necessary.

Engineer Lane confirmed that he had reviewed the application, site plan, and supporting materials. He stated that he had no objection to approval of the side setback variances. In response to a question from Chair Nelson regarding whether the terminal area included space under roof, Engineer Lane clarified that the calculation applies to the walkable area, including the area under the boat slip itself.

Sean Milligan and Megan Milligan, the homeowners and applicants, addressed the Board. They stated that the lot was originally platted in 1977 and that no changes have been made to the property configuration since that time. They explained that the dock was designed as a minimal structure with a lift and a roof cover, consistent in scale and character with neighboring docks.

PUBLIC COMMENT

Ian, Finn, and Rory Milligan, the homeowners’ children, spoke in support of the request. They asked the Board to recommend approval of the dock variance so their family can continue to have access to the water. There were no additional public comments.

After public comment, a brief discussion took place between Board Members and Staff. Staff clarified that the third variance for dock size does not appear to be necessary based on the corrected terminal platform calculation.

MOTION & ROLL CALL VOTE

Chair Nelson made a motion to recommend approval of Variance 2026-01 to allow a 3-foot setback from the north and south property lines in lieu of the required 10-foot setbacks. The motion was seconded by Board Member Franco and approved (4/0) by roll call vote.

Chair Nelson	Favor
Vice Chair Castro	Favor
Board Member Franco	Favor
Board Member Sharp	Favor
Board Member Nolan	Absent

2. 4901 S ORANGE AVE. MOSAIC SALON SITE PLAN APPROVAL

Planner Hardgrove presented the Site Plan for 4901 South Orange Avenue, the site of the former Baldwin Fairchild Funeral Home. The subject property was originally approved in 1982 as part of "Versailles Plaza III". She explained that although the property has since been separated from that original site plan, the parking lots remain physically linked. The applicant is proposing significant improvements to the site by transforming the building into a two-suite, multi-tenant commercial space. This scope of work includes interior structural alterations, a modernization of the building facade, and comprehensive parking lot upgrades.

Planner Hardgrove noted that the site plan significantly improves the property’s functional quality by repaving and restriping the parking lot, providing a screened dumpster enclosure, and locating ADA-compliant stalls and ramps adjacent to the entrance. Regarding landscaping, she clarified that because no building expansion is proposed, the lot remains governed by 1974 landscaping standards. However, the applicant is proposing additional landscaping and agreed to follow the City’s Landscape Architect recommendation to replace the three existing crape myrtles along Orange Avenue since they have been damaged beyond recovery and should be replaced. Staff recommended approval subject to two conditions: the replacement of these crape myrtles with evergreen understory trees—which are more consistent with the ECD corridor design and safer for overhead utility lines—and the recording of a formal cross-access easement to preserve the Code-required connection with the property to the south.

In response to a question from Vice Chair Castro regarding changes to the parking count or the existing apron, Planner Hardgrove clarified that there are no changes proposed for the apron. She stated the project focuses on cleaning up the parking layout and relocating ADA spaces, noting that the on-site parking is sufficient for the proposed use.

Mike Van den Abbeel, salon owner and applicant, addressed the Board. He expressed his appreciation for the expedited process and stated that as an owner-occupier who also operates in the Ivanhoe and Milk Districts, he has a deep interest in the property's long-term care. He confirmed that he has no objections to the tree replacement condition and has wanted to establish a presence in Edgewood for some time.

PUBLIC COMMENT

There was no public comment.

MOTION & ROLL CALL VOTE

Board Member Sharp made a motion to recommend approval of the Mosaic Salon site plan, dated received February 3 2026, for the property at 4901 South Orange Avenue, subject to the following conditions:

1. Prior to issuance of the Certificate of Occupancy, a cross-access easement must be recorded in the Orange County public records to ensure vehicular and pedestrian connectivity with the adjacent Versailles Plaza III property to the south.
2. The three existing crape myrtles along Orange Avenue shall be replaced with evergreen understory trees approved by the City’s Landscape Architect.

The motion was seconded by Vice Chair Castro and approved (4/0) by roll call vote.

Chair Nelson	Favor
Vice Chair Castro	Favor
Board Member Franco	Favor
Board Member Sharp	Favor
Board Member Nolan	Absent

3. SPECIAL EXCEPTION 2026-02: THRIVE SALON SUITES TATTOOING

Planner Hardgrove presented the Special Exception Application for a tattoo establishment located at 5631 South Orange Avenue, within the Edgewood Isle Shopping Center. She explained that this application was submitted as a remedial action after a code enforcement discovery revealed a tattoo business operating without the required Special Exception approval. The proposed business is situated inside "Thrive Studio Suites," an existing salon featuring individual suites for various personal services.

Planner Hardgrove detailed the specific zoning requirements for tattoo establishments, including the mandate that they not be located within 1,500 feet of an existing tattoo business. She noted that while a shop (Next Tatt2) was previously located at 5906 South Orange Avenue within that range, a recent site visit confirmed the space is vacant and for rent, thereby satisfying the separation requirement. Staff recommended approval of the Special Exception subject to a condition for window transparency to remain consistent with the pedestrian-oriented goals of the Edgewood Commercial District (ECD).

