



Planning and Zoning Board Minutes

April 5, 2022 at 06:00 p.m.

In-Person Meeting
401 S. Park Avenue | Winter Park, Florida

Call to Order

Chairman Richard James called the meeting to order at 6:02 p.m. Present: Richard James, Melissa Vickers, David Bornstein, Vashon Sarkisian, Michael Spencer, and Jim Fitch. Absent: Alex Stringfellow. Also Present: City Attorney Kurt Ardaman. Staff: Acting Director of Planning and Transportation Jeff Briggs, Senior Planner John Harbilas, Planner I Nicholas Lewis, Planning Technician Aaron Hull, and Recording Secretary Mary Bush.

Consent Agenda

Motion made by David Bornstein, seconded by Melissa Vickers to approve the March 1, 2022 meeting minutes.

Motion carried unanimously with a 6-0 vote. (Alex Stringfellow was not present for the meeting.)

Staff Updates

No staff updates.

Public Comments (for items not on Agenda)

The Board heard public comment from the following resident:

Stephen Pategas of 1425 Berkshire Avenue, Winter Park, FL 32789 addressed the Board. He spoke on the importance of the City to pay attention to and consider the history and historical structure of Winter Park when making decisions that affect the City and its residents.

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

Non-Action Items

No non-action items.

Action Items

No action items.

Public Hearings

- SPR #22-06 - Request of Kim Foy on behalf of the homeowner's Ken and Julie Champion to construct a new, two-story 4,530 square-foot home at 2080 St. George Avenue, zoned R-1A and located on Lake Spier.

Mr. Lewis provided the Board a brief summary of the request. He presented the Board an aerial view, site plans and elevations of the property. He noted that the three neighbors to the North had all submitted letters of support in favor of the request. He also spoke on the setbacks and Floor Area Ratio (FAR) for the proposed home, noting that the applicant's site plan previously went through the Board of Adjustment and received approval with a variance to allow a street-side setback of 7.5-feet along Oak Street in lieu of the required 15-feet. Mr. Lewis then went on to discuss a variance amendment for a bay window in the site plans, which would be considered habitable space. He also discussed the applicant's permit to remove one pine tree and five oak trees, the inclusion of two terraced retaining walls at the pool deck, and the impervious surface ratio of the project.

Staff recommendation was for approval including variance approval for a street-side setback of 5.8-feet.

The Board inquired about clarification on the discrepancy by former staff on variance approval requirements, the calculations of impervious surface ratio and FAR, and the provider for the utilities for the home.

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

Motion made by Jim Fitch, seconded by Michael Spencer, for approval to construct a new, two-story 4,530 square-foot home at 2080 St. George Avenue, zoned R-1A and located on Lake Spier, including variance approval for a street-side setback of 5.8-feet.

Motion carried unanimously with a 6-0 vote. (Alex Stringfellow was not present for the meeting.)

- SPR #22-07 - Request of Norma Desmond Properties LLC for approval to construct a new, two-story, 21,705 square foot, single-family home located at 570 Seminole Drive on Lake Osceola, zoned R-1AAA.

Mr. Briggs provided the Board a brief summary of the request. He presented the Board an aerial view, site plans, and renderings of the property and proposed home. He informed the Board that a previous application for a new house at this location was approved by the P&Z Board on April 6, 2021, but the current redesign has such a significantly different site/floor plan and architecture that it required a new review by the P&Z Board. Mr. Briggs also noted that only one tree is to be removed, the first-floor elevation of the house and swimming pool was reduced to elevation 80 to meet 5-1/2 feet above existing grade on the lakeside, and the property line to the north does not have landscape screening. He also briefly spoke on the stormwater retention plan for the property.

Staff recommendation was for approval subject to the following conditions:

- The applicant must maintain the landscape privacy buffer along the south side property line and to add a substantial landscape screen along the north property line consisting of Bamboo, Magnolias, Weeping Podocarpus Trees or similar size screening materials, for the length of the home and pool.
- The applicant must provide a landscape plan to be approved by the City, following consultation with adjacent neighbors, that is sufficient to provide the privacy screening as is being recommended by city staff.
- That the owner constructs a sound attenuation wall of a height and materials necessary to provide for reasonable noise protection enclosing the AC, Generator, Pool and other Mechanical equipment.

The Board inquired about whether or not the required landscape and sound attenuation plan for the project was to be approved at the meeting. Staff noted that the landscape and sound attenuation plan would be drafted after the meeting and must be brought back to P&Z for review and approval.

The applicant, Randall Slocum of 670 N. Orlando Avenue, Suite 1001, Maitland, FL 32751 addressed the Board letting them know he was available to answer any questions.

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

Motion made by Melissa Vickers, seconded by David Bornstein, for approval to construct a new, two-story, 21,705 square foot, single-family home located at 570 Seminole Drive on Lake Osceola, zoned R-1AAA.

Motion carried unanimously with a 6-0 vote. (Alex Stringfellow was not present for the meeting.)

- SUB #22-04 - Request of Richard Jennings for: Approval to subdivide or split the property, located at 1475 Berkshire Avenue, zoned R-1A, into two buildable single-family home lots.

Mr. Lewis provided the Board a brief summary of the request. He presented the Board an aerial view, location map, and site plan of the property. He noted that the total lot area of the property is 19,500 square feet and the applicant wanted to divide the property equally into 75-foot wide lots, each with 9,750 square feet of lot area, which meets the zoning criteria. Mr. Lewis explained the lot conformance to subdivision code test per the City's Subdivision Regulations and noted that the lots are almost identical to the median lot width of 75-feet and lot area of 9,848 square feet within the immediate 500-foot neighborhood radius. He also explained that if the Board felt the need to require that the style of the homes maintain the architectural character of the surrounding areas, staff recommended that the homes be approved based on the elevations containing elements of Mediterranean, Bungalow, Craftsman or Cape Cod architectural styles, as would be consistent with the surrounding neighborhood.

