



**Planning and Zoning Board
Regular Meeting Minutes
January 6, 2025**

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 Steve Ambielli and Board Members, Linda Bennett, Myron Brown, Jimmy Dunn, Jeff Ewing, and Mark Hide.

Staff Present: City Attorney Kurt Ardaman, Planning Director Kelly Carson, Planning Supervisor Shane Friedman, Senior Planner Yvonne Conatser, Planner I Amber McDonald and Recording Secretary Ellen King.

Attendees: Laura & John Jones of 916 Marsh Reed Drive, Jacob Salas of 232 North Street, Tyler Suddeth of Suddeth Civil, Wilson McDowell of Park Industrial LLC, Dane Sutherland of 529 S Lakeview Avenue, Beverly Jefferson of 1790 Christopher Street, April Grimes of 301 E Gulley Avenue, Oakland; Geraldine Saintville of 517 Maxey Avenue, and Spencer Edwards of 1184 Maxey Drive.

2. APPROVAL OF MINUTES

Motion by Board Member Dunn to approve the regular meeting minutes of December 2, 2024. Seconded by Board Member Ewing and carried unanimously 7 – 0.

VARIANCE (PUBLIC HEARING)

**3. 529 S Lakeview Avenue (Sutherland Variance) VARIANCE
Parcel ID #23-22-27-2468-00-760**

Senior Planner Conatser presented a request for a Variance for the property located at 529 S Lakeview Avenue to expand the existing front porch. The front setback to the house is considered legal nonconforming but any expansion of the legal nonconforming setbacks requires a variance. Staff recommended approval of the variance subject to staff conditions.

Board Members inquired about why the variance was requested if the setback is not changing? City staff stated any expansion of use requires a variance.

Public did not have any comments or questions for this item.

Motion by Board Member Hide to approve the Variance at the location of 529 S Lakeview Avenue subject to staff conditions. Seconded by Board Member Ambielli and carried unanimously 7 – 0.

4. 916 Marsh Reed Drive (Jones Screen Room) VARIANCE
Parcel ID #28-22-27-4025-01-830

Planner McDonald presented a request for a Variance for the property located at 916 Marsh Reed Drive to allow a rear yard setback of 13.7' to construct a 12'x16' screen enclosure with an insulated roof. Staff recommended approval of the variance subject to staff conditions.

Board Members inquired if applicant received HOA approval and height of the proposed screen room roof? City staff stated HOA approval is no longer required by the city and attached screen room could be same height as the second story, but the applicants plan to construct height equal to first-floor level.

Public did not have any comments or questions for this item.

Motion by Board Member Hawthorne to approve the Variance at the location of 916 Marsh Reed Drive subject to staff conditions. Seconded by Board Member Brown and carried unanimously 7 – 0.

5. 321 N Hennis Road (321 N Hennis Road) VARIANCE
Parcel ID #13-22-27-0000-00-032

Planner McDonald presented a request for a Variance for the property located at 321 N Hennis Road to allow a 6-foot-tall PVC fence in the front yard of the property. Staff recommended approval of the variance subject to staff conditions.

Board Members inquired about the approval process of Variance (Item #5) before the Special Exception (Item #6) on the agenda, questioned the opaque screening called out in the code for Item #6, if front yard landscaping is proposed, if sightline for cars at driveway may be compromised with a fence around retention pond and if a brick wall was an option? City staff explained the order of Variance prior to Special Exception was to discuss the front yard fence since it faces Hennis Road and city staff require additional screening for outside storage, and opaque screening is required by code but

does not reference a 6-foot opaque fence in the front yard therefore a variance is needed, enhanced landscaping will be required in the front yard, the sight triangle and visibility will be reviewed during Site Plan review, a brick wall is not required and city staff is working with the applicant asking for a 6-foot fence to clean up of the site, landscaping, storage restrictions, new sidewalk, and new fence for property improvements.

Public did not have any comments or questions for this item.

Motion by Board Member Bennett to approve the Variance at the location of 321 N Hennis Road subject to staff conditions. Seconded by Board Member Hide and carried 6 – 1 with Board Member Hawthorne opposing.

SPECIAL EXCEPTION PERMIT (PUBLIC HEARING)

6. 321 N Hennis Road (Park Industrial New Office) SPECIAL EXCEPTION
Parcel ID #13-22-27-0000-00-032

Planner McDonald presented a request to approve a Special Exception at the location of 321 N Hennis Road to allow outdoor storage of equipment and materials and with the approval of the requested Variance for a 6-foot-tall fence to screen outside storage from Hennis Road (Agenda Item #5). Staff recommends approval of the Special Exception Permit subject to the conditions outlined in the Staff Report.

Board Members inquired about height restrictions of equipment above 6-feet in Zone A, height restriction in I-2 zoning, community meeting discussions, hours of operations in I-2 zoning, if opaque fencing would be consistent through the site, what is height of stackable items? City staff stated equipment is required to be lowered and resting at lowest height in Zone A & B, the tallest equipment in their resting position must be stored in the rear of the property and equipment should descend in height with the smallest equipment at the front of the property. City staff stated I-2 zoning height restriction is 40-feet for structures, the community expressed no concerns at the community meeting, no cap on hours of operation in I-2 zoning and the hours of operation for this site has been voluntary, the site currently has chain-link fence around the entire site as it is heavy industrial, and all loose material stored outside cannot be stacked higher than 6-feet.

Public did not have any comments or questions for this item.

Board Members expressed concern with the height of the cranes stored and the Special Exception carries with the property. The Applicant informed the board he was not sure of the current tenant and most likely not a crane operator, but probably an equipment company or building materials company.

