



**Planning and Zoning Board
Regular Meeting Minutes
July 10, 2023**

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, Board Members Dennis Armstrong, Linda Bennett and Chloe Johnson.

Absent: Board Members Jimmy Dunn (excused) and Mark Hide (unexcused).

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: Jonathan Huels of Lowndes; Tim Phillips of 438 Valley View Drive; Luke & Anissa Smith of 1216 Priory Circle; Diane Buechler of 1425 Priory Circle; Aren Smith of 574 Home Grove Drive; Sherri Roukis of 16021 Citrus Knoll Drive; Jerry Miller of J&J Building; Doug Mathews of 200 N Dillard Street; John Moran of 1093 Vinsetta Circle; Beth Garza of 1122 Vinsetta Circle; Adam Tomko of 1048 Vinsetta Circle; Wm & Marior Kagarise of 1130 Vinsetta Circle; Max Drewys of 270 W Plant Street; Kathryn Smith of WMG Development; Davey Brown of WMG Development; Dustin Brinkman of KPM Franklin; Christopher Bravo of Bravo Engineering; City Commissioner Ron Mueller.

WELCOME NEW MEMBER

Chairman Hawthorne welcomed new member, Chloe Johnson, to the Planning & Zoning Board.

2. APPROVAL OF MINUTES

Motion by Board Member Bennett to approve the regular meeting minutes of June 5, 2023. Seconded by Board Member Ambielli and carried unanimously 5 – 0.

SPECIAL EXCEPTION PERMIT (PUBLIC HEARING)

3. 1504 Avalon Road (Avalon Road Reserve Village 6) SPECIAL EXCEPTION PERMIT
Parcel ID #24-22-27-0000-00-040

Chairman Hawthorne disclosed the applicant reached out to him to inquire if he had any questions about this item and explained this was the extent of the conversation.

Planning Supervisor Friedman presented a Special Exception Permit request for the property located at 1504 Avalon Road to allow a café/restaurant with drive-thru in a Planned Commercial Development zoning district. Staff recommends approval subject to any conditions outlined in the Staff Report. Also, a Community Meeting was held and the public raised questions about traffic along Marsh Road, road improvements, widening of the road and proposed uses.

Board members inquired if the traffic study showed drive-thru vs no drive-thru numbers; questioned entrance alignment into the island; layout conflict of the drive-thru; confirmation of drive-thru lot location. City staff stated a Traffic Impact Analysis was provided for the entire development that included the drive-thru results for AM peak hour and PM peak hour trip counts with a result of the entire development contributes only 3.4% of the total volume of traffic at that intersection; the City's traffic consultant confirmed the volume for this drive-thru would not be a significant amount; the alignment can be addressed; the drive-thru was designed to general practice standards and the drive-thru is for Lot 2 only.

For the public hearing portion, Diane Buechler of 1425 Priory Circle expressed traffic concerns and no mitigation seen. William Kagarise of 1130 Vinsetta Circle questioned the right-in/right-out only driveway on Avalon with concerns about traffic already backing up on Avalon, traffic lights and hours of trash pick-up? Luke Smith of 1216 Priory Circle expressed concern about the right-in/right-out only onto Avalon and requested to mitigate. Sherry Roukis of 16021 Citrus Knoll Drive questioned if customer and employee parking would be onsite? The Board pointed out two other entrances/exits on the site. City staff stated the lights meet dark sky standards but the Board could limit the hours of trash pick-up in their motion or the public could work with the tenants. Also staff is in support of this project as it is less impactful to traffic, noise, and light pollution because a Special Exception allows restrictions to limit floor area ratio and lower intensity; a round-about will be added to Marsh Road to help with traffic flow; parking meets code and all customer and employee parking will be onsite. Jonathan Huels of Lowndes concurred with City staff's recommendation for this project. Board members recommended the applicants and Staff add a time restriction for trash pick-up as a condition of the site plan approval.

Motion by Board Member Armstrong to approve the Special Exception Permit at the locations of 1504 Avalon Road subject to staff conditions Secoded by Board Member Bennet and carried unanimously 5 – 0.

PRELIMINARY PLAT / FINAL PLAT / LOT SPLIT

4. **855 & 955 S Dillard Street** (Central Parc at Winter Garden) PRELIMINARY PLAT
Parcel ID #12-22-27-6496-21-008 & 12-22-27-6496-21-013

Planning Supervisor Friedman presented a request to approve a Preliminary Plat for the property located at 855 & 955 S Dillard Street to subdivide the property into two (2) office/commercial and condo lots, nineteen (19) townhome lots, and three (3) open space/retention/common area Tracts. Staff recommends approval of the Preliminary Plat subject to conditions outlined in the Staff Report.

