

PUBLIC NOTICE

PLANNING AND ZONING BOARD MEETING – April 11, 2016

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 City Council meeting on **April 19, 2016** 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, March 14, 2016 at 6:30 pm

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL AND DETERMINATION OF QUORUM
4. APPROVAL OF MINUTES
 - March 14, 2016– Regular P&Z Meeting
5. NEW BUSINESS

ORDINANCE NO. 2016-04

AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA AMENDING SECTION 102-23 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES PROHIBITING THE USE OF LIGHT STRINGS OR STRIPS TO FRAME WINDOWS WHEN SUCH LIGHT STRINGS OR STRIPS ARE VISIBLE FROM A PUBLIC RIGHT OF WAY; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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)

- May 9, 2016
- June 13, 2016

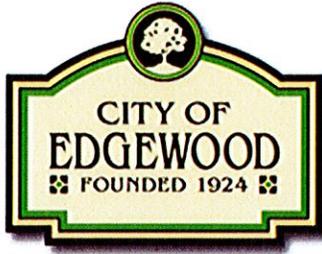
GENERAL RULES OF ORDER

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/Lobbyist 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 MEETING MINUTES
March 14, 2016

Attendees:

Regina Dunay, Chairperson
Susan Lomas, Vice-Chairperson
Marion Rayburn, Board Member
Chris Rader, Board Member
Wade Fischer, Board Member

Applicant:

Dana Higgins

Staff:

Sandy Repp, Administrative Assistant
Ellen Hardgrove, AICP
Drew Smith, City Attorney
John Freeburg, Officer
Debbie Cabales, Code Enforcement Officer

CALL TO ORDER

Chairperson Regina Dunay called the Planning & Zoning Board meeting to order at 6:30 p.m., followed by the Pledge of Allegiance. Administrative Assistant announced that there was a quorum.

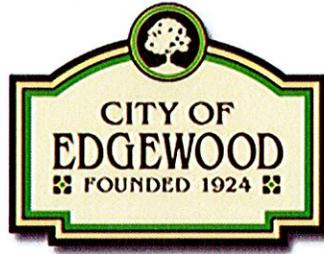
APPROVAL OF MINUTES

- February 8, 2016 – Regular P&Z Meeting

Board Member Marion Rayburn made the motion to approve the February 8, 2016 minutes, as presented; seconded by Chairwoman Dunay. Unanimously approved (5/0)

NEW BUSINESS

- VARIANCE(S) APPLICATION FOR LINDA AND DANA HIGGINS AT 5156 CREUSOT CT. (APPLICATION VAR#2016-01)**



Chairwoman Dunay referred to City Planner Ellen Hardgrove regarding the variance application. Planner Hardgrove provided the following information:

- This is a request for rear yard setback variance of 32 feet versus the required 35 feet.
- The applicant would like to replace and enlarge the existing patio which meets current standards.
- The proposed new patio will go three (3) feet into the setback.
- The new roof will be architecturally consistent with the house and will raise its value.
- Staff has reviewed the circumstances and has found that all criteria have been met and is recommending approval.

Discussion ensued about the lot and its shape and large size. Chairwoman Dunay referred to the encroachment of the eaves on page two (2) of Planner Hardgrove's report, which would extend to three (3) feet. City Planner Hardgrove said that the eaves extend too far into the setback. Chairwoman Dunay asked if the eaves were not considered because they are allowed to encroach, which was confirmed by City Planner Hardgrove.

There being no further discussion, Chairwoman Dunay asked for a motion to approve the variance application.

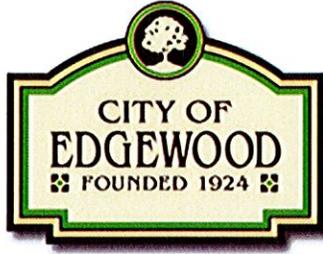
Board Member Susan Lomas made the motion to approve Dana and Linda Higgins' request for a variance as presented; seconded by Board Member Wade Fischer. The motion was unanimously approved 5/0.

Administrative Assistant, Sandra Repp, confirmed that the Board's recommendation for approval will move forward to the March 22, 2016 City Council meeting.

- b. REVISION OF PROPOSED ORDINANCE 2016-02: AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA AMENDING SECTION 134-483 OF THE CITY OF EDGEWOOD ALLOWING GENERATORS, AIR CONDITIONING / HEATING AND VENTILATION COMPONENTS AND SWIMMING POOL PUMPS AND HEATERS TO ENCROACH INTO REQUIRED YARDS UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

Chairwoman Dunay introduced the revision of Ordinance 2016-02 and referred to City Attorney Drew Smith who cited the last paragraph, which clarifies that the accessory equipment is part of the building making it subject to the setback lines.

Chairwoman Dunay said this is what the Planning and Zoning board had requested and Attorney Smith commented that accessory equipment is part of the building for calculations for setbacks.



Administrative Assistant Sandy Repp confirmed that the Ordinance will go before City Council on March 22, 2016.

There being no further discussion, Chairwoman Dunay asked for a motion to recommend approval of the ordinance, as presented.

