



Planning & Zoning Board Regular Meeting Minutes

February 7, 2023 at 6:00 p.m.

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

Present

Present: Richard James, Melissa Vickers, Vashon Sarkisian, and Jim Fitch. Absent: Alex Stringfellow, Michael Spencer, and David Bornstein. Also Present: City Attorney Dan Langley. Staff: Director of Planning & Zoning Jeff Briggs, Assistant Director of Planning & Zoning Allison McGillis, Planner I Nicholas Lewis, Planning Technician Aaron Hull, and Recording Secretary Mary Bush.

(1) Call to Order

Chairman Richard James called the meeting to order at 5:59 p.m.

(2) Consent Agenda

Approval of Minutes:

Motion made by Jim Fitch, seconded by Melissa Vickers to approve the January 3, 2023 meeting minutes.

Motion carried unanimously with a 4-0 vote. (Alex Stringfellow, Michael Spencer, and David Bornstein were not present for the meeting.)

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

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

(4) Public Hearings

- SPR #23-01: Request of Taylor and Meredith Kessel for Approval to construct a new, two-story, 6,772 sq. ft., single-family home located at 2023 Venetian Way on Lake Maitland, zoned R-1AA.

Mr. Hull provided the Board a brief summary of the request. He presented to the Board an area map and noted that the property was on an unnamed lake connected to Lake Maitland. He added that one of the three lots adjacent to the property has a home under construction and the other two lots are completely vacant. He then indicated that the applicant's plans were at a 23.2% floor-area-ratio (FAR) and 34.2% impervious lot coverage, which both fall below maximum code requirements. He also indicated that the applicant's plans fall within the required front and side setbacks for the lot. Mr. Hull then presented the survey of the lot and mentioned that no trees were planned to be removed and no views from the lake or the neighbors would be blocked by the proposal. He then noted that there is a large swale at the rear of the property that meets the requirements for stormwater.

Staff recommendation was for approval.

The Board inquired if any neighbors had expressed objections to the request, if the label "DRAINFIELD" on the site plan represents a septic tank housing, and if there were any plans for lot fill for the project.

The applicant, Taylor Kessel of 2021 Mohican Trail, Maitland, FL 32751 addressed the Board. Mr. Kessel thanked staff for taking time to review the application and for their responsiveness. He then let the Board know that 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 Vashon Sarkisian, for approval to construct a new, two-story, 6,772 sq. ft., single-family home located at 2023 Venetian Way on Lake Maitland, zoned R-1AA.

Motion carried unanimously with a 4-0 vote. (Alex Stringfellow, Michael Spencer, and David Bornstein were not present for the meeting.)

- SPR #23-02: Request of Ryan Feely with Feely Developments for approval to construct a new, two-story, 6,259 square foot, single-family home located at 1331 College Point on Lake Virginia, zoned R-1AAA.

Mr. Lewis provided the Board a brief summary of the request. He presented to the Board an area map and aerial of the property. He noted that the applicant originally designed the home around the 50-foot rear setback, so one corner of the proposed home encroaches the front setback about a foot and a half to keep the integrity of the design and achieve the required lake front set back of 52.5 feet. He added that the applicant was now proposing a lake front set back of 52.5 feet for both the pool and the home. Mr. Lewis then indicated that the applicant's plans were at a 31% FAR and 27.5% impervious lot coverage, which both fall below maximum code requirements. He also indicated that the applicant's plans fall within the required side, lakefront, and pool setbacks for the property. He then went on to discuss the lakefront criteria as it related to the request noting that a large diseased Laurel Oak tree was previously removed via tree removal permit and a five-inch caliper Magnolia tree was too small to be mitigated. Three unprotected camphor trees, and a tabebuia tree are to be removed. Mr. Lewis mentioned that the applicant had agreed to a staff condition that they fully mitigate the tabebuia tree located in the front of the property according to the City's tree removal ordinance. He also mentioned that the applicant was considering slightly shifting the driveway to avoid the removal and save the tree. He then indicated that no views from the lake would be blocked by the proposal and that there are two large swales at the front of the property that meet the requirements for stormwater.

