

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

REGULAR MEETING

October 11, 2007

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 September 27, 2007

2. OATHS OF OFFICE

Introduction and oaths administered to new police officers – Police Chief Brennan

3. FIRST READING OF PROPOSED ORDINANCE

A. **Ordinance 07-55:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN FLORIDA, AMENDING SECTION 118-70 OF THE WINTER GARDEN CODE OF ORDINANCES RELATING TO PROCEDURES FOR SITE PLAN APPROVALS; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE **with the second reading and public hearing being scheduled for October 25, 2007** - City Planner Williams

4. REGULAR BUSINESS

- A. Request permission to sell beer/wine at the Health Central Foundation's Veterans' Day event "A Day in the Park" on November 10, 2007 - Winter Garden Rotary Club
- B. Recommendation to approve a development agreement with Foundation Academy for a campus at Tilden and Avalon Roads – City Planner Williams
- C. Request authorization to dispose of surplus vehicles and equipment – Human Resource Director Gilbert

5. MATTERS FROM CITIZENS

6. MATTERS FROM CITY ATTORNEY – Kurt Ardaman

7. MATTERS FROM CITY MANAGER – Mike Bollhoefer

- A. Recommendation to cancel the regular City Commission meetings of November 22, 2007 for the Thanksgiving holiday and December 27, 2007 for the Christmas holiday.
- B. Request to close City offices on Monday, December 24, 2007 for the Christmas holiday

8. MATTERS FROM MAYOR AND COMMISSIONERS

9. ADJOURN to a regular City Commission meeting on October 26, 2007

City of Winter Garden Commission Agenda
October 11, 2007

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 NO. 07-55

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING SECTION 118-70 OF THE WINTER GARDEN CODE OF ORDINANCES RELATING TO PROCEDURES FOR SITE PLAN APPROVALS; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Winter Garden hereby finds and declares the adoption of this ordinance is necessary, appropriate, and in the public interest of the citizens of Winter Garden, Florida;

WHEREAS, the City of Winter Garden desires to expedite the review of small development proposals throughout the City;

WHEREAS, the City of Winter Garden desires to ensure compliance with appropriate regulations and provide for a reasonable expiration date for unused permits.

NOW THEREFORE, BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA, AS FOLLOWS:

SECTION I: Authority. The City of Winter Garden has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapter 166, Florida Statutes.

SECTION II: Adoption. Section 118-70 of the City of Winter Garden Code of Ordinances is hereby amended as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions):

Sec. 118-70. Procedures.

Under this division, all uses shall be subject to the general regulations for structures and uses, lots and yards and vehicles contained in this chapter. The City Manager shall review with the appropriate department heads and the Development Review Committee, the site plan along with the application for the development use permit. Site plans greater than 25,000 square feet of land area shall also require City Commission approval after completion of staff review and approval. ~~Upon the city manager's approval of the site plan, the director of planning shall submit the plan to the planning and zoning board for its comments and recommendations. The director of planning shall present the site plan for final approval to the city commission at its next regular meeting day along with the recommendations and comments of the planning and zoning board.~~ All site plans approved by the City Staff or Commission pursuant to this division shall expire and become null and void if the building or improvement or other matters authorized by the site plan approval have not received an approved building permit for the principal structure or building within 365 days of the date of the approval. The City Engineer, if shown good cause, may extend the approval one time for a period not to exceed an additional 365 days. The extension request shall be filed with the City Engineer in writing at least two weeks prior to the expiration of the initial 365 day approval period.

SECTION III. Codification. Section 2 of this Ordinance shall be codified and made a part of the City of Winter Garden Code of Ordinances.

SECTION IV. Effective Date. This Ordinance shall become effective immediately upon its passage and adoption.

SECTION V. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Commission declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more of section, subsection, sentence, clause, phrase or portion would be declared invalid or unconstitutional.

FIRST READING: _____, 2007.

SECOND READING AND PUBLIC HEARING HELD: _____, 2007.

APPROVED:

Jack Quesinberry, Mayor/Commissioner

ATTEST:

KATHY GOLDEN, City Clerk