



Planning and Zoning Board Minutes

March 1, 2022 at 06:00 p.m.

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

Call to Order

Chairman Richard James called the meeting to order at 5:58 p.m. Present: Richard James, Melissa Vickers, David Bornstein, Vashon Sarkisian, Michael Spencer, Jim Fitch, and Alex Stringfellow. Also Present: City Attorney Dan Langley. Staff: Director of Planning and Transportation Bronce Stephenson, Principal Planner Jeff Briggs, Senior Planner John Harbilas, Planner I Nicholas Lewis, Planning Technician Aaron Hull, and Recording Secretary Mary Bush.

Consent Agenda

Motion made by Jim Fitch, seconded by Michael Spencer to approve the February 1, 2022 meeting minutes.

Motion carried unanimously with a 7-0 vote.

Staff Updates

No staff updates.

Public Comments (for items not on Agenda)

No one 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

- 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.

THIS ITEM WAS CONTINUED TO THE APRIL 5TH PLANNING & ZONING BOARD REGULAR MEETING BY STAFF.

Motion made by David Bornstein, seconded by Alex Stringfellow, to table to the April 5th Planning & Zoning Board Regular Meeting the 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.

Motion carried unanimously with a 7-0 vote.

- CU #19-10 - Request of Vilasa Townhouses for: An amendment to the Conditional Use Approval to add exterior rear porches onto the ten Swoope Avenue townhomes, zoned R-3.

Mr. Briggs provided the Board a brief summary of the request. He presented the Board an aerial view of the property prior to construction and a layout of the project that was previously approved as a conditional use in 2019. He explained that after starting the project the applicant realized that there was 20 feet to the property line of back yard space for the buildings, so the applicant decided to make the space more usable with one story porches. Mr. Briggs further explained that the applicant went to the Board of Adjustments in December of 2020 and received approval for a variance to encroach the 20 foot setback to build the porches. During the permitting process for the porches it was discovered that an approval for a variance from the 40% allowed by code to 46.1%

for the building lot coverage was not obtained. Mr. Briggs noted that a letter in support of the request was received from one of the adjacent neighbors of the property and the other neighbor had not been responsive to attempts for contact regarding the request.

Staff recommendation was for approval.

Mr. Stephenson stated that "it really just comes down to the proper legal process of if you have a conditional use the only way that you can modify a conditional use is through an amended conditional use. Getting a variance on something through the Board of Adjustment is not the proper way to do it but the good thing is what they are requesting falls within what would actually be the allowable setbacks in the area. So, it was a staff oversight at the time and now we are coming forward to fix that."

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

Motion made by Alex Stringfellow, seconded by Michael Spencer, for approval of an amendment to the Conditional Use Approval to add exterior rear porches onto the ten Swoope Avenue townhomes, zoned R-3.

Motion carried unanimously with a 7-0 vote.

- SPR #22-02. Request of Michael Wenrich for: Approval to construct a new, two-story, 10,864 sq. ft., single-family home located at 581 Sylvan Drive on Lake Osceola, zoned R-1AAA.

Mr. Briggs provided the Board a brief summary of the request. He presented the Board a location map and aerial of the existing of home. Mr. Briggs reviewed the site plans for the project and noted that there would be a unique feature for storage of the applicant's collection of vehicles in an underground basement with access through a vehicle elevator located in the driveway of the front of the home. He also noted that there was a challenge to having the pool deck no more than three feet above the existing grade on the lakeside of the home. Mr. Briggs indicated that the custom of the Board on other properties that have had similar grade issues has been to approve five and a half feet above existing grade. To solve the issue, the applicant's design team lowered the house by three feet to meet the five and a half feet above grade that has been previously approved for other properties. Mr. Briggs spoke on the applicant preserving all of the oak and cypress trees on the property, using inlet pipes to ensure all water filters down to the lake front and not onto the adjacent neighbor's property, and the retaining wall located along the north property line. He also noted that in order to place their garage at a 90 degree angle, the applicant has been in discussion with the adjacent neighbor regarding purchasing a portion of the neighbor's property. Mr. Briggs presented elevations of the proposed home noting an existing small accessory structure to the left side of the rear of the home that the applicant wants to rebuild and move five feet from the property line. He also noted that staff received an email from the adjacent neighbor in support of the rebuild and relocation of the structure.

Staff recommendation was for approval.

The Board briefly inquired about the location of the retaining wall and the grade drop indicators on the site plan.

