

**CITY OF EDGEWOOD
PLANNING AND ZONING BOARD
MAY 9, 2011**

The Planning and Zoning Board of the City of Edgewood, Florida met in a regular session on May 9, 2011 in the Council Chambers of City Hall, 405 Larue Avenue, at 6:30 p.m.

Board Members in Attendance

Frank Aguilar
Susan Lomas
Debbie Younglove
Regina Dunay
Phil Chrisler

Staff in Attendance

Bea L. Meeks, City Clerk
Art Miller, Engineer
Ellen Hardgrove, Planner
Kalinet Odet, City Attorney

Call to Order/Pledge of Allegiance/Determination of Quorum

Co-Chair Debbie Younglove called the meeting to order at 6:30 p.m., followed by the Pledge of Allegiance. Quorum determined, with all members present.

New Member Swear-In Ceremony

City Clerk Meeks swore in Frank Aguilar, who was appointed to the Board due to the resignation of Ray Bagshaw.

Nomination and Approval of Chair and Co-Chair

City Clerk Meeks announced that the Board needed to approve a new chair, due to the resignation of former Chair, Ray Bagshaw. *Debbie Younglove nominated Regina Dunay as Chair, second by Phil Chrisler; the Motion carried unanimously.* City Clerk Meeks announced the Board needed to nominate a co-chair. *Chairwoman Dunay nominated Debbie Younglove as the Co-chair, second by Susan Lomas; the Motion carried unanimously.*

Variance Application No. 2011—01 Russell Home – to allow the complete replacement of the existing facility with a new building and parking lot in the R-1AA zoning district. The variance request concerns the building setback on the south side of the property, more specifically:

- Approval of a variance in rear yard (south property line) setback, reduced to 30 feet instead of the required 35 feet

Chairwoman Dunay questioned the sign affidavit, and City Clerk Meeks said the sign affidavit process was according to Code, and noted that the Board needed to approve the minutes of their last meeting.

Approval of Minutes From May 9, 2011 Meeting

Board Member Lomas made the Motion to approve the Minutes, with Second by Co-chair Younglove, the Motion carried unanimously.

City Clerk Meeks confirmed receipt of sign affidavit, and Engineer Miller explained the purpose of the sign affidavit.

Chairwoman Dunay, deferred to Planner Hardgrove for the staff report. Planner Hardgrove explained the variance requests; noting that she was reporting on the setback variance request and Engineer Miller would report on the impervious surface ratio (ISR) variance request. She provided a handout to the Board for visual purposes. Planner Hardgrove emphasized that the meeting is not for the purpose of a site plan review. She explained that the primary impact is the "Hale" lot to the south. The request is for a five foot variance, which is being requested for a new structure because they are demolishing the existing building. Planner Hardgrove said that when the Russell Home was built, there was no zoning in Orange County; later, a variance was approved in 1956 for a setback variance; no increase in the number of children. Planner Hardgrove said that it is more cost effective to build a new building, as opposed to making the needed repairs. She said the subject property is in R1-AA, and should be in R3, as it is the zoning that allows multiple families. Additionally, the R-3 zoning allows a 30 foot setback even if it is near single family residential zoning.

Planner Hardgrove also noted that a masonry wall could be put in place, which is included as part of the plan. Co-chair Younglove ask if they could lose special exception, and Planner Hardgrove said it was a conditional variance which is capped at 12 children during the day, and 27 children at night. Planner Hardgrove confirmed for Board Member Lomas that the wall would be maintained by the Russell Home. Engineer Miller said he didn't see the wall as a problem. Board Member Aguilar asked about the cooler, and was told it will not be moved.

City Clerk Meeks asked Darryl Showers and Don Evans, from the Evans Group, for a formal introduction into the record, which was followed with a brief power point presentation. It was explained to the Board that the tea room is a donation only facility.

- Approval of a variance in Section 134-579 of the zoning regulation to allow a maximum impervious surface (ISR) of 70% instead of the required 45%.

