

**A REGULAR MEETING MINUTES
PLANNING AND ZONING BOARD
DECEMBER 03, 2007**

CALL TO ORDER

In the absence of Chairman Larry Bedsole and Secretary Tina Aldrich, **Mac McKinney moved to elect Jerry Carris to be the Acting Chairman for today's meeting. Seconded by James Balderrama, the motion carried 4-0.**

Acting Chairman Carris called the regular meeting of the City of Winter Garden Planning and Zoning Board to order at 6:40 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: Acting Chairman Jerry Carris, Board Members: James Dunn, Mac McKinney, and James Balderrama. Also present were Assistant City Attorney Dan Langley, City Manager Mike Bollhoefer, Commissioner Colin Sharman, Economic Development Director Dolores Key, Executive Assistant to City Manager Andrea Vaughn, Planning Director Ed Williams, Planner Regina McGruder, Planner Brandon Byers, and Planning Technician Lorena Blankenship.

ABSENT: Chairman Larry Bedsole; Board Members Tina Aldrich and Xerxes Snell.

1. APPROVAL OF MINUTES

Approval of minutes from regular meeting held November 05, 2007

Motion by James Balderrama to approve the above minutes. Seconded by James Dunn, the motion carried unanimously 4-0.

Variances

2. 511 Seminole Street

Planner McGruder presented the Board with a request for approval for 511 Seminole Street for a 6 foot front yard setback variance and a 2 foot side yard (north) setback variance to allow the property owner to construct an enclosed front porch and chimney addition. City Staff has reviewed the application and recommends approval.

Motion by James Balderrama to approve the Variances. Seconded by James Dunn, the motion carried unanimously 4-0.

Rezoning and Special Exception Permits

3. 1500 East Plant Street - Special Exception Permits

Planner McGruder presented the board with a request for a Special Exception Permit for an outdoor carnival event consisting of rides, games and food concessions at property located at 1500 E, Plant Street. City Staff has reviewed the petition and recommends approval with the condition that each special event permit must receive City Commission approval.

Motion by Mac McKinney to approve the Special Exception Permit with City Staff condition (see attached). Seconded by James Balderrama, the motion carried unanimously 4-0.

4. 236 Windermere Road – Special Exception Permit

Planner Byers presented the board with a request for approval of a Special Exception Permit to allow a children's daycare for property located at 236 Windermere Road (Children's Lighthouse Learning Center at People of Faith Lutheran Church). City Staff has reviewed the application and recommends approval with the conditions included in the Engineering Department's memorandum dated October 31, 2007.

James Willard, applicant and Pastor of People of Faith Lutheran Church approached the Board and stated that they had a community meeting with adjacent property owners, primarily residents of Westfield Lakes Subdivision. He added that the Church does not have any plans to expand the childcare facility beyond 402 children.

Mark McLaughlin, 312 English Lake Drive, Winter Garden (*Westfield Lakes Subdivision*) approached the Board and stated that their major concern was in regards to additional phases for the Children's Daycare facility, but since the applicants have

clarified that no additional phases for the children's daycare facility will be constructed, he did not have any objection to the subject petition. He requested that said condition be included in the record.

Motion by James Dunn to approve the Special Exception Permit to allow a Children's Daycare facility to accommodate a total of 402 children with no additional Daycare phases and with City Staff conditions included in the Engineering memorandum dated October 31, 2007 (see attached). Seconded by James Balderrama, the motion carried unanimously 4-0.

5. 311 South Main Street - Rezoning & Special Exception Permit

Planner Byers presented the board with a request for approval of Ordinance 07-63, rezoning the subject property from R-2 to R-NC, and Special Exception Permit to allow a professional office in the R-NC zoning district for property located at 311 South Main Street. City Staff has reviewed the applications and recommends approval with the following conditions:

1. Must comply with Engineering Department memorandum dated November 29, 2007.
2. Ordinance 07-63 must be adopted by the City Commission before the SEP becomes valid.
3. Site must be ADA compliant.
4. Maximum copy of ground sign limited to 16 sq. ft.
5. Driveway cannot be asphalt.
6. Approval of the SEP does not constitute approval of the site plan. The site plan must be approved separately by City Staff.
7. The building shall not be utilized as a commercial business until the City Commission adopts Ordinance 07-63 and the applicant receives site plan approval from the City.

James Gustino, 13914 Eylewood Drive, Winter Garden, applicant for project approached the Board and stated that he was planning on transforming the subject property into an attractive site which will be an improvement to the area. He explained details regarding the proposed improvements and stated that he agreed with City Staff conditions.

In response to James Balderrama's question, Mr. Gustino stated that the existing building elevation will remain, and modifications will be conducted inside the structure.

Mac McKinney inquired about the number of employees and the proposed parking spaces. Mr. Gustino responded that that there are six parking spaces plus the garage.

Motion by James Balderrama to approve Ordinance 7-63 and Special Exception Permit to allow a professional office in the R-NC zoning district with City Staff conditions (see attached) . Seconded by James Dunn, the motion carried 4-0.

Final Plats

6. Walker's Grove

Planner McGruder presented the board with a request for final plat approval for Walker's Grove Townhomes located on W. Bay Street. City Staff has reviewed the application and recommends approval with the conditions included in the Engineering Department memorandum dated October 31, 2007 and the Legal Department's letter dated October 18, 2007.

Kevin Roy, Applicant for the project, approached the Board and stated that they were in agreement with City Staff conditions.

Motion by Mac McKinney to approve the Final Plat with the City Staff conditions included in the Engineering Department memorandum dated October 31, 2007 and the Legal Department's letter dated October 18, 2007 (see attached). Seconded by James Balderrama, the motion carried unanimously 4-0.

7. StarChild Academy

Planner Byers presented the Board with a request for final plat approval for StarChild Academy located on C.R. 535. City Staff has reviewed the request and recommends approval with the conditions included in the Engineering Department's memorandum dated November 29, 2007, the Legal Department's letter dated November 29, 2007 and the City Surveyor's letter dated November 26, 2007.

Motion by James Dunn to approve the Final Plat with the conditions included in the Engineering Department's memorandum dated November 29, 2007, the Legal Department's letter dated November 29, 2007, and the City Surveyor's letter dated November 26, 2007. Seconded by Mac McKinney, the motion carried unanimously 4-0.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:01 p.m.

APPROVED:

ATTEST:

Acting Chairman Jerry Carris

Planning Technician Lorena Blankenship