



LAKE MARY PLANNING AND ZONING BOARD

**Lake Mary City Hall
100 N. Country Club Road**

**Regular Meeting
AGENDA**

TUESDAY, AUGUST 12, 2025 6:00 PM

- 1. Call to Order**
- 2. Moment of Silence**
- 3. Pledge of Allegiance**
- 4. Roll Call - Determination of Quorum**
- 5. Approval of Planning and Zoning Board Minutes**
 - A. Draft Planning & Zoning Board Minutes - June 24, 2025**
- 6. Citizen Participation: This is an opportunity for anyone to come forward and address the Commission on any matter relating to the City or of concern to our citizens. This also includes: 1) any item discussed at a previous work session; 2) any item not specifically listed on a previous agenda but discussed at a previous Commission meeting or 3) any item on tonight's agenda not labeled as a public hearing. Items requiring a public hearing are generally so noted on the agenda and public input will be taken when the item is considered.**
- 7. P&Z Public Participation Process: City staff and the applicant, or the agent for the applicant, will make their presentations first, followed by questions from the Planning and Zoning Board members. After the presentations from staff and the applicant, the Chairman will open the public hearing portion of the meeting to allow interested parties to speak for or against the item being considered. The public is instructed to keep their presentation factual, not be redundant, and to direct all comments to the Board, not to the applicant or to staff. From time to time, it may become necessary for the Chairman to limit the time that speakers may have. If a time limit is to be imposed, it will be announced at the time that the Public Hearing is opened. If a speaker wishes to be heard for the record but does not have any new information regarding the item being considered, the speaker shall give his/her name and address for the record and state that they agree with the presentation made by a previous speaker, giving the specific**

name of the person. When the Chairman believes that no additional information is forthcoming, the Chairman shall close the public hearing portion of the meeting.

- 8. Old Business**
- 9. New Business**
 - A. A request for a variance from Chapter 154.55(C)(4)(a), City Code of Ordinances, for property located at 138 Wagon Wheel Way. (Quasi-Judicial – Public Hearing) (Sabreena Colbert, Project Manager)**
 - B. A recommendation to the Mayor and City Commission regarding a City-initiated code amendment to amend Chapters 154 and 155 of Title XV, Land Usage. (Public Hearing – Legislative) (Sydney Boswell, Project Manager)**
- 10. Community Development Director's Report**
- 11. Other Business**
- 12. Reports of Other Members**
- 13. Adjournment**

THE ORDER OF ITEMS ON THIS AGENDA IS SUBJECT TO CHANGE

NOTE: If a person decides to appeal a decision made with respect to any matter considered at the above meeting or hearing, he or she may need a verbatim record of the proceedings including the testimony and evidence, which record is not provided by the City of Lake Mary.

PERSONS WITH DISABILITIES NEEDING ASSISTANCE IN ORDER TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY ADA COORDINATOR AT LEAST 48 HOURS IN ADVANCE OF THE MEETING AT (407) 585-1424.



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LAKE MARY PLANNING AND ZONING BOARD

Lake Mary City Hall
100 N. Country Club Road

Regular Meeting
MINUTES

TUESDAY, AUGUST 12, 2025, 6:00 PM

NO VIDEO RECORDING WAS MADE FOR THIS MEETING

1. **Call to Order**
The meeting was called to order by Vice Chairman Vogt at 6:00 PM.
2. **Moment of Silence**
3. **Pledge of Allegiance**
4. **Roll Call – Determination of Quorum**

Benjamin Vogt, Vice Chairman
Nick Carlin, Member
Frederic Schott, Alternate Member
Sabreena Colbert, Community Development Director
Sydney Boswell, Planner
Patrick Martin, Community Development Administrative Coordinator
Aeriel McCann, Assistant City Attorney

5. Approval of Planning and Zoning Board Minutes

A. Draft Planning & Zoning Board Minutes – June 24, 2025

Member Carlin made a motion to approve the Draft Planning and Zoning Board Meeting Minutes of June 24, 2025. Alternate Member Schott seconded the motion, and the motion carried unanimously, 3 to 0.

