

OCOEE PLANNING AND ZONING COMMISSION

Ocoee Commission Chambers
1 N. Bluford Avenue
Ocoee, Florida

May 13, 2025

MINUTES

6:30 PM

REGULAR PLANNING AND ZONING COMMISSION MEETING

• CALL TO ORDER

Chair Lomneck called the regular session to order at 6:30 PM in the Commission Chambers of City Hall.

A brief recess was called at 6:30 PM to allow members to attend the Centennial Time Capsule event. The meeting resumed at 6:59 PM.

The invocation was led by **Chair Lomneck**, followed by the Pledge of Allegiance to the Flag. **Recording Clerk Justice** called the roll and declared a quorum present.

Present: Chair Lomneck, Vice-Chair Forges, Members Keller and Galvan, and Alternate Member Butler

Absent: Member Chacon

Also present: Planner Belizaire, Zoning Manager Whitfield, City Attorney Geller, and Recording Clerk Justice

• CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting held on April 8, 2025.

(6:59 pm)

Motion for Approval of the Consent Agenda: Moved by Member Keller, Seconded by Alternate Member Butler; Motion carried 5-0 with Member Chacon absent.

• OLD BUSINESS - None

• NEW BUSINESS

1. 508, 518 & 524 Woodson Ave. – Legacy Homes FL LLC Annexation & Rezoning from Orange County R-1 (Single-Family Dwelling District) to City of Ocoee R-1A (Single-Family Dwelling District); Project No(s): AX-04-25-02, AX-04-25-03, AX-04-25-04, RZ-25-04-02, RZ-25-04-03, & RZ-25-04-04 (**Planner Belizaire**)

Planner Belizaire presented a brief overview of the subject parcels. The properties are logical and eligible for annexation and will further the City's efforts to reduce enclaves within the city limits. The properties are currently zoned County R-1 with Low Density

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Residential (LDR) designation on the Future Land Use Map (FLUM). A rezoning to conventional City R-1A is proposed, with the properties maintaining the LDR designation. City water is available, and the properties will continue to utilize private septic systems.

Member Keller inquired if the properties need to be annexed in a certain order. Discussion ensued, and it was determined that motions would be made for the properties moving from north to south.

The applicant was not present to speak, so Chair Lomneck opened the public hearing. As no speaker forms were received, the public hearing was closed.

Chair Lomneck inquired which project numbers were associated with which properties. Discussion ensued, and Chair Lomneck was informed of the correct order.

Chair Lomneck asked if it was acceptable to announce the addresses for the motions since the project numbers have already been announced. **City Attorney Geller** answered in the affirmative.

Chair Lomneck advised the Board on how to make the first motion. **City Attorney Geller** clarified the order of the addresses for the motions. Discussion ensued.

(7:06 pm)

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of the Annexation for 524 Woodson Avenue, Project Number AX-04-25-04; Moved by Member Keller, Seconded by Member Galvan; motion carried 5-0, with Member Chacon absent.

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of the Rezoning for 524 Woodson Avenue, Project Number RZ-25-04-04; Moved by Member Keller, Seconded by Member Galvan; motion carried 5-0, with Member Chacon absent.

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of the Annexation of 518 Woodson Avenue, Project Number AX-04-25-03; Moved by Vice-Chair Forges, Seconded by Alternate Member Butler; motion carried 5-0, with Member Chacon absent.

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of the Rezoning for 518 Woodson Avenue, Project Number RZ-25-04-03; Moved by Vice-Chair Forges, Seconded by Member Galvan; motion carried 5-0, with Member Chacon absent.

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of the Annexation for 508 Woodson Avenue, Project Number AX-04-25-02; Moved by Alternate Member

Butler, Seconded by Member Galvan; motion carried 5-0, with Member Chacon absent.

Chair Lomneck handed the gavel to Vice-Chair Forges, who handed it to Member Keller.

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of the Rezoning for 508 Woodson Avenue, Project Number RZ-25-04-02; Moved by Chair Lomneck, Seconded by Vice-Chair Forges; motion carried 5-0, with Member Chacon absent.

2. 1561 Dusty Pine Drive - Fermaint Property Variance Request; Project No: VR-25-01
(Planner Belizaire)

Planner Belizaire presented a brief overview of the subject property and the requested variances. She noted that Code Enforcement action was initiated due to unpermitted improvements, including the installation of pavers in the front and side yards. Additional unpermitted improvements were discovered in the rear of the property when reviewing the building permit application. The applicant seeks the following:

- A variance to exceed the Forest Lake Estates PUD maximum allowed 65% Impervious Surface Area (ISA).
- A 25% variance to Article V, Subsection 5-4D of the City of Ocoee Land Development Code, to encroach into the minimum 2-foot side setback for impervious materials by 0.5-feet.

