



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

**Regular Meeting  
City Hall, Commission Chambers**

**September 6, 2016  
6:00 p.m.**

**MINUTES**

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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 – August 2, 2016 Regular Meeting minutes**

**Motion made by Tom Sacha, seconded by Randall Slocum to approve the meeting minutes from the August 2, 2016, Regular Meeting. Motion carried unanimously.**

**PUBLIC HEARINGS:**

**SPR 5:16 – REQUEST OF RON SCARPA FOR: APPROVAL TO BUILD A NEW TWO-STORY, SINGLE-FAMILY HOME LOCATED AT 1750 BARCELONA DRIVE ON LAKE SUE.**

Planner Allison McGillis presented the staff report. She explained that Builder Ron Scarpa filed the application on behalf of the property owners, Mr. and Mrs. Beamish, and is requesting approval for a new two-story, single-family home located at 1750 Barcelona Way on Lake Sue. The upland area of this lot measures approximately 50,000 square feet, and is currently occupied by a two-story home that is to be demolished. The proposed two-story home will be 10,839 square feet in size, which on this lot yields a floor area ratio (FAR) of 21.7%. Therefore, the proposed home is within the maximum allowed 33% FAR. The proposed home will have impervious lot coverage of 14,572 square feet, or 29.1%, which is within the maximum 50%. She reviewed tree preservation, view from the lake, 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. No one wished to speak concerning the issue. Public Hearing closed.

**Motion made by Tom Sacha, seconded by to approve the request to build a new two-story single-family home located at 1750 Barcelona Drive on Lake Sue as recommended by staff. Motion carried unanimously with a 7-0 vote.**

**SPR 6:16 – REQUEST OF MR. & MRS. SEIDEL FOR: APPROVAL TO RENOVATE THE HOME AT 1251 LAKEVIEW DRIVE AND TO BUILD A DETACHED ACCESSORY SWIMMING POOL CABANA STRUCTURE AND SWIMMING POOL ON THE LAKEFRONT PORTION OF THE PROPERTY ON LAKE VIRGINIA.**

Planning Manager Jeffrey Briggs presented the staff report. He explained that the applicants Mr. and Mrs. Seidel are the purchasers of the 1251 Lakeview property. He briefly discussed the history of the subject property. He briefly discussed the terms of the recorded development agreement. He said that current

proposal is for a lakefront cabana building and swimming pool are on the 9,858 square foot lakefront portion of this property and the pool cabana building is a one-story 720 square foot building (including the covered breezeway) with a covered rear deck of 330 square feet (which does not count in the FAR). Thus the total FAR is 7.3%. The building meets the established front setback and is in line with the adjacent homes. The swimming pool is also within the required 50 foot lakefront setback. The proposed cabana building, swimming pool, driveway and parking spaces will have an impervious coverage of 27.3%, which is within the maximum 50%. He reviewed tree preservation, view from the lake, views of the neighbors and storm water retention. He noted that there is an access and temporary construction easement agreement attached with the adjacent neighbors to the south. This relates to other factors involving their basement and access to it from this subject property and it is also evidence of their concurrence with this request. Mr. Briggs stated that the plans meet the intent of the lakefront review criteria. Staff does not see any concerns with the proposed plans as presented. Staff recommended approval of the request.

The applicant was present, but did not wish to address the Board. No one wished to speak in favor of or in opposition to the request. Public hearing closed.

**Motion made by Tom Sacha, seconded by Peter Gottfried to approve the home renovation at 1252 Lakeview Drive and to build a detached accessory swimming pool cabana structure and swimming pool on the lakefront portion of the property on Lake Virginia. Motion carried unanimously with a 7-0 vote.**

**REQUEST OF JT PALM HOLDINGS LLC (CASK & LARDER) TO:** AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP TO CHANGE FROM A SINGLE FAMILY DENSITY RESIDENTIAL FUTURE LAND USE DESIGNATION TO A PARKING LOT FUTURE LAND USE DESIGNATION ON THE VACANT PROPERTY AT 520 SOUTH PENNSYLVANIA AVENUE.

**REQUEST OF JT PALM HOLDINGS LLC (CASK & LARDER) TO:** AMEND THE OFFICIAL ZONING MAP TO CHANGE FROM SINGLE FAMILY RESIDENTIAL (R-1A) DISTRICT ZONING TO PARKING LOT (PL) DISTRICT ZONING ON THE PROPERTY AT 520 SOUTH PENNSYLVANIA AVENUE.

