



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

**Regular Meeting
City Hall, Commission Chambers**

**June 5, 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, Bob Hahn, Owen Beitsch and Laura Walda. Absent: Adam Bert and Laura Turner. Also Present: City Attorney Dan Langley. Staff: Planning Manager, Jeff Briggs; Senior Planner, Allison McGillis, City Architect Brooks Weiss and Recording Secretary, Kim Breland.

APPROVAL OF MINUTES:

Motion made by Ross Johnston, seconded by Sheila DeCiccio, to approve the May 1, 2018 meeting minutes. Motion carried unanimously with a 6-0 vote.

Planning Manager Jeff Briggs announced that the Board must elect a new Chairman and Vice Chairman because the City Commission had elected new appointments for the new year.

Motion made by Shelia De Ciccio to nominate Ross Johnston as Chairman, seconded by Raymond Waugh. Motion carried unanimously with a 6-0 vote.

Motion made by Ross Johnston to nominate Shelia De Ciccio as Vice Chairman, seconded by Laura Walda. Motion carried unanimously with a 6-0 vote.

PUBLIC HEARINGS:

REQUEST OF WEINGARTEN NOSTAT INC. FOR: APPROVAL OF THE FINAL BUILDING ELEVATIONS FOR THE WEST END CAP ADDITION LOCATED AT THE WINTER PARK CORNERS SHOPPING CENTER 1903-1999 ALOMA AVENUE.

Senior Planner, Allison McGillis, presented the staff report and explained a condition of approval was "that the final architectural elevations and materials of the Grocery Store building, the western end cap addition and the new ATM structure be approved by the P&Z Board with input from the city architect." Mrs. McGillis explained that the applicant, Weingarten Nostat, Inc., is requesting approval of the final building elevations for the western end cap addition where the Bank of America drive-thru tellers will be removed. The City architect has approved these elevations. There were no questions for Staff.

Joel Kaplan, Weingarten Realty, 5355 Town Center Road, Boca Raton, FL represented the applicant. Mr. Kaplan answered questions from the Board No one else wished to speak; the Public Hearing was closed.

Motion made by Laura Walda, seconded by Owen Beitsch for approval of the final building elevations for the western end cap addition.

Motion carried unanimously with a 6-0 vote.

REQUEST OF VERAX INVESTMENTS, LLC FOR: APPROVAL OF THE FINAL BUILDING ELEVATIONS FOR THE PROPOSED MEDICAL OFFICE BUILDING LOCATED AT 1111 WEST FAIRBANKS AVENUE.

Senior Planner, Allison McGillis, presented the staff report. She reminded the Board that On March 26, 2018 the City Commission approved the Conditional Use for a new two-story, 20,000 square foot medical and general office building on the property located at 1111 West Fairbanks Avenue. A condition of that approval was "that the final architectural elevations and materials of the proposed office building be subsequently approved by the P&Z Board and City Commission after input and dialogue with the city architect."

Mrs. McGillis stated that the applicant is now requesting approval of final architectural elevations and materials of the proposed building. She reviewed the building elevations for the Board. She stated that the City Architect has worked with the applicant and is in support of the design that is being presented. Mrs. McGillis summarized by stating that Staff's recommendation was for Approval.

David Lamm, Lamm and Company, 968 Lake Baldwin Lane, represented the applicant. He informed the Board that he is the Development and Construction Manager for the property and was present to answer questions about the project if needed.

There was no public comment. The Public Hearing was closed.

The Board agreed with Staff's recommendations.

Motion made by Laura Walda, seconded by Owen Beitsch for approval of the final building elevations for the proposed medical office building located at 1111 West Fairbanks Avenue.

The motion carried unanimously with a 6-0 vote.

