



**Planning and Zoning Board  
Regular Meeting Minutes  
May 2, 2022**

**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 Dennis Robinson.

**Absent:** Board Members Steve Ambielli (excused) and Gabe Kotch (excused).

**Staff Present:** City Attorney Kurt Ardaman/ Dan Langley, Community Development Director Steve Pash, Urban Designer Kelly Carson, Senior Planner Shane Friedman, Planner I Jordan Kowalchik and Recording Secretary Colene Rivera.

**Attendees:** James L. Hall of 375 Grove Court; Bill Gavin of First Baptist Church of Winter Garden; Ryan Hinricher of Investor Nation; Will Bland of WBRE Investments Inc; Sheila Cichra of Streamline Permitting; Dania Lee and Ming Lin.

**2. APPROVAL OF MINUTES**

***Motion by Board Member Dunn to approve the regular meeting minutes of April 4, 2022. Seconded by Board Member Hide and carried unanimously 5 – 0.***

**ANNEXATION / FUTURE LAND USE MAP AMENDMENT / REZONING (PUBLIC HEARING)**

**3. 72 N Woodland Street and 81 & 91 N Main Street (First Baptist Church Daycare)  
PLANNED COMMERCIAL DEVELOPMENT**

Parcel ID # 14-22-27-2544-02-010, 14-22-27-2544-02-030 & 14-22-27-2544-02-190

Urban Designer Carson presented a request to rezone the 1.38 acre subject property from R-2 (Residential District) to PCD (Planned Commercial Development) to build a new child care facility. The design of the exterior building has been approved by the Architectural Review and Historical Preservation Board. Staff recommends approval for the rezoning subject to staff conditions.

Board Members inquired about the three on-street parking, if these were indented off the street, marked for private use and if these three spaces were required to meet the project's parking requirements? If a traffic analysis has been conducted along with parking of the current school? Did the Community Meeting held in June 2021 have any major concerns? Bill Gavin, a representative of the project spoke in behalf of these questions and concerns. He stated that the parking was part of the project parking count requirement, would be off the roadway and the intent of the parking would be to help with reduction of parking/ traffic concerns related to the current daycare center on the main campus. City staff confirmed there was a Community Meeting for this project and no major issues came up at that meeting.

No one from the public wished to speak on behalf of this item.

***Motion by Board Member Dunn to approve this annexation, future land use map amendment and rezoning use at the address of 72 N Woodland Street, 81 & 91 N Main Street. Seconded by Board Member Robinson and carried unanimously 5 – 0.***

**PRELIMINARY PLAT / FINAL PLAT / LOT SPLIT**

**4. 229 N Highland Avenue (229 N Highland Avenue Lot Split) LOT SPLIT**

Parcel ID # 14-22-27-1728-02-090

Senior Planner Friedman presented a request for a lot split at the location of 229 N Highland Avenue into 2 parcels; Parcel "1" will be approximately 0.30 acres in size and Parcel "2" will be approximately 0.21 acres in size. Parcel 1 which contains the home and will continue to have the address of 229 N Highland Avenue and Parcel 2 which is vacant will front Apopka Street. Staff recommends approval for the lot split subject to staff conditions.

Board members inquired if the wood building would be removed? If a variance could possibly be requested in the future? If these lots would maintain R-2 Zoning? City staff responded with the wood building has already been removed, variances should not be required as the lot meets the R-2 lot size requirements and yes, the lots would maintain the R-2 Zoning.

No one from the public wished to speak on behalf of this item.

***Motion by Board Member Lee to approve the Lot Split at the location of 229 N Highland Avenue subject to staff conditions. Seconded by Board Member Hide and carried unanimously 5 – 0.***

**VARIANCE (PUBLIC HEARING)**

**5. 2051 Black Lake Boulevard (Ghosh Boathouse) VARIANCE**

Parcel ID # 03-23-27-8240-03-040

Senior Planner Friedman presented a request for a variance for the property located at 2051 Black Lake Boulevard. This variance will allow the construction of a dock that is 155 feet in length measured waterward from the normal high water elevation and a total of 1,088 square

feet. Staff recommends approval of the variance subject to conditions outlined in the Staff Report.

