



**CITY OF WINTER PARK
Planning & Zoning Board**

**Regular Meeting
City Hall, Commission Chambers**

**August 2, 2016
6:00 p.m.**

MINUTES

Chairman James Johnston called the meeting to order at 6:00 p.m. in the Commission Chambers of City Hall. Present: James Johnston, Tom Sacha, Randall Slocum, Shelia De Ciccio, Absent: Peter Gottfried, Ross Johnston, Robert Hahn and Raymond Waugh. Also Present: City Attorney Dan Langley. Staff: Planning Manager Jeff Briggs, Planner Allison McGillis and Recording Secretary Lisa Smith.

Approval of minutes – June 7, 2016 Regular Meeting minutes

Motion made by Tom Sacha, seconded by Randall Slocum to approve the meeting minutes from the June 7, 2016, Regular Meeting. Motion carried unanimously.

PUBLIC HEARINGS:

SPR 4:16 - REQUEST OF SHANNON CALZADA FOR: APPROVAL TO BUILD AN 820 SQUARE FOOT, ONE-STORY ADDITION TO THE SINGLE-FAMILY HOME LOCATED AT 1803 BARKER DRIVE ON LAKE SPIER.

Planner Allison McGillis presented the staff report. She explained that the owner of the subject property is requesting approval to construct an 820 square foot, one-story addition to the single-family home located at 1803 Barker Drive on Lake Spier. She said that the upland area of this lot measures 15,446 square feet, and is currently occupied by a 2,576 square foot, one-story home. The 820 square foot addition will increase the square footage of the home to 3,396 square feet, which on this lot yields a floor area ratio (FAR) of 22%. Therefore, the proposed home is within the maximum allowed 33% FAR and 50% impervious area. She reviewed the tree preservation, view from the lake, of the views of the neighbors and storm water retention. Staff had no significant concerns with the proposed home as presented. Staff recommendation was for approval of the request subject to the condition that the project incorporate a one-foot deep swale along the lakefront to retain the first inch of storm water runoff.

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

Motion made by Tom Sacha, seconded by Peter Gottfried to approve the request to build an 820 square foot, one-story addition to the single family residence located at 1803 Barker Drive on Lake Spier. Motion carried unanimously with a 7-0 vote.

REQUEST OF WINTER PARK ELDERLY SERVICES, LLC FOR: CONDITIONAL USE APPROVAL TO BUILD A 48,850-SQUARE FOOT, THREE-STORY, 38-UNIT MEMORY CARE FACILITY AT 1298 HOWELL BRANCH ROAD, ZONED R-3, PROVIDING FOR CERTAIN EXCEPTIONS AND FOR A DEVELOPMENT AGREEMENT, IF REQUIRED.

Mr. Briggs announced that applicant has requested to postpone tonight's public hearing on this item. He explained that the applicants are scaling down the project and have requested to be on the October 4th agenda.

REQUEST OF THE INTERLACHEN NORTH PARTNERS, LLC FOR: CONDITIONAL USE APPROVAL TO REDEVELOP THE PROPERTY AT 503 NORTH INTERLACHEN AVENUE WITH AN EIGHT UNIT, THREE STORY RESIDENTIAL PROJECT OF APPROXIMATELY 23,385 SQUARE FEET IN SIZE, ON PROPERTY ZONED R-3, PROVIDING FOR CERTAIN EXCEPTIONS AND FOR A DEVELOPMENT AGREEMENT, IF REQUIRED.

James Johnston and Randall Slocum announced that they have conflicts of interest and would not participate in the discussion or vote on this item. (Form 8B, Memorandum of Voting Conflict was completed by both).

Planning Manager Jeff Briggs presented the staff report. He explained that Interlachen North Partners, LLC are the new owners of the Casa Disena Apartment property at 503 N. Interlachen Avenue, which is zoned R-3. He noted that the current structure is set for demolition to make way for this project. Mr. Briggs stated that the applicants are requesting Conditional Use approval for a building over 10,000 square feet in size to redevelop this property with eight (8) new residential condominiums with a cumulative project size of up to 23,385 square feet, on this property zoned R-3. He provided an overview of the proposed project. The project will be three stories in height with a total project size of 23,385 sq. ft., a FAR of 110.49%, 37.1% lot coverage and 60.8% impervious coverage. In addition, no variances have been requested and the project will be built within the R-3 code requirements. He said that there have been good cooperative efforts between the applicant and neighboring property owners with regard to concerns about the impacts of construction and development techniques. An agreement documenting the consensus has been submitted to the Planning Department prior to the public hearing.