REQUEST OF VILLA TUSCANY HOLDINGS LLC FOR: SUBDIVISION APPROVAL TO DIVIDE THE PROPERTY AT 1298 HOWELL BRANCH ROAD, ZONED (R-3), INTO FOUR LAKEFRONT LOTS RANGING IN SIZE FROM 20,473 to 24,829 SQUARE FEET IN SIZE.

Board member Laura Walda recused herself from this item, as her law firm and the applicant have an ongoing relationship.

Planning Manager, Jeff Briggs presented the staff report. He explained that the applicant, Villa Tuscany Holdings LLC is requesting to subdivide the property at 1298 Howell Branch Road, zoned (R-3) into four single family lots. He reminded the Board that the property had been the site of several conditional use requests for memory care facilities, which were not approved by the City. As a result, the property owner now desires to subdivide the property for future single family homes, which they believe will be compatible with the surrounding neighborhoods. He stated that the proposed lots do not include any of the water area. He reviewed the proposed lot dimensions, zoning and comprehensive tests.

Mr. Briggs explained that the applicant has provided conceptual site plan layouts of new homes to indicate that the buildable areas are sufficient for single family homes. However, the specific

plans, layout, elevations, etc. will not be developed until the lots are sold to builders. He stated that it is important to point out that while these lots are zoned (R-3), the applicants are in agreement to comply with the normal single-family zoning development standards, setbacks, articulation, etc. He noted that this is a similar scenario to the David Weekly Homes purchase and development of the 1935 Woodcrest Drive property, it was zoned R-3 and David Weekly Homes received approval to subdivide that property into four single family lots and each of their lots and new homes follow the normal single family development rules, as will the proposed homes for this project.

He noted that during the initial staff review, Staff realized that there would be issues if each of the four lots had driveways that went out to Howell Branch Road. Getting into traffic, making U-turns, speed of traffic, etc. could present safety concerns. Thus, the applicant has agreed to create a private common driveway used by all four of the lots, which will bring them out to the intersection of Temple Trail and Howell Branch Road. He stated that this development would upgrade the traffic signal so that the residents can safely come in and out of their homes. He state that the traffic signal upgrade will be done at the applicant's expense.

Mr. Briggs mentioned that the important thing for neighbors to know is these homes will all be lakefront lots and the Zoning Code requires all new homes and major construction to be reviewed and approved, individually, case by case, by the Planning and Zoning Board at a public hearing. He stated that there will be four future meetings where Staff and the Board will review the specific designs for each homes including elevations, tree preservation, storm water retention, accommodating the plans to the grade and lake views. He noted that this review would give the neighbors another opportunity to see what is being built.

Mr. Briggs stated that at this time, the applicant is not asking for a privacy wall along Howell Branch Road. However, staff expects that eventually the homeowners will want some privacy and sound buffer along Howell Branch. He stated that there are specific terms in the subdivision regulations about design and layout of privacy walls, which would require approval from the City Commission.

Mr. Briggs summarized by stating that the request meets all of the R-3 zoning requirements for lot sizes, and no variances are requested. The neighbors will be provided an opportunity to review and comment on the specific house plans as they come in to be reviewed and approved by the P&Z Board, as lakefront lots. The applicant is in agreement that these lots will be developed per the single family zoning rules, just like the surrounding single family lots.

Staff Recommendation is for Approval of the Subdivision request to divide the property at 1298 Howell Branch Road into four lakefront lots, as presented subject to the following conditions to be approved in form and content on the formal plat by the City Attorney:

1. That approval require implementation via a formal plat approved by the City to establish the common driveway access rights, to dedicate the access rights to the City other than that provided for by the common driveway and that it provide for a Homeowners Association in order to provide for the continual maintenance of the common driveway and sanitary sewer lift station.

