



**For More Information, Contact:**

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**PLANNING & ZONING BOARD**

To: James Balderrama  
Jerry Carris  
James Dunn  
James Gentry  
Mac McKinney  
Rohan Ramlackhan

CC: Mike Bollhoefer, City Manager  
Ed Williams, Planning Director  
Dolores Key, Econ. Dev. Director  
Tim Wilson, Chief Planner  
Regina McGruder-Jones, Planner II  
Brandon Byers, Planner II  
Dan Langley, City Attorney

RE: Agenda – November 3, 2008 - 6:30 PM  
Commission Chambers, City Hall  
300 West Plant Street, Winter Garden

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1. Call to Order
  2. Roll Call and Determination of Quorum
  3. Administration of the Oath of Office to re-appointed Board Members James Balderrama and James Gentry
  4. Approval of minutes from the October 6, 2008 meeting – Attachment 1

**VariANCES (all Public Hearings)**

5. 1026 Island Pointe Drive, Setback Variance – Attachment 2

**Lot Splits (no Public Hearings)**

6. 78 North Street – Lot Split – Attachment 3

**Comprehensive Plan Amendments (all Public Hearings)**

7. Capital Improvement Element Annual Update – Attachment 4

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.



*(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;*

This addition allows reasonable use of the property. The screened room addition is not out of character with other houses in the R-1 zoning district or this neighborhood.

*(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;*

Strict compliance with the land development regulations will not further any legitimate City objective. There are no benefits in denying this variance.

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

The granting of this variance is consistent with the Comprehensive Plan regarding single-family homes.

*(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 requested is the minimum to make reasonable use of the land given the existing setbacks of the home and the overall character of the neighborhood.