Mr. Briggs also reviewed the project with regard to site and zoning parameters, tree preservation, storm water retention, comprehensive plan policies. He noted that in order to access to these condominiums is the common driveway down a ramp on the north side of the building into the basement parking level. In that below ground parking level are 20 parking spaces that include two spaces per unit and four visitor spaces which meet the parking requirements for 2.5 spaces per unit. He said that special attention and due diligence is required with the excavation and construction of basement underground parking when in close proximity to other existing neighboring buildings. He noted that staff is aware that this is a special concern of several adjacent neighbors to this project and so that P&Z will be aware, those neighbors have reached a private agreement with the applicants concerning those matters. He said that the conditional use request meets all the Comprehensive Plan and Zoning Code requirements and there are no variances or exceptions requested. The project has an attractive architectural appearance with garages/cars totally screened from view. Staff recommended approval of both the Preliminary and Final Conditional Use approvals with the following conditions:

1. That the electric transformer/switch gear and all backflow preventers shall be located where least visible from a public street and shall also be landscaped so as to be effectively screened from view.
2. That a common area be provided (not in the right-of-way) for the placement of the 8 trash carts.
3. That the final storm water design be approved by the Public Works Dept.

Bill Platts, Slocum Platt, 757 Greenoaks Court, represented the applicants. He stated that they are in agreement with the conditions listed in the staff report. They have met with the property owner to the south in and have come to an agreement in an effort to alleviate his concerns. He responded to Board member questions and concerns.

John Beck, 457 North Interlachen Avenue, property owner to the south, spoke concerning the agreement that had been reached with the applicant, in a letter dated July 14, 2016. He read the conditions into the record.

Linda Erickson, 535 North Interlachen Avenue, President of the Ana Lucia Condominiums HOA spoke concerning the impacts the project would have on their condominiums. She agreed with the statements made by Mr. Beck.

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

The P&Z Board acknowledged that this conditional use request meets all the Comprehensive Plan and Zoning Code requirements and there are no variances or exceptions requested. The P&Z Board also confirmed with staff that a 'construction management plan' is required that addresses deliveries, times of construction and where construction employees will park, etc. Thus, with the incorporation of that letter agreement and the understanding as to the construction matters addressed by the City, the P&Z Board was comfortable in recommending approval subject to the conditions recommended by staff and incorporation of the letter agreement.

Motion made by Tom Sacha, seconded by Raymond Waugh to approve the conditional use request to redevelop the property at 503 North Interlachen Avenue with an eight-unit, three-story residential project of approximately 23,385 feet in size subject to the following conditions:

- 1) That the electric transformer/switch gear and all backflow preventers shall be located where least visible from a public street and shall also be landscaped so as to be effectively screened from view.
- 2) That a common area be provided (not in the right-of-way) for the placement of the 8 trash carts.
- 3) That the final storm water design be approved by the Public Works Department.
- 4) Incorporating the conditions in the letter dated July 14, 2016 from Nancy A. Rossman, Manager, Interlachen North Partners, LLC, to Mr. John Beck.

Motion carried unanimously with a 5-0 vote.

REQUEST OF WALTER RAY TO: AMEND THE OFFICIAL ZONING MAP TO CHANGE FROM SINGLE FAMILY RESIDENTIAL (R-1A) DISTRICT ZONING TO LOW DENSITY RESIDENTIAL (R-2) DISTRICT ZONING ON THE PROPERTY AT 2281 NAIRN DRIVE.

REQUEST OF WALTER RAY FOR: CONDITIONAL USE APPROVAL UNDER THE CLUSTER HOUSING PROVISIONS OF R-2 ZONING TO BUILD A THREE UNIT CLUSTER HOUSING PROJECT OF TWO-STORY TOWNHOUSES AT 2281 NAIRN DRIVE, ON PROPERTY TO BE ZONED R-2, PROVIDING FOR CERTAIN EXCEPTIONS AND FOR A DEVELOPMENT AGREEMENT, IF REQUIRED.

Planner Allison McGillis presented the staff report. She stated that the applicant Walter Ray, contract purchaser of the subject property, is requesting the following:

1. To change the zoning from Single-Family (R-1A) to Low-Density Residential (R-2) on the property located at 2281 Nairn Drive; and
2. Conditional Use approval for a three-unit cluster housing project of two-story townhomes, on the plans submitted.

She provided an overview of the subject property and reviewed the future land use and zoning characteristics, rezoning history of the neighborhood of the request. She discussed the dynamics of the conditional request (FAR, building heights, square footage, setbacks, tree preservation, storm water retention, parking requirements, the cluster housing requirements and the sanitary lift station. She summarized by stating his particular project appears to be in harmony with the neighborhood. It will also permit the continuation of this type of redevelopment scenario we have already begun to see along Nairn Drive and Hawick Lane. Overall, the project meets all the development standards of the R-2 zoning district, and will have an architectural appearance that is compatible with the surrounding residential properties.

