



# PLANNING AND ZONING BOARD MEETING

City Hall – Council Chamber  
405 Bagshaw Way, Edgewood, Florida  
Monday, December 11, 2023 at 6:30 PM

Ryan Santurri  
Chair

David Nelson  
Vice-Chair

David Gragg  
Board Member

Melissa Gibson  
Board Member

Todd Nolan  
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. November 13, 2023 Planning & Zoning Meeting Minutes

**D. NEW BUSINESS**

1. Ordinance 2023-17: County to City Rezoning Harbour Island
2. Ordinance 2023-18: County to City Rezoning Lake Mary Jess Shores
3. Ordinance 2023-19: County to City Rezoning Lake Mary Court
4. Ordinance 2023-20: County to City Rezoning 220 Mary Jess Rd.
5. Resolution 2023-06: Live Local Act

**E. UNFINISHED BUSINESS**

**F. COMMENTS/ANNOUNCEMENTS**

**G. ADJOURNMENT**

**UPCOMING MEETINGS**

Tuesday, December 19, 2023.....City Council Meeting  
 Monday, January 8, 2024.....Planning & Zoning Meeting (TBD)

**General Rules of Order**

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

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

Thank you for participating in your government!

**Appeals**

According to Edgewood City Code Section 26-24 (2), “any person aggrieved by any recommendation of the Board acting either under its general powers or as a Board of Adjustment may file a notice of appeal to the City Council within seven (7) days after such recommendation is filed with the City Clerk. Per **Section 286.0105**, Florida Statutes state that if you decide to appeal a decision made with respect to any matter, you will need a record of the proceeding and may need to ensure that a verbatim record is made.

**Americans with Disabilities Act**

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

# CALL TO ORDER & PLEDGE OF ALLEGIANCE

# ROLL CALL & DETERMINATION OF QUORUM

# APPROVAL OF MINUTES



# PLANNING AND ZONING BOARD MEETING

City Hall – Council Chamber  
405 Bagshaw Way, Edgewood, Florida  
Monday, November 13, 2023 at 6:30 PM

Ryan Santurri  
Chair

David Nelson  
Vice-Chair

Melissa Gibson  
Board Member

David Gragg  
Board Member

Todd Nolan  
Board Member

## MINUTES

### CALL TO ORDER & PLEDGE OF ALLEGIANCE

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 there was a quorum with four board members present; Board Member Gragg was absent.

### BOARD MEMBERS PRESENT

Chair Ryan Santurri  
Vice Chair David Nelson  
Board Member Melissa Gibson  
Board Member Todd Nolan

### STAFF PRESENT

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

### BOARD MEMBERS ABSENT

Board Member David Gragg

### APPROVAL OF MINUTES

October 9, 2023 Planning & Zoning Meeting Minutes

***Board Member Gibson made a motion to approve the October 9, 2023 Planning and Zoning meeting minutes as presented. The motion was seconded by Vice Chair Nelson. Approved (4/0) by voice vote.***

### NEW BUSINESS

#### 1. Variance 2023-06: 515 Mandalay Rd. - Boat Dock

Engineer Lane began by giving an overview of the variance request, stating that it was to request permission to maintain a 4.7 feet side setback from the end of the existing dock to the adjacent side lot line. Per the City Code, Chapter 14-11, B (1), states that lots or parcels having a shoreline frontage of greater than 100 feet must have a minimum side setback of 15 feet from any property line or projected property line. This lot has 142 feet of frontage. Per the City Code, the side setback for the dock must be 15 feet minimum.

Engineer Lane then stated that he reviewed the application, and the seven (7) items within page 2 to verify if the proposed request satisfies the criteria for approval. Because the existing dock is on a canal and is constructed linearly with the canal, items A and H are non-applicable. He also stated that the applicant has a letter signed by the adjacent property owner stating they do not object to the location of the dock. Based on his review, he recommended approval of the variance to the Board.

Applicant and homeowner John Hall stated that the dock was already built like this when he purchased the property. A brief discussion ensued between Board Members and Staff. There were no public comments.

***Chair Santurri made a motion to recommend approval of Variance 2023-06 as presented. The motion was seconded by Vice Chair Nelson. Approved (4/0) by roll call vote.***

The motion was approved by roll call vote.

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

**2. Variances 2023-07 & 2023-08: 11 Lake Gatlin Landscape & Parking**

Planner Hardgrove began by providing an overview of the requested variances as well as an overview of the proposed site plan (agenda item 3). She stated that the request is for the approval of variances to allow reuse of the building at 11 Lake Gatlin Road from an office to a social café. Described by the applicant, the business will be a café with an indoor playground for children. Beverages and offsite prepared food will be offered.

The property is just east of Orange Avenue, on the north side of Lake Gatlin Road, and is approximately 8,325+/- square feet (0.19+/-acres) in size. A 3,166 square foot building was constructed on the property in 1961 and continues to occupy the site. The proposal also incorporates a 12 feet wide strip of the property to east bringing the total area to 9,225 square feet.

