



**Planning and Zoning Board
Regular Meeting Minutes
September 11, 2023**

1. CALL TO ORDER

City Attorney Kurt Ardaman 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.

A vote was taken by Board Members to select an Acting Chairman for the evening's meeting.

Motion by Board Member Hide to recommend Jimmy Dunn as Acting Chairman for the evening. Seconded by Board Member Bennett and carried unanimously 4-0.

Present: Acting Chairman Jimmy Dunn and Board Members: Linda Bennett, Chloe Johnson and Mark Hide.

Absent: Chairman Will Hawthorne (Excused) and Co-Chairman Steve Ambielli (Excused).

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: Wayne King of JWZ Development; Mike Kimmel of Knight Engineering; Olivia Washington of 1416 Avalon Road; Julleina Pieston of 1416 Avalon Road; Kenric Barnett of West Orlando Baptist Church; Latiff Cata of 1162 English Garden Lane; Mala Persaud of David Schmidt Engineering, Inc; Doug Kelly of ETM Inc.; Chris Worship of ETM, Inc; Marco Biss of Beazer Homes; Jim Rahaman of 11507 Center Lake Drive, Windermere; Pam Muller of 1108 Shadowmoss Drive; Elizabeth Whitby of Wamlin Properties LLC; Juan Sepulveda of 229 N Highland Avenue and Blanca Maldonado of 12157 Windermere Crossing Circle.

2. APPROVAL OF MINUTES

Motion by Board Member Hide to approve the regular meeting minutes of July 10, 2023. Seconded by Board Member Johnson and carried unanimously 4 – 0.

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

- 3.** Stoneybrook West Parkway (Stoneybrook Exchange) **PCD REZONING**
Parcel ID 36-22-27-0000-00-085

Planning Supervisor Friedman presented a request for the address of Stoneybrook West Parkway to rezone the property to PCD (Planned Commercial Development). The project will be comprised of 13 buildings consisting of office and retail uses. City staff recommends approval of Ordinance 23-18.

The Board asked to clarify the purpose of the PCD vs C-2 zoning, questioned the traffic study impact, and number of phases? City Staff stated C-2 zoning has more restrictive uses and setbacks where a PCD zoning allows for additional restrictions such as not allowing gas stations and stricter design elevations, traffic impact study indicated very low impact and construction will be in one phase.

This item was opened to the public. Latiff Cata of 1162 English Garden Lane, inquired if a noise continuation wall would be built behind the property along the 429, questioned site lighting and median alterations? City staff stated a noise wall is not required, the development must meet dark sky lighting requirements and planned signage will have goose neck lights. Alteration to the median along Stoneybrook West would not warrant closure of the rear entrance to Windermere Crossing.

Pam Muller of 1108 Shadowmoss Drive, expressed concerns with the additional traffic from this project onto Windermere Road and has met with City of Ocoee Commissioners about addressing the safety of walkers and bikers at this intersection for the residents in the area; she asked for the City of Winter Garden's support with the City of Ocoee to gain some traction.

Motion by Board Member Hide to approve the PCD Rezoning with staff conditions for the location address of Stoney brook West Parkway. Seconded by Board Member Bennett and carried unanimously 4 – 0.

- 4.** 1265 & 1271 Avalon Road (Beazer Windham Park) **ANNEXATION, FUTURE LAND USE, & PUD REZONING**
Parcel ID 27-22-27-0000-00-093

Planning Director Carson presented a request for the address of 1265 & 1271 Avalon Road to annex into the City, amendment to the Future Land Use Map (FLU) of the City's Comprehensive Plan to designate the property as City Medium Density Residential, and rezoning the property to PUD (Planned Unit Development). The PUD would permit the construction of 61 new townhome units in eleven (11) separate townhome buildings, which will have five or six units each. Staff recommends approval of this request.

Board members inquired about the Traffic Study, dwelling units per acre, how County/City Medium and Low Density in the area relate to each other, future annexation and parking requirements. City Staff stated the Traffic Study showed the proposed development would not lower the level of service on any of the adjacent roadways including Rolling Rock Way and Avalon Road, and Orange County has plans to widen Avalon Road; the Future Land Use requirement is to ensure the area is consistent with surrounding area units per acre, annexations occur as applicants propose developments, parking will be two parking spaces per dwelling unit with a two car garage access from the rear ally and also on-street parking. The Board members commented the proposed development is consistent with neighboring developments and the provided visual of this development are nicely built, offers a good transition between commercial and the lower residential density in the surrounding area to the south, and Orange County is addressing traffic issues with the widening of Avalon Road.

This item was opened up to the public. Olivia Washington of 1416 Avalon Road inquired about the number of units/residences expected and asked the Board to consider the quality of life for the existing property owners and residents.

Motion by Board Member Johnson to approve the Annexation, Future Land Use and Rezoning for the property located at 1265 & 1271 Avalon Road. Seconded by Board Member Hide and carried unanimously 4 – 0.

