



Marion Rayburn
Chair

David Gragg
Vice-Chair

Steve Kreidt
Board Member

Ryan Santurri
Board Member

Dr. Aileen Trivedi
Board Member

PUBLIC NOTICE
PLANNING AND ZONING BOARD MEETING – August 10, 2020

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 Bagshaw Way, Edgewood, Florida, to consider the items of business listed herein at the time and date indicated below.

Monday, August 10, 2020 at 6:30 pm

- Call to Order
- Pledge of Allegiance
- Roll Call and Determination of Quorum
- Approval of Minutes
July 13, 2020 – Regular P&Z Meeting
- New Business
Variance Request - 5357 Oak Terrace Drive boat dock
- 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*)
 - September 14, 2020
 - October 12, 2020

GENERAL RULES OF ORDER

You are welcome to attend and express your opinion. 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. Per Section 286.0105, Florida Statutes state that if you decide to appeal a decision made with respect to any matter, you will need a record of the proceeding and may need to ensure that a verbatim record is made.



PLANNING AND ZONING BOARD MEETING
July 13, 2020
Draft Minutes

Planning and Zoning Board Members:

Marion Rayburn, Chair (absent) (Quorum)
David Gragg, Vice-Chair
Steve Kreidt, Board Member (absent)
Ryan Santurri, Board Member
Aileen Trivedi, Board Member

Staff:

Sandra Riffle, Deputy City Clerk
John Freeburg, Police Chief
Drew Smith, City Attorney
Ellen Hardgrove, City Planner
Allen Lane, City Engineer

Applicant:

Andrew Hansen – Discovery Church
Scott Gentry – KCG Engineering
Jonathon Huels Esq. – Discovery Church
Berry Johnston – Discovery Church

CALL TO ORDER

Vice-Chair Gragg called the Planning & Zoning Board meeting to order at 6:30 p.m. and led the Pledge of Allegiance.

Deputy City Clerk Riffle announced that there was a quorum with Board Members Rayburn and Kreidt absent.

APPROVAL OF MINUTES

- *March 9, 2020*

Vice Chair Gragg asked for a motion to accept the minutes.

Board Member Santurri moved to approve the minutes; second by Board Member Trivedi. The motion passed (3/0).



NEW BUSINESS

- **Commercial Review – 4400 S Orange Avenue Discovery Church**

Planner Hardgrove introduced the application for Discovery Church. The application requests to amend the site plan, which was approved by City Council on November 12, 2002. The proposed site plan, if approved, would eliminate a nonconforming parking site located across Orange Avenue at Waters Edge Shopping Center.

With this proposal, all required parking would be on-site. As long as the church does not exceed 650 seats in the sanctuary, it would eliminate the nonconforming parking situation.

Discovery Church proposes to add 176 spaces on the Discovery Church location by restriping and landscaping within Edgewood design standards. The 176 spaces relate to the 2002 site plan formula; it is not within the existing code.

Today's code would require at least an additional 257 spaces. They cannot exceed the 650 seats.

Planner Hardgrove and Engineer recommend approval

If they want to increase the number of seats in the sanctuary, it would require a site plan amendment with City Council approval and be required to meet today's code standard

Board Member Gragg – page 12, as reported by Discovery Church, there are 750 seats in the sanctuary; the approved site plan would only allow 650.

Planner Hardgrove said that the church is for sale and the new purchasers understand 650 is the limit. At present, it is a noncompliance issue, but there have been no code violations given to the church.

Board Member Gragg asked if this resolves the noncompliance issue and that the City has no issues with the design plan. Planner Hardgrove confirmed that everything meets code.

Scott Gentry, P.E., with KCG Engineering, said that they did the site plan. He thanked staff and offered to answer any questions.

Public Comment:

Alex Mestdagh – Attorney with Mestdagh, Wall & Hamilton. He represents Deeper Fellowship Ministries International, the contracted buyer of the property. He spoke in favor of site plan approval.



Board Member Santurri made a motion to recommend approval, as recommended by staff, the present site plan consistent with the code of ordinances and comprehensive plan. Second by Board Member Trivedi. The motion was approved (3/0).

