

Chris Rader
Vice-Chair

David Gragg
Board Member

Marion Rayburn
Board Member

Dr. Aileen Trivedi
Board Member

PUBLIC NOTICE
PLANNING AND ZONING BOARD MEETING – January 14, 2019

WELCOME! We are very glad you have joined us for today's Planning and Zoning meeting. The Planning and Zoning Board is an advisory board to City Council comprised of citizen members who voluntarily and without compensation devote their time and talents to a variety of zoning and land development issues in the community. All P&Z recommendations are subject to final action by City Council. The results of today's meeting will be presented at the noted City Council meeting for approval of recommended actions. Any person desiring to appeal a recommended action of the Board should observe the notice regarding appeals below. **CAUTION:** Untimely filing by any appellant shall result in an automatic denial of the appeal.

The Planning and Zoning Board as the Local Planning Agency for the City of Edgewood will meet at 405 Larue Avenue, Edgewood, Florida, to consider the items of business listed herein at the time and date indicated below.

Monday, January 14, 2019 at 6:30 pm

1. Call to Order
2. Pledge of Allegiance
3. Roll Call and Determination of Quorum
4. Approval of Minutes
 - November 12, 2018 – Regular P&Z Meeting
5. New Business

The Waterfront 4201 S Orange Avenue

- Variance 2018-07 Landscape buffer Sec. 114-4 (1)(a)(1)
 - Variance 2018-08 Tree placement Sec. 114-4(1)(a)(2)
 - Variance 2018-09 Building setback from the Normal High Water Elevation (NHWE) Sec. 134-348(e)
 - Variance 2018-10 Quantity of off-street parking Sec. 134-605(a)(19)
6. Comments/Announcements

FUTURE MEETINGS: *(SCHEDULE CONTINGENT UPON SUBMITTAL OF ITEMS THAT REQUIRE CONSIDERATION OF THE PLANNING & ZONING BOARD AS THE LOCAL PLANNING AGENCY FOR THE CITY OF EDGEWOOD)*

- February 11, 2019
- March 11, 2019

GENERAL RULES OF ORDER

The Board is pleased to hear non-repetitive comments related to business before the Board; however, a five (5) minute time limit per person has been set by the Board. Large groups are asked to name a spokesperson. If you wish to appear before the Board, please fill out an Appearance Request Registration Form and give it to the City Clerk. When recognized, state your name and speak directly into the microphone. The City is guided by ROBERTS RULES OF ORDER in governing the conduct of the meeting. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at 407-851-2920 at least 24 hours in advance of the meeting.

WE ASK THAT ALL ELECTRONIC DEVICES (IE. CELL PHONES, PAGERS) BE SILENCED DURING OUR MEETING!

Thank you for participating in your government!

APPEALS: According to Edgewood City Code Section 26-24 (2), "any person aggrieved by any recommendation of the Board acting either under its general powers or as a Board of Adjustment may file a notice of appeal to the City Council within seven (7) days after such recommendation is filed with the City Clerk.



PLANNING & ZONING BOARD DRAFT MEETING MINUTES
November 12, 2018

Planning and Zoning Board Members:

Regina Dunay, Chairperson (Quorum)
Chris Rader, Co-Chair
David Gragg, Board Member
Marion Rayburn, Board Member
Aileen Trivedi, Board Member

Staff:

Drew Smith, City Attorney
Ellen Hardgrove, City Planner
Sandra Riffle, Deputy City Clerk

Applicant:

Ryan Davis, Loch Investments

CALL TO ORDER

Chairwoman Dunay called the Planning & Zoning Board meeting to order at 6:30 p.m. and led the Pledge of Allegiance and a moment of silence. Deputy City Clerk, Riffle, announced that there was a quorum.

APPROVAL OF MINUTES

• ***October 8, 2018***

The following changes were made to the October 8, 2018 minutes by Chairwoman Dunay and Board Member Gragg.

Page 2, paragraph 3 under Item 2: Engineer Sebaali stated that the notes on the plan ~~they have~~ were discussed with staff, and conditions of approval were that locations of storage are subject to height limitations ~~address this~~.

Page 2, paragraph 4 under Item 2: Engineer Sebaali said there would be a sign; ~~which says no truck turn~~ prohibiting truck turns on Chenault Ave.

Page 3, paragraph 1 under Item 3: ~~The intent of the ECD is to attract commercial, people-oriented, such as retail, entertainment, retail and mixed uses rather than the existing heavy commercial uses.~~ The intent of the ECD is to attract commercial and people-oriented mixed uses, such as retail and entertainment, and to discourage heavy industrial uses, such as what is currently predominates.

Page 3, paragraph 3 under Item 3: delete “in the City”.

Page 3, paragraph 6 under Item 3: change “establishing” to “establishes”

Page 4, paragraph 4, line 4, add “527” after State Road and add “does not” to line 8.

Page 4, paragraph 6, add “was” to line 3.



Chairwoman Dunay asked for a motion.

Board Member Trivedi moved to approve the minutes with changes; Second by Chairwoman Dunay. The motion was unanimously approved (5/0).

NEW BUSINESS

1. **Variance requests 2018-VAR-07, 2018-VAR-08, and 2018-VAR-09 for The Waterfront at 4201 S. Orange Avenue.**

Chairwoman Dunay opened the discussion for the requested variances and stated that she understood that there is a request to table the requests again until the December Planning and Zoning meeting. Mr. Davis confirmed the request and stated that he understands that the variances could be tabled until the January 2019 meeting.

Board Member Rader confirmed with Mr. Davis that with the request for more time the applicant is working to get a more complete plan.

Deputy City Clerk Riffle said that The Waterfront will be asking for an additional variance request which could be heard at the same time in January. She confirmed with Chairwoman Dunay that there will be four variance requests.

As there was no further discussion or public comments, Chairwoman Dunay asked for a motion.

Board Member Rader made the motion to table the three proposed variances until the January 14, 2019 Planning and Zoning meeting at 6:30 pm; second by Board Member Rayburn. The motion was unanimously approved (5/0).

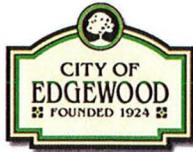
2. **Ordinance No. 2018-13 Floodplain Management**
AN ORDINANCE BY THE CITY OF EDGEWOOD AMENDING THE CITY OF EDGEWOOD CODE OF ORDINANCES CHAPTER 106 TO MAKE MODIFICATIONS TO BRING THE REGULATIONS INTO AGREEMENT WITH THE MOST CURRENT FEMA-APPROVED, CODE-COMPANION FLOODPLAIN MANAGEMENT ORDINANCE FOR FLORIDA COMMUNITIES; TO ADOPT NEW FLOOD HAZARD MAPS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Per Attorney Smith, this is an update to Edgewood's floodplain management ordinance. The Department of Environmental Protection (DEP) has sent additional changes, since the 2016 update, that conform to new Flood Insurance Rate Maps (FIRM) which are now available online. In the copy of the proposed ordinance, new information is underlined, and deleted information has been struck-through to confirm changes from the previous edition. The highlighted areas are suggestions from the DEP coordinator to see that the required language is included in the ordinance.

As there was no farther discussion or public comment, Chairwoman Dunay asked for a motion.

Board Member Rayburn made the motion to recommend approval of Ordinance 2018-13; second by Board Member Gragg. The motion was unanimously approved (5/0).

3. **Ordinance No. 2018-14 Electronic Signs Operational Limits**
AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, RELATING TO SIGNS; AMENDING CHAPTER 122 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES TO REGULATE ANY LAWFULLY NONCONFORMING ELECTRONIC CHANGEABLE



MESSAGE SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE.

Per Attorney Smith, this Ordinance recognizes Electronic Changeable Message Signs (ECM) as a non-permitted use but subject to lawful non-conformity and operational limits. The Board was provided with an amended copy of the proposed Ordinance.

Chairwoman Dunay asked if there were public comments; there were none.

Attorney Smith confirmed for Board Member Gragg that this proposed ordinance applies to the one business that was able to submit an application; otherwise ECM signs are not allowed. This is valid protection in the case of annexed properties. The sign regulation in the new Code is an operational, not structural limitation. This retraction is not tied to any zoning district.

Planner Hardgrove said that future annexations would need to change to the City of Edgewood zoning. Rezoning occurs subsequent to annexation. In Edgewood's City Code, if a property is not rezoned, then the County zoning code applies.

Chairwoman Dunay asked for a motion.

Board Member Trivedi made the motion to recommend approval of Ordinance 2018-14; second by Board Member Rader. The motion was unanimously approved (5/0).

**4. Ordinance No. 2018-15 Amendment of Code for Edgewood Central District
AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING CHAPTER 134 OF THE CODE OF ORDINANCES RELATED TO THE EDGEWOOD CENTRAL DISTRICT TO CORRECT SCRIVENERS' ERRORS, PROVIDE CLARIFICATION OF ADOPTED REGULATIONS AND STANDARDS, AMEND CERTAIN DESIGN GUIDELINES AND STANDARDS, AND TO PROVIDE AMENDED REGULATIONS RELATED TO CERTAIN LOTS WITH MULTIPLE FRONTAGES ALONG STATE ROAD 527; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND AN EFFECTIVE DATE.**

Planner Hardgrove explained to the Board that they have a revised staff report, with different line numbers, to replace the report that was included in the agenda package. Planner Hardgrove reviewed the changes line by line with the Board.

Discussion amongst the Board included setbacks to residential areas and required wall heights and materials descriptions. Board Member Rader stated his concerns about the east side of Orange Avenue being narrower than the west side. Planner Hardgrove confirmed that the purpose of the ECD is to promote development and there is an allowance for roads such as Mary Jess for flexibility with setbacks and tree furnishing zones. Properties along Orange, Gatlin, Holden, and Hoffner are required to provide a tree furnishing zone.

The discussion also included requirements for double frontage lots and how the primary side would be determined for businesses. Board Member Rader stated concerns that the goal is to accommodate redevelopment more effectively, not to accommodate existing nonconforming structures. Board Member Rayburn added that they need to decide on which side to choose.



Board Member Rader asked Engineer Sebaali for his feedback as he was in attendance. Engineer Sebaali said that he is concerned about it being so restrictive that the business would have to put their buildings on the side that the City chooses, and businesses can look nice on both sides. Board Member Rader responded that he would rather see consistency with a business side and an operations side. Engineer Sebaali said there is landscaping and walls on both sides. Planner Hardgrove added that signage is still allowed on both sides. The Board agreed that property frontage should be facing Hansel Avenue.

In response to Board Member Rayburn's question about which properties are affected by the double frontage lots, Planner Hardgrove said it is just the three properties McGinnty's (5406 Hansel Avenue), the Community Thrift Store (5456 Hansel Avenue) and the CFE Credit Union (4301 S. Orange Avenue).

Further discussion included location of equipment, location of outdoor storage, landscaping for parking islands, and location and height of street walls. Planner Hardgrove said that the goal is for beautification and flexibility, including location and width of sidewalks.

Chairwoman Dunay asked for public comments.

Sam Sebaali, Engineer with FEG – commented on required size of trees and the cost during redevelopment. He also suggested that caliper be used for measurement rather than diameter at breast height (DBH).

Board Member Trivedi thanked Board Member Rader for encapsulating the changes and for being such an excellent resource.

Board Member Rader made the motion to recommend approval of Ordinance 2018-15, with the changes encapsulated within discussion; second by Board Member Rayburn. The motion was unanimously approved (5/0).

COMMENTS/ANNOUNCEMENTS

Chairwoman Dunay asked Deputy City Clerk, Sandy Riffle for the next meeting date who confirmed that the next Planning and Zoning date would be December 10, 2018, or January 14, 2018, depending on if there would be business items for the December meeting.

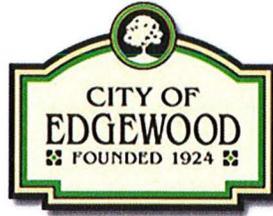
Deputy City Clerk Riffle reminded Board Members to RSVP for the holiday dinner on Saturday, December 1, 2018.

ADJOURNMENT:

With no further business or discussion, Board Member Rayburn made the Motion to adjourn the Planning and Zoning Board meeting; second by Board Member Trivedi. The motion was unanimously approved (5/0). The meeting adjourned at 8:21 pm.

Chris Rader, Vice-Chairman

Sandra Riffle, Deputy City Clerk



Memo

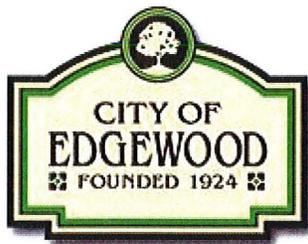
To: Planning and Zoning Board Members
CC: Drew Smith, Ellen Hardgrove
From: Sandy Riffle, Deputy City Clerk
Date: January 8, 2019
Re: New Business Items

In the January 14, 2019 Planning and Zoning Board meeting, you will consider four (4) variance applications for The Waterfront located at 4201 S. Orange Avenue. Variance requests 2018-07, 2018-08 and 2018-09 were initially heard in the September 10, 2018 Planning and Zoning meeting and were again tabled for discussion during the November 12, 2018 meeting for the applicant to provide more information.

2018-VAR-10 is a new variance request to be reviewed during this meeting.

I have included for your review the following information that has been received by City Hall.

- Staff Report from Planner Ellen Hardgrove dated December 20, 2018
- Variance application 2018-10
- Letter from Civil Corp Engineering, Inc., representing the applicant, dated December 3, 2018
- Revised plans dated December 3, 2018
- Notice of Public Hearing dated December 26, 2018
The Notice of Public Hearing letters was sent on December 26, 2018 to those property owners within 500 feet of the subject property. There were 21 Notices provided by U.S. Mail. No objections or comments were received at City Hall as of the date of this memo.
- Variance applications 2018-07, 2018-08, and 2018-09 with corresponding letters from Civil Corp Engineering which were originally reviewed by the P&Z Board on September 10, 2018. I did not include the original site plan from the September 10, 2018 meeting as this is not a site plan review. However, it will be made available before and during the meeting should anyone wish to see it.
- The City Planner is prepared to respond to any questions you may have regarding the variance requests. The applicant/representative for The Waterfront will also be in attendance.