SPECIAL EXCEPTION PERMIT (PUBLIC HEARING)

5. 739 Vineland Road (739 Vineland Office Building) **SPECIAL EXCEPTION PERMIT**
Parcel ID 23-22-27-6504-05-081

Planning Director Carson presented a request to approve a Special Exception for the property located at 739 Vineland Road to allow a professional office to operate in the R-NC (Residential Neighborhood Commercial) Zoning district. Staff recommends approval of the Special Exception Permit subject to the conditions outlined in the Staff Report.

Board members questioned the oversized drive isle for the small office space and if the trees will be saved? City staff stated the drive isles are sized for emergency vehicles and service trucks, and two live oak trees of 20” and 48” will be saved along with a few palm trees.

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

Motion by Board Member Bennett to approve the Special Exception for the property located at 739 Vineland Road subject to staff conditions. Seconded by Board Member Johnson and carried unanimously 4 – 0.

VARIANCE (PUBLIC HEARING)

6. 1006 East Crown Point Road - (West Orlando Baptist Church) **VARIANCE**

Parcel ID 12-22-27-0000-00-032

Planning Supervisor Friedman presented a request for the property located at 1006 East Crown Point Road for a variance to allow a detached accessory shed to be built with a wall height of 14 feet and a roof peak height of 17 feet. Staff recommends approval of the variance subject to any conditions outlined in the Staff Report.

Board members questioned the height of the existing shed vs. the new shed and the reason for the extra height? City staff stated the new shed will be taller than the existing shed. Kenric Barnett of West Orlando Baptist Church, informed the board of the variance request for a higher shed due to the aesthetics in appearance alongside the existing shed and the storage of the new shed is to house structures used for their Easter and Christmas dramas.

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

Motion by Board Member Hide to approve the Variance at the location of 1006 East Crown Point Road subject to staff conditions. Seconded by Board Member Johnson and carried unanimously 4 – 0.

7. 739 Vineland Road (739 Vineland Office Building) **VARIANCE**
Parcel ID 23-22-27-6504-05-081

Planning Director Carson presented a request for variances for the property located at 739 Vineland Road for a professional office building to be built with a 30' front yard setback and a side corner setback of 25' feet. Staff recommends approval of these variances subject to the conditions outlined in the Staff Report.

Board members questioned if the setback requirement could be met on Vineland Road? City staff stated regular setback requirements are for larger commercial developments and more challenging on the smaller lots to meet a 40' setback without narrowing drive isles, losing parking spaces and trees, and in addition the City prefers to see the building closer to the road for a more comfortable walking environment as opposed to walking by a large parking lot.

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

Motion by Board Member Bennett to approve the Variances at the location of 739 Vineland Road with staff conditions. Seconded by Board Member Hide and carried unanimously 4 – 0.

8. 165 S Lakeview Avenue (Whitby Residence) **VARIANCE**
Parcel ID 23-22-27-2888-07-083

Senior Planner Conatser presented a request for a variance for a property located at 165 S Lakeview Avenue to allow a fence in the front yard to be six (6) feet in height. Staff recommends approval of the variance subject to the conditions outlined in the Staff Report.

Board members inquired why this variance is being requested. City staff stated the owner is in need for a new replacement fence.

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

Motion by Hide to approve the Variance at the location of 165 S Lakeview Avenue with staff conditions. Seconded by Board Member Johnson and carried unanimously 4 – 0.

9. 153 Apopka Street (Rahaman Home) VARIANCE
Parcel ID 14-22-27-1728-02-091

Planning Director Carson presented a request for variances for the property located at 153 Apopka Street to allow a new single-family home to be located 15' from the front property line and also to allow a detached garage structure to be located 5' from the rear property line. Staff recommends approval of the variances subject to the conditions outlined in the Staff Report.

Board members asked about saving of trees, setbacks, neighbor concerns and any impact with easements on this site? City staff stated no trees are being removed, the setbacks are historic requirements for a detached garage, a neighbor expressed concern to maneuver around Apopka Street but liked the design of the house, and no easements are on this site. Jim Rahaman, Applicant, stated Ms. Carson had done a great job with his variances request.

This item was opened to the public. Juan Sepulveda of 229 N Highland Avenue, commented he bought his lot a year ago and had no problems with flooding. Once development started on the subject property and fill dirt was brought in to raise the lot, there has been drainage run-off onto his property and he brought this to the city's attention. He is concerned with the garage proposed closer to his property with the possibility of more flooding and concerned by moving the structure forward to the 5' setback could affect the 100 year old oak trees. Acting Chairman Dunn stated these concerns can be addressed during building design. City staff stated they will work with City Engineering and the Developer to address drainage solutions.

Motion by Board Member Johnson to approve the Variance at the location of 153 Apopka Street subject to staff conditions. Seconded by Board Member Hide and carried unanimously 4 – 0.

Acting Chairman Dunn adjourned the meeting at 7:24 pm. Adjourned to the regular Planning and Zoning Board meeting on Monday, October 2, 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

Chairman Will Hawthorne