A roll call vote was taken:

| | |
|------------------------------|---------------|
| <i>Board Member Gragg</i> | <i>Favor</i> |
| <i>Board Member Santurri</i> | <i>Favor</i> |
| <i>Board Member Trivedi</i> | <i>Favor</i> |
| <i>Chair Rayburn</i> | <i>Absent</i> |
| <i>Board Member Kreidt</i> | <i>Absent</i> |

This will go to City Council on July 21, 2020 at 6:30 pm.

COMMENTS/ANNOUNCEMENTS

Board Member Gragg made the motion to adjourn; second by Board Member Santurri. The motion passed (3/0). M: Board Member Gragg

The meeting adjourned at 6:39 pm

Marion Rayburn, Chair

Sandra Riffle, Deputy City Clerk



Memo

To: Planning and Zoning Board Members
CC: Bea Meeks, Drew Smith, Allen Lane, David Mahler
From: Sandy Riffle, Deputy City Clerk
Date: August 4, 2020
Re: New Business Items

The following items for the August, 2020 Planning and Zoning Board Meeting is included for your review.

5357 Oak Terrace Drive – Boat Dock Variance Request

- Application for Variance, boat dock plans and survey, date stamped July 14, 2020
- Letter from Streamline Permitting dated July 24, 2020
- Staff report from Allen Lane, P.E. CPH, dated July 22, 2020

The City Engineer is prepared to respond to any questions you may have regarding the variance request. The applicant from Streamline Permitting will also be in attendance.



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JUL 14 2020
CITY OF EDGEWOOD

APPLICATION FOR VARIANCE

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

REQUIRED FEE: \$350 RESIDENTIAL \$750 COMMERCIAL
(Plus Applicable Pass-Through Fees - Ordinance 2013-01)

Please note this fee is non-refundable

| | | | |
|-------------------------|----------------------------|----------------------------|----------------------------|
| Office Use Only: | | Variance Application #: | Var-2020-05 |
| Received Date: | 7/14/2020 | Received by: | Sandra Riffle |
| P&Z Meeting Date: | 8/10/2020 (projected date) | City Council Meeting Date: | 9/18/2020 (projected date) |

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: | Sheila Cichra | Owner's Name: | Michael Anderson |
| Address: | 2154 Oak Beach Blvd, Sebring 33875 | Address: | 5357 Oak Terrace Drive |
| Phone Number: | (407) 450-4241 | Phone Number: | (407) 467-6743 |
| Fax: | | Fax: | |
| Email: | sheilacichra@gmail.com | Email: | MikeOrlando1212@aol.com |
| Legal Description: | LEGACY 62/76 LOT 16 | | |
| Zoned: | PD | | |
| Location: | 5357 Oak Terrace Drive, Edgewood, FL 32839 | | |
| Tract Size: | .39 acres | | |
| City section of the Zoning Code from which Variance is requested: | 14 - 11 (b)(4) | | |
| Request: | allow boathouse roof to be 13.5' above the NHWE | | |
| Existing on Site: | sfr, with pool and boat dock | | |

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:

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:

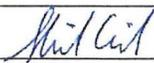
1. In granting any variance, the City may prescribe appropriate conditions and safeguards in conformity with the Ordinances, and any regulations enacted under its authority. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed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

| | | | |
|---------------|---|------------------|--|
| AGREE: | ✓ | DISAGREE: | |
|---------------|---|------------------|--|

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: | 07/14/2022 |
| Applicant's Printed Name: | Sheila Cichra | | |
| Owner's Signature: | | Date: | |
| Owner's Printed Name: | agent authorization provided | | |

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

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JUL 14 2020

CITY OF EDGEWOOD



SPECIAL PURPOSE SURVEY
LOCATE DOCK
5357 OAK TERRACE DR
ORLANDO FL. 32839

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| 1 | N89°09'01"W | 197.30 |
| 2 | S48°04'54"E | 192.30 |
| 3 | N51°31'22"W | 329.35 |
| 4 | N89°09'01"W | 197.30 |



I HEREBY CERTIFY THAT THIS SURVEY HAS BEEN PREPARED UNDER MY DIRECTION AND THAT THIS SURVEY HAS BEEN PREPARED IN ACCORDANCE WITH THE ADOPTED "MINIMUM TECHNICAL STANDARDS" AS REQUIRED BY CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATE STATUTES.