2. That the plat set forth the commitments to develop each lot in conformance with the single family zoning development standards.
3. That the plat dedicate to the City, the easements requested by Public Works.
4. That the plat provide an easement area for a future privacy wall or landscape buffer area along the Howell Branch Road frontage.
5. That the traffic signals upgrades necessary for the traffic light at Temple Trail and Howell Branch Road be at the development's expense.
6. That new potable water and fire flow infrastructure be constructed including fire hydrant(s) as needed within 300 feet travel distance to all sides of all three homes which must be completed at the development's expense prior to the issuance of the building permit for the construction of the first new home.

Mr. Briggs answered questions from the Board regarding, future variances, wetland issues, traffic impacts, sidewalks and first responder emergency access.

Steve Alan, CivilCorp Engineering, Inc., 630 N Wymore Rd, Maitland, FL, represented the applicant. He stated that he is the civil engineer on the project. He stated that the applicant agrees with all of Staff's recommendations and asked for the Board's approval for the project.

The Board heard public comment from: David Danzinger, 1049 Tuscany Place, Winter Park, FL; Sally Flynn 1400 Highland Road; Barry Render, 2630 Via Tuscany, Winter Park and Nancy Freeman, 1055 Tuscany Place, Winter Park.

No one else wished to speak. The Public Hearing was closed.

The Board suggested that the future builders and staff meet with the neighbors prior to the P&Z meeting so that input is received by the Board in advance of the meeting. They agreed that this should be a compatible development with Lake Temple bordering only single family homes.

Motion made by Bob Hahn, seconded by Sheila DeCiccio for subdivision approval to divide the property at 1298 Howell Branch Road on Lake Temple, Zoned (R-3), subject to the conditions recommended by staff and agreed to by the applicant:

- 1. That approval require implementation via a formal plat approved by the City to establish the common driveway access rights, to dedicate the access rights to the City other than that provided for by the common driveway and that it provide for a Homeowners Association in order to provide for the continual maintenance of the common driveway and sanitary sewer lift station.**
- 2. That the plat set forth the commitments to develop each lot in conformance with the single family zoning development standards.**
- 3. That the plat dedicate to the City, the easements requested by Public Works.**
- 4. That the plat provide an easement area for a future privacy wall or landscape buffer area along the Howell Branch Road frontage.**
- 5. That the traffic signals upgrades necessary for the traffic light at Temple Trail and Howell Branch Road be at the development's expense.**
- 6. That new potable water and fire flow infrastructure be constructed including fire hydrant(s) as needed within 300 feet travel distance to all sides of all three homes which must be completed at the development's expense prior to the issuance of the building permit for the construction of the first new home.**

The motion carried with a 4-1 vote. (Board members, Ross Johnston, Sheila De Ciccio, Ray Waugh and Bob Hahn voted to approve the request. Board member Owen Beitsch voted against the request.)

REQUEST OF Z PROPERTIES TO: AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP FROM LOW DENSITY RESIDENTIAL TO PARKING LOT DESIGNATION ON THE EASTERN 67 FEET OF THE RESIDENTIALLY DESIGNATED PORTION OF 301 N. PENNSYLVANIA AVENUE.

REQUEST OF Z PROPERTIES TO: AMEND THE OFFICIAL ZONING MAP TO CHANGE FROM LOW DENSITY (R-2) DISTRICT ZONING TO PARKING LOT (PL) ZONING ON THE EASTERN 67 FEET OF THE RESIDENTIALLY DESIGNATED PORTION OF 301 N. PENNSYLVANIA AVENUE.

REQUEST OF Z PROPERTIES FOR: DEVELOPMENT PLAN AND SUBDIVISION APPROVAL FOR A TWO STORY 5,494 SQUARE FOOT RETAIL/OFFICE BUILDING, PARKING LOT AND A TWO STORY RESIDENTIAL HOME ON THE PROPERTY AT 301 N. PENNSYLVANIA AVENUE, PROSPECTIVELY ZONED C-3, PL AND R-2.

