



# PLANNING AND ZONING BOARD MEETING

City Hall – Council Chamber  
405 Bagshaw Way, Edgewood, Florida  
Monday, August 08, 2022 at 6:30 PM

Steve Kreidt  
Chair

Ryan Santurri  
Vice-Chair

David Gragg  
Board Member

David Nelson  
Board Member

Melissa Gibson  
Board Member

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## MINUTES

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### CALL TO ORDER & PLEDGE OF ALLEGIANCE

Vice Chair Santurri called the meeting to order at 6:30 pm and led everyone in the Pledge of Allegiance.

### ROLL CALL AND DETERMINATION OF QUORUM

Administrative Assistant Sollazzo confirmed there was a quorum with four board members present. Chair Kreidt was unable to attend the meeting.

### BOARD MEMBERS PRESENT

Ryan Santurri, Vice-Chair  
David Gragg, Board Member  
Melissa Gibson, Board Member  
David Nelson, Board Member

### STAFF PRESENT

Sandra Riffle, Interim City Clerk  
Brett Sollazzo, Administrative Assistant  
Tim Cardinal, Police Sergeant  
Drew Smith, City Attorney  
Ellen Hardgrove, City Planner

### BOARD MEMBERS ABSENT

Steve Kreidt, Chair

### APPROVAL OF MINUTES

July 11, 2022 Planning and Zoning Meeting Minutes

***Board Member Gragg made a motion to approve the July 11, 2022 Planning and Zoning meeting minutes as presented. The motion was seconded by Board Member Nelson. Approved (4/0).***

### NEW BUSINESS

#### ▪ Variance 2022-07: 510 Gatlin Ave. - Tennis Court Fence

The applicant requested a variance to allow a ten-foot-high fence in the front yard of the property in lieu of the maximum of four-foot height.

Planner Hardgrove told the Planning and Zoning Board that the house and tennis court were built in 1935. There is currently an existing fence around the tennis court that ranges from 5 feet to ten feet in height, with most of the segments in the front setback 8.5 to 9.5 feet in height. The portions exceeding four feet in the front setback are viewed as legally nonconforming. The existing tennis court is also viewed as a legal nonconformity as an accessory use is not allowed in front of the principal building. Planner Hardgrove stated that per Code Section 134-104(3), prior to recommending approval of any variance, P&Z must make a finding that the six criteria stated in that Code section are met. She went on to explain each of the six criteria has been met. She recommended approval for a ten-foot-high fence in the front yard around the existing tennis court.

Adriano Swift, contractor and representative for the homeowner, explained that the concrete wall along the Gatlin Avenue side of the tennis court will stay in place. They plan to resurface the court, change the fence height to ten feet all around, and have no plans to add additional fence on top of the existing eight-foot wall.

There was no public comment.

***Board Member Nelson made a motion to recommend approval for a ten feet high fence in the front yard conditioned on the location being limited to around the existing tennis court on the subject property. The motion was seconded by Board Member Gibson. Approved (4/0).***

The motion was approved by roll call vote.

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

▪ **Waiver 2022-01: 4800 S. Orange Ave. - Car Wash**

After a brief discussion with Planner Hardgrove, the applicant requested to postpone their waiver request review until the September Planning and Zoning meeting to make some changes to their request.

***Vice-Chair Santurri made a motion to table the waiver request for 4800 S. Orange Ave until September 12, 2022 Planning and Zoning Meeting at 6:30 pm in council chambers. The motion was seconded by Board Member Nelson. Approved (4/0).***

▪ **Parcel Split 2022-01: 5540 Jessamine Lane.**

Board Member Gragg completed Form 8B, declaring a voting conflict, and recused himself due to him being the property owner/applicant.

Planner Hardgrove told the Planning and Zoning Board that this is a split of tax parcel 14-23-29-0000-00-060, which is an 8.35-acre parcel located off of Jessamine Lane, with access to property by easement.

Section 126-61 of the recently passed code provides an exemption from the full subdivision review process when no streets, water, sewer, or drainage structures are involved; and when it is a tax parcel, not a lot that is in a platted subdivision. The proposed subdivision qualifies for this exemption. The parcel is zoned R-1AA, and both proposed parcels will meet R-1AA minimum lot area which is 10,000 square feet. Both will also have a practical building envelope with the standard R-1AA minimum setbacks.

**Public Comment:**

Emily Gibson, an Edgewood resident, spoke as an opponent. She questioned the purpose of splitting the parcel into two parcels. Board Member Gragg stated that he plans to sell the new parcel. Ms. Gibson then went on to state that they live directly behind the property, and currently enjoy a nice view of Lake Jessamine, and do not want a new building that will block their view. She also stated that construction can lead to a bigger mess in the area of the access easement that is not being well maintained as is.

Tyler Gibson, an Edgewood resident, spoke as an opponent. He brought up the easement directly adjacent to the parcel and questioned who maintains it. Board Member Nelson asked who owns the easement. Board

Member Gragg stated that it is private; owned by one of the neighbors, as well as the previous neighbor from 5526 Jessamine Lane.

Discussion ensued regarding the vegetation along the easement, and working on getting it cleaned up.

