

**A REGULAR MEETING MINUTES  
PLANNING AND ZONING BOARD  
NOVEMBER 02, 2009**

**CALL TO ORDER**

Vice-Chairman James Gentry 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 Chambers. The invocation was given followed by the Pledge of Allegiance. The roll was called and a quorum was declared present.

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

**STAFF PRESENT:** City Attorney Dan Langley, City Manager Mike Bollhoefer, Economic Development Director Dolores Key, Human Resources Director Frank Gilbert, Community Development Director Tim Wilson, Principal Planner Bill Wharton, Planner Brandon Byers, Planner Regina McGruder, and Planning Technician Lorena Blankenship.

**ABSENT:** Chairman Jerry Carris

**1. APPROVAL OF MINUTES**

Approval of minutes from regular meeting held October 05, 2009.

*Motion by Kent Horsley to approve the above minutes. Seconded by James Dunn, the motion carried unanimously 5-0.*

**Variances**

**2. 15052 Sawgrass Bluff Drive**

Planner Byers presented the Board with a request for approval of a 6 foot rear setback variance for property located at 15052 Sawgrass Bluff Drive (*Johns Lake Pointe Subdivision*). If approved, this variance will allow the property owners to construct a screen room addition. City Staff has reviewed the petition and recommends approval.

Vice-Chairman Gentry asked if anyone else in the community have similar enclosures. Planner Byers responded that this is a new subdivision, that there might be similar enclosures, but this one is the first one that needs a variance.

Rohan Ramlackhan arrived at 6:38 p.m.

Chris Kulik, contractor representing the property owner, approached the Board to answer questions and request approval of the subject petition.

Mark Maciel asked if the property owner was planning on building a swimming pool. Mr. Kulik responded that he did not believe so.

***Motion by James Dunn to approve the 6 foot rear setback Variance for property located at 15052 Sawgrass Bluff Drive. Seconded by Kent Horsley the motion carried unanimously 6-0.***

### **3. 78 North Street**

Planner McGruder presented the Board with a request for approval of the following variances for property located at 78 North Street:

- 4' driveway width variance (requires 14' wide driveway)
- 4' width access easement variance (requires 20' wide access easement)
- 20' building separation variance (requires 30' building separation)
- 5' front yard setback variance (requires 20' front yard setback)
- 5' rear yard setback variance (requires 10' rear yard setback)
- 200 square foot living area variance (requires a minimum 1,200 s.f. living area)
- 5' internal side setback variance (requires 15' internal side yard setback)
- 1' building overhang setback variance
- Variance to allow minimum 64 sq.foot front porch (requires 130 s.f. front porch)
- Variance to allow shiny metal in exterior surfaces (requires exterior surfaces not be made of shiny metal)
- Variance to allow other than wooden frame windows (requires all windows have wooden frames).

Ms. McGruder stated that if approved, these variances will allow the construction of eight single family affordable housing units. She added that this project is the first tandem housing project in the City. City Staff has researched these projects in the City of Orlando where these type of units have been constructed. The design is substantially similar to other projects that have been built in Orlando at College Park and in the City of Winter Park. The property was rezoned to RNC-2 to allow for new development and redevelopment in East Winter Garden. Goal 1 of the City of Winter Garden Housing Element of the Comprehensive Plan Amendment is to ensure that a

variety of safe, decent, attractive and affordable housing is provided to meet the needs of present and future residents of Winter Garden. The Community Redevelopment Agency (CRA) has identified the subject area as a priority for development and redevelopment and with many of the existing lots not able to comply with current zoning and restrictions, redevelopment may require numerous variances. While it may appear that the number of requested variances is excessive, once City Staff performed the review of the request and the specific level of each occurrence, it was concluded that with certain conditions the variances, as requested are reasonable and necessary to support the project design. City Staff will work with the developer/builder for alternate locations for the air conditioning condenser pads. Staff is recommending specific conditions that address additional detailed information on the driveways, outside garage parking requirements and exterior architecture design standards that will be similar and compatible with the architectural illustrations submitted.

Staff recommends approval of the requested variances for the property located at 78 North Street with the following conditions:

- There will be a requirement to submit a detailed design plan for the driveway area and the parking turning radii area located in front of the garages for review and approval by the City; before any building permits are issued. The design shall include pavement markings and appropriate traffic signs, utility connection design details and other appropriate design elements for this project.
- The City will review the driveway parking layout for determination of allowing parking outside of the garage on carport area. The design standard for outside garage parking will provide a minimum 16' parking stall depth with an open carport design and a minimum 17' parking stall depth for an enclosed garage design for any outside designated parking spaces. All outside parking areas will be 8.5 feet in width.
- The final exterior architectural design standards shall be similar and compatible with the illustrative architectural designs submitted as part of this variance request.
- Easements for cross access, drainage, and utilities shall be created and recorded prior to issuance of building permits. In addition, 5 foot utility easements will be required for the perimeter of the project.
- Drainage shall be directed to the street sides (via driveways), not onto adjacent properties. Final building plans shall be accompanied with a lot grading plan that shows the finished floor elevation of each structure, driveway grading, and direction of roof runoff. Roof gutters may be required due to the reduced building setbacks.
- The request for the HVAC encroachment in the side yard setback is not recommended by City Staff. Staff will work with the developer/builder for alternate locations for the air conditioning condenser pads.

Mark Maciel stated that because of his involvement with the subject project, he will abstain from voting.

Steve Chitwood, of Florida Real Estate Foundation, and Max Brito, of Rhodes and Brito Architects, approached the Board and provided information regarding the background and operations of Florida Real Estate Foundation. They explained details in relation to their similar projects in Central Florida. Mr. Chitwood stated that the subject project is designed by a volunteer group of Architects and Planners under the Art in Architecture Program of the Florida Real Estate.

Vice-Chairman Gentry inquired about the alternate locations for the air conditioning condenser pads. Planner McGruder responded that City Staff is working with the developer to consider other locations for the air conditioning condenser pads. If necessary some of the homes will need to be reconfigured, to avoid the units from encroaching on the setbacks.

The Board Members, City Manager Bollhoefer, and the applicants further discussed items related to the proposed project, to include the variance to allow shiny metal in exterior surfaces, wooden frame windows, drainage issues, and other elements regarding the Tandem Housing concept.

***Motion by Kent Horsley to recommend approval of several Variances for property located at 78 North Street with City Staff conditions (see attached). Seconded by James Dunn the motion carried 5-1-0; Mark Maciel abstained.***

#### **Special Exception Permits**

#### **4. 78 North Street**

Planner McGruder presented the Board with a request of approval of a Special Exception Permit for property located at 78 North Street. If approved, this Special Exception Permit will allow Tandem Housing in the RNC-2 Zoning District. City Staff has reviewed the petition and recommends approval.

Mark Maciel stated that because of his involvement with the subject project, he will abstain from voting.

***Motion by Mac McKinney to approve the Special Exception Permit for property located at 78 North Street. Seconded by Kent Horsley the motion carried 5-1-0; Mark Maciel abstained.***

**3. 1301 E. Bay Street**

Planner McGruder stated that City Staff request this item be tabled until the December 7, 2009 Planning and Zoning Board meeting.

*Motion by Mac McKinney to table the item until the December 07, 2009 Planning and Zoning Board meeting. Seconded by Rohan Ramlackhan the motion carried unanimously 6-0.*

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:02 p.m.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
**Chairman Jerry Carris**

\_\_\_\_\_  
**Planning Technician Lorena Blankenship**