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PLANNING & ZONING BOARD AGENDA

To: Jimmy Dunn – Chairman
Mac McKinney – Vice Chairman
Heather Gantt
H. Gerald Jowers
Mark Maciel
Rohan Ramlackhan
Eric Weiss

Copy to: Mike Bollhoefer
Dan Langley
Kurt Ardaman
Ed Williams
Stephen Pash
Laura Smith
Kelly Carson

RE: Agenda – December 2, 2013 - 6:30 PM
Commission Chambers, City Hall
300 West Plant Street, Winter Garden

1. **CALL TO ORDER**
2. **ROLL CALL AND DETERMINATION OF QUORUM**
3. **APPROVAL OF MINUTES FROM THE NOVEMBER 4, 2013 MEETING**
4. **SWEARING IN OF NEW MEMBERS**

VARIANCE (PUBLIC HEARING)

5. 117 W Tilden Street Building Addition – (Scherer, Richard)
Variance
Parcel ID # 14-22-27-9203-04-100

ANNEXATION / FUTURE LAND USE MAP AMENDMENT / REZONING (PUBLIC HEARING)

6. 1006 E Crown Point Road – (West Orlando Baptist Church)
Rezoning
Parcel ID # 12-22-27-0000-00-032

7. **ADJOURNMENT**

To the next regular Planning and Zoning Board meeting on Monday, January 6, 2014 at 6:30 p.m. in City Hall Commission Chambers, 300 W. Plant Street, 1st floor.



**A REGULAR MEETING MINUTES
PLANNING AND ZONING BOARD
NOVEMBER 4, 2013**

1. CALL TO ORDER/INVOCATION/PLEDGE OF ALLEGIANCE

Vice Chairman Jimmy Dunn 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.

2. ROLL CALL AND DETERMINATION OF QUORUM

The roll was called and a quorum was declared present.

MEMBERS PRESENT:

Vice-Chairman James Dunn, Board Members: Heather Gantt, Mac McKinney, Rohan Ramlackhan, and Eric Weiss

MEMBERS ABSENT:

H. Gerald Jowers – excused, Mark Maciel – un-excused

STAFF PRESENT:

City Attorney Kurt Ardaman, Community Development Director Ed Williams, Senior Planner Stephen Pash, Senior Planner Laura Smith, Planner II Kelly Carson, and Customer Service Representative Kathy Rathel

3. APPROVAL OF MINUTES

Approval of minutes from the regular meeting held on October 7, 2013.

Motion by Eric Weiss to approve the above minutes. Seconded by Mac McKinney, the motion carried unanimously 5-0.

4. SWEARING IN OF NEW MEMBER

New Board Member, Heather Gantt, was sworn in.

**ANNEXATION, REZONING, FUTURE LAND USE MAP AMENDMENTS
(Public Hearing)**

5. 14362 Siplin Road (Black Lake Preserve PUD)

Senior Planner Laura Smith presented a Rezoning application of 35 acres located at the intersection of Sunridge Blvd. and Siplin Road for the development of a residential subdivision to contain 91 Single Family Residential Units to vary in lot sizes from 70' wide to 75' wide. Staff recommends approval of Ordinance 13-68.

Motion by Eric Weiss to recommend approval of Ordinance 13-68 at 14288, 14350, 14362 Siplin Road with Staff Recommendations (Attached Exhibit "A"). Seconded by Rohan Ramlackhan, the motion carried unanimously 5-0.

6. VOTING FOR NEW CHAIRMAN AND VICE-CHAIRMAN

Vice Chairman Jimmy Dunn opened the floor for nominations for new Chairman and Vice Chairman.

Eric Weiss made a motion to nominate Jimmy Dunn to be the new Chairman. Seconded by Rohan Ramlackhan and accepted by Jimmy Dunn, the motion carried unanimously 5 – 0.

Rohan Ramlackhan made a motion to nominate Mac McKinney to be the new Vice Chairman. Seconded by Jimmy Dunn and accepted by Mac McKinney, the motion carried unanimously 5 – 0.

7. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:36 p.m.

APPROVED:

ATTEST:

Chairman Jimmy Dunn

Customer Service Rep Kathy Rathel

EXHIBIT "A"

CITY OF WINTER GARDEN PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 • (407) 656-4111

STAFF REPORT

TO: PLANNING AND ZONING COMMITTEE
PREPARED BY: LAURA SMITH, SENIOR PLANNER
DATE: NOVEMBER 1, 2013
SUBJECT: REZONING
BLACK LAKE PRESERVE PROPERTY
14288, 14350 & 14362 SIPLIN ROAD (35.176 +/- ACRES)
PARCEL ID # 32-22-27-0000-00-008; 32-22-27-0000-00-029
32-22-27-0000-00-007

APPLICANT: HANOVER CAPITAL PARTNERS, LLC

INTRODUCTION

The purpose of this report is to evaluate the proposed project for compliance with the City of Winter Garden Code of Ordinances and Comprehensive Plan.

