



# PLANNING AND ZONING BOARD MEETING

City Hall – Council Chamber  
405 Bagshaw Way, Edgewood, Florida  
Monday, August 11, 2025 at 6:30 PM

Ryan Santurri  
Chair

David Nelson  
Vice-Chair

David Gragg  
Board Member

Todd Nolan  
Board Member

Angie Sharp  
Board Member

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## AGENDA

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**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. May 12, 2025 Planning & Zoning Meeting Minutes

**D. NEW BUSINESS**

1. Special Exception 2025-02: Church 4931 S Orange Ave.
2. Ordinance 2025-06: Small Scale Comp Plan Amendment Waterwitch
3. Ordinance 2025-07: Live Local Act
4. Ordinance 2025-08: ECD Activity Node Bonus
5. Ordinance 2025-09: Platting Amendment

**E. UNFINISHED BUSINESS**

**F. COMMENTS/ANNOUNCEMENTS**

**G. ADJOURNMENT**

**UPCOMING MEETINGS**

Tuesday, August 12, 2025.....2nd Budget Workshop 4:30PM  
Tuesday, August 19, 2025.....City Council Meeting 6:30PM  
Thursday, August 28, 2025.....3rd Budget Workshop 6:00PM  
Monday, September 8, 2025.....Planning & Zoning Meeting 6:30PM  
Wednesday, September 10, 2025.....1st Budget Hearing 5:30PM  
Tuesday, September 16, 2025.....Final Budget Hearing & Council meeting 6:30PM

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**General Rules of Order**

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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!

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**Appeals**

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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.

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**Americans with Disabilities Act**

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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, May 12, 2025 at 6:30 PM

Ryan Santurri  
Chair

David Nelson  
Vice-Chair

David Gragg  
Board Member

Todd Nolan  
Board Member

Angie Sharp  
Board Member

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## MINUTES

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*These minutes provide a summary of the key discussions and decisions made during the May 12, 2025 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 Santurri called the meeting to order at 6:30 pm and led everyone in the Pledge of Allegiance.

### ROLL CALL AND DETERMINATION OF QUORUM

Administrative Project Manager Sollazzo confirmed a quorum with all five (5) board members present.

### BOARD MEMBERS PRESENT

Chair Ryan Santurri  
Vice Chair David Nelson  
Board Member David Gragg  
Board Member Todd Nolan  
Board Member Angie Sharp

### STAFF PRESENT

Brett Sollazzo, Administrative Project Manager  
Drew Smith, City Attorney  
Ellen Hardgrove, City Planner  
Tim Cardinal, Police Sergeant

### APPROVAL OF MINUTES

January 13, 2025 Planning & Zoning Meeting Minutes

**Vice Chair Nelson made a motion to approve the January 13, 2025 Planning and Zoning meeting minutes as presented. The motion was seconded by Board Member Gragg. Approved (5/0) by voice vote.**

### NEW BUSINESS

#### 1. VARIANCE 2025-01: 5225 ALLEMAN DR. - FENCE

Planner Hardgrove began by outlining the project. The applicant is requesting a height variance for a fence along the front property line at 5225 Alleman Drive. Code limits fence height within the front setback to four feet. The applicant proposes installing wrought iron-style fence panels between existing brick columns, mounted atop an existing brick base. The existing columns measure approximately 6.75 feet in height, while the brick base ranges from 16 to 26 inches. The vertical distance between the top of the base and the top of the columns is consistently around 4.75 feet, with one segment slightly less. The total proposed height of the combined brick base and fence will not exceed seven feet, except for the gate, which is slightly taller at 85 inches, with 2-inch finials above that.

The proposed ±4.75-foot height of the wrought iron fence segments is consistent with existing front yard fences observed along Alleman Drive. Specifically, similar wrought iron-style fences of this height are located at the neighboring property to the north and one lot to the south. Additionally, the property directly south features a significant visual barrier in the form of a hedge approximately 12 feet tall, along with seven-foot columns and an eight-foot gate at the driveway.

Planner Hardgrove stated that, should the Planning and Zoning Board find the six criteria for variance approval have been met, the recommended motion would be to approve a variance to Code Section 134-517(c)(1)a to allow a fence along the front property line not to exceed seven feet in height—the height of the existing columns—in lieu of the maximum four feet permitted. This approval would be conditioned on the fence being constructed as submitted in the staff report. No fence segment would be allowed to exceed the height of the adjacent columns; however, finials up to two inches in height may

extend above the column height. The maximum height of the scalloped gate would be 85 inches as measured from grade, with an allowance for two-inch finials.

Homeowner Marnie McCree spoke, stating that the primary reason for the variance request is security. She explained that the house was originally designed for this fence configuration, as the brick columns and base were already in place, and the proposed fence would enhance both her property's value and the neighborhood's overall appearance. She requested that instead of limiting the fence to seven feet as proposed by the City Planner, she be allowed to install an eight-foot fence. In addition to the added security, she noted that she had already purchased the fence materials, and modifying them to meet the seven-foot height would incur an additional cost of \$2,500. Ms. McCree confirmed that no portion of the fence would exceed eight feet in height.

Planner Hardgrove clarified that her staff report does not contain a recommendation regarding whether the six criteria for variance approval have been met, and that this determination is up to the Board. She further explained that her recommendation for a seven-foot fence was based on the principle that a variance should grant the minimum relief necessary to reasonably accommodate the request.

There were no public comments on the project. A Brief discussion ensued among board members prior to a motion and roll call vote.

### MOTION & ROLL CALL VOTE

Board Member Gragg made a motion to recommend approval of Variance 2025-01 to allow a fence along the front property to be greater than 4-feet, but not to exceed 8-feet in height with the following conditions:

- The fence shall be constructed as submitted with the renderings presented by the applicant at the hearing on 5/12/2025.
- The maximum height of the scalloped gate shall be 85" as measured from grade, with the allowance of 2-inch-high finials.

The motion was seconded by Board Member Nolan. The motion was approved (5/0) by roll call vote.

Chair Santurri	Favor
Vice Chair Nelson	Favor
Board Member Gragg	Favor
Board Member Nolan	Favor
Board Member Sharp	Favor

## 2. 5195 MAGNOLIA ST & 5151 S ORANGE AVE PROJECT

- **ORDINANCE 2025-04: REZONING 5195 MAGNOLIA ST.**
- **SPECIAL EXCEPTION 2025-01: PARKING LOT 5195 MAGNOLIA ST.**
- **VARIANCES 2025-02, 2025-03, & 2025-04: MULTIPLE VARIANCES TO CITY CODE REQUIREMENTS AT 5195 MAGNOLIA ST. & 5151 S ORANGE AVE**

These agenda items relate to a series of proposals concerning the properties at 5195 Magnolia Street and 5151 South Orange Avenue. The proposals include a request to rezone 5195 Magnolia Street to R-3 (Residential District), a Special Exception in the R-3 district to allow a parking lot, and several Variances from City Code requirements related to parking and site development at both addresses.

Please note that although these items appear as separate entries on the agenda, they were discussed collectively. As such, the meeting minutes reflect the discussion as a single, unified item for clarity and efficiency.

Planner Hardgrove began by outlining the project in detail. This is a request to facilitate the reuse of an existing building at 5151 Orange Avenue. She showed photos of the building's condition before the applicant's 2022 purchase, the subsequent renovations, and a rendering of the completed project, respectively. The vision is to lease the space to uses consistent with the Edgewood Central District (ECD); however, the building was constructed in 1959, prior to modern land development regulations, and lacks adequate parking, both for marketability and to meet the code-required minimum, to fully align with the City's current vision for land use along Orange Avenue.

Increased parking will broaden the potential and quality of tenants in this building that has had a history of tenant turnover over the past 25 years. The request for R-3 zoning and approval of a special exception for parking a lot on the property to rear of the Orange Avenue building can facilitate increased parking for the building.

The R-3 zoning is consistent with the comprehensive plan's future land use designation for the property behind the property at 5151 South Orange Avenue. As shown on Exhibit 4, the future land use for the subject property is Medium density residential, which requires a minimum 4 dwelling units per acre and maximum 7 dwelling units per acre. R-3 is a multi-family zoning district, however, a condition of the rezoning capping the number of units would typical density of apartment communities.

The R-3 district would allow the approval of a special exception for a parking lot ancillary to an adjacent commercial use. This path to approve a parking lot would eliminate the need to rezone the property to a commercial district; a commercial district would allow the potential for a full range of commercial uses on the property.

The applicant has submitted a site plan (provided on the chamber's screen), as required for the special exception request. In addition to the proposed parking lot, the site plan incorporates measures to move closer to ECD requirements on the property at 5151 South Orange Avenue, including constructing a new 8 feet wide sidewalk 6 feet from the curb, an 11 feet wide landscape buffer, and the majority of the parking in the rear.

Other components of the site plan include the following:

- Adding a left turn lane on Lake Conway Drive to alleviate queueing for those turning right.
- Prohibition of entering the front parking lot from Lake Conway Drive (exit only on Lake Conway Drive).
- Improvement of Lake Conway Drive and Magnolia Avenue to city road standards.

The applicant has also made a request for Council to approve two parking related variances:

- Quantity of off-street parking - 1 space per 375 square feet for office or general commercial uses; and,
- Parking space width (compact parking) – 15% of the total required parking may be a minimum of 8 feet in width with the compact spaces only allowed in the rear parking lot (east of Magnolia Street) to avoid removal of existing trees onsite.

The parking quantity variance is necessary to allow the approval of uses other than retail in the building.

Currently, the site is nonconforming in parking given the building was built in 1959. The nonconforming situation is allowed to continue, but not expand. If a use other than retail was proposed, the Code parking standard is required to be met. Some uses could not be approved such as offices that typically require more parking than retail. The requested variance would allow for office and general commercial uses in the building.

Planner Hardgrove introduced the request for the Variance for wall height in a parking lot at 5195 Magnolia Street: 3.5 feet high on the south side and no wall on the north and east sides in lieu of the required minimum of eight feet. She stated staff supported the variance and the 6 criteria for variance approval have been met, particularly given the unique characteristics of the property, which is unusually isolated compared to others in the same zoning district. Constructing an 8-foot wall along the south and east boundaries of the proposed parking lot would create a physical barrier that further isolates the site, raising significant public safety concerns. In particular, such a wall could reduce visibility and increase the potential for criminal activity. Additionally, the east side already features a 5+ foot wall along the unopened Rosalind

Avenue right-of-way, making a second wall redundant. Natural buffers, including distance from the north property line and a canal separating the site from nearby residences, also help mitigate impacts.

She introduced the second Variance: to allow the elimination of the required 6 feet high opaque hedge along the east boundary of the new parking lot at 5195 Magnolia Street and a reduced hedge height along the south parking lot boundary equal to the height of the required wall.

After explanation of the 2nd variance, she introduced the third Variance to allow specific parking standards in lieu of those to the contrary to the City's parking requirements in Code Article V, Division 5 Off Street Parking, specifically to allow 1 space per 375 square feet for office or general commercial uses; and, 15% of the total required parking may be a minimum of 8 feet in width (compact parking) in the rear parking lot on 5195 Magnolia Street.

The applicant is requesting a variance to allow reduced parking standards, including fewer spaces and a portion of compact stalls, in order to address long-standing deficiencies on a site developed before modern land use regulations. The existing building lacks the minimum parking required for viable commercial use along Orange Avenue, and these issues are not the result of the applicant's actions. Like the other two variances, staff's conclusion was that the 6 variance approval criteria were met.

## DISCUSSION

Sam Sebaali, an engineer with Thomas & Hutton representing the property owner of 5195 Magnolia Street and 5151 S. Orange Avenue, presented the project and highlighted efforts to revitalize the long-standing commercial site by addressing parking shortfalls and enhancing overall site design. Key improvements include enhanced streetscape aesthetics along Orange Avenue, upgraded pedestrian connectivity, and roadway enhancements such as a dedicated left-turn lane at Lake Conway Drive and traffic improvements to benefit the nearby Harbor Gardens neighborhood.

Mr. Sebaali noted that public row parking will be added along Magnolia Street, available for general use. The project also incorporates significant drainage upgrades through a permeable paver system layered over gravel, allowing for natural stormwater filtration. Additional drainage support will be provided by a new pond located on the north side of the property.

Addressing potential neighborhood concerns, Mr. Sebaali emphasized the applicant's openness to collaboration and adjustments. He noted that there will be a 50-foot buffer (the unopened Rosalind Avenue right of way and a brick wall on the Harbour Oaks Pointe perimeter to protect residences to the east. On the north side, where homes are closer, the applicant remains receptive to community input. However, on the south side, an 8-foot wall is not recommended due to visibility and safety considerations. The overall goal is to strike a thoughtful balance between safety, functionality, and visual enhancement.

During the discussion, Vice Chair Nelson asked whether the proposed parking would be available for Beth's Burger. Mr. Sebaali clarified that while the northern portion of the vacated right-of-way will become part of the applicant's property, the southern portion will remain under city control. If the city decides to designate it for public parking, the applicant is open to providing parking spaces in that location as shown on the submitted site plan. Although the parking is not specifically for Beth's, it will be public and accessible to anyone.

Board Member Sharp raised questions about lighting, and Mr. Sebaali assured the board that all lighting would comply with city code. Post lighting will be used at the rear of the property and kept low in height. In terms of landscaping, he stated that the plans not only meet but exceed city requirements, and the applicant remains flexible to further input.

Board Member Gragg expressed concern about potential headlight glare from vehicles facing north. Mr. Sebaali acknowledged that while the area is already heavily vegetated, the concern is valid. As a possible solution, he proposed a 42-inch wall with a hedge behind it and noted the applicant's openness to incorporating such measures.

**PUBLIC COMMENTS**

David Rohr from 123 Lake Conway Drive, the property adjacent to the proposed parking lot's south boundary, supported the parking lot but preferred an 8-foot wall to block headlights and serve as a sound barrier, opposing the proposed 4 to 6-foot option.

John Crane from 492 Harbour Island Road opposed the rezoning. He noted that the lot remained vacant due to traffic and safety challenges, particularly the difficulty of making left turns on Orange Avenue's suicide lane. He also highlighted traffic issues affecting two neighborhoods and raised questions about traffic flow.

Tito Galdamez from 401 Harbor Oaks Pointe Drive opposed the project, stating that moving forward would compromise privacy and safety for his neighborhood.

Chris Pantaleon from 364 Harbour Island Road strongly opposed the rezoning and variances, describing the plan as poor redevelopment that would squeeze in parking to benefit a commercial property. He believed the project would lower home values and increase traffic risks, and stated that wall height was irrelevant to his concerns.