The property is zoned ECD, however, per Code Section 134- 474, the proposal is being reviewed under the C-1 zoning district. This Code section states if there is no proposed expansion of the existing building, the proposal is to be reviewed under the standards applicable to the zoning district that applied to the property immediately before the rezoning to ECD; i.e., C-1, provided the proposed use is permitted in the ECD, which it is. In addition to being an ECD use, the use meets the goal of the ECD to encourage redevelopment or reuse of underutilized or poorly maintained properties as well as creating a social place in Edgewood.

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

Requested variances for Landscaping: 2023-07

1) A variance in Code Section 114-4(1)a.1 to allow the landscape buffer strip width between the parking lot and Lake Gatlin Road to be a minimum of three (3) feet in lieu of seven (7) feet. In the existing condition, the parking lot is only three feet from the Lake Gatlin Road right-of-way line and that area is

without landscape. The applicant is proposing to maintain the three-foot separation where the parking lot is being expanded; thus, the variance is needed. The proposal will-, improve the situation by providing some landscaping. Furthermore, the applicant is proposing to construct the public sidewalk south of instead of adjacent to the property line to 1) provide adequate space for the required landscaping to thrive and 2) to give the impression that the minimum buffer of 7 feet width is being met.

2) A variance in Code Section 114-4(4) to allow the building perimeter buffer width to be three (3) feet in width in lieu of eight (8) feet. This variance is requested to allow the construction of a patio for outdoor seating. The creation of outdoor people space adjacent to the road is an important part of implementing the Orange Avenue corridor land use vision. The applicant is proposing to provide landscaping south side of the patio and like the proposed shifting in the sidewalk south of the parking lot, the applicant is proposing to shift the sidewalk in front of the building and landscape within the right-of-way resulting in a seemingly compliant buffer width.

3) A variance in Code Section 114-4(1)b. to allow the landscape buffer between the vehicular use area and the adjacent property (east) to be 5 feet 4 inches in width in lieu of 7 feet and to allow the use of understory trees in lieu of shade trees. This variance is requested to maximize the parking onsite. Without the variance, only 6 spaces could be efficiently accommodated onsite. Associated with the reduced buffer width, the applicant is requesting the use of understory trees instead of shade trees to promote tree health and sustainability. The applicant's proposal is consistent with the Code's permission to substitute understory trees for shade trees in other locations; i.e., the rate of 1 understory tree per 25 feet vs. 1 shade tree per 50 feet, with the understory tree being a minimum 7 feet in height and minimum 2-inch caliper.

#### Requested variances for Parking: 2023-08

1) A variance in Code Section 134-605(a)(21) to allow the parking ratio to be 1 space per 160 square feet of inside restaurant space in lieu of 1 space/100 square feet. The site plan shows that the parking has been maximized to the extent possible, including altering the building onsite by removing the covered walkway as well as securing the use of the adjacent property a 12 feet wide strip. Without the strip, the potential effective parking onsite would have been only six (6) spaces. The required parking based on a 1,600 square feet café and 400 square feet of outdoor seating area is 18 spaces. The plan shows 12 spaces, including the one ADA compliant accessible space. To note, the playground that is accessory to the business does not require any parking.

2) A variance in Code Section 134-608(b) to allow the dimensions of the parking spaces be nine (9) feet x 18 feet in lieu of either 9 feet x 20 or 10 feet by 18 feet. This variance is requested to maximize the width of the landscape buffer on the east side of the parking lot. As noted in requested Landscape Variance #3 above, the requested buffer width along the east side of the parking is 5 feet 4 inches instead of the required 7 feet. Without a variance in parking space length, that buffer would only be 3 feet 4 inches. The expanded buffer width will also provide the ability to create a bio-swale for storm water management, protecting adjacent properties. The applicant is proposing the use of wheel stops to protect the adjacent landscaping/bio-swale.

Planner Hardgrove then stated that the six (6) criteria for variance approval have been met, particularly related to the existing condition of the property. Staff recommends approval of all requested variances



conditioned on that the variances only apply to the existing development onsite. Should the site be razed, new development must meet current land development regulations.

Discussion ensued between Board Members, Staff, and the applicants. Applicant Jovanna Bratonozić stated that the idea for this project is a café/adult space with potentially 20-25 seats, along with a kids play area. Chair Santurri asked if there will be food prep, with Ms. Bratonozić stating no and they would want local businesses to provide premade food for them.

Chair Santurri then asked what the business hours would be, to which Ms. Bratonozić replied that they are not quite sure and would want community input, but would most likely be open from 8:00am – 5:00pm.

Ms. Bratonozić then described the project in more in detail, stating that the idea is structured for the working parent that can't afford child care or daycare. The kids play space will be right next to the café, with Plexiglas in the middle so parents can always see the children. There will be supervision for the children, but not like a daycare, but more like the setup of a lifeguard. Board Member Nolan asked if beer and wine would be served, with Ms. Bratonozić stating there would not.

### **Public Comments**

Megan Milliagn, an Edgewood resident, expressed concerns that the use would result in an even more traffic congestion and stated the business needs more parking. She also expressed concerns regarding the cross access between properties.