5-foot drainage and utility easements exist along the side property lines. Along the rear property line there are 5-foot wall and 10-foot distribution easements. The applicant is seeking easement vacations separately from this variance request as impervious materials are installed within them.

According to the plat notes, the 10-foot easement along the rear of the property is for electrical distribution, and staff anticipates that the requested vacation will not be granted. Staff recommends denial of the variance.

Chair Lomneck inquired if this property had been presented before. **Planner Belizaire** addressed his question.

Vice-Chair Forges inquired if the property was cited by Code Enforcement in April 2024, has it been out of compliance since then. **Planner Belizaire** addressed his question.

Chair Lomneck invited the applicant to speak.

Monica Fermaint, 1561 Dusty Pine Drive, explained the steps they took after they received notification of Code Enforcement action, as well as provided an explanation for why they installed the pavers in the front and side yards.

Edwin Fermaint, 1561 Dusty Pine Drive, explained the information the Code

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Enforcement Board provided to them. He further explained that he was under the impression that the company that installed the pavers pulled permits.

Chair Lomneck opened the public hearing.

Sherwood Brown, 1408 Dusty Pine Drive, spoke in support of the variance.

Rajesh Roopchan, 1605 Dusty Pine Drive, spoke in support of the variance.

Chair Lomneck closed the public hearing.

City Attorney Geller inquired about the 2-foot setback [for impervious surfaces]. **Planner Belizaire** addressed his inquiry; discussion ensued.

Vice-Chair Forges requested confirmation that [the Code] does not prohibit the installation of pavers entirely but rather restricts their placement within easements or where installation would exceed the approved ISA. **Planner Belizaire** confirmed and clarified this. A discussion followed regarding the elevation of the dirt to the stucco line.

Chair Lomneck asked for clarification regarding what this specific variance entails.

Zoning Manager Whitfield provided an overview of the property's overall ISA, including the existing unpermitted improvements. She also addressed the applicable setbacks, easements, the applicants' easement vacation application, and drainage patterns affecting the property, neighboring parcels, and the subdivision as a whole.

(7:32 pm)

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Denial of the Fermaid Variance, Project Number VR-25-01; Moved by Alternate Member Butler, Seconded by Vice-Chair Forges;

Member Keller clarified that those who vote yes are voting for denial, and no votes are against the denial.

Vice-Chair Forges provided clarification regarding why he seconded the motion for denial.

Chair Lomneck noted that the Planning & Zoning Board has maintained a consistent approach regarding ISA ratio decisions but emphasized that the board serves in an advisory capacity, with final decisions made by the City Commission.

Motion carried 4-1, with Member Keller opposed and Member Chacon absent.

Member Keller explained why he voted against the denial. **Chair Lomneck** responded to his comments and clarified to the applicants that the vote was 4-1 in favor of a

recommendation of denial to the City Commission.

Zoning Manager Whitfield clarified that a reduction [in the side walkways] from 3.5 to 3 feet may provide relief if the remaining ISA issue is resolved. A brief discussion regarding setback limits followed.

• **MISCELLANEOUS**

1. Project Status Report

Zoning Manager Whitfield updated the Board with the following:

- The Backyard opens Wednesday. They will be the City's first official dog-friendly restaurant.
- Wawa is open.
- Envision 2045 outreach meeting is on May 28, 2025, from 6:00 PM – 8:00 PM.
- Staff are reviewing the current zoning districts as part of the Land Development Code update in an effort to bring the City to a more urban form while protecting the outer limits of the City boundaries.
- There has been no movement with regards to permitting for City Center West Orange.
- Plans for the Walmart Neighborhood Market slotted for Ocoee Village Center are in for their second round of review.

Vice-Chair Forges inquired about the location of the Walmart Neighborhood Market. **Zoning Manager Whitfield** addressed his question and mentioned the second gas station for the project that will be built in conjunction with the market. She further advised that the northwest corner of Clarcona-Ocoee Road would feature a retail plaza with two buildings, and this portion of the project is in its first round of review.

Chair Lomneck noted that Einstein Bagels opened.

• **ADJOURNMENT – 7:41 PM**

ATTEST:


Miranda Justice, Recording Clerk

APPROVED:


Brad Lomneck, Chair