

**MINUTES
CITY OF OCOEE
PLANNING AND ZONING COMMISSION
(Acting as the Local Planning Agency)
REGULAR MEETING**

APRIL 11, 2023

6:30 pm

•CALL TO ORDER

Chair Lomneck called the regular session to order at 6:30 PM in the Commission Chambers of City Hall. The invocation was led by **Chair Lomneck**, followed by the Pledge of Allegiance to the Flag. **Recording Clerk Heard** called the roll and declared a quorum present.

Present: Chair Lomneck, Member Crocker, Member Forges, Alternate Member Keller

Absent: Member Mellen, Member Williams

Also Present: Development Services Director Rumer, Zoning Manager Whitfield, Assistant City Attorney Drage, Recording Clerk Heard

Chair Lomneck welcomed new member, Joe Crocker, to the Board.

•CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting held on February 14, 2023.

Motion for Approval of the Consent Agenda: Moved by Member Keller, Seconded by Member Crocker; Motion carried unanimously with Members Forges, Mellen & Williams absent.

(Member Forges is present.)

•OLD BUSINESS - None

•NEW BUSINESS

1. **Siri Office Building Market Street ROW – Annexation & Rezoning to PUD (AX-03-23-03 & RZ-23-03-03). (Zoning Manager Whitfield)**

Zoning Manager Whitfield presented a brief overview of the subject property which is approximately .372 acres in size and is comprised of the Market Street right-of-way (ROW) and Arlington Avenue ROW. The subject site is adjacent to and has been included as part of the design for the Siri Office Building PUD Land Use Plan (LUP), fka 3872 Old Winter Garden Road PUD LUP. The applicant has submitted this request for annexation and classification of the vacated ROW site to PUD. This application does not propose any new development, but rather, per the approved Amended Siri Office Building LUP, the vacated ROWs will be developed with parking spaces, landscaped buffer, a garbage

dumpster, a small stormwater pond, and vehicular interconnect to the property immediately to the west

The applicant was present for questions.

The Board had no comments or questions.

Chair Lomneck opened the public hearing.

Elmer Carrier, *Ocoee Resident*, asked if a notification was sent out regarding the footprint revision in 2022. **Zoning Manager Whitfield** explained the revision was a non-substantial change which is a Commission Consent Agenda item, thus notification was not required. **Mr. Carrier** further stated he is concerned that the trees in between the PUD and the adjacent residential community to the south are currently not protected.

Chair Lomneck closed the public hearing.

(6:41 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 Siri Office Building Market Street ROW (AX-03-23-03), subject to resolution of the remaining staff comments before the City Commission meeting; Moved by Member Keller, Seconded by Member Forges; motion carried unanimously with Members Mellen and Williams absent.

(6:42 pm)

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of the Rezoning to PUD for Siri Office Building Market Street ROW (RZ-23-03-03), subject to resolution of the remaining staff comments before the City Commission meeting; Moved by Member Forges, Seconded by Member Keller; motion carried unanimously with Members Mellen and Williams absent.

2. **608 E. Silver Star Road - Maravilla Holdings Property - Annexation & Rezoning to R-1A (AX-03-23-04 & RZ-23-03-04). (Zoning Manager Whitfield)**

Zoning Manager Whitfield announced this item has been rescheduled to a future date to be determined.

3. Heartland Dental - Colonial Drive Preventative & Comprehensive Dentistry - Sign Variance (VR-23-01). (Zoning Manager Whitfield)

Zoning Manager Whitfield presented a brief overview of the subject property which is located on a corner lot at 1110 Blackwood Avenue. The applicant is requesting two (2) variances to Section 8-6A, Article VIII, as follows:

Variance #1: A sign height of six (6) feet, in lieu of the maximum three (3) feet, representing a 100% increase in sign height for the west elevation sign. Given the overall height of the building where the sign is proposed to be located and the fact that the west elevation wall sign is below the maximum 36 SF sign size (at 28.26 SF), staff supports the 100% increase in sign height.

Variance #2: A sign size of 70 SF, in lieu of the maximum 36 SF, representing a 94% increase in sign size for the north elevation sign. The north elevation sign also exceeds the maximum sign height by 1.67 feet. However, as this increase is less than 5% above the 3-foot maximum and considering the scale and varying roof lines of the building, staff does not identify an issue with the additional 1.67 feet as the City has provided similar consideration for other signs when the overall sign size meets the Code.

