

THE CITY OF WINTER GARDEN
PLANNING & ZONING BOARD AGENDA

AT CITY COMMISSION CHAMBERS/ 251 W. PLANT ST.

REGULAR MEETING

JANUARY 8, 2007

6:30 P.M.

1. Call to Order
2. Roll Call and Determination of Quorum
3. Approval of minutes from the December 4, 2006 meeting - Attachment 1

Variances & Easement Vacations (all Public Hearings)

4. 440 N. Main Street Setback Variances – Attachment 2
5. 12807 Keddlestone Lane Variance & Easement Vacation – Attachment 3

Large-Scale Comp Plan Amendments

6. Dreyfus Citrus – Attachment 4
7. Sessions-Schneider-Ross (SouthStar) – Attachment 5

Site Plans

8. AmSouth Bank – Attachment 6
9. Fette Commercial Center – Attachment 7

Any and all objections will be heard at this time and if no valid objections are presented to the contrary consideration will be given for granting this request. You are advised that if a person decides to appeal any decision made with respect to any matter considered at such hearing, then they will need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based.

THE CITY OF WINTER GARDEN
CITY PLANNING AND ZONING BOARD AGENDA ITEM
ATTACHMENT 2

Date: April 3, 2007 **Meeting Date:** January 8, 2007

Subject: 440 N. Main Street

Issue: Request for approval of a 2 foot rear setback variance and a 5 foot side yard (south) setback variance at 440 N. Main Street. The variance will allow the property owners to build an attached garage. This variance was tabled from the last Planning & Zoning Board meeting as the Board requested elevations of the proposed structure.

Supplemental Material/Analysis:

Owner/Applicant: Regis W. Connelly (407) 592-0957

Zoning: R-2 (Requires a 25 foot rear yard setback and a 10 foot side yard setback).

FLU: Low Density Residential

Summary: The property owners are requesting a 2 foot rear yard setback variance and a 5 foot side yard (south) setback variance to construct an attached 30'x40' garage to the existing home.

The City Code states that, *"A variance may be granted from land development regulations by the planning and zoning board if the planning and zoning board concludes that literal enforcement of the provisions of land development regulations would result in either practical difficulties (for setback and parking provisions) or unnecessary hardships (for all other land development regulations) for the property at issue."* The code also lists the following criteria that have to be addressed before a variance can be approved *Underlined are Staff's comments concerning this particular petition.*

(a) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;

The request is for a 2 foot rear yard setback variance and a 5 foot side yard (south) setback variance. This request should not

negatively impact any of the adjacent property owners, as the proposed attached garage will be consistent in color and design of the existing main structure.

(b) The variance will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category;

The proposed attached garage is consistent with surrounding attached garages in the neighborhood. There is no rear property owner. The single family residence is completely in character with the neighborhood and the zoning category.

(c) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied;

Staff believes that strict compliance with the land development regulations will not further any legitimate City objective; and that the requested variances will allow the property owner to construct the 30'x40' attached garage to the existing home.

(d) The granting of the variance is consistent with the city's comprehensive plan; and

The variance is consistent with the provisions of the City's Comprehensive Plan relating to single-family neighborhood character.

(e) The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under these criteria if the variance were denied.

The variance is a minimal request, which will allow for a reasonably sized attached garage in the rear of the existing single family residence, the proposed attached garage will enhance and improve the appearance of the existing home and improve the quality of life in the neighborhood.