**REQUEST OF JT PALM HOLDINGS LLC (CASK & LARDER) FOR:** CONDITIONAL USE APPROVAL TO EXPAND AND RELOCATE THE OUTDOOR SEATING FOR THE CASK & LARDER RESTAURANT FROM IN FRONT OF THE RESTAURANT TO THE PARKING LOT AREA ON THE WESTERN SIDE OF THE RESTAURANT AT 565 WEST FAIRBANKS AVENUE.

Planning Manager Jeffrey Briggs presented the staff report. He explained that JT Palm Holdings, LLC (property owner) is requesting the following:

1. Changing the Comprehensive Plan future land use designation of Single-Family Residential to Parking Lot on the property at 520 South Pennsylvania Avenue;
2. Changing the Zoning on the same property from Single-Family Residential (R-1A) to Parking Lot (PL) ; and
3. Conditional Use approval to expand and relocate the outdoor seating at the Cask & Larder restaurant from the front to the parking lot area to the west of the restaurant, located at 565 West Fairbanks Avenue.

He explained that the applicant is requesting to rezone 520 South Pennsylvania Avenue to PL (parking lot) to create additional parking and an entrance to the businesses adjacent to this lot. The property is 5,027 square feet in size with 50 feet of frontage on Pennsylvania Avenue, and 100 feet of lot depth. Mr. Briggs explained that 520 South Pennsylvania Avenue is currently a vacant property that has historically been used for overflow parking and has been grandfathered-in. He said that the applicants have provided a conceptual plan detailing how they would like to improve the lot with paving versus the dirt surface and provide landscaping and storm water retention per Code. He reviewed the details of the comprehensive plan, rezoning and conditional use requests. Staff recommended the following:

1. APPROVAL of the request to change the Comprehensive Plan future land use designation of Single-Family Residential to Parking Lot on the property at 520 South Pennsylvania Avenue;
2. APPROVAL of the change of Zoning on the same property from Single-Family Residential (R-1A) to Parking Lot (PL); and
3. APPROVAL of the Conditional Use request with the provision that it is restricted to the use of Cask & Larder, and if a future restaurant were to occupy this location, they would need a subsequent Conditional Use approval to utilize the outdoor dining space.

Mr. Briggs responded to Board member questions and concerns.

James and Julie Petrakis, the applicants, 1664 Barcelona Way, thanked staff for the positive recommendation. They explained that their main objective is to beautify the corner. He detailed their plans to add green space, trees, and re-do the ingress/egress to the property, incorporating the entire corner parcel and moving the Ravenous Pig to that location once their lease at their current location expires. They responded to Board member questions and concerns.

The following people spoke concerning the request: Forrest Michael, 358 West Comstock Avenue; Maria Bryant-Hall, 450 South Virginia Avenue; Mary Daniels, Canton Avenue; Lurline Fletcher, 811 English Court; Kim Allen, 1800 West Fawsett Road; Pat McDonald, 2348 Road; Barry Greenstein, 2348 Summerfield Road; Martha Bryant-Hall, 331 West Lyman Avenue;. The residents expressed opposition to the rezoning and comprehensive plan amendment. They did not oppose the conditional use request and encouraged the applicant to come up with a way to protect the residential neighborhood. They expressed that if the project is approved and that should the property ever change hands it revert back to R-1A. They also spoke to the precedent setting nature of the request, entering a development agreement addressing that the property has been historically used as a parking lot, and the need to protect the neighborhood and make the business viable.

Michael Wenrich, 865 Nottingham Street (project architect), provided insight into the request. He said that it has always been about beautifying the existing parking lot. He said that it was not necessarily their plan to apply for rezoning and a comprehensive plan amendment. He explained that came about as a result of meeting with the city staff. He wanted to know if there was a way to accomplish the site improvement without the rezoning.

Mr. Briggs responded that due to the current zoning of the property, in order to accomplish what they desire the property must be rezoned. He explained it's a commercial parking lot that cannot be improved on single family zoned land.

Julie Petrakis, 1664 Barcelona Way, reiterated that they want to beautify the corner and redo the ingress/egress to the subject property. She indicated their willingness to do whatever necessary to protect the neighboring residential properties.