Staff recommendation is as follows:

1. APPROVAL of the request to change the zoning on the property located at 2281 Nairn Drive from Single-Family Residential (R-1A) to Low-Density Residential (R-2).

2. APPROVAL of the Conditional Use request together with the variances requested, pursuant to the sanitary lift station be located where not visible from a public street or adjacent properties, and shall also be landscaped so as to be effectively screened from view.

Walter Ray, the applicant, thanked staff for the positive recommendation for approval. He responded to Board member questions and concerns.

David Williams, 209 Tyree Lane, expressed concern with “piece milling” in the neighborhood adjacent to the hospital.

Lori Martin, 2271 Nairn Drive, spoke in opposition to the request.

Todd Meifert, 2254 Nairn Drive, stated that he is in favor of the request.

Mr. Ray responded to the neighbor concerns. He expressed that he is willing to erect a visual buffer on the side adjacent to Ms. Martin’s property.

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

There was a unanimous consensus from the Planning and Zoning Board on the compatibility and approval of this project based upon the transitional nature of this neighborhood to a more dense residential use. The Planning Board felt that the design was appropriate for this neighborhood, but that there needed to be a landscaped or fence buffer on the driveway portion of the site.

Motion made by Tom Sacha, seconded by Peter Gottfried to amend the official zoning map to change from single family residential (R-1A) to Low Density Residential (R-2). Motion carried unanimously with a 7-0 vote.

Motion made by James Johnston, seconded by Tom Sacha to approve the conditional use request under the cluster housing provisions of R-2 zoning to build a three unit cluster housing project of two-story townhouses subject to the following conditions:

1. That the sanitary lift station be located where not visible from a public street or adjacent properties, and shall also be landscaped so as to be effectively screened from view.
2. That the applicant shall install an appropriate buffer adjacent to the driveway which can be either a fence or equivalent landscape buffer that is a minimum height of six feet at planting or a vinyl fence that is a minimum of six feet in height, or a combination of both.

Motion carried unanimously with a 7-0 vote.

REQUEST OF RON SCARPA AND BOB WALKER FOR: SUBDIVISION OR LOT SPLIT APPROVAL TO DIVIDE THE PROPERTY AT 2098 EAST END AVENUE, ZONED R-1A, INTO TWO SINGLE FAMILY BUILDING LOTS. LOT DIMENSION VARIANCES ARE REQUESTED FOR THESE LOT DIMENSIONS THAT ARE LESS THAN THE 75 FEET OF LOT WIDTH AND 8,500 SQUARE FEET OF LOT AREA REQUIRED IN THE R-1A ZONING. A VARIANCE IS ALSO REQUESTED TO ALLOW THE EXISTING HOME AT 2098 EAST END AVENUE TO HAVE A FIVE FOOT SIDE SETBACK SO IT MAY REMAIN IN PLACE AND BE RENOVATED WITH THE ONE NEW HOME TO BE CONSTRUCTED ON THE VACANT LOT TO THE SOUTH.

Planning Manager Jeffrey Briggs presented the staff report. He stated that the applicants, Ron Scarpa and Bob Walker, the contract purchasers, are requesting subdivision or lot split approval to divide the property located at 2098 East End Avenue into two single-family lots. The property is currently zoned R-1A and is currently occupied by one single-family home on the north or corner lot, which the applicants plan to remodel. A new home would

then be built on the southern platted lot. Mr. Briggs reviewed the subdivision criteria for both the zoning code and the comprehensive plan; the proposed development plans; and discussed the history of lot split requests in the neighborhood. He summarized by stating that based on the advice from the City Attorney, staff will no longer make recommendations for "approval" of lot splits with variances. The issue is that if staff says that the applicants meet the criteria for a variance, then it effectively ties the hands of the P&Z Board to make a differing recommendation. He said that in recognition variances are required and based on the recommendations of the Urban Forestry Department, the staff recommendation is for denial. Mr. Briggs responded to Board member questions and concerns.

Ron Scarpa, co-applicant, 2610 Parkland Drive, addressed the Board concerning the request. He stated that he has walked the neighborhood in an effort to talk to as many neighbors that he could regarding the scale of his proposed project and the oak tree. He explained that he hired an independent arborist who had concerns with regard to the Laurel Oak decaying. He stated that they plan to renovate the existing home, but there are no immediate plans to develop the southern lot.

The following neighbors addressed the Board concerning the request: Bob Bates, 2719 Woodside Avenue; Stuart Bogue, 2270 Howard Drive; Sally Spivey, 2964 Northwood Boulevard; Cherie Jeffries; 1935 Hammerlin Avenue; Brian Kolka, 2805 Mulford Avenue; Helen Gaskins, 2733 Woodside Avenue; Alex Stringfellow, 2735 Woodside Avenue; Tim Eggert, 2717 Woodside Avenue; and David Smith, 2803 Woodside Avenue.