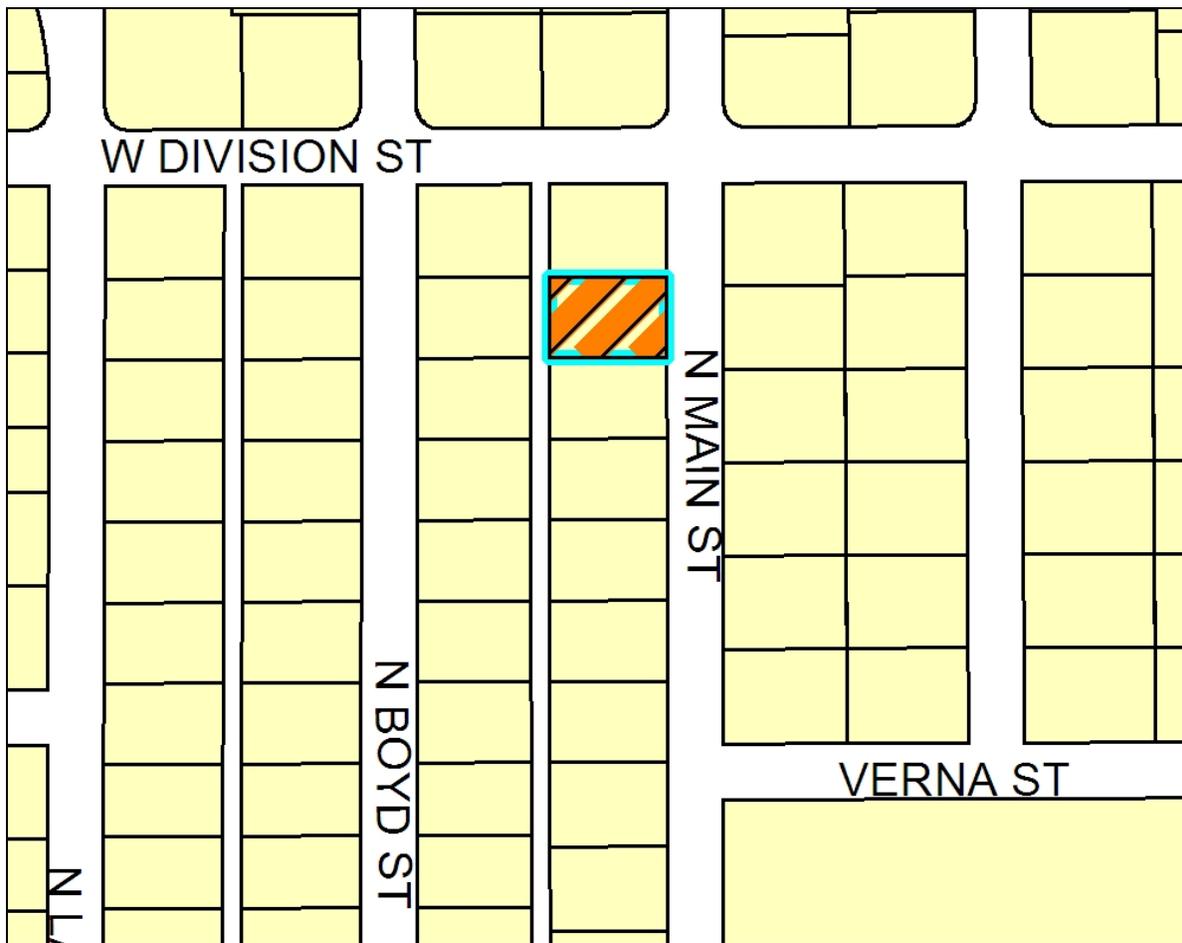
Staff

Recommendation:

Staff recommends approval of the requested 2 foot rear yard setback variance and the 5 foot side yard (south) setback variance to construct a 30'x40' attached garage to the existing single family residence. Also, with the condition that the proposed garage be constructed in the same material and architectural design as the principal structure.

Next Step: If P& Z Board approves, submit for appropriate building permits.

440 N. Main Street



THE CITY OF WINTER GARDEN
CITY PLANNING AND ZONING BOARD AGENDA ITEM
ATTACHMENT 3

Date: April 3, 2007 **Meeting Date:** January 8, 2007
Subject: 12807 Keddlestone Lane
Issue: The applicant has withdrawn their application for a variance and easement vacation.

THE CITY OF WINTER GARDEN
CITY PLANNING AND ZONING BOARD AGENDA ITEM
ATTACHMENT 4 (Public Hearing)

Date: April 3, 2007 **Meeting Date:** January 8, 2007

Subject: 355 S. Ninth Street (Dreyfus Citrus) Large-Scale Comprehensive Plan Amendment

Issue: Adoption of Ordinance 06-35, to the Department of Community Affairs amending the Future Land Use Map of the City of Winter Garden's Comprehensive Plan by changing the Future Land Use designation of the property located at 355 South Ninth Street from Orange County Industrial to City Industrial.

Supplemental Material/Analysis:

Applicant: Louis Dreyfus Citrus
Rick Tomlin FAX: 407-656-1229

Zoning: Area inside City Limits not currently zoned

Existing FLU: Orange County Industrial

Proposed FLU: City Industrial

Summary: On December 8, 2005, the City Commission approved Ordinance 05-57, annexing the Dreyfus Citrus Plant. The next step in the process is to transmit the adopted Comprehensive Plan Amendment to the State. The City will amend the Future Land Use Map of the City of Winter Garden's Comprehensive Plan by changing the Future Land Use designation from Orange County Industrial to City Industrial. The zoning ordinance, rezoning the property to City I-2, will be placed before the P & Z Board and City Commission for approval at a later date.