Mr. Gottfried suggested to table the request given that the applicant's presented new information to the Board at tonight's meeting; that they have proposed to improve the whole area not and not just the parking lot, and they are also including the Ravenous Pig which was not a part of the original request. Consensus of the Board members was to table the request to allow the applicants' time to come up with a more comprehensive plan for the corner property.

**Motion made by Peter Gottfried, seconded by Bob Hahn to table the request until October 5, 2016 public hearing. Motion carried unanimously with a 7-0 vote.**

**REQUEST OF OSPREY CUSTOM HOMES INC. FOR:** CONDITIONAL USE APPROVAL TO REDEVELOP THE VACANT 0.93 ACRE PROPERTY AT THE NORTHEAST CORNER OF MICHIGAN AND SCHULTZ AVENUES WITH A NEW DEVELOPMENT OF TWELVE TWO-STORY TOWNHOUSES WITH A TOTAL CUMULATIVE SIZE OF 28,520 SQUARE FEET.

Mr. James Johnston and Mr. Slocum announced that they have conflicts and could not participate in this public hearing. Vice-Chairman Gottfried announced the item.

Planning Manager Jeffrey Briggs presented the staff report and explained that the applicants request Conditional Use approval to develop the northeast corner of Michigan and Schultz Avenue with twelve (12) new residential townhomes with a cumulative project building size of 28,520 square feet, on this property zoned R-3. This requires Conditional Use approval because the building size exceeds 10,000 square feet. He reviewed the site and zoning parameters; provided an overview of the subject property and requested conditional use, proposed project and the applicable comprehensive plan policies; tree preservation, and storm water retention. Mr. Briggs discussed the issue of the size and scale of R-3 development when the project is located on the edge and adjacent to R-2 neighborhoods with typically much smaller building sizes. He detailed codes in this regard. The project as proposed complies with all of the R-3 Code requirements except for the minor variance for the one parking space along Schultz. He explained that since the original staff report was written, the applicants have resolved many of the staff concerns outlined in the staff report. He stated that the staff and the P&Z Board need to look at Comp. Plan policies and Zoning Code refinements that are potentially needed when R-3 scale development is proposed in proximity to lower scale R-2 and R-1A neighborhoods. However, since the project does comply with the R-3 Code, the staff recommendation is for approval with no conditions. Mr. Briggs responded to Board member questions and concerns.

Paul Bryan, represented Osprey Custom Homes, Inc., 544 North Knowles Avenue, addressed the Board concerning the request. He used a power point presentation to discuss the history of the subject property and the provide details of the request. He explained that they are working with Dru Dennison concerning tree preservation and methods to provide compensation for the trees that have to be removed on the property in addition to the plans previously presented. He said that modifications have been made to the storm water design that eliminates the staff concerns. He explained their proposal to build on-street parking that provides more visitor parking plus provides a design for the introduction of new street oak trees. They feel that their project complies with all city code requirements, the comprehensive plan, and the recorded development agreement. Mr. Bryan responded to Board member questions and concerns.

The following people spoke concerning the request:

Tom Bledsoe, 1385 Abbott Way, Deland, Florida, (owner of adjacent parcel on Michigan Avenue) and James Tsikouras, 1288 Michigan Avenue, both spoke in favor of the request. No one else wished to speak concerning the request. Public Hearing closed.

Discussion ensued with the Board members that were reconciling the previous staff report with the new information presented tonight whereby the Board has been informed that the applicant had resolved virtually all of the staff concerns. Mr. Briggs was questioned about the reversal of the staff recommendation and he replied that the site design concerns had been addressed but the compatibility of size and scale issue is one that the Comprehensive Plan and Zoning Code need to address moving forward. Mr. Gottfried and Mr. Hahn expressed that they were still concerned with the scale of the project in this transitional location.

**Motion made by Tom Sacha, seconded by Ross Johnston to grant conditional use approval to redevelop the vacant .93 acre property at the northeast corner of Michigan and Schultz avenues with a new development of 12 two-story townhouses with a total cumulative size of 28,520 square feet. Motion carried with a vote of 5-1. Peter Gottfried voted against the motion. James Johnston and Randall Slocum abstained.**

## **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