405 Larue Avenue - Edgewood, Florida 32809-3406
(407) 851-2920

TO: Planning and Zoning Board Members
Sandy Riffle, Assistant City Clerk

XC: Bea Meeks, City Clerk
Drew Smith, City Attorney
David Mahler, P.E., City Engineering Consultant
Allen C. Lane, Jr., P.E., CPH Engineering

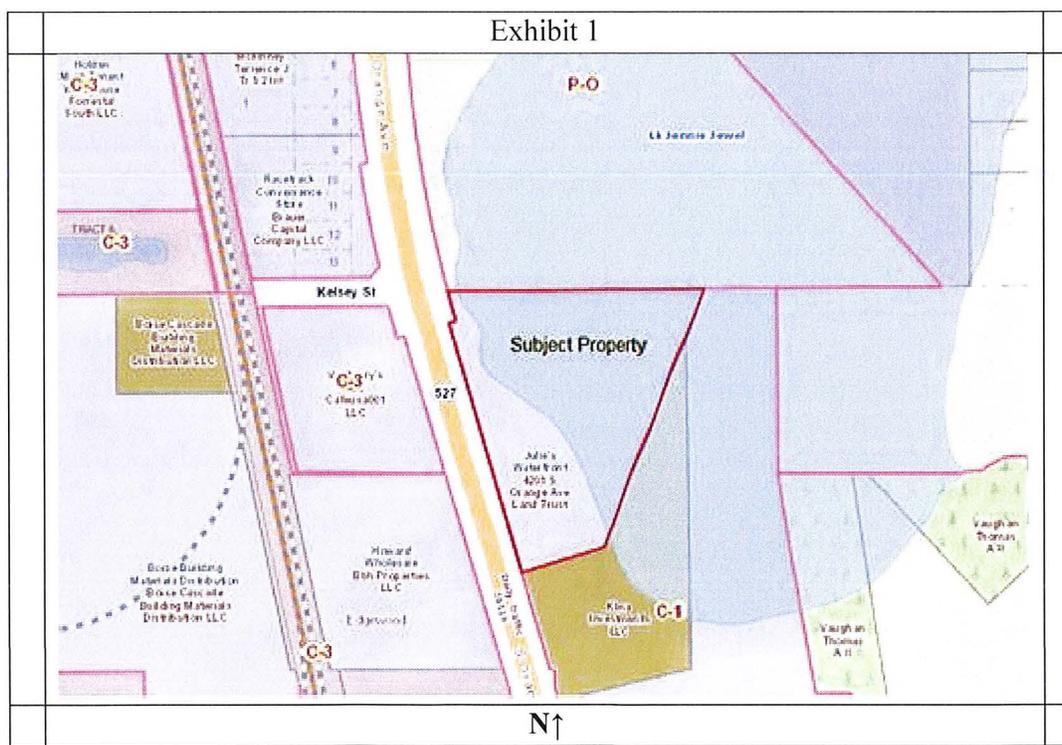
FROM: Ellen Hardgrove, AICP, City Planning Consultant

DATE: December 20, 2018

SUBJECT: Waterfront Variance Request Scheduled on January 14, 2019 P&Z Agenda

INTRODUCTION

Property Location: Waterfront, 4201 South Orange Avenue (see Exhibit 1)



Request: The applicant is requesting three (3) variances to allow for the expansion of the existing restaurant.

Variance 2018-07 – Parking/Road Buffer Width

Variance 2018-09 – Setback from Normal High Water Elevation

Variance 2018-10 -- Parking Calculation

A fourth variance previously requested has been withdrawn (Variance 2018-08 – Number of Trees in the Parking/Road Buffer).

Property Owner: Loch Investments LLC

Agent: Stephen Allen, PE CivilCorp Engineering, Inc.

Tax Parcel: 12-23-29-0000-00-037

Existing Zoning: C1

Minimum C1 Setbacks: Front –25 feet
Side – 0 feet
Rear – 50 feet from Normal High Water

Existing on site: Restaurant and billboard

Surrounding uses: North - Office
South - Undeveloped
West - Vanbarry's restaurant, across Orange Ave.
East - Lake Jennie Jewel, single family residential along the east shore

Surrounding Zoning: North - PO
South - C1
West - C3
East - R1AA

Future Land Use: Commercial

BACKGROUND/REQUEST DESCRIPTION

The request for variances for the Waterfront property was initially presented to the Planning and Zoning Board (P&Z) in September. At that meeting, the applicant agreed to table the request in order to provide P&Z with more information. The text below provides a current status of the requested variances and staff comments.

Variance 2018-07 – Parking/Road Buffer Width

The applicant is requesting a variance in Section 114-4(1)(a)(1.) to provide a minimum two (2) feet wide landscape buffer between a vehicular use area and public right-of-way in lieu of a minimum of 7 feet. The buffer width that was applied for (on the variance application) was “2.34 feet to 3.98 feet.” Staff recommends that this wording can lead to confusion and suggests that the variance to be considered is a buffer with a minimum width of 2 feet in lieu of 7 feet.

Regardless of the width being requested, there needs to be documentation from the applicant that the minimum 7 feet wide buffer cannot be accommodated on the property. There appears to be an opportunity for redesign. These changes could facilitate a 7 feet wide standard buffer as was seen in a submittal from a previous potential buyer of the property (see site plan in Appendix).

Variance 2018-09 – Setback from Normal High Water Elevation

The applicant is requesting the building setback distance from the normal water elevation of the adjacent water body be reduced from 50 feet to 20 feet. The correlated staff report prepared by CPH Engineering addresses this variance request.

Variance 2018 –10 - Parking Calculation

Code Section 134-605(19) (Quantity of off-street parking) requires the number of parking spaces for restaurants to be based on two demand factors: 1) number of seats in the restaurant and 2) the floor area provided for patron use that does not contain fixed seats. The applicant is requesting the second factor not be used in the calculation.

150 seats are being proposed for the restaurant; thus, with Code requiring at least 1 parking space per 4 seats, the first part of the formula would require a supply of at least 38 parking spaces. Insufficient information has been provided by the applicant to determine the total number of spaces needed to accommodate the demand by patrons in non-seating areas.

The non-seating areas would include areas where patrons are waiting to be seated (e.g., a lobby or outside the front door), or, for the Waterfront’s situation, the area where people congregate along the lake, either standing or in informal seating. The areas of the proposed bar where people can stand would also be included in this part of the parking demand factor. Code requires at least one space for each 75 square feet of floor area provided for patron use that does not contain fixed seats.

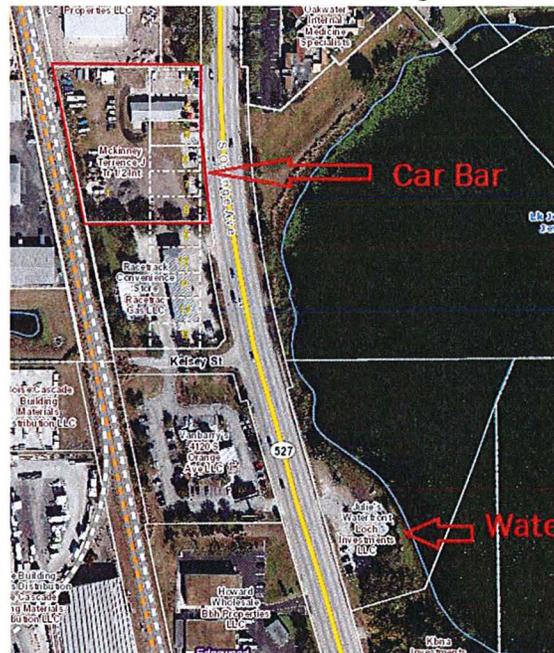
Currently onsite are 15 parking spaces, which is substandard for the current number of seats within the restaurant. The restaurant according to the applicant has an occupant load of 75 people, which would

require 19 spaces, plus the amount needed for patron use area that does not contain fixed seats. It is unclear if the noted occupant load includes the existing outdoor seating on the back and side patios, which on a submitted site plan shows 24 and 26 seats respectively. The assumption is the occupant load is only for inside the building. If this assumption is true, then the total seating would be 125, which would require at least 32 parking spaces plus additional spaces for the patron area not including fixed seats.

With less than 50% of the required minimum amount of parking provided onsite, it is clear to see why there have been parking code violations issued for this property. The proposed plan is to increase the quantity of parking spaces to 42, which may, depending on the area not including fixed seats used for patrons, continue to be substandard with the current number of seats. Increasing the seating to 150 would surely create a substandard number of onsite parking spaces when basing the calculation on both of the parking demand factors; the patron use area would have to be less than 225 square feet to avoid a substandard parking count.

The applicant has submitted a proposed plan to mitigate the lack of sufficient parking onsite: valet parking for employees and patrons at the “Car Barn” at 3862 S Orange Avenue (See Exhibit 2). There are public safety concerns with this mitigating proposal.

Exhibit 2 – Offsite Valet Parking Location



The Car Bar is located on the west side of Orange Avenue, approximately 2/10 mile north of the Waterfront property. Narrow sidewalks are present on both sides of Orange Avenue; located either along the curb or a narrow grass strip between the curb and the sidewalk. There are no established pedestrian crosswalks to facilitate a safe pedestrian Orange Avenue crossing. The lack of street lighting along this segment of Orange Avenue exacerbates this pedestrian safety issue. At the public hearing, the applicant can provide more detail on how the public safety concern will be eliminated.

Another concern with the Car Barn property is that it is within the City of Orlando. As such, the City of Edgewood has no control of that site's land use, including a potential change that could affect the ability to provide the off-site parking for Waterfront. Regardless of the valet lot location, it would be difficult to guarantee that the valet service will continue either for the current or future property user.

Variance 2018-08 – Number of Trees in the Parking/Road Buffer - No longer requested

Previously, the applicant had requested a variance to allow zero (0) trees in the landscape buffer between the public street right-of-way and vehicular use area in lieu of 1 shade tree per 40 linear feet of the buffer. The applicant was not aware that Code allows 1 understory tree per 25 feet of the buffer when the buffer is beneath utility lines as an alternative to 1 shade tree per 40 linear feet. Per the submitted "Conceptual Landscape Plan" by KdDesign dated 9/28/2018, the applicant is proposing Code compliant landscaping in the reduced width Parking/Road buffer.

CRITERIA FOR APPROVAL

Per City Code, variances are allowed where there are practical difficulties or unnecessary hardships in complying with the strict letter of the land development regulations. Per Section 134-104(3), prior to recommending approval of any variance, P&Z and City Council shall find:

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district;
2. That the special conditions and circumstances do not result from the actions of the applicant;
3. That approval of the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same zoning district;
4. That literal interpretation of the provisions contained in this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant;
5. That the variance approved is the minimum variance that will make possible the reasonable use of the land, building or structure; and,
6. That approval of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The applicant has provided narrative as to how the criteria for variance approval have been met. The following summarizes this narrative, with additional information provided gained from staff's research.

1. *That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district*

The applicant states, the shape and depth of the property and the location of the current onsite structure create a burden for full utilization of the property.

The ownership is 3.22 acres; 2/3 of which is within Lake Jennie Jewel, leaving only about one acre landward. The upland portion of the property is of unique shape, long and narrow. In addition to the narrow depth, the lakefront setback restricts the standard building envelope to a depth no more than 73 feet (on the south), with it tapering to zero about 250 feet north of the southern border.

According to Orange County Property Appraiser, the structure was originally built in 1956. The date when the use of the land became a restaurant was not found.

2. *That the special conditions and circumstances do not result from the actions of the applicant*

The applicant states, the conditions and circumstances were created by the acquisition of part of the property for Orange Avenue right-of-way expansion and the remaining location of the existing building onsite. It is clear from aerial photography that when the onsite structure was built, Orange Avenue was a two lane road. Comparison of aerial photography shows the road was widened and “S” curve somewhat straightened prior to 1969 (see Appendix).

Documentation that right-of-way was acquired from the subject could not be found, but it appears from the aerial photography comparison that the majority, if not all, of the right-of-way was acquired from the property on the west side of the road, not the subject property.

3. *That approval of the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same zoning district*

The applicant states, given the unique shape and circumstances of the land, the variance requested would not confer on the applicant any special privilege that is denied to other lands in the same zoning district, specifically there is insufficient land to accommodate parking for a 150 seat restaurant.

4. *That literal interpretation of the provisions contained in this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant*

The applicant states, the literal interpretation of the code would deprive the applicant rights commonly enjoyed by the applicant because of the existing conditions of the land.

5. *That the variance approved is the minimum variance that will make possible the reasonable use of the land, building or structure*

Given that a restaurant has existed for years on this property, a reasonable use of the property exists. Furthermore, as shown in a proposed site plan submitted by a previous potential buyer of the property, the standard width landscape buffer is possible without a variance. There may, however, be circumstances/conditions that the applicant could explain at the public hearing that demonstrate that such variances are now necessary to allow the reasonable use of the land.

6. *That approval of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare*

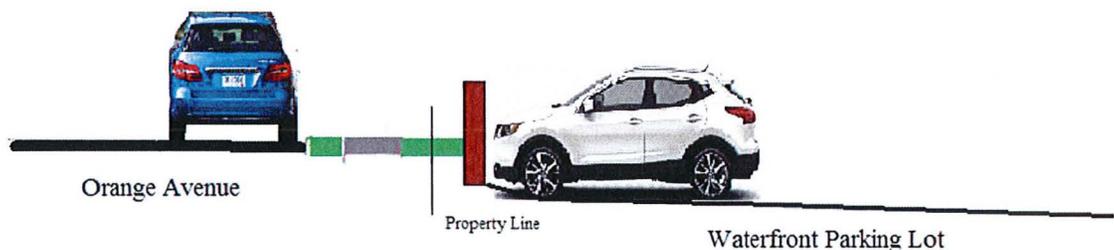
Whereas this request presents an opportunity to improve the Waterfront property and the entrance into the City, staff has concerns relative to maintaining the public's safety and general welfare.

The applicant is proposing to mitigate the insufficient parking onsite with valet parking at the Car Bar located on the opposite side of Orange Avenue, approximately 2/10 mile north of the Waterfront property. The narrow sidewalks along Orange Avenue, the lack of established pedestrian crosswalks to facilitate a safe pedestrian Orange Avenue crossing, and the lack of street lighting along this segment of Orange Avenue creates pedestrian safety issues, not only for the employees and valet, but also likely for those patrons choosing to walk to and from the off-site lot.

Staff is also concerned with the requested narrow buffer's inconsistency with the City's Orange Avenue beautification efforts. Reality of this vision is in the public's health and general welfare.

Mitigative measures could be employed to ensure some consistency with the City's Orange Avenue vision if the reduced buffer width is approved. For example, the applicant is proposing a retaining wall along most of the parking lot along Orange Avenue. A landscaped wall along the entire parking lot frontage could work toward the Orange Avenue vision; staff would recommend the following.