Planning Manager, Jeff Briggs, presented the staff report and explained that the applicant, Z Properties is requesting the following:

1. To amend the "Comprehensive Plan" Future Land Use map from Low Density Residential to Parking Lot designation on the eastern 67 feet of the residentially designated portion of 301 N. Pennsylvania Avenue.
2. To amend the zoning map for the same property from Low Density district zoning to Parking Lot zoning.
3. Development Plan and Subdivision approval to split the lot in order to construct a two-story, retail/office building, parking lot and two-story home on the same property as shown in the plans submitted.

Mr. Briggs explained that the property at 301 N Pennsylvania Avenue is currently vacant with the exception of the north forty feet where the city street, Israel Simpson Court, is located. He stated that the City has a right-of-way easement over the north forty feet which allowed for the building of the road, including on-street parking and sidewalks that lead back to Hannibal Square Community Land Trust development of single family homes. He stated that the applicant currently owns the south 60 feet of the property as well as the existing two-story office building to the south at 271 N. Pennsylvania Avenue.

Mr. Briggs stated that the property has two different zoning categories. The property is 200 feet long with the front (east) 100 feet of the property is zoned Commercial and the west 100 feet is zoned residential (R-2). He explained that the applicant would like to construct a larger office building at the front half of the property and use some of the back portion for added parking in order to build a larger office building. The applicant is requesting to rezone the rear 67 feet of the property from residential to commercial in order to accommodate the required extra parking and is committing to build a new, 1500 square foot, two-story home on the remaining 33 feet of the property in partnership with the Hannibal Square Community Land Trust. He then presented elevations for the proposed office building and home to be built on the western 33 feet property.

Mr. Briggs explained that the new comprehensive plan has policies about rezoning residential property in the Hannibal Square neighborhood for business use. Policy 1-H-1 indicates that that land use changes from residential to a non-residential designation are "in conflict with this Comprehensive Plan" unless otherwise provide for elsewhere in the Comp Plan. However, Policy 1-H-2 indicates that if such a change is to be made then "the loss of the housing potential must

be compensated for through the provision of housing". He stated the applicant's request comes with a commitment to build, in partnership, with the Hannibal Square Community Land Trust, the new single-family home.

Mr. Briggs summarized by stating that the Comprehensive Plan says that if rezoning occurs in the Hannibal Square neighborhood from residential to a business use, then there must be something done in return for the neighborhood and its residents. Specifically, the Comprehensive Plan indicates the City's need for affordable housing. The applicant has followed and conformed to the direction of the Comprehensive Plan. In the future, this policy direction could be broadened for other benefits such as providing park space or other amenities for the residents of that neighborhood.

Staff Recommendation is for Approval of the Comprehensive Plan future land use map amendment and Zoning map amendments.

Staff Recommendation is for Approval of the Development Plan, as presented, subject to the following conditions:

1. That the Development Agreement with the Land Trust be implemented such that a Certificate of Occupancy (C.O.) may not be issued for the office building until one is issued for the new single-family home and the property is transferred in ownership.
2. That the applicant dedicate to the City a utility easement over the front (east) five feet of this property.

Mr. Briggs answered questions from the Board regarding the deeding of the single family home and the property, future certificate of occupancy and maintenance of the remainder of the street Israel Simpson Court.

Zane Williams (applicant), Z Properties, 1160 Mayfield Avenue, Winter Park, FL, addressed the Board. He answered questions regarding the proposed building. He stated that he understood that there were no 'free passes' to rezone in this neighborhood and wanted to do the right thing by contributing to the HSCLT via the new home.

The Board heard public comment from Eddie Jones, 751 Simons Avenue, Winter Park. Mr. Jones expressed concerns of traffic management with the new office building and increased parking as well as impacts to the neighborhood while construction of the home and building were ongoing.

Mary Daniels, 654 Canton Avenue, Winter Park, FL. wanted to confirm and make it clear that the land, as well as the home, is deeded to the land trust. Ms. Daniels stated that normally she would not be in support any residential rezoning in the neighborhood, but given that the neighborhood is gaining a residential home, she can support the request and asked the Board to support the request as well.