Staff recommendation was for approval.

The Board briefly discussed the following:

- the age of the existing home,

- a plan for the property that was submitted previously by a neighbor,
- the possibility of a 50-foot lot portion of the property to be encroached by the adjacent house,
- and the possibility of the applicant to designate the existing house as historic and then request the variances allowed with the designation.

Chairman James inquired with Attorney Ardaman regarding whether or not the Board could defer the request to the Historic Preservation Board. Attorney Ardaman expressed that he would need to review the code in that regard but did not believe the Board could do so. He advised that the Board could ask the applicant if they would be willing to take their request to the Historic Preservation Board for a historic designation approval.

The applicant, Rick Jennings of 238 St. James Place, Longwood, FL 32750 addressed the Board. Mr. Jennings noted that he wanted to raise the value of the neighborhood with his project and did not intend to build the same two homes. He also noted that the existing home was an older home but that he was unsure if it was deemed historic.

Brief discussion ensued with the Board and Mr. Jennings regarding the condition of the existing home, the possibility of relocating the driveway and tearing down the existing shed to gain lot size and preserve the existing home, and the planned size of the proposed homes.

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

Stephen Pategas of 1425 Berkshire Avenue, Winter Park, FL 32789; June Huggins of 1541 Westchester Avenue, Winter Park, FL 32789; Penny Potter of 1360 Canterbury Road, Winter Park, FL 32789; and Leslie Williams of 1492 Berkshire Avenue, Winter Park, FL 32789.

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

Chairman James called for a recess at 7:09 p.m. and reconvened the meeting at 7:13 p.m.

Mr. Jennings addressed the Board once more in response to the public comments. He expressed that he wanted to honor the neighborhood and not destroy it. He noted that there had been certain precedence involving a home across the street from his property. He also noted that the existing home could be remodeled but has some significant drawbacks to it being a family home. He then inquired about the resulting process if the request was denied and if architectural style changes could be made as he was willing to present a style better suited to the neighborhood.

The Board briefly discussed the request and expressed their concerns regarding it. They overall expressed support of an option for the applicant to have the existing home historically designated and then request variances to build an additional home on the property. The Board indicated that they would like to see the existing home preserved and felt that the requested lot split would not align with the character of the neighborhood.

Motion made by Richard James, seconded by Jim Fitch, for a denial to subdivide or split the property, located at 1475 Berkshire Avenue, zoned R-1A, into two buildable single-family home lots.

Motion carried unanimously with a 6-0 vote. (Alex Stringfellow was not present for the meeting.)

- CPA #21-03, RZ #21-03 Request of Creative Neighbors LLC to approve the Comprehensive Development Plan for the Planned Unit Residential (PURD) Zoning on the East/Rear 5.38 acres of 740/760 N. Lakemont Avenue, to provide specific development standards for the 13 single family homes and 12 townhomes.

Mr. Briggs provided the Board a brief summary of the request. He noted that the project was coming back to the P&Z Board for the second part of the Planned Unit Residential Development (PURD) zoning process. He informed the Board that the City Commission had approved (on first reading) the Conditional Use for the new Winter Park Christian Church, and the Comp. Plan FLU/Rezoning to PURD for Creative Neighbors LLC. The second reading will be on April 13, 2022. He explained that the second part is where the setbacks and any deviations from traditional single-family zoning rules are outlined and approved. Mr. Briggs presented the Board a location map, aerial view, and site plan of the property. He noted that the applicant did not want to vary from the overall variances for single-family zoning. He explained that the applicant was requesting setbacks closer to interior lot lines, between units. However, with respect to the exterior neighbors outside of the project, there were no deviation or variances requested.

Staff recommendation was for approval.

Brief discussion ensued with the Board regarding the following:

- the status of the nature trail,
- fencing the external boundary,
- neighbor support and opposition,
- clarification of rear yard setback and width of trail,
- stormwater retention,
- and parking concerns.

Mr. Fitch mentioned that there had been a problem with previous staff regarding neighbor letters not being received for the project and that he had concerns regarding not having a traffic light on Lakemont Avenue at the project's entrance.

Mr. Briggs reminded the Board that their consideration for the project focused on the approval of the ordinances for the Comprehensive Development Plan for the PURD Zoning.

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

Motion made by Michael Spencer, seconded by Richard James, for approval the Comprehensive Development Plan for the Planned Unit Residential (PURD) Zoning on the East/Rear 5.38 acres of 740/760 N. Lakemont Avenue, to provide specific development standards for the 13 single family homes and 12 townhomes.

Motion carried with a 5-1 vote. (In Favor: Richard James, Melissa Vickers, David Bornstein, Vashon Sarkisian, and Michael Spencer. Opposed: Jim Fitch. Alex Stringfellow was not present for the meeting.)

Board Comments

Vice-Chair Bornstein suggested that future work session discussion topics include the Comprehensive Plan codes regarding lot splits, replats, and subdivisions on lakefront estate lots.

Chairman James expressed that the elevations and site plans for the projects are difficult to view in the Board meeting packets and recommended that the Board be provided the elevations and site plans separately due to this.

Adjournment

Meeting adjourned at 8:06 p.m.

/s/ Mary Bush.

Approved by Board on May 3, 2022.