Mr. Scarpa addressed the neighbor's concerns. He stated his willingness to put something in writing with regard to preserving the existing home while the home remains under their ownership. Mr. Briggs read into the record conditions volunteered by the applicant into the record as stated in his email. The Board members were in agreement with those conditions.

No one else wished to speak concerning this request. Public hearing closed.

The P&Z Board thanked the 10 neighbors that spoke on the matter and acknowledged that there were some in opposition and some in favor of the lot split but all were asking for the new home construction to be compatible in size and appearance with the existing neighborhood. The P&Z Board also thanked the applicant for offering some conditions of approval to help address the issues that have been raised. The P&Z Board recognized that the neighborhood from East End Avenue over to Winter Park Road is predominately homes on 50-55 foot wide lots while the neighborhood to the east has larger home sites. The P&Z Board felt that the conditions volunteered by the applicants to preserve the most important live oak tree, to lessen the new home size (FAR) to 38% and to have P&Z review and approve those future plans were important steps to address neighborhood compatibility. The Board agreed that the lesser FAR should be applied to both lots. Thus, there was consensus from the P&Z Board to recommended approval subject to those conditions.

Motion made by James Johnston and seconded by Tom Sacha, to approve the subdivision request at 2098 East End Avenue subject to the following conditions agreed to by the applicant:

- 1. That the existing home on the corner lot at 2098 East end Avenue would be preserved during the time of ownership by the applicants and that an agreement would be entered into with the City committing to the preservation of the existing live oak tree at the rear of the existing house and that the maximum floor area ratio on both lots would be capped at 38%.**
- 2. That the site plan, elevations and floor plan for the new home on the vacant lot must be approved by the P&Z Board at a public hearing, following notice and distribution of those plans to the property owners within 500 feet of the lot.**

Motion carried unanimously with a 7-0 vote.

REQUEST OF Z PROPERTIES FOR: TO COMPLY WITH THE CONDITION OF APPROVAL BY THE CITY COMMISSION ON APRIL 25, 2016 FOR THE SUBDIVISION OR LOT SPLIT OF 360 BELOIT AVENUE INTO TWO LOTS; SUBJECT TO THE FINAL ELEVATIONS AND

FLOOR PLANS OF THE TWO NEW HOMES (WHICH MUST BE ORIENTED TO FACE BELOIT AVENUE) BE APPROVED BY THE PLANNING AND ZONING BOARD FOLLOWING DISTRIBUTION OF SUCH PLANS TO THE PROPERTY OWNERS WITHIN 500 FEET OF SAID PROPERTY.

Planning Manager Jeffrey Briggs presented the staff report. He explained that Z Properties, Inc. received subdivision or lot split approval to divide the property at 360 Beloit Avenue into two (2) single-family lots from the City Commission on April 25, 2016. That approval by the City Commission was made with a condition that the approval was "subject to the final elevations and floor plans of the two new homes oriented to face Beloit Avenue and be approved by the Planning and Zoning Board following distribution of such plans to the property owners within 500 feet of said property. He stated that the applicants have submitted plans that include the first floor plan layout as this part is critical to the direction provided to the applicants to redesign the homes so that they front Beloit Avenue. The submission does not include the second floor plan layout as this is not essential to the directions provided by the Planning Board and the City Commission.

Mr. Briggs explained that the house plans including elevations and floor plans have been significantly changed with respect to front doors and interior floor plans since the original submittals. The new plans comply with the requests of the neighbors and the City Commission that the new homes "front" on Beloit Avenue in both form and function. Also to make the image similar to the north side of Beloit Avenue, a low front yard wall is proposed for both homes that also help to define Beloit Avenue as the front of the homes. He said that these plans now subject to the revisions that have occurred, comply with the design direction that they "front" on Beloit Avenue. Staff recommended approval. Mr. Briggs responded to Board member questions and concerns.

Ira Kitograd, 731 Pansy Avenue, co-applicant, stated that the new plans reflect the desires of the neighborhood. He responded to Board member questions and concerns. No one wished to speak concerning the request. Public Hearing closed.

Motion made by Tom Sacha, seconded by Randall Slocum to approve the final elevations and floor plans for the two homes which will be oriented to face Beloit Avenue. Motion carried unanimously with a 7-0 vote.

NEW BUSINESS:

Date of Next Regular Meeting: Tuesday, September 6, 2016 @ 6 p.m.

Date of Next Work Session: Tuesday, August 23, 2016 @ 12:00 p.m.

There was no further business. Meeting adjourned at 7:45 p.m.

Respectfully submitted,

Lisa M. Smith
Recording Secretary