Planning & Zoning Board Regular Meeting Minutes

June 6, 2023 at 6:00 p.m.

City Hall | Commission Chambers
401 S. Park Ave. | Winter Park, Florida

Present

Present: Melissa Vickers, Jim Fitch, David Bornstein, Vashon Sarkisian, Michael Spencer, Alex Stringfellow, and Warren Lindsey. Also Present: City Attorney Dan Langley. Staff: Assistant Director of Planning & Zoning Allison McGillis, Senior Planner/Zoning Official John Harbilas, Planner II Nicholas Lewis, Planner I Corinna Lundgren, and Recording Secretary Mary Bush.

(1) Call to Order

Vice-Chair David Bornstein called the meeting to order at 5:59 p.m.

(2) Selection of Chair and Vice Chair

Motion made by Jim Fitch, seconded by Melissa Vickers to nominate David Bornstein as Chairman of the Board. Mr. Bornstein accepted the nomination.

By a roll call vote, the motion carried unanimously 7-0.

Motion made by David Bornstein, seconded by Alex Stringfellow to nominate Michael Spencer as Vice-Chairman of the Board. Mr. Spencer accepted the nomination.

By a roll call vote, the motion carried unanimously 7-0.

(3) Consent Agenda

Approval of Minutes:

Motion made by Melissa Vickers, seconded by Michael Spencer to approve the April 4, 2023 meeting minutes.

Motion carried unanimously with a 7-0 vote.

Motion made by Alex Stringfellow, seconded by Michael Spencer to approve the May 2, 2023 meeting minutes.

Motion carried unanimously with a 7-0 vote.

(4) Public Comments (for items not on Agenda)

No one from the public wished to speak. The public hearing was closed.

(5) Public Hearings

- SPR #23-04: Request of Phil Kean Design Group for approval to construct a 518 square foot addition to the existing single-family home located at 131 Trismen Terrance on Lake Osceola, zoned R-1AAA.

Mr. Lewis provided the Board a brief summary of the request. He presented to the Board an area map, aerial view, and a site plan for the property. He explained that the renovation was for a new primary suite in the rear of the property where there is an existing carport as well as creating a new two-car garage in the front portion of the lot. He then went on to discuss the square footage of the improvements and the setbacks for the project, noting that there would be a slight encroachment into the front and side setbacks for the proposed garage but no encroachment of the lakefront setback. Then he briefly discussed the site survey and the as built elevations for the project and noted that the existing carport is where the homeowner parks their vehicles and just outside the carport is where the homeowner parks their boat trailer. He then noted that the code allows houses under renovation to have two-car garage doors but there has to be some sort of articulation or allowance that does not make the door plain. He explained that staff proposed a condition that the requirement be met, which the applicant agreed to and proposed a frosted glass garage door for the project. He also explained that staff proposed an additional condition to have a six-foot tall white vinyl fence from the rear corner of the structure to the side lot line and a gate to screen the boat trailer from view of the street. He then discussed the lakefront site plan review criteria noting that no trees were to be removed, three swales were being proposed meeting retention requirements, and no views of the neighbors would be blocked by the request.

Staff recommendation was for approval with the following conditions:

- That the proposed garage door includes architectural design features such as glazing, hardware and raised panels integrated into the door or other finishes matching the primary structure; and
- That a six foot tall privacy fence be installed from the rear corner of the structure to the lot line and a six foot tall privacy gate be installed along the driveway so as to shield the boat trailer from the views of the lake and from the street as well as to prevent vehicles from parking on the lakefront portion of the lot.

The Board inquired about whether or not there were any letters for or against the request received from the neighbors, the height of the boat, the City's visibility restrictions for boat trailers, clarification of whether or not the applicant's boat trailer was allowed to be stored in the carport, and the age of the existing home.

No one from the public wished to speak. The public hearing was closed.

Motion made by Warren Lindsey, seconded by Melissa Vickers, for approval to construct a 518 square foot addition to the existing single-family home located at 131 Trismen Terrance on Lake Osceola, zoned R-1AAA, with the following conditions:

- **That the proposed garage door includes architectural design features such as glazing, hardware and raised panels integrated into the door or other finishes matching the primary structure; and**

- **That a six foot tall privacy fence be installed from the rear corner of the structure to the lot line and a six foot tall privacy gate be installed along the driveway so as to shield the boat trailer from the views of the lake and from the street as well as to prevent vehicles from parking on the lakefront portion of the lot.**

Motion carried unanimously with a 7-0 vote.

- Request of Darryl Hill for approval to construct a new, two-story, 4,567 square-foot, single-family home located at 201 Osceola Court, on Lake Osceola, zoned R-1AAA.

Mr. Lewis provided the Board a brief summary of the request. He presented to the Board an area map, aerial view, and site plan for the property. He noted that there was a 20-foot City owned easement located to the right of the property. He also noted that two neighbor letters were received expressing concerns regarding the request. He then went on to indicate that the project was under the maximum allowance for FAR and impervious coverage. He added that the applicant was asking for variances to allow the detached garage in the front portion of the lot, for the first-floor side setback, six feet in lieu of the required ten feet on the eastern lot line next to the City owned easement, and for the lakefront setback, 71.8 feet instead of the 97 foot average. He then briefly discussed the survey of the property noting that the finished floor area of 76 feet is very comparable to the floor area of the home belonging to the applicant's neighbor to the west. Mr. Lewis continued discussion and reviewed the applicant's proposed site plan, landscape plan, and elevations. He then discussed the front yard landscape coverage and the pervious versus impervious calculations for the project. He explained that the applicant proposed a large rectangular landscaped area in the middle of the driveway to meet the landscape and pervious requirements. He added that staff was requiring a condition that the area would have to be a permanent pervious area on the lot. Mr. Lewis then discussed the lakefront site plan review criteria noting that the applicant is required to preserve the one oak tree in the western side yard. He also informed the Board that the applicant was proposing four swales and then briefly discussed the applicant's reason for requesting to extend the home beyond the average setback and staff's analysis of the traditional views of the neighbors.