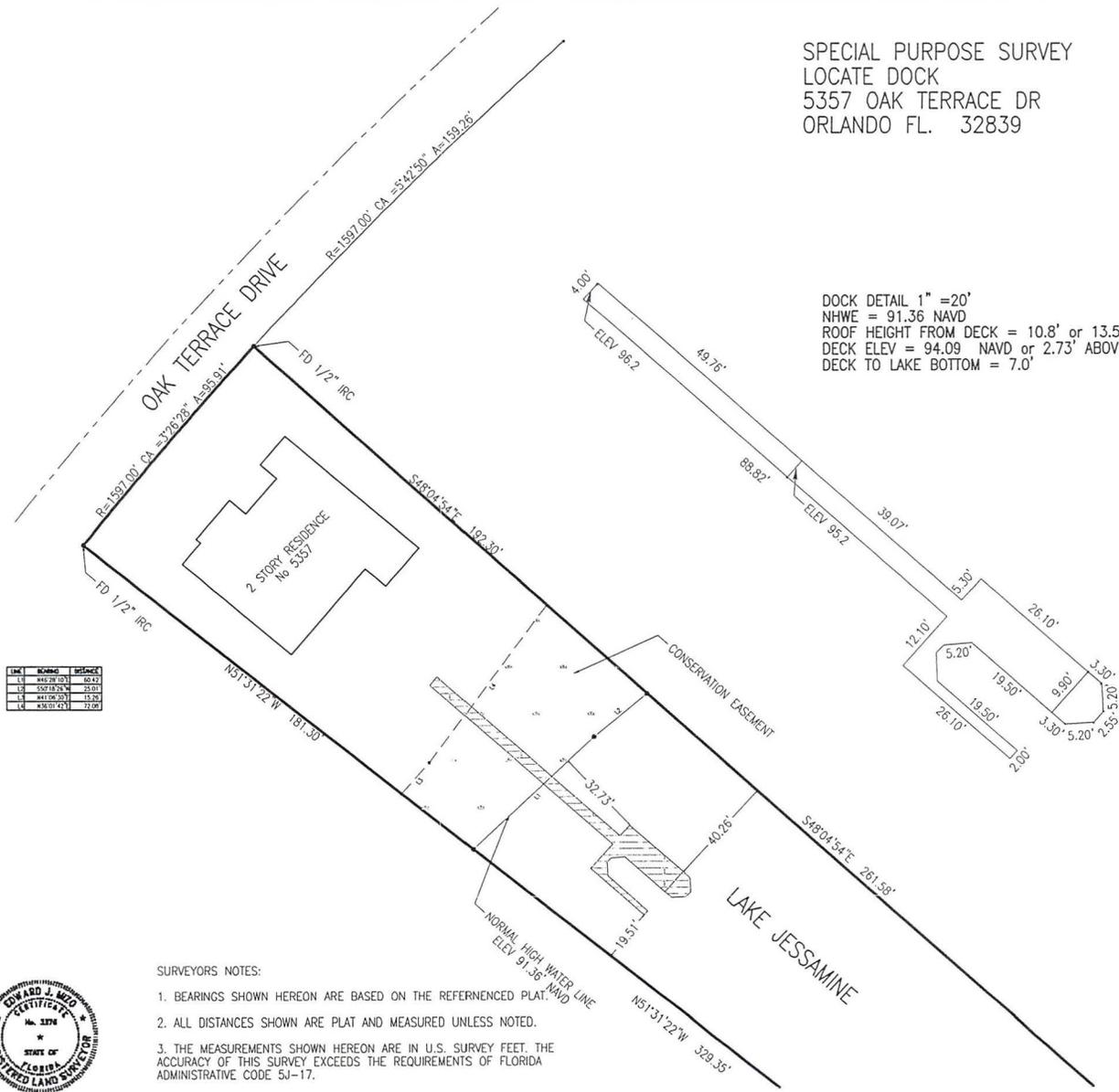
Edward Mizo, Jr
PLS

Digitally signed by Edward Mizo,
Jr PLS
Date: 2020.07.13 17:55:15 -04'00'