In response to a question from Chair Nelson regarding whether the Code-mandated time restrictions of 8:00 a.m. to 9:00 p.m. still applied if the business was located inside a salon, Attorney Smith and Planner Hardgrove confirmed that the restrictions remain in effect.

Shante Buggs, the owner and applicant, addressed the Board and stated she has been in Edgewood since early 2022. She explained that she had two tattoo professionals in the space without initially realizing a Special Exception was required. Following a cease-and-desist order, one professional left, and the other now wishes to return to the location. Ms. Buggs described her business as a professional, low-traffic model that operates primarily on an appointment-only basis with no exterior signage. She noted that because the studio is located deep within the building, with other suites like a nail salon occupying the windowed spaces, the tattooing activity is not visible from the outside. She expressed a desire to remain inclusive and competitive within the current market while operating as a professional tenant.

PUBLIC COMMENT

There was no public comment.

MOTION & ROLL CALL VOTE

Chair Nelson made a motion to recommend approval of Special Exception 2026-02 to allow a tattoo establishment at 5631 South Orange Avenue (Thrive Studio Suites) subject to the following condition:

- The street-facing windows and doors shall maintain transparency, including but not limited to: no use of opaque window tints, curtains, or "blacked-out" vinyl wraps, and no placement of interior fixtures or furniture that would obstruct views into the studio from the exterior.

The motion was seconded by Vice Chair Castro and approved (4/0) by roll call vote.

Chair Nelson	Favor
Vice Chair Castro	Favor
Board Member Franco	Favor
Board Member Sharp	Favor
Board Member Nolan	Absent

UNFINISHED BUSINESS

1. PROPOSED PARKING REGULATIONS UPDATE

Planner Hardgrove presented a briefing on the proposed parking regulation update, addressing the "Regulatory Dilemma" where older buildings often fail to meet modern parking requirements, leading to vacancies and blight. She noted Council’s consensus for a "market-lenient" hybrid model that allows for parking relief in exchange for property improvements, which is consistent P&Z’s discussion from January.

Planner Hardgrove explained that the proposal will be sent to Board members in the near future and summarized the approach as a Tiered/Duration Model, where the length of a parking waiver is directly linked to the quality of site improvements. The model consists of three levels:

- **Tier 1 ("Paint-and-Patch"):** A 2-year waiver focused on immediate blight removal, requiring cosmetic refreshes, site maintenance, and clear window displays.
- **Tier 2 (Transitional Investment):** A 5-year waiver requiring cumulative Tier 1 improvements plus pedestrian infrastructure, narrowed driveways for access management, and dumpster screening.

- **Tier 3 (Permanent Asset):** An indefinite waiver requiring full integration into the City's architectural vision, including a high-quality façade overhaul, residential buffering with 7-foot brick walls, and permanent concrete connectivity to public sidewalks.

Planner Hardgrove concluded by noting that this model provides immediate utility for owners of previously "un-leasable" buildings while ensuring the City receives incremental aesthetic and safety upgrades. She indicated that this overview sets the stage for what the Board can expect as the regulations move toward formalization in upcoming meetings.

ADJOURNMENT

The meeting was adjourned at 7:14 PM.

David Nelson, Chair

Brett Sollazzo, Administrative Project Manager

NEW BUSINESS

UNFINISHED BUSINESS



Date: March 4, 2026
To: Planning and Zoning Board
From: Ellen Hardgrove, City Planning Consultant
XC: Drew Smith, City Attorney
Sandy Riffle, City Clerk
Brett Sollazzo, Administrative & Permitting Manager
Re: Continued Review of Off Street Parking Re-Write

As we briefly discussed at the last board meeting, the section of the proposed parking regulation related to the interim use of legacy buildings has been rewritten and attached for your review. This section of the proposed regulation addresses the Preservation vs. Progress Dilemma.

The central challenge lies in balancing properties with long-standing investments with the City's goal to transition from the car-centric model to the new ECD vision. Since the City's code requires that adequate parking be available for "any use hereafter established," the approval of uses in these old sites can sometimes be impossible because the required parking is not available onsite. The idea is to allow a waiver in parking quantity requirements to allow the continued use of the old buildings but not inadvertently extend the lifespan of structures that do not align with the long-term land-use vision for the Orange Avenue corridor.

Below is a basic summary of the proposal for this policy direction. The full regulation follows. The framework is a staircase of compliance. The longer the waiver, the higher the investment in the community's aesthetic and infrastructure. A business can enter at the level that matches their current budget and long-term intent. Transition to the next tier is possible.

