



Steve Kreidt
Chair

Ryan Santurri
Vice-Chair

David Gragg
Board Member

David Nelson
Board Member

Melissa Gibson
Board Member

PUBLIC NOTICE
PLANNING AND ZONING BOARD MEETING – October 11, 2021

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, October 11, 2021 at 6:30 pm

- Call to Order
- Pledge of Allegiance
- Roll Call and Determination of Quorum
- Approval of Minutes
 - September 13, 2021 – P&Z Meeting
- New Business

Ordinance 2021-11 Automobile Service Stations

AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA AMENDING CHAPTER 134, “ZONING,” SECTION 134-514, RELATED TO AUTOMOBILE SERVICE STATIONS; PROVIDING THAT AUTOMOBILE SERVICE STATIONS MAY BE PERMITTED IN THE CITY’S INDUSTRIAL ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE.

- **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).
 - October 19, 2021 at 6:30 pm City Council meeting
 - November 8, 2021 at 6:30 pm P&Z meeting

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 Draft Minutes
September 13, 2021**

Call to Order

Chair Kreidt called the meeting to order at 6:30 pm and led the Pledge of Allegiance.

Roll Call and Determination of Quorum

The following Planning and Zoning and staff members were present.

Board Members: (Quorum)

- Steve Kreidt, Chair
- Ryan Santurri, Vice-Chair
- David Gragg, Board Member
- David Nelson, Board Member
- Melissa Gibson, Board Member (absent)

Staff:

- Sandra Riffle, Deputy City Clerk
- John Freeburg, Police Chief
- Drew Smith, City Attorney
- Ellen Hardgrove, AICP City Planner

DCC Riffle announced a quorum with four members present.

Approval of Minutes

- **August 9, 2021 Planning and Zoning Meeting Minutes**

Board Member Gragg made a motion to approve the August 9, 2021 minutes; second by Board Member Nelson. The motion was approved (4/0).

New Business

- New Business
 - **Ordinance 2021-08 IPMC Update**
AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING SECTION 102-71 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES BY ADOPTING THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, WITH CERTAIN AMENDMENTS, THERETO TO CONFORM TO FLORIDA LAW AND THE CITY’S EXISTING CODE OF ORDINANCES; REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS, AND STRUCTURES TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY, AND FIT FOR OCCUPANCY AND USE; PROVIDING THAT THE

PROVISIONS OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE SHALL BE SUPPLEMENTAL TO ALL OTHER CODES AND ORDINANCES OF THE CITY; PROVIDING FOR CODIFICATION, SEVERABILITY, AND CONFLICTS, AND PROVIDING AN EFFECTIVE DATE.

Attorney Smith explained the International Property Maintenance Code (IPMC) provides minimum property maintenance standards. The City adopted IPMC in 2015. It is separate from Florida Building Code; updated versions are adopted as needed.

Vice-Chair Santurri made a motion to recommend approval of Ordinance 2021-08; second by Chair Kreidt. The motion was approved (4/0).

The motion was approved with a roll call vote.

Board Member Gragg	Favor
Vice-Chair Santurri	Favor
Chair Kreidt	Favor
Board Member Nelson	Favor
Board Member Gibson	Absent

○ **Ordinance 2021-09 Fire Impact Fees Repeal**

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA REPEALING THE CITY OF EDGEWOOD FIRE/RESCUE SERVICES IMPACT FEE, PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

Orange County provides Edgewood’s fire and rescue services. Impact fees may only be used for capital improvements. The City has used the funds for radios but does not foresee any purchases for capital improvements in the future.

In response to Chair Kreidt, Attorney Smith explained that developers no longer have to pay this fee.

There was no public comment.

Chair Kreidt made a motion to recommend approval of Ordinance 2021-09; second by Vice-Chair Santurri. The motion was approved (4/0).

The motion was approved with a roll call vote.

Board Member Nelson	Favor
Chair Kreidt	Favor
Vice-Chair Santurri	Favor
Board Member Gragg	Favor
Board Member Gibson	Absent

○ **Ordinance 2021-10 Home-based Businesses**

AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA AMENDING CHAPTER 134, “ZONING,” SECTION 134-518, RELATED TO HOME-BASED BUSINESSES; MAKING THE CODE CONSISTENT WITH RECENT STATE

LEGISLATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE.

