

**A REGULAR MEETING MINUTES
PLANNING AND ZONING BOARD
DECEMBER 05, 2011**

CALL TO ORDER

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: Chairman James Gentry, Board Members: Eric Weiss, Kent Horsley, Mac McKinney, and Rohan Ramlackhan.

STAFF PRESENT: City Attorney Kurt Ardaman, Community Development Director Ed Williams, Senior Planner Laura Smith, Senior Planner Stephen Pash, Planner I Alejandra Fazekas, and Planning Technician Lorena Blankenship.

MEMBERS ABSENT: Mark Maciel (excused), and Jimmy Dunn (excused).

STAFF ABSENT: City Manager Mike Bollhoefer.

1. APPROVAL OF MINUTES

Approval of minutes from the regular meeting held November 07, 2011.

Mac McKinney pointed out that a correction needed be made to the minutes to indicate that Chairman James Gentry was the one who called the meeting to order.

Motion by Mac McKinney to approve the above minutes as amended, seconded by Rohan Ramlackhan, the motion carried unanimously 5-0.

VARIANCE

2. 953 Glenmeadow Drive

Planner I Alejandra Fazekas presented the Board with a request for approval of a variance to the 10' minimum side yard setback and 20% of the lot depth rear yard setback requirement for accessory structures over 160 square feet in size. If approved, this variance will allow the property owner to build a 14' X 24' shed. Ms. Fazekas added that this single family home is located on a 0.40 acre platted lot in the

Glenview Estates Second Addition plat book 18, page 48 recorded on September 11, 1986. The property is located west of Glensprings Avenue and was constructed in 1987. The surrounding neighborhood consists of single family residential homes. The subdivision does not have Homeowners Association to review any additional property improvements. The subject property has a screened enclosure pool. City staff would recommend adding landscaping to offset visual impact of the shed to the immediate single family residence. Staff recommends approval of a variance to Sections 118-1130 (c)(2)(a) and 118-308 of the City Code to allow the construction of a shed with 5 foot rear yard setback in lieu of 24.37 feet and 5 foot east side setback in lieu of 10 feet.

Mac McKinney noted that the property seems to have a lot of space on the rear of the property and asked if the shed could be relocated. Planner 1 Alejandra Fazekas responded that the home has a swimming pool on the rear of the property. Mr. McKinney stated that the survey provided in the agenda package does not include the swimming pool.

Motion by Kent Horsley to table the item to allow the applicant to submit a revised survey including the swimming pool. Seconded by Rohan Ramlackhan, the motion carried unanimously 5-0.

SPECIAL EXCEPTION PERMIT

3. 704 S. Dillard Street

Senior Planner Stephen Pash presented the Board with a request for approval of a Special Exception Permit to allow an Auto Sales and Service Facility in a C-2 zoning district. The owner is requesting Special Exception Permit to allow an Auto Sales and Service Facility to open in the existing building. The building was originally constructed as a gas station and service facility. The gas station stopped operation in the 1980's and the site was reopened as an Auto Sales and Service Facility. The current owner operated then leased the facility until 2008. The building has been vacant since and now the owner would like to lease the building to a new Auto Sales and Service Facility. Staff recommends approval of the Special Exception Permit with the conditions outlined in the staff report.

Motion by Rohan Ramlackhan to approve the Special Exception Permit with City Staff conditions (see attached). Seconded by Kent Horsley, the motion carried unanimously 5-0.

4. 13192 W. Colonial Drive

Community Development Director Williams presented the Board with a request for approval of a Special Exception Permit to allow an Auto Sales Facility in a C-2

zoning district. The owner/tenant is requesting Special Exception Permit to allow an Auto Sales Facility to remain in the existing building. The subject property was a new and used auto sales facility from 1996 through 2006. The existing property owner purchased the property in 2007 and demolished the dilapidated buildings to clean up the property. After demolishing the buildings, the owner purchased the modular building and had it moved onto this property. The owner has signed a lease with the applicant to operate the proposed used auto sales facility. Staff recommends approval of the Special Exception Permit with the conditions outlined in the staff report.