Marlyn Felsing, an Edgewood resident, stated that four of the six variance criteria have in fact not been met. He also stated that entering and exiting Lake Gatlin Road at any time of the day is already dangerous, and the increased traffic from this project will make it worse.

Jacqueline Tinsley, an Edgewood resident, stated her concerns regarding the amount of people and traffic that would come onto a mainly residential road with approval of the project, and that approving this project would take away some of the safety of the Lake Gatlin Woods neighborhood.

Mary Kozak, an Edgewood resident, stated concerns regarding the potential number of people at the establishment and how that will impact the traffic. She also stated that the variance criteria were not met for numbers 4, 5, and 6.

Ryal Lancaster, an Edgewood resident, stated a high volume commercial project like this will cause issues with lighting, road hazards, and traffic. He then stated the quality of life for the Lake Gatlin Woods neighborhood would drop due to so traffic generated from this use.

Tony Phillips, an Edgewood resident, stated that while he loves the concept and the appeal of the project, his concern is for that of the neighborhood and that the project is detrimental to them. He then stated that number six of the variance criteria were not met.

After all public comments were completed, Attorney Smith stated that the Planning & Zoning Board will be making their recommendation of approval or denial of the variances for City Council. He then stated that if the variances are not approved, then the site plan could not be approved. He also reiterated that

the use presented is currently allowed at that property, and the only thing holding it back is the parking variance.

Morgan Claytor, applicant, approached the dais to address the public’s concerns. She clarified right now they plan to operate from 8:00am – 5:00pm, but the hours can change. She also stated that the cafe is only 1600sqft of the building and only 20-25 tables could fit comfortably, which is where the number came from. Ms. Claytor also mentioned the possibility of a reservation type service with a two-hour time limit on when you can visit the café, which could help the parking and traffic issues. Vice Chair Nelson asked about offsite parking, to which Planner Hardgrove replied that code allows the parking to be within a 1/4-mile from the business and requires a formal parking agreement.

Discussion ensued regarding the proposed cross easement access shown on the site plan, to which Planner Hardgrove stated that the cross access is required by Code, however, should cross access not be feasible or safe, the City Engineer could waive that requirement. Planner Hardgrove reiterated that the cross access should be preserved for future access and development.

A final brief discussion ensued among Board Members regarding both the landscaping and parking variance requests. A motion and roll call vote was presented first for the landscape variances, and then the parking variances.

**Variance 2023-07 – Landscaping**

**Chair Santurri made a motion to recommend approval of the following three (3) landscape variances with the condition of approval that should the site be razed, new development shall meet current land development regulations.**

- 1) Variance in Code Section 114-4(1)a.1 to allow the landscape buffer strip width between the parking lot and Lake Gatlin Road to be a minimum of three (3) feet in lieu of seven (7) feet.**
- 2) Variance in Code Section 114-4(4) to allow the building perimeter buffer width to be three (3) feet in width in lieu of eight (8) feet.**
- 3) Variance in Code Section 114-4(1)b to allow the landscape buffer between the vehicular use area and the adjacent property (east) to be 5 feet 4 inches in width in lieu of 7 feet and to allow the use of understory trees in lieu of shade trees.**

**The motion was seconded by Vice Chair Nelson. Approved (4/0) by roll call vote.**

The motion was approved by roll call vote.

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

**Variance 2023-08 – Parking**

**Vice Chair Nelson made a motion to recommend approval of the following two (2) parking variances with the condition of approval that should the site be razed, new development shall meet current land development regulations.**

**1) Variance in Code Section 134-608(b) to allow the dimensions of the parking spaces be nine (9) feet x 18 feet in lieu of either 9 feet x 20 or 10 feet by 18 feet.**

**2) Variance in Code Section 134-605(a)(21) to allow the parking ratio to be 1 space per 160 square feet of inside restaurant space in lieu of 1 space/100 square feet.**

**The motion was seconded by Board Member Nolan. Approved (3/1) by roll call vote.**

The motion was approved by roll call vote.

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

**3. Site Plan Approval – 11 Lake Gatlin Rd.**

Engineer Lane began by giving an overview of the site plan for proposed café at 11 Lake Gatlin Road. With both variances being approved, the applicant could move forward with site plan approval as presented.

Engineer Lane went on to state that the current site plan does propose cross easement access, and that if the cross access stays, there will be a condition of approval that the applicant must record that cross access in Orange County official records. Engineer Lane suggested that if the cross access is eliminated, signage on the property could be posted to ensure no cross access with the property to the North.

Board Member Gibson asked if the property to the North was ever sold, would they think there is an easement? Attorney Smith stated no because the cross access would be marked off and closed off with signage. Engineer Lane then stated the wording on the site plan would need to be changed if cross access was being removed. Planner Hardgrove then suggested that if the cross access easement is being removed that the dumpster be shifted down and put landscaping all the way across.

**Public Comments**

Jacqueline Tinsley, an Edgewood resident, stated that this business would be a detriment to the surrounding neighborhood and decrease their property value and quality of life.

Ryal Lancaster, an Edgewood resident, stated concerns about homeless people camping out near the coffee shop if approved.

