



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

**Regular Meeting  
City Hall, Commission Chambers**

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

**MINUTES**

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Chairman James Johnston called the meeting to order a 6:00 p.m. in the Commission Chambers of City Hall. Present: James Johnston, Tom Sacha, Randall Slocum, Shelia De Ciccio, 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**

**Motion made by Tom Sacha, seconded by Peter Gottfried to approve the November 1 and November 8, 2016 meeting minutes. Motion carried unanimously.**

**PUBLIC HEARINGS:**

**REQUEST OF NASRALLAH ARCHITECTURAL GROUP, INC. FOR:** APPROVAL TO BUILD A NEW TWO-STORY, SINGLE-FAMILY HOME LOCATED AT 117 GENIUS DRIVE ON LAKE MIZELL.

Planner Allison McGillis presented the staff report. She explained that Nasrallah Architectural Group is requesting approval to construct a new two-story, single-family home located at 117 Genius Drive on Lake Mizell. The upland area of this lot measures 41,335 square feet, and is currently vacant. She reviewed the issues of tree preservation, views of the lake and for the neighbors, storm water retention. She summarized by stating that staff is supportive of the request because no variances are requested and that the plans meet the intent of the lakefront review criteria. Staff recommended approval of the request.

Mark Nasrallah, 3920 Edgewater Drive, Orlando, Florida, represented the applicant. He agreed with staff recommendations. He noted that at the onset of the project, concerning he met with City staff prior to submitting the application regarding the neighbor to the south neighbor. He said that he feels that they have been very sensitive in the design of the entire so as not to impact the neighbor to the south.

Frank Hamner, represented the Frey's. He complimented the design of the house. He stated that the Frey's are concerned with the impact of their lake view. He expressed concern regarding the height of the hedges between the retaining wall. He requested that City staff meet with Mrs. Frey on site to discuss her concerns regarding the impact on her lake views.

Scott Redmond, Landscape Architect, explained that the tall existing hedge will screen the garage doors from the neighbors and not hinder their lake view. He stated that they will do whatever necessary not to impact their lake view.

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

Staff was agreeable to meeting with the Freys on-site to ensure that their concerns regarding lake views are adequately addressed.

**Motion made by Tom Sacha, seconded by Peter Gottfried to approve the request to build a new two-story, single-family home located at 117 Genius Drive. Motion carried unanimously with a 6-0 vote.**

**REQUEST OF E2 HOMES, LLC FOR: APPROVAL TO ENLARGE THE EXISTING SWIMMING POOL SCREEN ENCLOSURE AND CONSTRUCT A NEW ENCLOSED PUTTING GREEN FOR THE SINGLE-FAMILY HOME LOCATED AT 1032 TUSCANY PLACE ON LAKE TUSCANY.**

Planner Allison McGillis presented the staff report. She explained that the applicant, E2 Homes, is requesting approval to enlarge the existing swimming pool screen enclosure and construct a new enclosed putting green for the single-family home located at 1032 Tuscan Place on Lake Tuscan, zoned R-1AA. The upland area of this lot measures over 30,000 square feet, and is currently occupied by a two-story 4,808-square foot, single-family home. The applicant is currently constructing a 1,253-square foot addition to this home on the non-lakefront portion of the home. The proposed screen enclosure for the swimming pool/deck and putting green will add 2,760-square feet of impervious area to the site. The new total impervious area of the site is 9,989 square feet, or 33%, which is within the maximum 50%. She reviewed the issues of tree preservation, view from the lake and of the neighbors, and storm water retention. She summarized by stating that the plans meet the intent of the lakefront review criteria with the exception of the potential aggradation of traditional lake views. She noted that staff does not have any significant concerns with the proposed home as presented with the exception of the concerns of the lake views of 1024 Tuscan Place. She said that no concerns have been raised from them. She stated that if staff learns that they object, then staff cannot support approval of the request. However, at this time staff recommendation is for approval with the following condition: (1) That the screen enclosed activity area may not be utilized as a batting cage.