Zoning Manager Whitfield explained Article IV, Section 4-9A, requires the applicant to demonstrate compliance with four (4) criteria in order to be granted a variance approval; and further, stated the applicant's and staff's responses to the four (4) criteria. She displayed the proposed plans for the signs and explained staff's recommendations are the following:

Variance #1: APPROVAL of the variance request to Section 8-6A(1) and (2), Article VIII, for the west elevation wall sign and allow the 28.26 SF sign at a height of six (6) feet in lieu of three (3) feet, representing a 100% height increase, and

Variance #2: DENIAL of the variance request to Section 8-6A(1) and (2), Article VIII, for the north elevation wall sign and NOT allow a sign size of 70 SF in lieu of 36 SF, representing a 94% increase in sign size, for the north elevation wall sign

Member Forges asked about the sign placement.

Keishaun Greaves, *Applicant*, explained his position stating he does not believe approving this special request would confer special privileges and does not believe the bigger signs would be a hindrance to anyone else.

Chair Lomneck opened the public hearing.

Barb Simon, *Orlando Resident*, stated she represents a neighboring business and believes approving this variance would grant this business a special privilege that neighboring businesses were denied, which would not be fair.

Dr. Tommy Dorsey, *Applicant/Owner*, stated he is the current dentist at Heartland Dental Colonial Drive and has been practicing in Ocoee for 16 years. He drives on Blackwood Avenue daily, and believes it will be a hazard for motorists to try to see the sign on the building because of the building setback and trees. He suggested a slightly larger sign will keep traffic moving and possibly prevent accidents.

Chair Lomneck closed the public hearing.

Chair Lomneck stated most sign variances do get denied.

Member Forges asked what the typical building size is for this particular franchise.

Keishaun Greaves, *Applicant*, stated this building is the standard size for all of Heartland Dentals within the State of Florida.

(7:01 pm)

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of Staff's Recommendations with respect to the Heartland Dental Variance Request, based on factual interpretation of the code requirements, as presented by staff, and public testimony related; Moved by Member Forges, Seconded by Member Crocker.

Assistant City Attorney Drage explained to the Board they should vote "yes" only if they approve of both recommendations presented by staff.

Motion carried unanimously with Members Mellen and Williams absent.

• MISCELLANEOUS

1. Project Status Report

Development Services Director Rumer updated the Board with the following:

- Announced currently there is a Special Election scheduled for Tuesday, June 13th, which is this Board's regularly scheduled meeting night. He explained staff will poll the Board to find alternate meeting dates for June and July.
- Welcomed new member, Joe Crocker, and advised three members have terms expiring this June. After those appointments are made Assistant City Attorney Drage will be holding a Sunshine Law training.
- Announced the roundabout is now open at Fullers Cross Road and Lakewood Avenue, and the next step is paving up to 2nd Avenue.
- The Inspiration PUD is finishing up the commercial sites, Rusteak is now open, and the townhomes are in their final stages.
- Staff is currently working on a 2020 - 2045 Comprehensive Plan Update. Staff will be bringing forth goals & objectives to this Board as the Land Planning Agency (LPA). A Preliminary Land Development Code update will also be coming to this Board in the near future with a consulting service to assist in adopting the best LDC for the citizens of Ocoee.

- **Member Keller** shared his concerns regarding traffic access with a church being built on the corner of Sawmill Boulevard and Apopka Vineland Road.

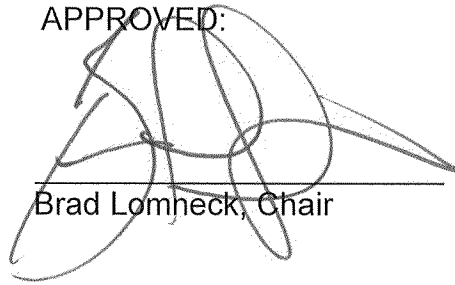
• **ADJOURNMENT - 7:11 pm**

ATTEST:



Kathy Heard, Recording Clerk

APPROVED:



Brad Lomheck, Chair