

**A REGULAR MEETING MINUTES
PLANNING AND ZONING BOARD
JULY 06, 2009**

CALL TO ORDER

Chairman Jerry Carris called the meeting of the City of Winter Garden Planning and Zoning Board to order at 6:30 p.m. in the City Hall Commission Chamber. The invocation was given followed by the Pledge of Allegiance. The roll was called and a quorum was declared present.

MEMBERS PRESENT: Chairman Jerry Carris, Vice-Chairman James Gentry, Board Members: Mac McKinney, Rohan Ramlackhan, Kent Horsley, and Mark Maciel.

STAFF PRESENT: City Attorney Dan Langley, Economic Development Director Dolores Key, Community Development Director Tim Wilson, Planning Consultant Edward Williams, Planner Brandon Byers, Planner Regina McGruder, and Planning Technician Lorena Blankenship.

MEMBERS ABSENT: James Dunn

1. APPROVAL OF MINUTES

Approval of minutes from regular meeting held June 01, 2009.

Motion by Kent Horsley to approve the above minutes. Seconded by Roham Ramlackhan, the motion carried unanimously 6-0.

Variances

2. 248 Aranel Court

Planner Byers presented the Board with a request for approval of a 4 foot rear yard setback variance for property located at 248 Aranel Court. If approved, this variance will allow the property owner to construct a screen room addition. City Staff has reviewed the application and recommends approval.

Motion by James Gentry to approve the Variance for property located at 248 Aranel Court. Seconded by Roham Ramlackhan, the motion carried unanimously 6-0.

3. 334 East Bay Street – Hommes Masonry

Planner Byers presented the Board with a request for approval of a 30 foot front setback variance and 13 foot side setback variance for property located at 334 East Bay Street. If approved, this variance will allow the property owners to construct an addition to their existing building. Mr. Byers explained that the proposed addition will align with the existing building and will not encroach any further into the setback, however, as the existing building is non-conforming because it does not meet the I-2 setback requirements, any building addition that increases a non-conformity must receive a variance from the Planning and Zoning Board. The proposed addition will be built in conjunction with a small-scale site plan. This site plan proposes to realign the existing parking and storage yard and will provide additional landscape buffers that will help the aesthetics of the property. City Staff has reviewed the application and recommends approval.

Kent Horsley inquired regarding the landscape buffers. Planner Byers responded that the applicants will provide hedges along Bay Street, additional oak trees and understory trees, to comply with the City Code requirement to provide 5 foot landscape buffer adjacent to public right of way.

Kent Horsley asked if a residential home has been converted into an office. Planner Byers responded that the subject property has been zoned industrial for a number of years, and clarified that the reason for the variance has nothing to do with the industrial use, but with the addition to the existing non-conforming structure. City Staff is supporting the variance petition because the applicant is cleaning up the area, and the addition will not encroach any further into the setback.

Motion by Kent Horsley to approve a 30 foot front setback variance and 13 foot side setback variance for property located at 334 East Bay Street, subject to site plan approval from City Staff. Seconded by James Gentry, the motion carried unanimously 6-0.

Special Exception Permits

4. Bay Street Church of God in Christ, 1301 East Bay Street

Planner McGruder approached the Board and stated that the applicant has requested the item to be withdrawn from the agenda.

Special Exception Permit Extension

5. New Horizons Christian Church

Planner Byers presented the Board with a request for approval of Special Exception Permit extension for property located at 541 Winter Garden Vineland Road to allow the property owners to build a church and UCP school. Mr. Byers reported that on

October 4, 2008, the New Horizons Christian Church received approval of Special Exception Permit from the Planning and Zoning Board to allow a new church and the United Cerebral Palsy Charter School. The applicant has since submitted for but not received site plan approval with the City. As the approval for the Special Exception Permit is set to expire on August 3, 2009, the applicant has requested an extension for another 365 days. If approved, the Special Exception Permit will expire on August 2, 2010 after which the applicant will be required to apply for another Special Exception Permit if commencement of the construction has not started. City Staff has reviewed the application and recommends approval with the original conditions found in the Development Review Committee memo dated July 31, 2008 and the additional condition: buildings must significantly conform to the elevations approved with the Special Exception Permit on August 4, 2008.

Motion by James Gentry to recommend approval of Special Exception Permit Extension for property located at 541 Winter Garden Vineland Road with the conditions found in the Development Review Committee memo dated July 31, 2008 (see attached) and the additional condition that buildings must significantly conform to the elevations approved with the Special Exception Permit on August 4, 2008. Seconded by Mac McKinney the motion carried unanimously 6-0.

Annexations, Comp Plan Amendments & Rezonings

6. 1301 E. Bay Street and 1360 Edgeway Drive

Planner McGruder presented the Board with a request for approval of Ordinance 09-36, annexation of 1301 East Bay Street and 1360 Edgeway Drive; Ordinance 09-37, amending the future land use for 1301 East Bay Street and 1360 Edgeway Drive to Low Density Residential; and Ordinance 09-38, rezoning 1301 East Bay Street and 1360 Edgeway Drive to R-4. City Staff recommends approval to the Ordinances.

Motion by Mac McKinney to recommend approval of Ordinance 09-36, annexation of 1301 East Bay Street and 1360 Edgeway Drive; Ordinance 09-37, amending the future land use for 1301 East Bay Street and 1360 Edgeway Drive to Low Density Residential; and Ordinance 09-38, rezoning 1301 East Bay Street and 1360 Edgeway Drive to R-4. Seconded by Kent Horsley, the motion carried unanimously 6-0.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:53 p.m.

APPROVED:

ATTEST:

Chairman Jerry Carris

Planning Technician Lorena Blankenship