Board members inquired about Florida Fish and Wildlife Conservation permits for vegetation removal? City staff stated this would be during the building permit stage.

No one from the public wished to speak on behalf of this item. Agent for the homeowner was present for questions. No further questions on this item.

***Motion by Board Member Hawthorn to approve the variance at the location of 2051 Black Lake Boulevard subject to staff conditions. Seconded by Board Member Dunn and carried unanimously 5 – 0.***

#### **6. 14608 Tullamore Loop (Clay Screen Enclosure) VARIANCE**

Parcel ID # 03-23-27-1605-00-100

Planner Kowalchik presented a request for a variance for the property located at 14608 Tullamore Loop. The variance will allow a new screen enclosure with a solid roof to be constructed with a rear yard setback of 12 feet. Staff recommends approval of the variance subject to conditions outlined in the Staff Report.

Board members inquired about this variance only need due to odd shape of lot? City staff confirmed that due to lot having an angle, the variance request is required.

No one from the public wished to speak on behalf of this item.

***Motion by Board Member Lee to approve the variance at the location of 14608 Tullamore Loop with staff conditions. Seconded by Board Member Hide and carried unanimously 5 – 0.***

#### **CITY OF WINTER GARDEN CODE UPDATES (PUBLIC HEARING)**

#### **7. Ordinance 21-10; TEMPORARY MORATORIUM**

Community Development Director Pash presented a request to approved Ordinance 21-10 which would place a temporary moratorium on businesses opening and operating within the City of Winter Garden Historic Downtown District that sell alcoholic beverages for on premises consumption. The City Commission has concerns about the impact of having excessive number of business selling alcoholic beverages for on premises consumption within the Downtown District and desires for the City staff to evaluate and potentially propose changes to Chapter 6, City of Winter Garden Code of Ordinance regulating alcoholic beverage sales and to the City's land development regulations to address such concern. Staff recommends approval Ordinance 22-10.

Board members inquired about clarification that this would be imposed only on new businesses not on existing businesses; if there were any new projects being proposed that this would impact; would this condition affect the new hotel; clarification on the understanding of the process; affect the historical district only; why a timeframe of one year; blanket across all businesses; where is this concern coming from? City staff clarified this would be imposed only for new businesses coming into the downtown historical district from date of approval for a one-year timeframe. This ordinance will have to go through two readings at City Commission meeting with first meeting being scheduled on May 12, 2022 in which public would have an opportunity to speak on behalf of this item. This ordinance would be a blanket across all new request to serve alcohol in the historic district and would allow staff time to review various specifics within the current codes. City Attorney advised board of possible options for proposed moratorium.

This item was opened for public comment. City Commissioner Mueller spoke on concerns regarding this moratorium.

Chairman requested that the board express their thoughts on this proposed ordinance and each member did discuss their concerns. After additional discussion a motion was made.

***Motion by Board Member Hide to recommend not to adopt the temporary moratorium. Seconded by Board Member Robinson and carried unanimously 5 - 0.***

Chairman Hawthorne did recognize Vice-Chairman Chris Lee for his years of service and appreciation of his time on this board. This will be his last Planning & Zoning Board meeting and he has officially resigned.

Chairman Will Hawthorne adjourned the meeting at 7:14 pm. Adjourned to the regular Planning and Zoning Board meeting on Monday, June 6, 2022 at 6:30 p.m. in City Hall Commission Chambers, 300 W. Plant Street, Winter Garden, Florida.

ATTEST:

APPROVED:

/S/

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Recording Secretary Colene Rivera

/S/

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Joseph Dunn, Jr. on behalf of Chairman Will Hawthorne