Motion by Kent Horsley to approve the Special Exception Permit with City Staff conditions (see attached). Seconded by Mac McKinney, the motion carried unanimously 5-0.

PUD Amendments and Plats

5. Avalon Reserve Village 1, PUD Amendment

Senior Planner Stephen Pash presented the Board with a request to amend the Avalon Reserve PUD requirements for Village 1 on 19.24 +/- Acres of land. The subject property is located within the City of Winter Garden municipal limits, and carries the zoning designation PUD. The subject property is designated Medium Density Residential on the Future Land Use Map of the Comprehensive Plan. City Staff recommend approval of the proposed Ordinance. Amending Ordinance 03-50 Section IV to change the development from townhomes to single-family. Amending the existing PUD is consistent with the City's Comprehensive Plan and the City of Winter Garden Code of Ordinances. The applicant proposes to develop the 19.24 ± acre site into a residential planned unit development containing 66 lots. The proposed neighborhood will be a private neighborhood, with a park and pedestrian trails around the pond. The proposed development is a reasonable and low intensity use of the land and is compatible with the surrounding area. Staff recommends approval of Ordinance 11-39, amending Section IV of Ordinance 03-50 to change the approved development from townhomes to single-family homes in Avalon Reserve Village 1.

Randy June, of June Engineering, 132 W. Plant Street, applicant for the project, approached the board to answer questions. No questions were asked to the applicant.

In response to Kent Horsley inquiry, City Attorney Ardaman pointed out that paragraph in page two (2) of ordinance 11-39 states: " In lieu of the front garage setback requirement as stated in the JPA (*Joint Planning Agreement*) design guidelines, a minimum of forty (40) percent of all residential units shall have the garage", should be corrected to state: "The JPA design guidelines front garage

setback requirements states that a minimum of forty (40) percent of all residential units shall have the garage”.

Motion by Mac McKinney to recommend approval of Ordinance 11-39, amending Section IV of Ordinance 03-50 to change the approved development from townhomes to single-family homes in Avalon Reserve Village 1. Seconded by Rohan Ramlackhan, the motion carried unanimously 5-0.

6. Avalon Reserve Village 1, Preliminary Plat

Senior Planner Stephen Pash presented the Board with a request of approval of a Preliminary Plat for Village 1 of the Avalon Reserve PUD to allow platting of 66 single-family lots. The subject property is located within the City of Winter Garden municipal limits, and carries the zoning designation PUD. The subject property is designated Medium Density Residential on the Future Land Use Map of the Comprehensive Plan. City Staff recommend approval of the proposed Preliminary Plat for 66 single-family lots. The proposed single-family subdivision is consistent with the City’s Comprehensive Plan and the City of Winter Garden Code of Ordinances. The proposed development is a reasonable and low intensity use of the land and is compatible with the surrounding area. Staff recommends approval of the Preliminary Plat to pre-plat 66 single-family lots in Avalon Reserve Village 1.

Discussion took place among the Board Members and Community Development Director Williams regarding the impact that new development generates in the community. Topics of discussion included school concurrency, road impact, parks and recreational areas, and “Urban Village” guidelines.

Motion by Kent Horsley to recommend approval of the Preliminary Plat for Avalon Reserve Village 1. Seconded by Rohan Ramlackhan, the motion carried unanimously 5-0.

