



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

**Regular Meeting
City Hall, Commission Chambers**

**February 6, 2018
6:00 p.m.**

MINUTES

Chairman Ross Johnston called the meeting to order at 6:00 p.m. in the Commission Chambers of City Hall
Present: Ross Johnston, Sheila De Ciccio, Raymond Waugh, Laura Walda, Adam Bert and Owen Beitsch
Absent: Bob Hahn. Also Present: City Attorney Dan Langley. Staff: Director of Planning and Community Development, Dori Stone, Senior Planner, Allison McGillis and Recording Secretary, Kim Breland

APPROVAL OF MINUTES:

Motion made by Laura Walda, seconded by Sheila De Ciccio to approve the January 4, 2017 meeting minutes. Motion carried unanimously 6-0.

PUBLIC HEARINGS:

REQUEST OF THE 717 N. CAPEN AVENUE LLC FOR: SUBDIVISION OR LOT SPLIT APPROVAL TO DIVIDE THE PROPERTY AT 717 NORTH CAPEN AVENUE, ZONED R-1A, INTO TWO SINGLE FAMILY BUILDING LOTS. EACH LOT IS PROPOSED TO BE 50 FEET IN WIDTH AND 5,000 SQUARE FEET IN SIZE. VARIANCES ARE REQUESTED FOR THESE LOT SIZES THAT DO NOT MEET THE MINIMUM LOT SIZE REQUIREMENTS OF THE R-1A ZONING OF 75 FEET OF LOT WIDTH AND 8,500 SQUARE FEET OF LOT AREA.

Senior Planner, Allison McGillis, presented the staff report. She explained that the owners of 717 North Capen Avenue are requesting subdivision or lot split approval to divide their property into two single-family lots. The zoning of this property is R-1A. Each lot is proposed to be 50 feet wide and 5,000 square feet in size. Variances are requested for these lot sizes because they will not meet the minimum lot size requirements of R-1A zoning.

Mrs. McGillis also remarked that similarly, of the 78 homes compared, only 6 homes or 8% of them have lot areas of approximately 5,000 square feet or less. The vast majority of the neighborhood at 72 homes or 92% of the lots have areas greater than 5,000 square feet. Thus, the proposed lot areas of 5,000 square feet compare favorably only to 8% of the neighborhood. This then becomes direction from the Comprehensive Plan policy to not approve the variances requested.

Mrs. McGillis reviewed the zoning test, comprehensive plan test, applicable codes and development plans provided by the applicant. She summarized by stating the custom of the planning staff is not to recommend "approval" of lot splits with variances. However, in this case, the policies of the Comprehensive Plan also support a recommendation for denial.

This is a situation where the proposed lot widths and sizes only compare to a small percentage, approximately 8% of the neighborhood. While staff recognizes that this neighborhood does have smaller lot widths and areas than the code requires. The application fails to meet the Zoning and Comprehensive Plan tests.

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.

Mrs. McGillis answered questions from the Board.

Attorney, Frank Hamner of the Law Offices of Frank A. Hamner, P.A., 1011 N. Wymore Road, Winter Park, FL, represented the Applicant. He explained that he and the Applicant had canvassed the neighborhood via letter and in person to reach out for feedback and/or objection to the Applicant's request to split the lot. Mr. Hamner presented a grid highlighting all of the homes in the neighborhood, closest to 717 North Capen Avenue, where he and the Applicant were able to speak directly with homeowners and receive no objection to the lot split. He reviewed the measurements for the lots that are in the neighborhood and indicated that there were lots of a similar size as the Applicant's request. Mr. Hamner reiterated that the lot as it stands presently, is 100 foot lot left in the neighborhood and the lot split would keep the properties in line with the other homes in the community.

The Board heard public comments from Lurline Fletcher, 811 English Court and resident at 731 Swoope Avenue regarding concerns of size of homes potentially being built on the lots.

No one else wished to speak, the Public Hearing was closed.

The Board felt that splitting the lot would result in two smaller home versus one larger home that would be out of character of the neighborhood. They felt that the Comprehensive Plan test was unfair for this analysis due to the fact that it did not comprise the true neighborhood boundaries. They agreed with the lot split with the condition from Staff that the homes built be a varying architectural styles.

Motion made by Ray Waugh, seconded by Laura Walda, for subdivision or lot split approval to divide the property at 717 North Capen Avenue, zoned (R-1A), into two single-family building lots of 50 feet in width and 5,000 square feet in size, with the following condition:

- 1. That the proposed homes be of varying architectural styles.**

Motion carried unanimously with a vote 6-0

NEW BUSINESS:

Staff and the Board discussed the implementation of the new electronic agenda packet delivery system.

There was no further business. Meeting adjourned at 6:33 p.m.

Respectfully submitted,
Kim Breland, Recording Secretary