EDWARD J MIZO
PROFESSIONAL SURVEYOR AND MAPPER NO. 3376
NOT VALID WITHOUT THE AUTHENTIC ELECTRONIC
SIGNATURE AND SEAL OF A PROFESSIONAL SURVEYOR AND MAPPER.

SURVEYORS NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE REFERENCED PLAT.
2. ALL DISTANCES SHOWN ARE PLAT AND MEASURED UNLESS NOTED.
3. THE MEASUREMENTS SHOWN HEREON ARE IN U.S. SURVEY FEET. THE ACCURACY OF THIS SURVEY EXCEEDS THE REQUIREMENTS OF FLORIDA ADMINISTRATIVE CODE 5J-17.



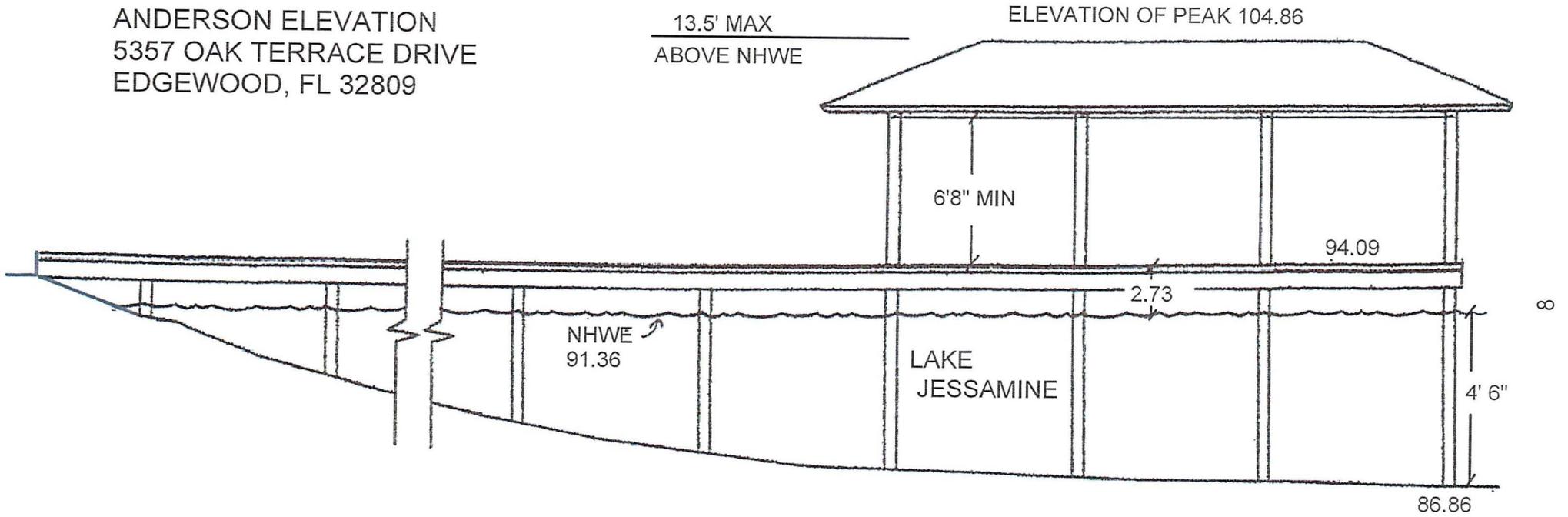
| | |
|---|----------------------------|
| JULY 9, 2020 | FINAL DOCK LOCATION |
| SPECIAL PURPOSE SURVEY | |
| 5357 OAK TERRACE DRIVE | |
| LOT 16 PB 82, PAGE 83 | |
| SECTION 14 TOWNSHIP 25 SOUTH, RANGE 29 EAST | |
| EDWARD MIZO PLS | PROFESSIONAL LAND SURVEYOR |
| 175 ANCONA AVE | DEBARY, FL 32713 |
| (321) 456-9391 | |