Tom Hansel from 380 Harbour Island Road shared similar concerns and opposed the project, stating that he did not want a parking lot in his backyard.

Terrance Zable from 5073 The Oaks Circle opposed the project, citing traffic as his primary concern. He also expressed concern about the maintenance and effectiveness of the proposed pervious pavement system and the potential for runoff issues.

Phillip Crisler from 348 Harbour Island Road opposed the zoning change, emphasizing the importance of prioritizing the needs of local residents over those of pass-through traffic.

Tami Luna from 125 Lake Conway, who lives adjacent to the south side of the property, raised concerns about flooding, drainage, and runoff. She opposed the rezoning to R3 for that purpose, requested reinforced 6 to 8-foot walls with additional vegetation for privacy and safety if approved, and noted traffic and family safety issues, especially the difficulty of exiting onto Lake Conway.

Jesse Bishop from 332 Harbour Island Road opposed the project due to traffic concerns, calling the projected increase "ridiculous." He stated that the applicant appeared to be using the rezoning to enable apartment development rather than building a parking lot, and argued that the property should remain as is.

Michael Stewart from 419 Harbor Oaks Pointe Drive questioned the lowered development standards and inconsistencies in wall placement. He expressed concerns about safety, traffic, and environmental impacts, such as trash runoff into the canal.

Tina Demostene from 5106 Leeward Way opposed the project after reviewing staff reports and permit records. She noted discrepancies, claimed that only roof work had been permitted, and argued that the variances were unjustified and the issues were self-inflicted and not adequately addressed by staff.

Dan Munoz from 5044 The Oaks Circle opposed the project. He suggested that other properties could accommodate parking without negatively affecting nearby residents, and expressed concern about noise and lighting from vehicles.

John Pantaleon from 1334 Harbour Island Road highlighted significant traffic problems near his street and called for improvements, including better traffic signal management.

***\*Additional comments were made during the hearing but after Chair Santurri formally closed the public comment portion. As they were not provided during the official public comment period, they are not included in these minutes.***

**FOLLOW UP DISCUSSION**

Responding to public concerns, Mr. Sebaali pointed out that the current use of the property isn't changing, and the increased activity would be tied to improving what's already there. He emphasized that resolving the Harbor Gardens intersection would greatly help mitigate traffic issues. He also highlighted the stormwater improvements being proposed, including regulated discharge under FDOT standards and enhanced drainage systems throughout the site.

Regarding site zoning and density, Mr. Sebaali noted that the property aligns with the city's vision for more intensive development than single-family residential. The Orange Avenue fronting site currently has 19 parking spaces, and the proposal includes expanding that to 72.

Planner Hardgrove asked whether the applicant would withdraw certain variance requests due to the public comments. After speaking to the property owner, Mr. Sebaali confirmed they would no longer pursue variances 2025-02 and 2025-03 related to wall and hedge heights, agreeing to meet code requirements instead.

Chair Santurri inquired about the threshold for requiring a traffic study given the increase in parking. Planner Hardgrove responded that city code does not mandate one. She clarified that decisions regarding traffic signals and major road improvements along Orange Avenue fall under FDOT authority, not the city.

Chair Santurri also expressed concern about the potential rezoning being used as a vehicle to later flip the property for a more intense use. Attorney Smith explained that under the R-3 zoning, the property could be developed by right, while Planner Hardgrove added that any future changes or lifting of restrictions would need to go through a formal process.

Fulvio Romano, the property owner for both 5195 Magnolia Street and 5151 S Orange Avenue, shared that he purchased the building after it had sat on the market for a long time in a deteriorated state. He expressed his commitment to being a good neighbor and contributing to the improvement of the city's overall appearance.

**MOTIONS & ROLL CALL VOTES****1) Ordinance 2025-04: Rezoning 5195 Magnolia St.**

Vice Chair Nelson made an initial motion to recommend approval of Ordinance 2025-04, for the rezoning of 5195 Magnolia Street from R-1A to R-3, with the condition that the maximum residential density on the property shall not exceed seven (7) dwelling units per acre in order to maintain consistency with the Comprehensive Plan. The motion was seconded by Chair Santurri.

Before the roll call vote, the Board held a discussion on the ordinance and their respective positions. Following the discussion, Administrative Project Manager Sollazzo conducted the roll call vote. The motion to recommend approval of Ordinance 2025-04 was denied by a vote of 5–0.

Chair Santurri	Nay
Vice Chair Nelson	Nay
Board Member Gragg	Nay
Board Member Nolan	Nay
Board Member Sharp	Nay

A second motion on Ordinance 2025-04 for the rezoning of 5195 Magnolia Street from R-1A to R-3 was made by Chair Santurri to recommend denial. The motion was seconded by Board Member Nolan and approved (5/0) by roll call vote.

Chair Santurri	Favor
Vice Chair Nelson	Favor
Board Member Gragg	Favor

Board Member Nolan	Favor
Board Member Sharp	Favor



**2) Special Exception 2025-01: Parking Lot 5195 Magnolia St**

Chair Santurri made a motion to recommend denial of Special Exception 2025-01 to allow a parking lot at 5195 Magnolia Street. The motion was seconded by Vice Chair Nelson. Approved (4/1) by roll call vote.

Chair Santurri	Favor
Vice Chair Nelson	Favor
Board Member Gragg	Favor
Board Member Nolan	Favor
Board Member Sharp	Oppose

**3) Variance 2025-04: Variance to City Code Article V, Division 5 to vary from the City's off-street parking requirements for 5195 Magnolia St & 5151 S Orange Ave.**

Following significant negative feedback from the community Planning & Zoning Board meeting, the applicant chose to withdraw two of the three variance requests. In the interest of transparency and accurate record-keeping, these minutes include formal acknowledgment of the withdrawn variances, which are detailed below:

- Variance 2025-02: Request for relief from City Code Section 134-608(c) to allow construction of a 3.5-foot-high concrete or masonry wall along the south side of the new parking lot at 5195 Magnolia Street, with no wall along the north and east boundaries. This deviates from the City's requirement for a minimum 8-foot-high wall.
- Variance 2025-03: Request for relief from City Code Section 114-4(l)(b) to eliminate the requirement for a 6-foot-high opaque hedge along the east boundary of the new parking lot at 5195 Magnolia Street. The request also included a reduced hedge height along the southern boundary, consistent with the reduced wall height proposed in Variance 2025-02.

Chair Santurri made a motion to recommend approval of Variance 2025-04 to allow modifications to the City's off-street parking requirements for the business at 5151 South Orange Avenue and the parking lot at 5195 Magnolia Street as follows:

- Establish a parking ratio of one space per 375 square feet for office and general commercial uses at 5151 South Orange Avenue.
- Allow up to 15% of the total required parking spaces to be compact (minimum width of 8 feet), limited to the rear parking lot at 5195 Magnolia Street in order to preserve existing trees on the site.

The motion was seconded by Board Member Gragg. Approved (4/1) by roll call vote.

Chair Santurri	Favor
Vice Chair Nelson	Oppose
Board Member Gragg	Favor
Board Member Nolan	Favor
Board Member Sharp	Favor

**ADJOURNMENT**

The meeting was adjourned at 9:06 PM.

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Ryan Santurri, Chair

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Brett Sollazzo, Administrative Project Manager



# NEW BUSINESS

# **Special Exception 2025-02: Church 4931 S Orange Ave.**



## Memo

**To:** Chair Santurri, Vice Chair Nelson,  
Board Members Gragg, Nolan, and Sharp

**From:** Brett Sollazzo, Administrative Project Manager

**Date:** 8/5/2025

**Re:** Special Exception 2025-02: Church 4931 S Orange Ave.

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The following agenda item is included in this month's Planning & Zoning meeting agenda packet for your review. It pertains to a Special Exception request for the property located at **4931 S Orange Ave.** The request seeks approval to allow a religious institution (Church) on the property per City Code Sec. 134-467. Planner Hardgrove and the Applicant will be in attendance to answer any questions.

### **Supporting documentation for this item includes:**

- Staff Report
- Special Exception Application & Narrative
- Proof of Public Notice

In accordance with City Code, public notice for this project was required at least ten (10) days prior to the first public hearing. On July 31, 2025, a total of fifty-four (54) notification letters were mailed to property owners within a 500-foot radius of the subject property. Additionally, public notice signage was posted on-site at 4931 S Orange Ave.

As of the date of this memo, no public comments have been received, and none of the mailed notices have been returned as undeliverable.



Date: July 29, 2025  
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: Special Exception Application for Religious Institution within the Versailles Plaza

### **Introduction**

This report addresses the Special Exception application submitted by Ebenezer Christian Church (hereinafter, "the Applicant") for the establishment of a religious institution (church) located at 4931 South Orange Avenue within the Versailles Plaza. The proposed church intends to lease approximately 1,500 square feet of within the plaza.

The property is zoned ECD, which permits religious institutions only through a Special Exception. Therefore, a detailed review is necessary to ensure compatibility with surrounding uses and the availability of public services and facilities. The primary concern for locating a religious use in the plaza is adequate parking, given the unique operational hours of a religious institution compared to traditional retail and service establishments.

### **Background and Current Zoning**

The Versailles Plaza was originally approved in two phases. Phase 1 (1982) included an 18,271 square foot building, with a portion having a second story, and a stand-alone 4,760 square foot building (originally a dance studio, currently a funeral home). Phase 2 (1985) consisted of a 14,204 square foot one-story building located south of Phase 1. The property is no longer under single ownership; each building/property is now separately owned.

When Phase 1 was approved, 128 parking spaces were provided for all users of the plaza, consistent with shopping center ratio of 5.5 parking spaces 1,000 square feet of gross building area. Currently, only 76 spaces are available for the two-story building, rendering it non-conforming in terms of parking. This reduction is due to:

- The parcelization of the buildings/land to multiple owners.
- Conversion of standard spaces to four ADA accessible spaces.
- Dumpsters occupying three spaces.
- The erection of a monument sign in a parking space.
- The connection of a cross-access driveway with the property to the south (resulting in the loss of two spaces).

## Analysis of Parking Demand

Given the plaza's substandard parking situation, it is crucial to analyze whether there will be sufficient parking for the church, as religious institutions typically have a significantly higher parking demand than shopping centers. The demand for church parking is generally simultaneous, meaning church members will likely arrive and require parking spaces at the same time. In contrast, plaza customers typically arrive and depart at staggered times. Additionally, parking for a church service is typically required for a longer duration than for retail use.

The Applicant has stated that services will be held on Sundays from 3:00 PM to 6:00 PM and Wednesdays from 7:30 PM to 9:30 PM. The expected congregation is a maximum of 60 people, including children. The typical required parking ratio for a church of this size would necessitate 19 or 20 parking spaces, compared to 6 for a retail establishment in a shopping center.

The Applicant has researched the business hours of the existing tenants of the plaza, as detailed in Exhibit 1. Based on current operating hours, only 4 of the 19 tenants are open on Sundays, suggesting ample parking should be available. However, the proposed services on Wednesday could create a parking issue if the service times deviate from those proposed, as the majority of businesses are open after 5:00 PM.

Exhibit 1 – Versailles Plaza Tenant Operating Hours

Address	Business	S	M	T	W	T	F	S
4905	Esmoker	11AM-6PM	10AM-7PM	10AM-7PM	10AM-7PM	10AM-7PM	10AM-7PM	10AM-7PM
4919	Esmoker	11AM-6PM	10AM-7PM	10AM-7PM	10AM-7PM	10AM-7PM	10AM-7PM	10AM-7PM
4907	Tax Pros		9AM-7PM	9AM-7PM	9AM-7PM	9AM-7PM	9AM-7PM	
4909	Del Toros Ins		8AM-4PM	8AM-4PM	8AM-4PM	8AM-4PM	8AM-4PM	
4911	Carlos Benitza/Barber		10AM-8PM	10AM-8PM	10AM-8PM	10AM-8PM	10AM-8PM	10AM-8PM
4913	D'lux Leaf		9AM-6PM	9AM-6PM	9AM-6PM	9AM-6PM	9AM-6PM	
4915	Dawn's Alterations		10AM-6PM	10AM-6PM	10AM-6PM	10AM-6PM	10AM-6PM	
4917	Lovely Brow	10AM-6PM*		11AM-7PM	11AM-7PM	11AM-7PM	11AM-7PM	10AM-6PM*
4921	Lux Nails		9AM-6PM	9AM-6PM	9AM-6PM	9AM-6PM	9AM-3PM	9AM-3PM
4923	Rich Your Mink			9AM-5PM	9AM-5PM	9AM-5PM	9AM-5PM	9AM-5PM
4925	Love of Pets			8AM-6PM	8AM-6PM	8AM-6PM	8AM-6PM	8AM-6PM
4927	Edgewood Flowers		10AM-7PM	10AM-7PM	10AM-7PM	10AM-7PM	10AM-7PM	10AM-5PM
4929	Nursery on Wheels	12PM-3PM		12PM-6PM	12PM-6PM	12PM-6PM	12PM-6PM	12PM-3PM
4931	PROPOSED CHURCH							
4933	Mario Mejia (Legal Services)		9AM-4:30PM	9AM-4:30PM	9AM-4:30PM	9AM-4:30PM	9:30AM-2PM	
4935	vacant							
4937	KFL Construction		9AM-6PM	9AM-6PM	9AM-6PM	9AM-6PM	9AM-6PM	9AM-6PM
4939	vacant							
4941	Nu-Vu Office		9AM-6PM	9AM-6PM	9AM-6PM	9AM-6PM	9AM-6PM	9AM-6PM
* By appointment only								

A condition of approval could be established to restrict church activities after 6:30 PM to allow the overlap in demand to thin out. Another crucial condition should be that no outdoor activities or special events are permitted without submitting an agreement to the City for additional off-site parking, as there is no open space on the property other than parking spaces.

#### Recommendation

The Special Exception request for a church within the Versailles Plaza presents a unique challenge primarily related to managing potentially competing parking demands. With the following conditions of approval, the demand for parking can be effectively managed:

1. The congregation is limited to no more than 60 people.
2. The operating hours for the church are limited to Sundays at any time, and Monday through Saturday after 6:30 PM.
3. No outdoor activities or special events are permitted without a City-approved off-site parking agreement.



## APPLICATION FOR SPECIAL EXCEPTION

Reference: Code Sections 134-103 through 134-109

**REQUIRED FEES:** \$750.00 Application Fee + Initial Pass-through Deposit (Ordinance 2013-01) to open up project account. Please note the application fee is non-refundable. Additional pass-through fees may be required throughout the project. If any pass-through balance remains at project completion, it will be reimbursed.