Rob Smith, 66 Eastwind Lane, Maitland, Florida, and the applicant, Jason Brooks, 1032 Tuscan Place, were present to address Board member questions and concerns. Mr. Smith explained that the purpose of requesting to enclose the putting green is to protect from mosquitos. Mr. Brooks clarified that the enclosure was always purposed to function as a putting green/enclosed activity area and not as a batting cage. He said that they are very sensitive to the concerns raised by staff and that he continually communicates with the neighbor at 1024 Tuscan Place as the redevelopment moves forward.

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

Mr. Briggs said that staff has heard no concerns from the neighbor at 1024 Tuscan Place.

**Motion made by Tom Sacha, seconded by Ross Johnston to approve the request to enlarge the existing swimming pool screen enclosure and construct a new enclosed putting green in addition to the following condition: (1) That the screen enclosed activity area may not be utilized as a batting cage. Motion carried unanimously with a 6-0 vote.**

**REQUEST OF Z DEVELOPMENT SERVICES FOR: CONDITIONAL USE APPROVAL TO BUILD A 1,435 SQUARE FOOT DUNKIN DONUTS STORE WITH A DRIVE-THRU ON THE PROPERTY, ZONED C-3, AT 370 BLUE HERON DRIVE.**

Planning Manager Jeffrey Briggs gave the staff report and explained that this item is a conditional use request to construct a new Dunkin Donuts store with a drive-thru on the property located at 370 Blue Heron Drive on the northeast corner of Blue Heron and Fairbanks Avenue. It is a conditional use because of the drive-thru component. The second primary reason drive-thru's are conditional uses is to provide safeguards to nearby properties so that they will not be negatively affected by nuisances due to the operation of the drive-thru such as excessive noise, overflow parking, etc. He reviewed the site and context, project plans, traffic circulation and stacking, the design and neighborhood compatibility, landscaping, storm water retention, site lighting, the comprehensive plan policies and history of Fairbanks; architectural compatibility on the West Fairbanks

Gateway Corridor. He noted that the City Architect has provided drawings to the applicant for revision of the building façade elements to a much more attractive and detailed Mediterranean image. Staff will condition the approval upon revisions to the building architectural consistent with that revised design direction. In lieu of design guidelines, the City must act project by project. Mr. Briggs explained that as a result there have been several site design changes that have occurred to mitigate these neighborhood concerns as follows:

1. The new plans show an eight foot wall that will be built on the northern property line of the project to protect the adjacent home and other homes from sound and activity. In addition, the 20 foot alley is to be used for the planting of oak trees that will buffer and hide the view of the building.
2. The plans also include a six foot wall and gate system along the Blue Heron Drive frontage from the rear property line down to the front line of the drive-thru pickup window. The purpose of this six foot wall and gate is to buffer the homes across the street on Blue Heron Drive from any sound associated with the drive-thru operations. There also is space within the parkway area of the right-of-way between the wall and the sidewalk for street oak trees that will buffer and hide the building from view of the nearby homes.

Mr. Briggs summarized by stating that the proposed location for this Dunkin Donuts store site is adequately sized and the overall site plan design well suited for this type of project. The project meets all the code requirements, there are no variances requested, other than the wall heights which are being done to safeguard the neighbors. The drive-in components are designed to meet the peak stacking needs for use intended. The site design of the walls/gate with the perimeter oak trees will protect the neighbors from the sounds of the drive-thru operations and screen the view of the building. No traffic can exit the site directly into the neighborhood. Together with the conditions recommended, the staff believes this Dunkin Donuts can operate compatibility in this location adjacent to residential properties. Mr. Briggs responded to Board member questions and concerns regarding the proposed wall.