- The height of the wall shall be 4 feet above the road grade, opaque, and with brick façade facing Orange Avenue.



- Brick columns spaced at a maximum of 20 feet on center shall be incorporated into the wall design, with the maximum height of the columns being 4 feet 9 inches.
- The location of street wall shall meet the standards outlined in the most current FDOT Florida Green Book.
- The pedestrian access sidewalk through the wall, connecting to the public sidewalk, shall be ADA compliant.
- The understory/small trees shall be a minimum of seven feet in height and have at least a three-inch caliper at planting.
- The shrubs shall be at least 24 inches high at planting of a species capable of growing to 36 inches in height within 18 months, and spaced to achieve a continuous hedge at maturity. The minimum height that the hedge shall be maintained is 36 inches, with the maximum equal to the height of the wall.
- In addition to the required hedge and trees, low-maintenance, drought tolerant ground cover shall be used for buffer areas without hedges and trees or pavement

Placement of the understory trees could also provide some consistency with the City's Orange Avenue vision. The Conceptual Landscape Plan shows clusters of understory trees in the road/parking lot buffer. The plan also shows High Rise Oaks within ± 12 feet from the Orange Avenue right-of-way/western property line. These trees are fulfilling the Code requirement of one shade tree within parking row breaks. The clustering of the understory trees between the shade trees can help to provide somewhat consistent landscaping envisioned for the Orange Avenue corridor.

RECOMMENDATION

Comments from the applicant addressing staff's concerns need to be heard before a recommendation for approval can be made.

Staff would recommend that if P&Z recommends approval of the variances, at least the following condition be attached to the approval: Construction of a wall meeting the following standards is required where the parking lot is within seven (7) feet of the Orange Avenue right-of-way line.

- The height of the wall shall be 4 feet above the road grade, opaque, and with brick façade facing Orange Avenue.
- Brick columns spaced at a maximum of 20 feet on center shall be incorporated into the wall design, with the maximum height of the columns being 4 feet 9 inches.
- The location of street wall shall meet the standards outlined in the most current FDOT Florida Green Book.
- The pedestrian access sidewalk through the wall, connecting to the public sidewalk, shall be ADA compliant.
- The understory/small trees shall be a minimum of seven feet in height and have at least a three-inch caliper at planting.

- The shrubs shall be at least 24 inches high at planting of a species capable of growing to 36 inches in height within 18 months, and spaced to achieve a continuous hedge at maturity. The minimum height that the hedge shall be maintained is 36 inches, with the maximum equal to the height of the wall.
- In addition to the required hedge and trees, low-maintenance, drought tolerant ground cover shall be used for buffer areas without hedges and trees or pavement

COURTESY SITE PLAN REVIEW COMMENTS

Whereas the submitted site plan was reviewed in connection with analyzing the request for variances, a formal review of the site plan will not take place until the site plan is submitted through the City's commercial site plan review process. The following identifies some issues that the applicant should consider prior to formally submitting the site plan. It should be noted that in no way do the following comments reflect all the comments that may be generated upon a formal site plan review.

Protection of the Existing Large Trees

Constructing the parking lot in proximity to the 44 inch diameter tree could be detrimental to the tree's life. Protection measures will be necessary such as the use of compact car spaces in proximity to the tree (16 feet length stalls vs. 18 or 20 feet), narrowing the drive aisle, to move the parking as far as possible to protect the tree's root system, or the use of pervious materials. Review of code requirements is advised when choosing the protection measures as additional variances may be necessary.

ESH

Appendices

Aerial Photo Waterfront 1954

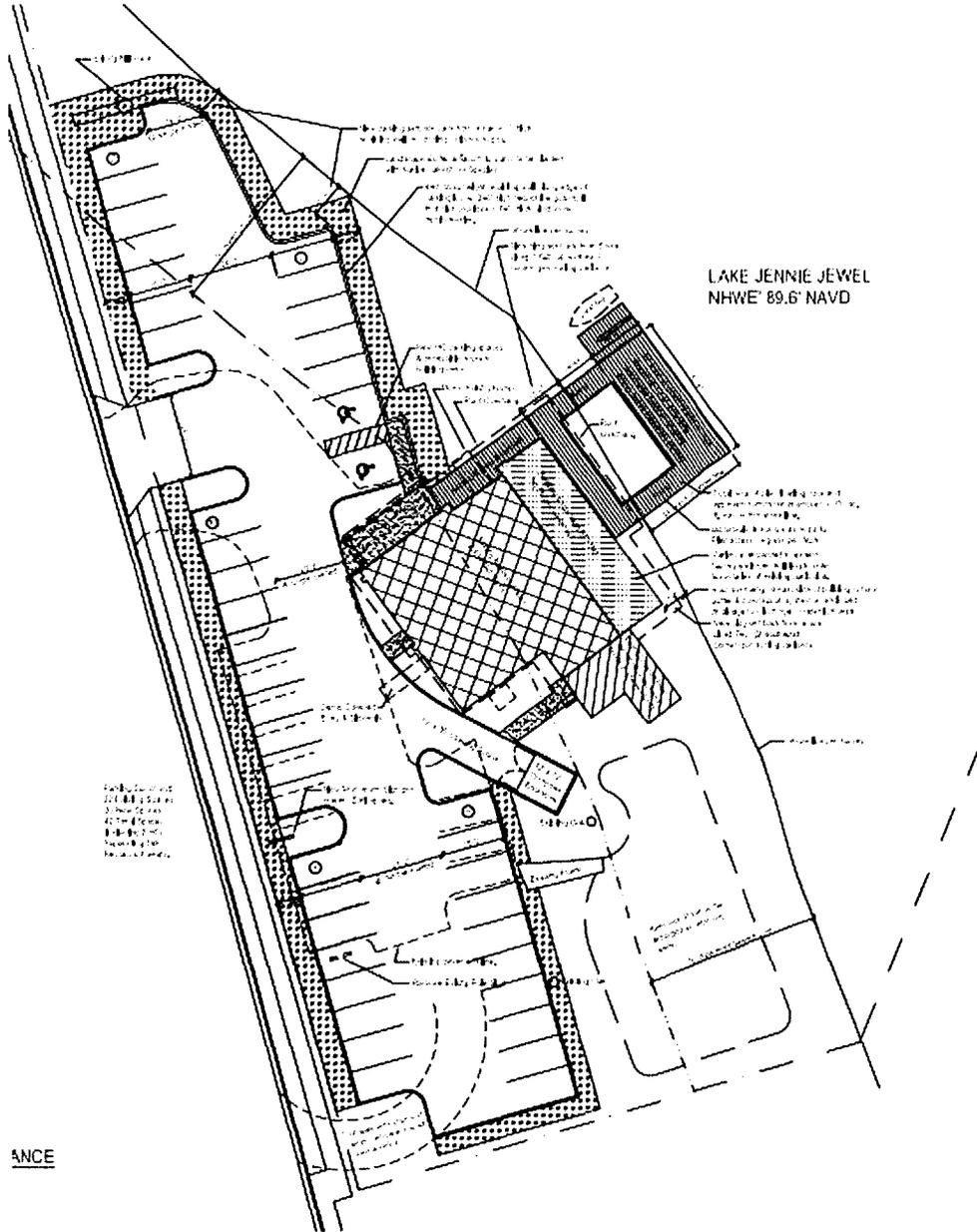
Aerial Photo Waterfront 1969

Aerial Photo Waterfront 1980

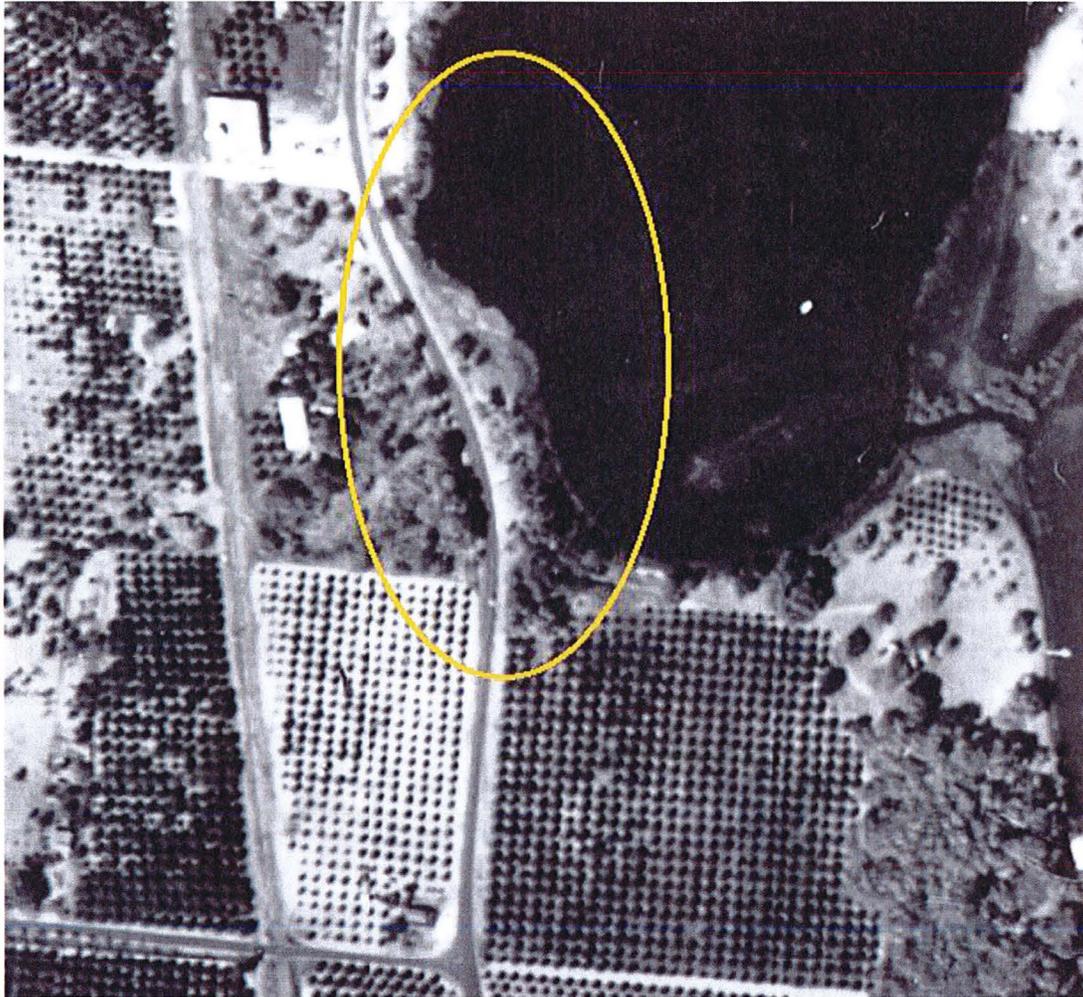
Site Plan Submitted by Previous Potential Buyer

