



**Planning and Zoning Board
Regular Meeting Minutes
October 4, 2021**

1. CALL TO ORDER

Chairman Will Hawthorne called the meeting of the City of Winter Garden Planning and Zoning Board to order at 6:30 p.m. in the City Hall Commission Chambers. A moment of silence was followed by the Pledge of Allegiance. Quorum was declared present.

Present: Chairman Will Hawthorne, Co-Chairman Chris Lee and Board Members Joseph Dunn, Jr., Mark Hide, and Steve Ambielli attended in person.

Absent: Board Member Gabe Kotch (excused)

Staff Present: City Attorney Giffin Chumley, Community Development Director Steve Pash, Urban Designer Kelly Carson, Senior Planner Shane Friedman, Planner I Jordan Kowalchik, IT Director Chad Morrill and Recording Secretary Colene Rivera.

Attendees: Scott Billue of Mathew's Hope; Woody Maddox of Big Wood's Fence; Debbie Rodriguez of N H I, LLC; Dave Kelly of Poulos & Bennett; Keith Demchinski of TM Crowley and Jean Abi Aout of Florida Engineering Group.

2. APPROVAL OF MINUTES

Motion by Board Member Ambielli to approve the regular meeting minutes of September 13, 2021. Seconded by Board Member Lee and carried unanimously 5 – 0.

PRELIMINARY PLAT

3. Lake Brim Drive (Oakland Park Tract 17) Preliminary Plat

Parcel ID# 21-22-27-0000-00-142

Urban Designer Kelly Carson presented a request to approve a Preliminary Plat for Parcel 17 on Lake Brim within Oakland Park. This would allow for development of 10 single family homes with lots ranging from 8,712 square feet to 23, 522 square feet. City staff recommends approval of this Preliminary Plat subject to staff conditions as outline in the staff report.

Board inquired about buffer and trees along the West Orange Bicycle Trail that abuts this development; public services for the 3 lots that are divided between Winter Garden and Oakland; drainage easement becoming a tract to the development's HOA and

parking within Alley A? City staff stated that this project has made every effort to save trees within the development and that the trees along the bike trail will not be affected in the open space tract. City staff explained there is a city agreement between Winter Garden and Oakland that the 3 lots would receive services from Winter Garden. The drainage easement will become an HOA tract and there is no parking in Alley A and will be marked accordingly.

David Kelly spoke as a representative for this project to clarify questions pertain to the drainage easement to become an HOA tract. He also clarified the questions pertaining to the lake front lots.

No public comments for this item.

Board Member Lee announced his need to recuse himself from this item as the applicant is a customer of his.

Motion by Board Member Dunn to approved the Pre-Plat for the Tract 17 with staff conditions. Seconded by Board Member Hide and carried unanimously 4 – 0 -1 with Board Member Lee recused.

VARIANCE (PUBLIC HEARING)

4. 114 E Cypress Street (Cypress Street Office) Variance

Parcel ID# 23-22-27-6504-07-022

Planner I Kowalchik presented a request for a variance for the property located at 114 E Cypress Street to allow for a 10 foot front setback in lieu of the required 40 foot front yard setback. City staff recommends approval subject to the conditions outlined in the Staff Report.

Board members inquired about parking on the site? City staff explained that there will be a parking agreement in place for 6 spaces for this business with 4 on site and 2 from the church.

Jean Abi Aout spoke as a representatives of this project. He explained the parking situation for this proposed business. There will be 6 parking spaces and there will be an agreement in place with the church to use their parking spaces.

No public comments on this item.

Motion by Board Member Hide to approve the various at 114 E Cypress Street subject to staff conditions. Seconded by Board Member Lee and carried unanimously 5 – 0.

5. 900 W Plant Street (Diaz/Chastang Fence Variance) Variance

Parcel ID# 22-22-27-000-00-103

Planner I Kowalchik presented a request for a variance at the address of 900 W Plant Street to allow a new fence to be constructed with a height of 5 feet and 2 drive gates that arch from 5 feet to 7.5 feet in lieu of the required 3 foot maximum height fence in the front yard. Staff recommends approval of the variance subject to any conditions outlined in the Staff Report.

Board and general public did not have any questions for this item.

Motion by Board Member Dunn to approve the Variance at the location of 900 W Plant Street subject to staff conditions. Seconded by Board Member Ambielli and carried unanimously 5 – 0.

6. 12157 Windermere Crossing Circle (Maldonado Variance) Variance

Parcel ID# 36-22-27-1090-00-230

Senior Planner Friedman presented a request for a variance for the property located at 12157 Windermere Crossing Circle. This variance would allow for a side yard setback of eight (8) foot in lieu of the required 10 foot in order to construct a screen patio with aluminum roof over an existing screened-in patio. Staff recommends approval of the variance subject to any conditions outlined in the Staff Report.

