



Planning and Zoning Board Minutes

August 3, 2021 at 6:00 p.m.

401 S. Park Avenue | In-Person and Virtual | Winter Park, Florida

1. Present

Chairman Richard James called the meeting to order at 6:01 p.m. Present: Jim Fitch, Richard James, Michael Spencer, Melissa Vickers, Alex Stringfellow, Vashon Sarkisian, and David Bornstein. Also Present: City Attorney Dan Langley. Staff: Director of Planning and Transportation Bronce Stephenson, Principal Planner Jeff Briggs, Transportation Manager Sarah Walter, and Recording Secretary Mary Bush.

2. Approval of Minutes

Motion made by Jim Fitch, seconded by Michael Spencer, to approve the July 6, 2021 meeting minutes.

Motion carried unanimously with a 6-0 vote. (Melissa Vickers was not present for the approval of the minutes.)

3. Public Hearing:

- SUB #21-05. Request of Wooten Built, Inc. for: Subdivision approval to split the property at 280 E. Lake Sue Avenue, zoned R-1AA into two single-family building lots. Variances are requested from the R-1AA minimum lot dimension standards.

Mr. Briggs provided the Board a brief summary of the SUB #21-05 request. He reviewed the zoning and subdivision code criteria pertaining to the request. He noted that per code R-1AA zoning requires a minimum lot frontage of 100 feet for interior lots and 110 feet for corner lots, as well as 10,000 square feet of lot area. Due to the different setbacks for a corner lot, the applicant requested variances to divide the property into an interior lot with 67 feet of frontage and a corner lot with 73 feet of frontage. Mr. Briggs also noted that the applicant's requested lot sizes for the property split are in line with the average and median lot size of comparable lots within a 500 foot radius of the property. He advised that it is the general practice of the City staff not to recommend approval of subdivision lot dimension variances.

Staff recommendation was for denial due to the requested variances.

Mr. Fitch asked if there had been any objections to the project made by neighbors of the applicant to which Mr. Briggs replied that staff had not received any response, positive or negative, from neighbors.

Mr. Stringfellow asked if staff had noted the property's two previously platted lots of record to which Mr. Briggs replied yes and that the property is the only one on the block that has one home on two platted lots.

The applicant's builder, Clay Wooten with Wooten Built, Inc. at 5775 Autumn Chase Circle, Sanford, FL 32773 provided a brief presentation of the project's proposed site plan, elevations, and setbacks. He noted that he went door to door within a 500 foot radius of the project to speak to residents about the project. He indicated that he did not receive any negative feedback.

The Board inquired about the market price of the proposed homes being over a million dollars and expressed concerns with stacking due to the position of the driveway access of the corner lot.

No one from the public wished to speak. The public hearing was closed.

The Board expressed their support of the project and its compatibility and consistency with the historical plat. However, they raised the question whether from a traffic safety perspective, if it would

be better to have the corner lot with a side facing garage toward Winter Park Road and thus the driveway would be further from the intersection. Mr. Wooten agreed that he would revise the plans accordingly.

Motion made by David Bornstein, seconded by Jim Fitch, for approval of the request to split the property at 280 E. Lake Sue Avenue with the condition that the corner lot have a side facing garage toward Winter Park Road. Motion carried unanimously with a 7-0 vote.

- CPA #21-05. Request of the City of Winter Park for: An Ordinance amending Chapter 58, “Land Development Code”, Article I, “Comprehensive Plan” future land use map so as to establish a commercial future land use on the annexed properties at 647/653 Harold Avenue and to indicate the annexation on the other maps within the comprehensive plan.
- RZ #21-04. Request of the City of Winter Park for: An Ordinance amending Chapter 58, “Land Development Code”, Article III, “Zoning” and the official zoning map so as to establish commercial (C-3) zoning on the annexed properties at 647/653 Harold Avenue.