Tier 1: The "Paint-Patch-and Landscape" Period (Short Term)

For small start-ups or short-term leases (2 years), the focus is on immediate blight removal. Owners are not forced into \$100,000+ renovations immediately. Instead, they must provide:

- Fresh paint (no neon/day-glow) and irrigated landscaping per the original site plan, including fresh "edged" mulch beds.
- Repave asphalt and restripe spaces per the original site plan or code.
- In ECD, Windows must remain clear and active; "blacked-out" vinyl wraps or storage blocking glass is prohibited.

Tier 2: The Transitional Investment (Intermediate Term)

If a business is proposed to remain for a 5-year term, the requirements begin to contribute more to the ECD vision.

- All Tier 1 requirements
- Provision of a three-sided masonry dumpster enclosure per code requirements.
- Consolidating driveways to make the street safer for cars and pedestrians.

- Recording of cross-access easements to allow vehicle flow between adjacent properties.
- Installation of ECD-standard wide sidewalks and dedicated pedestrian easements.
- Bike parking provided
- Refreshed street facing façade

Tier 3: Long Term

Property owners that wish to keep their building indefinitely are held to the highest standard, ensuring they become a "Permanent Asset" to the City. In addition to the Tier 2 requirements, the following is required:

- All Tier 1 and 2 requirements, as specified
- Façade restoration, such as removal of "false" facades, masonry tuck-pointing, and replacing doors and windows.
- A professional stormwater management retrofit.
- A 7-foot brick wall to protect adjacent residential neighbors.
- Permanent concrete paths connecting the building to the public sidewalk.

All Tiers: "Universal Requirements"

All approvals are conditioned on meeting the "Universal Conditions" including:

- **ADA Upgrades:** Mandatory exterior building rehabilitation to meet ADA standards and provision of all required ADA parking on-site.
- **Customer-Only Parking:** Owners must sign affidavits reserving all on-site spots for customers; staff and fleet parking on-site is strictly prohibited.
- **Safety Corrections:** Any "back-out" parking (where cars reverse into public streets) must be removed and replaced with landscaping.

A summary of the approval processes for each tier is listed in the table below.

Feature	Tier 1 (Short-Term)	Tier 2 (Intermediate)	Tier 3 (Long Term)
Duration	2 years	5 years	Long Term
Approval	Administrative*	Administrative*	P&Z and City Council
Use Permit/Full Requirement Compliance Deadline	60 Days after approval	90 Days after approval	180 Days after approval
Note on Residential Adjacency/Access (*): A waiver for any structure on a site with any portion of its vehicular access (including secondary or service drives) connected to a non-arterial street that feeds into a residential neighborhood requires P&Z/City Council approval regardless of the Tier.			

The proposed eligible properties are limited to those with legally existing structures built prior to November 5, 1974. This date was chosen since it is the date where the City established relatively

modern parking design regulations, essentially requiring landscaping, which affected the provision of parking onsite. Other dates considered were as follows.

- Pre 1957 When development regulations were first used (County's) which included Article XIX Parking Quantity requirements [Prior to City's current charter]
- 1964 Jan 24 When the City first adopted Orange County Zoning Regulations [after charter]
- 2003 Jun 3 When City Revised City landscape standards which again impacted parking design

Using the latest date, 2003, would essentially make all parcels in the City eligible. Tables at the end of this report provide a listing of properties by the considered eligible date.

While most uses in legacy structures will be eligible for a waiver, Places of Assembly are strictly ineligible. Their high-intensity, simultaneous demand for parking is incompatible with the intent of this relief and would create unmanageable spillover into nearby properties.

The proposed framework also allows for "Use Portability" within the waiver period:

- Interchangeable Uses: Once a waiver is granted, uses with similar parking quantity requirements may be interchanged without further consideration for the remainder of the approved waiver duration.
- Tier Transitions: Owners are not locked into their initial selection; transitions to a higher tier (providing a longer duration in exchange for increased investment) are possible.

The following pages provide the detail of the proposed regulation.

ESH

1 **Section 134-609: Waivers for Legacy Properties**

2 **(A) Intent and Purpose.**

3 The purpose of this section is to provide a mechanism for the approval of uses on parcels developed
4 prior to modern land development regulations that have insufficient on-site off-street parking. The
5 primary focus is to facilitate the transition from car-centric models to the Edgewood Central
6 District (ECD) vision by preventing blight and allowing temporary occupancy while prioritizing
7 long-term redevelopment, but can be used for similar developed parcels in other parts of the City.
8 This waiver mechanism is administered as a component of the standard Zoning Permit review
9 process.