STAFF RECOMMENDATION IS FOR APPROVAL subject to the plans submitted with the following conditions:

1. That the landscape plan be modified to add new oak trees on the north side of wall adjacent to the alley and add one extra oak tree along the Blue Heron frontage.
2. That a right-of-way use agreement be executed for the use of the alley for trees and irrigation.
3. That the project be limited to a monument sign (in lieu of a pole sign) as presented.
4. That one additional bike rack, a fire hydrant and a recycle receptacle is added to the plans.
5. That the construction and material plans for the buffer walls and gate along the north and west sides be approved by the City Architect.
6. That the architectural facades be modified to a Mediterranean design consistent with the images provided to the applicant and be approved by the City Architect.
7. That the initial operations of the Dunkin Donuts drive-thru be limited to 6:00 am to 10:00 pm. The operator may request additional hours based upon the operational experience.

Chairman Johnston left the meeting at 6:45 p.m. The meeting was turned over to Vice-Chair Peter Gottfried.

Bob Ziegenfuss, Z Development, 708 East Colonial Drive, represented the applicant. He explained that he has been in discussion with staff concerning this project for over a year. He stated that he agrees with conditions #1-4 and 7. He pointed out that the northern property line wall has increased by two feet to protect the northern neighbor. They have agreed to keep signage height to that of a monument sign. He expressed opposition to erecting the wall down the side street due to safety concerns and aesthetics. He discussed reconfiguring the menu board to face the wall to alleviate the noise concerns. He discussed the architectural differences in this design versus the standard "Dunkin box" architecture. He stated that what has been presented by the City Architect in conditions 5 & 6 is too open ended for the applicant to know the costs involved. He responded to questions raised by Board members. Mr. Sacha suggested that the applicant consider flipping the building and add an egress point on Blue Heron and not Fairbanks Avenue.

The Board received comments from the following citizens: Ruby Hornborg, 366 Blue Heron Drive; Julie Smith, 1879 Karolina Avenue; Deborah Kirkland, 371 Blue Heron; Robert Duchemin, 1440 Place Vendome; Jeff Beatty; and Shirley Kelley. No one else wished to speak concerning the request. Public Hearing closed.

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

Mr. Sacha asked if the applicant or staff had considered a redesign of the site plan layout to face the drive-thru toward the east, away from the neighborhood, as that would remedy the issues with the wall design on Blue Heron and also solve the noise issue to the neighbors. Chairman Gottfried asked the city architect, Brooks Weiss, to address the architectural issues. Mr. Weiss explained the motivation of quality design for the emerging Fairbanks corridor and then discussed an alternative site plan layout that would eliminate the curb cut onto Fairbanks Avenue. The Board members further discussed the matter and agreed that it was worthwhile to look at alternative site plan arrangements to explore both Mr. Sacha's suggestion as well as that from Mr. Weiss.

**Motion made by Peter Gottfried, seconded by Randall Slocum to table the request. Motion carried unanimously with a 5-0 vote. (The applicant has subsequently asked for this item to be tabled until the February 7<sup>th</sup> P&Z meeting)**

**REQUEST OF RANDALL LAZARUS FOR:** SUBDIVISION APPROVAL TO DIVIDE THE PROPERTY AT 1800 EDWIN BOULEVARD, ZONED R-1A, INTO TWO SINGLE FAMILY BUILDING LOTS. THE TWO LOTS ARE PROPOSED TO BE 62.5 FEET IN WIDTH AND 9,375 SQUARE FEET IN SIZE. THE 62.5 FEET OF LOT WIDTH REQUIRES A VARIANCE WITH LESS THAN THE 75 FEET OF LOT WIDTH REQUIRED IN THE R-1A ZONING.

Planner Allison McGillis presented the staff report. She explained that the applicant, Randall Lazarus (contract purchaser), is requesting subdivision or lot split approval to divide the property located at 1800 Edwin Boulevard into two single-family lots. The zoning of this property is R-1A. The property is currently occupied by one single-family home, which the applicant plans to demolish. She reviewed the criteria of the zoning and comprehensive plan test used in determining appropriateness of subdivision requests.

This is a situation where the proposed lot square footages are comparable to the neighborhood standard. However, the lots widths are significantly smaller than the Code required 75 feet, and only 30% of the nearby homes are on lots of 62.5 feet or less. In recognition that lot width variances are requested, and that the Comprehensive Plan comparison of lot widths does not support the request, the Staff Recommendation is for DENIAL. However, if APPROVED, staff recommends the following condition:

1. That the final architectural elevations of the two proposed homes be of significantly different architectural styles and front façades from each other.