- 6. Citizen Participation:** This is an opportunity for anyone to come forward and address the Board on any matter relating to the City or of concern to our citizens. This also includes: 1) any item discussed at a previous work session; 2) any item not specifically listed on a previous agenda but discussed at a previous Commission meeting or 3) any item on tonight's agenda not labeled as a public hearing. Items requiring a public hearing are generally so noted on the agenda and public input will be taken when the item is considered.

No one came forward and the citizen participation section was closed.

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8. Old Business

There was no old business.

9. New Business

- A. 2024-VA-02** A request for a variance from Chapter 154.55(C)(4)(a), City Code of Ordinances, for property located at 138 Wagon Wheel Way. Applicant: Ms. Erica Nathanson (Quasi-Judicial – Public Hearing) (Sabreena Colbert, Project Manager)

Sabreena Colbert, Project Manager, came forward to speak on the item.

The applicant is requesting a variance of 11 ft. from the 25 ft. front yard setback requirement per Chapter 154.55(C)(4)(a) of the City's Code of Ordinances to construct an addition on the existing single-family dwelling located at 138 Wagon Wheel Way. The property is located on the south side of Wagon Wheel Way at the Calico Rd. intersection and Leslie Ln. to the south. The subject property is lot 12 of the Countryside Subdivision, which was platted in 1975; 10 years prior to the City's Land Development Code being established by Ordinance No. 241. The existing single-family home was built in 1976, and the current applicant/owner has received homestead exemption since 2020.

The subject property is zoned A-1, Agriculture, and has a future land use designation is Rural Residential. Per Chapter 154.55(C)(4), the A-1 zoning requires a 25 ft. front yard setback. The applicant is requesting a variance to reduce the front yard setback (north setback) from 25 ft. to 14 ft., resulting in a variance of 11 ft. The request will allow the applicant to convert the existing garage into living space to support the aging in place of a family member and to construct a new attached two-car garage. Parking on site will meet code by providing 2 spaces in the new garage and 2 spaces on the existing driveway. Wagon Wheel Way is a private road, not developed as a full roadway section.

In order to authorize any variance from the terms of Chapter 154, the Planning and Zoning Board shall make a recommendation to the Mayor and City Commission that all of the criteria noted on pages 2 through 4 of the staff report have been met. The subject property includes a large portion of wetlands and floodplain that drain to Soldiers Creek and is subject to Chapter 160. The applicant is requesting the variance to Ch. 154.55(C)(4) for the front yard setback to locate the proposed addition on existing impervious area in an effort to avoid impacts to the wetlands and floodplain.

Also, the property is nonconforming and strict application of the code would deprive the applicant of reasonable use of their private property. The variance will be in harmony with the general intent and purpose of the setback requirements. The proposed addition will meet all other provisions of the code.

Staff finds that the applicant has met all criteria as stated above to approve a variance of 11 ft. from the minimum 25 ft. front yard setback, (north setback) of Chapter 154.55(C)(4)(a) of the City's Code of Ordinances to convert the existing garage into living space to support the aging in place of a family member and to construct a new attached two-car garage at 138 Wagon Wheel Way.

If the Board wishes to approve this variance, it should distinguish in its motion that a unique quality or situation exists that will not make this decision precedent setting. Staff was unable to find similar front yard setback variance requests. However, several variances have been granted in order to allow pools on corner lots, which are considered to have two front yards, to encroach into the front yard setback. Also, variances to Chapter 160 for single family dwellings have been approved by the City Commission, as long as they did not result in additional density.

This item will be heard by the Mayor and City Commission on September 4, 2025.

Member Schott asked when something like this is necessary for aging in place or a similar situation is there a way to grant a non-permanent variance such that if and when they move it is removed and set back to where it was.

Ms. Colbert responded when you are constructing a structure it is permanent. With the cost associated with it, to require someone to remove it in the future would be onerous. From a Planning and Zoning perspective, as we work to update the Comprehensive Plan followed by code updates we are researching regulations for accessory dwellings in certain residential areas of the city. The zoning of this property does allow for a guest house but given the amount of environmentally sensitive area they are very limited.