***Chair Santurri made a motion to recommend approval of the 11 Lake Gatlin Road site plan as presented with the recommendation of approval that the cross access easement be removed AND signage/a barrier are placed to indicate no cross traffic through the property to the North.***

***The motion was seconded by Board Member Nolan. Approved (3/1) by roll call vote***

The motion was approved with a roll call vote.

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

**ADJOURNMENT**

The meeting was adjourned at 8:46 PM.

\_\_\_\_\_  
Ryan Santurri, Chair

\_\_\_\_\_  
Brett Sollazzo, Administrative Project Manager

# NEW BUSINESS

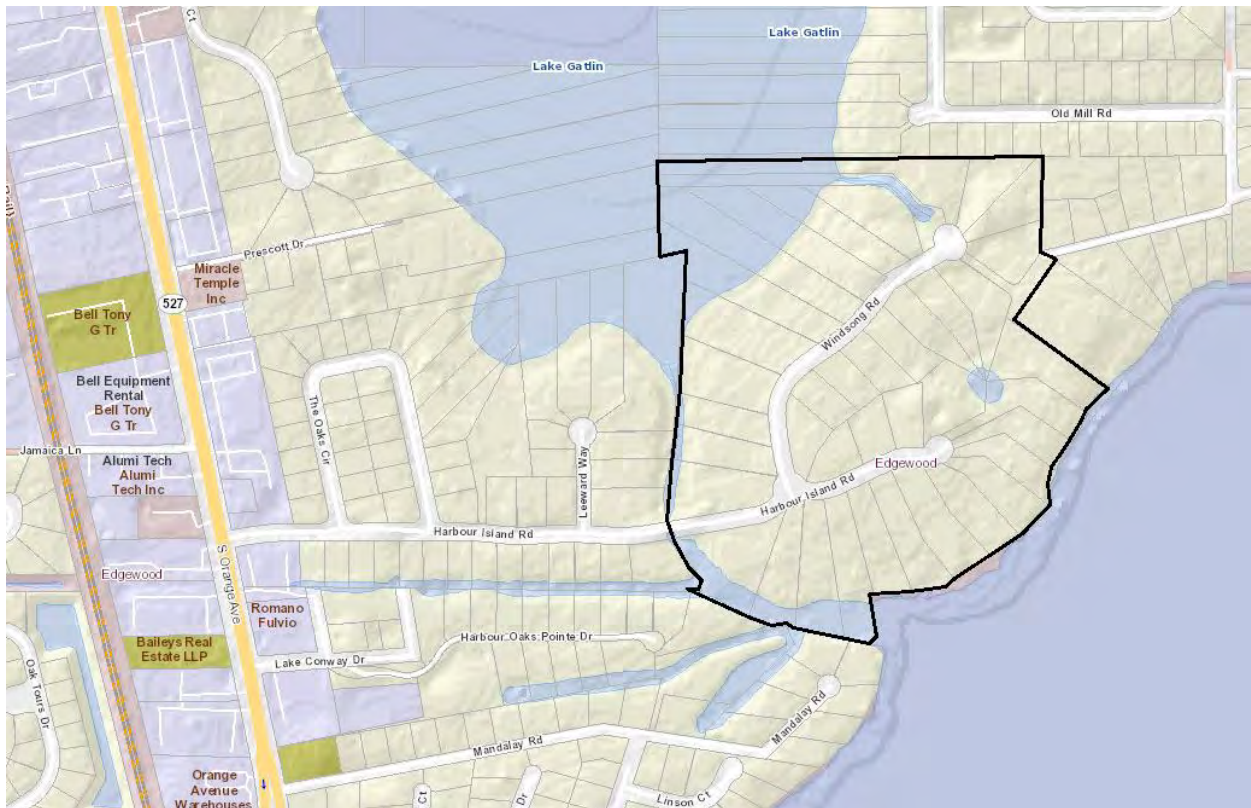
**Ordinance 2023-17:**  
**County to City Rezoning**  
**Harbour Island**

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

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

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

Exhibit 1



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

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

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

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

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

Preliminary review of the lots in Harbour Island showed only two lots in the subdivision exceed the 45% limit as listed in Exhibit 3. Both these lots have pools.

**Exhibit 3: Harbour Island Lots Likely Exceeding the 45% maximum ISR**

Lot #	Address	Current Owner	House Size sq ft	Estimated ISR	Has a Pool
15	<b>1334 Harbour Island Rd</b>	John D Pantaleon	5,156	49%	Y
22	<b>1110 Harbour Island Rd</b>	Michael and Deborah Blackton	13,096	46%	Y

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

Lot #	Address	Current Owner	Estimated Current ISR	Has a Pool
8	<b>1176 Windsong Rd</b>	Charles E and Emily Mottola Louise	43.8%	N

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

END



**ORDINANCE NO. 2023-17**

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

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

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

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

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

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

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

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

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

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

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

**Section 3. 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 4. 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 5. Effective Date.** This Ordinance shall become effective on the date adopted by City Council.