Randall Lazarus, Classic Homes, 2981 West S.R. 434, Longwood, FL, proposes to build two single-family homes on the subject property that are compatible with the existing neighborhood. He explained that he built the home at 1850 Edwin Boulevard which is similar in width and dimension.

Mark Squires, Winter Park Land, 122 South Park Avenue, represented the sellers of the property in an estate sale. He discussed the character of the street from Phelps to Lakemont. The current lot size is 18,774 feet according to the OC Property Appraiser, larger than any lot on the street. He reviewed the lot sizes in the neighborhood. In addition the house that was developed across the street by the same applicant is very similar to what is proposed to be developed on the subject lots.

Mary Randall, 1000 South Kentucky Avenue, spoke in opposition to the request.

Sally Flynn, 1400 Highland Road, spoke in favor. She said that she supports approving the request due to the unusual configuration of the street. She feels that a large home would spoil the neighborhood and what the applicant is proposing is compatible with the existing neighborhood.

No one else wished to speak concerning this issue. Public Hearing closed.

The Planning and Zoning Board members felt that the lot split was in the best interests of the neighborhood for compatibility. P&Z felt that have two new homes of approximately 4,000 square feet in size each was much preferable for compatibility on this street than having one new home potentially of 7,000-8,000 square feet on the property as it now exists. There are a number of new homes in this immediate area that have been recently built or are under construction in the 3,500-4,000 square foot range which is larger than the older homes on these streets. To have a new home so much larger at 7,000-8,000 square feet would not be compatible, in the opinion of the P&Z Board, thus the P&Z Board recommendation was unanimously in favor of the request.

**Motion made by Tom Sacha, seconded by Randall Slocum to approve the subdivision request to divide 1800 Edwin Boulevard into two single-family building lots. Each lot is proposed to be 62.5 feet in width and 9,375 square feet in size. The Board approved the lot width variance request of 62.5 feet as required in the R-1A zoning. In addition to the following condition:**

- 1. That the final architectural elevations of the two proposed homes be of significantly different architectural styles and front façades from each other.**

**Motion carried unanimously with a 5-0 vote.**

**REQUEST OF MORGAN BELLOWES TO:** AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP TO CHANGE FROM SINGLE FAMILY RESIDENTIAL TO LOW DENSITY RESIDENTIAL FUTURE LAND USE DESIGNATION ON THE PROPERTY AT 335 WEST COMSTOCK AVENUE.

**REQUEST OF MORGAN BELLOWES 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 335 WEST COMSTOCK AVENUE.

Mr. Slocum announced that has a conflict and will not participate in the discussion or vote on this item.

Planning Manager Jeffrey Briggs presented the staff report. He explained that the applicant, Morgan Bellows, seeks approval to change the existing Single-Family Residential Future Land Use designation in the Comprehensive Plan to Low Density Residential, and to change the zoning district from Single-Family Residential (R-1A) to Low-Density Residential (R-2) on the property at 335 West Comstock Avenue. Mr. Briggs discussed the site and context, proposed project plans, and an Analysis of the Future Land Use/Rezoning Request. The Planning Staff believes that Virginia Avenue is a more clearly defined "line in the sand" between R-2 and R-1A zoning. Since only 17% of this block is designated single family and since the action would include a deed restriction to a single family home and no more than 50% FAR, the staff can support the request for low density residential FLU and R-2 zoning based on the restrictions outlined above. Mr. Briggs responded to Board member questions and concerns.

Morgan Bellows, 651 Northwood Circle, agreed with the details presented in the staff report. He stated that he feels that his proposal is consistent with redevelopment in the area and that it is a good fit within the existing neighborhood. He stated that he is committed to developing a single-family home on this site.