10 **(B) Eligibility and Applicability.**

- 11 1. **Existing Structures:** Application shall be limited to only legally existing structures built
12 prior to November 5, 1974 (when landscape regulations were established)
- 13 2. **Universal Ineligibility:** The following are ineligible for any parking waiver:
- 14 o Places of Assembly.
 - 15 o Any property with an active code enforcement case, a recorded lien, or a pending
16 hearing before the Code Enforcement Magistrate.
 - 17 3. **Residential Adjacency/Access:** Consideration of a waiver for any structure on a site with
18 any portion of its vehicular access, including secondary or service drives, connected to a
19 non-arterial street that provides ingress/egress into a residential neighborhood shall require:
20 o Public Hearings: A public hearing before the Planning and Zoning Board for a
21 recommendation and a subsequent public hearing before the City Council for final
22 action, with both hearings advertised in accordance with the standards for special
23 exception applications.
24 o Mitigation Plan: A mitigation plan detailing measures to prevent negative impacts on
25 nearby residential areas, such as specific operational limits, enhanced buffering, or
26 traffic calming measures. Any Mitigation Plan proposing the closure of the access onto
27 the non-arterial road shall require physical removal of the access point/driveway apron
28 and full restoration of the vertical curb to City Engineering Standards to maintain
29 uniformity with the rest of the street.
30 o Waiver issuance is dependent on a City Council approved mitigation plan.
 - 31 4. **Burden of Proof and Documentation Requirements:** The property owner shall bear the
32 sole responsibility for providing the documentation necessary to establish eligibility under
33 this section. The City shall not be responsible for researching historical records, site plans,
34 or verifying past conditions.

35
36 **(C) General Conditions of Issuance.**

- 37 All waivers issued under this section shall comply with the following "Universal Conditions":
- 38 1. **Fleet Parking:** No storage/parking of company or fleet vehicles shall be permitted on the
39 subject property.

- 40 2. **Quantity Cap:** Administrative issuance of parking waivers is capped at 50% of the
41 standard minimum parking requirement. Applications seeking a reduction greater than 50%
42 must be authorized by the City Council. City Council’s consideration shall be at a public
43 hearing that follows a public hearing with the Planning and Zoning Board. Regardless of
44 the percentage of reduction granted, all sites must provide the minimum on-site parking
45 space count established in subsection (C)(3). The procedural requirements for the public
46 hearings shall be identical to those required for a Special Exception. The City Council may
47 impose supplemental conditions of approval to mitigate the impact of the increased parking
48 deficit.
- 49 3. **Minimum On-Site Count:** No waiver shall be granted that reduces the total number of
50 on-site parking spaces to fewer than three (3). Of these three required spaces, at least one
51 (1) shall be designated and constructed as an accessible ADA space. Properties unable to
52 provide a minimum of three (3) physical spaces on-site are ineligible for an administrative
53 waiver under this section.
- 54 4. **ADA Compliance:**
- 55 a. **Calculation of ADA Stalls:** While the waiver may reduce the total number of standard
56 parking spaces required, it shall not reduce the number of ADA-compliant spaces
57 required by the Florida Building Code or federal standards. If the standard (non-
58 reduced) parking calculation for the use would require more than one (1) ADA space,
59 the applicant must provide the higher number of ADA spaces on-site. In the event that
60 Florida Building Code ADA requirements exceed the physical capacity of the site to
61 provide the minimum on-site parking count, the property shall be deemed ineligible for
62 a waiver under this section.
- 63 b. **Site Rehabilitation:** Issuance of any parking waiver is contingent upon the site
64 achieving full exterior ADA accessibility. This includes, but is not limited to, compliant
65 accessible stalls, access aisles, and a continuous "accessible route" from the parking
66 area to the building entrance.
- 67 c. **Interior Compliance:** Requirements for interior building accessibility shall be
68 governed by the Florida Building Code and are not modified by the issuance of a
69 parking waiver.
- 70 5. **Signage:** All non-ADA spaces shall be signed for “Customer Parking Only.”
- 71 6. **No Footprint Expansion:** Waivers are limited to the existing gross building square
72 footage. Any expansion of the building footprint voids the waiver. Expansion of outdoor
73 commercial areas (e.g., dining), service or storage area requires City Council approval.
- 74 7. **Change of Use:** Waivers are issued for the specific use category identified at the time of
75 application.
- 76 a. **Change to a use with equal or less parking demand:** A change of use to a different
77 use with a parking demand equal to or less than the use for which the waiver was
78 originally issued is permitted during the waiver period without a new application.
79 However, the change of occupancy or use shall not reset, stay, or extend the original
80 waiver expiration date. The original waiver term continues to run from the date of the
81 original issuance.

82 b. **Change to a use with a higher off-street parking requirement:** Any change of use
83 that results in a higher off-street parking requirement under the City Code shall require
84 a new waiver application prior to the issuance of a City Zoning Permit. The approval
85 of a higher-demand use shall not reset, stay, or extend the original waiver expiration
86 date established by the first application.

87 **(D) Tiered Process, Conditions of Approval and Duration.**

88 All granted waivers shall comply with the specific investment, operational, and administrative
89 requirements associated with the requested waiver duration as established in Table 134-609-1.

90 **1. Inspection & Initial Review:** Upon application for a City Zoning Permit, if a parking
91 waiver is determined to be needed, the City Planner (or designee) shall inspect the site and
92 provide the applicant a list of site improvements necessary for the requested waiver to be
93 issued per Table 134-609-1.