APPENDIX

Site Plan Submitted by Previous Potential Buyer

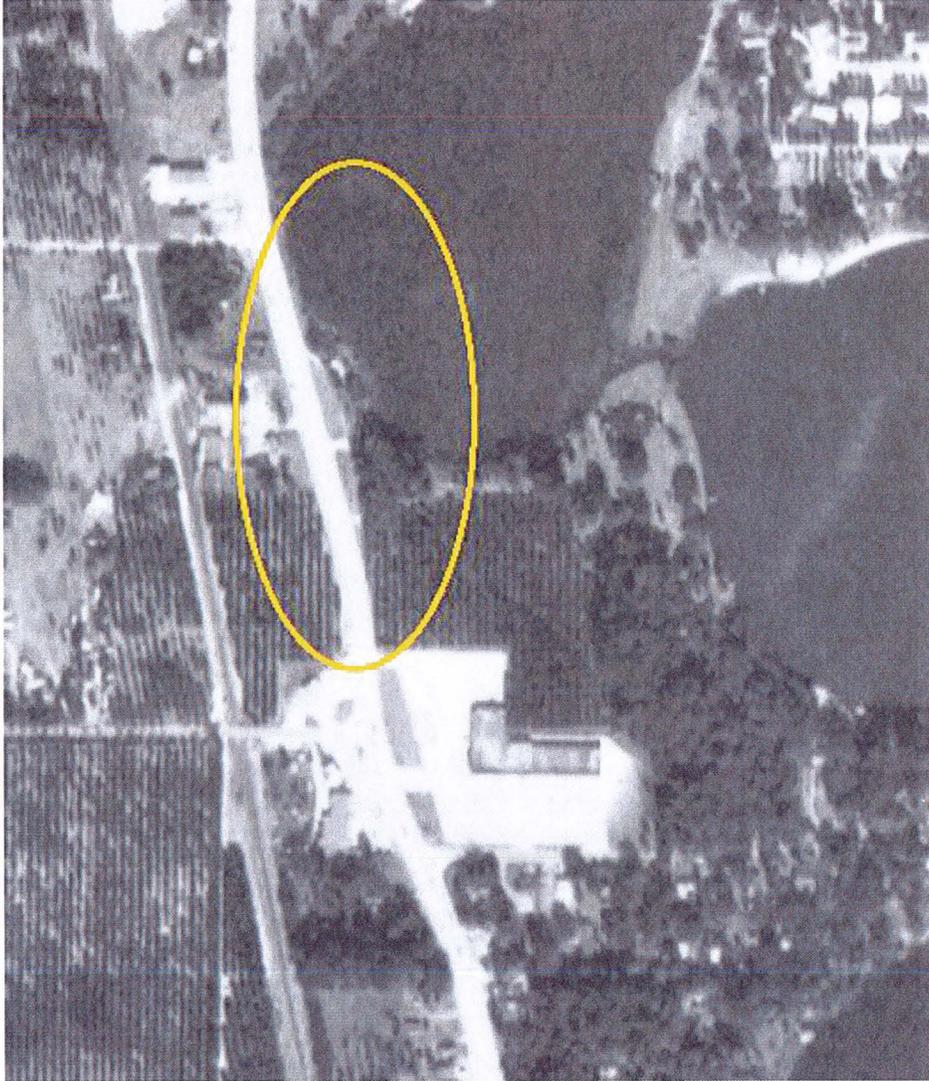


Waterfront Property 1954



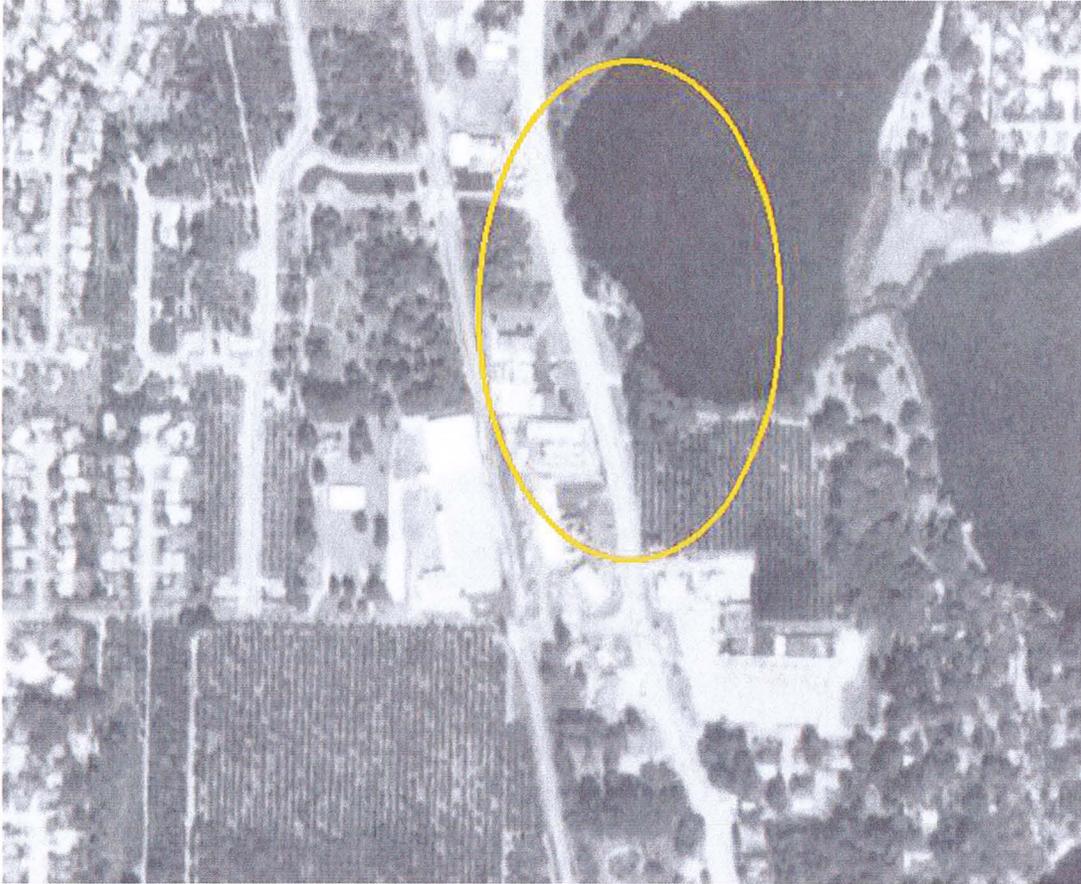
Source: University of Florida

Waterfront Property - 1969

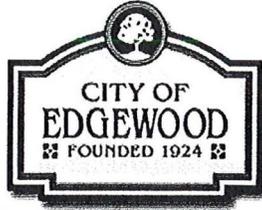


Source: University of Florida

Waterfront Property - 1980



Source: University of Florida



APPLICATION FOR VARIANCE

Reference: City of Edgewood Code of Ordinances, Section 126-588

REQUIRED FEE: \$350 RESIDENTIAL \$750 COMMERCIAL

(+Applicable Pass-Through Fees - Ordinance 2013-01)

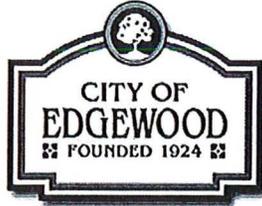
Please note this fee is non-refundable

VARIANCE APPLICATION #:	2018-Var-10
PLANNING AND ZONING MEETING DATE:	1/14/2019
CITY COUNCIL MEETING DATE:	2/19/2018

IMPORTANT: A COMPLETE application with all required attachments and ten (10) copies must be submitted to the City Clerk 10 days before the next Planning & Zoning meetings. No application shall be deemed accepted unless it is complete and paid for. Notarized letter of authorization from Owner MUST be submitted if application is filed by anyone other than property owner.

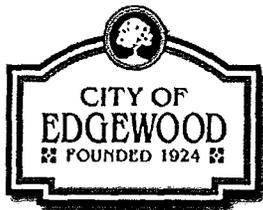
Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

Applicant's Name:	Stephen Allen, P.E.	Owner's Name:	Loch Investments, LLC
Address:	630 N. Wymore Rd #310 Maitland, FL 32751	Address:	4201 S. Orange Avenue Edgewood, FL 32806
Phone Number:	407-516-0437	Phone Number:	407-963-6978
Fax:		Fax:	
Email:	sallen@civilcorpeng.com	Email:	Ryan.stepup@gmail.com
Legal Description:	COMM SW COR OF SEC RUN N 852.61 FT S 89 DEG E 330 FT S 74 DEG W 60.74 FT TO E R/W ST RD 527 & POB TH N 74 DEG E 154.54 FT N 22 DEG E 480 FT M/L TO N LINE OF SW1/4 OF SW1/4 W TO E R/W ST RD 527 S 16 DEG E TO POB IN SEC 12-23-29		
Zoned:	C-1		
Location:	4201 S. Orange Avenue Edgewood, FL 32806		
Tract Size:	3.37 acre		
City section of the Zoning Code from which Variance is requested:	Sec 134-605 (a)(19)		
Request:	to allow for 1 parking space for each 4 seats in lieu of 1 parking space for each 4 seats plus one space for each 75 square feet of floor area to provide for patron use which does not contain fixed seats		
Existing on Site:			



The applicant hereby states that this request for Variance does not violate any deed restrictions on the property.
Application must be signed by the legal owner, not agent, unless copy of power of attorney is attached.

To justify this variance, applicant must demonstrate the following:					
<ol style="list-style-type: none"> 1. That special condition and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or building in the same zoning classification 2. the special conditions and circumstances do no result from the action of the applicant 3. literal interpretation or enforcement of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification under the terms of the Ordinance 4. the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible for the regulation at issue 5. the variance sought will not authorize or extend any non-conforming use or other non-conformity with respect to the land or structures in questions 6. the granting of the variance will be in harmony with the general intent and purpose of this Ordinance, will not be injurious to the area involved, or surrounding properties, and will no authorize a use of the property not permitted by its zoning classification 7. the variance sought will be consistent with the Edgewood Comprehensive Plan 					
Applicant must agree that:					
<ol style="list-style-type: none"> 1. In granting any variance, the City may prescribe appropriate conditions and safeguards in conformity with the Ordinances, and any regulations enacted under its authority. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of Edgewood ordinances. 					
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; padding: 2px;">AGREE:</td> <td style="width: 50%; text-align: center; padding: 2px;"><i>SA</i></td> <td style="width: 25%; padding: 2px;">DISAGREE:</td> <td style="width: 25%;"></td> </tr> </table>	AGREE:	<i>SA</i>	DISAGREE:		
AGREE:	<i>SA</i>	DISAGREE:			
<ol style="list-style-type: none"> 2. The variance recommended by the Planning and Zoning Board and approved by the City Council shall expire in 12 months in accordance with Chapter 134-104 (3) (e). 					
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AGREE:	<i>SA</i>	DISAGREE:			
The applicant hereby states that the above request for Variance does not violate any deed restrictions on the property.					
Applicant's Signature:	<i>SA</i> Date: <i>12/11/2018</i>				
Applicant's Printed Name:	STEPHEN ALLEN				
Owner's Signature:	Date:				
Owner's Printed Name:					



Please submit your completed application to City Hall via email at bmeeks@edgewood-fl.gov or srepp@edgewood-fl.gov, via facsimile to 407-851-7361, or hand deliver to City Hall located at 405 Larue Ave. For additional questions, please contact City Hall at 407-851-2920.

Office Use Only:	
Variance #:	2018-10
Received Date:	10/11/2018
Received By:	S. Ruppel
Forwarded To:	
Notes:	

December 3, 2018

City of Edgewood
Planning and Zoning Board
405 Larue Ave
Edgewood, FL 32809

Re: The Waterfront
4201 S Orange Ave

Offsite Parking

The following narrative addresses the six standards of approval for a Zoning Variance to Sec 134-605 (a)(19) to allow for 1 parking space for each 4 seats in lieu of 1 parking space for each 4 seats plus on space for each 75 square feet of floor area provided for patron us which does not contain fixed seats, pursuant to City Code Section 134-104(3)(b):

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district. That the special conditions and circumstances do not result from the actions of the applicant.
Existing conditions, built in 1956, have only 12 parking stalls and 19 are required per the parking per code for the existing Occupant load of 75 people. The Applicant is asking to increase occupant code to 150 and plan to increase parking to 42 stalls, which includes 2 handicapped stalls. The applicant understands this is not fully going to fulfill the large crowds during special events, holidays, etc. The existing conditions and unique circumstances limit the use of the land for parking. The site has the Lake on the East side that has the existing building 20' from the highwater line and a very distance to Orange Avenue right-of-way line. There is currently an agreement with the Car Bar to allow for an additional 40 spaces to be provided for staff and valet parking.
2. That the special conditions and circumstances do not result from the actions of the applicant.
As noted above, the site was built in 1956 with very unique circumstances surrounding the property. The applicant is improving the site in other areas, such as replacing the septic tank with a lift station, to maximize the parking with what land is available.
3. That approval of the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same zoning district.
Under the unique shape and circumstances of the land, the variance requested would not confer on the applicant any special privileges that is denied to other lands in the same zoning district.

The applicant would gladly add the additional parking required by Sec 134-605 (a)(19) if it were physically possible.

4. That literal interpretation of the provisions contained in this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

The literal interpretation of the code would deprive the applicant rights commonly enjoyed by the applicant because of the existing conditions of the land. By taking out a portion of the code, 1 space per 75 square feet of floor area provided for patron us which does not contain fixed seats, the applicant will be able to provide 1 space per every 4 seats.

5. That the variance approved is the minimum variance that will make possible the reasonable use of the land, building or structure.

The requested variance is the minimum variance that would allow the reasonable use of the land due to the unique conditions. The applicant would gladly add the additional parking required by Sec 134-605 (a)(19) if it were physically possible.

6. That approval of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Since we are making a request based on existing conditions, we feel that this variance will be in harmony with the general intent and purpose the code.

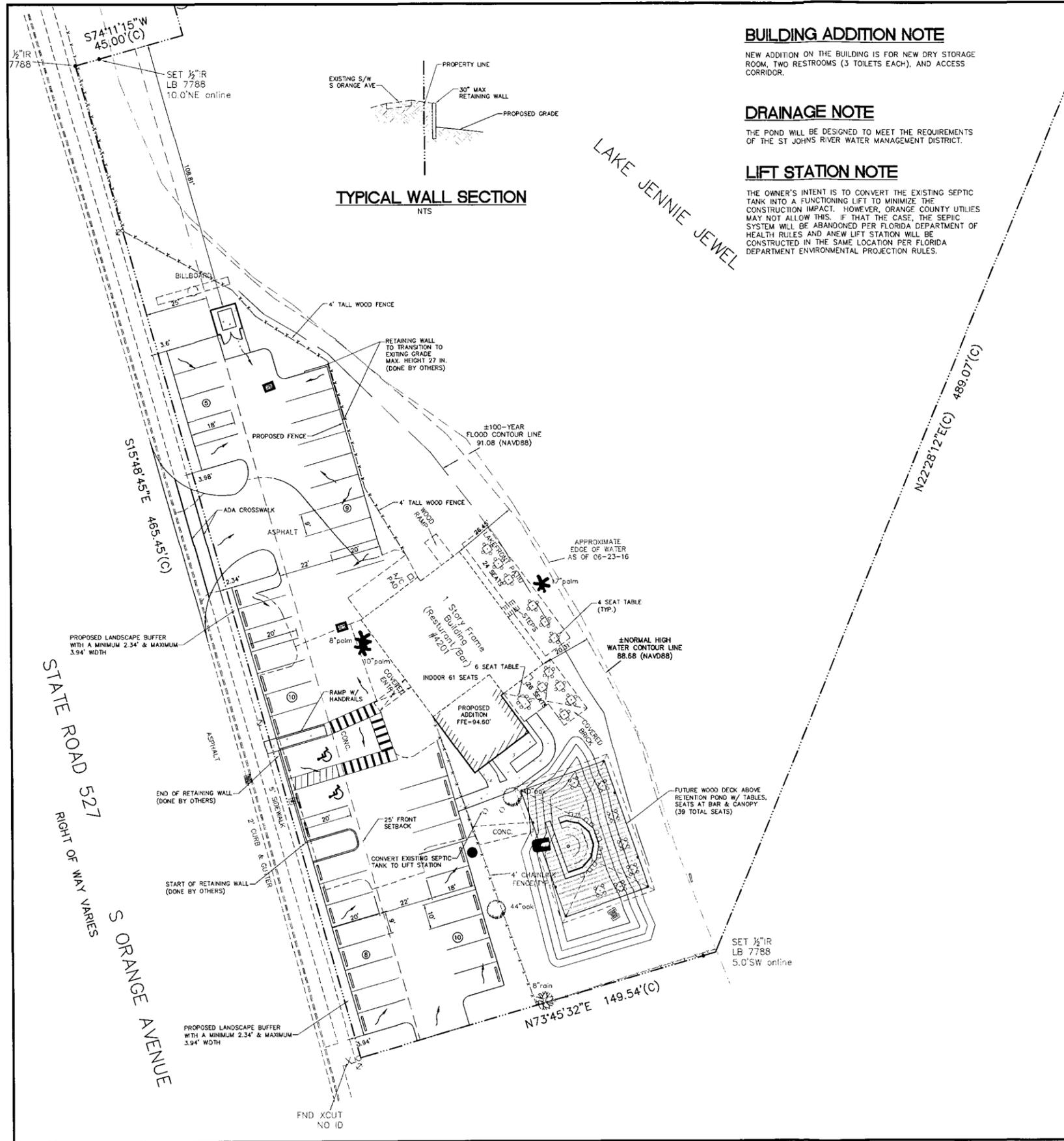
The applicant has an agreement with the Car Bar at 3862 S Orange Ave to allow for 40 parking spaces to be used for staff and valet parking. This would allow the applicant to double their current parking offsite.

Should you have any questions or comments, please give me a call.

Sincerely,
CivilCorp Engineering, Inc.