Motion by Board Member Hawthorne to approve the Special Exception at the location of 321 N Hennis Road to amend staff conditions to include equipment must be at its lowest possible position when at resting position. Seconded by Board Member Hide and carried unanimously 7 – 0.

COMPREHENSIVE PLAN ORDINANCES (PUBLIC HEARING)

Planning Director Carson presented Ordinances 25-04, 25-05 and 25-06 together as they are interlinked and related. She clarified all three ordinances do not change land development regulations nor will change what residents can or cannot build on their properties. Staff have been working on these changes to incorporate a design overlay affecting some of the development regulations for East Winter Garden. However, those aspects are not being reviewed at this time. The three proposed ordinances are to change the comprehensive plan which would allow for code changes to occur in the future. The City has initiated an update to the Winter Garden Comprehensive Plan to incorporate goals and policies that are consistent with the City's East Winter Garden Plan and East Winter Garden Plan Update, which were adopted in 2018 and 2022, respectively, and to be consistent with the forthcoming change to the City's Land Development Code to establish a new Historic East Winter Garden Neighborhood Overlay District. Ordinances 25-04, 25-05 and 25-06 are being proposed to add two new future land use categories to the comprehensive plan and would apply to two specific areas within the Historic East Winter Garden Neighborhood.

7. Ordinance 25-04 Comprehensive Plan Amendment – New Future Land Use Designations for the Historic East Winter Garden Neighborhood

Planning Director Carson presented Ordinance 25-04 requesting to add Policy 1-1.2.19 and Policy 1-1.2.20 of the Future Land Use element of the Winter Garden Comprehensive Plan to add two new policies to the future land use element: Neighborhood Residential and Neighborhood Mixed-Use. Staff recommends approval of Ordinance 25-04, requesting staff be allowed to transmit the Comprehensive Plan Amendment to the State Land Planning Agency.

8. Ordinance 25-05 Future Land Use Amendment - Neighborhood Residential

Planning Director Carson presented Ordinance 25-05 to request to amend the Future Land Use designation of the 100.5 ± acres subject property from Low Density Residential and Residential Neighborhood Commercial to Neighborhood Residential. Staff recommended approval of Ordinance 25-05, to allow staff to transmit the Comprehensive Plan Amendment to the State Land Planning Agency, amending the Future Land Use Map from Low Density Residential and Residential Neighborhood Commercial to Neighborhood Residential.

9. Ordinance 25-06 Future Land Use Amendment – Neighborhood Mixed-Use

Planning Director Carson presented Ordinance 25-06 to amend the Future Land Use designation of the 22.8 ± acre subject property from Residential Neighborhood Commercial & Institutional to Neighborhood Mixed-Use. Staff recommended approval of Ordinance 25-06 and requested staff be allowed to transmit the Comprehensive Plan Amendment to the State Land Planning Agency, amending the Future Land Use Map by changing the Future Land Use designation.

These ordinance items were opened to the Board Members for questions or comments. Board Members inquired about this code change, the definitions of Work Force Housing and Neighborhood-Oriented Architecture and if it is a part of the code update, what is density bonus, would a Site Plan with a density bonus require City Commission approval, if there is a timeline for code approval, limits to the change of Neighborhood Residential and why MUD zoning to the east and southeast are not included? City staff is currently working on these code changes and have a very specific matrix to evaluate the properties that would be eligible to qualify for the density bonuses and these details will be included in the code change. Density bonus is density added to a base density that is adjusted by certain qualifiers and there will be a process in awarding density bonuses, but no specific criteria is detailed at this time. City Commission will review/approve projects applying for density bonuses and city staff will have a draft code update in approximately a month to bring to the Planning & Zoning Board. The Future Land Use is being processed first since it will need to go through the State of Florida approvals and there is a time limit, the southeast property is within Orange County and the MUD Future Land Use properties are owned by the City of Winter Garden.

These ordinance items were opened in a Public Hearing for comments. Jack Salas of 232 North Street, inquired about how many units per acre are planned and express he is not in favor of duplexes? City staff stated in this area ten dwelling units per acre is the maximum but unlikely all ten units would be able to conform due to required setbacks of the property (such as stormwater, parking, etc.). Beverly Jefferson of 1790 Christopher Street expressed concerns with the areas on Christopher Street, Trumbo Street and E Bay Street, and does not want the 100 acres to be broken up allowing more density and asked the city not to open up the road at the end of these streets as a through street to E Plant Street. She also expressed she is not interested in the option of offering a density bonus. City staff stated the referred to area has the same base density of 2 - 6 dwelling units per acre and up to 10 dwelling units max. The code will state specifically the types of units that will be allowed for a single-family neighborhood but will allow more flexibility as requested for the East Winter Garden Plan. A canal is located at the end of Christopher Street, Trumbo Street and E Bay Street and would not be feasible or proposed anytime soon for a road connecting to E Plant Street.

Ordinance 25-04

Motion by Board Member Dunn to approve Ordinance 25-04. Seconded by Board Member Brown and carried unanimously 7 – 0.

Ordinance 25-05

Motion by Board Member Hawthorne to approve Ordinance 25-05. Seconded by Board Member Ewing and carried unanimously 7 – 0.

Ordinance 25-06

Motion by Board Member Ambielli to approve Ordinance 25-06. Seconded by Board Member Ewing and carried unanimously 7 – 0.

Chairman Will Hawthorne adjourned the meeting at 7:40 pm. Adjourned to the regular Planning and Zoning Board meeting on Monday, February 3, 2025 at 6:30 p.m. in City Hall Commission Chambers, 300 W. Plant Street, Winter Garden, Florida.

ATTEST:

/S/

Recording Secretary Ellen King

APPROVED:

/S/

Chairman Will Hawthorne