

**Planning Advisory Board
Commission Chambers
City Hall
Kissimmee, Florida
Wednesday, June 3, 2020
6:00 P.M.**

MEMBERS

Robert Bussiere, Chairman
Jeff Wolff, Vice Chairman, (Absent)
Debra Buxton,
Linda McCoy, (Absent)
Tom Kapp
Robert Spalding
Jackie Espinosa
Nakeisha Lyon, (School District), (Absent)

STAFF

Austin Blake, Assistant City Manager
Douglas Etheredge, Assistant Director
Kalanit Oded, Deputy City Attorney
Brenda Ryan, Planning Manager
David Bridle, Planner I

Chairman Bussiere called the meeting to order at 6:00 p.m.

II Moment of silence and Pledge of Allegiance.

III Minutes

Member Spalding made a motion to approve the minutes of the March 4, 2020. Planning Advisory Board meeting. Seconded by Member Kapp.

Chairman Bussiere	Aye	Member Spalding	Aye
Member Buxton	Aye	Member Espinosa	Aye
Member Kapp	Aye		

Motion carried 5-0.

IIII OLD BUSINESS

IV NEW BUSINESS

A. 2326 Apache Avenue, Conditional Use with Site Plan, DRC#20-031, request approval of a Conditional Use with Site Plan.

Planning Manager Ryan stated that this is a request for approval of a Conditional Use with Site Plan for approval of an Accessory Dwelling Unit located on a 0.47 acre parcel. The subject property is located at 2326 Apache Ave.

Planning Manager Ryan read into record 2 letters that were in opposition of this request.

Staff recommends approval for the following reasons:

1. Compliance with the intent of the RA-2 (Single Family Residential – 9,000 Square Feet) zoning district as outlined in Section 14-2-19(A) of the Land Development Code.
2. Compliance with Section 14-2-19(C)(5) as accessory dwelling unit is permitted as a conditional use in conformance with Section 14-2-206(I)(9) of the Land Development Code.
3. Compliance with Section 14-2-206(C)(1)-(2), conditional use site plan waiver, since the existing parking, loading, lighting and other site characteristics are not impacted by the conditional use.
4. Compliance with Section 14-2-206(H)(1)-(5), general review criteria for conditional use approval as the subject property, layout, compatibility, and public facility impacts of the project are in compliance with the Land Development Code.
5. Compliance with Section 14-2-206(I)(9)(d)(5), since illegally created accessory dwelling units shall be subject to compliance with Section 14-2-206(I)(9) or abated. The applicant has submitted this conditional use application to abate or decrease the existing nonconformity.
6. Compliance with Section 14-2-206(I)(9) standards and requirements for accessory dwelling units.

Staff recommends approval subject to the following 6 conditions:

1. The accessory dwelling unit (ADU) shall be compatible with the existing and surrounding structure(s) in both materials and design. All structures shall be permanently founded in accordance with applicable building codes.
2. Four (4) off-street parking spaces must be maintained and provided to accommodate the existing single family home and the accessory dwelling unit.
3. A total of two (2) parking spaces may be located on the grass in the front yard adjacent and parallel to a paved or concrete driveway, or in the side yard(s) behind the front facade of the dwelling. The two (2) parking spaces may be split between the front and the side yards. All vehicles must be parked a minimum distance of one (1) foot from adjacent property line(s).
4. The principal residential structure shall be owner occupied and maintain a valid homestead exemption.
5. An updated survey shall be provided to the Building Department with the building permit(s).
6. All applicable code requirements of the City of Kissimmee Code of Ordinances shall be adhered to for any proposed use(s) and its processes.

Member Kapp expressed concerns about this request not having any easements on the survey.

Member Espinosa asked for clarification if construction has already started for this request.

Planning Manager Ryan stated that a window, a door and interior alterations have started on the structure by the applicant.

Member Kapp wanted clarification on what the applicant was proposing.

Planning Manager Ryan stated that the applicant wants to convert the garage into a residence and under the current zoning this request requires a Conditional Use.