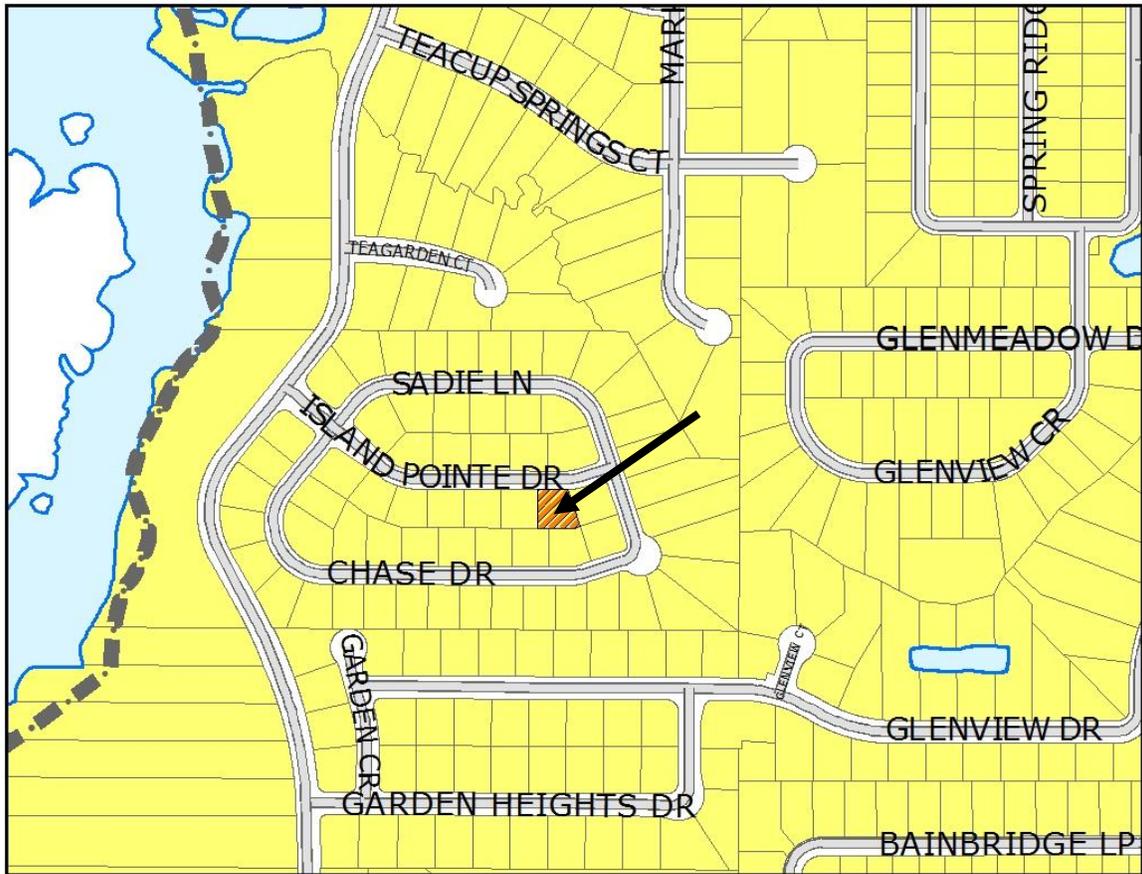
**Staff**

**Recommendation:**

Staff recommends approval of the 9 foot rear yard setback variance to construct a screened room.

**Next Step:** If P& Z Board approves, receive final inspection from the Building Department.

**1026 Island Pointe Drive**



**THE CITY OF WINTER GARDEN**  
**CITY PLANNING AND ZONING BOARD AGENDA ITEM**  
**ATTACHMENT 3 (no Public Hearing)**

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**Date:** October 31, 2008                      **Meeting Date:** November 3, 2008

**Subject:** 78 North Street Lot Split and Wavier of Required Platting Process

**Issue:** Applicant is requesting a lot split that will subdivide the property into eight (8) 50' x 75' single family residential lots. Applicant is also requesting a one-time wavier that will allow the parcel to be split without the required platting process as identified in Chapter 110.

**Supplemental Material/Analysis:**

**Owner/Applicant:** Mark Maciel                      Email: [mmaciel@cfl.rr.com](mailto:mmaciel@cfl.rr.com)

**Zoning:** RNC-2 (tandem housing requires a minimum 50' x 75' lot)

**FLU:** Neighborhood Commercial

**Summary:** Applicant is requesting a lot split for property located at 78 North Street. The proposed lot split will create (8) detached single family residential tandem housing lots that are approximately 50 feet x 75 feet. Tandem Housing allows two detached single family units along the street front and two detached single family units in the rear; all connected by a common driveway. Each Tandem Unit must be developed as a "stand alone" lot with access and utility easements. Applicant is also requesting a one-time wavier that will allow the parcel to be split without the required platting process as identified in City Code Chapter 110. WHEREAS, Objective 4 of the Future Land Use of The Comprehensive Plan for the City of Winter Garden states: Redevelopment: - *The City shall continue to encourage redevelopment and renewal of blighted areas through new development programs and through enforcement of its codes and the utilization of Code Enforcement and through rehabilitation by obtaining grants and other funds.* The City, CRA and CRAAB are currently working with the applicant with regards to redevelopment of site.