Board Member Chris Rader made the motion to approve Ordinance 2016-02 as presented; seconded by Board Member Marion Rayburn. The motion was unanimously approved 5/0.

COMMENTS/ANNOUNCEMENTS

Administrative Assistant Sandy Repp said that there will be a meeting for next month on April 11, 2016 to discuss a new ordinance

ADJOURNMENT:

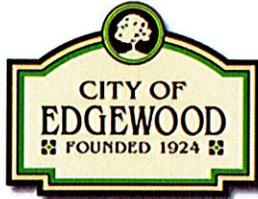
With no further business or discussion, Board Member Lomas made the Motion to adjourn the Planning and Zoning Board meeting; seconded by Chairwoman Dunay. The motion to adjourn passed unanimously 5/0.

The Planning and Zoning Board meeting adjourned at 6:42 pm.

Regina Dunay, Chairwoman

ATTEST

Sandra Repp
Administrative Assistant



Memo

To: Planning and Zoning Board Members
From: Sandy Repp, Administrative Assistant
Date: April 7, 2016
Re: New Business Items

The following proposed ordinance is provided in your agenda packet for your review:

1. Ordinance 2016-04

AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA AMENDING SECTION 102-23 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES PROHIBITING THE USE OF LIGHT STRINGS OR STRIPS TO FRAME WINDOWS WHEN SUCH LIGHT STRINGS OR STRIPS ARE VISIBLE FROM A PUBLIC RIGHT OF WAY; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

ORDINANCE NO. 2016-04

AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA AMENDING SECTION 102-23 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES PROHIBITING THE USE OF LIGHT STRINGS OR STRIPS TO FRAME WINDOWS WHEN SUCH LIGHT STRINGS OR STRIPS ARE VISIBLE FROM A PUBLIC RIGHT OF WAY; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Edgewood finds and determines that the use of light strings and strips, including led light strings and strips, to frame or border windows is becoming more prevalent among non-residential properties in neighboring jurisdictions; and

WHEREAS, the City Council of the City of Edgewood finds and determines that the proliferation of such light strings and strips for such use adds to light pollution and has a deleterious impact of the aesthetics of the area in which they are located; and

WHEREAS, the City Council of the City of Edgewood finds and determines that such light strings and strips when used to frame or border windows can distract or otherwise affect the normal night vision of drivers and pedestrians when the intensity of such light strings or strips is greater than the ambient light; and

WHEREAS, the City Council finds and determines that potential for driver and pedestrian impact of such light strings is greatest within non-residential areas of the City because properties within such districts tend to be closer to the roadways and the roadways have higher speed limits and more traffic which compound the risks associated with driver distraction; and

WHEREAS, the City Council of the City of Edgewood desires to protect the aesthetic appeal of the City of Edgewood; and

WHEREAS, the City Council of the City of Edgewood desires to ensure the greatest possible safety for motorists and pedestrians within the City of Edgewood; and

WHEREAS, the City Council of the City of Edgewood finds that the adoption of this Ordinance is in the best interest of the public health, safety and welfare; and

WHEREAS, the Planning and Zoning Board of the City of Edgewood, sitting as the Local Planning Agency, has reviewed the proposed amendment, found it consistent with the City's Comprehensive Plan, and recommended approval by the City Council.

NOW, THEREFORE, BE IT ENACTED by the City Council of the City of Edgewood, Florida as follows:

NOTE: Underlined words constitute additions to the City of Edgewood Code of Ordinances, ~~strikethrough~~ constitutes deletions from the original Code of Ordinances, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

Section 1. Legislative Findings and Intent. The findings set forth in the recitals above are hereby adopted as legislative findings pertaining to this ordinance.

Section 2. Section 102-23 of the City of Edgewood Code of Ordinances shall be

amended as follows:

Sec. 102-23. - Exterior lighting.

(a) Lights for area lighting of outdoor areas shall not be located, operated, or maintained in any manner such that problems of a general nuisance nature are created on adjacent properties or such that traffic hazards result by reason of such illumination or glare.

(b) Exterior lighting should be arranged to reflect light away from adjoining properties thus maximizing illumination on the property on which it originates and minimizing illumination pervading other areas.

(c) Any person found in violation of this section should be notified and said person shall be allowed 15 days to shield, adjust, alter, or remove the lighting such that the negative effect on adjoining areas is eliminated.

(d) Light strings or light strips, including LED strings or strips, visible from a public right of way, whether located on the interior or exterior of a structure, that frame or border any windows of property located in any non-residential zoning district are prohibited. For purposes of this section, a light string or strip shall be considered to frame or border a window if such light string or strip runs the length of 25% or more of the window's perimeter.

Section 3. The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Edgewood.

Section 4. If any section, sentence, phrase, word or portion of this ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

Section 5. All ordinances that are in conflict with this Ordinance are hereby repealed.

Section 6. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2016, by the City Council of the City of Edgewood, Florida.

PASSED ON FIRST READING: _____

PASSED ON SECOND READING: _____

John Dowless, Council President

ATTEST:

Bea L. Meeks, MMC, CPM
City Clerk