PASSED ON FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

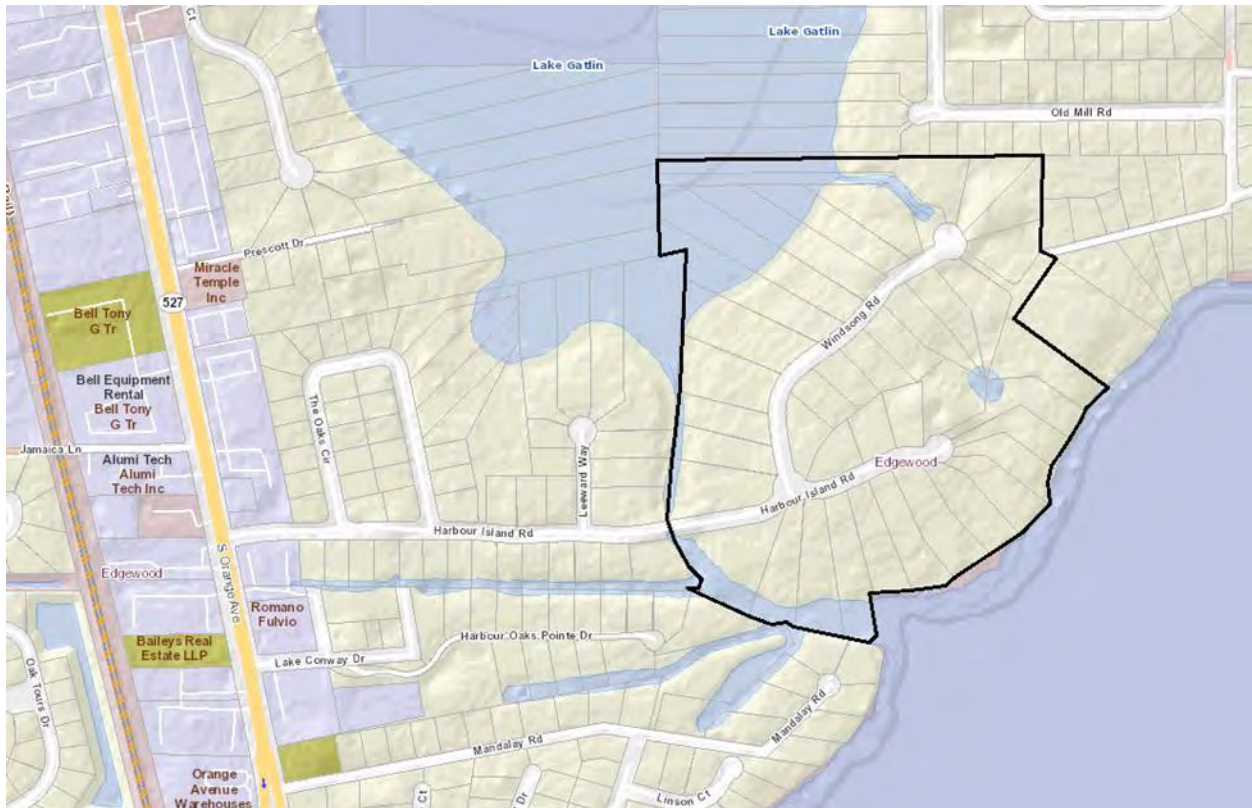
CITY OF EDGEWOOD, FLORIDA  
CITY COUNCIL

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

ATTEST:

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

Exhibit A



ALL OF HARBOUR ISLAND SUBDIVISION PLAT, PB1/PG131

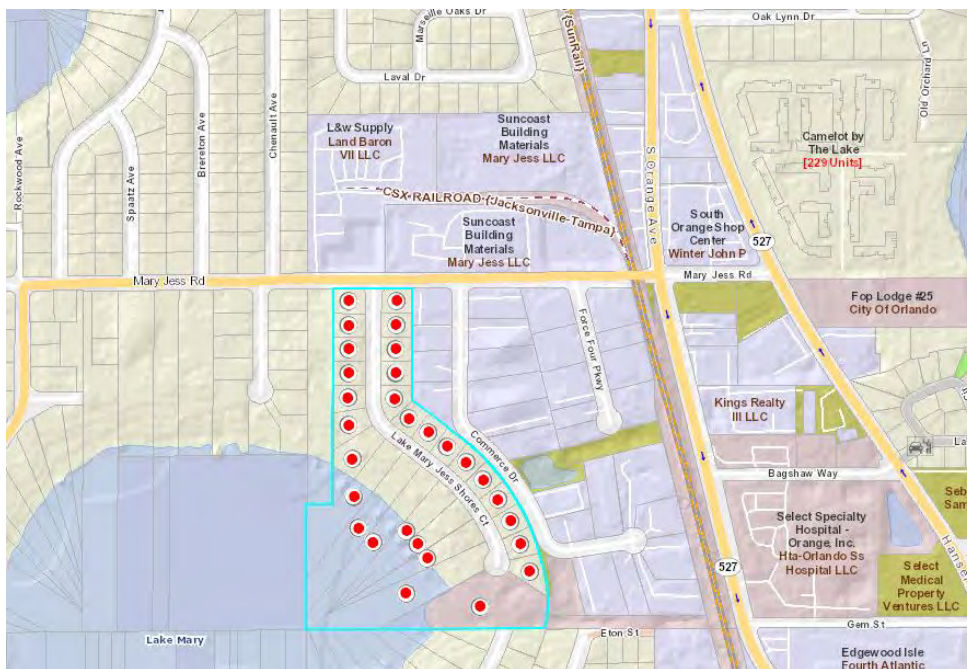
**Ordinance 2023-18:  
County to City Rezoning  
Lake Mary Jess Shores**