Additional Materials:

- Ordinance 06-35

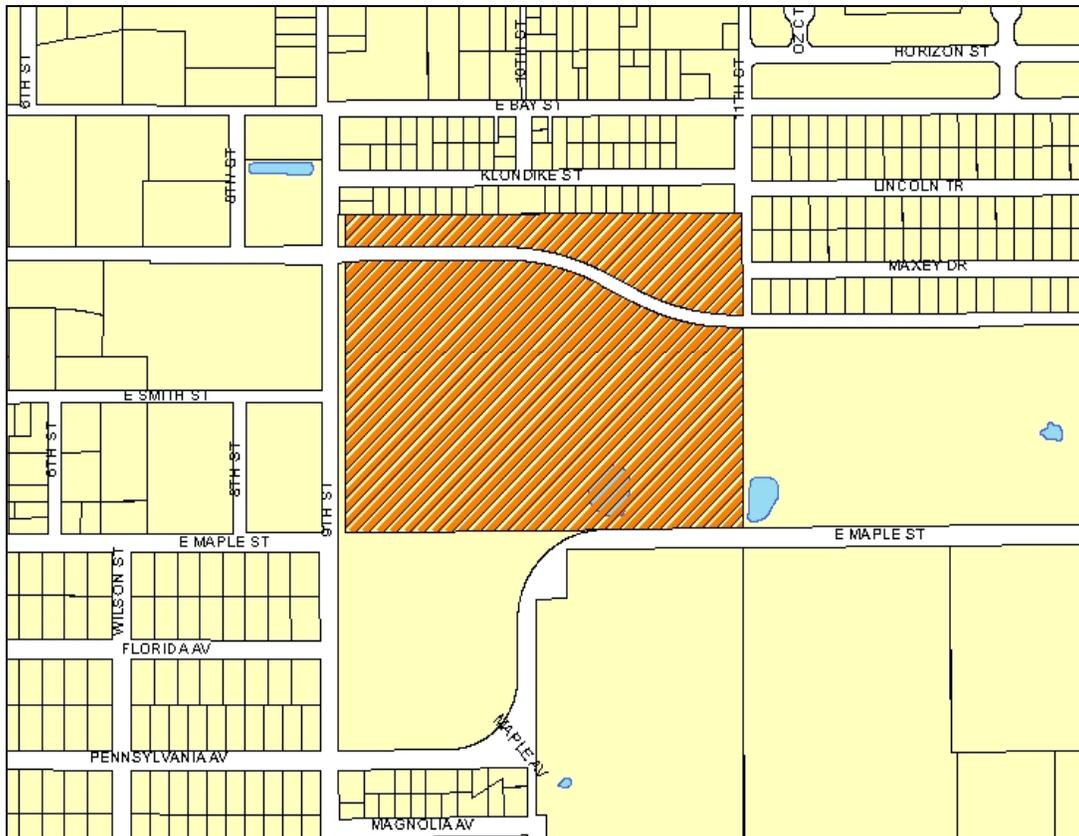
**Staff
Recommendation:**

Staff recommends adoption of Ordinance 06-35, amending the Future Land Use Map of the City of Winter Garden's Comprehensive Plan by changing the Future Land Use designation of the property located at 355 South Ninth Street from Orange County Industrial to City Industrial.

Next Step:

A public hearing for the adoption of Ordinance 06-35, amending the Future Land Use Map of the City's Comprehensive Plan is scheduled to be before the City Commission on January 25, 2007.

355 S. Ninth Street (Dreyfus Citrus)



THE CITY OF WINTER GARDEN
CITY PLANNING AND ZONING BOARD AGENDA ITEM
ATTACHMENT 5 (Public Hearing)

Date: April 3, 2007 **Meeting Date:** January 8, 2007

Subject: Sessions – Schneider – Ross (SouthStar) Property Large-Scale Comprehensive Plan Amendment

Issue: Adoption of Ordinance 06-37, to the Department of Community Affairs amending the Future Land Use Map of the City of Winter Garden’s Comprehensive Plan by changing the Future Land Use designation of the property generally described as 79 acres of land located on the east side of County Road 545, and north of Black Lake from Orange County Rural to City Suburban Residential.

Supplemental Material/Analysis:

Applicant: SouthStar Development Properties, Inc.
Kim Woodbury FAX: 305-476-1419

Zoning: Area inside City Limits not zoned

Existing FLU: Orange County Rural

Proposed FLU: City Suburban Residential

Summary: On December 22, 1994, the City Commission approved Ordinance 94-35, annexing the subject property. The next step in the process is to transmit the adopted Comprehensive Plan Amendment to the State. The City will amend the Future Land Use Map of the City of Winter Garden’s Comprehensive Plan by changing the Future Land Use designation from Orange County Rural to City Suburban Residential. The zoning ordinance, rezoning the property will be placed before the P & Z Board and City Commission for approval at a later date.