Vice Chairman Vogt asked for clarification on the placement of the new addition. Ms. Colbert responded the new addition will be built for the majority over existing pavement, that is their current driveway and entry sidewalk. They can still fit two cars in their driveway within their property, and the front elevation will still appear similar just that portion will extend out further.

The applicant, Erica Nathanson, 138 Wagon Wheel Way, Lake Mary, FL, came forward to speak on the item. The Board had no questions for the applicant.

The public hearing was then opened for this item. No one came forward, and the public hearing was closed.

Member Carlin made a motion to recommend approval, due to the unique set of circumstances in this situation that make this approval non-precedent setting, to the Mayor and City Commission for 2024-VA-02, A request for a variance from Chapter 154.55(C)(4)(a), City Code of Ordinances, for property located at 138 Wagon Wheel Way. Applicant: Ms. Erica Nathanson. Alternate Member Schott seconded the motion, and the motion carried 3 to 0.

B. 2025-ZTA-02 A recommendation to the Mayor and City Commission regarding a City-initiated code amendment to amend Chapters 154 and 155 of Title XV, Land Usage. Applicant: City of Lake Mary (Public Hearing – Legislative) (Sydney Boswell, Project Manager)

Sydney Boswell, Project Manager, came forward to speak on the item.

This item, Ordinance Number 1718, is a recommendation to the Mayor and City Commission regarding a City-initiated code amendment to Chapters 154 and 155 of Title 15, Land Usage, of the City Code of Ordinances.

The purpose of the proposed amendment is to ensure compliance with Senate Bill 784. The bill requires that certain plat or replat submittals be administratively approved with no further action. The bill specifies that the City designates an administrative authority to receive, review, and

process plat and replat submittals to ultimately approve, approve with conditions, or deny a submittal.

The code amendments within Exhibit "A" of Ordinance Number 1718 designates the Development Review Committee to receive, review, and process plat and replat submittals. The Development Review Committee will approve, approve with conditions, or deny preliminary plats, replats, and final plats. The amendments within Exhibit "A" designate the City Engineer to sign and execute all final plats approved by the Development Review Committee.

Per other requirements of Senate Bill 784, additional code amendments require the Development Review Committee to provide written notice upon receiving an application, deliver a decision within the timeframe provided in the initial written notice, and, if denying an application, provide a written notice of reasons for denial. Code amendments also prohibit the City from requesting or requiring the applicant to request an extension of time.

These code amendments are intended to streamline the plat and replat process by reducing redundancy and delays. Staff recommends approval of Ordinance Number 1718. The Mayor and City Commission will hear the First Reading of Ordinance Number 1718 on September 4, 2025, and the Second Reading on September 18, 2025.

Vice Chairman Vogt asked if the committee that was mentioned to approve the plats is at the City level or State level. Ms. Boswell responded that it is the Development Review Committee which is made up of City staff.

The public hearing was then opened for this item. No one came forward, and the public hearing was closed.

Member Carlin made a motion to recommend approval to the Mayor and City Commission for 2025-ZTA-02, a City-initiated code amendment to amend Chapters 154 and 155 of Title XV, Land Usage. Applicant: City of Lake Mary. Alternate Member Schott seconded the motion, and the motion carried 3 to 0.

10. Community Development Director's Report

Sabreena Colbert, Community Development Director, stated that she has no report at this time.

11. Other Business

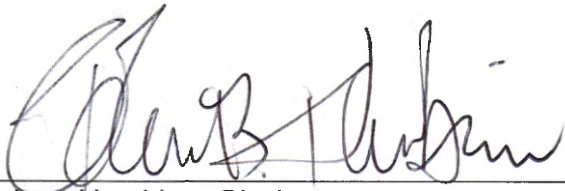
There was no other business.

12. Reports of Other Members

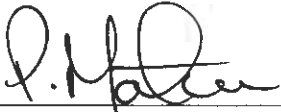
There were no other reports.

13. Adjournment

There being no further business, the meeting was adjourned at 6:14 PM.

A handwritten signature in cursive script, appearing to read "Robert Hawkins".

Robert Hawkins, Chairman

A handwritten signature in cursive script, appearing to read "Patrick Martin".

Patrick Martin, Community Development Administrative Coordinator