

**A REGULAR MEETING MINUTES
PLANNING AND ZONING BOARD
NOVEMBER 06, 2006**

CALL TO ORDER

Chairman Larry Bedsole called the regular meeting of the City of Winter Garden Planning and Zoning Board to order at 6:35 p.m. in City Hall Commission Chamber. The invocation was given followed by the Pledge of Allegiance. The roll was called and a quorum was declared present.

PRESENT: Chairman Larry Bedsole, Bea Deariso, Jerry Carris, Mac McKinney and Xerxes Snell. Also present were City Attorney Kurt Ardaman, City Manager Mike Bollhoefer, Assistant City Manager Marshall Robertson, Planner Regina McGruder, Planner Brandon Byers, Planning Technician Leontyne James and Planning Technician Lorena Blankenship.

ABSENT: Board Members Tina Aldrich and Bob Buchanan

1. APPROVAL OF MINUTES

Approval of minutes from regular meeting held September 11, 2006

Motion by Jerry Carris to approve the above minutes. Seconded by Minister Snell, the motion carried unanimously 5-0.

OLD BUSINESS

2. 206 N. Woodland Street

Planner McGruder presented the Board with a request for approval of building elevations for the two homes to be built at 206 N. Woodland. She explained that several variances were previously approved for this property on July 11, 2005 to allow the construction of two homes, and on July 10, 2006 the applicant was granted a variance extension, but was

required to submit building elevations to the Board. City Staff recommends approval of the building elevations.

Motion by Jerry Carris to approve the building elevations. Seconded by Bea Deariso, the motion carried unanimously 5-0.

VariANCES

3. 738 Citrus Cove Drive

Planner Byers presented the Board with a request for 738 Citrus Cove Drive for approval of a 13 foot rear yard setback variance that would allow the property owners to build an enclosed garage. City Staff has reviewed the request and recommends approval.

Motion by Jerry Carris to approve the Variance. Seconded by Bea Deariso, the motion carried unanimously 5-0.

4. 142 North Highland Avenue

Planner Byers presented the Board with a request for approval of a 3 foot rear yard setback variance and a 3 foot side yard setback variance to construct a shed. City Staff has reviewed the application and recommends approval.

Motion by Minister Snell to approve the VariANCES. Seconded by Jerry Carris, the motion carried unanimously 5-0.

Rezonings

5. 305 South Woodland Street

Planner McGruder presented the Board with a request for approval for rezoning of property located at 305 South Woodland Street from R-2 to C-3. She explained that the property is currently vacant and the applicant intends to utilize the land with professional offices. City Staff has reviewed the application and recommends approval.

Bill Chocianowski, 227 South Main Street, approached the Board and inquired if whether or not the applicant would be allowed to have a communication tower at the subject property. He expressed concerns related to the parking situation. Ms. McGruder responded that when the applicant submits the site plan application, adequate parking will be required according to the structure size. She added that the existing parking spaces will be taken into account.

John Kirby, 332 W. Tilden Street, Winter Garden approached the Board and stated that a communication tower is not being built at the subject location, and clarified that only professional offices will be constructed at the site.

Motion by Mac McKinney to approve the Rezoning with City Staff conditions (see attached). Seconded by Bea Deariso, the motion carried unanimously 5-0.

6. 111 Pennsylvania Avenue

Planner McGruder presented the Board with a request for approval of rezoning from R-2 to C-3 of property located at 111 Pennsylvania Avenue. She explained that the property is currently a vacant site and the applicant proposes to utilize the land with professional offices. City Staff has reviewed the application and recommends approval.

Mac McKinney inquired about the size of the lot. Planner McGruder responded that the width of the lot is 50 feet.

Motion by Jerry Carris to approve the Rezoning. Seconded by Bea Deariso the motion carried unanimously 5-0.

Special Exception Permits

7. Zion Lutheran Church

Planner Byers presented the Board with a request for approval of a Special Exception Permit to allow a church and daycare in a Planned Unit Development (PUD) zoning category at property located north of Marsh Road and west of Avalon Road. City Staff recommends approval with the conditions included in the agenda package.