Additional Materials:

- Ordinance 06-37

Staff

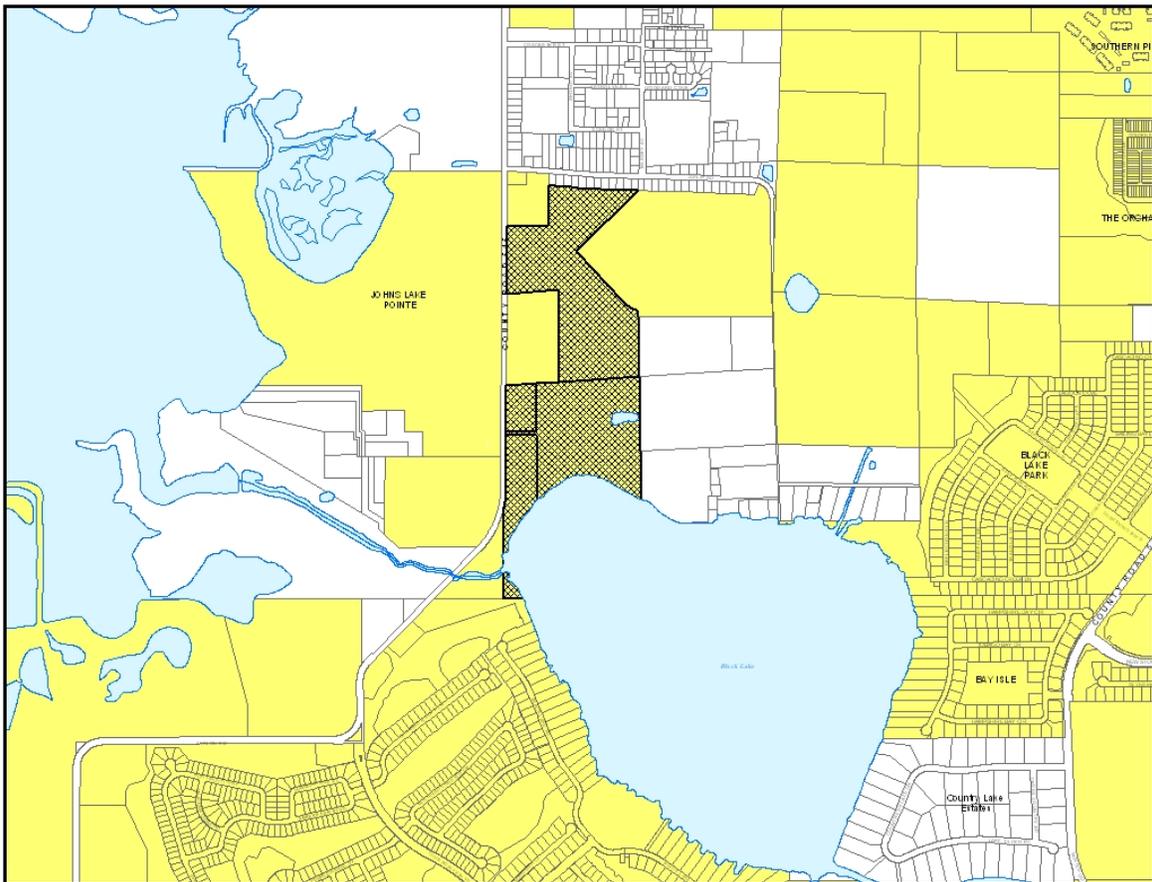
Recommendation:

Staff recommends adoption of Ordinance 06-37, amending the Future Land Use Map of the City of Winter Garden's Comprehensive Plan by changing the Future Land Use designation of the property generally described as 79 acres of land located on the east side of County Road 545, and north of Black Lake from Orange County Rural to City Suburban Residential.

Next Step:

A public hearing for the adoption of Ordinance 06-37, amending the Future Land Use Map of the City's Comprehensive Plan is scheduled to be before the City Commission on January 25, 2007.

Sessions – Schneider – Ross (SouthStar) Property



THE CITY OF WINTER GARDEN
CITY PLANNING AND ZONING BOARD AGENDA ITEM

ATTACHMENT 6

Date: April 3, 2007 **Meeting Date:** January 8, 2007

Subject: AmSouth Bank

Issue: Site Plan approval for AmSouth Bank located on the southeast corner of Stoneybrook West Parkway and CR 545.