94 **2. Deviations:** Any proposed deviation from the Table 134-609-1 requirements shall require
95 approval from City Council. Consideration of deviations shall occur at a Public Hearings
96 before both the Planning and Zoning Board and the City Council. Such hearings shall be
97 conducted in accordance with the standards and advertising requirements established for
98 Special Exception applications.

99 **3. Conditions of Issuance:** Issuance of the requested waiver requires formal City verification
100 that all requirements have been satisfied. The applicant shall notify the City for a final
101 inspection once the site is ready; all waiver conditions must be fully met prior to the
102 issuance of a Certificate of Occupancy. Should an applicant fail to complete and obtain
103 final inspection approval for all required improvements within 12 months from the date of
104 waiver application, the waiver application shall be deemed null and void. Any subsequent
105 request for occupancy shall require a new waiver application, a re-evaluation of the site for
106 compliance with current regulations, and the payment of all applicable review and
107 inspection fees.

108 **4. Non-Compliance & Cure Period:** If the site is found non-compliant during the final
109 inspection, the applicant shall be granted a one-time, 30-day cure period to achieve full
110 compliance. This cure period shall apply even if it extends beyond the 12-month life of the
111 waiver application period. Failure to remediate all cited deficiencies within this 30-day
112 timeframe shall result in the automatic forfeiture of the waiver application by operation of
113 law. No further extensions shall be granted administratively beyond this 30-day window.
114 Any subsequent request for occupancy shall require a new waiver application, a re-
115 evaluation of the site for compliance with current regulations, and the assessment of a new
116 review fee to cover administrative costs and site re-inspection.

117 **5. Continued Compliance:** Continued Compliance with waiver requirements is required
118 through the duration of the waiver period. If the site is found non-compliant during the
119 waiver duration, the applicant will be given a 30-day cure period from the date of the
120 inspection to achieve full compliance. Failure to remediate all cited deficiencies within the
121 allotted timeframe shall be presented to the Code Enforcement Magistrate and may result
122 in the suspension of the waiver and up to a \$250 per day fine imposed for each day of

123 continued operation of the site until compliance is restored, unless an extension is granted.
124 The cure period does not extend the waiver expiration date.

125 7. **Waiver Expiration & Cessation of Use:** The City will provide a "Courtesy Notice of
126 Expiration" to the property owner 90 days prior to the waiver's date of expiration sent via
127 U.S. Mail to the address of the property owner of record as listed in the Orange County
128 Property Appraiser's database. However, it shall be incumbent upon the property owner to
129 track the expiration date; the failure of the City to provide, or the owner to receive, a
130 courtesy notice shall not invalidate the expiration. Should the waiver expire, the use
131 authorized by said waiver shall immediately cease. If it does not, the matter shall be
132 presented to the Code Enforcement Special Magistrate and fines up to \$250 per day may
133 be imposed for each day the use continues in non-compliance. Consideration of any future
134 waiver may only be to the next tier.

135 8. **Election of Waiver Extension/Tier Transition:** To maintain continuous operations
136 beyond the initial waiver expiration, the property owner must submit a Tier Transition
137 Application at least 60 days prior to the current waiver's expiration. Applications after 60
138 days will not be accepted.

139 a. **Tier 1 to Tier 2 Waiver Transition:** Upon timely application, the process established
140 in Section (D)(1) [Inspection & Initial Review] shall commence to identify required
141 Tier 2 requirements as set forth in Table 134-609-1. The owner is granted a one-year
142 (12-month) construction window, beginning on the original waiver expiration date, to
143 complete all required Tier 2 physical improvements. If the Tier 2 requirements are not
144 completed and verified via City inspection within this one-year window, the use
145 authorized by the original waiver shall immediately cease. If it does not, the matter
146 shall be presented to the Code Enforcement Special Magistrate and fines up to \$250
147 per day may be imposed for each day the use continues in non-compliance.

148 b. **To Tier 3 Transition:** Applications for a Tier 3 Waiver requires full public hearings as
149 identified in Table 134-609-1 with demonstration of full compliance established at the
150 hearing, but never longer than one year from the City Council approval.

151 The City shall not process any Tier Transition Application unless the subject property is in
152 full compliance with all requirements of the currently active tier at the time of submittal.
153 Any outstanding code enforcement violations or unfulfilled conditions of the existing
154 waiver must be cured prior to tier transition application acceptance and within the 60 day
155 established application period.

156
157 The existence of code violations, maintenance deficiencies, or the owner's failure to pass
158 a full compliance audit shall not stay, toll, or extend the Tier Transition 60-day application
159 deadline or the waiver expiration date. It is the sole responsibility of the owner to ensure
160 the site is in a "review-ready" condition prior to the application window. Any delay in
161 processing resulting from the owner's failure to maintain the site shall not be grounds for
162 an administrative extension or a claim of City-induced delay.