Applicant, Zane Williams, addressed the traffic concerns; he stated that he does not anticipate a large increase in traffic. He stated that he has been at his current office at 271 Pennsylvania Avenue for five years and the parking lot has never been full. He stated that it is a commercial office building and generally does not generate a high volume of traffic.

No one else wished to speak. The Public Hearing was closed.

The Board members were in support of the request given that the Agreement for the HSCLT home then conforms to the policies of the Comprehensive Plan and that the conditions of approval require that implementation.

Motion made by Ray Waugh, seconded by Sheila De Ciccio for approval to amend the "Comprehensive Plan" Future Land Use map from Low Density Residential to Parking Lot designation on the eastern 67 feet of the residentially designated portion of 301 N. Pennsylvania Avenue.

The motion carried unanimously with a 6-0 vote.

Motion made by Ray Waugh, seconded by Sheila De Ciccio for approval to amend the official zoning map to change from Low Density (R-2) District Zoning to Parking Lot (PL) zoning on the eastern 67 feet of the residentially designated portion of 301 N. Pennsylvania Avenue

The motion carried unanimously with a 6-0 vote.

Motion made by Ray Waugh, seconded by Laura Walda for Development Plan and Subdivision approval for a two-story, 5,494 square foot retail/office building, parking lot and a two-story residential home on the property at 301 N. Pennsylvania Avenue, prospectively zoned (C-3), (PL) and (R-2), subject to the conditions recommended by staff and agreed to by the applicant:

- 1. That the Development Agreement with the Land Trust be implemented such that a Certificate of Occupancy (C.O.) may not be issued for the office building until one is issued for the new single-family home and the property is transferred in ownership.**
- 2. That the applicant dedicate to the City a utility easement over the front (east) five feet of this property.**

The motion carried unanimously with a 6-0 vote.

REQUEST OF SYDGAN CORP. TO: AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP FROM A MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL TO CENTRAL BUSINESS DISTRICT DESIGNATION ON THE PROPERTIES AT 218 S. PENNSYLVANIA AVENUE AND 217 HANNIBAL SQUARE, EAST AND FROM A COMMERCIAL DESIGNATION TO A CENTRAL BUSINESS DISTRICT DESIGNATION ON THE PROPERTY AT 227 HANNIBAL SQUARE, EAST.

REQUEST OF SYDGAN CORP. TO: AMEND THE OFFICIAL ZONING MAP TO CHANGE FROM MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (R-3) ZONING TO COMMERCIAL (C-2) ZONING ON THE PROPERTIES AT 218 S. PENNSYLVANIA AVENUE AND 217 HANNIBAL SQUARE, EAST AND FROM COMMERCIAL (C-3) ZONING TO COMMERCIAL (C-2) ZONING ON THE PROPERTY AT 227 HANNIBAL SQUARE, EAST.

REQUEST OF SYDGAN CORP. FOR: SITE AND BUILDING PLAN APPROVAL TO CONSTRUCT A TWO STORY, APPROXIMATELY 4,274 SQUARE FOOT RETAIL AND RESIDENTIAL MIXED USE BUILDING ON THE PROPERTY AT 218 S. PENNSYLVANIA AVENUE AND TO CONSTRUCT AN APPROXIMATELY 5,492 SQUARE FOOT, TWO STORY RESIDENTIAL.

Senior Planner, Allison McGillis presented the staff report, she explained that property owner, Sydgan Corp., is requesting the following:

- 1. Changing the Comprehensive Plan Future Land Use designation of Multi-Family Residential to Central Business District on the properties at 218 South Pennsylvania Avenue and 217 Hannibal Square East and from Commercial to Central Business District on the property at 227 Hannibal Square East;**

2. Changing the Zoning of 218 South Pennsylvania Avenue and 217 Hannibal Square East from Medium Density Multi-Family Residential (R-3) to Commercial (C-2) and from Commercial (C-3) to Commercial (C-2) on the property at 227 Hannibal Square East; and
3. Site and building plan approval to construct a two-story approximately 4,275 square foot retail/residential building at 218 South Pennsylvania Avenue and to construct a two-story 5,492 square foot residential building at 217 and 227 Hannibal Square East.