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

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

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

Exhibit 1



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

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

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

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

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

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

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

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

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

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

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

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

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**ORDINANCE NO. 2023-18**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

65

66 PASSED ON FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

67

68 PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

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70 CITY OF EDGEWOOD, FLORIDA  
71 CITY COUNCIL

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74 Richard A. Horn, Council President

75 ATTEST:

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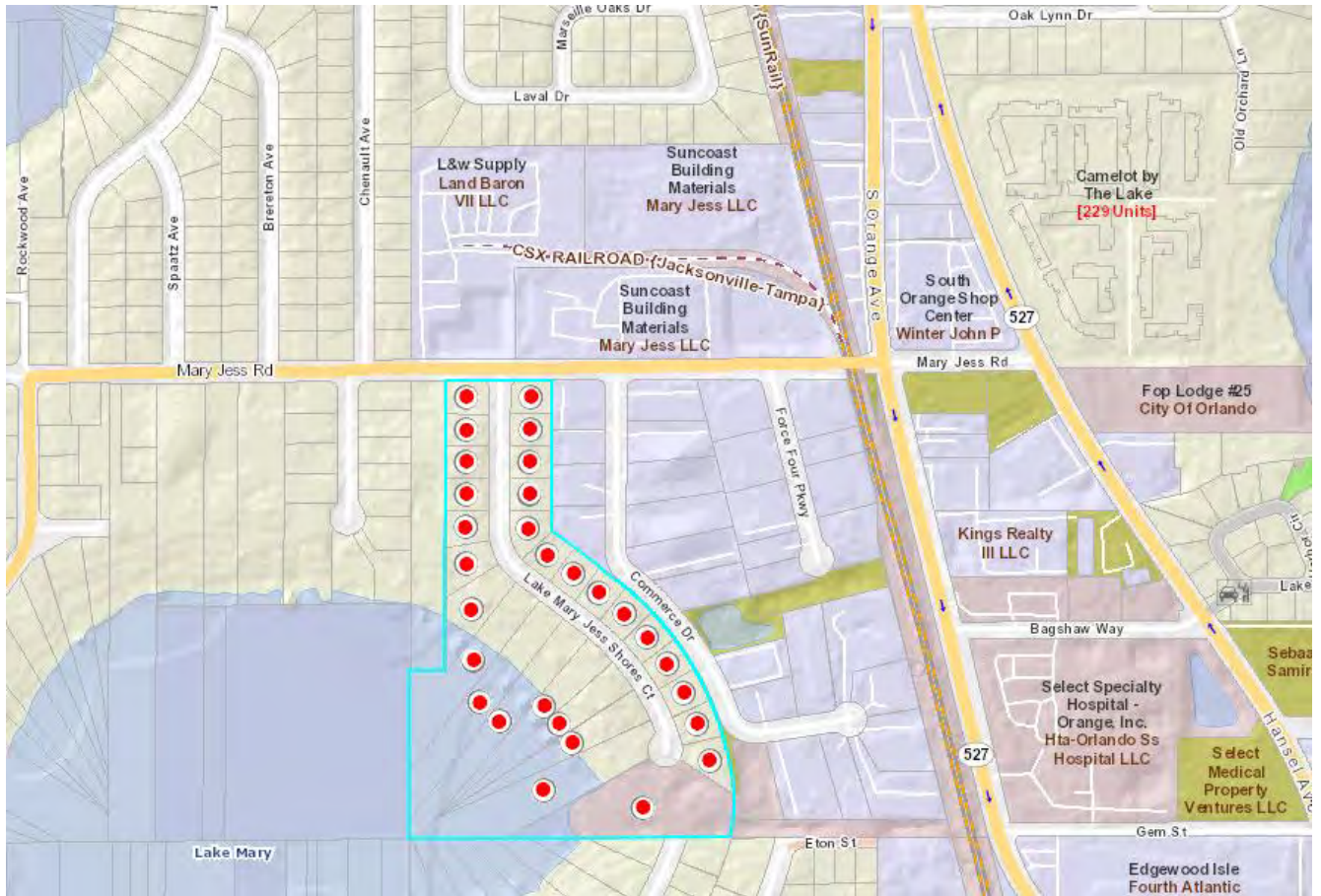
77 \_\_\_\_\_  
78 Sandy Riffle, City Clerk

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### Exhibit A



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

**Ordinance 2023-19:  
County to City Rezoning  
Lake Mary Court**

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

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

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

Exhibit 1



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

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

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

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

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

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

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

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**ORDINANCE NO. 2023-19**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

65

66 PASSED ON FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

67

68 PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

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70 CITY OF EDGEWOOD, FLORIDA  
71 CITY COUNCIL