The following residents spoke concerning the request: Mary Randall, 1000 South Kentuck Avenue (opposed); Maria Bryant-Hall, 450 South Virginia Avenue (opposed); Martha-Bryant-Hall, 331 West Lyman Avenue (opposed); Mary Daniels, 650 Canton Avenue (opposed); Javier Omana, 426 West Lyman Avenue (in favor); Sally Flynn, 1400 Highland Road (opposed); John Schofield, 358 Vitoria Avenue (opposed); Radeen Shaw, 114 South Virginia Avenue (opposed); Forrest Michael, 358 West Comstock Avenue (opposed); Lurline Fletcher, 811 English Court (opposed); Dan Bellows, 425 West New England Avenue (in favor).

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

Morgan Bellows, noted that the previous request for a duplex and 55% FAR together with variances was withdrawn, so the application tonight is different than the one in January and they have compromised on their request. He re-stated that he proposes a clean R-2 zoning with a request to increase the FAR to 50% and a commitment to single family use. He said that he feels that this is a unique block combined with the adjacent R-2 and office zonings, and proximity to the train tracks.

Mr. Sacha stated that he firmly believes that if you buy a piece of property with a particular zoning then you should build within the requirements of that zoning. Mr. Gottfried agreed and expressed that the existing demarcation between R-1A and R-2 should be maintained. Mr. Gottfried also expressed that a 3,700 square foot home on this property should be sufficient. Mr. R. Johnston and Ms. DeCiccio expressed that the deed restriction to only a single family use and the lower 50% FAR was appropriate given the characteristics of that block with 83% of it already zoned R-2 or O-2.

**Motion made Tom Sacha, seconded by Ross Johnson to approve the amendment to the Comprehensive Plan Future Land Use Map to change from Single Family Residential to Low Density Residential on property located at 335 West Comstock Avenue. Mr. Sacha and Gottfried voted against the motion to approve. R. Johnston and Shelia De Ciccio voted in favor of the motion to approve. The vote was 2-2. Motion to approve failed. Thus results in no recommendation.**

**Motion made Tom Sacha, seconded by Shelia De Ciccio to approve to approve the amendment to the official Zoning Map to change from Single Family Residential (R-1A) to Low Density Residential (R-2) on property located at 335 West Comstock Avenue. Mr. Sacha and Gottfried voted against the motion to approve. R. Johnston and Shelia De Ciccio voted in favor of the motion to approve. The vote was 2-2. Motion to approve failed. Thus results in no recommendation.**

**REQUEST OF TGG, LTD. TO:** AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP TO CHANGE FROM COMMERCIAL TO A CENTRAL BUSINESS DISTRICT FUTURE LAND USE DESIGNATION ON LOT 16, BLOCK 40 AT 309 WEST NEW ENGLAND AVENUE.  
**REQUEST OF TGG LTD. TO:** AMEND THE OFFICIAL ZONING MAP TO CHANGE FROM MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT ZONING TO COMMERCIAL (C-2) DISTRICT ZONING ON LOT 16, BLOCK 40 AT 309 WEST NEW ENGLAND AVENUE.

Planning Manager Jeffrey Briggs presented the staff report. He explained that the applicant, TGG Ltd. (property owner), seeks to change the Comprehensive Plan future land use designation to Central Business District and the Zoning to C-2 at 309 W. New England Avenue. The property is a 50 by 130 lot (Lot 16, Block 40) that is 6,500 square feet in size. The subject property is vacant and the other adjacent properties at 313 West New England and 301 West New England Avenue are both designated as Central Business District future land use and zoned C-2. The property directly across the street at 298 West New England also has the same designation and zoning. He provided the Board members with insight into the background of the request and a staff analysis of the current request. Mr. Briggs explained that the Planning Staff recommendation consistently through the years has been in support of Central Business District future land use and C-2 zoning along this frontage of West New England Avenue. The Planning Staff continues to believe that this is the appropriate land use in order to continue the redevelopment pattern that has already occurred along New England Avenue. It is also based on the recognition that the City still has the review and approval control over all redevelopment since the Zoning Code requires P&Z/City Commission approval of any building/building addition over 500 square feet. Staff recommended approval of the change to Central Business District FLU and C-2 Zoning for the property at 309 West New England Avenue.

