

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

MINUTES

September 12, 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 Landry** called the roll and declared a quorum present.

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

Absent: Member Williams

Also Present: Development Services Director Rumer, Zoning Manager Whitfield, Board Attorney Mai, Recording Clerk Landry

Chair Lomneck opened the floor for nominations of the Chair and Vice-Chair.

Election for Chair

Member Keller nominated **Chair Lomneck** for Chair for a term ending July 2024; Moved by **Member Keller** seconded by **Member Forges**; Motion carried unanimously with Member Williams absent.

Election for Vice-Chair

Chair Lomneck nominated **Member Forges** for Vice-Chair for a term ending July 2024; Moved by **Chair Lomneck**, seconded by **Member Keller**; Motion carried unanimously with Member Williams absent.

• CONSENT AGENDA

1. Minutes of the Planning and Zoning Commission Meeting held on August 8, 2023.

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

• OLD BUSINESS - None

• **NEW BUSINESS**

1. **The Backyard Annexation & Rezoning from County A-1 to City C-2 (AX-07-06 and RZ-23-07-06). (Zoning Manager Whitfield)**

Zoning Manager Whitfield presented a brief overview of the proposed annexation and rezoning of the subject property which is located at 2214 West Road, on the south side of West Road, beginning approximately 50 feet east of Fountains West Boulevard, immediately east of the Duke Energy facility, and which contains approximately 1.51 acres. The property is assigned parcel ID number 06-22-28-0000-00-035. She explained that the applicant is requesting annexation into the City and rezoning from County A-1 (Citrus Rural District) to C-2 (Community Commercial District) to develop an indoor/outdoor restaurant use.

Member Crocker and **Member Forges** inquired about the zoning classifications of the surrounding properties, and how this change would affect them. **Zoning Manager Whitfield** addressed their concerns.

The Public hearing was opened. As no speaker forms were received, the public hearing was closed.

Chair Lomneck inquired about the proposed traffic light at Fountains West Blvd & West Road. **Development Services Director Rumer** addressed his question, explained that it is a County Intersection, and noted that the City has contacted Orange County with regards to City funding that is pledged towards this intersection. He further indicated that he does not anticipate the traffic light being in place before the development is finalized.

Member Crocker and **Alternate Member Chacon** inquired about traffic lanes in and out of the development. **Development Services Director Rumer** addressed their concern and explained that traffic operations assessment would be part of the site plan review.

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 the 2214 West Road, assigned parcel ID number 06-22-28-0000-00-035 (AX-07-28-06); Moved by Member Keller, Seconded by Member Crocker; motion carried unanimously with Member Williams 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 from County A-1 (Citrus Rural District) to City C-2 (Community Commercial District) of the 2214 West Road, assigned parcel ID number 06-22-28-0000-00-035 (RZ-23-07-06); Moved by Member Forges, Seconded by Member Keller; motion carried unanimously with Member Williams absent.

**2. 606 Ocoee Apopka Sports Training Center Large-Scale Preliminary Site Plan
LS-2023-007 (Development Services Director Rumer)**

Development Services Director Rumer presented a brief overview of the 5.185-acre undeveloped property located at 606 Ocoee Apopka Road. He discussed its future land use designation, zoning, and surrounding land uses. He noted its compliance with the SR 429 Overlay District Business Center Character Area and provided details about the proposed sports training facility which included zoning, infrastructure, and approval conditions. He clarified that the applicant is requesting approval for the proposed Large-Scale Preliminary Site Plan, a recommendation supported by the staff.

Chair Lomneck thanked Development Services Director Rumer and his Staff for doing an outstanding job on the SR 429 Overlay District Business Center Character Area.

The Board had no further comments or questions.

The public hearing was opened. As no speaker forms were received, the public hearing was closed.

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of the 606 Ocoee Apopka Sports Training Center Large Scale Preliminary Site Plan, LS-2023-007; Moved by Member Keller, Seconded by Alternate Member Chacon; motion carried unanimously with Member Williams absent.

