



CITY OF WINTER PARK Planning & Zoning Board

**Regular Meeting
City Hall, Commission Chambers**

**November 5, 2013
6:00 p.m.**

MINUTES

Chairman Johnston called the meeting to order at 6:15 p.m. in the Commission Chambers of City Hall. Present: James Johnston, Chairman, Randall Slocum, Shelia De Ciccio, Ross Johnston, Peter Weldon, Tom Sacha, Peter Gottfried. Absent: Robert Hahn. Staff: Planning Manager Jeffrey Briggs and Recording Secretary Lisa Smith.

Approval of minutes – October 1, 2013

Motion made by Mr. Slocum and seconded by Mrs. De Ciccio, to approve the August 6, 2013, meeting minutes. Motion carried unanimously with a 7-0 vote.

PUBLIC HEARINGS

REQUEST OF RAMBER ARLINGTON LLC FOR: SUBDIVISION OR LOT SPLIT APPROVAL TO DIVIDE THE PROPERTY AT 1280 ARLINGTON PLACE, ZONED R-2, INTO TWO LOTS.

Planning Manager Jeffrey Briggs presented the staff report and explained that Mr. Alan Berman (Ramber Arlington LLC) has owned the subject property, which is currently vacant, since 2006. He explained that he is requesting subdivision/lot split approval to divide the property into two single family lots. He noted that the property is currently zoned R-2 and it is 90 feet wide and 13,500 sq. ft. He said that variances are requested for each lot to 45 feet in width in lieu of the minimum 50 feet of lot width requirement. He added that the applicant is not asking for any additional units or any added building density. Mr. Briggs reviewed the development standards for R-2 zoning. This subdivision request is to split the property into separate 45 foot wide lots so that they may be used for two independent single family homes. The applicant believes that they will be more successful marketing their product as 'stand-alone' single family homes versus attached townhouse units. Even though they are giving up the potential for one added unit (three townhouses versus two single family homes) they believe the market is stronger for that type of product. He said that this request is compatible with the character of the surrounding neighborhood. From the staff's perspective, the lot width variance is immaterial given that the request represents less unit density and is compatible with the street character. Staff recommended approval of the request. Mr. Briggs responded to Board member questions.

Alan Berman, the applicant, was present to address questions and concerns. He agreed with the recommendation of staff.

Mary Randall, 1007 South Kentucky Avenue, stated that she is opposed to reducing the frontage. She said that she does not feel that 45 feet is enough.

Donna Colado, 327 Beloit Avenue, expressed concern with the front facing garages for each unit, since the lots would be smaller than typical.

Georgia Roark, 1258 Arlington Place, spoke concerning responsible growth and the loss of affordable rental units in the surrounding area.

No one else wished to speak concerning the request. Public Hearing closed.

Mr. Gottfried spoke in favor of the request for two single family homes versus the potential of a two or three unit condo, indicating that the applicant was giving up the potential for a third residential unit. He did express concern about the potential for two front facing two cars garages on these narrow lots. Mr. Weldon also spoke in favor agreeing that single family homes matched the character of this street. Mr. Slocum agreed that the proposed housing is more compatible in scale with the neighborhood. Mr. Sacha and Mrs. De Ciccio asked if it were possible to locate the garages on the side versus facing the street. Mr. Slocum explained that it could be done with a center shared driveway design. The Board members agreed that this was preferable but did not feel it should be mandated for this request.

Motion made by Mr. Gottfried, seconded by Mr. Sacha to approve the subdivision/lot split to divide the property at 1280 Arlington Place into two lots. Each lot is to have 45 feet of lot width and 6,750 square feet of lot area and would be restricted to use as a single family home. The motion included a request that the applicant explore a common center driveway leading to garages in the rear.

Motion carried unanimously with a 7-0 vote.

REQUEST OF NORT NORTHAM FOR: AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO ESTABLISH A COMMERCIAL FUTURE LAND USE DESIGNATION TO THE ANNEXED PROPERTY AT 656 OVERSPIN DRIVE.