Dan Bellows, 425 West New England Avenue, spoke to the rezoning patterns in the neighborhood. He agreed with the intent of the staff's position. He disagreed with the recommendation to impose the five-foot setback. He responded to Board member questions and concerns.

The following people spoke concerning the request: Javier Omana, 426 West Lyman Avenue (in favor); and Lurline Fletcher (opposed). No one else wished to speak concerning the request. Public Hearing closed.

The P&Z Board members were in agreement that this one isolated lot should be designated the same as the other property along New England Avenue.

**Motion made by Tom Sacha, seconded by Shelia De Ciccio to approve the request to amend the Comprehensive Plan Future Land Use Map to change from Commercial to Central Business District on Lot 16, Block 40 at 309 West New England Avenue. Motion carried unanimously with a 5-0 vote.**

**Motion made by Tom Sacha, seconded by Shelia De Ciccio to approve the request to amend the Official Zoning Map to change from Medium Density Multi-Family Residential (R-3) to Commercial (C-2) to Central Business District on Lot 16, Block 40 at 309 West New England Avenue. Motion carried unanimously with a 5-0 vote.**

**REQUEST OF PHIL KEAN DESIGNS TO:** AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP TO CHANGE FROM A LOW DENSITY RESIDENTIAL TO A PARKING LOT FUTURE LAND USE DESIGNATION ON THE REAR (NORTH) 20 FEET OF 947 NORTH KENTUCKY AVENUE.

**REQUEST OF PHIL KEAN DESIGNS TO:** AMEND THE OFFICIAL ZONING MAP TO CHANGE FROM LOW DENSITY RESIDENTIAL (R-2) DISTRICT ZONING TO PARKING LOT (PL) DISTRICT ZONING ON THE REAR (NORTH) 20 FEET OF 947 NORTH KENTUCKY AVENUE.

Planning Manager Jeffrey Briggs presented the staff report and explained that applicant, Phil Kean Designs, seeks approval to change the existing Low Density Residential Future Land Use designation to Parking Lot, and to change the zoning from Low Density Residential (R-2) to Parking Lot (PL) on the rear (north) 20 feet of the property at 947 North Kentucky Avenue. He reviewed the site and context, proposed project plans and an analysis of the Future Land Use/Rezoning request. He said that the applicant has done an admirable job in the redevelopment that he has along this section of West Fairbanks Avenue. Most of that office complex is on property only 70 feet deep. While the rear public alley helps with access, the shallow depth of these properties had previously discouraged redevelopment. To the extent that this rezoning to Parking Lot for a 20 by 60 parcel assists the viability of the office complex, the staff is in support. From the neighbors' perspective, they will not notice any difference. From the street front on North Kentucky, one will only see the future single family or duplex building. The parking will be fenced so that the adjacent neighbors also will not see the cars. Staff recommended approval.

Phil Kean, 912 Fairbanks Avenue, agreed with the staff report. He explained that he was approached by the homeowner to purchase the subject property and that this is the third home that he has redeveloped on Kentucky Avenue. He said that he felt that purchasing by purchasing the lot and redeveloping it, that would be a good opportunity to expand parking for his office building. He responded to Board member questions and concerns.

The following neighbors spoke concerning the request: Ken and Sonya McClain, 935 North Kentucky Ave (opposed); Mary Randall, 1000 South Kentucky Ave (opposed); Mary Ann Plante, 915 North Kentucky Ave (opposed); and Tonia Torruella, 1110 Keyes Ave (in favor as the current owner of 947 North Kentucky Ave). No one else wished to speak concerning the request. In addition a petition was presented from neighbors opposed to the request. Public Hearing closed.

Mr. Kean re-addressed the Board. He stated that he feels that he has invested significantly in the neighborhood. And, the added parking can be used by the current residents if they have some overflow

parking needs. He said that sale of the property is contingent upon the outcome of the public hearings, so if the request is not approved the proposed project will not happen.