***Board Member Nelson made a motion to recommend approval of the creation of two parcels as legally described on the submitted survey dated “received April 22, 2022”; The motion was seconded by Board Member Gibson. Approved (3/0).***

The motion was approved by roll call vote.

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

- **Ordinance 2022-06: Fence Regulation**

AN ORDINANCE OF THE CITY OF EDGEWOOD AMENDING CHAPTER 134 OF THE CODE OF ORDINANCES RELATED TO LOCATION, HEIGHT, AND CONSTRUCTION STANDARDS AND REGULATIONS APPLICABLE TO FENCES AND SCREENING WALLS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE.

Planner Hardgrove introduced Ordinance 2022-06 for discussion, stating that the purpose and intent is straight forward. Applicability unless exempted will apply to all new construction, repair, or replacement of 50% or more of an existing wall or fence. She asked the Board Members if 50% is a good number, and recommended to add the word “length” to the end of the sentence. Board Member Gragg asked what the industry average is in other municipalities? Attorney Smith stated that he has seen anywhere between 50%-75% most frequently occur, but would not call it industry standard. There were no objections to the proposed 50% and Planner Hardgrove’s suggested word addition.

Planner Hardgrove then proceeded to reviewed each section of the ordinance.

Related to the ability to have a higher front yard fence on residential property fronting a major road if landscaping was provided, Board Member Nelson stated he wanted the landscaping criteria to be clarified to state that one evergreen tree shall be planted along the fence or wall at a rate of one (1) per 40 linear feet of road frontage with the trees evenly spaced along the pervious area of the frontage. In addition, Planner Hardgrove clarified that if overhead utilities exist, the required trees would be understory trees and the required number would be at a different rate. Planner Hardgrove stated that if hedges are planted along the fence, they are to be maintained at a height not to exceed six feet, and that this requirement is only if you want a fence or wall higher than four feet. She asked the Board Members if they wanted to limit height of all landscaping along frontage to be six feet in height, regardless of fence/wall height. Planner Hardgrove reiterated that this requirement is strictly for taller fences along the road. Discussion ensued. Board Members Nelson and Gragg both stated to leave the six-foot hedge height as presented. There were no objections.

There was also discussion related to the proposed maximum height of hedges in other required setbacks. She recommended to take this part out of the code. Discussion ensued. There were no objections to Planner Hargrove’s recommendation.

Planner Hardgrove and the Board also discussed the minimum distance a gate would have to be from the sidewalk if used on property fronting a major road. She asked the Board Members if they agreed with the twenty-foot setback. The Board agreed twenty feet was appropriate.

Maximum height of a fence anywhere on the property (including outside of setbacks) was discussed. As proposed, that maximum is eight feet in height unless a more restricted height limit applies, such as in the front yard. As proposed, a fence or wall height greater than eight feet may be approved by special exception. Board Members agreed that what was proposed (by special exception) was appropriate. Board Member Nelson suggested to change line 102 from six-foot minimum clear trunk to state six-foot minimum vertical clearance to limbs for clarification. Planner Hardgrove agreed, and said she will make the suggested change.

Significant discussion ensued relative to fencing in Industrial districts. Board Member Nelson suggested to keep the proposed fence limitations relative to height and opacity as originally presented. Planner Hardgrove asked if they needed to add chain link fencing to be allowed in the industrial district and stated C-3 is basically the City’s industrial district. Attorney Smith stated that City is trying to grow beyond C-3 being an industrial district, and would not want to encourage any industrial looking components into the section of code.

Planner Hardgrove briefly discussed the types of fences that will be allowed. Board Member Nelson asked what if the fencing is plastic/vinyl and questioned the ability to force maintenance of these fences. Planner Hardgrove directed the Board to the maintenance section of the proposed regulation which includes keeping fences mold free. Attorney Smith suggested to add peeling or chipping paint to maintenance section.

Planner Hardgrove asked if a section for metal fences should be added? The direction from the Board was to make other types of fences special exceptions. Planner Hardgrove reviewed the fence and wall color regulations. Board Member Gragg stated he had an issue with including pastel colors. Planner Hardgrove asked the Board Members if they want to take that part out of the section? Discussion ensued. Attorney Smith suggested having different requirements for residential and non-residential in regards to fence and wall colors allowed. Board Member Gibson said it seems more appropriate to simply state only earth tones, and matte black or white would be allowed for residential fences. The Board members agreed that the color of nonresidential fences/walls should complement the primary color of the development and should not be so extreme in contrast or intensity that the color competes with the building for attention or acts as a sign.

Planner Hardgrove reviewed the electrical fence regulations and how electrical fences are not allowed anywhere except to retain animals upon proof submitted to City Council. Attorney Smith suggested this type of regulation is most likely more applicable to rural communities with farm animals. He recommended eliminating the ability to have electrical fences. There were no objections to Attorney Smith’s recommendation.

***Vice-Chair Santurri made a motion to recommend approval of Ordinance 2022-06 as amended. The motion was seconded by Board Member Nelson. Approved (4/0).***

The motion was approved by roll call vote.

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

**ADJOURNMENT**

The meeting adjourned at 7:55 pm.

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Ryan Santurri, Vice Chair

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Brett Sollazzo, Administrative Assistant

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