Board members inquired if a Community meeting was held? City staff confirmed a Community meeting was held a couple of years ago during the PCD Rezoning process.

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

Motion by Board Member Hawthorne to approve the Preliminary Plat at the location of 855 & 955 S Dillard Street subject to staff conditions. Seconded by Board Member Ambielli and carried unanimously 5 – 0.

5. **1504 Avalon Road** (Avalon Road Reserve Village 6) PRELIMINARY PLAT
Parcel ID #04-23-27-0000-00-002

Chairman Hawthorne disclosed the applicant reached out to him to inquire if he had any questions about this item and explained this was the extent of the conversation.

Planning Supervisor Friedman presented a request to approve a Preliminary Plat for the property located at 1504 Avalon Road to subdivide the property into three commercial lots. Staff recommends approval of the Preliminary Plat subject to any conditions outlined in the Staff Report.

Board members inquired about the pine trees onsite? City staff stated the trees are used for agriculture harvesting and there are not any wetlands or environmental concerns on the property.

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

Motion by Board Member Ambielli to approve the Preliminary Plat at the location of 1504 Avalon Road subject to staff conditions. Seconded by Board Member Armstrong and carried unanimously 5 – 0.

VARIANCE (PUBLIC HEARING)

6. **1504 Avalon Road** (Avalon road Reserve Village 6) VARIANCE
Parcel ID #04-23-27-0000-00-002

Chairman Hawthorne disclosed the applicant reached out to him to inquire if he had any questions about this item and explained this was the extent of the conversation.

Planning Supervisor Friedman presented a Variance request for the property located at 1504 Avalon Road to allow a front setback of 32 feet along Marsh Road and front setback of 26 feet along Avalon Road, to build a future commercial/restaurant building. Staff recommends approval subject to any conditions outlined in the Staff Report.

Board members inquired about the history of the 50 foot setback requirement? City staff explained in detail the 50 foot requirement was derived from the State Road 50 overlay requirements.

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

Motion by Board Member Armstrong to approve the Variance at the location of 1504 Avalon Road subject to staff conditions. Seconded by Board Member Bennet and carried unanimously 5 – 0.

7. 958 Tildenville School Road (Miller Variance) VARIANCE
Parcel ID #21-22-27-0000-00-052

Planning Supervisor Friedman presented a Variance request for the property located at 958 Tildenville School Road to allow a side yard setback of 7.5 feet to build a new single-family home in an R-1 zoning district. Staff recommends approval subject to conditions outlined in the Staff Report.

Board members questioned Oakland Park's 7.5 feet setbacks and historic drainage issues with this property? City staff stated Oakland Park's setbacks are of varying degrees but many of the homes are 5 feet and 7.5 feet setbacks; the City will require applicant to record a 5 feet drainage easement on the side along with a 25' easement in the rear; and the applicant is working with the City Engineer on this issue.

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

Motion by Board Member Bennet to approve the Variance at the location of 958 Tildenville School Road subject to staff conditions. Seconded by Board Member Johnson and carried unanimously 5 – 0.

8. Tildenville School Road (Tildenville School Road Lot B) VARIANCE
Parcel ID #21-22-27-0000-00-144

Planning Supervisor Friedman presented a Variance request for the property located at Tildenville School Road to allow a side yard setback of 7.5 feet to build a new single-

family home in an R-1 zoning district. Staff recommends approval subject to any conditions outlined in the Staff Report.

Board members expressed concerns about the drainage issues, is it done right and requested the City review this parcel and the parcels to the North. City staff will have the City Engineer review these concerns.

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

Motion by Board Member Hawthorne to approve the Variance at the location of Tildenville School Road (Lot B) subject to staff conditions. Seconded by Board Member Ambielli and carried unanimously 5 – 0.

9. **686 Bethune Avenue** (Jenkins Family Addition) VARIANCE
Parcel ID #24-22-27-2275-00-290

Planner McDonald requested this item be tabled to a date uncertain.