Stephen Allen, PE #59994
President



BUILDING ADDITION NOTE

NEW ADDITION ON THE BUILDING IS FOR NEW DRY STORAGE ROOM, TWO RESTROOMS (3 TOILETS EACH), AND ACCESS CORRIDOR.

DRAINAGE NOTE

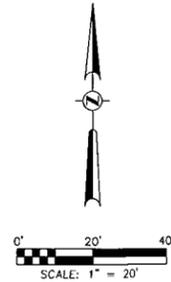
THE POND WILL BE DESIGNED TO MEET THE REQUIREMENTS OF THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT.

LIFT STATION NOTE

THE OWNER'S INTENT IS TO CONVERT THE EXISTING SEPTIC TANK INTO A FUNCTIONING LIFT TO MINIMIZE THE CONSTRUCTION IMPACT. HOWEVER, ORANGE COUNTY UTILITIES MAY NOT ALLOW THIS. IF THAT THE CASE, THE SEPIC SYSTEM WILL BE ABANDONED PER FLORIDA DEPARTMENT OF HEALTH RULES AND ANEW LIFT STATION WILL BE CONSTRUCTED IN THE SAME LOCATION PER FLORIDA DEPARTMENT ENVIRONMENTAL PROJECTION RULES.

SITE LEGEND

- SITE BOUNDARY LINE
- CENTER LINE OF ROAD
- EASEMENT LINE
- EXISTING EDGE OF PAVEMENT
- PROPOSED CONCRETE PAVEMENT
- PROPOSED ASPHALT
- SIDEWALK
- LINEAR FEET
- SQUARE FEET
- HANDICAP PARKING
- HANDICAP
- TYPICAL
- 5' RADIUS
- # PARKING SPACES



PARKING COUNT

REQUIRED FOR RESTAURANT: 1 SPACE PER 4 SEATS + 1 SPACE PER EACH 75 SQUARE FEET OF FLOOR AREA PROVIDED FOR PATRON USE WHICH DOES NOT CONTAIN FIXED SEATS (MIN. 4 SPACES)

* VARIANCE SOUGHT FOR 1 SPACE FOR EACH 75 SQUARE FEET OF FLOOR AREA PROVIDED FOR PATRON USE WHICH DOES NOT CONTAIN FIXED SEATS

150 SEATS/4=38 PARKING SPACES + 4 MIN. = 42 PARKING SPACES

PROPOSED: (2) 90' HANDICAP PARKING SPACES + (40) 90' PARKING SPACES = 42 PARKING SPACES

SEATING COUNT

RESTAURANT WILL HAVE 150 SEATS TOTAL, 61 WILL BE INSIDE THE RESTAURANT 24 WILL BE ON LAKEFRONT PATIO, 26 WILL BE ON THE COVERED BRICK PATIO, AND 39 WILL OUTDOOR ON A WOOD DECK OVER RETENTION POND.

LEGAL DESCRIPTION

FROM THE SOUTHWEST CORNER OF SECTION 12, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, RUN NORTH 00°22'10" EAST 10.06 CHAINS ALONG THE WEST BOUNDARY OF SAID SECTION 12; THENCE SOUTH 89°22'20" EAST 5 CHAINS; THENCE NORTH 00°22'10" EAST 188.65 FEET ALONG A LINE 330 FEET EAST OF AND PARALLEL WITH THE SAID WEST BOUNDARY OF SECTION 12 FOR THE POINT OF BEGINNING; RUN THENCE NORTH 73°47'20" EAST 93.80 FEET; THENCE NORTH 22°30' EAST 486 FEET, MORE OR LESS, TO A POINT ON THE NORTH BOUNDARY OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 12; THENCE WESTERLY 473 FEET, MORE OR LESS, ALONG SAID NORTH BOUNDARY TO A POINT ON THE EXISTING EASTERLY RIGHT OF WAY LINE OF STATE ROAD 527 (ORANGE AVENUE), SAID RIGHT OF WAY LINE BEING ON THE ARC OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 2252.01 FEET; RUN THENCE SOUTHEASTERLY 47 FEET, MORE OR LESS, ALONG THE ARC OF SAID CURVE TO THE END OF SAID CURVE; RUN THENCE SOUTH 15°46'57" EAST 465.45 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE TO A POINT SOUTH 73°47'20" WEST OF THE POINT OF BEGINNING; RUN THENCE NORTH 73°47'20" EAST 60.74 FEET TO THE POINT OF BEGINNING. LESS ALL THAT PART WITHIN RIGHT OF WAY OF STATE ROAD 527.

AND

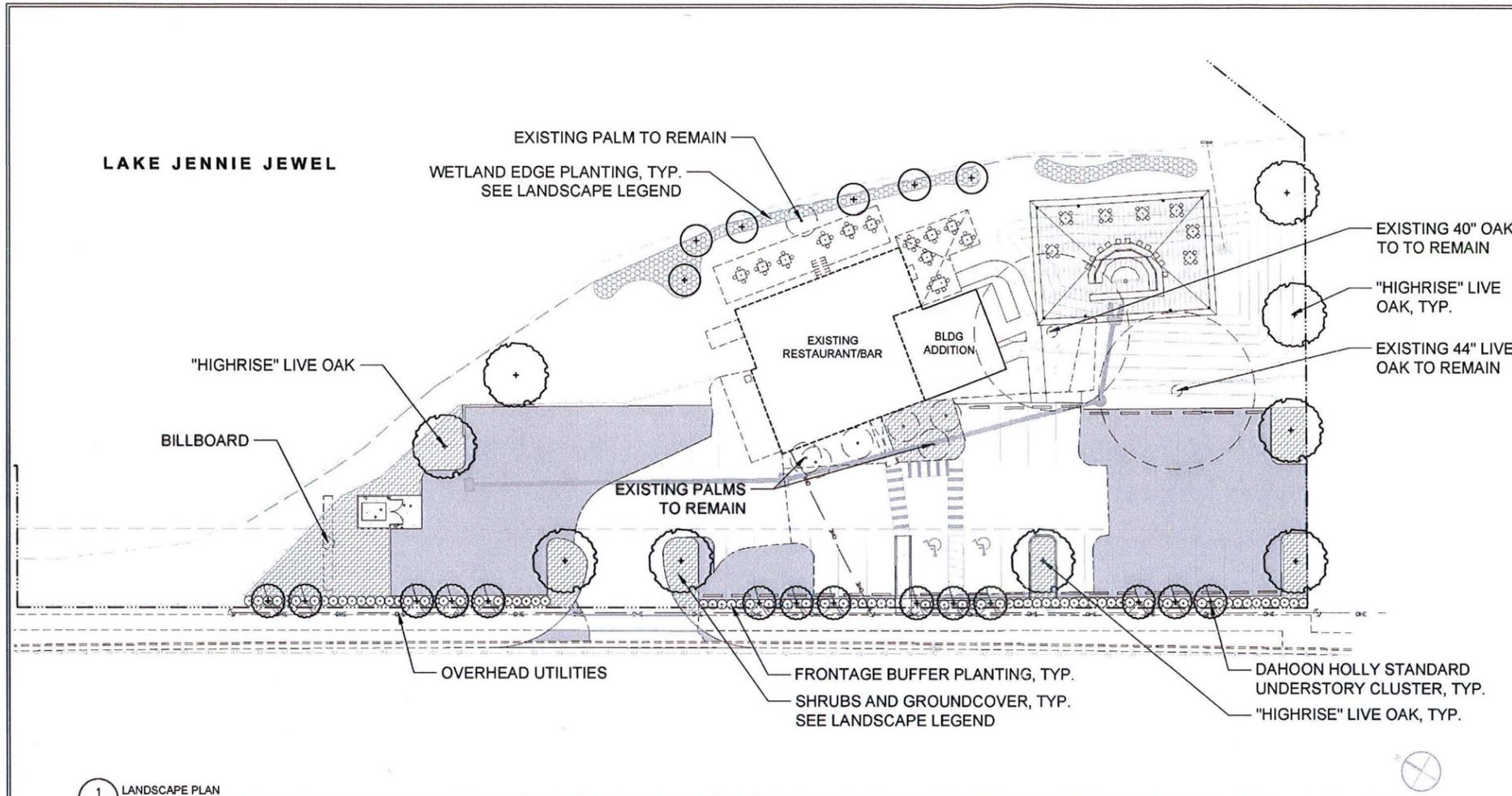
THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE ON THE SOUTH LINE OF SECTION 12, TOWNSHIP 23 SOUTH, RANGE 29 EAST AT A POINT 470.63 FEET NORTH 89°33'13" EAST OF THE SOUTHWEST CORNER OF SAID SECTION 12; THENCE RUN NORTH 16°14'47" WEST A DISTANCE OF 830.54 FEET; THENCE RUN NORTH 73°45'13" EAST A DISTANCE OF 45 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 73°45'13" EAST A DISTANCE OF 58.37 FEET TO A POINT ON A CURVE CONCAVE TO THE SOUTHWESTERLY AND HAVING A RADIUS OF 849.02 FEET AND A CHORD BEARING OF NORTH 25°46'09" WEST; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°13'16" A DISTANCE OF 225.42 FEET; THENCE RUN NORTH 33°22'47" WEST A DISTANCE OF 71.84 FEET; THENCE RUN SOUTH 16°14'47" EAST A DISTANCE OF 290.44 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT FROM ALL OF THE ABOVE:

THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE ON THE SOUTH LINE OF SECTION 12, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, AT A POINT 470.63 FEET NORTH 89°33'13" EAST OF THE SOUTHWEST CORNER OF SAID SECTION 12; THENCE RUN NORTH 16°14'47" WEST A DISTANCE OF 1137.20 FEET; THENCE RUN NORTH 73°45'13" EAST A DISTANCE OF 40 FEET FOR THE POINT OF BEGINNING; THENCE RUN SOUTH 33°22'47" EAST A DISTANCE OF 16.97 FEET; THENCE RUN NORTH 16°14'47" WEST A DISTANCE OF 112.61 FEET; THENCE RUN NORTH 73°45'13" EAST A DISTANCE OF 45 FEET; THENCE RUN NORTH 16°14'47" WEST A DISTANCE OF 52.03 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE EASTERLY AND HAVING A RADIUS OF 2202.01 FEET, AND A CHORD BEARING OF NORTH 15°33'29" WEST; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°22'37" A DISTANCE OF 52.91 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 88°34'39" WEST A DISTANCE OF 51.38 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE WESTERLY AND HAVING A RADIUS OF 2252.01 FEET AND A CHORD BEARING OF SOUTH 15°24'21" EAST; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°40'51" A DISTANCE OF 68.06 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 16°14'47" EAST A DISTANCE OF 10.03 FEET; THENCE RUN NORTH 73°45'13" EAST A DISTANCE OF 40 FEET; THENCE RUN SOUTH 16°14'47" EAST A DISTANCE OF 22 FEET; THENCE RUN SOUTH 73°45'13" WEST A DISTANCE OF 40 FEET; THENCE RUN SOUTH 16°14'47" EAST A DISTANCE OF 116.39 FEET TO THE POINT OF BEGINNING.

<table border="1"> <tr> <th>REVISED PER CITY COMMENTS</th> <th>DATE</th> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <th>REVISED PER OWNER</th> <th>DATE</th> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <th>REVISED PER CITY COMMENTS</th> <th>DATE</th> </tr> <tr> <td> </td> <td> </td> </tr> </table>	REVISED PER CITY COMMENTS	DATE			REVISED PER OWNER	DATE			REVISED PER CITY COMMENTS	DATE			<table border="1"> <tr> <td>Drawn By</td> <td>DEF</td> </tr> <tr> <td>Date</td> <td>07/02/2018</td> </tr> </table>	Drawn By	DEF	Date	07/02/2018
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JWB ARCHITECTS 																	
THE WATERFRONT 4201 S. ORANGE AVE, EDGEWOOD FL																	
SITE PLAN																	
PROJECT NAME	SHEET NAME																
SHEET NO. C-1																	

DATE:	2018-12-03
DRAWN BY:	KMD
REVIEWED BY:	KMD
JOB NUMBER:	201809
REVISION	DATE



LANDSCAPE LEGEND:

- QV: HIGHRISE LIVE OAK CANOPY TREE, 50' O.C. FOR USE IN VEHICULAR USE AREAS
- IC: DAHOON HOLLY STANDARD UNDERSTORY TREE FOR USE ALONG STREETSCAPE WHERE SPACE LIMITATIONS RESTRICT USE OF CANOPY TREES
- SP: SABAL PALM UNDERSTORY TREE FOR USE NEAR BUILDING AND IN USER AREAS
- DWARF WALTER'S VIBURNUM HEDGE BUFFER PLANTING FOR USE IN AREAS WHERE BUFFER IS REQUIRED
- WETLAND EDGE PLANTING FOR USE ALONG EDGE OF LAKE TO AID IN THE FILTRATION OF GROUNDWATER RUNOFF
FAKAHATCHEE GRASS
CANNA LILY
TWIN FLOWER
- SHRUBS AND GROUNDCOVER
FAKAHATCHEE GRASS
WALTER'S VIBURNUM
FIREBUSH
COONTIE
LIRIOPE
PERENNIAL PEANUT
- EXISTING TREE TO REMAIN

NOTE:
DUE TO EXISTING PAVEMENT CONDITIONS AND EXISTING OVERHEAD UTILITIES, THERE IS NOT ADEQUATE SPACE ALONG ORANGE AVENUE TO PLANT LARGE CANOPY TREES.

PER SECTION 114-4 OF CITY OF EDGEWOOD DEVELOPMENT CODE, UNDERSTORY TREES MAY BE USED IN LIEU OF CANOPY TREES IN THE EVENT THAT A REQUIRED BUFFER IS WITHIN 10' OF AN OVERHEAD UTILITY AT A RATE OF 1 TREE PER 25 LINEAR FEET.