The subject property is located at 14288, 14350 & 14362 Siplin Road and is approximately 35.176± acres. The map below depicts the location of the subject property within the City of Winter Garden municipal limits.



The applicant is requesting to rezone 35.176± acres of land. The subject property was recently annexed into the City of Winter Garden and has not yet been assigned a zoning designation. The Future Land Use Map of the City of Winter Garden Comprehensive Plan was recently amended in conjunction with the annexation of the subject property to designate the subject property SUB-Suburban Residential on the Future Land Use Map of the City's Comprehensive Plan (see attached map).

EXISTING USE

The subject property is primarily vacant unimproved land; however there is one existing single family residential structure located on the portion of the property addressed at 14362 Siplin Road.

ADJACENT LAND USE AND ZONING

The property located to the north of the subject property is the new school site of SunRidge Middle School and SunRidge Elementary School which opened last year in the City of Winter Garden, the Future Land Use Designation of the property is Institutional. The properties located to the west are vacant properties located within the City of Winter Garden, one containing an Orange Grove and the other owned by the City of Winter Garden, since their annexation these properties have not been assigned Zoning or Future Land Use Designation on the Future Land Use Map of the City's Comprehensive Plan. The properties located to the south include vacant unimproved land located in Unincorporated Orange County and a Single Family Residential structure also located in Unincorporated Orange County. The property to the east is primarily vacant land with Future Land Use Designation of Low Density Residential and the Zoning is R-2 in the City of Winter Garden.

PROPOSED USE

The applicant proposes to develop the 35.176 ± acre site into a residential planned unit development containing 91 single-family dwelling units. The subdivision is proposed to have a gross density of 2.58 dwelling units per acre, the SUB- Suburban Residential Future Land Use Designation allows up to 4 dwelling units per acre. The proposed subdivision will contain 2 recreational parks, walking trails and 8.89 acres of open space.

The proposed project will contain a mixture of 70'x125' lots and 75'x125' lots, with a total of 44 lots at between 70' and 75' wide and 47 lots at 75' or wider.

PUBLIC FACILITY ANALYSIS

Potable Water, Reclaimed Water, and Wastewater Services

The proposed residential development will be served by and required to connect to City of Winter Garden water, wastewater, and reclaimed water which are available and have adequate capacity to serve the proposed residential development. At such time that the property is developed, all necessary utility lines will be extended and connections made, all extension and connection costs shall be borne by the property owner.

Stormwater

The stormwater retention/detention facilities designed to service the proposed development will meet or exceed the LOS Standards stated in Policy 4-1.1.1 of the Public Facilities Element included in the City of Winter Garden Comprehensive Plan. In addition, the stormwater facilities will be designed in accordance with St. Johns River Water Management District and City of Winter Garden requirements.

Common Recreation and Open Space

The proposed residential development is located within the Wekiva Study Area Resource Protection Overlay, and in accordance with the City of Winter Garden Comprehensive Plan Future Land Use Element Policies 1-3.1.7 and 1-3.1.8 no less than 25% Wekiva Study Area Open Space shall be provided. None of the 25% Wekiva Study Area Open Space shall be chemically treated with pesticides to establish sensitive natural habitat.

To the greatest extent possible, 5% of the developable area of the Property shall be set aside for passive, dry-land recreational use. In the event that this requirement cannot be met wholly or in part, then a financial contribution in accordance with Chapter 110, Article V, Division 2 of the City Code of Ordinances shall be made to the City Recreation Fund to fulfill the requirement.

The proposed development will have 8.89 +/- acres of open space, consisting of Wekiva Study Area Open Space and passive, dry-land recreational uses.

All of the common recreation and open space will be maintained by a homeowner's association and available to the residents. The developer shall establish a homeowner's association in accordance with Chapter 720, Florida Statutes and having governing documents in compliance with Chapter 110 of the City of Winter Garden Code of Ordinances.

Environment

The subject property is located within the Wekiva Study Area Resource Protection Overlay. The developers are required to provide a minimum of 25% of the gross developable area as Wekiva Open Space as stated in Policies 1-3.1.7 and 1-3.1.8 of the Future Land Use Element included in the City of Winter Garden Comprehensive Plan.