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

Motion made by Michael Spencer, seconded by David Bornstein, for approval to construct a new, two-story, 10,864 sq. ft., single-family home located at 581 Sylvan Drive on Lake Osceola, zoned R-1AAA.

Motion carried unanimously with a 7-0 vote.

- SPR #22-05 - Request of Bruce Cole for approval to construct a new, two-story, 7,846 sq. ft., single-family home located at 2056 Lake Drive on Lake Killarney, zoned R-1AA.

Mr. Hull 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 property was sold to the applicant by the owner of the adjacent home to the west and that the applicant also owns the adjacent home to the east. Mr. Hull briefly spoke on the proposed Floor Area Ratio, the impervious lot coverage, removal of three trees, the view from the lake and the neighbors, and the plan for a swale retention along the lakefront. He presented the elevations for the proposed home and expressed that the project meets all required lakefront code criteria.

Staff recommendation was for approval.

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

Motion made by Vashon Sarkisian, seconded by Alex Stringfellow, for approval to construct a new, two-story, 7,846 sq. ft., single-family home located at 2056 Lake Drive on Lake Killarney, zoned R-1AA.

Motion carried unanimously with a 7-0 vote.

- CU #22-03 - Request of Raymond Horal for: Conditional Use Approval to waive the separation distance requirement of 300 feet from a residential property in conjunction with retail liquor sales at 834 N. Orange Avenue, zoned C-3.

Mr. Lewis provided the Board a brief summary of the request. He presented an aerial map of the property and noted that it is 132 feet away from the closest residential property. He also noted that there is a significant buffer of FDOT railway as well as the back fences of the surrounding residential properties which will hinder public access. He presented the Board the floor plan of the proposed conditions of the interior of the property explaining that the applicant is proposing a retail store, warehouse space for storage, meeting spaces, a pour board for charity donations, and an immersive ramp. Mr. Lewis added that the project can easily meet the 27 parking spaces required by code.

Staff recommendation was for approval.

Brief discussion ensued with the Board regarding parking, the existing building, and neighbor input.

The applicant, Raymond Horal of 533 Balmoral Road, Winter Park 32789 addressed the Board. Mr. Horal provided the Board a presentation that covered the Generous Pour team, purpose of the business, the intended retail experience, their patent pending software for consumer donations, the reason Winter Park was chosen for their business location, their process and goals for charity at check out, their intent to become a Certified B Corporation, their tech goals, their base consumers, and their overall approach.

Brief discussion ensued with the Board regarding how a consumer will know how much is being donated with each purchase, concerns regarding barriers to public access to the rear of the building, and if the benefiting charities will be local.

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

Discussion ensued with the Board regarding the following:

- being cautious about any kind of conditions related to content for the signs,

Motion made by David Bornstein, seconded by Michael Spencer, for Conditional Use Approval to waive the separation distance requirement of 300 feet from a residential property in conjunction with retail liquor sales at 834 N. Orange Avenue, zoned C-3.

Motion carried unanimously with a 7-0 vote.

- SUB #22-02 Request of NIL Build LLC for: Approval to subdivide or split the property, located at 810 N Lakemont Avenue, zoned R-1A, into two buildable single-family home lots.

Mr. Harbilas provided the Board a brief summary of the request. He presented the Board an aerial view, site plan, and elevations of the property and proposed homes. Mr. Harbilas noted that the applicant is proposing two single-family lots with a flag lot in the rear with shared access. He added that both homes meet all of the R-1A zoning requirements and will meet proper means of access via the shared easement.

Staff recommendation was for approval.

Brief discussion ensued with the Board regarding the property being vacant, the use of City sewer, clarification of the percentage of homes in the area with 75 foot wide lots, the date that another similar project close to Aloma Avenue was completed, and input received from neighbors.

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

Discussion ensued with the Board regarding inspection of the property and project by life safety and if any of the front elevations of the homes will face North Lakemont Drive.

Motion made by Richard James, seconded by David Bornstein, for approval to subdivide or split the property, located at 810 N Lakemont Avenue, zoned R-1A, into two buildable single-family home lots.

Motion carried unanimously with a 7-0 vote.

Board Comments

Mr. Stephenson expressed sentiments regarding the possibility of Mr. Spencer and Mr. Fitch no longer being on the Board after this year's election for open Commission seats.

Adjournment

Meeting adjourned at 7:12 p.m.



/s/ Mary Bush.