Engineer Miller reported on the variance regarding the ISR. He noted for the Board that the property that the County deeded to the Russell Home, was subsequently annexed into the City. He said the Russell Home is asking for variance of 45% to 70% and deferred to his Memo of April 18, 2011. Engineer Miller said drainage from the Russell Home is draining into the park. He reminded the Board that the site plan review will occur after variances are approved. He said granting the variance is not going to cause problems with the ISR, and gave the three recommended conditions that should be include with approval (in addition to any conditions from Planner Hardgrove):

1. An engineered site plan shall be submitted for review and approval by City Staff, Planning & Zoning Board and City Council as required by Chapter 134 of the City Code,

2. 2. The 6' high perimeter buffer wall shall be designed so that it will not affect existing drainage patterns or flows and will be reviewed with the final site plan, and
3. 3. Prior to site plan approval, the Applicant shall obtain and provide to the City, all necessary easements or property from Orange County to allow the drainage to flow to and be treated within the County's system as contemplated in the correspondence provided as a part of the variance application.

Chairwoman Dunay asked about the existence of any reports that allows for drainage and Engineer Miller said the Russell Home will have to prove acceptance of the drainage. Board Member Younglove asked about the area on proposed new site where the brick area is, and the reduction in ISR. Engineer Miller explained that the brick will be impervious, and he confirmed that R-3 allows 70% impervious area.

Public Hearing(s)

Variance for setback

Doris Click speaking on behalf of HAINC, is not opposed to the home, but oppose the ISR. Co-chair Younglove ask Ms. Click about the neighboring homes and if they were complaining; Ms. Click said she couldn't speak for the neighbors. (Ms. Click prepared and read notes into the record; attached to the minutes)

Carolyn Accola spoke on her own behalf, and spoke about her support of the Russell Home She said that she has attended the Tea Room at least four to five times and has never been charged; it was donation only. Ms. Accola favored support of both variances.

Janet Russell confirmed for Co-chair Younglove that the Russell Home is a 501-C3 home and donations can be seen on line.

Closed Public Hearing

Board Member Chrisler made the motion to approve the variance for the setback as recommended by Planner Hardgrove, including conditions: Construction of a 6 feet high masonry wall along the south property line, two story structures to be at least 35 feet from the rear (south) property line, and, rear setback to include one shade tree for each 40 lineal feet or fraction thereof (consistent with Code required buffers – which are not required for this property), and any conditions recommended by Engineer, with Second by Board Member Aguilar; the Motion carried unanimously.

Impervious Surface Ratio

Chairwoman Dunay asked about the existing ratio, and Engineer Miller confirmed 51%. Engineer Miller confirmed for Board Member Aguilar that the cooler is part of building site, and the air conditioner is included in the ISR.

Open to Public Hearing

No questions or comments from the public.

Board Member Chrisler made the Motion to approve the ISR variance with Engineer Miller's conditions: An engineered site plan shall be submitted for review and approval by City Staff, Planning & Zoning Board, and City Council as required by Chapter 134 of the City Code, the 6' high perimeter buffer wall shall be designed so that it will not affect existing drainage patterns or flows and will be reviewed with the final site plan, and prior to site plan approval, the Applicant shall obtain and provide to the City, all necessary easements or property from Orange County to allow the drainage to flow to and be treated within the County's system as contemplated in the correspondence provided as a part of the variance application, with Second by Co-Chair Younglove; the Motion carried unanimously.

New Business

None.

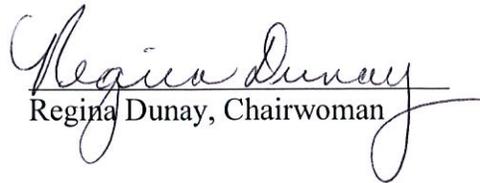
Unfinished Business

None.

Future Meeting

June 13, 2011

Adjournment: there being no further business to discuss, the meeting adjourned.


Regina Dunay, Chairwoman

ATTEST


Bea L. Meeks, MMC, CPM
City Clerk