**IMPORTANT:** A COMPLETE application with all required attachments must be submitted to City Staff 30 days before the next Planning & Zoning meetings. No application shall be deemed accepted unless it is complete and paid for. Notarized letter of authorization from Owner MUST be submitted if application is filed by anyone other than property owner. You can submit all documents electronically to [info@edgewood-fl.gov](mailto:info@edgewood-fl.gov).

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

☒ New Special Exception Request ☐ Amendment to Special Exception Date SE granted: \_\_\_\_\_

Applicant Name: Ebenezer Christian Church Owner Name: Statewide properties of Orange Avenue Inc

Email: Iglesiaebenezerhc@gmail.com Email: Statewideinsurance2@earthlink.net

Phone: 863.421.4696 Phone: 321.246.3983

Property Address: 4931 S Orange Avenue Orlando FL 32806

Legal Description: GATLIN WITH HOBBS SUB MISC 4/177 FROM NE COR LOT 31 RUN W 119.75 FT S 16 DEG E 100 FT S 15 DEG E 168.64 FT S 11 DEG E 130 FT FOR A POB TH N 77 DEG E 50.01 FT S 11 DEG E 907.65 FT S 78 DEG W 200 FT N 11 DEG W 906.19 FT N 77 DEG E 150 FT TO POB ( LESS NLY 130 FLTHEREOF & LESS SLY 453.83 FT THEREOF)

Property Zoning: COMMERCIAL Existing on site: YES

Surrounding Zoning Designations:

North: <sup>ECD</sup> RETAIL STORES South: <sup>ECD</sup> RETAIL STORES East: <sup>ECD</sup> PARKING LOT West: <sup>R1AA</sup> S ORANGE AVENUE

Section of Code Special Exception being requested: CHURCH USAGE Sec. 134-467

Special Exception Request: Allow Ebenezer Christian Church to meet with members on specific days

Main service on Sundays at 3pm and small activities for church members on Thursdays and Fridays after 5pm. Most of the activities are

after regular office hours. Small group no more than 60 people including childrens.



## PROVIDE THE FOLLOWING INFORMATION WITH YOUR APPLICATION:

- 1) A signed and notarized Agent Authorization form if the applicant IS NOT the subject property owner.
- 2) Provide a Letter of Explanation which must outline the specifics of the proposed Special Exception request and include the justification for the subject request. If applicable, please include the following:
  - Summary of business operation including hours of operation, seating capacity, required parking and loading spaces, number of employees, number of anticipated clients/customers, site concerns that may impact adjacent properties, etc.
- 3) Each application for a Special Exception shall be accompanied by a site plan. Details of the site plan depend on what section of code you are requesting the Special Exception for. Please work with City Staff to confirm.
- 4) During the Special Exception review, City Staff may request the following information if applicable:
  - Detailed site plan, landscape plan, existing and/or proposed structures, septic systems, drain fields, easements, buffers, signage, fire lanes, driveways, etc.

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

Applicant Name: Ebenezer Christian Church

Applicant Signature: [Signature] Date: 7-5-25

Owner Name: STATEWIDE PROPERTIES of Okmulgee INC.

Owner Signature: [Signature] Date: 7/7/25  
CEO

## Office Use Only:

Received by: Brett Sollazzo Date Received: 7/8/2025

Forwarded to: Ellen Hardgrove (Planner) Date Forwarded: 7/8/2025

P&Z Meeting Date: \_\_\_\_\_ City Council Meeting Date: \_\_\_\_\_

Notes: \_\_\_\_\_





## Agent Authorization Form

### FOR PROJECTS LOCATED IN THE CITY OF EDGEWOOD

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

I/WE, (PRINT PROPERTY OWNER NAME) STATEWIDE PROPERTIES OF ORANGE AVENUE INC, AS

THE OWNER(S) OF THE REAL PROPERTY DESCRIBED AS FOLLOWS, 4931 SOUTH ORANGE AVENUE ORLANDO FL 32806

\_\_\_\_\_, DO HEREBY AUTHORIZE TO ACT AS MY/OUR

AGENT (PRINT AGENT'S NAME) EDGAR GREGORIO JIMENEZ (EBENEZER CHURCH), TO EXECUTE ANY PETITIONS OR

OTHER DOCUMENTS NECESSARY TO AFFECT THE APPLICATION APPROVAL REQUESTED AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS AND TO APPEAR ON MY /OUR BEHALF BEFORE ANY ADMINISTRATIVE OR LEGISLATIVE BODY IN THE COUNTY CONSIDERING THIS APPLICATION AND TO ACT IN ALL RESPECTS AS OUR AGENT IN MATTERS PERTAINING TO THE APPLICATION. BY SIGNING THIS AUTHORIZATION, THE OWNER AGREES TO BE BOUND BY THE ACTIONS OF THE AUTHORIZED AGENT AND THE PROVISIONS OF CHAPTER 101, ARTICLE I, ENTITLED "PASS-THROUGH FEES" AND ACKNOWLEDGE AND AGREES THAT A LIEN MAY BE PLACED ON THE PROPERTY FOR NON-PAYMENT OF PASS-THROUGH FEES AS PROVIDED IN THE CITY CODE.

Date: 7/7/25

[Signature]  
Signature of Property Owner

STATEWIDE Properties of  
Print Name Property Owner

Orange Ave  
C/O ARUN SHARMA

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Print Name Property Owner

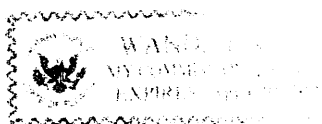
STATE OF FLORIDA:

COUNTY OF Osceola

I certify that the foregoing instrument was acknowledged before me this 7 day of July, 2025 by ARUN SHARMA. He/she (is personally known to me) or has produced \_\_\_\_\_ as identification and (did) did not take an oath.

Witness my hand and official seal in the county and state stated above on the 7 day of July in the year 2025.

(Notary Seal)



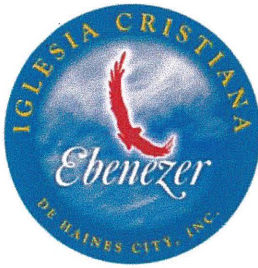
[Signature]  
Signature of Notary Public

Notary Public for the State of Florida

My Commission Expires: 4/26/28

Legal description(s) or Parcel ID are required

Legal Description: \_\_\_\_\_



**Iglesia Cristiana Ebenezer**  
132 S. 6th St. Haines City, FL 33844  
O: (863)421-GOZO C: (863)521-3454  
iglesiaebenezerhc@gmail.com

July 6, 2025

To whom it may concern,

I am Edgar G. Jimenez, pastor of Ebenezer Christian Church. Our church is interested in renting out the space located at 4931 S. Orange Ave. Orlando, FL 32806. It's my understanding that we need approval from you to use the space for our church services.

Please see the following information:

Our days and hours of service will be Sundays at 3:00pm-6:00pm and Wednesdays at 7:30-9:30pm. Anticipated assistance of about 40-50 people including children. We will place about 50-60 seating chairs. We will use about 15-18 parking spaces for vehicles to park. We believe we will not impact adjacent properties.

I appreciate your time and attention to this letter,

Sincerely at your service,

Pastor Edgar G. Jimenez

State Of Florida  
County of Polk

The foregoing instrument was acknowledged before me this 6 day of July, 2025

by Olivia Seymour

(Notary Signature)



**OLIVIA SEYMOUR**  
Notary Public  
State of Florida  
Comm# HH690065  
Expires 6/19/2029

Personally Known \_\_\_\_\_ or Produced Identification ☒

Type of Identification Produced FL DL



2002

4923

# NO

11

...



SECTION 4935 - VACANT

537

SET 10

4937 - ~~Prop~~ KFL Construction (KFL Home Services)

1844

1734

4939 - VACANT

53

4941 - MICHELLE DELICE (Nu-Ven Veneers)

457

[illegible]

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	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	93	94	95	96	97	98	99	100
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	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	93	94	95	96	97	98	99	100

49052 } Esmoke on LNC.

# 4915 - Analysis Alterations

4915 - Daws Alteration  
4917 - Lovely Brow.

4915 - DAWNS ALTERATION  
4917 - LOVELY BLOW.  
4921 - LUX NAILS.

4915 - DAWNS ALTERATIONS  
4917 - LOVELY BROW.  
4921 - LUX NAILS.  
4923 - RICH YOUR MINK

4905 } ESMOKE ONLINE.  
4919 }  
4907 - TAX PROS.  
4909 - DEL TORO INS.  
4911 - CARLOS BENITZA  
THE LEGEND BARBARA 4925 - LOVE OF PETS

4905 } ESMOKE ONLINE.  
4919 }  
4907 - TAX PROS.  
4909 - DEL TORO INS.  
4911 - CARLOS BENITZA  
THE LEGEND BARBARA  
4913 - DULUX  
4915 - DAWNS ALTERATIONS  
4917 - LOVELY BLOW.  
4921 - LUX NAILS.  
4923 - RICH YOUR MINK.  
4925 - LOVE OF PETS  
4927 - EDENWOOD FLOWERS.

4929 - Nurse on  
WHEELS  
4931 - VACANT  
(UNIT IN  
REVIEW)



### **Versailles III Plaza**

4905 & 4919 – ESmoker online Mon-Sat 10AM – 7PM / Sun 11AM-6PM

4907 – Tax Pros Mon- Fri 9AM-7PM

4909 – Del Toro Ins Mon-Fri 8AM-4PM

4911 – Carlos Benitza The Legend Barber Mon-Sat 10AM-8PM

4913 – D’lux Leaf Mon-Fri 9AM-6PM

4915 – Dawns Alterations Mon-Fri 10AM-6PM

4917 – Lovely Brow Tue-Fri 11AM-7PM Sat-Sun 10AM-6PM appt. only

4921 – Lux Nails Mon-Thu 9AM-6PM Fri-Sat 9AM-3PM

4923 – Rich your Mink Tue-Sat 9AM-5PM

4925 – Love of Pets Tue-Sat 8AM-6PM

4927 – Edgewood Flowers Mon- Fri 10AM -7PM Sat 10AM-5PM

4929 – Nursery on Wheels Tue-Sat 12PM-6PM Sun 12PM-3PM

4931 – VACANT (Unit in review)

#### UPPER section

4933 – Mario Mejia (Legacy Services) Mon-Thu 9AM-4:30PM Fri 9:30AM-2PM

4935 – VACANT

4937 – KFL Construction (KFL Home Services) office Mon-Sat 9AM-6PM

4939 – VACANT

4941 – Michelle Delice (Nu-View Manage Group) office Mon-Sat 9AM-6PM

## NOTICE OF PUBLIC HEARING

**Notice is hereby given** that public hearings will be held to consider a request for a special exception to City Code Sec. 134-467 to allow a religious institution (Church) on the property located at 4931 South Orange Avenue within the Versailles Plaza. The proposed church intends to lease approximately 1,500 square feet of within the plaza. The property is zoned ECD, which permits religious institutions only through a Special Exception.



**Public Hearing Dates, Times & Location:** All hearings will be held at Edgewood City Hall council chambers, located at 405 Bagshaw Way, Edgewood, Florida 32809.

- Planning & Zoning Board Meeting - Monday, August 11, 2025 at 6:30 PM
- City Council Meeting - Tuesday, August 19, 2025 at 6:30 PM

### How to Participate:

- Review the application and staff reports by contacting or visiting City Hall.
  - Email: [info@edgewood-fl.gov](mailto:info@edgewood-fl.gov)
  - Phone: 407-851-2920
  - Hours: Monday-Thursday: 8 AM to 4 PM; Friday: 8 AM to noon.
- Attend the public hearings and be heard (8/11/2025 & 8/19/2025)
- If you are unable to attend the public hearings, you may submit your comments by email to [info@edgewood-fl.gov](mailto:info@edgewood-fl.gov) or in writing to Edgewood City Hall at 405 Bagshaw Way.
- All written comments will become part of the official public record for the project. Please ensure your comments are received **no later than 12:00 PM (noon)** on the day of the scheduled public hearing.