The Planning and Zoning Board members noted the petition asking that the City deny the request to maintain the integrity of the R-2 zoning. The P&Z Board discussed the parking and it was agreed with the applicant that only five spaces were possible given the turning radius needs. The P&Z Board also discussed the remaining small lot size and whether the future development should be restricted to a single family home versus a two unit townhouse. There was not agreement on that point, as the total size of the future building would not change.

The Planning and Zoning Board was split on their recommendation. Three members voted in favor of the request as they believe that the split of the 20 feet will not impact the neighbors or the character of the street. Two members felt that the property size is very small and that a business use for parking should not extend south of the alley into the residential zoning.

**Motion to approve made by Tom Sacha, seconded by Ross Johnston to amend the Comprehensive Plan Future Land Use Map from Low Density Residential to Parking Lot on the rear (north) 20 feet of 947 North Kentucky Avenue. Motion carried with a 3-2 vote. (Peter Gottfried and Randall Slocum voted against the motion to approve).**

**Motion to approve made by Tom Sacha, seconded by Shelia De Ciccio amend the official Zoning Map to change from Low Density Residential (R-2) to Parking Lot (PL) on the rear (north) 20 feet of 947 North Kentucky Avenue. Motion carried with a 3-2 vote. (Peter Gottfried and Randall Slocum voted against the motion to approve).**

**REQUEST OF CDS CONTRACTOR, INC. FOR:** SUBDIVISION APPROVAL TO REPLAT THE PROPERTIES AT 1300 AND 1324 MILLER AVENUE TO RE-ORIENT THESE TWO EXISTING PLATTED LOTS THAT ARE NORTH/SOUTH WITH 60 FEET AND 50 FEET WIDE ON MILLER AVENUE AND RE-ORIENT THE PROPERTY TO CREATE TWO LOTS IN AN EAST/WEST ORIENTATION THAT ARE 72.5 FEET AND 71.0 FEET WIDE, FRONTING ON SCHULTZ AVENUE.

Planning Manager Jeffrey Briggs presented the staff report. He explained that the applicant, CDS Contractors, Inc. (property owner) is requesting subdivision approval to replat the properties located at 1300 and 1324 Miller Avenue, zoned R-2. He said that it is their desire is to re-orient these two existing platted lot that are currently oriented north/south with 60 and 50 feet of street frontage along Miller Avenue and re-orient the properties in an east/west orientation with 72.5 and 71 feet of street frontage along Shultz Avenue. The properties are currently occupied by single-family homes, which the applicant plans to demolish. He reviewed the redevelopment plans and applicable codes concerning the replat. Mr. Briggs stated that based on the strict application of the Code, as previously mentioned, this reconfiguration does not meet the R-2 minimum lot sizes for duplex development. However, staff feels that this reconfiguration provides an improvement and will blend well with the neighborhood. Staff recommended approval of the request.

George Stiliano, 7436 Narcoossee Road, represented the applicant. He agreed with the details of the staff report. No one wished to speak in favor of or in opposition. Public Hearing closed.

The P&Z Board members expressed that having these townhomes front along Shultz Avenue, which has twice the daily traffic as Miller Avenue, was preferable. This will provide an attractive frontage for people to view while traveling down Shultz Avenue that is an upgrade to what exists today. This will also compliment the Townhomes at Harper Place that were built a few years ago across the street that front Shultz Avenue.

**Motion made by Tom Sacha, seconded by Randall Slocum to approve the request to replat the properties at 1300 and 1324 Miller Avenue to re-orient these two existing platted lots that are**



north/south with 60 feet and 50 feet wide on Miller Avenue and re-orient the property to create two lots in an east/west orientation that are 72.5 feet and 71 feet wide fronting on Schultz Avenue.  
Motion carried unanimously with a 5-0 vote.

**NEW BUSINESS:**

There was no further business. Meeting adjourned at 9:45 p.m.

Respectfully submitted,

Lisa M. Smith  
Recording Secretary