



# Planning & Zoning Board Work Session Minutes

**October 28, 2025 at 12:00 PM**

City Hall Commission Chambers  
401 S. Park Avenue

## Present

Alex Stringfellow, David Bornstein, Jason Johnson, Bill Segal, Charles Steinberg, Michael Dick, Vashon Sarkisian

## Absent

None

## Staff Present

Director of Planning & Zoning Allison McGillis, Asst. Director of Planning & Zoning/Zoning Official John Harbilas, Planner II Nicholas Lewis, Planner I Corinna Lundgren, Administrative Coordinator Mary Bush

### 1. Meeting Called to Order

Chairman Johnson called the meeting to order at 12:00 p.m.

### 2. Discussion Item (s)

#### a. Discuss Upcoming Agenda Items:

- Certified Recovery Residence Ordinance (draft attached)
- Non-conforming Structures Ordinance (draft attached)
- Comprehensive Plan Text Amendment to enable the split of 1020 Palmer Avenue

Mrs. McGillis began the discussion on the upcoming agenda item topics. She started with the Certified Recovery Residence Ordinance. She provided an overview of Senate Bill 954, which requires all cities and counties to adopt an ordinance by January 1, 2026, to establish uniform procedures and reasonable accommodations for certified recovery residences, commonly known as sober living homes. The bill is intended to prevent local governments from banning or overregulating these facilities and to ensure compliance with federal fair housing and disability laws. Mrs. McGillis explained reasonable accommodation as allowing waivers or modifications to zoning or land use regulations, so individuals with disabilities have equal access to housing. The intent of the legislation is to standardize rules statewide and reduce inconsistent local barriers, particularly by preventing jurisdictions from forcing these uses into overly burdensome approval processes.

It was noted that in the city's existing code, sober living homes are already effectively addressed under the category of adult congregate living facilities, which are allowed as a conditional use in all multifamily zoning districts. Because of this, the city does not prohibit sober living homes and already has a process in place that allows them through standard public hearings. It was emphasized that the Senate bill is not aimed at the city specifically, as the city's regulations are largely consistent with the bill's intent. Mrs. McGillis noted that there are currently no certified recovery residences operating in the city, and none have been approved in over 20 years. The proposed ordinance would primarily formalize an administrative reasonable accommodation process only for situations where a use is not already permitted or conditionally allowed in the zoning code.

Further clarification was provided that the new ordinance establishes an administrative procedure with a 60-day timeline for approval, approval with conditions, or denial of a reasonable accommodation request, with appeals going to the City Commission. However, because adult congregate living is already a conditional use in multifamily districts, most applications would still go through the Planning Board and City Commission rather than being handled purely at the staff level. The administrative process would mainly apply in rare cases where a proposed use is not already described in the code. It was discussed that the state legislation was prompted by significant problems in other areas, including abuse, fraud, and neighborhood impacts, though staff reiterated that such issues have not occurred locally.

Mrs. McGillis then shifted the discussion to the next ordinance covering proposed changes related to nonconforming structures. Under the current code, if interior renovation work on a nonconforming building exceeds 50 percent of the building's appraised value, the structure must be brought into full compliance with current zoning standards, which can require significant physical changes. The code currently relies on the property appraiser's value, with the option of a third-party appraisal, averaged together, to determine whether the threshold is exceeded. Mrs. McGillis explained that the third-party appraisal option provides limited flexibility and typically only helps projects that are close to the threshold, as most major renovations far exceed it regardless.

Discussion ensued and concerns were raised about the language requiring a "certified" appraisal, noting that this term could introduce ambiguity and arbitrary decision-making. It was questioned what level or type of certification would be acceptable, given that appraisers can hold different credentials and industry designations. There was concern that without clearer language, disputes could arise over whether an appraisal is valid. The discussion led to a general recommendation to clarify the ordinance language so that it refers to an appraisal conducted by an appraiser duly licensed by the state of Florida, rather than using the undefined term "certified," which could create confusion or unintended barriers.

Discussion then ensued regarding updates to zoning and building codes to better incentivize adaptive reuse and reinvestment in existing residential and commercial properties. Current rules, including averaging requirements and the 50% renovation threshold, were identified as cost-prohibitive, often forcing property owners to tear down structures rather than improve them. The proposed changes create exceptions for interior renovations and one-story additions that do not increase square footage, while ensuring that any new work complies with current setback, height, and coverage requirements. Major renovations, such as adding a second story or removing the majority of a roof, continue to trigger full compliance, whereas routine repairs and act-of-God situations remain exempt.