**3. 2493 Sweet Oaks Street - Crawford Variance - VR-23-02
(Zoning Manager Whitfield)**

Zoning Manager Whitfield provided a brief overview of the requested variance for improvements on the subject property located at 2493 Sweet Oak Street, zoned R-1A (Single Family Dwelling District). She explained that according to Section 5-14A and Table 5-2 (Minimum Zoning Descriptions on Permitted Uses) in Article V of the Land Development Code, the maximum allowable impervious surface area (ISA) for residential lots is 50% of the lot area. Furthermore, the applicant's request involves a 19.8% variance from Table 5-2 to exceed the ISA limit by 9.9%, resulting in a total ISA of 59.9%. This variance is sought to facilitate the construction of a pergola with a paver patio at the rear of the house and the installation of sidewalks and other impervious materials along the north side yard and rear of the house.

Chair Lomneck and **Member Crocker** inquired about removing existing upgrades on the property to accommodate the pergola with a paver patio. **Zoning Manager Whitfield** addressed their questions and noted that the applicant would need to remove 465 sq. ft. in order to accommodate the pergola and extended patio. **Member Keller** inquired about potential drainage issues for neighboring lots. **Zoning Manager Whitfield** and

Development Services Director Rumer addressed his concerns. **Development Services Director Rumer** provided an overview of subdivision drainage design and clarified the importance of communities following these guidelines.

Chair Lomneck asked the homeowner if she would like to postpone the Board's ruling to allow her additional time to work with Staff.

Amanda Crawford, *Applicant, 2493 Sweet Oak Street, Ocoee* introduced herself and offered an overview of the issues raised from her perspective. Shared that she was unaware of the City's requirements/limitations on maximum impervious surface area and explained that she only learned about this requirement when she contacted the City about the pergola. She also provided a signed statement from neighbors supporting her request for a variance.

Member Keller inquired about HOA approval. **Amanda Crawford** confirmed in the affirmative that she had received HOA approval in 2021. **Zoning Manager Whitfield** relayed challenges associated with HOA's misinforming residents about whether or not an improvement requires a permit and what the requirements are. She further explained that an HOA can be more restrictive than the City; however, it cannot be less restrictive.

The public hearing was opened. As no speaker forms were received, the public hearing was closed.

Chair Lomneck inquired again, before asking for a motion, if the homeowner wanted to postpone the ruling until a future meeting. **Alternate Member Chacon** inquired about the process. After a brief discussion, the homeowner opted to move forward.

Motion: Move that the Planning and Zoning Commission, acting as the Local Planning Agency, recommend to the Ocoee City Commission Approval of Staff's Recommendation of denial with respect to the 2493 Sweet Oaks Street - Crawford Variance Request, based on factual interpretation of the code requirements, as presented by staff, and public testimony related; Moved by Alternate Member Chacon, Seconded by Member Crocker; motion carried unanimously with Member Williams absent.

• MISCELLANEOUS

1. Project Status Report

Development Services Director Rumer updated the Board with the following:

- Opening of Unity Park
- Announced the resignation of Deputy Clerk Heard and introduced Recording Clerk Landry.
- Noted the new Board shirts and provided information on how to place an order for those who have not had an opportunity.

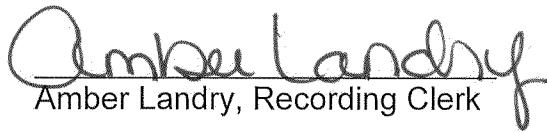
- Announced Sunshine Law Training next month, at 5:30 PM, before the scheduled Planning and Zoning meeting.

Chair Lomneck inquired about the opening of Lakewood Avenue. **Development Services Director Rumer** addressed his question.

Member Keller sought information on the progress of the Clarke Road widening project. **Development Services Director Rumer** provided a status update and clarified obstacles.

• **ADJOURNMENT - 7:25 PM**

ATTEST:


Amber Landry, Recording Clerk

APPROVED:


Brad Lomneck, Chair