Table 134-609-1: Tiered Waiver Requirements

Feature	Tier 1: Interim Use 2 Years Duration	Tier 2: Transitional Use 5 Years Duration	Tier 3: Long Term/ Indefinite Duration
Property Stewardship	<ul style="list-style-type: none"> ▪ Fresh paint on the building(s). Neon, day-glow/bright colors, highly reflective colors, or similar colors are prohibited on all building exteriors. ▪ Landscaping with irrigation shall be re-established, at a minimum, according to formerly approved site plan. Without site plan, landscaping requirements shall be consistent with the applicable codes corresponding to building date. ▪ All unpaved areas must be freshly mulched and "edged" (defined borders). 	<ul style="list-style-type: none"> • All Tier 1 requirements. • Construction of permanent, 3 sided masonry with gate-screened dumpster enclosures: per code requirements . 	All Tier 1 & 2 requirements.
Vehicular Use Area Repair/Compliance	<ul style="list-style-type: none"> ▪ The vehicular use are shall be repaved to eliminate cracked asphalt/potholes. ▪ Parking spaces shall be restriped to re-establish parking spaces in accordance with the formerly approved site plan or consistent with current code design standards. Without site plan availability, parking requirements from the applicable codes (corresponding to building date) shall apply, although in no case shall the parking provided be less than the "Minimum On-Site Count" established in Section (C)(3). ▪ Regardless of any historical site plan approval or previous configuration, no parking space shall be allowed that requires a vehicle to back directly into a public right-of-way. All on-site parking and loading areas shall be designed to allow vehicles to enter and exit the property in a forward motion. Any historical "back-out" spaces shall be eliminated and replaced with compliant landscaping. 	All Tier 1 requirements.	All Tier 1 & 2 requirements.

Feature	Tier 1: Interim Use 2 Years Duration	Tier 2: Transitional Use 5 Years Duration	Tier 3: Permanent Waiver Indefinite Duration
Access Management:		Elimination of redundant or oversized driveways, unless determined by City Engineer to be necessary for onsite vehicular circulation. If cross access is available from adjacent property and the connection to the subject property is practical, elimination of driveway connection to State Road 527 may be required.	All Tier 2 requirements.
Cross access Easement		If located within the ECD, an easement to facilitate cross access to adjacent non-residential zoned property, as determined by the city engineer, shall be identified on a site plan and recorded in Orange County Records.	All Tier 2 requirements.
Structure & Aesthetics	If in ECD, front-facing glass shall remain transparent or be used for active displays. Opaque window tints, heavy curtains, or "blacked-out" vinyl wraps, boarded-up windows, or situating interior fixtures/furniture or storage that will block a window is prohibited.	<p>All Tier 1 requirements.</p> <p>If located in ECD, installation of ECD-standard sidewalk in the People Space shall be provided, which may include the establishment of a pedestrian easement if the existing right-of-way is insufficient.</p> <p>If located in ECD, the facade shall be refreshed to work towards the ECD building design standards to the extent possible as determined by the City Planner (or designee).</p>	<p>All Tier 1 requirements.</p> <p>If located in ECD, installation of ECD-standard sidewalk in the People Space shall be provided, which may include the establishment of a pedestrian easement if the existing right-of-way is insufficient.</p> <p>If in ECD, ECD Façade Rehab shall be required. Such as removal of non-contributing false facades, non-sandblasting building cleaning, stucco restoration, tuck-pointing masonry, painting, replacement or reconstructive woodwork, new doors and windows, and restoration of historically appropriate doors, windows, or building features.</p> <p>Professional stormwater management assessment and retrofit to the maximum extent practicable as determined by the City Engineer.</p>

Feature	Tier 1: Interim Use 2 Years Duration	Tier 2: Transitional Use 5 Years Duration	Tier 3: Permanent Waiver Indefinite Duration
Alternative Transportation Modes		Bike parking shall be provided consistent with Code section 134-470.	<p>Same as Tier 2</p> <p>A permanent paved/concrete 6 feet wide pedestrian path shall be provided to connect the building to the public sidewalk.</p>
Fencing & Walls			<p>If in the ECD, with the exception of decorative railings for outdoor cafes, fences are not allowed forward of the building on any street side. Decorative railings for cafes shall not exceed three feet in height. Fences/walls onsite shall not create a barrier to existing or future cross access easements. Maximum height of fences/wall will be 48 inches, except along the property lines shared with a residential lot, where the wall can be a maximum of eight feet in height. Chain link fencing, when allowed, must be black vinyl-coated and not be visible from a road public right-of-way.</p> <p>Provision of Wall adjacent to Low Density Residential Property (including across a railroad or street): A minimum 7 feet high opaque brick wall, of colors normally found in manufactured fired brick, shall be constructed on or within five feet from the property line between the subject property and residential property.</p>