10. **744 Garden West Terrace** (Garden West Lot 1) VARIANCE
Parcel ID #22-22-27-2950-00-010

Planner McDonald presented a Variance request for the property located at 744 Garden West Terrace to allow a single-family residence to be constructed with a rear yard setback of 2.67'. Staff recommends approval subject to any conditions outlined in the Staff Report.

Board members inquired how this compared with the lot to the south; what the purpose of the proposed ribbon driveway serves and will a fence be allowed in the future? City staff stated the property to the south was moved closer to the road allowing their backyard to be their side yard, but Lot 1 variance is only for the garage that is under review; the ribbon driveway serves the flag lot property to the south and a front yard smaller fence would be allowed as the lot has an unusual layout.

No one from the public wished to speak on behalf of this project. The applicant, Jerry Miller of J&J Builders, explained the layout of the property is 2.5 feet in the rear, then a 15 feet wide driveway easement so Lot 2 has access to their home. There is approximately 25 feet between the back of their home and the adjacent home.

Motion by Board Member Armstrong to approve the Variance at the location of 744 Garden West Terrace subject to staff conditions. Seconded by Board Member Bennet and carried unanimously 5 – 0.

CITY OF WINTER GARDEN CODE UPDATES (PUBLIC HEARING)

11. Ordinance 23-17 (AMENDING CHAPTER 18, SECTION 19-92) BUILDINGS & BUILDING REGULATIONS

Planning Director Carson presented a request to approve Ordinance 23-17 to streamline and clarify the City's permitting review processes. The proposed amendment to City Code Chapter 18, Section 19-92 would require a planning pre-application review prior to the submittal of a building permit. This review would be conducted by the Planning Department and would expire if a subsequent building permit is not filed within six months of issuance. Staff recommends approval Ordinance 23-17.

Board members inquired how the process differentiates between an "A" type building permit that does not require and planning pre-application review and a "B" type permit that does; where does the ordinance explain the review process; questioned other municipalities process; requested as an example of a pool permit would have to go through this process; what is Planning's review time; what is Building's review time; concerned with longer and more costly review times for the residents; expressed concerns about understanding this process as a positive aspect for improvement, given the wording of the ordinance. Board members made some suggestions: Maybe if the Impervious Surface Ratio changes Planning could be involved. Look at changing language if Planning does not need to review or projects that do not require this review will be exempt from this requirement.

City staff stated there will be a separate application for this review process. Building Department Customer Service Representatives will determine which application is seen by the Planning Department; the Ordinance is to establish the process and details will evolve through the actual process; City staff want to streamline this review; most other jurisdictions have a planning pre-review process; a pool would require a planning review and staff explained this process; Planning's review time is 30 days maximum; Building's review time is 5 days maximum; Staff will look into the suggested language; explained current review process; and explained the role of the Building Department Customer Service Representative in determining how to streamline the permitting process.

City Attorney Ardaman stated this ordinance will need a recommendation to go before the City Commission. This Board can recommend more specific, detailed process but the Staff is looking for flexibility in this process. This Board can make recommendations to impose certain procedures to the City Commission or direct Staff on what they recommend to be seen. City Staff stated they are looking for an approval process to work with and will tweak as needed; to speed up this process and allow more accountability with only certain permit applications, a separate pre-planning review is required.

City Attorney Ardaman suggested the following language to the ordinance: All applications for Building Permits requiring Planning review are subject to a planning pre-

application review.

This item was opened for public comment. City Commission Mueller spoke on concerns regarding clarity, quickness and ease of understanding for the customer. City staff stated their willingness to look into ease of understanding but requested not a specific listing be part of this ordinance.

Motion by Board Member Armstrong to recommend approval of Ordinance 23-17; amending Chapter 18, Section 19-92 – Buildings & Building Regulations, subject to all Building Permits requiring a Planning review will be subject to a planning pre-application review. Seconded by Board Member Hawthorne and carried unanimously 5 - 0.

Chairman Hawthorne recognized Board Member Dennis Armstrong for his years of service and appreciation of his time on the Planning & Zoning Board. This will be his last Planning & Zoning Board meeting as he has officially resigned.

Chairman Will Hawthorne adjourned the meeting at 7:47 pm. Adjourned to the regular Planning and Zoning Board meeting on Monday, August 7, 2023 at 6:30 p.m. in City Hall Commission Chambers, 300 W. Plant Street, Winter Garden, Florida.

ATTEST:

APPROVED:

/S/

/S/

Recording Secretary Ellen King

Acting Chairman Jimmy Dunn