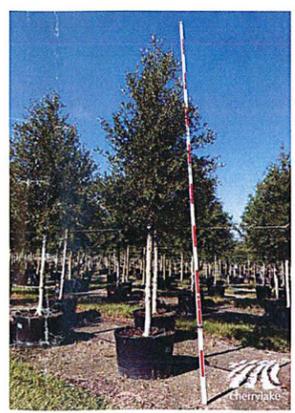
345 LINEAR FEET = 14 UNDERSTORY TREES
 (14) UNDERSTORY TREES PROVIDED ALONG ORANGE AVENUE
 (9) CANOPY TREES PROVIDED INTERNAL TO THE SITE
 (6) PALM TREES PROVIDED ALONG WETLAND BUFFER

1 LANDSCAPE PLAN
SCALE: 1" = 20'-0"

SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	SPECIFICATION
TREES				
IC	14	<i>Ilex cassine 'Nativa'</i>	Dahoon Nativa CT	45 gal., Clear Trunk STD, 10'-11' ht., 4' spd., 2.75" cal., CherryLake Nursery
SP	6	<i>Sabal palmetto</i>	Sabal Palm	B&B, 8'-16' CT, regenerated head, slick
QV	9	<i>Quercus virginiana 'Highrise'</i>	Highrise Live Oak	100 gal., 12'-13' ht., 7'-8' spd., 3.5" cal., CherryLake Nursery
SHRUBS AND GROUNDCOVER				
AG		<i>Arachis glabrata 'Ecoturf'</i>	Ecoturf Perennial Peanut	1 gal., lush, 24" O.C.
FK		<i>Tripsacum floridanum</i>	Dwarf Fakahatchee Grass	3 gal., full, 36" O.C.
HP		<i>Hamelia patens 'Firefly'</i>	Dwarf Firebush	3 gal., 12-18" ht., 30" O.C.
LM		<i>Liriope muscari 'Big Blue'</i>	Lily Turf	1 gal., lush, 15" O.C.
WV		<i>Viburnum obovatum 'Mrs. Schiller's Delight'</i>	Dwarf Walter's Viburnum	3 gal., 18" ht., full, 36" O.C.
ZP		<i>Zamia pumila</i>	Coontie	3 gal., 12"-18" ht., full and lush, 36" O.C.
WETLAND EDGE PLANTING				
CF		<i>Canna flaccida</i>	Canna Lily	3 gal., lush, 24" O.C.
DH		<i>Dyschoriste humistrata</i>	Swamp Twinflower	1 gal., 12" O.C.
FK		<i>Tripsacum floridanum</i>	Dwarf Fakahatchee Grass	3 gal., full, 36" O.C.
MISCELLANEOUS				
MULCH			Mini Pine Bark Nuggets	2" thickness

2 PLANT LIST
SCALE: 1" = 20'-0"

HIGHRISE LIVE OAK
QUERCUS VIRGINIANA 'HIGHRISE'
CHERRYLAKE NURSERY, 3.5" CAL.



DAHOON NATIVA CT
ILEX CASSINE 'NATIVA'
CHERRYLAKE NURSERY, 2.75" CAL.



SABAL PALM, REGENERATED HEAD
SABAL PALMETTO
GRIFFIN TREES NURSERY



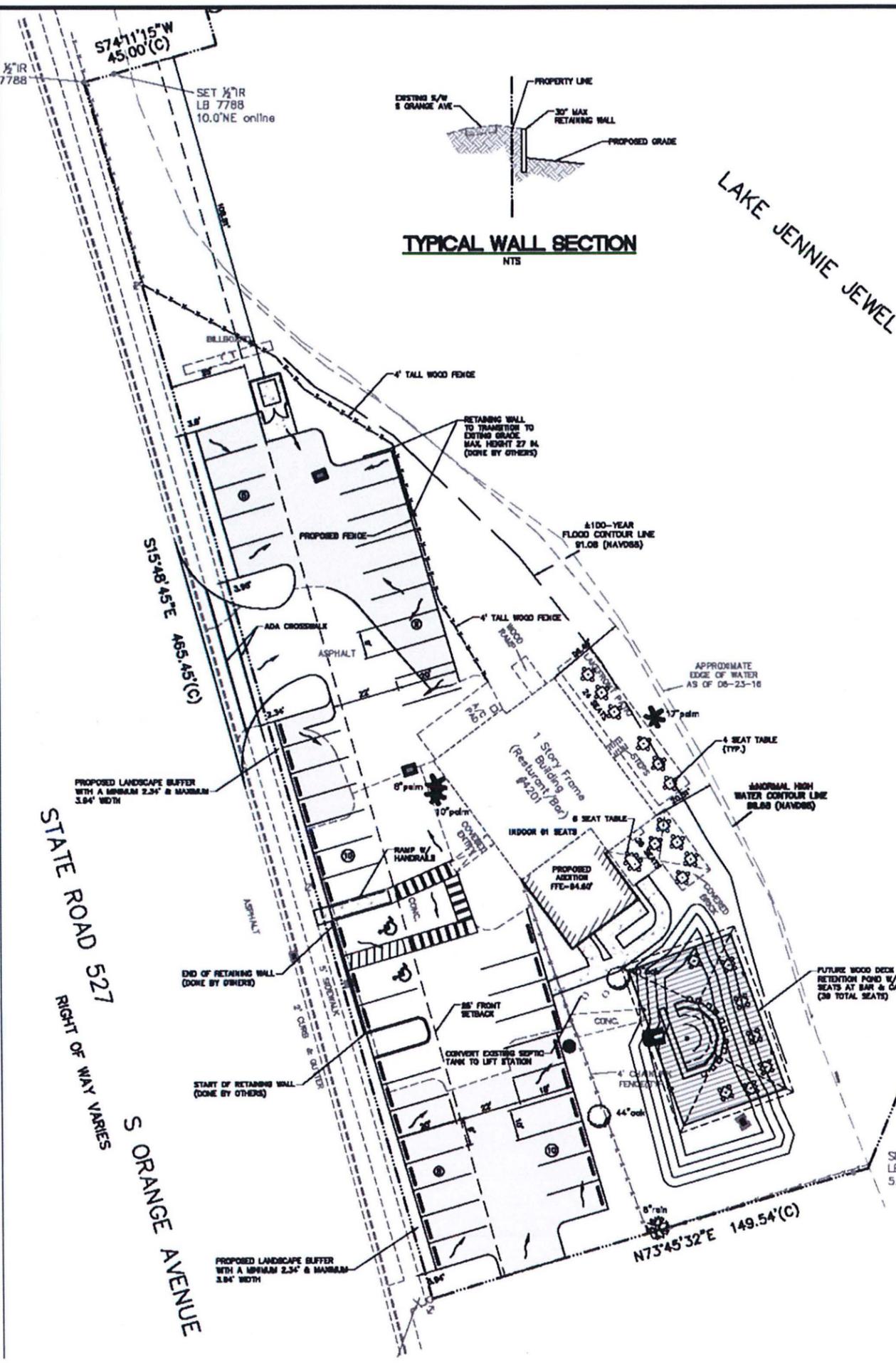
3 TREE IMAGES
L1.00
N.T.S.

THE WATERFRONT
4201 S. ORANGE AVENUE, EDGEWOOD, FLORIDA
JWB ARCHITECTS



CODE LANDSCAPE PLANS
CONCEPTUAL LANDSCAPE PLAN

SHEET NUMBER
L1.00



BUILDING ADDITION NOTE

NEW ADDITION ON THE BUILDING IS FOR NEW DRY STORAGE ROOM, TWO RESTROOMS (3 TOILETS EACH), AND ACCESS CORRIDOR.

DRAINAGE NOTE

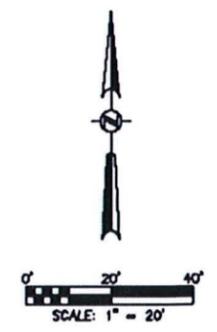
THE POND WILL BE DESIGNED TO MEET THE REQUIREMENTS OF THE ST JOHNS RIVER WATER MANAGEMENT DISTRICT.

LIFT STATION NOTE

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SITE LEGEND

- SITE BOUNDARY LINE
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- EASEMENT LINE
- EXISTING EDGE OF PAVEMENT
- PROPOSED CONCRETE PAVEMENT
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- SIDEWALK
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- HANDICAP
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- 5' RADIUS
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PARKING COUNT

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150 SEATS/4=38 PARKING SPACES + 4 MIN. = 42 PARKING SPACES
 PROPOSED: (2) 90' HANDICAP PARKING SPACES + (40) 90' PARKING SPACES = 42 PARKING SPACES

SEATING COUNT

RESTAURANT WILL HAVE 150 SEATS TOTAL, 81 WILL BE INSIDE THE RESTAURANT 24 WILL BE ON LAKEFRONT PATIO, 28 WILL BE ON THE COVERED BRICK PATIO, AND 39 WILL OUTDOOR ON A WOOD DECK OVER RETENTION POND.

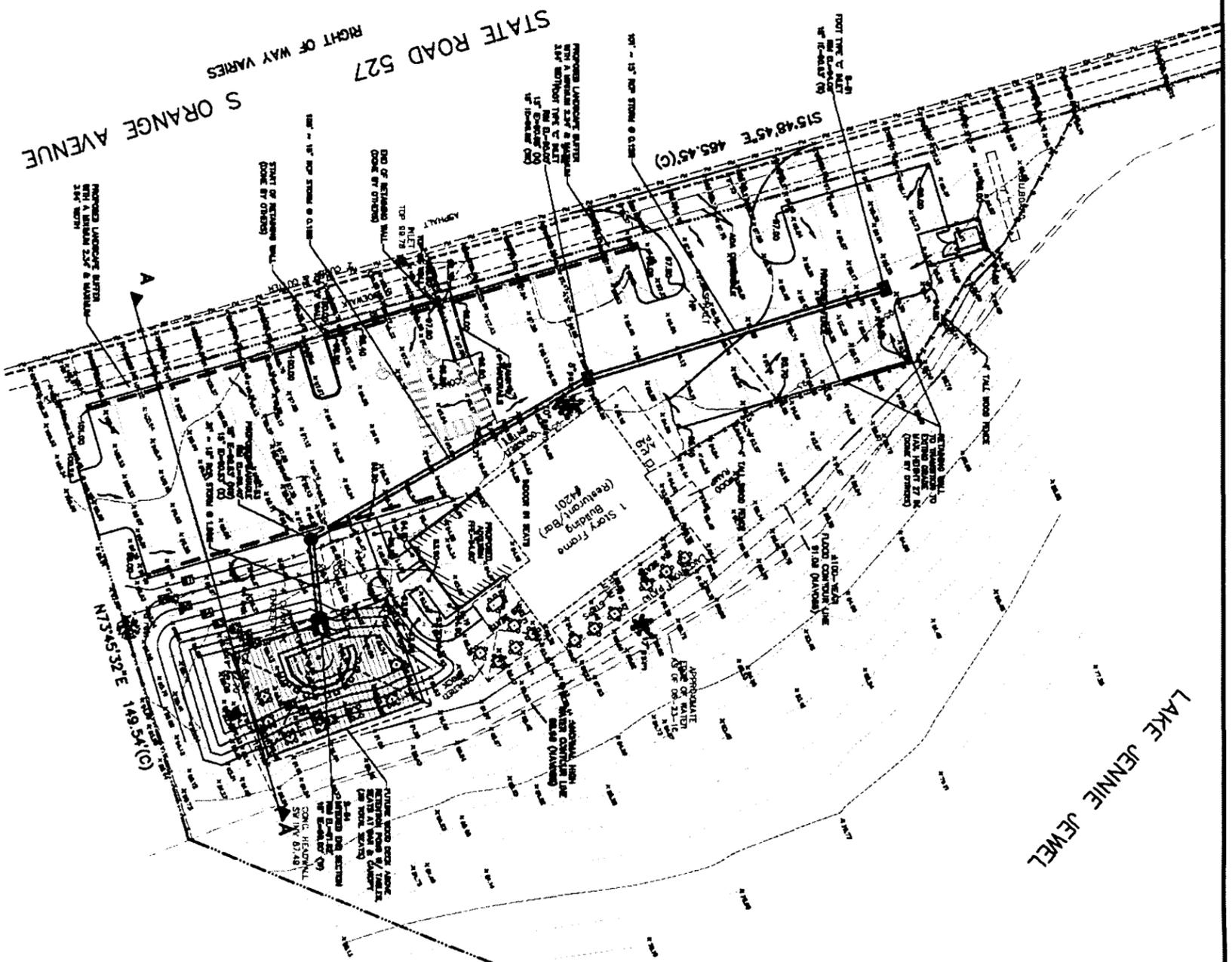
LEGAL DESCRIPTION

FROM THE SOUTHWEST CORNER OF SECTION 12, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, RUN NORTH 00°22'10" EAST 10.08 CHAINS ALONG THE WEST BOUNDARY OF SAID SECTION 12; THENCE SOUTH 89°22'20" EAST 8 CHAINS; THENCE NORTH 00°22'10" EAST 188.85 FEET ALONG A LINE 330 FEET EAST OF AND PARALLEL WITH THE SAID WEST BOUNDARY OF SECTION 12 FOR THE POINT OF BEGINNING; RUN THENCE NORTH 73°47'20" EAST 93.80 FEET; THENCE NORTH 22°30' EAST 488 FEET, MORE OR LESS, TO A POINT ON THE NORTH BOUNDARY OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 12; THENCE WESTERLY 473 FEET, MORE OR LESS, ALONG SAID NORTH BOUNDARY TO A POINT ON THE EXISTING EASTERLY RIGHT OF WAY LINE OF STATE ROAD 527 (ORANGE AVENUE), SAID RIGHT OF WAY LINE BEING ON THE ARC OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 2252.01 FEET; RUN THENCE SOUTHEASTERLY 47 FEET, MORE OR LESS, ALONG THE ARC OF SAID CURVE TO THE END OF SAID CURVE; RUN THENCE SOUTH 15°48'57" EAST 485.45 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE TO A POINT SOUTH 73°47'20" WEST OF THE POINT OF BEGINNING; RUN THENCE NORTH 73°47'20" EAST 80.74 FEET TO THE POINT OF BEGINNING. LESS ALL THAT PART WITHIN RIGHT OF WAY OF STATE ROAD 527.