Attorney Smith explained that due to State legislation, municipalities are restricted from regulating home businesses any more stringently than other businesses. Cities cannot have a list of allowable home businesses.

Attorney Smith confirmed to Chair Kreidt that there has been discussion of the State’s overreach. He added that more home rule has been taken away with each legislative session.

In response to Board Member Nelson, Attorney Smith confirmed that municipalities can enforce code compliance. It is permissible for home businesses to have up to two employees that do not reside at the residence.

Attorney Smith confirmed to Board Member Gragg that home businesses must be legitimate with legal uses and consistent with the neighborhood.

There can be no more parking demand than the average for the neighborhood.

There was no public comment.

Board Member Nelson made a motion to recommend approval of Ordinance 2021-10; second by Vice-Chair Santurri. The motion was approved (4/0).

The motion was approved with a roll call vote.

Chair Kreidt	Favor
Board Member Gragg	Favor
Vice-Chair Santurri	Favor
Board Member Nelson	Favor
Board Member Gibson	Absent

Comments/Announcements

Chief Freeburg said that Stacey Salemi is now the Code Enforcement Officer. She has a beneficial skillset and is good with people. She is doing a good job.

Adjournment

At 6:49 pm, Vice-Chair Santurri made a motion to adjourn the meeting; second by Board Member Gragg.

Steve Kreidt, Chair

Sandra Riffle, Deputy City Clerk

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ORDINANCE NO. 2021-11

**AN ORDINANCE OF THE CITY OF EDGEWOOD,
ORANGE COUNTY, FLORIDA AMENDING CHAPTER
134, "ZONING," SECTION 134-514, RELATED TO
AUTOMOBILE SERVICE STATIONS; PROVIDING THAT
AUTOMOBILE SERVICE STATIONS MAY BE
PERMITTED IN THE CITY'S INDUSTRIAL ZONING
DISTRICT; PROVIDING FOR SEVERABILITY;
PROVIDING FOR CODIFICATION, CONFLICTS, AND
EFFECTIVE DATE.**

WHEREAS, the City of Edgewood currently prohibits automobile service stations in all zoning districts; and

WHEREAS, the during the 2020 legislative session, the Florida legislature amended Section 377.707 to preempt local governments from adopting or enforcing de facto prohibitions of fuel retailers; and

WHEREAS, the City's existing prohibition is in conflict with Stat law; and

WHEREAS, the City Council of the City of Edgewood finds it necessary and appropriate to amend the City's Land Development Regulations to exempt the City's Industrial zoning district from the automobile service station prohibition in order to comply with State law.

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, ~~strike through~~ 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. Chapter 134, Section 134-514 of the City of Edgewood Code of Ordinances shall be amended as follows:

Sec. 134-514. - Automobile service station ~~prohibited~~ prohibited in non-industrial zoning districts, and requirements.

Automobile service stations, as defined in section 134-1, are prohibited in any zoning district in the city other than the I (Industrial) zoning district. For all automobile service stations, including those that exist as nonconforming uses, the following shall apply:

- (1) All pump islands shall be set back at least 15 feet from the right-of-way line.

43 (2) The overhang of freestanding pump island canopies, supported on the pump
44 island, shall come no closer than five feet from the right-of-way line. Any pump island
45 canopy attached to the service station structure shall become part of said structure and
46 subject to building setback requirements.

47 (3) When the station abuts a residential district, it shall be separated therefrom
48 by a solid fence or wall at least eight feet high.

49 **Section 2.** The provisions of this Ordinance shall be codified as and become and be
50 made a part of the Code of Ordinances of the City of Edgewood.

51
52 **Section 3.** If any section, sentence, phrase, word or portion of this ordinance is
53 determined to be invalid, unlawful or unconstitutional, said determination shall not be held to
54 invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or
55 portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

56
57 **Section 4.** All ordinances that are in conflict with this Ordinance are hereby repealed.

58
59 **Section 5.** This Ordinance shall become effective immediately upon its passage and
60 adoption.

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62 **PASSED AND ADOPTED** this _____ day of _____, 2021, by the City
63 Council of the City of Edgewood, Florida.

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65 PASSED ON FIRST READING: _____

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67 PASSED ON SECOND READING: _____

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69
70 _____
71 Richard A. Horn, Council President

72 *ATTEST:*

73
74 _____
75 Bea L. Meeks
76 City Clerk