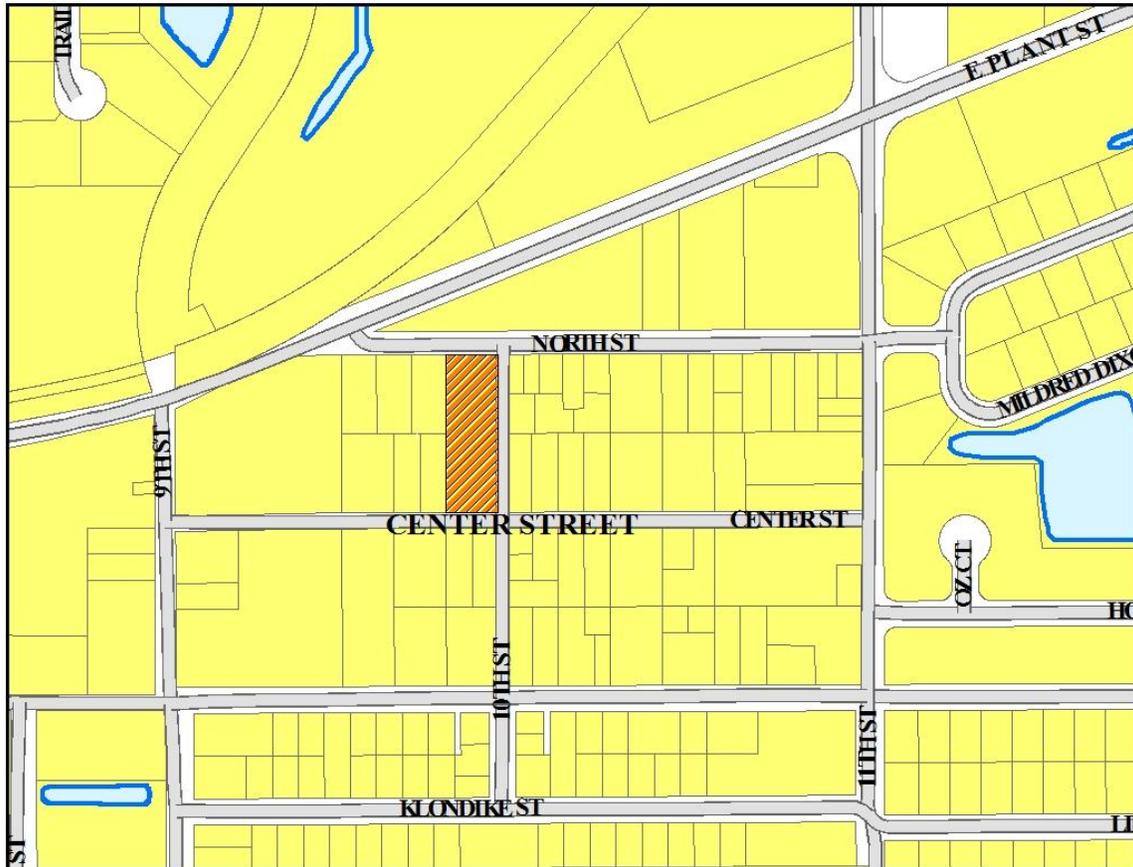
**Staff  
Recommendation:**

Staff recommends approval of the lot split that will subdivide the property into (8) 50' x 75' residential lots and to grant approval of a one-time wavier that will allow the parcel to be split without the required platting process as identified in Chapter 110.

**Next Step:**

If P & Z Board Approves; applicant needs to record the lot split with Orange County Property Appraiser and apply for Special Exception Approval to construct the Tandem Housing Units.

**78 North Street**



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

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**Date:** October 31, 2008                      **Meeting Date:** November 3, 2008

**Subject:** Capital Improvement Element Annual Update (Ordinance 08-55)

**Issue:** The Local Planning Agency (LPA) review text amendments to Capital Improvements Element (CIE) of the Comprehensive Plan in accordance with the annual update as required by Senate Bill 360 (SB360).

**Supplemental Material/Analysis:**

**Owner/Applicant:** City of Winter Garden                      Email: twilson@cwgd.com

**Summary:**

**Consistency with City Comprehensive Plan:**

The proposed changes to the Capital Improvement Element are consistent with the other elements in the City's Comprehensive Plan. This includes a finding that the policies, as amended, will support the designated levels of service for required public services and facilities.

**Background and Justification:**

In 2005, the State Legislature enacted Senate Bill 360 (SB360) which created multiple requirements for Growth Management including requiring annual updates to local government Comprehensive Plan's Capital Improvement Elements.

The City has also prepared a "Data and Analysis Report" that contains information on growth projections, capital improvement budgets for both a 5 year and 10 year time period (FY2009-FY2018).

The proposed changes to the goals, objectives and policies have been prepared to fulfill the legislative requirements of Chapter 163, Florida Statutes. The Capital Improvements Element in its entirety is included in the next section of the report. Ordinance 08-55 is also included which identifies those policies which are recommended to be changed.

**Staff**

**Recommendation:**

That the Local Planning Agency (LPA) recommend approval of Ordinance 08-55 and the amendments to the Capital Improvements Element and find that the changes are consistent with the City's Comprehensive Plan.

**Next Step:** Public Hearing scheduled for November 13, 2008 with the City Commission.