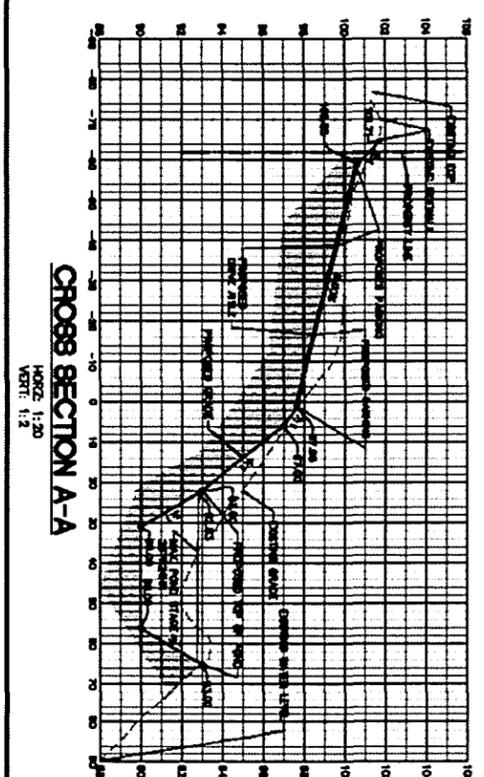
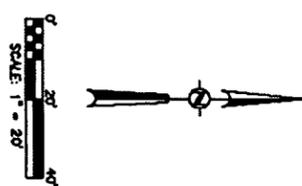
AND
 THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE ON THE SOUTH LINE OF SECTION 12, TOWNSHIP 23 SOUTH, RANGE 29 EAST AT A POINT 470.63 FEET NORTH 89°33'13" EAST OF THE SOUTHWEST CORNER OF SAID SECTION 12; THENCE RUN NORTH 16°14'47" WEST A DISTANCE OF 830.54 FEET; THENCE RUN NORTH 73°45'13" EAST A DISTANCE OF 45 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 73°45'13" EAST A DISTANCE OF 88.37 FEET TO A POINT ON A CURVE CONCAVE TO THE SOUTHWESTERLY AND HAVING A RADIUS OF 848.02 FEET AND A CHORD BEARING OF NORTH 25°48'09" WEST; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 151°3'16" A DISTANCE OF 225.42 FEET; THENCE RUN NORTH 33°22'47" WEST A DISTANCE OF 71.84 FEET; THENCE RUN SOUTH 18°14'47" EAST A DISTANCE OF 290.44 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT FROM ALL OF THE ABOVE:
 THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE ON THE SOUTH LINE OF SECTION 12, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, AT A POINT 470.63 FEET NORTH 89°33'13" EAST OF THE SOUTHWEST CORNER OF SAID SECTION 12; THENCE RUN NORTH 16°14'47" WEST A DISTANCE OF 1137.20 FEET, THENCE RUN NORTH 73°45'13" EAST A DISTANCE OF 40 FEET FOR THE POINT OF BEGINNING; THENCE RUN SOUTH 33°22'47" EAST A DISTANCE OF 16.87 FEET; THENCE RUN NORTH 16°14'47" WEST A DISTANCE OF 112.81 FEET; THENCE RUN NORTH 73°45'13" EAST A DISTANCE OF 45 FEET; THENCE RUN NORTH 18°14'47" WEST A DISTANCE OF 52.03 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE EASTERLY AND HAVING A RADIUS OF 2202.01 FEET, AND A CHORD BEARING OF NORTH 15°33'29" WEST, THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°22'37" A DISTANCE OF 52.91 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 88°34'39" WEST A DISTANCE OF 51.38 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE WESTERLY AND HAVING A RADIUS OF 2252.01 FEET AND A CHORD BEARING OF SOUTH 15°24'21" EAST; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°40'51" A DISTANCE OF 88.08 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 18°14'47" EAST A DISTANCE OF 10.03 FEET; THENCE RUN NORTH 73°45'13" EAST A DISTANCE OF 40 FEET; THENCE RUN SOUTH 18°14'47" EAST A DISTANCE OF 22 FEET; THENCE RUN SOUTH 73°45'13" WEST A DISTANCE OF 40 FEET; THENCE RUN SOUTH 18°14'47" EAST A DISTANCE OF 116.39 FEET TO THE POINT OF BEGINNING.

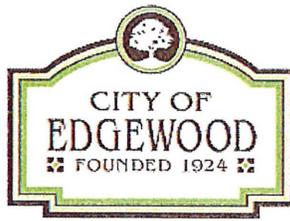
<table border="1"> <tr> <td>DATE</td> <td>BY</td> <td>REVISION</td> </tr> <tr> <td>07/02/2018</td> <td>CEP</td> <td></td> </tr> </table>	DATE	BY	REVISION	07/02/2018	CEP		<table border="1"> <tr> <td>PROJECT NO.</td> <td>128-022</td> </tr> <tr> <td>SCALE</td> <td>1" = 20'</td> </tr> </table>	PROJECT NO.	128-022	SCALE	1" = 20'		
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- GRADING LEGEND**
- EL ELEVATION
 - TYP TYPICAL
 - CL CLEANOUT
 - IN INVERT ELEVATION
 - HC HANDICAP
 - DE DISTING ELEVATION
 - PRO PROPOSED SPOT ELEVATION
 - DR DRAINAGE NIET
 - WED WETTED END SECTION
 - SA SURFACE STORMWATER FLOW
 - EXP ELLIPTICAL REINFORCED CONCRETE PIPE
 - REN REINFORCED CONCRETE PIPE
 - PVC POLY VINYL CHLORIDE PIPE
 - FRE FRESH FLOOR ELEVATION
 - S/W SIDEWALK



SHEET NO. C-2	PROJECT NAME	THE WATERFRONT 4201 S. ORANGE AVE, EDGEWOOD FL	 Stephen Allen, PE # 59994 Engineer FL Reg No	JWB ARCHITECTS	 CivilCorp Engineering, Inc. 430 N. Wynnery Rd., Box 310 Maitland, FL 32751 Phone 407-514-9407 Certificate of Authorization No. 28790	Revisions <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><th>No.</th><th>Date</th><th>Description</th><th>By</th></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </table>	No.	Date	Description	By																
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SHEET NAME	GRADING PLAN	Project No.	129-022	Drawn By	CEF																					
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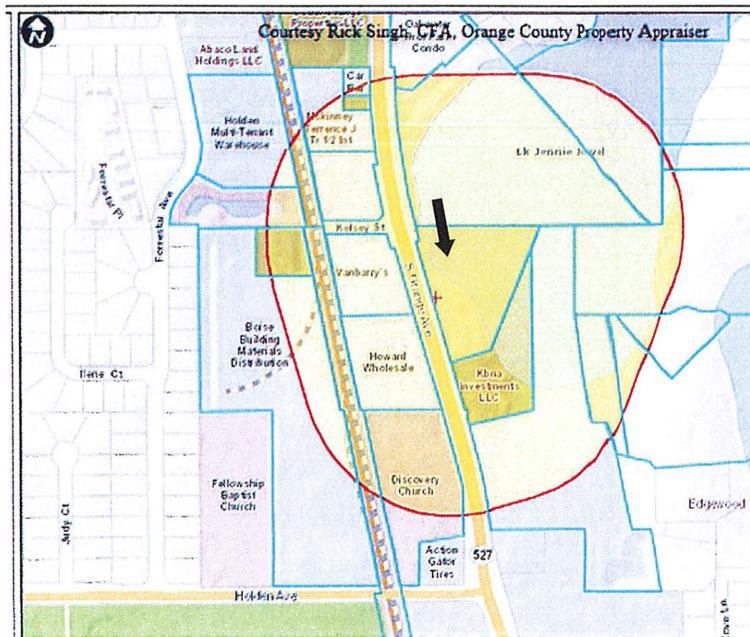
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that at its **Planning & Zoning meeting on Monday, January 14, 2019** the Planning and Zoning Board of the City of Edgewood, will consider the following Variance for the property located at 4201 South Orange Avenue in C-1 zoning district (City of Edgewood Resolution 2005-R002 City Code of Ordinances, Reference Section 134-104 [Variance]):

- **Variance 2018-10** - The applicant is requesting to allow for 1 parking space for each 4 seats in lieu of one (1) space for each four fixed seats provided for patron use, plus one space for each 75 square feet of floor area provided for patron use which does not contain fixed seats. [Section 134-605 (a)(19)]

The application was submitted by Stephen Allen, P.E. on behalf of property owner Loch Investments, LLC. The meeting will be held in the Council Chambers of City Hall, 405 Larue Avenue, Edgewood, Florida beginning at **6:30 p.m. or as soon thereafter as the matter may be heard**. The Planning and Zoning Board's recommendation will be forwarded to **City Council on Tuesday, February 19, 2018 at 6:30 p.m.** for final action.

The subject property for variance is legally described as COMM SW COR OF SEC RUN N 852.61 FT S 89 DEG E 330 FT S 74 DEG W 60.74 FT TO E R/W ST RD 527 & POB TH N 74 DEG E 154.54 FT N 22 DEG E 480 FT M/L TO N LINE OF SW1/4 OF SW1/4 W TO E R/W ST RD 527 S 16 DEG E TO POB IN SEC 12-23-29



Interested parties may attend this meeting and be heard with respect to this variance application. In addition, the application(s) may be inspected by the public at the City Clerk's Office, 405 Larue Avenue, Edgewood, Florida.

You may reach City Hall at 407-851-2920; City Hall is open Monday – Thursday 8 a.m. to 4 p.m. and Friday 8 a.m. to noon. Should you have any questions or concerns please do not hesitate to come to City Hall to review the file.

This matter is subject to quasi-judicial rules of procedure. Interested parties should limit contact with the Planning and Zoning Board and City Council on this topic to properly noticed hearings or to written communication to the City Clerk's Office.

Any person aggrieved by a recommendation of the Planning and Zoning Board may file a notice of appeal to the City Council within seven days after such recommendation is filed with the city clerk.

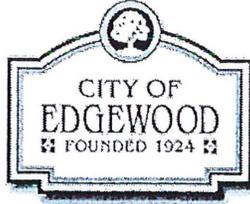
The City of Edgewood desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Chapter 286.26, *Florida Statutes*, should, at least 48 hours prior to the meeting, submit a written request that the physically handicapped person desires to attend the meeting to the City Clerk's Office.

This public hearing may be continued to a future date or dates. Any interested party is advised that the date, time, and place of any continuation shall be announced during the public hearing and that no further notices regarding this matter will be published.

Should you desire additional information, regarding this application, please feel free to contact Edgewood City Hall at 407-851-2920, or e-mail at sriffle@edgewood-fl.gov.

Sandy Riffle
Deputy City Clerk
Dated: December 26, 2018

You may either mail in your comments and concerns on the space provided below or submit directly to City Hall. Please see above our hours of operation. We thank you for your participation.



Revised
RECEIVED

AUG 17 2018

CITY OF EDGEWOOD

2018-VAR-07

APPLICATION FOR VARIANCE

Reference: City of Edgewood Code of Ordinances, Section 126-588

REQUIRED FEE: \$350 RESIDENTIAL \$750 COMMERCIAL

(+Applicable Pass-Through Fees - Ordinance 2013-01)

Please note this fee is non-refundable

PLANNING AND ZONING MEETING DATE:	Sept 10, 2018
CITY COUNCIL MEETING DATE:	Oct 16, 2018

IMPORTANT: A COMPLETE application with all required attachments and ten (10) copies must be submitted to the City Clerk _____ days before the next Planning & Zoning meetings. No application shall be deemed accepted unless it is complete and paid for.

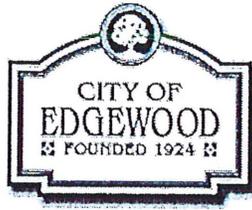
Notarized letter of authorization from Owner MUST be submitted if application is filed by anyone other than property owner.

Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

Applicant's Name:	Stephen Allen, P.E.	Owner's Name:	Loch Investments, LLC
Address:	630 N. Wymore Rd, #310, Maitland FL 32751	Address:	
Phone Number:	407-516-0437	Phone Number:	407-963-6978
Fax:		Fax:	
Email:	sallen@civilcorpeng.com	Email:	ryan.stepup@gmail.com
Legal Description:	See attached.		
Zoned:	C-1		
Location:	4201 S. Orange Avenue, Orlando FL 32806		
Tract Size:	3.37 Acre		
City section of the Zoning Code from which Variance is requested:	Sec 114-4(1)(a)(1)		
Request:	2.38 feet in lieu of 7 feet		
Existing on Site:	2.38 feet		

The applicant hereby states that this request for Variance does not violate any deed restrictions on the property. Application must be signed by the legal owner, not agent, unless copy of power of attorney is attached.

Page 2 of 4



To justify this variance, applicant must demonstrate the following:

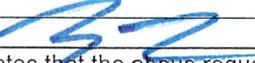
1. That special condition and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or building in the same zoning classification
2. the special conditions and circumstances do no result from the action of the applicant
3. literal interpretation or enforcement of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification under the terms of the Ordinance
4. the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible for the regulation at issue
5. the variance sought will not authorize or extend any non-conforming use or other non-conformity with respect to the land or structures in questions
6. the granting of the variance will be in harmony with the general intent and purpose of this Ordinance, will not be injurious to the area involved, or surrounding properties, and will no authorize a use of the property not permitted by its zoning classification
7. the variance sought will be consistent with the Edgewood Comprehensive Plan

Applicant must agree that:

1. In granting any variance, the City may prescribe appropriate conditions and safeguards in conformity with the Ordinances, and any regulations enacted under its authority. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of Edgewood ordinances.

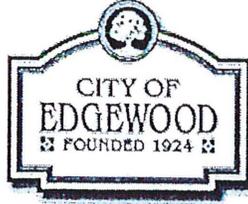
AGREE:		DISAGREE:	
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2. The variance recommended by the Planning and Zoning Board and approved by the City Council shall expire in 12 months in accordance with Chapter 134-104 (3) (e).

AGREE:		DISAGREE:	
---------------	---	------------------	--

The applicant hereby states that the above request for Variance does not violate any deed restrictions on the property.

Applicant's Signature:		Date:	8/16/2018
Applicant's Printed Name:	STEPHEN ALLEN, PE		
Owner's Signature:		Date:	
Owner's Printed Name:			



Please submit your completed application to City Hall via email at bmeeks@edgewood-fl.gov or srepp@edgewood-fl.gov, via facsimile to 407-851-7361, or hand deliver to City Hall located at 405 Larue Ave. For additional questions, please contact City Hall at 407-851-2920.