Feature	Tier 1: Interim Use 2 Years Duration	Tier 2: Transitional Use 5 Years Duration	Tier 3: Long Term Duration
Administrative Requirements	<p>1. Future Intent Sworn Affidavit: Applicant must sign a "Future Intent" affidavit acknowledging that if a subsequent waiver tier is not granted, the use of the property shall cease at the expiration date.</p> <p>2. Towing Authority Sworn Affidavit: An affidavit from the property owner/leasee stating that the city police department has authority to tow vehicles not in an approved parking space that pose a safety threat or on a landscape/open space/stormwater management area.</p> <p>3. Staff and Operational Parking Management Sworn Affidavit: A statement acknowledging that all on-site parking spaces are reserved exclusively for customer use and are prohibited for use by owners, tenants, employees, or suppliers, except for active deliveries (not to exceed 30 minutes). The affidavit must declare the specific location(s) where the applicant intends for staff to park. The applicant further acknowledges that they have formally instructed all staff to maintain on-site spaces for customers and that failure to manage staff parking may result in a violation of the waiver conditions.</p>	<p>1. All Tier 1 Affidavits.</p> <p>2. Binding Site Plan + Façade Plan: Staff approved site plan demonstrating site investments and Façade Improvement Plan with renderings (including colors) of all building sides facing a public ROW.</p>	<p>1. Binding Site Plan + Façade Plan: Site plan demonstrating investments and Façade improvement plan with renderings (including colors) of all building sides facing a public ROW.</p> <p>2. Listing of Mitigation Measures. If a Shared Parking agreement is used for mitigation, an affidavit shall be signed stating that should there be a breach of the agreement, the waiver is automatically revoked unless a replacement agreement is provided within 30 days.</p> <p>3. If in ECD, provision of a narrative demonstrating that the proposed site improvements provide a net benefit to the ECD that outweighs the impact of the parking deficiency is provided.</p> <p>4. Affidavits</p> <p>a. Expiration Sworn Affidavit: Applicant must sign an affidavit acknowledging that the Tier 3 waiver remains valid for the life of the structure. However, the waiver shall automatically expire upon:</p> <ul style="list-style-type: none"> • Damage or destruction of the building exceeding 50% of its assessed value. • Any request to increase the building's gross floor area. • A change to a more intensive Use Category <p>b. Towing Authority Sworn Affidavit: An affidavit from the property owner/leasee stating that the city police department has authority to tow vehicles not in an approved parking space that pose a safety threat or on a landscape/open space/stormwater management area.</p>

			<p>c. Staff and Operational Parking Management Sworn Affidavit: A statement acknowledging that all on-site parking spaces are reserved exclusively for customer use and are prohibited for use by owners, tenants, employees, or suppliers, except for active deliveries (not to exceed 30 minutes). The affidavit must declare the specific location(s) where the applicant intends for staff to park. The applicant further acknowledges that they have formally instructed all staff to maintain on-site spaces for customers and that failure to manage staff parking may result in a violation of the waiver conditions.</p> <p>5. Full Public Hearing (Per Special Exception Procedures)</p> <p>a. Decision Criteria: The Planning and Zoning Board and City Council shall evaluate compatibility, parking spillover, operational safety, and district character. If within the ECD, demonstration that the site and building, with proposed improvements, will be a "Permanent Asset" to the ECD</p> <p>b. Conditions of Approval: Specific conditions including limits on occupancy, hours, or mandatory valet/rideshare plans may be attached to approval.</p>
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The Waiver Navigation General Flow

1. Preliminary Eligibility Check (The Gatekeeper)

- Structure Age: Was it built before Nov 5, 1974? (If NO → Ineligible).
 - Prohibited Uses: Is it a Place of Assembly? (If YES arrow → Ineligible).
 - Compliance: Are there active code violations or liens? (If YES → Must cure before applying).
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2. The Access Determination (The Procedural Split)

- Standard Access: Does the property access only Arterial/Main roads?
 - *Path*: Administrative Review by City Planner.
 - Residential Adjacency: Does any access point touch a residential/non-arterial street?
 - *Path*: MANDATORY Public Hearings (PZB Recommendation → City Council Final Action + Mitigation Plan required).
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3. Application & Initial Review (Section D1)

- Site Inspection: City Planner inspects the site.
 - Deficiency List: Staff provides a "to-do" list of improvements based on the requested Tier (1, 2, or 3 Table).
 - The 12-Month Clock Starts: The applicant has one year to finish all Table requirements.
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4. The Final Approval Loop (Section D3 & D4)

- Final Inspection: Applicant requests inspection once work is complete.
 - Pass: Waiver is issued; Certificate of Occupancy (CO) approval possible.
 - Fail: Applicant gets a one-time 30-day cure period.
 - *Success*: Waiver issued.
 - *Failure*: Forfeiture by Operation of Law. Application is null and void; must start over with new fees.
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5. Life of the Waiver & Transitions (Section D7 & D8)

- Ongoing Compliance: Site must stay clean/compliant. 30-day cure for mid-term violations or face fines/suspension.
- The 60-Day Deadline: Tier 1 and 2 waivers are non-renewable. To maintain continuous operations beyond the expiration date, the owner must apply for the next Tier at least 60 days prior to the current waiver's expiration. Failure to apply within this window results in the mandatory forfeiture of the transition option.
- Expiration: If no transition application is submitted/approved, the use must cease immediately.