Mrs. McGillis stated that the properties are located within the Hannibal Square Neighborhood Commercial District, to the north of New England Avenue. The entire project site is 17,650 square feet in size (0.41 acres). The 227 Hannibal Square East property is currently developed with a 24-space parking lot, and 218 South Pennsylvania Ave and 217 Hannibal Square East are currently vacant.

Mrs. McGillis showed the Board the site plan for the proposed properties. She explained that the proposed two-story building at 218 S. Pennsylvania will be retail or office space on the ground floor with storage areas in the back and one residential unit on the second floor. She noted that the ground floor may have food related business as long as the business have 12 seats or less, which is classified as retail per the land development code based on the parking that is provided for the property.

Mrs. McGillis presented elevations for the proposed building from all four sides. She stated that the proposed building at 217 and 227 Hannibal Square, East will have covered parking on the first floor and 4 residential units on the second floor which are all less than 750 square feet in size. She showed elevations for the proposed building and noted that the architecture matches the architecture for Hannibal Square.

Mrs. McGillis stated that with respect to parking, the applicant is asking for a variance to use 2 spaces per unit versus 2.5 spaces for the 4-Liner Building apartment units because all of the units in the 4-Liner apartment building are less than 750 square feet in size. She noted that the larger apartment in the 218 S. Pennsylvania building only requires two parking spaces because that unit is not in a multi-family project, which is defined as three units or more. She stated that two of the residential units for this project are located within the Hannibal Square Parking Exclusion Area and therefore, are not counted toward the parking requirement for the project and the total parking requirement for the project, with the variance, is nine spaces. She stated that the existing parking lot on the property is being reconfigured, which will provide 28 parking spaces, which is a net increase of 4 parking spaces which will be utilized for the project and the applicant will be committing 5 parking spaces across the street at 226 Hannibal Square, East to the project. Altogether, there are six different entities involved in the use of the parking lot, therefore, Staff is recommending a Condition of Approval that there be a formal Development Agreement initiated to make clear, the rights that each party has to the shared parking lot and to fulfill the 5 remaining parking spaces,

Mrs. McGillis summarized by stating that Staff is recommendation is for approval of the Comprehensive Plan amendments, rezoning and site and building plan approval with the condition regarding the Development Agreement to be executed to formalize the parking requirements for this project and that the retail spaces cannot be used for food services if the business has more than 12 seats.

STAFF RECOMMENDATION IS FOR APPROVAL of the Comp. Plan, Rezoning and Site/Building plans with the following condition that a Development Agreement be executed providing assurances as to the parking commitments for the project, including the allocation of parking to each user, that the two retail tenants onsite are limited a commercial/office use and if food service then limited to or 12 seats or less each, and that the 5 spaces offsite at 226 Hannibal Square East are committed towards the parking requirements of this project.

There were no question for Staff.

Applicant Dan Bellows, Winter Park Development Agency, LTD., 411 West New England Avenue, Winter Park, addressed the Board. He reviewed the site plans and land use map related to the project.

There was no public comment. The Public Hearing was closed.

The Board agreed with Staff's recommendations.

Motion made by Ray Waugh, seconded by Owen Beitsch, for approval to amend the "Comprehensive Plan" Future Land Use map from a Medium Density Multi-Family Residential to Central Business District designation on the properties at 218 S. Pennsylvania Avenue and 217 Hannibal Square, East and from a Commercial designation to a Central District designation on the property at 227 Hannibal Square, East. Motion carried unanimously with a 6-0 vote.