Tom Skelton, with American Civil Engineering Company, approached the Board to answer questions and stated that they agree with City Staff conditions. He clarified that the future sanctuary facility will housed 200 seats instead of 800 seats.

Mr. McKinney stated that for phase I the applicant is proposing only 25 parking spaces, but that number will not accommodate the Sunday service attendance. Mr. Skelton responded that the required paved parking is 25 spaces, but they will use the grass to accommodate the overflow. City Manager Bollhoefer explained that churches are allowed to use the grass areas for parking.

Bea Deariso inquired about the phone company Bell South being indicated on the plans as one of the utility providers for the development. Mr. Skelton responded that such information was incorrect.

Motion by Jerry Carris to approve the Special Exception Permit to allow a Church and Daycare with City Staff conditions (see attached). Seconded by Bea Deariso, the motion carried unanimously 5-0.

Site Plans

8. Simply Self Storage

Planner McGruder presented the Board with a request of approval of a site plan for the property located at 12446 W. Colonial Drive. She explained that this property was granted a Special Exception Permit to operate a mini-warehouse facility on June 5, 2006. City Staff has reviewed the application and recommends approval with the conditions attached to the agenda package.

Motion by Bea Deariso to approve the Site Plan with the conditions in the Engineering Department's Memorandum of September 29, 2006 and the Stormwater Engineer's Memorandum dated October 6, 2006 (see attached). Seconded by Jerry Carris the motion carried unanimously 5-0.

Pre-Plats

9. Alexander Ridge

Planning Technician James presented the Board with a request for approval of a pre-plot for Alexander Ridge, property located on Avalon Road. The property will be utilized as single-family homes. City Staff has reviewed the application and recommends approval with the conditions included in the agenda package.

City Manager Bollhoefer stated that in regards to comment # 8 of the Engineering Department Memorandum dated October 26, 2006, the Developer has already agreed to participate in the C.R. 545 improvements program. He added that concerning comment # 9, from the same Memorandum, the last sentence: "The intersection improvements stated above shall be completed prior to the issuance of any certificate of occupancy on any structure" needs to be removed. He explained that the developers have no control over building that road, and added that the City is trying to have that road completed by the time the residential homes are built, but there is no assurance that will take place.

Motion by Jerry Carris to approve the Pre-Plot with City Staff conditions (see attached) and the additional condition to remove the last sentence in comment # 9 from the Engineering Department's Memorandum dated October 26, 2006. Seconded by Mac McKinney, the motion carried unanimously 5-0.

10. Winter Garden Commerce Center

Planner McGruder presented the Board with a request for approval of a pre-plot for the property bounded by S.R.50 to the south, Story Road to the north, Carter Road to the east, and 9th Street to the west. City Staff has reviewed the petition and recommends approval with the conditions included in the agenda package.

Bea Deariso pointed out that the small map shown on the front page of the plans, did not match the map on the other pages. She also asked about the exact location of the property.

Randy June, 232 S. Dillard Street, Suite 200, Winter Garden, applicant of the project, approached the Board and stated that the small map shown on the front page of the plans was incorrect, and explained that the property is located off Story Road, between Carter Road and 9th Street, and does not have S.R.50 frontage.

Mac McKinney inquired about the strip of land that connects to 9th Street and whether or not the development will have access off 9th Street. Mr. June explained that there is a DOT (*Department of Transportation*) drainage ditch on that strip of land, and explained that a connecting road to 9th Street will not be possible. He added that they are working with some of the adjacent property owners and City Staff to see if a road connection can be developed that provides different accesses to the property.

City Manager Bollhoefer stated that City Staff has been working with the applicant to find a way to create a street that will connect to the other roads in the area, creating alternative routes so people can avoid traveling on S.R.50. He explained that unfortunately the Developer does not have control over all the adjacent properties, but added that City Staff might be able to work with the adjacent property owners and create connecting roads.

Motion by Bea Deariso to approve the Pre-Plat with City Staff conditions (see attached). Seconded by Jerry Carris, the motion carried unanimously 5-0.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:15 p.m.

APPROVED:

ATTEST:

Chairman Larry Bedsole

Planning Technician Lorena Blankenship