REQUEST OF NORT NORTHAM FOR: AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO ESTABLISH COMMERCIAL (C-3) DISTRICT ZONING ON THE ANNEXED PROPERTY AT 656 OVERSPIN DRIVE.

Planning Manager Jeffrey Briggs presented the staff report and explained that the applicant, Nort Northam, is requesting that the City establish Commercial future land use and Commercial (C-3) zoning to match the Commercial (C-1) zoning that the property has in Orange County. He said that the applicant purchased this property to add to his adjacent commercial properties at 2650 and 2600 W. Fairbanks Avenues. Mr. Briggs discussed both Orange County and City the zoning/land use history on this property. In 1965 this vacant property was rezoned by Orange County to commercial (C-1). The Orange County Comprehensive Plans from the 1970's-1980's had this property as commercial on the county's future land use map. Then in 1991 when Orange County updated their Comprehensive Plan, the future land use designation was changed to low density residential likely due to its' adjacency with residential homes. However, the property was never administratively rezoned in accordance with that designation. So for the past 23 years the Orange County Comp. Plan has said residential but the Orange County Zoning has said commercial. He explained that when Mr. Northam purchased the property in May of 2012, neither he nor the sellers (the Gallagher Family Trust) had any idea the conflict existed.

Mr. Briggs explained that Mr. Northam has subsequently hired a professional planner, Adam Diona of Urban Land Resources, to assist him with getting this corrected. He said that currently Orange County's comp plan future land and zoning are still in effect until the City remedies this conflict. The Comp. Plan future land use of residential does not allow commercial development on this property. However, the commercial (C-1) zoning does not allow residential development on this property. So it is not buildable or usable for either residential or commercial use with this conflict in place. Mr. Briggs stated that the applicant purchased this property with the desire of adding it to his Fairbanks Avenue holdings to be part of an overall future redevelopment of all of that Fairbanks property. In that context, this "rear" portion would likely wind up being used as parking area or for storm water retention. Staff is recommending that the City establish the

commercial land use designations conditioned upon this property's consolidation with the Fairbanks parcels, so that it is not developed independently. Mr. Briggs responded to Board member questions and concerns.

Adam Diona, 1285 Harmon Avenue, represented the applicant. He stated that they agree with the staff report as presented by Mr. Briggs. He indicated that Orange County staff felt that this was the City's problem to remedy now that the property has been annexed. He responded to Board member questions and concerns.

No one wished to speak concerning the request. Public Hearing closed.

The Board members expressed support for the request and the predicament that faced the applicant. Mr. J. Johnston confirmed that all the City was doing was establishing land use to match the commercial zoning that had been in place on this lot since 1965. Staff confirmed that was the case.

Motion made by Mr. Gottfried, seconded by Mrs. De Ciccio to establish a commercial future land use designation on the annexed property at 656 Overspin Drive, conditioned upon consolidation with the Fairbanks Avenue property. Motion carried unanimously with a 7-0 vote.

Motion made by Mr. Gottfried, seconded by Mr. Sacha to establish commercial (C-3) district zoning on the annexed property at 656 Overspin Drive, conditioned upon consolidation with the Fairbanks Avenue property. Motion carried unanimously with a 7-0 vote.

REQUEST OF THE CITY OF WINTER PARK TO: AMEND CHAPTER 58 "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" SO AS TO ESTABLISH MINIMUM SIZES FOR ENCLOSED GARAGES.

Mr. Briggs requested that this item be tabled. He said that staff will bring it back at the December meeting.

Motion made by Mr. Sacha, seconded by Mr. Slocum to table the request until December 3, 2013. Motion carried unanimously with a 7-0 vote.

LAKEFRONT SITE PLAN REVIEWS:

SPR 4:13 REQUEST OF MR. PHIL KEAN FOR APPROVAL OF A NEW TWO-STORY SINGLE-FAMILY HOME LOCATED AT 520 INTERLACHEN AVENUE ON LAKE OSCEOLA.