Discussion then ensued with regard to the views of the neighbors. Mr. Lewis explained that to make sure the home was able to fit within that lake front average, the applicant considered shifting the house directly to the east to maintain the required front setback, but because of the odd angles of the property, there was no way to be able to do that and maintain the minimum distance between their main structure and their accessory structure as well as have adequate room for successful turn radius pulling in and out of the attached garage. Mr. Lewis then went on to explain that the adjacent neighbors to the east side of the property had raised concerns that the applicant's detached accessory structure was going to be too close to the property line blocking their views. He further explained that the applicant's proposal was to code and that only the front corner of the detached garage would be five feet from the property line, where the garage and cabana meet would be eight feet three inches and the lakefront corner of the cabana would be ten feet three inches from the property line. Mr. Lewis noted that application fell under the 2022 version of the land development code and thus the entire detached garage and cabana could be up to five feet from the property line. He expressed that because three camphor trees were to be removed to build the accessory structure, staff was imposing an added condition that the applicant thoroughly screen the entire accessory structure with a vegetative buffer to mitigate any sort of visual impairment.

Staff recommendation was for approval with the following conditions:

- That the applicant fully mitigates the tabebuia tree located in the front of the property according to the City's tree removal ordinance.
- That the applicant thoroughly screens the entire accessory structure with a vegetative buffer to mitigate any sort of visual impairment.

The Board inquired about the height of the accessory structure, if bamboo would be the required vegetative buffer, the minimum required separation between the detached garage and the main house, if the applicant was willing to move the garage to the minimum required separation, when the original house was torn down, and if a footprint for the original home was available to view. Brief discussion ensued regarding the land development code as it relates to detached garages.

The owner of the property, Jeff Graff of 1002 Versailles Court, Maitland, FL 32751 addressed the Board. Mr. Graff expressed thanks to staff. He also noted that he had met with the neighbor to the east side of the property prior to the hearing to discuss the project, but the neighbor still had objections after their discussion. Mr. Graff expressed that he had done a lot to try and mitigate the neighbor's concerns.

The Board heard public comment from the following resident:

Wayne Hocking of 1301 College Point, Winter Park, FL 32789 addressed the Board. Mr. Hocking indicated that he was the neighbor to the east side of the property that had concerns. He presented photos of the

existing area where the proposed accessory structure would be and the views from the sunroom of his home towards this area. He expressed that the accessory structure would impact the view from his sunroom in which his handicap daughter spends time viewing the sunsets.

The Board inquired with Mr. Hocking about how far the accessory structure would be from the window of the sunroom, if the magnolia tree was still existing next to where the detached garage would be, and if he would be satisfied with the project if it did not include the proposed accessory structure.

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

Mr. Graff addressed the Board. He noted that he understood the neighbor's concerns but not their desired outcome for the project. He added that the camphor trees currently shade the area and the neighbor's window and the neighbor's sunroom is facing the open cabana rather than the detached garage.

The Board inquired with Mr. Graff about his willingness to move the accessory structure. They also inquired about the accessory structure being included in the FAR calculations, how far the house could be moved to the west, and the 38% calculation for FAR. The Board suggested that the main house and accessory structure be moved down to the two-story side setback on the west side with a minimal 50 foot lakefront setback. Brief discussion ensued regarding the required vegetative privacy buffer possibly being bamboo. Mr. Hocking provided that he did not want bamboo as the vegetative buffer.

The Board inquired with Mr. Hocking if he was satisfied with the suggested changes for the project to which he expressed that he felt better about the project but wanted to first have a chance to visualize the changes in person at the property before confirming his feelings about the changes. Brief discussion ensued and the Board shared their thoughts on the request, with one Board member expressing opposition to it.

Motion made by Richard James, seconded by Vashon Sarkisian, for approval to construct a new, two-story, 6,259 square foot, single-family home located at 1331 College Point on Lake Virginia, zoned R-1AAA with the following conditions:

- That the applicant fully mitigates the tabebuia tree located in the front of the property according to the City's tree removal ordinance.
- The applicant thoroughly screens the entire accessory structure with a vegetative buffer to mitigate any sort of visual impairment.
- That the entire design, including the principal and accessory structures, be shifted towards the West, so as to meet the 19-foot second-story side setback, with the exception of the fire place, and that the rear setback be changed to 50 feet in lieu of the 52.5-foot average.

Motion carried unanimously with a 3-1 vote. (In Favor: Richard James, Vashon Sarkisian, and Melissa Vickers. Opposed: Jim Fitch. Alex Stringfellow, Michael Spencer, and David Bornstein were not present for the meeting.)

(5) Action Items

No action items.

(6) Non-Action Items

No non-action items.

(7) Staff Updates

Mr. Lewis noted that the next work session will be on February 28, 2023.

(8) Board Comments

No Board comments.

(9) Upcoming Agenda Items

Mrs. McGillis noted that the Board would continue discussion on the Comprehensive Plan updates and the consent agenda at the next work session.

(10) Adjournment

Meeting adjourned at 7:03 p.m.

Minutes approved by the Board on March 7, 2023.

/s/ Recording Secretary Mary Bush