405 Bagshaw Way • Tel: 407-851-2920 • Fax: 407-851-7361 • [www.edgewood-fl.gov](http://www.edgewood-fl.gov)



4822 S Orange  
Ave LLC

Pep Boys  
4834 South  
Orange  
Tide LLC

Ron Jon's Automotive  
Crossroads  
Automotive  
Property LLC

J and H  
Properties Of  
Orlando LLC

Starcevic  
Systems  
Starcevic Rod

Imperial Bldg  
Imperial  
Sodo LLC

Tropical Canvas  
Floyd Family Orange  
LLC 1/2 Int

Majestic Marble  
Hanes Property  
Holdings LLC

Lake Gatlin Rd

Harbour Gardens Ct

Lake Gatlin Woods Ct

Versailles  
III Plaza  
Statewide  
Properties  
Of Orange  
Avenue Inc

Versailles III  
Sun State  
Orange LLC

Minerva's Plaza  
Minervas  
Plaza LLC

Prescott Dr

27/72

ME  
Construction  
ME  
Construction

TRACT 1

Name	Mailing Address	City	State Zip
4834 SOUTH ORANGE TIDE LLC	109 GARFIELD ST	CENTERPORT	NY 11721
STARCEVICH ROD	4902 S ORANGE AVE	ORLANDO	FL 32806
EGRH INVESTMENTS LLC	7314 WOODKNOT CT	ORLANDO	FL 32835
IMPERIAL SODO LLC	4936 S ORANGE AVE	ORLANDO	FL 32806
FLOYD FAMILY ORANGE LLC 1/2 INT	1401 DODD RD	WINTER PARK	FL 32792
HANES PROPERTY HOLDINGS LLC	4948 S ORANGE AVE	ORLANDO	FL 32806
TORRES INVESTMENTS AND LOANS LLC	3408 KILMARNOCK DR	APOPKA	FL 32712
CLEAR CHANNEL OUTDOOR INC	4830 N LOOP 1604 W STE 111	SAN ANTONIO	TX 78249
CROSSROADS AUTOMOTIVE PROPERTY LLC	8706 SOUTHERN BREEZE DR	ORLANDO	FL 32836
SAX PROPERTIES LLC	3225 BRENT ST	ORLANDO	FL 32806
J AND H PROPERTIES OF ORLANDO LLC	5219 HAVERILL DR	ORLANDO	FL 32809
EDGEWOOD PROFESSIONAL CENTER OWNERS ASSN INC	4861 S ORANGE AVE	ORLANDO	FL 32806
MARCANO JOSE	4861 S ORANGE AVE	ORLANDO	FL 32806
GOOD SHEPHERD PROPERTY MANAGEMENT INC	9 ASPEN LN	NEW HYDE PARK	NY 11040
KANTER FAMILY TRUST	3218 DOWNS COVE RD	WINDERMERE	FL 34786
KM BUSINESS CORP	191 NW 10TH TER	HOMESTEAD	FL 33030
AJLM LLC	460 HARBOUR ISLAND RD	ORLANDO	FL 32809
BELL TONY G TR	2500 SHEFFIELD AVE	ORLANDO	FL 32806
SUN STATE ORANGE LLC	2716 DEER BERRY CT	LONGWOOD	FL 32779
HARGRAVE VERNON L JR	4853 S ORANGE AVE STE A	ORLANDO	FL 32806
4893 S ORANGE AVE LLC	6901 TPC DR STE 350	ORLANDO	FL 32822
S E FUNERAL HOMES OF FLORIDA LLC	1929 ALLEN PKWY	HOUSTON	TX 77019
STATEWIDE PROPERTIES OF ORANGE AVENUE INC	911 N MAIN ST STE 3	KISSIMMEE	FL 34744
MINERVAS PLAZA LLC	5401 PLYMOUTH SORRENTO RD	APOPKA	FL 32712
ABBOTT LIONEL C	200 HARBOUR GARDENS CT	ORLANDO	FL 32806
FLETCHER PROPERTIES INC	PO BOX 1618	JACKSONVILLE	FL 32201
DOT/STATE OF FLORIDA	719 S WOODLAND BLVD	DELAND	FL 32720
M E CONSTRUCTION INC	445 PINEDA CT	MELBOURNE	FL 32940
EVLIYAOGU FERHAT	230 PRESCOTT DR	ORLANDO	FL 32809
YOCUM JACK RICHARD	226 PRESCOTT DR	ORLANDO	FL 32809
HARBOUR GARDENS HOMEOWNERS ASSOC INC	209 HARBOUR GARDENS CT	ORLANDO	FL 32806
ROSARIO MIGUEL	201 HARBOUR GARDENS CT	ORLANDO	FL 32806
SANDERSON ROBERT HAYNES III	209 HARBOUR GARDENS CT	ORLANDO	FL 32806
PENSON JEFFREY DOUGLAS	217 HARBOUR GARDENS CT	ORLANDO	FL 32806
RUST BENJAMIN DAVID II LIFE ESTATE	225 HARBOUR GARDENS CT	ORLANDO	FL 32806
JAMNADAS PRADIP	234 HARBOUR GARDENS CT	ORLANDO	FL 32806
BERISHA ANTON	226 HARBOUR GARDENS CT	ORLANDO	FL 32806
MARK MICHAEL D	218 HARBOUR GARDENS CT	ORLANDO	FL 32806
MARCANO JOSE	206 HARBOUR GARDENS CT	ORLANDO	FL 32806
MILLIGAN SEAN P	4905 LAKE GATLIN WOODS CT	ORLANDO	FL 32806
ERVIN R MCGREGOR TRUST	4909 LAKE GATLIN WOODS CT	ORLANDO	FL 32806
FIST LLC	11350 HARBOR WAY APT 1654	LARGO	FL 33774
FELSING MARLYN D	4915 LAKE GATLIN WOODS CT	ORLANDO	FL 32806
CLAYTON KEVIN C	4925 LAKE GATLIN WOODS CT	ORLANDO	FL 32806
LUCIEN S JOHNSON FAMILY TRUST	4935 LAKE GATLIN WOODS CT	ORLANDO	FL 32806
OGRADY FAMILY REVOCABLE TRUST	1320 WEBSTER ST	ORLANDO	FL 32804
PHILLIPS DAVID A	4955 LAKE GATLIN WOODS CT	ORLANDO	FL 32806
WEAVER JOSHUA	4965 LAKE GATLIN WOODS CT	ORLANDO	FL 32806
BIRKET JERALD H LIFE ESTATE	4960 LAKE GATLIN WOODS CT	ORLANDO	FL 32806
NICHOLSON MYRA P	4950 LAKE GATLIN WOODS CT	ORLANDO	FL 32806
LANCASTER RYAL M	4940 LAKE GATLIN WOODS CT	ORLANDO	FL 32806
TINSLEY JACQUELINE R	4930 LAKE GATLIN WOODS CT	ORLANDO	FL 32806
ELMER JAMES G	4920 LAKE GATLIN WOODS CT	ORLANDO	FL 32806
MILLER DENNIS H	4910 LAKE GATLIN WOODS CT	ORLANDO	FL 32806



Application: SE 2025-02

Owner/Applicant Name: Ebenezer Christian Church

Public Hearing Dates: 8/11/2025 & 8/19/2025

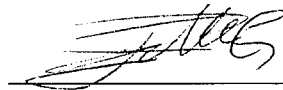
**This affidavit is to be presented at the public hearing before the Planning and Zoning Board.**

### SIGN AFFIDAVIT

STATE OF FLORIDA  
ORANGE COUNTY

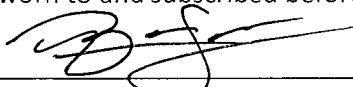
Before me, the undersigned authority, personally appeared FLORIBERTA PALMA  
to me well known and known to me to be the person described in and who executed the foregoing  
affidavit, after being first duly sworn, says:

1. That the affiant posted the notice provided by the City of Edgewood, which contains the time and dated of the public hearings involved (i.e. Planning and Zoning Board and/or City Council).
2. That said posted notice also contained the relevant facts pertaining to the application.
3. That said notice was posted was posted in a conspicuous and easily visible place on the subject property not less than ten days prior to the date of public hearing. Date posted: 8/1/25.
4. That the affiant understands that this affidavit is intended to be submitted as a prerequisite for a public hearing, and as such will be officially filed with the City of Edgewood, Florida.



Signature of owner or authorized representative

State of Florida County of Orange  
Sworn to and subscribed before me this 18<sup>th</sup> day of August, 2025 via physical presence.



Print, type, or stamp commissioned name of Notary Public

HH241996  
Notary Public, State of Florida

Personally Known OR Produced Identification  
Type of I.D. Produced Drivers License



# **Ordinance 2025-06: Small Scale Comp Plan Amendment Waterwitch**



TO: Planning and Zoning Board/City Council  
XC: Sandy Riffle, City Clerk  
Brett Sollazzo, Administrative Project Manager  
Drew Smith, City Attorney  
FROM: Ellen Hardgrove, AICP, City Planning Consultant  
DATE: July 9, 2025  
SUBJECT: Ordinance 2025-XX Waterwitch Cove Subdivision Future Land Use Map Amendment

This agenda item is a proposed small-scale amendment to the City of Edgewood's Future Land Use (FLU) Map. The purpose of this amendment is to correct a historical error within Comprehensive Plan Amendment 93S1 (Ordinance No. 93-391) and align the future land use designation of the Waterwitch Cove Subdivision with the intended and appropriate density for the area. This proposed change will ensure consistency with the subdivision and surrounding land uses and the City's Comprehensive Plan.

The Waterwitch Cove Subdivision was annexed into the City of Edgewood via Ordinance No. 93-388. Subsequently, Comprehensive Plan Amendment 93S1 (Ordinance No. 93-391) established a Medium Density Residential future land use designation for the subdivision, "Tract 4 - 15.6 acres;" i.e., the landward portion of the plat. Establishing a Medium Density Residential designation on this property was an error.

The error stems from the misapplication of an *existing land use* category (Single Family Medium Density, 2-6 units/acre) instead of a *future land use* designation. The 1993 amendment described the assigned density for "Medium Density" as "2-6 units per acre," this range is specifically defined within the Comprehensive Plan for "Single Family Medium Density **Existing** Land Use." Had the Future Land Use definitions been applied at the time, the property would have been assigned Low Density Residential, which was, and continues to be, defined as "not exceeding 4 dwelling units per acre," aligning with the intended density.

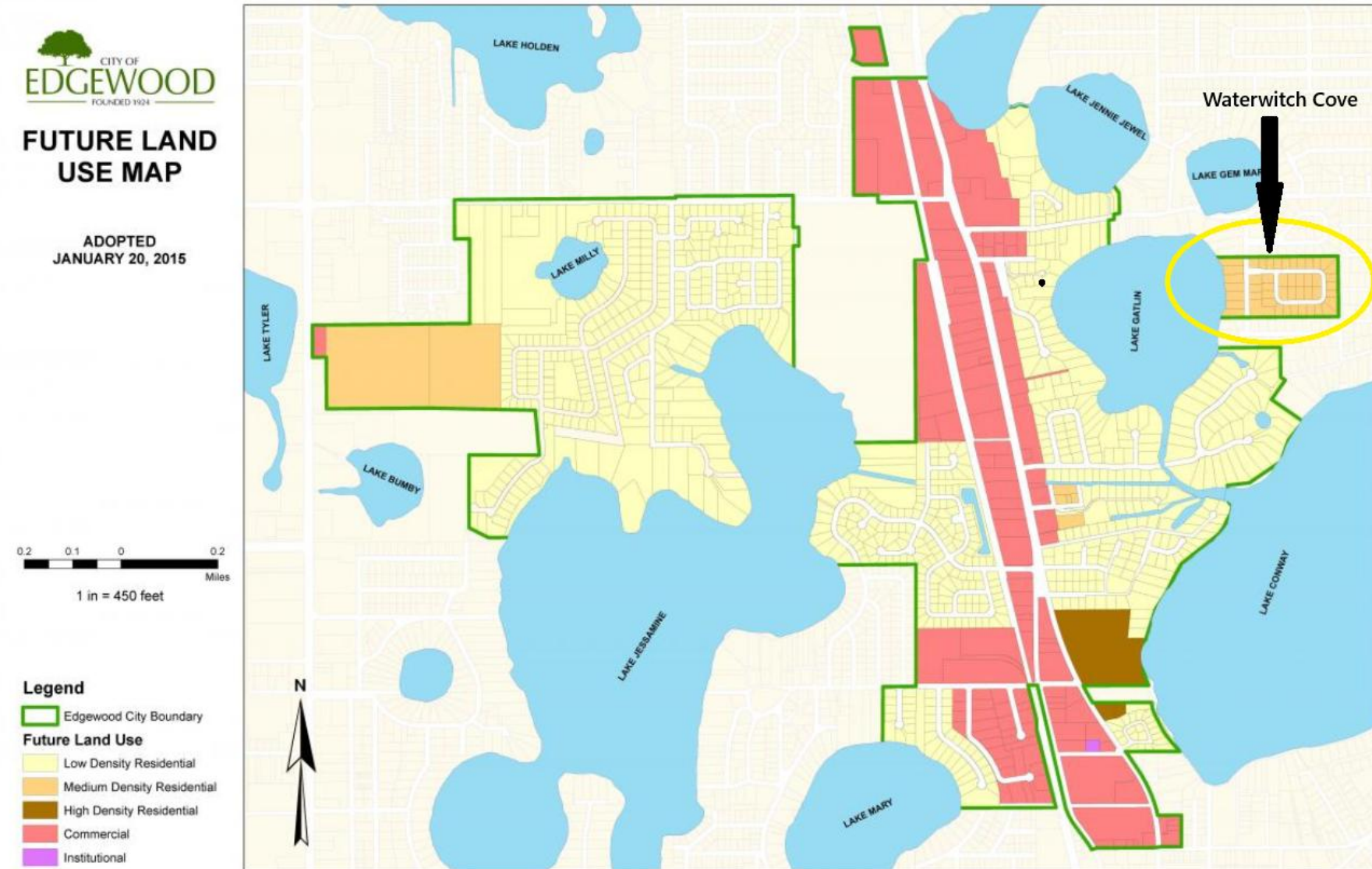
The current Medium Density Residential FLU designation, with its density range of "greater than 4 dwelling units per acre and not exceeding 7 dwelling units per acre," is inconsistent with both the original stated density of "2-6 units per acre" from the 1993 amendment and, more importantly, the prevailing character and land use patterns of the surrounding area.

Suggested Motion: Approval of a small-scale comprehensive plan amendment to change the Future Land Use Map designation for the Waterwitch Cove Subdivision from Medium Density Residential to Low Density Residential.

#### **Attachment**

- Map illustrating the Waterwitch Cove Subdivision and its current FLU designation.

## 2025 Future Land Use Map



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**WHEREAS**, the City of Edgewood is committed to planning and managing the future growth and redevelopment of the City; and

**WHEREAS**, the City Council of Edgewood desires to adopt an amendment to the Comprehensive Plan by amending the Future Land Use Map to guide and control the future development of the City and to preserve, promote and protect the public's health, safety and welfare; and

**WHEREAS**, the amendment to the Comprehensive Plan, Future Land Use Map contemplated herein involves fewer than fifty acres; and

**WHEREAS**, the City Council as the City’s governing body, held a public hearing for adoption to consider the amendment to the City of Edgewood Comprehensive Plan in accordance with the controlling provisions of State law; and

**WHEREAS**, the City Council of the City of Edgewood hereby finds and determines that this Ordinance is internally consistent with the goals, objectives and policies of the City

of Edgewood Comprehensive Plan and other controlling law to include, but not limited to, Chapter 163, Florida Statutes, and the provisions of the State Comprehensive Plan as codified at Chapter 187, Florida Statutes.

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

**Section 1:** The recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Edgewood.

**Section 2:** Small Scale Comprehensive Plan Amendment – Future Land Use Map: Ordinances adopting and amending the Comprehensive Plan of the City of Edgewood, Florida, are hereby amended to designate the landward portion of the Waterwitch Cove subdivision, Plat Book 33, Page 34 Orange County records, as Low Density Residential;

**Section 3:** The City Clerk is hereby directed to transmit a copy of this amendment of the Comprehensive Plan to the State Land Planning Agency.

**Section 4:** All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**Section 5:** If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 6:** This Ordinance and small scale amendment shall become effective 31 days after adoption. If challenged within 30 days after adoption, said amendment shall not become effective until the State Land Planning Agency or the Administration Commission, respectively, issues a final order determining the adopted small scale amendment is in compliance, pursuant to *Florida Statute* 163.3187(3)(c).

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2025, by the City Council of the City of Edgewood, Florida.