Staff recommendation was for approval with the following conditions:

- That the existing oak tree shall remain per the assessment of the City's Urban Forestry Department; and
- That the proposed pervious areas within the front yard remain pervious and are not replaced by pavers, artificial turf, or other impervious surfaces.

The Board inquired about the following:

- the rectangular landscaped area in the middle of the driveway,
- the existing oak tree on the lot and the oak trees that were removed by the prior owner,
- clarification on the 20-foot City owned easement,
- the possibility of the prior owner previously bringing fill onto the property,
- and clarification on how the proposed cabana might be treated differently if it what attached versus detached.

The applicant's contractor, Darryl Hill at 1060 Edens Gate Court, Longwood, FL 32750 addressed the Board. Mr. Hill spoke on the possibility of fill being brought onto the property by the prior owner, noting that the existing elevations are the same as the elevations shown on a survey from when the prior owner demolished the property.

The Board inquired about whether or not the proposed retention areas would be sufficient to keep water on the lot, the previous owner's survey, if the applicant had spoken to the neighbors to mitigate their concerns, whether or not the applicant had considered any other design options for the cabana, and transparency options for the cabana.

The Board heard public comment from the following residents in opposition of the request:

Joseph Bennett of 232 Osceola Court, Winter Park, FL 32789; Patricia Bennett of 232 Osceola Court, Winter Park, FL 32789; Michael Gouda of 110 Osceola Court, Winter Park, FL 32789; Don Tillery, Jr. of 215 Osceola Court, Winter Park, FL 32789; and Ken Trivison of 199 Osceola Court, Winter Park, FL 32789.

No one else from the public wished to speak. The public hearing was closed.

The applicant, Teresa Williams of 1450 Chestnut Avenue, Winter Park, FL 32789 addressed the Board. Ms. Williams briefly spoke about the progress of the project and expressed that she hoped to be able to meet all of her neighbors once everything was approved.

Mr. Hill addressed the Board again and expressed that his company was willing to adjust the construction process in consideration of inconveniences to the neighbors. He estimated that it would take over 14 months to complete the project.

The Board inquired about whether or not the applicant desired to table the request until the next Board meeting, confirmation of the requested variances, if the applicant could come back with a plan that meets code without waiting a year to resubmit their application, and if the applicant's proposal matches the previous home's lakefront setback. Brief discussion ensued regarding the proposed lakefront setback, the landscaped portion of the driveway, and the cabana setback.

Motion made by Alex Stringfellow, seconded by Michael Spencer, for approval to construct a new, two-story, 4,567 square-foot, single-family home located at 201 Osceola Court, on Lake Osceola, zoned R-1AAA, with the following conditions:

- **That the existing oak tree shall remain per the assessment of the City's Urban Forestry Department;**
- **That the lawn area inside the driveway be allowed to be pervious pavers or a drivable surface; and**
- **That the lakefront setback follows a horizontal line across the lot from the setback of the previously existing home, in lieu of the lakefront average setback of 97-feet.**

Motion carried with a 6-1 vote. (In Favor: Melissa Vickers, Jim Fitch, David Bornstein, Vashon Sarkisian, Michael Spencer, and Alex Stringfellow. Opposed: Warren Lindsey.)

- Request of the City of Winter Park for an Ordinance to establish a Commercial Future Land Use on the annexed parcels at 1896; 1934; 1964; 1968; 1970 AND 1990 Kentucky Avenue, and an Ordinance to establish Commercial (C-3) Zoning on the annexed parcels at 1896; 1934; 1964; 1968; 1970 AND 1990 Kentucky Avenue.

Mrs. McGillis provided the Board a brief summary of the request. She noted that the City had approved the first reading to annex the subject properties on Kentucky Avenue, as well as a portion of the right-of-way (ROW) at Kentucky Avenue between Clay Street and Formosa Avenue. She explained that now that the annexation is in progress with the City Commission, the City's future land use and zoning of the properties must be established. She added that the request proposed to establish commercial and C-3 zoning, which is the same future land use and zoning that exists in the county and in the City's current code. She then provided an aerial view of the properties and a preliminary development plan noting that the property owners planned to renovate the buildings and rear parking lot as well as proposed a new warehouse building on the southside and some street upgrades to the portion they own along Kentucky Avenue. Mrs. McGillis then briefly presented preliminary elevations for the project.

Staff recommendation was for approval.

The Board inquired about the possibility of there being a conditional use due to the proposed size of the warehouse building.

Motion made by Melissa Vickers, seconded by Michael Spencer, for an Ordinance to establish a Commercial Future Land Use on the annexed parcels at 1896; 1934; 1964; 1968; 1970 AND 1990 Kentucky Avenue, and an Ordinance to establish Commercial (C-3) Zoning on the annexed parcels at 1896; 1934; 1964; 1968; 1970 AND 1990 Kentucky Avenue.

Motion carried unanimously with a 7-0 vote.

(6) Action Items

No action items.

(7) Non-Action Items

No non-action items.

(8) Staff Updates

Mrs. McGillis reminded the Board that the next Board Appreciation event would occur on June 29, 2023 at 5:30p.m. at the Farmer's Market. She encouraged all of the Board members to attend.

(9) Board Comments

No Board comments.

(10) Upcoming Agenda Items

There was no discussion on upcoming agenda items.

(11) Adjournment

Meeting adjourned at 7:38 p.m.

Minutes approved by the Board on July 13, 2023.

/s/ Recording Secretary Mary Bush