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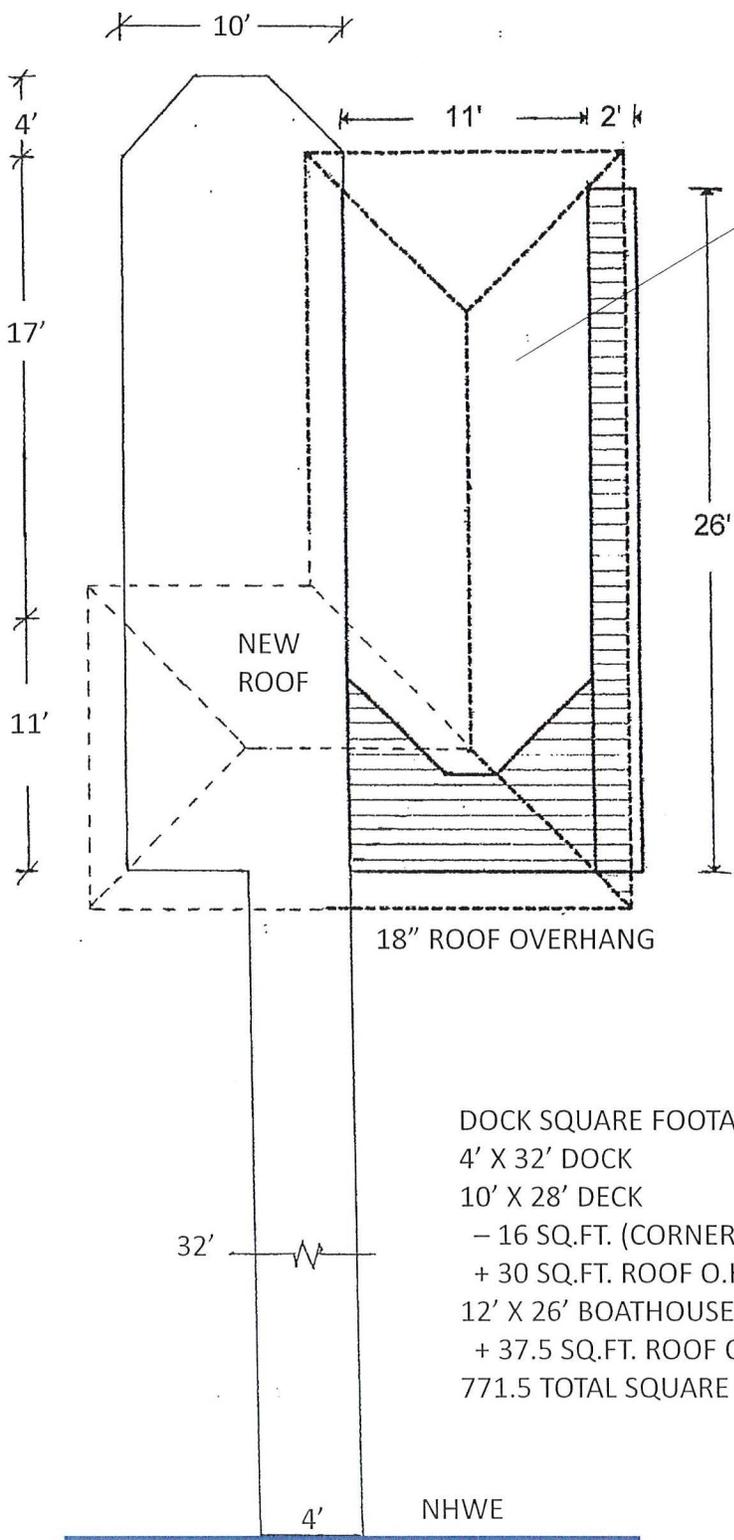
JUL 14 2020

CITY OF EDGEWOOD

ANDERSON ELEVATION
5357 OAK TERRACE DRIVE
EDGEWOOD, FL 32809



Plan View



REMOVE AND REPLACE A 13' X 26' UNCOVERED BOAT SLIP WITH A COVERED BOAT SLIP - IN THE SAME FOOTPRINT.