\_\_\_\_\_  
John Dowless, Mayor  
City of Edgewood

Attest:

\_\_\_\_\_  
Sandy Riffle, City Clerk  
City of Edgewood

# **Ordinance 2025-07:**

## **Live Local Act**



Date: July 30, 2025  
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: Florida's Live Local Act Ordinance

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This agenda item addresses the Florida Legislature's mandate for every local government to integrate the provisions of the Florida Live Local Act (Florida Statute 166.04151) into its Land Development Code and regulatory framework. The City is legally obligated to comply with these requirements.

The Florida Live Local Act, amended as of July 1, 2025, is a comprehensive state law designed to increase the statewide supply of affordable housing. Significantly relevant to local governments is the Act's preemption of local zoning and land use regulations. The most significant aspects of this preemption include:

- **Use:** Qualifying affordable housing developments are to be administratively approved as allowable uses in areas zoned commercial, industrial, or mixed-use, even if local zoning traditionally prohibits residential uses in those areas.
- **Density and Height:** For qualifying affordable housing projects (40% of units affordable for 30 years to households up to 120% AMI), local governments cannot restrict the density or height of developments below certain state-mandated minimums.
  - **Density:** They must allow at least the highest density allowed on any land zoned for residential or mixed-use in the entire jurisdiction, or the density of any contiguous parcel.
  - **Height:** They cannot restrict height below the highest allowed for commercial or residential development within one mile, or three stories, whichever is higher.
- **FAR (Floor Area Ratio):** Local governments cannot restrict the FAR of a qualifying project below 150% of the highest currently allowed FAR where development is permitted.
- **Administrative Approval:** Most qualifying projects require an expedited administrative approval, thereby removing discretionary review by the Planning and Zoning Board or City Council.
- **Prohibition on Certain Requirements:** Local governments cannot require zoning changes, special exceptions, variances, or comprehensive plan amendments for these specific aspects (height, density, FAR, use). They also cannot impose residential usage quotas in mixed-use developments.
- **Reduced Parking Requirements:** The Act allows for a 15% reduction in parking requirements for qualifying projects in certain areas (e.g., near transit).

While significant aspects of development decisions are preempted, local governments still retain authority over other land development regulations like setbacks, landscaping, open space, architectural design (with some exceptions for historic districts), and stormwater management, provided these are applied consistently and do not effectively undermine the Act's intent.



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Section 134-528 Florida Live Local Act Developments. This Section applies to multi-family residential developments that qualify as Florida Live Local Act Developments, per Chapter 166.04151, Florida Statutes (FS). These developments are allowed to be located in non-residential zoning districts if at least 40 percent of the residential units in the proposed multifamily residential development are rental units that, for a period of at least 30 years, are affordable as defined in s. 420.0004.

(a) Definitions. For the purposes of this subsection, the following definitions are provided for terminology not defined in Florida Statutes (FS) with respect to implementation consistent with the City of Edgewood:

**Allowed** shall mean as allowed under the provisions of the city land development code at the time a proposal is submitted for development subject to Chapter 166.04151, FS, and shall not mean as allowed historically back in time previous to the present.

**Flexibly zoned area** shall mean the Planned Development District (PD) as contained in City Code Section Chapter 134, Article IV, Division 11.

**Height within one mile** shall mean one mile as can be traveled by human beings from the center point of the proposed development site boundaries to the boundary where vehicular access will be connected to the public road network, then along public streets within the normal permitted vehicular travel lanes, and shall not mean a straight-line distance as a bird might be able to travel.

**Highest currently allowed height** shall only mean such height allowed by right within the city and not heights allowed if such height would require special exception and not heights allowed when specified criteria must be met for approval as stated in the city land development regulations.

**Highest density allowed** shall mean the highest density allowed by right and shall not include density achievable through density bonuses allowed when specified criteria must be met for approval as stated in the city land development regulations.

**Pedestrian-friendly path** shall mean a sidewalk or multi-modal path designed and maintained to allow all pedestrians, including those with disabilities, to travel safely and independently between two points, with road crossings at crosswalks. Unless prohibited by existing right-of-way, this path shall have a minimum clear width that meets FDOT and ADA standards, free of any permanent or temporary obstructions (e.g., utility poles, signs, street furniture, landscaping, overhanging tree branches below 80 inches vertical clearance). Crosswalks across arterial roads shall have accessible pedestrian signals or flashing beacons. Sufficient lighting along the entire path shall be provided to ensure visibility during low-light conditions.

**Technical staff** shall mean, at a minimum, the city's planner and engineer.

**Transit-Oriented Development (TOD)** is a compact, mixed-use, and walkable development located within 0.25 mile (as measured along a pedestrian-friendly path) of a Major Transportation Hub or Transit Station. Key characteristics of TOD include a greater concentration of higher density residential uses integrated with an array of complementary retail, office, and recreation space designed to reduce auto dependency and encourage transit ridership, walking, and bicycling, thereby lessening reliance on private automobiles.

**Transit station** shall mean a designated public facility that serves as a primary boarding, alighting, and transfer point within a public transportation system featuring dedicated infrastructure beyond a simple curbside stop, such as off-street bays or integrated shelters, and often provides amenities like seating, real-time information, and enhanced accessibility. Its distinguishing characteristic is its design to facilitate efficient passenger movement and transfers, contributing significantly to the connectivity of the transit network. It is not a transit stop.

**Transit stop** is a basic, designated location along a bus route where buses temporarily halt for passenger boarding and alighting. The transit stop is considered to be both the near side and far side of the road, except on a one-way street pair. For properties situated on one-way street pairs, one transit stop will be considered the transit stop, contingent upon the presence of a parallel transit stop serving the opposing direction. It typically consists of minimal infrastructure (e.g., a sign on a pole, a small shelter) and is generally located at the curbside or on the sidewalk, not requiring dedicated off-street facilities for multiple simultaneous operations or complex transfers. Its function is limited to serving one or a few bus routes at a simple pick-up/drop-off point.

(b) Process for Approval. This section outlines the approval process for a qualifying development located within an eligible zoning district.

(1) Pre-application conference: A pre-application meeting with the city technical staff is required prior to submitting the Live Local site development plan.

(2) Submittal of Application/Sufficiency Review: Upon application, the city technical staff shall complete a sufficiency review of the materials submitted and provide a response within thirty (30) days of submittal stating that the application is complete or specifically detailing what items are still required. The applicant shall then provide the items that are required to achieve sufficiency, which shall then begin another sufficiency review period that shall be completed within fourteen (14) days following re-submittal, and so on until a complete application is provided. A contract to purchase must be in full force and effect during the sufficiency and review periods established within this Section. If any due diligence period or other contract matter expires within such time periods, then the city shall not begin or complete the sufficiency review or application review.

(3) Approval:

a. Staff Verification. Upon technical staff verification that all the requirements of this Live Local regulation and applicable city land development regulations, including R-2 or R-3 zoning standards (with the exception of provisions establishing allowable densities, floor area ratios, height, and land use outlined in this chapter), and is otherwise consistent with the comprehensive plan, the project shall be approved. Such land development regulations include, but are not limited to, regulations relating to setbacks, landscaping, and parking requirements.

- 118 b. Condition of Approval. As a condition of approval and prior to any site or  
119 building permits for the project being requested or obtained, the applicant  
120 (and the property owner, if different from the applicant) must execute and  
121 have recorded in the public records of Orange County, Florida, an Affidavit  
122 of Commitment and Restrictive Covenants. Such Affidavit of Commitment  
123 and Restrictive Covenants shall: (i) have terms acceptable to the city; (ii)  
124 run with and be binding upon the land for no less than thirty (30) years from  
125 the issuance of a certificate of occupancy for the last principal structure of  
126 the project; (iii) be enforceable by the city; (iv) detail the affordable housing  
127 and project conditions and restrictions required by this section, the Live  
128 Local Act, and the approval of the project; (v) provide for monitoring and  
129 compliance requirements; and (vi) provide for the city's enforcement  
130 remedies. Mortgage holders will be required to execute and record a  
131 subordination of their lien interest to such Affidavit of Commitment and  
132 Restrictive Covenants prior to or simultaneously with the recording of the  
133 Affidavit of Commitment and Restrictive Covenants. The city will provide  
134 the monitoring and compliance forms upon the application being deemed  
135 complete and sufficient.
- 136 c. Duration of Approval: An approval received through this process shall be  
137 effective for six (6) months from the date of approval. The application  
138 process and certification of compliance with the Live Local Act shall begin  
139 again if a building permit has not been issued by the city within six (6) months  
140 of an approval under this section.
- 141 (c) Minimum Application Submittal Requirements. The minimum submittal  
142 requirements for the proposed development are as follows:
- 143 (1) Complete site plan review application form provided by the city.  
144 (2) Payment of site plan review application fee and deposit for pass through fees.  
145 (3) Agent Authorization: An affidavit with the property owner's notarized authorization.  
146 (4) If application is not made by the owner of record, then a contract or agreement to  
147 purchase which is clear as to dates of effectiveness and due diligence periods.  
148 (5) Project Narrative. A narrative which demonstrates compliance with Section  
149 166.04151(7)(a), FS.  
150 (6) Affidavit of commitment to Orange County Affordable Housing standards for  
151 income qualification, monitoring, and inspection during the full minimum 30 years  
152 of operation, including acknowledgement of the auditing requirements for eligibility  
153 of all tenants living within the designated affordable housing units in order to  
154 establish compliance with the provisions of the Live Local Act and penalties for  
155 non-compliance as further outlined below. Such affidavit shall confirm a 30-year  
156 commitment to provide affordable housing and a monetary cap on all rent charges,  
157 including any and all other fees as may be assessed to the occupants of units  
158 deemed to be affordable, such that all rents and fees shall not exceed 30% of the  
159 gross revenue of all occupants of affordable units.

- 160 (7) Letter from Orange County Housing and Community Development demonstrating  
161 the proposed affordable housing meets the Orange County and FS affordable  
162 housing standards.
- 163 (8) Affidavit attesting to the following:
- 164 a. agreement and acceptance as to the annual audit requirements by a certified  
165 public accounting firm attesting to satisfaction of the such income and total  
166 rental fees;
- 167 b. agreement and understanding that violations of such commitments shall be  
168 subject to a fine of no less than \$5,000.00 per day for each violation determined  
169 by the annual audit and for each day the annual audit is not received by the city  
170 after March 1st of every year;
- 171 c. agreement that any such fines shall constitute a lien on said property if not paid  
172 to the city within 60 days of receipt of the audit by the city by March 1st of every  
173 year; and
- 174 d. agreement to reimburse the city for any legal expenses in the enforcement of  
175 these provisions.
- 176 (9) Site Development Plan which includes the following:
- 177 a. Scale, date, and north arrow.
- 178 b. Legal Description of the property, gross and developable acreage of the site.
- 179 c. General location map.
- 180 d. A boundary and topographic survey of the property prepared by a professional  
181 land surveyor registered to practice in the state showing existing elevations  
182 based on the county data and existing contours at one-foot intervals.
- 183 e. Project team names and contact information.
- 184 f. Zoning district.
- 185 g. Site Data Table including required minimums/maximums, as applicable, and  
186 that proposed for setbacks, residential density, minimum living area of residential  
187 units, impervious surface coverage, gross square feet of building total and per  
188 use, floor area ratio of nonresidential uses, parking spaces, building height, open  
189 space, and Residential Private Open Space.
- 190 h. Proposed total number of residential units by number of bedrooms and  
191 delineation of affordable units by area median income and affordability  
192 period.
- 193 i. Projected student population per Orange County School Board generation rates.
- 194 j. Dimensioned location, size, height and use of all existing and proposed  
195 structures, indicating setbacks from property lines and distances between  
196 structures.
- 197 k. Percentage of each use in each building (e.g., percentage of residential and  
198 nonresidential uses). Specific list of nonresidential uses to be identified.
- 199 l. Provider of all proposed utilities and public services including, but not limited  
200 to, potable water, sanitary sewer, electric power, natural gas, police, and fire  
201 safety/emergency response.

- m. Onsite soils and flood zone.
- n. Uses of adjacent parcels. If the proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential use that is within a single-family residential development with at least 25 contiguous single-family homes, then the heights of all buildings on those adjacent lots shall be identified.
- o. Normal high water elevation, if applicable.
- p. Wetlands, if applicable, delineated and acreage.
- q. A landscape plan that delineates all proposed landscaping, open space, and Private Residential Open Space as required per Chapter 114 of the City's Code as well as natural features to be retained. Chapter 114's Private Residential Open Space requirement for R-2/R-3 multifamily housing shall apply. Required buffer yards shall correspond to the proposed use adjacent to the property boundary and the adjacent property's current zoning. If the adjacent property is zoned PD, the adjacent/proposed use in the PD shall be used to determine the type of buffer required.
- r. Tree management and protection plan per Chapter 130 of the City's Code. including, but not limited to, a table with tree retention and applicable mitigation.
- s. Location and method of screening of refuse stations, storage areas, and loading areas.
- t. Location, right-of-way width, pavement type and width, name, and other related appurtenances of all public rights-of-way adjoining, traversing or proximate to the site.
- u. Location and dimensions of vehicular access within the development as well as the connection(s) to adjacent streets and/or alleys, showing all existing and proposed curb cuts. Crosswalks to ensure safe pedestrian access to be identified.
- v. Identification of all sidewalks, bikeways, and crosswalks within the development and their seamless integration with the existing public infrastructure (adjacent streets, alleys, bikeways, and sidewalks) off site.
- w. Average daily trips, per ITE, and assessment of the impacts of the proposed development on the area transportation system, including roads, transit, sidewalks, and bike paths, and identification of implementation strategies to mitigate any negative impacts that will be created by the proposed development.
- x. Location and dimensions of proposed parking and loading and service areas, including typical parking space dimensions.
- y. Location of all proposed signage and sign illustration, including size and materials.
- z. Provision of a note that identifies the distances to the closest transit stops/stations/major transportation hub.
- aa. The location, size, and capacity of all existing and proposed utilities and public

services including, but not limited to, potable water, sanitary sewer, electric power, natural gas, and existing and proposed fire hydrant locations.

bb. Method of stormwater management including all proposed drainage facilities/control devices such as storm sewers and retention or detention facilities.

cc. Building Elevations (4-sided) for each proposed building.

dd. Southern Florida Building Code definitions for types of construction proposed and existing.

(d) Other Requirements

(1) Requirement for mixed use development. Because the city has less than 20 percent of the land area designated for commercial or industrial use, any proposed development submitted pursuant to the Live Local Act on land with a Commercial or Industrial future land use designation must be submitted as a mixed-use residential as defined in this regulation. As such, at least 65 percent of the total building square footage must be used for residential purposes, and a minimum of 10% of the total gross building square footage used for residential purpose shall be dedicated to non-residential uses. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not mixed use, irrespective of how they are operated.

