



**PLANNING AND ZONING BOARD  
REGULAR MEETING MINUTES  
SEPTEMBER 10, 2018**

**1. CALL TO ORDER**

Chairperson Will Hawthorne called the meeting of the City of Winter Garden Planning and Zoning Board to order at 6:31 p.m. in the City Hall Commission Chambers. A moment of silence was followed by the Pledge of Allegiance.

Quorum was declared present.

**Present:** Chairperson Will Hawthorne, Vice-Chairperson Rachel Saunders (arrived 6:32 pm), and Board Members: Henry Haddock, Chris Lee, and Matthew Matin

**Absent:** Gabriel Kotch (excused) and Gerald Jowers (un-excused)

**Staff Present:** City Attorney Dan Langley, Community Development Director Steve Pash, Planning Consultant Ed Williams, Urban Designer Kelly Carson, Senior Planner Shane Friedman, and recording secretary Kathleen Rathel

**2. APPROVAL OF MINUTES**

*Motion by Chris Lee to approve the regular meeting minutes of August 6, 2018.  
Seconded by Matt Matin and carried unanimously 4 – 0.*

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

**3. 14811 W Colonial Dr. (Royal Sky Plaza) – Wilma Estate Developer LLC, PRE-PLAT**

(Board Member Saunders arrived)

Urban Designer Carson presented a request for Preliminary Plat approval for a 2.50 +/- acre property located at 14811 W Colonial Drive. The property is known as the Royal Sky Plaza and is zoned C-2. The applicant is proposing to plat the property with five commercial parcels as well as a common area tract featuring a portion of an existing pond. The parcels will be developed with medical office buildings utilizing a shared parking lot. Staff has reviewed the application and recommends approval subject to the conditions outlined in the Staff Report.

Chairperson Hawthorne inquired about stormwater runoff. Ms. Carson explained the existing shared storm pond will be utilized. All calculations will be provided during site plan review.

Board Member Haddock inquired about the parking requirements. Ms. Carson stated the required parking for medical office with outpatient facilities is 3 parking spaces per 1,000 square feet which the project has provided for.

The project falls under the State Road 50 Overlay and will have to meet those guidelines.

*Motion by Chris Lee to recommend approval of the Preliminary Plat at 14811 W Colonial Drive with Staff Recommendations (as provided in the agenda packet).  
Seconded by Henry Haddock and carried unanimously 5 – 0.*

**4. 215 S Highland Ave. – Andrew Sheeter, LOT SPLIT**

Senior Planner Friedman presented a request to split the 0.376 +/- acre property, located at 215 S Highland Avenue, into two separate 0.188 +/- lots in order to build two single-family homes. The property is zoned R-2 and contains an existing two-story, two-family duplex. The property meets all the lot size requirements except for the lot width which will be addressed during the separate variance request. Staff has reviewed the application and recommends approval subject to the conditions outlined in the Staff Report.

City Attorney Langley stated the lot split is contingent upon the approval of the variance.

General discussion ensued regarding the lot sizes, zoning, and upcoming variance for setbacks. Mr. Friedman stated the new lot sizes were consistent with the neighborhood.

Resident Ron Mueller, 709 Lake Cove Point Circle, asked for clarification of the intentions. Mr. Friedman stated the existing duplex would be removed and a single-family home would be constructed on each of the two individual lots.

*Motion by Will Hawthorne to recommend approval of the Lot Split for 215 S Highland Avenue with Staff Recommendations (as provided in the agenda packet). Seconded by Rachel Saunders and carried unanimously 5 – 0.*

**VARIANCE (PUBLIC HEARING)**

**5. 215 S Highland Ave. – Andrew Sheeter, VARIANCE**

Senior Planner Friedman presented a variance request for the property located at 215 S Highland Avenue to allow a 63 foot lot width, in lieu of the minimum required 75 foot lot width in an R-2 zoning district, after a lot split. Staff has reviewed the application and recommends approval of the Variance subject to the conditions outlined in the Staff Report.

General discussion ensued regarding the new lot sizes. Mr. Friedman explained the lots meet all the other requirements for depth, total area, and side setbacks. The new homes will also have to meet architectural guidelines.

*Motion by Chris Lee to recommend approval of the Variance for 215 S Highland Avenue with Staff Recommendations (as provided in the agenda packet). Seconded by Matt Matin and carried unanimously 5 – 0.*

**6. 16846 & 17000 Marsh Rd (Sanctuary at Twin Waters) – M/I Homes, SIGN WALLS**

Urban Designer Carson presented variance requests for the property located at 16846 & 17000 Marsh Road, known as The Sanctuary at Twin Waters subdivision, in order to allow two 8 foot tall sign walls at the entrance to the new subdivision, in lieu of the maximum allowed 6 foot height for subdivision sign walls. The new height would be consistent with several other subdivisions in the area. Staff has reviewed the application and recommends approval subject to the conditions outlined in the Staff Report.

*Motion by Henry Haddock to recommend approval of the Variances for 16846 & 17000 Marsh Road with Staff Recommendations (as provided in the agenda packet). Seconded by Matt Matin and carried unanimously 5 – 0.*

**APPEAL OF DRC DECISION (PUBLIC HEARING)**

**7. 111 11<sup>th</sup> St. (Dollar General) – Gil, Inc. / Hanlex Winter Garden LLC**

Community Development Director Pash presented an appeal of a motion made by the Development Review Committee (DRC) during the August 1, 2018 DRC meeting. The motion was for the applicant to revise their plans to meet all City Codes and resubmit for

another full DRC review. The project is for site plan review of a proposed development at 111 11<sup>th</sup> Street. The application was originally submitted in 2015 and has been reviewed by the DRC multiple times with each submittal generating staff review comments. The applicant is appealing the motion and asks Planning & Zoning to recommend DRC move their current plans forward through the process. Staff recommends the Board uphold the DRC motion to revise the plans and resubmit for another full DRC review.

Discussion ensued regarding the conditions still to be met. Mr. Pash directed the Board's attention to the August 1, 2018 DRC comments included with their packet.

Scott Baker with ZKS Law Firm, representing the applicant, discussed issues with the Board. He distributed a handout that contained a chronological order of submittals (*see Exhibit A*).

Jeremy Anderson, Hanlex Development, was present and also discussed issues with the Board. He showed a Power Point presentation (*see Exhibit B*) to emphasize his points.

Additional discussion ensued regarding the options for a course of action for the applicant. The applicant requested a decision by DRC of approval or denial and not a resubmittal.

***Motion by Rachel Saunders to overrule the DRC motion (for 111 11<sup>th</sup> Street), as requested by the applicant, and to instruct the DRC at its next available meeting to make a recommendation on the application 'as is' to approve, deny, or approve with conditions and forward the application to the next available City Commission meeting for a final vote. Seconded by Matt Matin and carried unanimously 5 – 0.***

#### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:54 p.m. to the next meeting scheduled for October 1, 2018.

**ATTEST:**

/S/

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**Recording Secretary Kathleen Rathel**

**APPROVED:**

/S/

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**Chairperson Will Hawthorne**