EXISTING DOCK AND DECK FOOTPRINT NOT TO BE ALTERED, EXCEPT THAT A 10' X 11' TILE ROOF WILL BE ADDED OVER THE SHORE SIDE OF THE DECK

DOCK SQUARE FOOTAGE
 4' X 32' DOCK
 10' X 28' DECK
 - 16 SQ.FT. (CORNERS)
 + 30 SQ.FT. ROOF O.H.
 12' X 26' BOATHOUSE
 + 37.5 SQ.FT. ROOF O.H.
 771.5 TOTAL SQUARE FEET



This item has been electronically signed and sealed by Pavol Stankay using a Digital Signature and date. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Digitally signed by Pavol Stankay
 DN: c=US, o=IdenTrust ACES
 Unaffiliated Individual, cn=Pavol Stankay,
 0.9.2342.19200300.100.1.1=A010
 97C00000161F804505700000D8
 E
 Date: 2019.11.18 03:48:50 -05'00'

Anderson 5357 Oak Terrace Drive, Orlando

Pavol Stankay PE # 29059 2227 Mercator Drive Orlando, FL 32807 (407) 701-2145



Date: July 24, 2020
To: City of Edgewood
From: Sheila Cichra
Re: 5357 Oak Terrace Drive – boat dock height variance criteria

A. Average length of other docks in the surrounding 300-foot area:

Not applicable. The dock length meets code.

B. The reasonable use of the property by the owner:

The owner should be able to have a boathouse roof beam at the standard head clearance and have a functional and aesthetically pleasing roof pitch.

C. The effects the dock will have on navigation and safety of boaters:

The additional 6” of roof height has no effect on navigation or boater safety.

D. The overall general welfare of the neighborhood:

The additional height is not even noticeable to the untrained eye.

E. Whether special conditions exist such that strict compliance with the provisions of this article would impose a unique and unnecessary hardship on the applicant:

The boathouse roof was added to an existing dock, which was already constructed 2.73’ above the NHWE. To correct the situation would require tearing the roof off and rebuilding it.

F. The effect of the proposed variance on abutting shoreline property owners:

There is no appreciable impact on the adjacent property owners, as the height difference is barely noticeable.

G. Whether the granting of the variance would be contrary to the intent and purpose and this article

The granting of this height variance does not affect the recreational use of the lake nor does it impact the riparian or littoral rights of other property owners.

H. A variance may be granted if it is necessary to reach a water depth suitable for boating, but in no event shall a dock be extended in length beyond where the water depth will exceed five feet as measured from the normal high water elevation.

Not applicable. The dock length meets code.



1117 East Robinson Street
Orlando, Florida 32801
Phone: 407.425.0452

To: Planning and Zoning Board
XC: Sandy Riffle
Bea Meeks
Drew Smith

From: Allen C. Lane, Jr., P.E.

Date: July 22, 2020

RE: Variance for roof height of newly constructed dock boat house
5357 Oak Terrace Drive

- I. Requested action by Board:
Consideration of approval or denial of the requested variance:

Variance of General Ordinance, Chapter 14 – Boat Docks, Section 14-11 (b) (5) Height of boat docks; to allow the constructed boat dock boat house to remain at 0.5 feet (6.0 inches) above the maximum allowable height.

Section 14-11 (b)(5) – The maximum height shall be 13 feet above the normal high water line of the applicable lake.

The boat house was constructed 0.5 feet above the maximum height.

