

CITY OF WINTER SPRINGS, FLORIDA
MINUTES
PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY
REGULAR MEETING
FEBRUARY 05, 2020

CALL TO ORDER

Chairperson Kok Wan Mah called to order the Wednesday, February 5, 2020 Regular Meeting of the Planning and Zoning Board/Local Planning Agency at 5:31 p.m. in the Commission Chambers (City Hall, 1126 East State Road 434, Winter Springs, Florida 32708).

Roll Call:

Chairperson Kok Wan Mah present
Vice-Chairperson Kevin McCann, present
Board Member James Evans, present
Board Member Michael Ferrante, present
Board Member Bart Phillips, present
City Attorney Anthony A. Garganese, present
Interim City Clerk Christian Gowan, present

A moment of silence was followed by the Pledge of Allegiance.

No changes were made to the Agenda.

AWARDS AND PRESENTATIONS

100. Not Used

INFORMATIONAL AGENDA

200. Not Used

PUBLIC INPUT

Chairperson Mah opened "Public Input".

No one spoke.

Chairperson Mah closed "Public Input".

CONSENT AGENDA

300. Approval of the Minutes from the Wednesday, January 8, 2020 Planning and Zoning Board/Local Planning Agency Special Meeting

Chairperson Mah asked for a motion to approve the minutes of the January 8, 2020 Planning and Zoning Board/Local Planning Agency Special Meeting.

"MOTION TO APPROVE." MOTION BY VICE-CHAIRPERSON MCCANN. SECONDED BY BOARD MEMBER EVANS. DISCUSSION.

VOTE:

VICE-CHAIRPERSON McCANN: AYE

BOARD MEMBER FERRANTE: AYE

CHAIRPERSON MAH: AYE

BOARD MEMBER PHILLIPS: AYE

BOARD MEMBER EVANS: AYE

MOTION CARRIED.

PUBLIC HEARINGS AGENDA

400. Accessory Dwelling Unit – Nancy S. Freeman and John W. McHale III

Ms. Marla Molina, Senior City Planner, Community Development Department introduced the item and gave staff's recommendation that the Board forward a recommendation of denial.

Mr. Mark Jones presented on behalf of the applicant and noted hardships regarding cost and aesthetic requirements.

Mr. John McHale III, 900 Dyson Drive, Winter Springs, Florida; spoke as the owner of the property, noted that he did not want to take out trees, and also

mentioned that he was willing to put deed restrictions in place to ensure that the proposed Accessory Dwelling Unit (ADU) could not be rented out.

Discussion followed on alternative placement of the proposed ADU, possible deed restrictions, issues with short-term rentals, and the requirement that ADUs be subordinate to the primary structure

Chairperson Mah opened the Public Hearing for Item 400

Mr. Robert Putnam, 955 Dyson Drive, Winter Springs, Florida agreed with comments made by Board Members and strongly objected to the current planned ADU.

Mr. Miguel Martin, 830 Dyson Drive, Winter Springs, Florida read a statement he previously sent in and asked that if this were approved it be required that the ADU use existing utility connections.

Ms. Ellen Lopez for Ms. Aurea Lopez, 612 Morgan Street, Winter Springs, Florida read a letter in opposition of the proposed ADU and provided the letter to the Clerk.

Mr. Spenser Kisby, 855 Dyson Drive, Winter Springs, Florida noted he had previously sent in a letter of opposition and that his position had not changed.

Ms. Karen Erlandson, 940 Dyson Drive, Winter Springs, Florida spoke in opposition of what she saw as a secondary residence being added to the lot.

Mr. Tom Walles, 607 South Pinto Court, Winter Springs, Florida agreed with others comments and mentioned reconfiguration of his own property as a potential model for an alternative to the proposed ADU.

Mr. Tom Freeman, 414 River Drive, DeBary, Florida noted he owned the property for forty (40) years, planted many of the trees, and did not agree that the project would hurt neighboring properties. Mr. Freeman asked the Board to approve the project.