Discussion ensued regarding removing the 90% roof provision and clarifying that second-story additions automatically require full compliance with current codes. Appraisal requirements were refined to specify "independent appraisals by a Florida-licensed appraiser," and the previously problematic 25% valuation threshold was eliminated. The existing 50% threshold remains in place but will now include exceptions for interior renovations, structural repairs, window or door replacement, and certain stormwater or landscaping improvements, allowing meaningful reinvestment without triggering strict compliance unnecessarily.

For commercial properties, interior renovations are similarly exempt from the 50% threshold if no footprint expansion occurs, while additions must meet current code. Nonconforming uses lose grandfathered status after 90 days of inactivity. Smaller properties may pay into the city's stormwater utility fund as an alternative to on-site retention, enabling compliance while supporting infrastructure improvements. These updates aim to make code enforcement more practical, encourage reinvestment in aging properties, and improve the overall appearance and functionality of the city's built environment.

Mrs. McGillis then went on to the next item regarding a proposed text amendment to the city's comprehensive plan to allow a unique lot split at 1020 Palmer Avenue. The applicant wishes to purchase the property, which includes roughly 3.79 acres of buildable land, and split it into two front-facing lots. Current city policy prohibits such splits, particularly for lakefront properties, and the applicant is not interested in historic designation, which would have allowed some exceptions. The proposed amendment is very narrowly tailored to ensure it applies only to this property, with strict criteria including R-1 AAA zoning, a minimum of 3.5 acres, and a minimum lot frontage of 150 feet, while each lot would have to be at least 1.5 acres. Additionally, the proposed policy would limit the floor area ratio, reducing the maximum size of each potential house compared to what could be built on a single lot. Staff highlighted that this is a one-off situation, unlikely to set a broader precedent, and ensures no other properties in the city could meet these criteria.

The discussion also addressed the trade-offs and potential outcomes. It was noted that allowing the split would reduce the maximum allowable floor area compared to building a single massive structure, and could help preserve some architectural articulation and space between the two homes. However, there were concerns about incentivizing the teardown of a non-designated historic property and about the optics of changing the comprehensive plan for a single owner, which some described as “ego-driven.” The potential impact on surrounding properties and neighbors was also considered, particularly in terms of scale, setbacks, and precedent. The discussion emphasized the importance of financial analysis and evidence showing that a lot split is necessary for the applicant to achieve their goals, and not merely convenience or financial gain. There was also discussion of ways to incentivize preservation of the existing structure, such as grants or other mechanisms, but it was acknowledged that the current request focused solely on enabling the lot split.

Decisions and recommendations were tentative but leaned toward caution. Board members expressed support for the concept of two smaller structures instead of one massive one, which could reduce overall bulk and improve compatibility with neighboring lots. However, they emphasized the need for thorough verification of the house’s condition, appraisals, and proof that the lot split is the only viable path for the applicant’s objectives. An on-site inspection was suggested to provide the board with firsthand understanding of the property. The consensus indicated that, while the proposed comprehensive plan amendment could be considered, it should proceed only with clear evidence, careful monitoring, and strict adherence to the narrow criteria established to prevent setting a broader precedent for similar lot splits elsewhere in the city. The conversation also highlighted the contentious nature of the issue, with anticipation of public scrutiny or opposition due to the high-profile nature of the property and the scale of potential new construction.

Mrs. McGillis then continued on to the last item regarding a proposed lot split for a property along Alberta Drive, where the applicants intend to divide the parcel into a front and a rear lot. The front lot meets current R-1AA zoning standards, while the rear lot requires a variance for width. The applicants plan to retain the existing house on the northern portion of the property, with the rear lot remaining vacant for now. A side setback variance is necessary to accommodate the existing structure, as the required setbacks shift due to the reduced width of the new lot. Staff confirmed that the proposal meets other criteria, including the median and mean lot widths within 300 feet, and noted that similar lot sizes exist nearby.

It was emphasized that the lot split requires review by the Board because of zoning and variance considerations, but the overall plan aligns with the city’s Comprehensive Plan requirements. The applicants do not plan to immediately develop the new lot and may sell the parcels separately, with the existing house remaining in place. The discussion

noted that the property is relatively new and does not have historic designation, so there are no preservation concerns.

### **3. Adjournment**

The meeting adjourned at 1:16 p.m.

ATTEST:

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/s/ Mary Bush, Recording Secretary