7. Tucker Oaks, PUD Amendment

Senior Planner Laura Smith presented the Board with a request to amend the PUD Plan for the Tucker Oaks Property which was adopted by Ordinance 04-34 (rezoning 78.5± acres of land from County A-1 to City PUD) to allow for the construction of two-unit townhomes in place of tri-plex condominiums. The subject property is located within the City of Winter Garden municipal limits, and carries the zoning designation PUD (Planned Unit Development) in the City of Winter Garden. The subject property is designated Medium Density Residential on the Future Land Use Map of the Comprehensive Plan. City Staff recommend approval of the proposed Ordinance. Amending the PUD Plan for the Tucker Oaks Property to allow for two-unit townhomes to be constructed in place of triplex condominiums on a 13.29± acre portion of the 78.5± acre site is consistent with the City’s Comprehensive Plan and the City of Winter Garden Code of Ordinances. The PUD Plan adopted for the Tucker

Oaks Property in conjunction with the PUD rezoning of the property by Ordinance 04-34 allowed for the construction of 390 triplex condominium units, the applicant proposes to amend the approved PUD Plan to allow for a total of 345 units, which would be comprised of 255 triplex condominium units (which have been platted) and 90 two-unit townhomes. City Staff recommends approval of Ordinance 12-01, amending the Tucker Oaks PUD.

The Board Members, Community Development Director Williams, and City Attorney Ardaman discussed issues related to foreclosures and the current market for single family homes.

Motion by Mac McKinney to recommend approval of Ordinance 04-34, amending the Tucker Oaks PUD. Seconded by Kent Horsley, the motion carried unanimously 5-0.

8. Tucker Oaks, Villas at Tucker Oaks, Final Plat

Senior Planner Laura Smith presented the Board with a request to approval of Final Plat of the 13.29± acre property to be platted as the Villas at Tucker Oaks for 90 two-unit fee simple townhomes. The subject property is located within the City of Winter Garden municipal limits, and carries the zoning designation PUD (Planned Unit Development) in the City of Winter Garden. The subject property is designated Medium Density Residential on the Future Land Use Map of the Comprehensive Plan. City Staff recommend approval of the proposed Final Plat of 90 two-unit fee simple townhomes for the Villas at Tucker Oaks contingent upon approval and adoption of Ordinance 12-01 (Amendment to the Tucker Oaks PUD Plan). The Tucker Oaks Property has been approved for 390 triplex condominium units, the applicant has proposed to reduce the total number of units to accommodate 90 two-unit fee simple townhomes in place of 135 of the 390 planned triplex condominium units. Infrastructure in the form of roads, water, sewer, and reclaimed water systems has been installed to support the approved triplex condominiums. The applicant proposes to construct a townhome product with a similar footprint to the approved triplex condominium units and therefore will require little modification to the existing facilities on the property. Staff recommends approval of the Villas at Tucker Oaks Final Plat.

Dave Kelly and Raph Spano, applicants for the project, approached the Board and in response to Rohan Ramlackhan question, stated that they were planning on building four units a month.

In response to Kent Horsley inquiry, Senior Planner Laura Smith explained some of the standards regarding fire prevention and shared common yards in condominium developments.

Motion by Kent Horsley to recommend approval of the Villas at Tucker Oaks Final Plat. Seconded by Mac McKinney, the motion carried unanimously 5-0.

ORDINANCES

9. Ordinance 12-02, Chapter 118 Article V

Community Development Director Williams presented the Board with a request of approval to Ordinance 12-02, amending Chapter 118 Article V of the Code of Ordinances, creating Urban Village Planned Unit Development Zoning District. The comprehensive plan identifies the need for the Urban Village Planned Unit Development Zoning Designation in order to further the Goals, Objectives and Policies of the comprehensive plan. Staff recommends approval of Ordinance 12-02 (Urban Village PUD).

In response to several Board Member's inquiries, Community Development Director Williams further explained matters regarding the Urban Village concept and land use designation, the guidelines and design features, the pedestrian and vehicular connections, the commercial component, and the preservations of wetlands and other natural resources contained within the boundaries of the urban village planned unit development.

Motion by Mac McKinney to recommend approval of Ordinance 12-02, amending Chapter 18 Article V of the Code of Ordinances, creating Urban Village Planned Unit Development Zoning District. Seconded by Rohan Ramlackhan, the motion carried unanimously 5-0.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:48 p.m.

APPROVED:

ATTEST:

Chairman James Gentry

Planning Technician Lorena Blankenship