Board inquired about HOA approval? Staff explained the property owner is in the process of obtaining HOA approval and emphasized that this variance would be within the existing screen enclosure. No public comments for this item.

Motion by Board Member Hide to approve the Variance at the location of 12157 Windermere Crossing Circle subject to staff conditions and HOA approval at or before building permits. Seconded by Board Member Dunn and carried unanimously 5 – 0.

7. 740 9th Street (Firm Foundation Pre-School) Variance

Parcel ID# 12-22-27-6496-20-016

Senior Planner Friedman presented a request for a variance for a property located at 740 9th Street. If approved, the variance will allow a side yard setback of six (6) feet in lieu of the required 40 feet minimum in order to build an 8' x20' shed. Staff recommends approval of the variance subject to the conditions outlined in the Staff Report.

Board inquired about 40' setback? City staff explained due to this property zoned as commercial C-2 zoning and being on the corner, staff explained the slab is existing and would not affect impervious surface ratio on the site.

Scott Billue of Mathew's Hope as representative for this project, explained that the slab is existing, and was used as a shower trailer location and this location would not be visible from the street.

No comments from the public for this item

Motion by Board Member Dunn to approve the Variance at the location of 740 9th Street with staff recommendations and conditions. Seconded by Board Member Hawthorne and carried unanimously 5 – 0.

8. 12100 W Colonial Drive (Pet Suites) Variance

Parcel ID# 25-22-27-0000-00-054

Urban Designer Carson presented a variance request for the property located at 12100 W Colonial Drive. If approved, the variance will allow a fence to be 7 feet in height in lieu of the maximum 6-foot high on the side and rear yard. Staff recommends approval of the variance subject to the conditions outlined in the Staff Report.

Neither the Board nor the Public had questions or comments on this item.

Motion by Board Member Hawthorne to approve the Variance at the location of 12100 W Colonial Drive subject to staff conditions. Seconded by Board Member Hide and carried unanimously 5 – 0.

ORDINANCE

9. Ordinance 21-33 (Temporary Roof Coverings) Amending Chapter 118 of the Code

Community Development Director Pash presented a request to approve this ordinance to allow temporary roof coverings for a maximum of 6 months with the ability to request one six (6) month extension from the Building Official. Staff recommends approval of Ordinance 21-33.

Board inquired if there is a current code about roof coverings? Staff explained this is a new code and nothing is currently in place. No public comments on this Ordinance.

Motion by Board Member Hawthorne to approve Ordinance 21-33. Seconded by Board Member Dunn and carried unanimously 5-0.

10. Ordinance 21-35 (Impervious Surface Definition) Amending Chapter 106 of the Code

Community Development Director Pash presented a request to approve this ordinance to amend the code to change the definition of Impervious Surface. This change would allow

100% of the water area of swimming pool water area to be counted toward the pervious area calculation. Staff recommends approval of Ordinance 21-35.

Board inquired about why put this in place at this time? City staff stated that this is a decision amongst the City Engineer, City Manager, and Public Services and all in agreement of this as the direction to allow moving forward. No public comments on this item.

Motion by Board Member Dunn to approve Ordinance 21-35. Seconded by Board Member Hide and carried unanimously 5-0.

11. Ordinance 21-38 (Permitted Uses I-1 & I-2 Zoning) Amending Chapter 118 of the Code

Community Development Director Pash presented a request to approve this ordinance to allow Mobile Food Dispensing Vehicles as defined in Section 509.102, Florida Status in the I-1 and I-2 Zoning Districts. Staff recommends approval of Ordinance 21-38.

Board had questions pertaining to where and when these vehicles would be allowed. City staff explained that prior to this ordinance, these vehicles were not allowed in general but only for special events. Vehicles would still need to follow guidelines within the City Code. City Attorney read the Florida State statue definition of Mobile Food Dispensing Vehicles. No public comments for this Ordinance.

Motion by Board Member Lee to approve Ordinance 21-38. Seconded by Board Member Hide and carried unanimously 5-0.

Chairman Will Hawthorne adjourned the meeting at 7:11 pm. Adjourned to the regular Planning and Zoning Board meeting on Monday, November 1, 2021 at 6:30 p.m. in City Hall Commission Chambers, 300 W. Plant Street, Winter Garden, Florida.

ATTEST:

APPROVED:

/S/

/S/

Recording Secretary, Colene Rivera

Chairman, Will Hawthorne