Motion made by Ray Waugh, seconded by Sheila De Ciccio for approval to amend the Official Zoning Map to change from Medium Density Multi-Family Residential (R-3) to Commercial (C-2) zoning on the properties at 2108 S. Pennsylvania Avenue and 217 Hannibal Square, East and from Commercial (C-3) zoning to Commercial (C-2) zoning on the property at 227 Hannibal Square, East. Motion carried unanimously with a 6-0 vote.

Motion made by Ray Waugh, seconded by Bob Hahn for Site and Building Plana approval to construct a two-story, approximately 4,274 square foot retail and residential mixed use building on the property at 218 S. Pennsylvania Avenue and to construct an approximately 5,492 square foot, two-story residential building on the properties at 217 and 227 Hannibal Square East, subject to the conditions recommended by staff and agreed to by the applicant:

- 1. That a Development Agreement be executed providing assurances as to the parking commitments for the project, including the allocation of parking to each user, that the two retail tenants onsite are limited a commercial/office use and if food service then limited to or 12 seats or less each, and that the 5 spaces offsite at 226 Hannibal Square East are committed towards the parking requirements of this project.**

Motion carried unanimously with a 6-0 vote.

REQUEST OF AMY BLACK TO: AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE ELEMENT TO MODIFY AND ADD TO EXISTING OBJECTIVES AND POLICIES REGARDING THE ABILITY OF LAKEFRONT ESTATES ON LAKE KILLARNEY TO BE ELIGIBLE FOR SUBDIVISION INTO LAKEFRONT LOTS OF APPROXIMATELY ONE ACRE IN SIZE.

REQUEST OF AMY BLACK FOR: SUBDIVISION APPROVAL TO DIVIDE THE PROPERTY AT 1800 BOITNOTT LANE ON LAKE KILLARNEY, ZONED R-1A, INTO THREE LAKEFRONT SINGLE FAMILY LOTS OF APPROXIMATELY ONE ACRE IN SIZE.

Board member, Laura Walda, recused herself from this item, as her law firm has been retained by the applicant.

Planning Manager, Jeff Briggs, presented the staff report and explained that applicant, Amy Black, is requesting approval of:

1. A Comprehensive Plan text amendment to the Future Land Use element regarding policies for the subdivision of lakefront properties on Lake Killarney, and
2. Subdivision approval to split the property at 1800 Boitnott Lane into three single family lots of approximately one acre each in size.

Mr. Briggs showed the Board photos and site plans for the property. He explained that This 3 acre estate is very much an exception and anomaly in size when compared to the other lakefront single family homes in this neighborhood and all around Lake Killarney within both the City of Winter Park and unincorporated areas of Orange County. In this immediate neighborhood there are 47 other lakefront properties. Two are approximately 1 acre in size and the other 45 lakefront properties are 16,000-23,000 square feet in size. There are 19 other lakefront homes on Lake Killarney in the City that are 15,000-22,000 square feet in size. Within the unincorporated section of Lake Killarney there are another 40 lakefront homes that are also on lots in the 15,000-21,000 square foot range. All together there are 107 single family lakefront properties on Lake Killarney. The subject property is 3 acres, two others are 1 acre and the remaining 104 properties are 15,000-23,000 square feet in size.

Mr. Briggs noted that this property is the only 3-acre single-family property on Lake Killarney and the applicant is requesting to divide it into one acre lots which matches the size of two other largest homes on the lake. He explained that the City has very restrictive policies and regulations in the Comprehensive Plan regarding the subdivision or splitting of lakefront and estate properties.

Mr. Briggs stated that in order to allow the applicant's request, there would have to be an amendment to the Comprehensive Plan. He explained that P&Z and the City Commission have crafted a policy change that would modify rules solely for Lake Killarney. He stated that the reason that the modification would be just for Lake Killarney is that there is no other set of facts like Lake Killarney where there is one 3 acre estate. He stated that this particular instance is an anomaly around Lake Killarney and dividing the property into 3 lots would match the largest lot sizes on the lake. He reiterated that this modification would not set a precedent in the City as it will only apply to Lake Killarney given the particular facts.

