

**CITY COMMISSION AGENDA
CITY OF WINTER GARDEN
TANNER HALL
29 W. Garden Avenue**

REGULAR MEETING

November 9, 2006

6:30 P.M.

CALL TO ORDER

Roll Call and Determination of a Quorum
Invocation and Pledge of Allegiance

1. **APPROVAL OF MINUTES**

Regular Meeting of October 26, 2006

2. **OATH OF OFFICE** to new Police Officers – Police Chief Brennan

3. **PROCLAMATION 06-14:** Proclaiming October as “National Arts and Humanities Month”
- Mayor Quesinberry

4. **FIRST READING OF PROPOSES ORDINANCES**

A. **Ordinance 06-47:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS 0.33 ACRES OF LAND LOCATED AT 305 S. WOODLAND STREET, FROM CITY R-2 TO CITY C-3; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE **with the second reading and public hearing being scheduled for December 14, 2006** – Planning Department

B. **Ordinance 06-48:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS 0.17 ACRES OF LAND LOCATED AT 111 PENNSYLVANIA AVENUE, FROM CITY R-2 TO CITY C-3; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE **with the second reading and public hearing being scheduled for December 14, 2006** – Planning Department

5. **REGULAR BUSINESS**

A. Request for temporary open-air sales vendor license, with tent, by Severt’s Tree Farms to sell Christmas trees November 23, 2006 to December 24, 2006 (32 days) at 14101 W. Colonial adjacent to AmSouth Bank – Partrick Ireland / Building Official Herbert

B. Request for temporary open-air sales vendor license, with tent, by Alpha Focal Point to sell Christmas trees and wrought iron sculptures November 15, 2006 to December 27, 2006 (43 days) at 14811 W. Colonial – Richard Mazzula / Building Official Herbert

C. Request for sponsorship by West Orange High School Choir member Sofia Troncoso

D. Request for wavier by the West Orange Neighborhood Center for Families for the rental fee of Tanner Hall – Recreation Director Conn

E. Recommendation to approve site plan for Simply Self Storage at 12446 W. Colonial Drive – Planning Department

- F. Recommendation to approve preliminary plat for Alexander Ridge South – Planning Department
- G. Recommendation to approve preliminary plat for Winter Garden Commerce Center – Planning Department

6. MATTERS FROM CITIZENS

7. MATTERS FROM CITY ATTORNEY – A. Kurt Ardaman

- A. Consider Stipulated Order of Taking of Parcel 103 and Final Judgment in Orange County Circuit Court Case No. 06-CA-7318

8. MATTERS FROM CITY MANAGER – Michael Bollhoefer

- A. Discussion regarding the regular meeting of December 28, 2006
- B. Discussion on participating in the West Orange Chamber of Commerce Legislative Luncheon November 30, 2006
- C. Discussion regarding a possible joint workshop with the Charter Review Committee November 30, 2006 at Tanner Hall
- D. Recommendation to authorize negotiating the sale of 114 E. Plant Street (old Rainbow property) 114 E. Plant Street to Winter Garden LLC
- E. Presentation on new City Hall

9. MATTERS FROM MAYOR AND COMMISSIONERS

- 10. **ADJOURN** to a joint workshop with the Charter Review Committee on November 30, 2006 at Tanner Hall, if previously approved, and a regular City Commission meeting on December 14, 2006

Please Note: In accordance with Florida Statutes 286.0105: Any person who desires to appeal any decision at this meeting will need a record of the proceedings and for this purpose may need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is based, which such written record is not provided by the City of Winter Garden.

Also, in accordance with Florida Statute 286.26: Persons with disabilities needing assistance to participate in any of these proceedings should contact the Office of the City Clerk, 251 W. Plant Street, Winter Garden, FL 34787, (407) 656-4111 x 2254 48 hours in advance of the meeting.

ORDINANCE 06-47

AN ORDINANCE OF THE CITY OF WINTER GARDEN,
FLORIDA, REZONING CERTAIN REAL PROPERTY
GENERALLY DESCRIBED AS 0.33 ACRES OF LAND
LOCATED AT 305 S. WOODLAND STREET, FROM CITY R-2
TO CITY C-3; PROVIDING FOR SEVERABILITY;
PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the owner of real property generally described as approximately .033 acres located at 305 S. Woodland Street and legally described in Section 1 of this ordinance has petitioned the City to zone said property from City R-2 to the City C-3 zoning classification, therefore;

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

SECTION 1: After due notice and public hearing, the zoning classification of real property legally described on ATTACHMENT "A," is hereby rezoned from R-2 to C-3 in the City of Winter Garden, Florida.