Properties Eligible for a Waiver Date Considerations

If Pre 1957 is used for the cut-off date of eligibility, the following properties are eligible Construction (No regulations)		
Address	Building Name	Year Constructed
627 Hoffner Avenue	Stone Fired Pizza	1951
5699 S. Orange Avenue	Fine Framing and Art	1952
5105 S. Orange Avenue	Freedom Insurance	1955
4200 S. Orange Avenue	Howard Wholesale	1952, 1956, 1956

If November 4, 1974 is used for the cut-off date of eligibility, the following additional properties become eligible 1957-1974 Construction (Essentially Parking Quantity-only)		
Address	Building Name	Year Constructed
5151 S. Orange Avenue	Baby & Kids Depot	1959
5108 S. Orange Avenue	Pine Castle Moose Lodge	1960
5001 S. Orange Avenue	Miracle Temple	1961
5529 S. Orange Avenue	Dawson Professional Center	1963
4710 S. Orange Avenue	Orange Holden Plaza	1960, 1962, 1963
4851 S. Orange Avenue	Statewide Auto Insurance	1964
5145 S. Orange Avenue	Beth's Burger Bar	1965
5565 S. Orange Avenue	Edgewood Police Department	1965
5028 S. Orange Avenue	Charlie Bell Property	1967
4936 S. Orange Avenue	Tops in Detail	1960, 1966, 1968
4853 S. Orange Avenue	Brinkman Accounting	1969
4864 S. Orange Avenue	SPR Services	1969
5250 S. Orange Avenue	Pine Castle Animal Hospital	1970
405 Bagshaw Way	Edgewood City Hall	1970
4948 S. Orange Avenue	Majestic Marble	1966, 1968, 1970
5104 S. Orange Avenue	Alumi Tech Airboats	1966, 1970
4893 S. Orange Avenue	East West Audio	1972
5511 S. Orange Avenue	Dan's Saw & Tool ¹	1915 (Converted to Dan's in 1972)
4201 S. Orange Avenue	The Waterfront	1956 (converted to a restaurant in 1972)
5416 Hansel Avenue	IB Golf Associates	1973
5025 S. Orange Avenue	MEC (Mansard Roof)	1973
4800 S. Orange Avenue	Le Coq Au Vin	1973

¹ Dan's Saw: A 1995 site plan for a 460 sq feet building, restricted use, required landscaping. The new building would have triggered meeting landscape requirements.

If June 3, 2003 is used for the cut-off date of eligibility the following additional properties become eligible
1974 -June 2003 (Parking followed 1974 Landscape Requirements)

Address	Building Name	Year Built
5601 S. Orange Avenue	Edgewood Isle	1974
5650 Hansel Avenue	7-Eleven	1975
5406 Hansel Avenue	Dean Yianilos	1976
5014 S. Orange Avenue	Charlie Bell Property	1977
4709 S. Orange Avenue	Wells Fargo Inc.	1978
4698 S. Orange Avenue	Action Gator Tire	1979
5380 S. Orange Avenue	Bob's Auto Works	1979
5398 S. Orange Avenue	Ward Warehouses	1979
4905 S. Orange Avenue	Versailles III Plaza	1982
4901 S. Orange Avenue	Baldwin Fairchild Funeral Home	1982
4809 S. Orange Avenue	Mystic Minerals	1982
5224 S. Orange Avenue	Adrenaline Film Production	1982
5520 Hansel Avenue	Automated Buildings	1984
4945 S. Orange Avenue	Versailles III	1985
4822 S. Orange Avenue	Dan Fuford Properties	1985
4861 S. Orange Avenue	Edgewood Professional Center	1986
5639 Hansel Avenue	Newman and Crane Associates	1987
5210 S. Orange Avenue	Nathaniel's Hope	1988
5515 S. Orange Avenue	Nationwide Roofing	1988
4401 S. Orange Avenue	Water's Edge Plaza	1989
5300 S. Orange Avenue	Bob Harrell Properties	1990
5517 Hansel Avenue	Johnson Bro. Corporation	1992
5301 S. Orange Avenue	CFE/Addition Financial	1994
4922 S. Orange Avenue	Eli's Auto Repair	1994
4834 S. Orange Avenue	Pep Boys	1996
5526 Hansel Avenue	Oak Tree Plaza	2000
4979 S. Orange Avenue	Minerva's Plaza	2003
4120 S. Orange Avenue	VanBarry's	2003

June 3, 2003 – Current Construction
(consistent with current parking and landscape regulations,
except for limited exceptions).

Address	Building Name	Year Built
5055 S. Orange Avenue	Orlando Clinical Research	2004
5579 S. Orange Avenue	Select Medical Hospital	2007
5127 S. Orange Avenue	FEG	2008
5144 S. Orange Avenue	North American Vet Community	2008

COMMENTS & ANNOUNCEMENTS

ADJOURNMENT