Mr. Briggs provided photos and site plans showing the how the three lots will be split. He summarized by stating that from the staff's perspective, the characteristics of the lakefront lot sizes on Lake Killarney are much different than on most other city lakes. This is the only 3 acre property amongst the 108 lakefront properties on Lake Killarney. The applicants are not asking to use the much smaller R-1A lot size standards for redevelopment but are asking to take an "estate" and create three "estate" lots of one acre in size. Aside from some conditions related to infrastructure, this appears to be a reasonable request.

Staff Recommendation is for Approval of the Comprehensive Plan Amendment to amend the policy text as presented.

Staff Recommendation is for Approval of the Subdivision request to divide the property at 1800 Boitnott Lane into three lakefront lots, as presented, subject to the following conditions to be executed within a Development Agreement, approved in form and content by the City Attorney:

1. That the property owner execute a public access easement for the 4,380 square foot cul-de-sac bulb shown on the proposed plan to the benefit of the three proposed lots, as presented, and also to the owners of 2064 Lake Drive, who currently use that driveway.
2. That the common access easement 4,380 square foot cul-de-sac bulb, as presented, be constructed with pavement/curbing per city roadway specifications, which must be completed at the time of construction of the second new home, prior to the issuance of any temporary or final certificate of occupancy.
3. That new potable water and fire flow infrastructure be constructed including fire hydrant(s) as needed within 300 feet travel distance to all sides of all three homes and any water line upgrades needed (2 inch to 4 inch) which must be completed at the development's expense prior to the issuance of the building permit for the construction of the second new home.
4. That all three new homes be assigned Lake Drive addresses.

Mr. Briggs answered questions from the Board.

Applicant, Amy Black, 1427 Melrose Place, Homewood, AL, addressed the Board. She gave a brief history of the home and explained her family's reason for the request to divide the property into 3 separate lots.

There was no public comment. The Public Hearing was closed.

Motion made by Ray Waugh, seconded by Sheila De Ciccio for approval to amend the comprehensive Plan" Future Land Use Element to modify and add to existing objectives and policies regarding the ability of lakefront estates on Lake Killarney to be eligible for subdivision into lakefront lots of approximately one acre in size.

Motion carried unanimously with a 5-0 vote.

Motion made by Ray Waugh, seconded by Sheila De Ciccio for approval to divide the property at 1800 Boitnott Lane on Lake Killarney, Zoned (R-1A), into three lakefront single-family lots of approximately one acre in size, subject to the conditions recommended by staff and agreed to by the applicant:

1. That the property owner execute a public access easement for the 4,380 square foot cul-de-sac bulb shown on the proposed plan to the benefit of the three proposed lots, as presented, and also to the owners of 2064 Lake Drive, who currently use that driveway.
2. That the common access easement 4,380 square foot cul-de-sac bulb, as presented, be constructed with pavement/curbing per city roadway specifications, which must be completed at the time of construction of the second new home, prior to the issuance of any temporary or final certificate of occupancy.
3. That new potable water and fire flow infrastructure be constructed including fire hydrant(s) as needed within 300 feet travel distance to all sides of all three homes and any water line upgrades needed (2 inch to 4 inch) which must be completed at the development's expense prior to the issuance of the building permit for the construction of the second new home.
4. That all three new homes be assigned Lake Drive addresses.

Motion carried unanimously with a 5-0 vote.

NEW BUSINESS:

Planning Manager Jeff Briggs informed the Board that there will be a P&Z Community Meeting on Parking Modernization on July 17, 2018 at 6 pm. There was no further business. Meeting adjourned at 7:38 p.m.

Respectfully submitted,
Kim Breland, Recording Secretary