(2) Floor Area Ratio. Building floor area ratio cannot exceed 150 percent of that allowed by the current zoning of the property or the highest currently allowed in the city, excluding any allowed by special exception or when specified criteria must be met for approval under the city land development regulations.

(3) Building Height. If the proposed development has two or more boundaries contiguous to a parcel zoned for single-family residential use and has at least 25 contiguous single-family homes, the maximum height of the proposed development shall be 150 percent of the tallest building on that adjacent property, the maximum height of the current zoning, or three stories, whichever is higher. A story may not exceed 10 feet in height measured from finished floor to finished floor, including space for mechanical equipment. The highest story may not exceed 10 feet from finished floor to the top plate. For purposes of this paragraph, the term "contiguous to" means those properties sharing more than one point of a property line, including across a railroad right-of-way, but not including properties separated by a public road or body of water, including manmade lakes or ponds. Building Height is defined as the vertical distance from the average finished grade surrounding the building to the highest point of the roof, excluding minor architectural features such as chimneys, spires, cupolas, flagpoles, and similar appurtenances.

(4) Compliance with City Code and Comprehensive Plan. Except where preempted by Chapter 166.04151 FS, or otherwise noted in this regulation, all city land development regulations and comprehensive plan policies shall apply to the

proposed development.

(5) Land Use Compatibility. The site plan will be reviewed for adjacent land use compatibility. Compatible means a development, building, and/or land use is designed to be able to exist or occur without conflict with its surroundings in terms of its uses, scale, height, massing, and location on its site, as well as beings without negative impact to public services and facilities. Land use compatibility analysis shall address visual impact and on-site operational impact.

a. Visual Impact; i.e., the three-dimensional scale of the structures onsite, including height, bulk, width, and depth compared to adjacent uses. This not only includes the appearance of any structures, but also the effect of outdoor uses, as well as the long term maintenance of buildings, landscaping, etc. onsite.

b. Operational Impact; i.e., operational by-products such as noise, odors, dust, vibration, light, heat, solid waste collection, etc., that may negatively impact adjacent uses.

(6) Reduction In Minimum Required Onsite Parking.

a. Proximity to transit. The minimum required parking quantity is reduced by 15% for the following proposed developments:

1) Those residential units that are within one-quarter mile from a transit stop or transit station, provided the transit stop/station is accessible from the development. **Accessible from the development** shall mean a continuous, safe, and pedestrian-friendly path is available from a residence's primary entrance to the transit stop/transit station on the near side and far side of the road, except on a one-way street pair. For properties situated on one-way street pairs, proximity to one transit stop within the 0.25-mile radius is acceptable, contingent upon the presence of a parallel transit stop serving the opposing direction. The distance shall be measured from the primary entrance of the residential unit, along the proposed pedestrian-friendly path within the development and along the public pedestrian-friendly path to the stop/station, including across crosswalks. The path crossing arterials shall be at a crosswalk with accessible pedestrian signals or flashing beacons. This measurement explicitly excludes "as-the-crow-flies" or straight-line distances.

2) Those residential units that are within one-half mile of a major transportation hub, provided the major transportation hub is accessible from the proposed development. **Accessible from the development** shall mean a continuous, safe, and pedestrian-friendly path is available from a residence's primary entrance to the transit stop/transit station (e.g., sidewalk, multi-use trail) on the near side and far side of the road, except on a one-way street pair. For properties situated on one-way street pairs, proximity to one transit stop within the 0.25-mile radius is acceptable.



contingent upon the presence of a parallel transit stop serving the opposing direction. The distance shall be measured from the primary entrance of the residential unit, along the proposed pedestrian-friendly path within the development and along the public pedestrian-friendly path to the stop/station, including across crosswalks. The path crossing arterials shall be at a crosswalk with accessible pedestrian signals or flashing beacons. This measurement explicitly excludes "as-the-crow-flies" or straight-line distances.

3) Where available off-site parking, including but not limited to on-street parking, is available within 600 feet of the proposed development. **Available off-site parking** means those parking spaces that are accessible by a pedestrian-friendly path that is genuinely usable by the people living in the new development; i.e., parking that is not already fully utilized by another private entity, as determined by uses that have parking in excess of the minimum required, or for public purpose. The distance shall be measured from the primary residential unit entrance along a pedestrian-friendly path, including across crosswalks, to each of the off-site spaces. The path crossing arterials shall be at a crosswalk with accessible pedestrian signal heads or flashing beacons. This measurement explicitly excludes "as-the-crow-flies" or straight-line distances.

b. Additional reduction in minimum parking may be approved based on City Council's finding that the available transit routes served by the development provide an effective and efficient link to shopping, personal services, and employment opportunities, including frequent headways. This option must be pursued during the approval process outlined in this regulation and with the understanding from the applicant that scheduling the Council hearing may extend the approval timeline.

c. No minimum parking is required for a mixed use transit-oriented development, as authorized by Chapter 166.04151, FS.

(7) Equivalent Treatment of all Dwelling Unit Requirements. Demonstration that affordable dwelling units and market rate dwelling units shall be located within the same structure, all common areas and amenities shall be accessible and available to all residents (both affordable and market rate dwelling units), access to the required affordable dwelling units shall be provided through the same principal entrance(s) or in the same design utilized by the market rate dwelling units in the development, and the sizes and number of bedrooms in the affordable dwelling units shall be proportional to the square footage and number of bedrooms in the market rate dwelling units (e.g., for number of bedrooms, if 25 percent of the market rate dwelling units consist of two bedrooms, then 25 percent of the affordable dwelling units shall also have two bedrooms).

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

**SECTION FOUR.** Ordinances in Conflict. All ordinances or parts thereof, which may be determined to be in conflict herewith, are hereby repealed and superseded by this Ordinance, to the extent of such conflict.

**SECTION FIVE.** Effective Date. This Ordinance shall become effective on the date adopted by City Council.

PASSED ON FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

CITY OF EDGEWOOD, FLORIDA  
CITY COUNCIL

\_\_\_\_\_  
Richard A. Horn, Council President

ATTEST:

\_\_\_\_\_  
Sandy Riffle, City Clerk

# **Ordinance 2025-08:**

## **ECD Activity Node Bonus**



Date: July 30, 2025  
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: Criteria for Bonus in ECD

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This agenda item addresses a proposed ordinance that adds criteria for an Activity Node bonus in the Edgewood Central District (ECD). These nodes are envisioned as vibrant, mixed-use centers concentrating development intensity to promote transit-oriented, pedestrian-friendly environments. To qualify for development bonuses within an Activity Node, projects must meet the design standards listed in the proposed ordinance. The standards are designed to ensure:

- Reduced automobile dependency and enhanced walkability/bicycling;
- A diverse mix of residential, retail, personal services, and office uses;
- The provision of publicly accessible open space, including urban plazas and parks with high design standards; and,
- Compatibility with adjacent uses through thoughtful design.

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**WHEREAS**, the City of Edgewood seeks to promote the achievement of the goals and vision of its districts, encouraging high-quality development that might otherwise be economically unfeasible; and

**WHEREAS**, the establishment of a development bonus system provides a mechanism to incentivize increased development intensity in a manner consistent with the City's comprehensive plan and land development regulations; and

**WHEREAS**, such a system fosters public and private partnerships that contribute to the overall economic vitality and urban design quality of the community; and

**WHEREAS**, the creation of "activity nodes" is identified as a key component of this vision, designed to concentrate development intensity and promote transit-oriented, pedestrian-friendly environments; and

**WHEREAS**, the standards for activity nodes, including but not limited to, increased impervious surface area ratio, F.A.R., density, and building height, are intended to create vibrant, mixed-use centers; and

**WHEREAS**, it is in the public interest to encourage developments that reduce automobile dependency, enhance walkability and bicycling, and provide convenient access to public transit; and

**WHEREAS**, the integration of a diverse mix of residential, retail, personal services, and office uses within these activity nodes is essential to fostering dynamic and self-sustaining environments; and

**WHEREAS**, the provision of publicly accessible open space, including urban plazas and parks with specific design and maintenance criteria, serves to enhance the quality of life and provide valuable public amenities within these intensive development areas;

**WHEREAS**, ensuring compatibility with adjacent uses through thoughtful design, including considerations of building scale, massing, setbacks, buffers, and mitigation of noise and lighting, is paramount to harmonious urban development; and

**WHEREAS**, the City Council hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Edgewood, Florida;

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

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

**SECTION TWO.** The City of Edgewood Code of Ordinances Chapter 134, “Zoning,” Article IV, “District Regulations,” Division 12, “Edgewood Central District” is hereby amended as set forth as follows (note: additions are indicated by underline, deletions are indicated by strikethrough, and portions of the Code that remain unchanged and which are not reprinted here are indicated by ellipses (\*\*\*):

**Sec. 134-473. Development bonuses.**

The purpose of the development bonus system is to promote achievement of the goals and vision of the district that otherwise would not be economically feasible without a bonus in development intensity as well as provide opportunities for public/private partnerships. Development sites may receive more than one bonus. All costs associated with implementation of the bonus categories shall be the responsibility of the developer.

(1) *Creation of an activity node.* Activity nodes shall be allowed an increase in the maximum impervious surface area ratio to 90 percent, an increase in maximum F.A.R. to 3.0, an increase of maximum density not to exceed 80 units per acre, and ~~Activity nodes shall be allowed an~~ increase in the maximum building height to 75 feet/six stories. In order to achieve the activity node bonus, the following design standards must be met in addition to the other requirements of the ECD:

a. Development sites must be at least ~~7.5~~ 5.0 acres in size.

~~b. Buildings shall be designed with the pedestrian in mind reflected by, but not limited to, scale and massing of buildings, walkable blocks, use of arcades and galleries, and emphasis on active first floor uses oriented to the street. Both residential and nonresidential uses are included. Building entryways and walkways will incorporate awnings and/or recessed entrances to provide weather protection for pedestrians. Such development will include unique architectural features and a comprehensive sign plan that promotes a cohesive design for the activity node. In addition, public amenities will be incorporated into the development to include public art, useable public gathering areas with seating and shade structures, water sculptures, fountains, or similar public amenities that are accessible to the public.~~

b. The development shall be designed to reduce automobile dependency and encourage transit ridership, walking, and bicycling, thereby lessening reliance on private automobiles. Such design shall include, but not be limited to, a required mix and integration of uses within the development, strategically locating parking to encourage the use of other forms of transportation, and convenient bicycle parking/storage.

- c. The development shall comprise a minimum of two uses, including residential, retail, personal services, and offices. For developments that incorporate a residential component:
1. At least 65% of the total gross building square footage shall be designated for residential purposes.
  2. Furthermore, a minimum of 10% of the total gross building square footage shall be dedicated to non-residential uses. Retail and personal services are encouraged to be situated on the first floor for active, street-oriented engagement. Recreational uses, such as tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not considered mixed-use, irrespective of how they are operated.
- d. The Property shall be within 0.25 mile of a transit stop, both the near side and far side of the road, except on a one-way street pair. For properties situated on one-way street pairs, proximity to one transit stop within the 0.25-mile radius is acceptable, contingent upon the presence of a parallel transit stop serving the opposing direction. The distance shall be measured along a pedestrian-friendly path. A pedestrian-friendly path shall mean a sidewalk designed and maintained to allow all pedestrians, including those with disabilities, to travel safely and independently between the residential units and transit stop, with road crossings at crosswalks. Unless prohibited by existing right-of-way, this route shall have a minimum clear width that meets ECD, FDOT, or ADA standards (whichever is most stringent), with the width free of any permanent or temporary obstructions (e.g., utility poles, signs, street furniture, landscaping, overhanging tree branches below 80 inches vertical clearance). Any path crossing arterials must be at a crosswalk with accessible pedestrian signals or flashing beacons. Sufficient lighting along the entire path on the property shall be provided to ensure visibility during low-light conditions.
- e. Building entryways and walkways shall incorporate awnings and/or recessed entrances to provide weather protection for pedestrians.
- f. A comprehensive sign plan that promotes a cohesive design for the activity node shall be submitted.
- ~~g. e.~~ Parking shall be located behind buildings or in parking structures consistent with all applicable regulations. On-street parallel parking is allowed; on-street angled parking shall not be allowed.
- ~~h. d.~~ Should on-street parking include provision of accessible parking spaces, such shall be consistent with the Public Right-of-Way Accessibility Guidelines (PROWAG).
- ~~i. e.~~ At least 25% of the site shall be dedicated to open space, which may include a mix of hardscape and landscape elements and recreational areas. A minimum of 30% of the total open space shall be at ground level and accessible to the general public. Furthermore, individual areas of open space must be larger than 0.20 acres, with at least one open space

area being a park/urban plaza, accessible to the general public, and meeting the following criteria:

1. The minimum area shall comprise at least one-half of an acre and the maximum shall be two acres.
2. The area is spatially defined by building frontages and at least ~~150~~ 100 feet of frontage on a ~~two-lane~~ street; incorporation of the lake frontage, if any on site, is required ~~strongly encouraged~~.
3. Building facades facing the plaza shall have at least 70 percent of their first floor's primary façade in transparent windows and/or public entrances ~~and incorporate a People Space as described in this district.~~
4. The area ~~will~~ shall consist of paved surfaces with planters and landscaped areas consisting of paths, lawns, and shade trees, seating, and other furnishings, all formally arranged, and shall include a water feature/fountain as a focal point.
5. The urban plaza or park shall be privately-owned and maintained, but open to the public. The applicant shall also be required to prepare a management plan for the maintenance and ownership of the site.
- ~~j.6. Demonstration of compatibility~~ The application shall demonstrate compatibility with adjacent uses through consideration of building scale, massing, setbacks, buffers, and noise and lighting reduction techniques, among other relevant design elements.
- ~~k.7.~~ Request for development approval must include elevations and colored renderings with materials identified in addition to development site plan.

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

**SECTION FOUR.** Ordinances in Conflict. All ordinances or parts thereof, which may be determined to be in conflict herewith, are hereby repealed and superseded by this Ordinance, to the extent of such conflict.

**SECTION FIVE.** Effective Date. This Ordinance shall become effective on the date adopted by City Council.

PASSED ON FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.



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PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

CITY OF EDGEWOOD, FLORIDA  
CITY COUNCIL

\_\_\_\_\_  
Richard A. Horn, Council President

ATTEST:

\_\_\_\_\_  
Sandy Riffle, City Clerk

# **Ordinance 2025-09: Platting Amendment**



Date: July 30, 2025  
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: Ordinance for Platting Changes

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This agenda item presents a proposed ordinance directly prompted by Florida Senate Bill 784 – Platting Reform in Florida, which amends Chapter 177, Florida Statutes (FS), and became effective on July 1, 2025.