SECTION 2: The City Planner is hereby authorized and directed to amend the Official Winter Garden Zoning Map in accordance with the provisions of this ordinance.

SECTION 3: Should any portion of this Ordinance be held invalid, then the entire Ordinance shall be null and void.

SECTION 4: This Ordinance shall become effective upon the amendment of the City of Winter Garden Comprehensive Land Use Plan for the property described herein providing for a land use designation which allows the zoning that is to be established by this ordinance.

FIRST READING: _____ 2006.

SECOND READING AND PUBLIC HEARING: _____ 2006.

APPROVED:

JACK QUESINBERRY, Mayor/Commissioner

ATTEST:

KATHY GOLDEN, City Clerk

ORDINANCE 06-48

AN ORDINANCE OF THE CITY OF WINTER GARDEN,
FLORIDA, REZONING CERTAIN REAL PROPERTY
GENERALLY DESCRIBED AS 0.17 ACRES OF LAND
LOCATED AT 111 PENNSYLVANIA AVENUE, FROM CITY
R-2 TO CITY C-3; PROVIDING FOR SEVERABILITY;
PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the owner of real property generally described as approximately .017 acres located at 111 Pennsylvania Avenue and legally described in Section 1 of this ordinance has petitioned the City to zone said property from City R-2 to the City C-3 zoning classification, therefore;

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

SECTION 1: After due notice and public hearing, the zoning classification of real property legally described on ATTACHMENT "A," is hereby rezoned from R-2 to C-3 in the City of Winter Garden, Florida.

SECTION 2: The City Planner is hereby authorized and directed to amend the Official Winter Garden Zoning Map in accordance with the provisions of this ordinance.

SECTION 3: Should any portion of this Ordinance be held invalid, then the entire Ordinance shall be null and void.

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SECOND READING AND PUBLIC HEARING: _____ 2006.

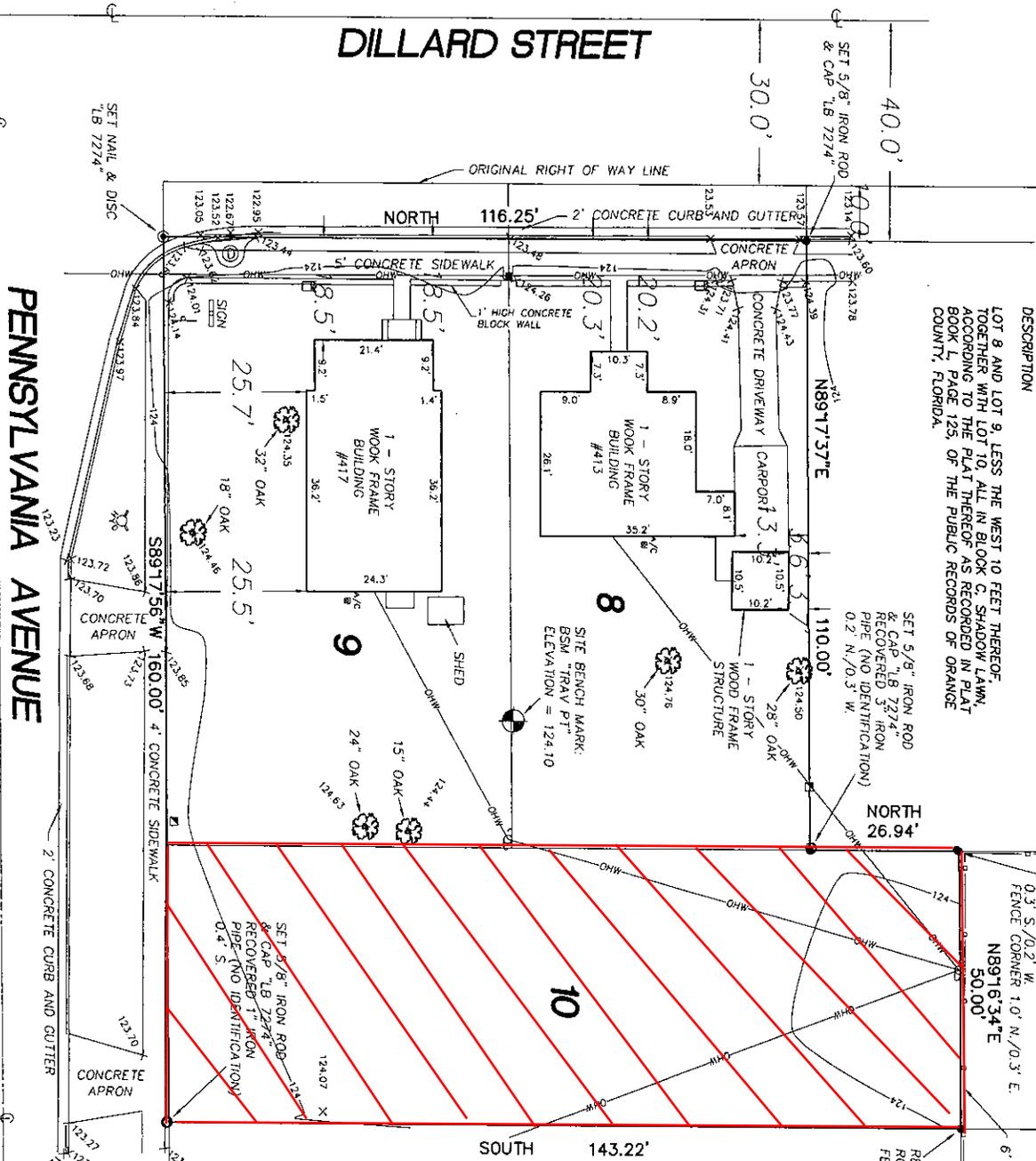
APPROVED:

JACK QUESINBERRY, Mayor/Commissioner

ATTEST:

KATHY GOLDEN, City Clerk

BOUNDARY AND TOPOGRAPHIC SURVEY



DESCRIPTION
 LOT 8 AND LOT 9, LESS THE WEST 10 FEET THEREOF, TOGETHER WITH LOT 10, ALL IN BLOCK C, SHADOW LAWN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK L, PAGE 125, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

SET 5/8" IRON ROD & CAP "LB 7274" RECOVERED 1/2" IRON ROD (NO IDENTIFICATION) 0.3' S./0.2' W. FENCE CORNER 1.0' N./0.3' E. NB916334"E 50.00'

RECOVERED 1/2" IRON ROD (NO IDENTIFICATION) FENCE LINE 0.5' N.

- SURVEYOR'S NOTES:**
- NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 - LANDS SHOWN HEREON WERE NOT ASSUMED TO BE RIGHTS OF WAY, EASEMENTS, EMBANKMENT, OR OTHER INSTRUMENTS OF RECORD, BY THIS FIRM.
 - PERSONS DO NOT CONSTITUTE A REDEVELOPMENT OF THE EXISTING FIELD CONDITIONS OF THIS SURVEY.
 - BEARINGS SHOWN HEREON ARE BASED ON THE FOLLOWING: XXXXXXXXXXX (ASSUMED).
 - THE DESCRIPTION SHOWN HEREON WAS SUPPLIED BY THE CLIENT. UNDEVELOPED IMPROVEMENTS AND INSTALLATIONS HAVE NOT BEEN LOCATED.
 - NO INTERIOR IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE INDICATED.
 - THE LANDS SHOWN HEREON ARE ENTIRELY WITHIN ZONE X (AREAS DESIGNATED TO BE DIVIDED THE 500 YEAR FLOOD PLAIN) ACCORDING TO THE FLOOD INSURANCE RATE MAP AND COMMUNITY NO. 12079 0000 L, DATED DECEMBER 6, 2000.
 - THE ELEVATIONS SHOWN HEREON ARE BASED ON ORANGE COUNTY DATUM AND ON PER BENCH MARK NUMBER L-60-026, ELEVATION = 118.72.
 - SITE BENCH MARK IS SHOWN HEREON.
 - ALL ADJOINERS PROVIDED BY THE CLIENT HAVE BEEN SHOWN HEREON. THE ELECTRONIC FILE FOR THIS PROJECT IS THE PROPERTY OF SEARS SURVEYING COMPANY, INC. AND IS NOT THE PROPERTY OF THE CLIENT.
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LEGEND

- FIRE HYDRANT
- TELEPHONE RAISER
- CENTERLINE
- STOP SIGN
- CURB INLET
- WATER METER
- UTILITY POLE
- OVERHEAD WIRES
- PROFESSIONAL SURVEY AND MAPPER



JOB NUMBER: 04061.000

SURVEY DATE:	09/25/04
FIELD BY:	A. BISHMAN
FIELD BOOK:	42
PAGES:	68
FIELD FILE:	04061(TDS)
DRAWING FILE:	04061

WE CERTIFY THAT THIS BOUNDARY & TOPOGRAPHIC SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH IN RULE 61G17-6 ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO FLORIDA STATUTE 472.027.

ARON D. BISHMAN, P.S.M. FLORIDA REGISTRATION NO. 5668

232 S. DILLARD STREET STE. 20
 WINTER GARDEN, FL 34787
BISHMAN SURVEYING AND MAPPING, INC.
 Phone No. 407.905.8877
 bsminc@earthlink.net
 CERTIFICATE OF AUTHORIZATION LB 7274