Santos Rodriguez 2326 Apache Ave. Kissimmee, FL speaking on behalf of the applicant explained the request and history of the property.

Member Espinosa asked if there was an HOA.

Planning Manager Ryan stated that she was unsure if there was an HOA, however they would not require an HOA approval for an accessory dwelling unit.

Member Spalding made a motion for approval subject to 6 conditions. Seconded by Member Kapp.

- 1. The accessory dwelling unit (ADU) shall be compatible with the existing and surrounding structure(s) in both materials and design. All structures shall be permanently founded in accordance with applicable building codes.**
- 2. Four (4) off-street parking spaces must be maintained and provided to accommodate the existing single family home and the accessory dwelling unit.**
- 3. A total of two (2) parking spaces may be located on the grass in the front yard adjacent and parallel to a paved or concrete driveway, or in the side yard(s) behind the front facade of the dwelling. The two (2) parking spaces may be split between the front and the side yards. All vehicles must be parked a minimum distance of one (1) foot from adjacent property line(s).**
- 4. The principal residential structure shall be owner occupied and maintain a valid homestead exemption.**
- 5. An updated survey shall be provided to the Building Department with the building permit(s).**
- 6. All applicable code requirements of the City of Kissimmee Code of Ordinances shall be adhered to for any proposed use(s) and its processes.**

**Chairman Bussiere
Member Buxton
Member Kapp**

**Aye
Aye
Aye**

**Member Spalding
Member Espinosa**

**Aye
Aye**

Motion carried 5-0.

B. North Thacker Avenue Right-of-Way, Annexation, DRC#20-037, request approval of an Annexation.

Planning Manager Ryan stated that this is a request for an Annexation to annex approximately 4.1 acres of property and an existing Right-of-Way west of N. John Young Parkway, east of Dyer Blvd, north of Flora Boulevard, and south of Eagles Reserve Boulevard.

Staff recommends approval for the following reasons:

1. Compliance with Chapter 171 of the Florida Statutes as it meets all the criteria for voluntary annexation as the subject property is contiguous to the City Limits along the western boundary of the parcels and contiguous to City Limits along the western boundary of the existing right-of-way of N. Thacker Avenue and Osceola Parkway. Municipal services, including water, sewer, drainage, police and fire protection are already provided to surrounding properties. The subject property is reasonably compact and will not result in the creation of enclaves if annexed.
2. Compliance with Section 14-2-12 annexation regulations outlined in the Land Development Code.

Staff recommends approval subject to the following 2 conditions:

1. Subject to City Commission review and approval.
2. All applicable code requirements of the City of Kissimmee Code of Ordinances shall be adhered to for any proposed use(s) and its processes.

Member Spalding made a motion for approval subject to 2 conditions. Seconded by Member Espinosa.

1. **Subject to City Commission review and approval.**
2. **All applicable code requirements of the City of Kissimmee Code of Ordinances shall be adhered to for any proposed use(s) and its processes.**

**Chairman Bussiere
Member Buxton
Member Kapp**

**Aye
Aye
Aye**

**Member Spalding
Member Espinosa**

**Aye
Aye**

Motion carried 5-0.

VI Discussion

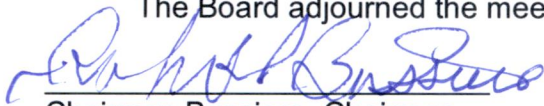
No Discussion

VII HEARING CHAIRMAN AND BOARD MEMBERS

No Discussion

VIII ADJOURN

The Board adjourned the meeting at 6:37 p.m.



Chairman Bussiere, Chairman
Planning Advisory Board



Douglas Etheredge, Assistant Director
Development Services Dept.

In accordance with Florida Statute 286.0105, any person wishing to appeal any decision made by the Planning Advisory Board with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceeding is made, which includes the testimony and evidence upon which the appeal is made.
In accordance with Florida Statute 286.26, persons needing assistance to participate in any of these proceedings should contact the office of the City Clerk at (407) 518-2309 prior to the meeting.