Supplemental Material/Analysis:

Owner/Applicant: Michael Boo
Interplan, LLC Email: MBoo@interplanorlando.com

Zoning: PUD

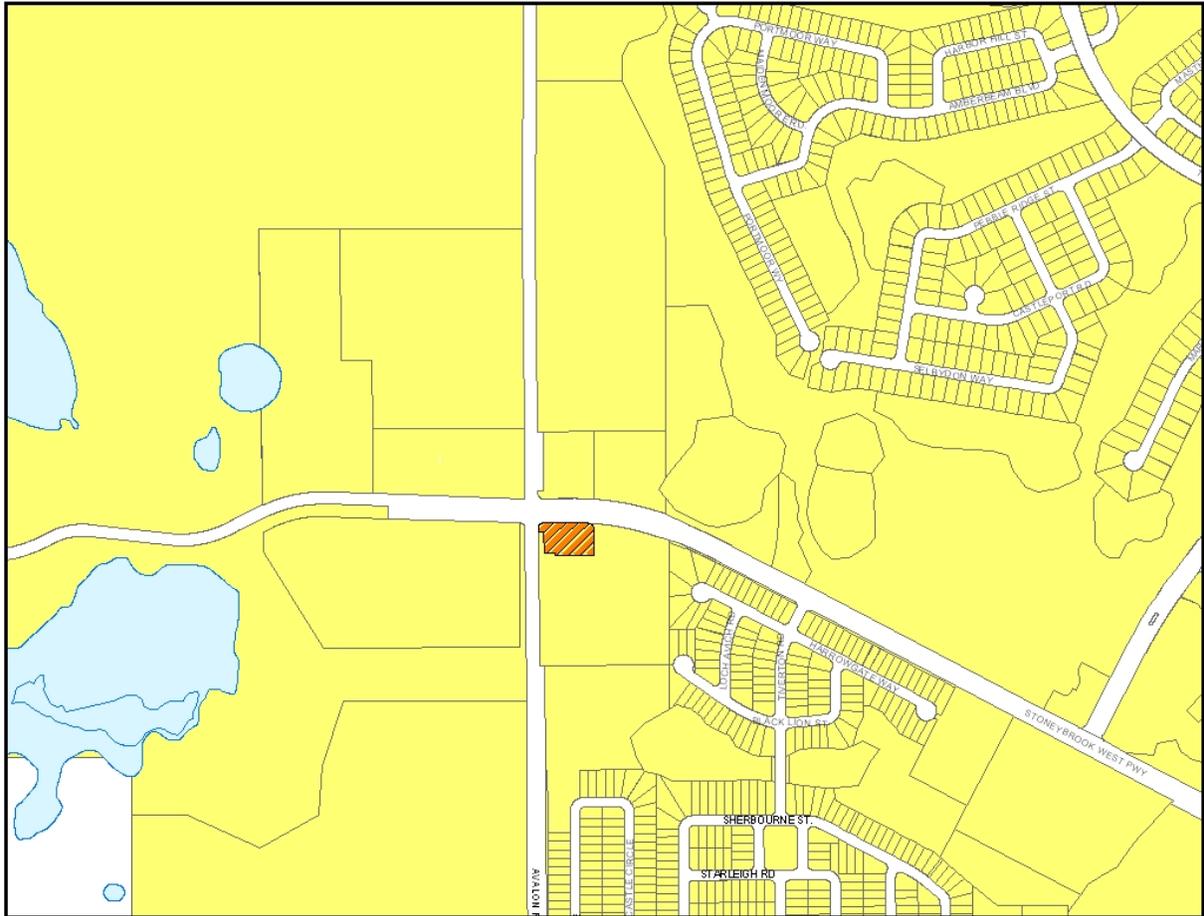
FLU: LR

**Staff
Recommendation:**

Staff recommends approval with the conditions in the Engineering Department's memorandum of January 3, 2007.

Next Step: Tentatively scheduled for the January 25, 2007 City Commission agenda.

AmSouth Bank



THE CITY OF WINTER GARDEN
CITY PLANNING AND ZONING BOARD AGENDA ITEM
ATTACHMENT 7

Date: April 3, 2007 **Meeting Date:** January 8, 2007
Subject: Fette Commercial Center
Issue: Site Plan approval for Fette Commercial Center located at 12788 West Colonial Drive.

Supplemental Material/Analysis:

Owner/Applicant: Mark Fette FAX :(407) 877-8013

Zoning: C-2

FLU: Commercial

**Staff
Recommendation:**

Staff recommends approval with the conditions in the Planning Department's memorandum of December 4, 2006 and the Engineering Department's memorandum of November 29, 2006.

Next Step: Tentatively scheduled for the January 25, 2007 City Commission agenda.

Fette Commercial Center

