



Planning & Zoning Board Work Session Minutes

November 21, 2024 at 12:00 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

Alex Stringfellow, David Bornstein, Warren Lindsey, Michael Spencer, Bill Segal

Absent

Jim Fitch, Jason Johnson

Staff Present

Alex Stringfellow, David Bornstein, Warren Lindsey, Michael Spencer, Bill Segal

1. Meeting Called to Order

Chairman David Bornstein called the meeting to order at 12:03 p.m.

2. Discussion Item (s)

a. Discussion of Upcoming Agenda Items:

- Request of Z Properties for lakefront site plan approval to demolish the existing two-story accessory structure and construct a new single-story accessory structure at 1602 Summerland Avenue.
- Request of Z Properties for lakefront site plan approval to demolish the existing two-story structure on the lakefront and rebuild a new structure in the same location at 999 Genius Drive.
- Request of Mark Nasrallah for lakefront site plan approval to construct a new, two-story structure at 1400 Elizabeth Drive.

Mr. Lewis began by providing a brief summary of the discussion items that would be presented at the December Board meeting. He indicated that the uniquely pie-shaped lot at 1400 Elizabeth Avenue would be presented. He noted that the city owns the adjacent strip of land to the west at the end of Elizabeth Drive, which is currently being used as a park and utility area. He then noted that the applicant was requesting an eight-foot first floor side setback in lieu of the required 12 feet on a portion of the lot adjacent to the city owned land strip. A brief discussion ensued regarding what the

strip of land is used for and if it consists of utilities and any retention area. Mr. Lewis indicated that the applicant's request would add an extra half foot to the setback of both stories of the home on the east side where the applicant's only adjacent neighbor is located, meeting the required setback. He explained that there is an issue with calculating the lakefront average because the lot would be rendered unbuildable if the adjacent lot to the west was used for the calculation, so the adjacent lot to the east must be used. He noted that the applicant was also requesting a lakefront setback of 67 feet in lieu of the required 71-foot lakefront setback. He then noted that it was up to the applicant to provide the city with justification for their requested lakefront setback variance or something in writing that shows that the adjacent neighbor is in agreeance with the request. Mr. Lewis indicated that if the home is pushed forward from a 25-foot setback to a 20-foot setback it could reduce the variance requested. He went on to note that the applicant's request met the required floor area ratio, impervious coverage, storm water retention, and all other setbacks. He also noted that there was an existing boat dock on the property and a brief discussion ensued regarding it. He then expressed that the affected neighbors are the only real issue of concern for the request.

Mr. Lewis went on to discuss 1602 Summerland Avenue, another hearing item that would be presented at the December Board meeting. He noted that it was an extremely large lot and there was currently a principal structure and two accessory structures on the lot. He explained that the applicant was proposing to demo the two-story accessory structure that is 18 feet high and four and a half feet off the front property line and build a new single-story structure at only 11 feet high in roughly the same location but 10 feet off the front property line. He further explained that the required 20-foot front setback can't be met because it would require removal of an existing oak tree and the applicant's remaining buildable area was greatly diminished by a recently recorded and city requested access easement across the entire property. Mr. Lewis then noted that the request was well under the floor area ratio and impervious coverage requirements and there is no issue with lakefront views because the structure is on the front portion of the lot. A brief discussion then ensued about the size of the principal structure and the proposed accessory structure.

Mr. Briggs then continued discussion on the next hearing item for 999 Genius Drive. He noted that there were four single-family homes on the property, and two of the homes had previously been designated historic. He then indicated that one of the homes is located on the edge of the lake and during Hurricane Ian in 2022, it was flooded with 18 inches of water. He explained that the applicants did not want to restore the home in case it gets flooded again. They desired to rebuild the entire structure with a slightly smaller footprint but two feet taller than the original home to help prevent future flooding. Mr. Briggs then indicated that the applicant needed a variance from the lakefront and side setback to do this. He also indicated that there had been contact with the adjacent lakefront neighbor who was concerned about the proposed open front porch being too close to their property line, so the applicant moved the home four

feet further away from the property line, satisfying the neighbor's concern. A brief discussion ensued regarding the height of the proposed home, what homes on the property can be deeded out, how to prevent setting a precedent with the request, how to document the reason for the Board's decision on the request for the future, and the applicant's intention for the existing indoor pool.

Mr. Briggs then provided a summary of the 721 Virginia Drive appeal. He noted that the application was more of a formal proceeding with both sides being represented by legal counsel. He also noted that the applicant and any concerned neighbor would be able to further appeal the Board's decision on this appeal to the City Commission. He then provided some background of the item noting that the original application was heard in 2021. He explained that the item was an appeal of a determination made by the city's zoning official for violation of conditions of approval with the original request. He noted that at the time of the original request the main concern was whether the proposed home would unduly impair the lakefront views of the neighbors to the east of the lot. The Board granted the applicant a front yard variance to move the home six feet closer to the street into the front setback and required conditions regarding vegetation in the rear of the property. A brief discussion ensued regarding the applicant's rationale for planting vegetation that is higher than six feet, if staff had gone to the property to measure the vegetation, and clarification of the exact violation of the applicant that the city was addressing. Mr. Briggs explained that the Board had conditioned the original request approval with a requirement that any vegetation on the lakefront not exceed six feet in height, which the applicant planted trees and shrubs that exceed the limit. Discussion then ensued regarding how the city defines vegetation, the type and height of the trees planted by the applicant, how the six-foot height condition of approval was conceived, what the Board will be asked to do at the appeal hearing, what existed on the property prior to the applicant's purchase of it, and what other types of Planning and Zoning Board decisions can be appealed to the City Commission.

3. Adjournment

The meeting adjourned at 12:57 p.m.

ATTEST:

/s/ Mary Bush, Recording Secretary