Planning Manager Jeffrey Briggs presented the staff report and explained that Phil Kean is representing the owners of the subject property and are requesting approval for a new two-story single-family home at 520 N. Interlachen Avenue on Lake Osceola. The 30,227 sq. ft. lot currently holds the Capen/Showalter House that is being moved to the Polasek Museum property. Mr. Briggs noted that the proposed two-story home will be 7,030 sq. ft. excluding the basement which does not count in the FAR. That is a FAR of 23.3% which is well within the allotted maximum of the Base 33% FAR for this lot. You will note the front garage door leads down a ramp to the basement parking level. This new home will have impervious lot coverage of 6,115 sq. ft. or 20.2% within the maximum 50%. He also reviewed the issues of tree preservation, view from the lake, view of neighbors, and storm water retention. Mr. Briggs summarized by stating that staff does not see any concerns with the new home as presented except with the retention due to the cypress trees and staff recommended approval with an exception from the one inch retention requirement due to the impact on the existing cypress trees with water quality treatment only required, as reasonably possible, via a berm system versus an excavated retention area. Mr. Briggs responded to Board member questions and concerns.

Phil Kean, 912 West Fairbanks Avenue, represented the applicant. He indicated that the 7,000 sq. ft. size was including the basement area and by building in the same area as the existing house there is minimal impact per the lakefront criteria.

Mr. Slocum expressed concerns about the grade of the garage ramp to the basement parking level and unexpected issues as we have seen with the ramps to the two condominiums on Interlachen. Mr. Kean indicated that the design has been reviewed by a civil engineer and he is trusting to their professional judgment that it will function adequately. After further discussion, Mr. J. Johnston confirmed that per the code specified lakefront criteria that the request complied. .

No one wished to speak concerning this request. Public Hearing closed.

Motion made by Mr. Sacha, seconded by Mr. Gottfried to approve the request per the staff's recommendation with an exception from the one inch retention requirement due to the impact on the existing cypress trees with water quality treatment only required, as reasonably possible, via a berm system versus an excavated retention area. Motion carried unanimously with a 7-0 vote.

SPR 5:13 REQUEST OF MR. GREG HIATT FOR APPROVAL OF A NEW TWO-STORY SINGLE-FAMILY HOME LOCATED AT 245 RIPPLING LANE ON LAKE KILLARNEY.

Planning Manager Jeffrey Briggs presented the staff report and explained that Mr. Greg Hiatt, is requesting approval for a new two-story single-family home at 245 Rippling Lane on Lake Killarney. This 16,615 sq. ft. lot is currently vacant as the previous home has been demolished. The new proposed two-story home will be 5,788 sq. ft. which is a FAR of 35% which is within the allotted maximum of the 38% FAR. He also reviewed the issues of tree preservation, view from the lake, view of neighbors, and storm water retention. Mr. Briggs summarized by stating that staff does not see any concerns with the new home as presented except with the retention due to the cypress trees and staff recommended approval with an exception from the one inch retention requirement due to the impact on the existing cypress trees with water quality treatment only required, as reasonably possible, via a berm system versus an excavated retention area. Mr. Briggs responded to Board member questions and concerns.

The applicants were present and indicated they would respond to questions. No one wished to speak concerning this request. Public Hearing closed.

Motion made by Mr. Sacha, seconded by Mr. Slocum to approve the request per the staff's recommendation with an exception from the one inch retention requirement due to the impact on the existing cypress trees with water quality treatment only required, as reasonably possible, via a berm system versus an excavated retention area. Motion carried unanimously with a 7-0 vote.

NEW BUSINESS:

Mr. Briggs distributed staff's priority list from the WRT study. He explained that the list prioritizes tasks and timeframes associated with the WRT work product. He said that is the list was put together at the request of the City Commission and will be presented to them at their November 11, 2013, meeting. He said that it is being provided to the Board members so that they will have time to review prior to the work session.

Date of Next Work Session Meeting: Tuesday, November 26, 2013 at 12:00 Noon.

Date of Next Regular Meeting: Tuesday, December 3, 2013 at 6:00 p.m.

There was no further business. Meeting adjourned at 6:50 p.m.

Respectfully submitted,

Lisa M. Smith
Recording Secretary