

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
June 6, 2023

Chairman Max Krzyminski called the meeting of the Planning & Zoning Commission to order on Tuesday, June 6, 2023 at 6:30 p.m. Members present were: Matthew Norton, Jane McAllister, Dieter Grube, David Colby, Vincent Niemiec and Ariel Guerrero. Also, present for City staff was City Attorney Dan Mantzaris, Curt Henschel, Planning Director, Senior Planner Regina McGruder, and Planning Coordinator Rae Chidlow.

MINUTES:

MOTION TO APPROVE the May 6, 2023 minutes of the Planning & Zoning Commission made by Commissioner McAllister; seconded by Commissioner Niemiec. Passed unanimously.

REPORTS FROM THE COMMISSION:

Chairman Krzyminski reminded everyone that this Friday is the Wine Stroll and the first Friday Food Truck event.

Curt Henschel, Planning Director, stated that the July Planning and Zoning meeting will be canceled.

NEW BUSINESS

Item #1: Ordinance No. 2023-021 – The Citrus Cabanas Rezoning

Planning Director Curt Henschel presented as follows:

The applicant, Victory Coast, LLC is requesting a rezoning from Central Business District (CDB) to Planned Unit Development (PUD) for a 0.515 +/- acre parcel located at the southwest corner of Montrose Street and West Avenue. The property was formerly used as a bed and breakfast, called the Mulberry Inn. The main building, which was constructed in 1880, has had renovations and upgrades over the years. The applicant is requesting PUD zoning in order to place eight (8) small residential units, also known as the “cabanas”, on the property to be used for short term rentals along with using the historic two-story home for short term rental as well. The cabanas will range in size from approximately 400 square feet up to 550 square feet. They will consist of one bedroom, a bathroom, sitting area and small kitchen. The units will be self-contained. The historic home consists of three bedrooms and three bathrooms and will not be a bed and breakfast type operation. The applicant would also like to construct an outdoor seating area and summer kitchen for guests to use. This would be placed adjacent to the historic home and between the cabanas. The applicant has provided a conceptual site plan showing the location of the cabanas, historic home, parking, seating area, and other aspects of the project.

The Central Business District, under Section 125-370, would permit this type of use through the approval of a Planned Unit Development (PUD). The applicant is requesting two variances to the

Land Development Code that are considered within this PUD application. The variances are: (1) onsite parallel parking spaces to be 8 feet long by 22 feet wide instead of 10 feet by 23 feet, and (2) reduced landscape buffers on the south and west property line. Section 115-5 (b) allows on-street parking in the downtown area provided by the City to be reduced to 8 feet by 22 feet. The applicant is requesting the same ability as the City in the construction of these spaces. The applicant is required to have eleven spaces for the project and will be offering eleven spaces along with one ADA handicap space for a total of twelve spaces. The applicant is requesting a reduction in the landscape buffer width for the project. The applicant will still be installing landscaping around the site, but will not be at the width and extent of the code on the southern and western property line. The applicant is including a six (6) foot high opaque privacy fence incorporated into the landscape buffer along the parking area. The privacy fence may minimize impacts to the adjoining property.

Staff has reviewed the application in regards to Section 125-486 of the Land Development Code. Since the cabanas and the historic home will be used as a short term rental project, the project is viewed similar to a hotel and parking exceeds the minimum. The project would provide transient accommodations within the Downtown area for guests to stay overnight. Development of the project would still be required to meet the zoning requirements of the Central Business District except for the specific conditions in the PUD. Staff recommends approval of Ordinance 2023-021.

Darren Johnson, 1075 W. Lakeshore Dr., stated that the project is taking the Mulberry Inn and completing the renovations to use it as a historic rental home. He stated that there will not be used as a Bed and Breakfast and there will not be any events held there. He stated that in addition there will be 8 cabanas built there that will be built according to building codes and will be hurricane wind rated. He stated the landscaping will include citrus trees. He stated that there will be a 6 foot privacy fence on the west and south side with landscaping. He stated that there will be a communal space to the west of the house that will consist of a fire pit and grill. He stated that they are trying to provide some short term rental space for downtown events or relocation needs.

Commissioner Guerrero stated that he likes the idea.

Commissioner Niemiec asked if there is landscaping between the fence on the south side and curb for the parking spaces.

Mr. Johnson stated that there is already landscape on the south side on the adjacent property so they are not doing any landscape on the south side. He stated on the west side there is another resident and the fence is almost on the property line so no landscaping will be on the outside of the fence.

Commissioner Niemiec asked where the dumpsters will be located.

Mr. Johnson stated that he will be asking for 2 standard garbage cans and recycle cans. He stated that if it exceeds their garbage needs then he will need to look into commercial pickup.

Commissioner Niemiec asked about emergency vehicles.

Mr. Henschel stated that the emergency vehicles would likely do everything from the road. He stated that this will have to go through site review and that will be determined at that time.

Commissioner Colby stated that this is a great project and an upgrade from what was there previously. He asked about the landscape and fence on the north side of the property.

Mr. Johnson stated that they are not sure what the grade will be at this time so it is to be determined later pertaining the landscaping but it may just be a low fence with a hedge.

Commissioner Grube asked if the house will be rented by rooms or whole house.

Mr. Johnson stated that the house will be rented to a single renter and not by room.

Commissioner McAllister asked if the owner sells this property to a retail entity, what happens with the PUD.

Mr. Henschel stated that as long as the retail entity operated according to the PUD, they could do that but if they want changes they will need a new PUD.

Commissioner McAllister stated that the only issue she had was the small buffer on the west side of the property. She stated that since it is residential on that side there should be a 10-foot buffer. She stated that the buffer should be on the outside of the fence.

Mr. Henschel stated that in the CBD District no buffer is required and the parking triggers the 5-foot buffer.

Commissioner Norton stated that if the buffer was on the outside of the fence it would be a challenge to maintain that buffer.

City Attorney Dan Mantzaris asked if the fence was required.

Mr. Henschel stated that the fence is not required.

Mr. Mantzaris stated that the alternative is to not have the fence and just add natural vegetation as the buffer that they can maintain. He stated that from the applicant's and staff's position is that a fence is better than a natural vegetation buffer.

Commissioner Norton asked about the renovations and if it's currently in use.

Mr. Johnson stated that is it under renovations and not in use at this time.

Commissioner Norton asked if the intent is to open the house and cabanas at the same time.

Mr. Johnson stated that he had not given any thought to that but the intent is to open at the same time.

Commissioner Norton asked about time line for opening.

Mr. Johnson stated nine to twelve months.

Commissioner Norton asked about the coordination of the communal space usage between the house and the cabanas. He asked about rules and terms.

Mr. Johnson stated that it would be the same as a long term apartment as a first come first serve. He stated that the tenants would have to abide by all the downtown rules and codes.

Chairman Krzyminski asked why about the parking code for the city.

Mr. Henschel stated that code was changed a while back because the roads were narrower.

Action:

MOTION TO APPROVE Ordinance No. 2023-021 was made by Commissioner Norton, seconded by Commissioner Guerrero. Passed unanimously, 7-0.

With no further comments, Chairman Krzyminski adjourned the meeting at 6:59 P.M.



Max Krzyminski, Chairman

ATTEST:



Rae Chidlow, Planning Coordinator