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

75 ATTEST:

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78 Sandy Riffle, City Clerk

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### Exhibit A



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



**Ordinance 2023-20:  
County to City Rezoning  
220 Mary Jess Rd.**



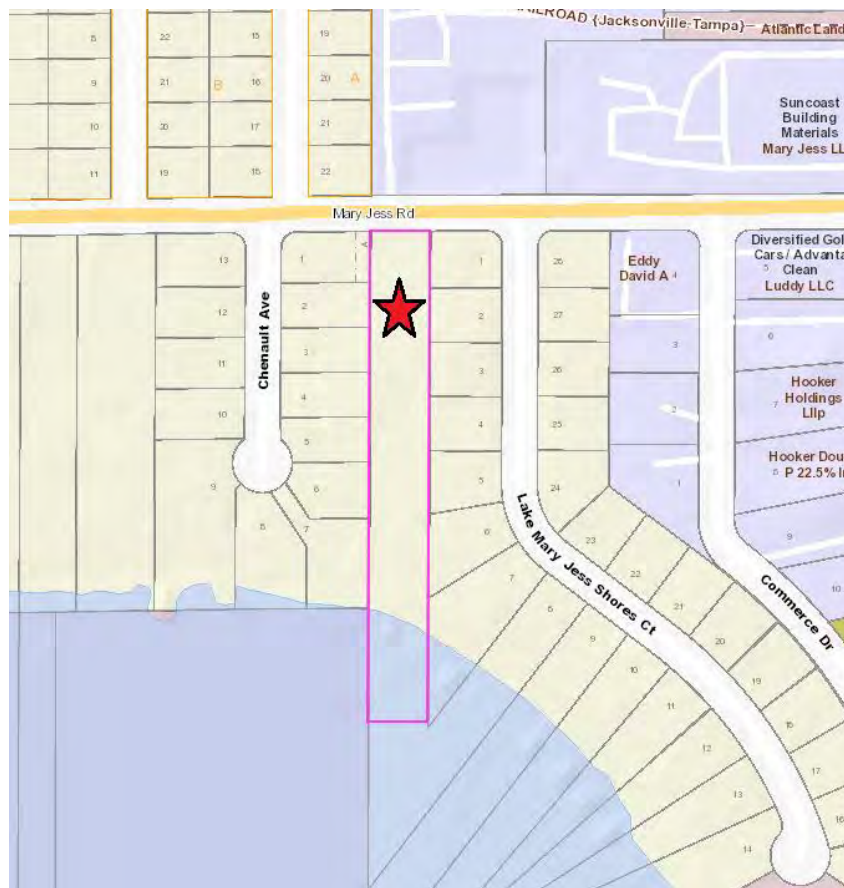


Date: November 13, 2023  
To: Planning and Zoning Board  
From: Ellen Hardgrove, City Planning Consultant  
XC: Brett Sollazzo, Administrative & Permitting Manager  
Drew Smith, City Attorney  
Sandy Riffle, City Clerk  
Re: County to City Rezoning: R1AA to R1AA-CA John Scott Property

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

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

Exhibit 1



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

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

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

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

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

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

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

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**ORDINANCE NO. 2023-20**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

65

66 PASSED ON FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

67

68 PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

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70 CITY OF EDGEWOOD, FLORIDA  
71 CITY COUNCIL

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Richard A. Horn, Council President