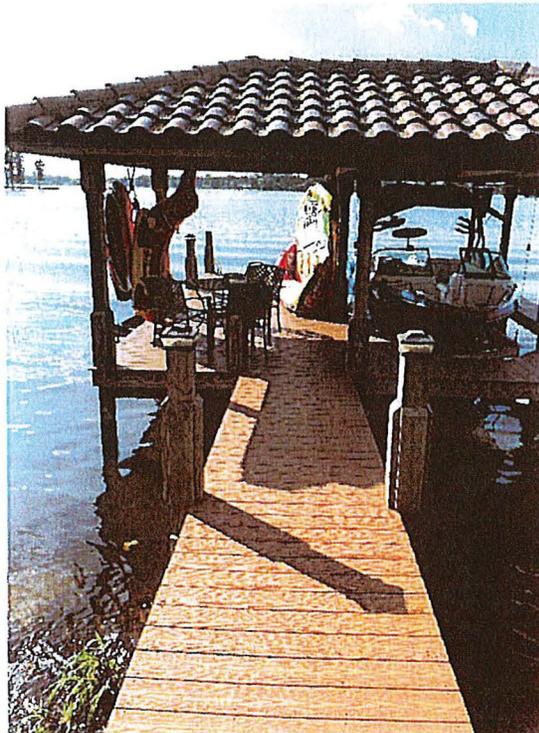


Photo of completed boat house

II Relevant Facts

Owner: Michael Anderson and Laura Langford
Address: 5357 Oak Terrace Drive
Tax parcel ID number: 14-23-29-4989-00-160
Lot: LOT 16, Legacy Oaks
Zoning: PD
Lake or canal: Lake Jesamine



Location of lot from Orange County Property Appraiser Website

III Request for Variance

The boat house was constructed as part of an approved set of plans and permit application. The application approval letter noted the maximum height of the boat house shall be 13 feet above the normal high water elevation (NHWE) of the lake, as measured to the top of the tile roof. Upon receipt of the as-builts, it was noted the top of the boat house was constructed 13.5 feet above the NHWE.

IV Variance Approval Criteria

Per Section 134-104(3)b of the City's code, approval of the requested variance requires the board to find the following six (6) criteria (in bold below) to be true. The applicant has submitted a letter addressing each of the variance criteria. A copy of the letter is included with this report.

- a. **Average length of other docks in the surrounding 300-foot area;**
The variance being requested is for finished height of the boat house roof. The length of dock meets code. Therefore, this item is not applicable.
- b. **The reasonable use of the property by the owner;**

The reasonable use of the property is not affected. The overall height limit was exceeded due to the roofing materials installed, which has caused the structure to not be within code requirements for overall height.

- c. **The effects the dock will have on navigation and safety of boaters;**
The navigation and safety of boaters is not affected by the variance as it deals with the final height of the structure and not the size or length of the dock.
- d. **The overall general welfare of the neighborhood;**
Would not anticipate any impact to the general welfare of the neighborhood. The difference is not immediately visible and was only determined by field measurements and from the final as-builts of the structure.
- e. **Whether special conditions exist such that strict compliance with the provisions of this article would impose a unique and unnecessary hardship on the applicant;**
Strict compliance with the provision would result in the home owner requiring the contractor to remove the roof and lower the side height by at least 6 inches, and then reconstruct the boat house roof.
- f. **The effect of the proposed variance on abutting shoreline property owners;**
The proposed variance would not be contrary to the intent and purpose of this article. As identified by Section 14-12, the purpose and intent deal with three items; navigation within the water body; continued recreational uses of the water body; and protection of the riparian and littoral rights of the applicant and other property owners. The variance requested does not affect navigation or uses of the body of water.
- g. **Whether the granting of the variance would be contrary to the intent and purpose and this article; and**
As noted in "f" above, the intent is to protect the navigation of the water body, provide recreational uses of the water body and protect the riparian and littoral rights of the applicant and other property owners. The requested variance does not affect the uses of the body of water or the riparian and littoral rights of the other property owners.
- h. **A variance may be granted if it is necessary to reach a water depth suitable for boating, but in no event shall a dock be extended in length beyond where the water depth will exceed five feet as measured from the normal high water elevation.**
The variance being requested is for finished height of the boat house roof. The length of dock meets code. Therefore, this item is not applicable.

Please see attached letter from the applicant addressing the items above.

Based on our review of the application, the response letter from the applicant and our inspection of the constructed dock, CPH does not have any objections to the request for variance.