Office Use Only:	
Received Date	8/17/2018
Received By:	[Signature]
Forwarded To:	CPH Ellen Hardgrove
Notes:	

Revised 06/13/2016

Page 4 of 4

405 Larue Avenue, Edgewood, Florida, 32809-3406
Phone: 407-851-2920 / Fax: 407-851-7361
www.edgewood-fl.gov

August 16, 2018

City of Edgewood
Planning and Zoning Board
405 Larue Ave
Edgewood, FL 32809

Re: The Waterfront
4201 S Orange Ave

Landscape Buffer - Sec 114-4(1)(a)(1)

The following narrative addresses the six standards of approval for a Zoning Variance to Sec 114-4(1)(a)(1) to allow 2.38' in lieu of 7', pursuant to City Code Section 134-104(3)(b). The criteria are as follows:

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district. That the special conditions and circumstances do not result from the actions of the applicant.
The site was built in 1956, prior to today's codes and expansion of Orange Ave. Due to this, the parking lot at its closest point is 2.38' from the right-of-way line and currently allows for safe circulation through the site. The existing conditions of the property and the expansion of South Orange Ave have resulted in the reduced buffer adjacent to the parking and compliance to the 7' would result in reduced parking lengths and/or driveway widths, thus impacting safe circulation on the property.
2. That the special conditions and circumstances do not result from the actions of the applicant.
As stated above, the widening and right-of-way taking of Orange Ave have created this buffer reduction.
3. That approval of the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same zoning district.
Due to changes in the area since the building was built in 1956, a reduction in the landscape buffer from 7' to 2.38' would not confer on the applicant any special privileges. This request is a result of existing conditions unique to this property and should not be looked at as a special privilege.
4. That literal interpretation of the provisions contained in this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Literal interpretation of the code would result in the reduction the drive aisle width, and/or the parking lengths set forth in other portions of the code due to proximity of the existing building to the right-of-way line. Those sections pertaining to drive aisle widths and parking lengths are meant to allow for safe circulation throughout the site.

5. That the variance approved is the minimum variance that will make possible the reasonable use of the land, building or structure.

Due to the location of the existing structure, the variance requested is the minimum required to provide safe circulation of vehicles and pedestrians as set forth in other portions of the Land Development Code.

6. That approval of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

As stated above, the conformance to other portion of the Land Development Code (such as drive aisle widths and parking depths) will allow for the safety and welfare of the public where the buffer reduction will not.

Since we are making a request based on existing conditions, we feel that this variance will be in harmony with the general intent and purpose the code.

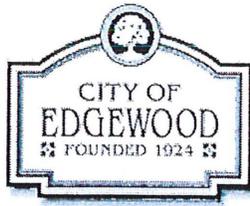
Should you have any questions or comments, please give me a call.

Sincerely,
CivilCorp Engineering, Inc.



Stephen Allen, PE #59994
President

Revised



RECEIVED

AUG 17 2018

CITY OF EDGEWOOD

2018-VAR-08

APPLICATION FOR VARIANCE

Reference: City of Edgewood Code of Ordinances, Section 126-588

REQUIRED FEE: \$350 RESIDENTIAL \$750 COMMERCIAL

(+Applicable Pass-Through Fees - Ordinance 2013-01)

Please note this fee is non-refundable

PLANNING AND ZONING MEETING DATE:	Sept 10, 2018
CITY COUNCIL MEETING DATE:	Oct 16, 2018

IMPORTANT: A COMPLETE application with all required attachments and ten (10) copies must be submitted to the City Clerk ____ days before the next Planning & Zoning meetings. No application shall be deemed accepted unless it is complete and paid for.

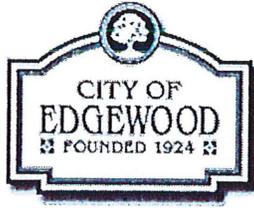
Notarized letter of authorization from Owner MUST be submitted if application is filed by anyone other than property owner.

Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

Applicant's Name:	Stephen Allen, P.E.	Owner's Name:	Loch Investments, LLC
Address:	630 N. Wymore Rd. #310, Maitland FL 32751	Address:	
Phone Number:	407-516-0437	Phone Number:	407-963-6978
Fax:		Fax:	
Email:	sallen@civilcorpeng.com	Email:	ryan.stepup@gmail.com
Legal Description:	See attached.		
Zoned:	C-1		
Location:	4201 S. Orange Avenue, Orlando FL 32806		
Tract Size:	3.37 Acre		
City section of the Zoning Code from which Variance is requested:	Sec 114-4(1)(a)(2)		
Request:	One (1) shade tree for every 120 linear feet.		
Existing on Site:	No shade trees currently on site.		

The applicant hereby states that this request for Variance does not violate any deed restrictions on the property. Application must be signed by the legal owner, not agent, unless copy of power of attorney is attached.

Page 2 of 4



To justify this variance, applicant must demonstrate the following:

1. That special condition and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or building in the same zoning classification
2. the special conditions and circumstances do no result from the action of the applicant
3. literal interpretation or enforcement of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification under the terms of the Ordinance
4. the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible for the regulation at issue
5. the variance sought will not authorize or extend any non-conforming use or other non-conformity with respect to the land or structures in questions
6. the granting of the variance will be in harmony with the general intent and purpose of this Ordinance, will not be injurious to the area involved, or surrounding properties, and will no authorize a use of the property not permitted by its zoning classification
7. the variance sought will be consistent with the Edgewood Comprehensive Plan

Applicant must agree that:

1. In granting any variance, the City may prescribe appropriate conditions and safeguards in conformity with the Ordinances, and any regulations enacted under its authority. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of Edgewood ordinances.

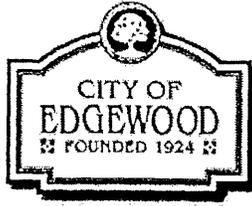
AGREE:	<i>32</i>	DISAGREE:	
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2. The variance recommended by the Planning and Zoning Board and approved by the City Council shall expire in 12 months in accordance with Chapter 134-104 (3) (e).

AGREE:	<i>32</i>	DISAGREE:	
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The applicant hereby states that the above request for Variance does not violate any deed restrictions on the property.

Applicant's Signature:	<i>32</i>	Date:	<i>8/16/2018</i>
Applicant's Printed Name:	<i>STEPHEN ALLEN, PE</i>		
Owner's Signature:		Date:	
Owner's Printed Name:			



Please submit your completed application to City Hall via email at bmeeks@edgewood-fl.gov or srepp@edgewood-fl.gov, via facsimile to 407-851-7361, or hand deliver to City Hall located at 405 Larue Ave. For additional questions, please contact City Hall at 407-851-2920.

Office Use Only:	
Received Date	5/17/2015
Received By:	S. Lopez
Forwarded To:	CPT Ellen Hardgrave
Notes:	

Revised 06/13/2016

Page 4 of 4

405 Larue Avenue, Edgewood, Florida, 32809-3406
Phone: 407-851-2920 / Fax: 407-851-7361
www.edgewood-fl.gov

August 16, 2018

City of Edgewood
Planning and Zoning Board
405 Larue Ave
Edgewood, FL 32809

Re: The Waterfront
4201 S Orange Ave

Tree placement along the frontage – Sec 114-4(1)(a)(2)

The following narrative addresses the six standards of approval for a Zoning Variance to Sec 114-4(1)(a)(2) from 1 shade tree for each 40 linear feet to 1 shade tree for each 120 linear feet, pursuant to City Code Section 134-104(3)(b). The criteria are as follows:

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district. That the special conditions and circumstances do not result from the actions of the applicant.
The site was built in 1956, prior to today's codes and expansion of Orange Ave. Due to this, the parking lot at its closest point is 2.38' from the right-of-way line as it stands today. This existing condition is not wide enough to place a tree therefore the we are requesting a shade tree every 120 linear feet, which will be placed in close proximity to the right-of-way line within the landscape island required by Section 114-4(1)(c)(4).
2. That the special conditions and circumstances do not result from the actions of the applicant.
As noted above, the widening and right-of-way taking of Orange Ave have created this buffer reduction.
3. That approval of the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same zoning district.
Due to the unique conditions of the property and the narrow landscape buffer that exists, distributing the trees in area that are more likely to thrive should not be looked as a special privilege.
4. That literal interpretation of the provisions contained in this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.
Because of existing conditions, the literal interpretation of the code would not allow for the shade trees to be have adequate planting room between the parking and the right-of-way line.

5. That the variance approved is the minimum variance that will make possible the reasonable use of the land, building or structure.

Because of the existing conditions and taking the maximum number of parking before needing a landscape island required by Section 114-4(1)(c)(4), the 120' requested is the minimum variance possible for reasonable use.

6. That approval of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

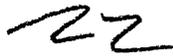
Reducing the requirements of shade trees from 1 for every 40 linear feet to 1 for every 120' will not be injurious to the neighborhood or otherwise detrimental to the public welfare. In fact, current conditions do not show shade trees so the variance would offer improvements.

Since we are making a request based on existing conditions, we feel that this variance will be in harmony with the general intent and purpose the code.

Should you have any questions or comments, please give me a call.

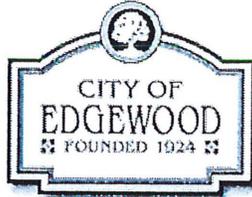
Sincerely,

CivilCorp Engineering, Inc.



Stephen Allen, PE #59994

President



Received
 RECEIVED
 AUG 17 2018
 CITY OF EDGEWOOD

2018-VAR-09

APPLICATION FOR VARIANCE

Reference: City of Edgewood Code of Ordinances, Section 126-588

REQUIRED FEE: \$350 RESIDENTIAL \$750 COMMERCIAL

(+Applicable Pass-Through Fees - Ordinance 2013-01)

Please note this fee is non-refundable

PLANNING AND ZONING MEETING DATE:	Sept 10, 2018
CITY COUNCIL MEETING DATE:	Oct. 16, 2018

IMPORTANT: A COMPLETE application with all required attachments and ten (10) copies must be submitted to the City Clerk ____ days before the next Planning & Zoning meetings. No application shall be deemed accepted unless it is complete and paid for.

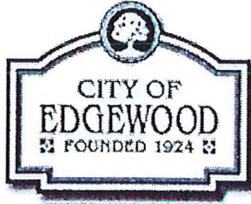
Notarized letter of authorization from Owner **MUST** be submitted if application is filed by anyone other than property owner.

Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

Applicant's Name:	Stephen Allen, P.E.	Owner's Name:	Loch Investments, LLC
Address:	630 N. Wymore Rd. #310, Maitland FL 32751	Address:	
Phone Number:	407-516-0437	Phone Number:	407-963-6978
Fax:		Fax:	
Email:	sallen@civilcorpeng.com	Email:	ryan.stepup@gmail.com
Legal Description:	See Attached.		
Zoned:	C-1		
Location:	4201 S. Orange Avenue, Orlando FL 32806		
Tract Size:	3.37 Acre		
City section of the Zoning Code from which Variance is requested:	Section 134-348(e)		
Request:	Setback is 20 feet in lieu of 50 feet		
Existing on Site:	Setback is 20.31 feet		

The applicant hereby states that this request for Variance does not violate any deed restrictions on the property. Application must be signed by the legal owner, not agent, unless copy of power of attorney is attached.

Page 2 of 4



To justify this variance, applicant must demonstrate the following:

1. That special condition and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or building in the same zoning classification
2. the special conditions and circumstances do no result from the action of the applicant
3. literal interpretation or enforcement of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification under the terms of the Ordinance
4. the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible for the regulation at issue
5. the variance sought will not authorize or extend any non-conforming use or other non-conformity with respect to the land or structures in questions
6. the granting of the variance will be in harmony with the general intent and purpose of this Ordinance, will not be injurious to the area involved, or surrounding properties, and will no authorize a use of the property not permitted by its zoning classification
7. the variance sought will be consistent with the Edgewood Comprehensive Plan

Applicant must agree that:

1. In granting any variance, the City may prescribe appropriate conditions and safeguards in conformity with the Ordinances, and any regulations enacted under its authority. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of Edgewood ordinances.

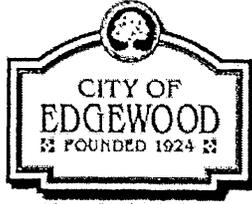
AGREE:	<i>SA</i>	DISAGREE:	
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2. The variance recommended by the Planning and Zoning Board and approved by the City Council shall expire in 12 months in accordance with Chapter 134-104 (3) (e).

AGREE:	<i>SA</i>	DISAGREE:	
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The applicant hereby states that the above request for Variance does not violate any deed restrictions on the property.

Applicant's Signature:	<i>SA</i>	Date:	<i>8/16/2018</i>
Applicant's Printed Name:	<i>STEPHEN ALLEN, PE</i>		
Owner's Signature:		Date:	
Owner's Printed Name:			



Please submit your completed application to City Hall via email at bmeeks@edgewood-fl.gov or srepp@edgewood-fl.gov, via facsimile to 407-851-7361, or hand deliver to City Hall located at 405 Larue Ave. For additional questions, please contact City Hall at 407-851-2920.

Office Use Only:	
Received Date	8/17/2018
Received By:	SF ROPP
Forwarded To:	CPH T. Ellen Hardgover
Notes:	

Revised 06/13/2016

Page 4 of 4

405 Larue Avenue, Edgewood, Florida, 32809-3406
Phone: 407-851-2920 / Fax: 407-851-7361
www.edgewood-fl.gov

August 16, 2018

City of Edgewood
Planning and Zoning Board
405 Larue Ave
Edgewood, FL 32809

Re: The Waterfront
4201 S Orange Ave

Building Setback from The NHWE – Sec 134-348(e)

The following narrative addresses the six standards of approval for a Zoning Variance to Sec 134-348(e) from 50' to 20' to, pursuant to City Code Section 134-104(3)(b):

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district. That the special conditions and circumstances do not result from the actions of the applicant.
The building was built in 1956 to its current location of 20.31' from today's normal high water elevation of Lake Jennie Jewel, prior to current 50' setback requirements.
2. That the special conditions and circumstances do not result from the actions of the applicant.
As noted above, the building was built in its current location of 1956, prior to current owner's purchase of the property.
3. That approval of the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same zoning district.
This request is a result of existing conditions unique to this property and should not be looked at as a special privilege.
4. That literal interpretation of the provisions contained in this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.
The literal interpretation of the code would deprive the applicant rights commonly enjoyed by the applicant because of the existing conditions. Literal interpretation of the code would require the owner to relocate the building entirely an additional 30', thus resulting in changes to the safe driveway and parking circulation as well as front setback encroachment.
5. That the variance approved is the minimum variance that will make possible the reasonable use of the land, building or structure.

Due to existing conditions, we are requesting the 20' setback because that's the approximate location of the existing building to the normal water elevation.

6. That approval of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

As stated above, the relocation of the building would impact more areas of the code (e.g., drive aisle width, parking lot length, front setback, etc.) which could be injurious to the neighborhood.

Since we are making a request based on existing conditions, we feel that this variance will be in harmony with the general intent and purpose the code.

Should you have any questions or comments, please give me a call.

Sincerely,

CivilCorp Engineering, Inc.



Stephen Allen, PE #59994

President