The 2025 changes to Chapter 177, FS, related to platting, were primarily focused on streamlining the plat approval process for local governments and improving efficiency for developers. These changes specifically:

- Standardize and expedite the plat review process by requiring local governments to designate an administrative authority for review (rather than City Council) and by setting specific timeframes for review and response.

The proposed amendments to various chapters in the City’s Code were necessary to comply with the new law, including Chapters 101, 106, 110, 126, and 134.

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**AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA,  
RELATING TO PLATting; AMENDING CHAPTERS 101, 106, 110, 126,  
AND 134 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES  
RELATING TO PLATING; PROVIDING FOR CODIFICATION,  
CONFLICTS, AND EFFECTIVE DATE.**

**WHEREAS**, Section 163.3202, Florida Statutes, empowers and requires local governments to adopt and enforce land development regulations consistent with their adopted comprehensive plans; and

**WHEREAS**, Chapter 177, Florida Statutes, establishes minimum requirements for the platting of lands and grants local governments additional powers to regulate and control subdivisions; and

**WHEREAS**, Governor DeSantis signed Senate Bill 784 – Platting Reform in Florida, effective July 1, 2025, which amends provisions within Chapter 177, Florida Statutes, concerning platting procedures and requirements; and

**WHEREAS**, it is necessary for the City of Edgewood to amend its Code of Ordinances to ensure consistency and full compliance with the updated provisions of Chapter 177, Florida Statutes, thereby providing clarity and efficiency in the subdivision review process; and

**WHEREAS**, these amendments are intended to facilitate the timely development of residential and other projects while maintaining the public health, safety, and welfare of the community; and

**WHEREAS**, the City Planning and Zoning Board, after due public notice, conducted a public hearing on August 11, 2025 and recommended approval of the proposed amendments to the Land Development Code; and

**WHEREAS**, the City Council, after due public notice and a public hearing on August 19, 2025, has reviewed the proposed amendments and finds them to be consistent with the City's Comprehensive Plan and necessary to implement state law.

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

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

**SECTION TWO.** The City of Edgewood Code of Ordinances is hereby amended as set forth as follows (note: additions are indicated by underline, deletions are indicated by strikethrough, and portions of the Code that remain unchanged and which are not reprinted here are indicated by ellipses (\*\*\*):

**Sec. 101-2. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Applicant* shall mean and refer to an owner or an owner's authorized agent who submits an application, proposal, petition or project to the city.

*Application* shall mean and refer to an application, petition or proposal, including amendments to previously approved applications, submitted to the city pertaining to development for which city approval is required, and shall be limited to the following:

- (1) Comprehensive plan amendment;
- (2) Concurrency determination;
- (3) Development agreement, formulation and review;
- (4) Development of regional impact;
- (5) Subdivision ~~Final subdivision~~ plans and plats, including any revisions to a previously approved or existing subdivision or plat;
- (6) Planned unit development;
- (7) Preliminary subdivision plat;
- (8) Rezoning (with or without a comprehensive plan amendment);
- (9) Variance application;
- (10) Site plan review;
- (11) Special exception application;
- (12) Boat dock application;
- (13) Sign permit applications;
- (14) Applications for waivers from the Edgewood Central District standards;
- (15) Application for pool installation permits;
- (16) Application for commercial driveway installation permits.

*City* shall mean and refer to the City of Edgewood, Florida.

*City consultant* shall mean and refer to those companies, private consultants, governments, individuals or other entities under contract with the city to provide services to or for the city or who provide technical or legal expertise to or for the city, including but not limited to, attorneys, engineers, planners and surveyors.

*City staff* shall mean and refer to city employees.

75        *Owner* shall mean and refer to an owner or group of owners of fee simple title to a particular  
76 lot, tract, or parcel of real property.

77        *Owner's authorized agent* shall mean and refer to an agent of the owner duly authorized to  
78 submit and process an application. If the applicant is not the property owner, a proper authorization  
79 must accompany the application. Such authorization shall be evidenced by a power of attorney  
80 signed by the owner and notarized specifically authorizing the agent to represent the owner in  
81 connection with the application and as to the owner's real property which is the subject of the  
82 application. The authorization shall include an agreement of the owner to be bound by the actions  
83 of the owner's authorized agent and the provisions of this article and an acknowledgement that a  
84 lien may be placed on the property as provided herein.

85        *Review deposit* shall mean and refer to a deposit of money, as established by this article, to  
86 be paid by an applicant at the time of the filing of an application as defined above.

87        *Total development review estimate* shall mean and refer to the city's estimated fees, expenses  
88 and costs to process an application as provided in section 101-7.

89        \*        \*        \*

#### 90        **Sec. 106-262. Subdivision plans and plats.**

91        Where any portion of proposed subdivisions, including manufactured home parks and  
92 subdivisions, lies within a flood hazard area, the following shall be required:

- 93        (1) Delineation of flood hazard areas, floodway boundaries and flood zones, and design  
94 flood elevations, as appropriate, shall be shown on preliminary and final ~~plats~~ plans and  
95 final plats;
- 96        (2) Where the subdivision has more than 50 lots or is larger than five acres and base flood  
97 elevations are not included on the FIRM, the base flood elevations determined in  
98 accordance with subsection 106-112(1) of this chapter; and
- 99        (3) Compliance with the site improvement and utilities requirements of article III, division  
100 3 of this chapter.

101        \*        \*        \*

#### 102        **Sec. 110-27. Public streets.**

103        The following are applicable to street lighting installed on public streets:

- 104        (1) The developer shall be responsible for the installation, maintenance, repair, replacement,  
105 operational and electrical costs of street lighting installed on public streets as required  
106 herein until the end of the calendar year in which the city receives written notice from  
107 the developer that certificates of occupancy have been issued for buildings constructed  
108 on 75 percent of the lots in the subdivision. Beginning with the calendar year following  
109 such notice, the city shall be responsible for the maintenance, repair, replacement,  
110 operation and electrical costs of standard street lighting on public streets. The city shall  
111 not have any responsibility for and the developer shall have continuing responsibility for  
112 specialized street lighting, which is subject to a separate agreement and the developer  
113 shall have continuing responsibility for specialized street lighting pursuant to agreement  
114 entered with the city. Such agreement shall be in a form adopted and approved by the

city, which form is on file with the city clerk and may be changed from time to time. The written notice from the developer regarding issuance of certificates of occupancy is subject to verification by the city for accuracy.

- (2) At the time of the preconstruction conference, the developer shall advise the city regarding the type of street lighting to be installed and shall, at the time of the final ~~plat~~ subdivision plans, based upon the billing estimate received by the city from the electric utility with respect to the proposed street lighting, prepay to the city the street lighting costs, including charges related to specialized street lighting, if applicable, for the first year (i.e., 12 months) for all such street lighting to be installed on public streets. The city shall use such funds for the payment of street lighting invoices received from the electric utility and any other costs associated with such street lighting. Thereafter, the city shall annually submit an invoice to the developer in advance for such street lighting costs until such time as the city receives written notice from the developer that certificates of occupancy have been issued for 75 percent of the lots in the subdivision as set forth in the article and as verified by the city. If the city has received written notice from the developer that the responsibilities for the payment of invoices, including charges related to specialized street lighting if applicable, have been transferred to a homeowners' association and satisfactory evidence indicating the homeowners' association's agreement and capacity to assume such costs has been recorded in the public records, the city may submit an invoice to the homeowners' association. The developer shall remain liable and shall pay for all such costs if not promptly paid by the homeowners' association. Invoices to the developer or association shall be based on estimated costs of the public street lighting as determined by the city. The developer or association shall not be entitled to a refund for prepaid street lighting costs incurred either before or during the calendar year in which the city receives written notice from the developer that certificates of occupancy have been issued for 75 percent of the lots in the subdivision.
- (3) During the time the developer or homeowners' association is responsible for the costs of public street lighting, the city may, at its option, arrange for direct billing by the electric utility to a developer or homeowners' association for the costs of public street lighting. In such event the procedures set forth in this article regarding payments by the developer to the city shall not be applicable.
- (4) Any invoices from the city to a developer or homeowners' association for payment of public street lighting shall be due and payable 30 days from the date of such invoice. If payment is not received within such timeframe, the invoices shall bear interest at the rate of 18 percent per annum or the highest rate allowed by law, whichever is less, until paid. If any such invoice remains unpaid for a period of 60 days, the city may take any action deemed necessary in order to collect the unpaid invoice, including but not limited to the retaining of the services of a collection agency or attorney, whether or not a lawsuit is commenced for the collection thereof. In such event, the city shall be entitled to receive its reasonable attorney's fees, paralegal fees and other costs and expenses, whether incurred prior to, during, or subsequent to court proceedings or on appeal.
- (5) If a developer proposes to install specialized street lighting on a public street, the developer, the applicable homeowners' association and the city shall, prior to or at the time of approval of the ~~first~~ final subdivision plan ~~plat~~, enter into an agreement acceptable to the city, per subsection (1) of this section, which provides that the electric

utility shall directly bill the developer or homeowners' association for all costs associated with public street lighting. At such time as the city becomes responsible for the standard street lighting costs on such public streets, as provided in this article, the city shall reimburse and shall continue to reimburse the developer or homeowners' association for the prevailing rate for standard street lighting costs on public streets thereafter incurred and paid by the developer or homeowners' association. Payments to be made by the city after payment by the developer or homeowners' association shall start in January of the calendar year following the written notice and verification of issuance of 75 percent of the certificates of occupancy and each January thereafter. Nothing contained in this article shall be construed to prevent the homeowners' association from entering into such agreement during the time it is controlled by the developer. The developer and the homeowners' association shall remain liable for all costs for specialized street lighting above costs for standard streetlights.

\* \* \*

### ***DIVISION 3. FINAL PLANS AND PLAT***

#### **Sec. 126-93. Authority for approval; conformance.**

Approval of the preliminary plans shall be construed as authority for submitting a final plans. The final plans shall conform substantially to the preliminary plans as approved, and may constitute only that portion of the approved preliminary plans which the subdivider proposes to record and develop at the time, provided that such portion conforms to all requirements of this chapter.

#### **Sec. 126-94. Submission and review.**

The final plans and supporting data required for approval shall be prepared as specified in sections 126-190 through 126-199. ~~The final plat plans and all other materials required by sections 126-190 through 126-199 shall be submitted to the office of the mayor.~~ Review procedures shall be the same as for preliminary plans. ~~A public hearing will not be required for final approval by the city council.~~ The ~~office of the mayor~~ city shall forward the final engineering plans and cost estimate to the city engineer and any other appropriate staff. ~~and the planning and zoning board for review.~~ The departments Staff shall report within 15 working days on whether the final plans comply with requirements established in this chapter.

#### **Sec. 126-95. Action by the planning and zoning board and council.**

The final plans, supporting data, and reports shall be reviewed by ~~from~~ the planning and zoning board, who shall provide a ~~and reviewing agencies may with the recommendation from the~~ planning and zoning board ~~be submitted~~ to the city council at any regular meeting. The council shall approve the final plans ~~and plat~~ if it complies with this chapter and is in substantial conformity with the approved preliminary plan. In disapproving any final plans, the council shall provide reasons for such action making reference to specific sections in this chapter. The city council shall have the final authority to approve, approve subject to conditions or disapprove the final plans ~~and plat.~~



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**Sec. 126-96. Recording of final plat.**

Approval of the final plans shall be construed as authority for submitting a final plat. The final plat shall conform to the final plan as approved.

The final plat shall be submitted to the ~~office of the mayor~~ city clerk's office which ~~who~~ shall forward it to the city engineer. Within 7 calendar days of the city's receipt of the plat, the city engineer will provide written notice to the applicant acknowledging receipt, identifying any missing documents or information required for compliance with the Final Plan, code sections 126-200 – 201, and all statutory requirements. The notice shall also provide information regarding the approval process including requirements and timeframes. Upon determination of compliance, the city engineer shall approve, approve with conditions, or deny the plat within the timeframe identified in the initial written notice. Denial shall be accompanied by an explanation citing unmet requirements.

The ~~office of the mayor~~ city clerk's office shall submit the approved final plat to the comptroller of the county for recording. Such plats shall comply with section 126-190 and F.S. ch. 177, and be accompanied by two paper prints. No plat of lands in the county subject to this chapter shall be recorded, whether as an independent instrument or by attachment to another instrument entitled to record, unless and until such plat has been approved by the council. (See Appendix 1, on file in the city clerk's office). In addition, all fees incidental to recording will be paid by the subdivider.

**Secs. 126-97—126-120. Reserved.**

**Sec. 126-67. Time limit on approval; voiding of plans.**

The final subdivision ~~plat~~ plan for all or a portion of the area subject to the preliminary plans shall be submitted within one year of the date of approval of the preliminary plans. The council may void the preliminary plans if substantial work has not been accomplished within one year after approval of such preliminary plans.

\* \* \*

**DIVISION 3. FINAL PLANS**

**Sec. 126-190. Reserved Final plat.**

~~Final subdivision plans shall include a final plat, which shall be drawn with black drawing ink on linen tracing cloth, or equally durable material, using sheets 24 inches by 30 inches. Each sheet shall have a marginal line completely around the sheet placed to leave a three inch bind margin on the left and a one inch margin on the other three sides. Final plats shall meet all the requirements of F.S. ch. 177 and shall be so certified by the land surveyor. (See Appendix 1 and Exhibit 2, on file in the city clerk's office.)~~

**Sec. 126-191. Engineering plans.**

(a) Final ~~subdivision~~ plans shall include three copies each of the subdivision engineering plans and specifications for the following utility systems and improvements:

- (1) Water (water system plans shall be submitted prior to construction, but may be submitted after the final plat is approved);
- (2) Sanitary sewer;
- (3) Drainage facilities;
- (4) Bulkheads;
- (5) Excavation and fill;
- (6) Sidewalks, bicycle paths and bridle paths;
- (7) Streets;
- (8) Grading plan showing original and final contours at one-foot intervals based on United States Coast and Geodetic Survey Datum. Final contours may be omitted; however, sufficient information, such as pad elevations and lot cross sections shall be provided to show final grading in all areas, with particular emphasis on the periphery of the property and areas around lakes and along watercourses. Grading of lots need not be accomplished prior to issuance of a final letter of acceptance by the city;
- (9) Street lighting.
- (b) The office of the ~~mayor~~ city clerk or the city engineer may also require submission of engineering calculations in support of proposed plans and specifications. When construction of improvements required by this chapter is complete, a set of as-built plans shall be submitted by the developer's engineers to the city clerk.