75 ATTEST:

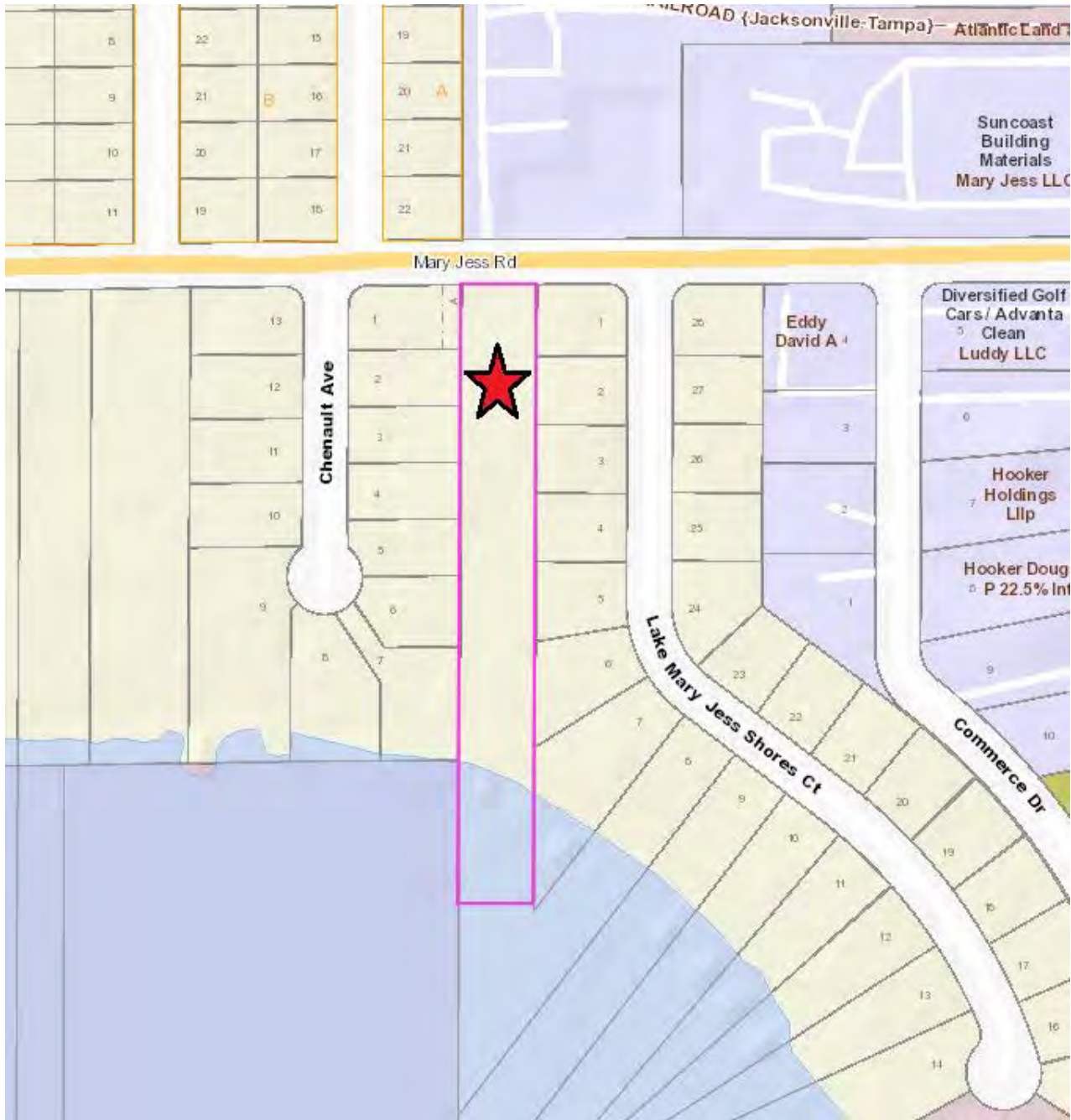
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Sandy Riffle, City Clerk

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Exhibit A



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

# **Resolution 2023-06:**

## **Live Local Act**

**RESOLUTION 2023-06**

**A RESOLUTION OF THE CITY OF EDGEWOOD, FLORIDA, REVIEWING AND APPROVING THE INVENTORY LIST OF CITY PROPERTIES AVAILABLE FOR USE AS AFFORDABLE HOUSING WITHIN THE JURISDICTION OF THE CITY; PROVIDING FOR CRITERIA FOR ESTABLISHING IF A PROPERTY MAY BE APPROPRIATE FOR AFFORDABLE HOUSING; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on March 29, 2023, the Governor signed into law Senate Bill 102 "Live Local Act" and Section 166.04151, Florida Statutes requires that the City shall prepare an inventory list of all real property within its jurisdiction to which the City holds fee simple title that is appropriate for use as affordable housing and adopt by resolution an inventory list of such property; and

**WHEREAS**, the 2023 Inventory List of City Property available for Use as Affordable Housing (Inventory List) attached hereto as Exhibit "A", incorporated by reference, and made a part hereof; has been prepared; and

**WHEREAS**, Section 166.04151, Florida Statutes allows for property on the Inventory List to be offered for sale and the proceeds used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing, or sold with a restriction that requires the development of the property as permanent affordable housing, or donated to a nonprofit housing organization for the construction of permanent affordable housing; and

**WHEREAS**, the City Council has reviewed the Inventory List at a public hearing.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Edgewood, Florida, as follows:

**SECTION 1. RECITALS.** The above recitals are incorporated by reference into this Resolution and such recitals are adopted as findings of fact.

**SECTION 2. DETERMINATION.** The Edgewood City Council has reviewed and determined that the properties listed in Exhibit "A" currently are appropriate for the development of affordable housing and this list will be made publicly available on the City's website.

**SECTION 3. TERMINATION.** By its terms, the Act expires on October 1, 2033. This Resolution shall expire on October 1, 2033. In the event the Florida Legislature modifies the expiration date of the Act, this Resolution shall expire on such modified expiration date.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its adoption.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

CITY OF EDGEWOOD, FLORIDA  
CITY COUNCIL

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

ATTEST:

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



## **EXHIBIT A**

Currently, there are no City-Owned Properties appropriate for use as affordable housing.

## **EXHIBIT B**

### **CRITERIA FOR ESTABLISHING IF A PROPERTY MAY BE APPROPRIATE FOR AFFORDABLE HOUSING:**

- 1) The property is not in use or planned for use by the City.
- 2) Central sewer and central potable water utilities are available to the property.
- 3) The property is located on a City, County, or State owned paved road.
- 4) The property is not in a flood zone.
- 5) The property is not in a wetland
- 6) The parcel size shall be a minimum of  $\frac{1}{2}$  acre of upland.

# UNFINISHED BUSINESS

# COMMENTS & ANNOUNCEMENTS

# ADJOURNMENT