Mr. Briggs provided a brief summary of the requests to the Board. He noted that the two properties at 647 and 653 Harold Avenue, which are currently vacant, were previously annexed into the City. Since the properties were annexed the City must establish their Comprehensive Plan map and zoning designations. The County is designated commercial for both the Comprehensive Plan map and zoning so the annexed properties are to be designated commercial C-3 as well.

Staff recommendation was for approval.

No one from the public wished to speak. The public hearing was closed.

Motion made by Alex Stringfellow, seconded by Melissa Vickers, for approval of an Ordinance amending Chapter 58, “Land Development Code”, Article I, “Comprehensive Plan” future land use map so as to establish a commercial future land use on the annexed properties at 647/653 Harold Avenue and to indicate the annexation on the other maps within the comprehensive plan and for approval of an Ordinance amending Chapter 58, “Land Development Code”, Article III, “Zoning” and the official zoning map so as to establish commercial (C-3) zoning on the annexed properties at 647/653 Harold Avenue.

Motion carried unanimously with a 7-0 vote.

- CPA #21-06. Request of the City of Winter Park for: An Ordinance amending Chapter 58 “Land Development Code” Article I, “Comprehensive Plan” so as to add a new Property Rights Element including new Goals, Objectives, and Policies for this Element pursuant to House Bill 59: Growth Management.

Mr. Stephenson provided the Board a brief presentation of the CPA #21-06 request. He explained that the City is mandated by the State to adopt a new element of the Comprehensive Plan and present it to the Department of Economic Opportunity. Until the Property Rights Element is adopted, the City cannot make any official changes to the Comprehensive Plan. Mr. Stephenson noted that the element had been presented to the City Commission who expressed concerns about the interpretation of the element’s proposed language. To address the concerns, City Attorney Dan Langley made minor revisions to the language.

Attorney Langley reviewed with the Board the goals and objectives of the Property Rights Element along with his revisions, which included additional policies 10.1, 10.2, and 10.3. He emphasized that his revisions to the language of the element not only respect the goals and purpose of the property rights, but also signify respect for the people’s right to participate in the decisions that affect their lives and their property. He also pointed out that he inserted a statement expressing the point of revising and adopting the Property Rights Element so not to mandate a requirement of articulating how each revision was considered in every City staff report and public hearing.

Staff recommendation was for approval to adopt the language of the Property Rights Element as presented with Attorney Langley’s revisions.

Brief discussion ensued with the Board regarding the element’s bare minimum language required by the State, how other jurisdictions are addressing the mandate, and emphasis on city wide notice.

No one from the public wished to speak. The public hearing was closed.

Motion made by Michael Spencer, seconded by Melissa Vickers, for approval of an Ordinance amending Chapter 58 “Land Development Code” Article I, “Comprehensive Plan” so as to add a new Property Rights Element including new Goals, Objectives, and Policies for this Element pursuant to House Bill 59: Growth Management and revised with added policies 10.1, 10.2, and 10.3.

Motion carried with a 6-1 vote. (In Favor: Michael Spencer, Melissa Vickers, Alex Stringfellow, Vashon Sarkisian, Jim Fitch, Richard James. Opposed: David Bornstein)

4. New Business:

No new business.

5. Planning Director’s Report:

Mr. Stephenson led brief discussion on the open Planner III position with the City and provided a budget season update expressing emphasis on Transportation growth and staff’s current work on the Transportation Master Plan. He noted that due to recent updates from the CDC regarding COVID-19, the upcoming Planning and Zoning Board work sessions will be virtual only until further notice but the regular meetings will stay hybrid.

Brief discussion ensued regarding the Board’s proposed meeting guidelines and how they will be implemented at the next Planning and Zoning Board regular meeting and adding discussion on House Bill 403 regarding home occupation law to an upcoming meeting.

6. Board Update and Comments:

No Board updates or comments.

7. Upcoming Meeting Schedule:

The next regular meeting will be held on September 7, 2021.

Adjourn

Meeting adjourned at 7:01 p.m.

Respectfully Submitted,

Mary Bush

Recording Secretary

Approved by Board on September 7, 2021.