#### **Sec. 126-192. Estimated costs.**

Final ~~subdivision~~ plans shall include the estimated cost of installing all required improvements to be owned and maintained by public authorities. Such estimates shall be prepared by a state-registered engineer. As an alternate to the above, bids of two reputable contractors or a copy of an executed contract for the installation of the above-mentioned improvements may be submitted. (See Appendix 2, on file in the city clerk's office.)

#### **Sec. 126-193. Certification of improvements or performance bond.**

No building permit for any structure within a subdivision shall be approved unless ~~Final subdivision plans shall include certification by the office of the mayor that all required improvements to be owned and maintained by the city have been installed in accordance with this chapter has been submitted to the city clerk's office, or, as an alternative, a surety bond executed by a company authorized to do business in the state that is satisfactory to the council payable to the city. (See Appendix 3, on file in the city clerk's office.) Such bond shall be in the penal sum of the amount of the engineer's estimate or low bid for all required improvements to be owned and maintained by the city. As an alternative to the provision of a surety bond, the developer may provide for the deposit of cash in an escrow account or any other alternative acceptable to the council. (See Appendix 4, on file in the city clerk's office.)~~

274 **Sec. 126-194. Dedication**

275 Final ~~subdivision~~ plans shall ~~include a dedication~~ show all intended dedications to the public  
276 by the owners of land involved of all roads, streets, alleys and other rights-of-way ~~however~~  
277 ~~designated shown on the plan~~ for perpetual use for public road, street and utility purposes and other  
278 purposes incidental thereto, including vehicular access rights where required. If the property is  
279 encumbered by a mortgage, the owner and mortgagee shall join in the dedication or in some other  
280 manner subordinate the mortgagee's interest to the intended dedication of public right-of-way. (See  
281 Appendix 5, on file in the city clerk's office.)

282 **Sec. 126-195. Maintenance, materials and workmanship warranty bond.**

- 283 (a) Final ~~subdivision~~ plans shall include a maintenance, materials and workmanship warranty  
284 bond, which shall be posted by the developer and executed by a company authorized to do  
285 business in the state that is satisfactory to the council payable to the city in the amount of 20  
286 percent of the estimated construction cost of all required improvements to be owned and  
287 maintained by the city.
- 288 (b) Such bond shall guarantee maintenance of all required improvements to be owned and  
289 maintained by the city for a one-year period, and the materials, workmanship and structural  
290 integrity of sewers and drainage facilities, excluding mechanical equipment, for a one-year  
291 period, commencing after a certificate of completion has been issued by the city. (See  
292 Appendix 6, on file in the city clerk's office.) The manufacturer's warranty will be acceptable  
293 for mechanical equipment. As an alternative to the provision of a surety bond, the developer  
294 may provide for the deposit of cash in an escrow account or any other alternative acceptable  
295 to the council.

296 **Sec. 126-196. Certification of payment of taxes.**

297 Final ~~subdivision~~ plans shall include certification that all payable taxes have been paid and  
298 all tax sales against the land redeemed. Furthermore, certification shall be presented that a deposit  
299 has been made with the county comptroller for the payment of the current year's taxes of a sum  
300 equal to 125 percent of the taxes for the previous year.

301 **Sec. 126-197. Certificate of title and encumbrances.**

302 Final ~~subdivision~~ plans shall include title certification as required by F.S. ch. 177.

303 **Sec. 126-198. Insurance.**

304 The contractor shall maintain the insurance fixed by the city council during the life of his  
305 contract, to hold the city free from any claim due to the contractor's action.

306 **Sec. 126-199. Release of liens.**

307 Prior to final inspection and/or acceptance by the city, the developer shall furnish the city  
308 with copy of all release of liens from material men, subcontractors, and contractor necessary to  
309 hold the city harmless from any and all claims.

\* \* \*

**Secs. 126-200 Final Plat**

~~The final plat shall be drawn with black drawing ink on linen tracing cloth, or equally durable material, using sheets 24 inches by 30 inches. Each sheet shall have a marginal line completely around the sheet placed to leave a three inch bind margin on the left and a one inch margin on the other three sides.~~ Final plats shall meet all the requirements of F.S. ch. 177 and shall be so certified by the land surveyor. (See Appendix 1 and Exhibit 2, on file in the city clerk's office.)

**Sec. 126-201 Dedication.**

~~The fFinal subdivision plat shall include a dedication to the public by the owners of land involved of all roads, streets, alleys and other rights-of-way however designated shown of the Final Plan for perpetual use for public road, street and utility purposes and other purposes incidental thereto, including vehicular access rights where required. If the property is encumbered by a mortgage, the owner and mortgagee shall join in the dedication or in some other manner subordinate the mortgagee's interest to the dedication of public right-of-way. (See Appendix 5, on file in the city clerk's office.)~~

**126-202—126-221. Reserved.**

\* \* \*

**Sec. 126-337. Parks and recreation sites.**

- (a) It is the intent of this chapter that properly located public parks, playgrounds and recreation facilities be provided. When lands are subdivided within the city, at least five percent of the gross area of such lands shall be dedicated by the owner or developer to the city for parks and recreation purposes. The location of such parks and recreation areas shall be clearly shown on the preliminary plans and no final ~~plat plans~~ shall be accepted without these areas clearly shown and their location approved by the city council. Where property abuts a lake, the five-percent dedication shall be lakefront property.
- (b) If, in the judgment of the city council, the land area to be subdivided is too small for a park or recreation area to be dedicated from such land, then the owner or developer shall pay to the city a sum of money, equal to five percent of the value of the gross area to be subdivided, such money to be held in escrow and used by the city for the purpose of acquiring park and recreation areas and for no other purpose. Determination of the value of the gross area to be subdivided shall be determined jointly by the city council and the owner or developer. If the city council and the owner cannot agree on a land value, then the value shall be determined by arbitration. The city council shall appoint a professional land appraiser and the developer shall appoint a third. The total cost of such appraisal shall be borne by the owner or developer of the land being subdivided.

\* \* \*

**Sec. 126-590. Appeals.**

Any person aggrieved by the council's decision regarding a preliminary or final subdivision plan or plat, or the council's decision regarding any variance, may appeal to the circuit court of the county.

\* \* \*

**Sec. 134-72. Function, powers and duties.**

The planning and zoning board shall have the following functions, powers and duties:

(1) *Acquire information.* The board shall gather information necessary for the drafting, establishment and maintenance of the various components of this chapter and other zoning and land use ordinances. Toward that end, the board shall hold public hearings and acquire and maintain current basic information and materials necessary to understand past trends, present conditions and forces causing future changes. Such materials may include maps and photographs; statistics on population, property values, economic bases and land use; and other information important to determining the amount, direction and type of development expected in the city. Board members may, in the performance of official duties, enter upon lands and make examinations or surveys in the same manner as other authorized city agents or employees.

(2) *Act as local planning agency.* Pursuant to and in accordance with Florida Statutes, the board has been and is hereby again designated and established as the local planning agency for the city. As such, the board shall:

- a. Conduct the comprehensive planning program and prepare the comprehensive plan or elements or portions thereof for the city.
- b. Coordinate said comprehensive plan or elements or portions thereof with the comprehensive plans of other appropriate local governments and the state.
- c. Recommend said comprehensive plan or elements or portions thereof to the city council for adoption.
- d. Monitor and oversee the effectiveness and status of said comprehensive plan and recommend to the city council changes in the comprehensive plan as required from time to time.
- e. Do all other acts as from time to time required by law.

The city council shall appropriate funds to the local planning agency for expenses necessary in the conduct of its work.

(3) *Advise regarding planning and zoning.* The board shall keep the city council and the general public informed and advised on matters relating to planning and zoning. The city council may refer to the board for consideration and recommendation matters which fall within the scope of the duties of the board.

(4) *General power; ~~plats~~ subdivision plans, rezoning, annexations, variances, appeals, special exceptions, etc.* The board shall conduct public hearings and shall meet as specified by this chapter to review and report recommendations to the city council on the following matters:

- a. Proposed ~~plats~~ plans for the subdivision of land.
- b. Proposed rezoning of land pursuant to section 134-121.
- c. Boundaries of zoning districts and appropriate regulations and amendments thereto.
- d. Proposed annexations of land into the city and the ability of the city to provide necessary public services and facilities to such lands.
- e. Proposed initial zoning of land annexed into the city.
- f. As the board of adjustment for proposed special exceptions, appeals and variances from the terms of this chapter and other chapters of this city Code where so provided.

Board review and recommendation on the items listed above shall be required prior to any final action by the city council.

(5) *Miscellaneous.* The board shall perform other lawfully assigned duties.

\* \* \*

#### **Sec. 134-517. Fences/screening walls.**

(a) *Purpose and intent.* The purpose and intent of this section is to regulate the location, height, and appearance of fences and walls to maintain visual harmony within neighborhoods and throughout the city, protect adjacent land from the indiscriminate placement and unsightliness of fences and walls, and ensure the safety, security, and privacy of properties.

(b) *Applicability.*

(1) Unless exempted below, the provisions of this section shall apply to all new construction or repair or replacement of 50 percent or more of any existing wall or fence length. The term wall in this section applies to screening walls and not walls required for support of a principal or accessory structure.

(2) *Permit required.* All fences and walls subject to these standards shall obtain a building permit prior to construction. Requests for permits for walls and fences must be accompanied by a scaled site plan and drawings clearly showing the locations, heights and materials for which approval is requested.

(c) *District location standards.*

(1) *Residential districts.*

a. *Fences and walls in a required front yard:* Except where allowed in this section, fences and walls within the required minimum front setback shall not exceed four feet in height.

b. For residential zoned lots with a front or side yard on a FDOT functionally classified arterial or collector road, the maximum height for a fence or wall in a required minimum front and street side yard may be increased to six feet if the following is met:

1. Fences shall be of decorative materials such as wrought iron or powder-coated aluminum in a style of wrought iron.

2. Walls shall be concrete block, stone, cultured stone, brick, or prefabricated with a textured manufactured finish. If concrete blocks are used, the wall shall have a minimum one-inch thick stucco finish or be clad in brick, stone and/or cultured stone veneer.
  3. Brick, stone and/or cultured stone columns shall be constructed when using either a fence or a wall, and such columns shall, at a minimum, be placed where the fence/wall ends at the property lines and at driveways. If the lot's road frontage is in excess of 100 feet, additional columns shall be required to be spaced evenly along the frontage, with the wall/fence segment not exceeding 40 feet in length. The columns may extend up to 12 inches above the fence height.
  4. The fence/wall shall be constructed a minimum of seven feet from the road right-of-way line.
  5. Shade trees shall be planted along the fence/wall at a rate of one per 40 linear feet of road frontage. Trees shall be evenly spaced along the pervious area of the frontage. Each tree shall be a minimum caliper of five inches (as measured one foot above grade) and minimum 14 feet in height at planting with six-foot minimum vertical clearance to the limbs. If overhead utilities exist along the right-of-way, the required shade trees shall be understory trees spaced every 20 feet on center, with said understory trees a minimum of nine feet in height and at least a three-inch caliper (measured six inches above grade) at planting if single stem; for multi-stem understory trees, at least three stems are required with each stem at least of one-inch caliper (measured six inches above grade).
  6. If hedges are planted along the fence or wall, such shall be maintained at a height not to exceed six feet in height.
  7. If a vehicular gate is used, the gate shall be automated and setback a minimum of 20 feet from the lot side of the public sidewalk. If no sidewalk exists, the gate shall be set back 20 feet from the right-of-way/property line.
  8. If on a corner lot, the fence/wall shall meet the proximity to right-of-way intersection standard in subsection 134-517(d).
- c. Unless abutting a FDOT functionally classified arterial or collector, on any corner lot, abutting the side of another lot, a fence/wall along the side street exceeding four feet in height shall be set back 15 feet from the street side property line.
  - d. Maximum fence and wall height outside the minimum front setback shall be eight feet in height unless a more restricted height limit applies. A fence or wall height greater than eight feet may be approved by special exception.
  - e. Subdivision walls and buffers.
    1. Subdivisions that include lots with rear or side yards adjacent to a public right-of-way must include a screen wall and vegetative buffer to provide both a desirable buffer for the residents of the subdivision from the street as well as provide an aesthetic buffer for the users of the adjacent right-of-way. Height of the screen wall shall be six feet from the finished grade of the location of

the wall or street, whichever provides the highest screening height. Compliance with this section will require a buffer with hedges, evergreen shade trees (at 40-foot on center spacing) and one understory tree centered between the shade tree, on the street side of the wall. The minimum width of the buffer shall be ten feet, as measured from the right-of-way line to the wall. The shade tree shall be a minimum caliper of five inches (as measured one foot above grade) and minimum 14 feet in height at planting with six-foot minimum vertical clearance to limbs. If overhead utilities exist along the right-of-way, the required shade trees shall be understory trees spaced every 20 feet on center, with said understory trees a minimum of nine feet in height and at least a three-inch caliper (measured six inches above grade) at planting if single stem; for multi-stem understory trees, at least three stems are required with each stem at least of one-inch caliper (measured six inches above grade).

2. The following are not considered adequate buffers for compliance with this section:

- Chain linked fences;
- Wood fences;
- Painted or untreated block walls; and
- Insufficient planting area for maturing landscaping.

3. Maintenance of these improvements will be the responsibility of the homeowners' association and must be clearly defined on subdivision ~~the preliminary and final subdivision plans and final plat.~~

f. No barbed wire fencing shall be allowed except by special exception approval. Such fencing, when allowed, shall be consistent with the standards listed in subsection 134-517(d)(6).

**SECTION THREE.** The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Edgewood.

**SECTION FOUR.** If any section, sentence, phrase, word or portion of this ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

**SECTION FIVE.** All ordinances that are in conflict with this Ordinance are hereby repealed.

**SECTION SIX.** This Ordinance shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by the City Council of the City of Edgewood, Florida.



511 PASSED ON FIRST READING: \_\_\_\_\_

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513 PASSED ON SECOND READING: \_\_\_\_\_

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\_\_\_\_\_  
Richard A. Horn, Council President

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518 *ATTEST:*

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520

\_\_\_\_\_  
Sandy Riffle

521 City Clerk

522

523

# UNFINISHED BUSINESS

# COMMENTS & ANNOUNCEMENTS

# ADJOURNMENT