Ms. Sherri Moore, 925 Dyson Drive, Winter Springs, Florida was sympathetic to the reasons for wanting the ADU but was worried a precedent might be set that would allow two homes on a single lot and change the character of the neighborhood.

Mr. Jim Crouse, 994 Shetland Ave, Winter Springs, Florida noted opposition to how the issue was approached and said he believed there was no justification for a variance. Furthermore, he noted he was in support of ADU's in general but not in favor of the one proposed.

Mr. Steve Adamission, Mrs. Shirley Adamission, Ms. Catherine Brennan, Mr. Tom James, Ms. Cynthia Kisby, Mr. Martin Rosenthal, Mr. Bob Ruebusch, and Mrs. Phyllis Ruebusch declined to speak but turned in Public Input Forms noting opposition to Item 401.

Chairperson Mah closed the Public Hearing from Item 400

Discussion followed on the possibility of continuing the item to a later date.

**“MOTION TO CONTINUE THIS FOR THE APRIL 1ST PLANNING AND ZONING BOARD/LPA MEETING, CONTINGENT UPON CITY STAFF PUTTING OUT THE FULL PUBLIC NOTIFICATIONS TO ALL RESIDENTS ON THE NEW PLANS.”
MOTION BY BOARD MEMBER EVANS. SECONDED BY BOARD MEMBER FERRANTE. DISCUSSION.**

VOTE:

BOARD MEMBER EVANS: AYE

CHAIRPERSON MAH: AYE

BOARD MEMBER PHILLIPS: AYE

BOARD MEMBER FERRANTE: AYE

VICE-CHAIRPERSON McCANN: AYE

MOTION CARRIED.

401. Wendy's Fast Food Restaurant - Final Engineering Review and Aesthetic Review

Ms. Molina introduced the item clarified that a monument sign was not a current consideration and noted Staff's recommendation that the Board forward a recommendation of approval.

Mr. James Vandercrake, Infinity Engineering Group, 1208 East Kennedy Blvd, Tampa, Florida said he appreciated staff assistance and was happy to answer questions.

Brief discussion.

Chairperson Mah opened the Public Hearing for Item 401

No one spoke

Chairperson Mah closed the Public Hearing from Item 401

I MOVE TO APPROVE THE FINAL ENGINEERING ALONG WITH THE REQUESTED WAIVERS OF THE APPLICANT.” MOTION BY BOARD MEMBER EVANS. SECONDED BY BOARD MEMBER PHILLIPS. DISCUSSION.

VOTE:

BOARD MEMBER FERRANTE: AYE

BOARD MEMBER PHILLIPS: AYE

BOARD MEMBER EVANS: AYE

VICE-CHAIRPERSON McCANN: AYE

CHAIRPERSON MAH: AYE

MOTION CARRIED.

BOARD MEMBER EVANS ASKED TO AMEND THE MOTION TO APPROVE FINAL ENGINEERING, AESTHETIC REVIEW, ALL APPLICABLE WAIVERS, AND THE DEVELOPERS AGREEMENT. MOTION BY BOARD MEMBER EVANS. SECONDED BY BOARD MEMBER PHILLIPS.

VOTE:

BOARD MEMBER FERRANTE: AYE

BOARD MEMBER PHILLIPS: AYE

BOARD MEMBER EVANS: AYE

VICE-CHAIRPERSON McCANN: AYE

CHAIRPERSON MAH: AYE

MOTION CARRIED.

REGULAR AGENDA

500. Not Used

REPORTS

No reports were given.

ADJOURNMENT

Chairperson Mah adjourned the Regular Meeting at 7:10p.m.

RESPECTFULLY SUBMITTED:



CHRISTIAN GOWAN
INTERIM CITY CLERK

NOTE: These Minutes were approved at the April 01, 2020 Planning and Zoning Board/Local Planning Agency Regular Meeting.