Transportation

The property's primary point of vehicular access is from SunRidge Blvd which will continue to be the primary access point with the development of the property. However, SunRidge Blvd will be an entry only access point with a secondary access (entry and exit) point on Siplin Road. With the development of this property and in conjunction with the development of the Mathews Grove property located on the east side of Siplin Road, there will be a realignment of Siplin Road through the Mathews Grove property.

Other Services

The City will provide garbage collection, police protection, and all other services regularly provided to City of Winter Garden residents including building permits. The property will be served by both Orange County Fire and Rescue and the City of Winter

Garden Fire Department under the First Response System.

SUMMARY

City Staff recommends approval of the proposed Ordinance subject to the following condition:

- Prior to any further approvals the property owner shall enter into a Developer's Agreement which, in addition to other commitments, specifies the cooperation and obligations of the Black Lake Preserve owner/developer and the Mathews Grove owner/developer to construct the realignment of Siplin Road and a joint lift station.

Rezoning the subject property from City NZ to City PUD is consistent with the Future Land Use Map of the City's Comprehensive Plan, and is consistent with the trend of development in the area. The proposed development is compatible and consistent with the uses in the surrounding area. The proposed development of the subject property is consistent with the goals, objectives and policies of the City's Comprehensive Plan and land development regulations.

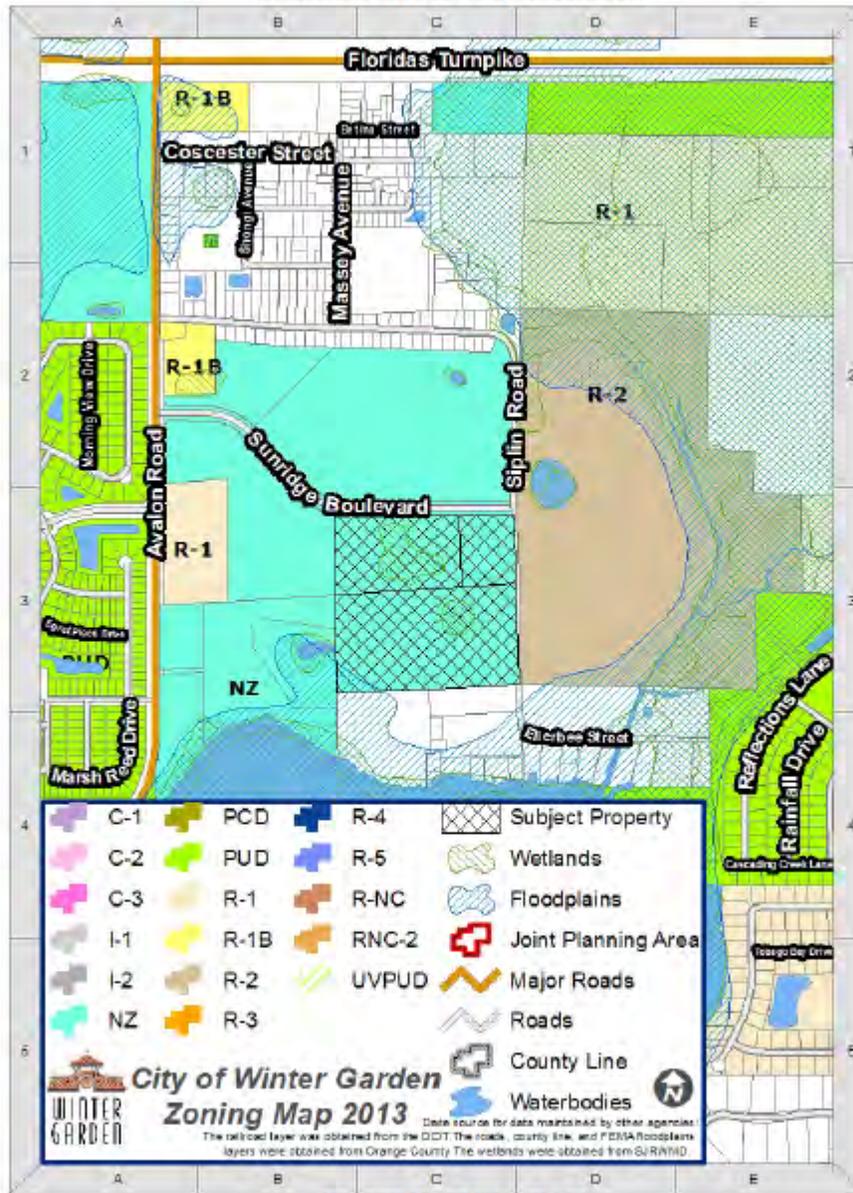
MAPS

**AERIAL PHOTO
BLACK LAKE PRESERVE SUBDIVISION**

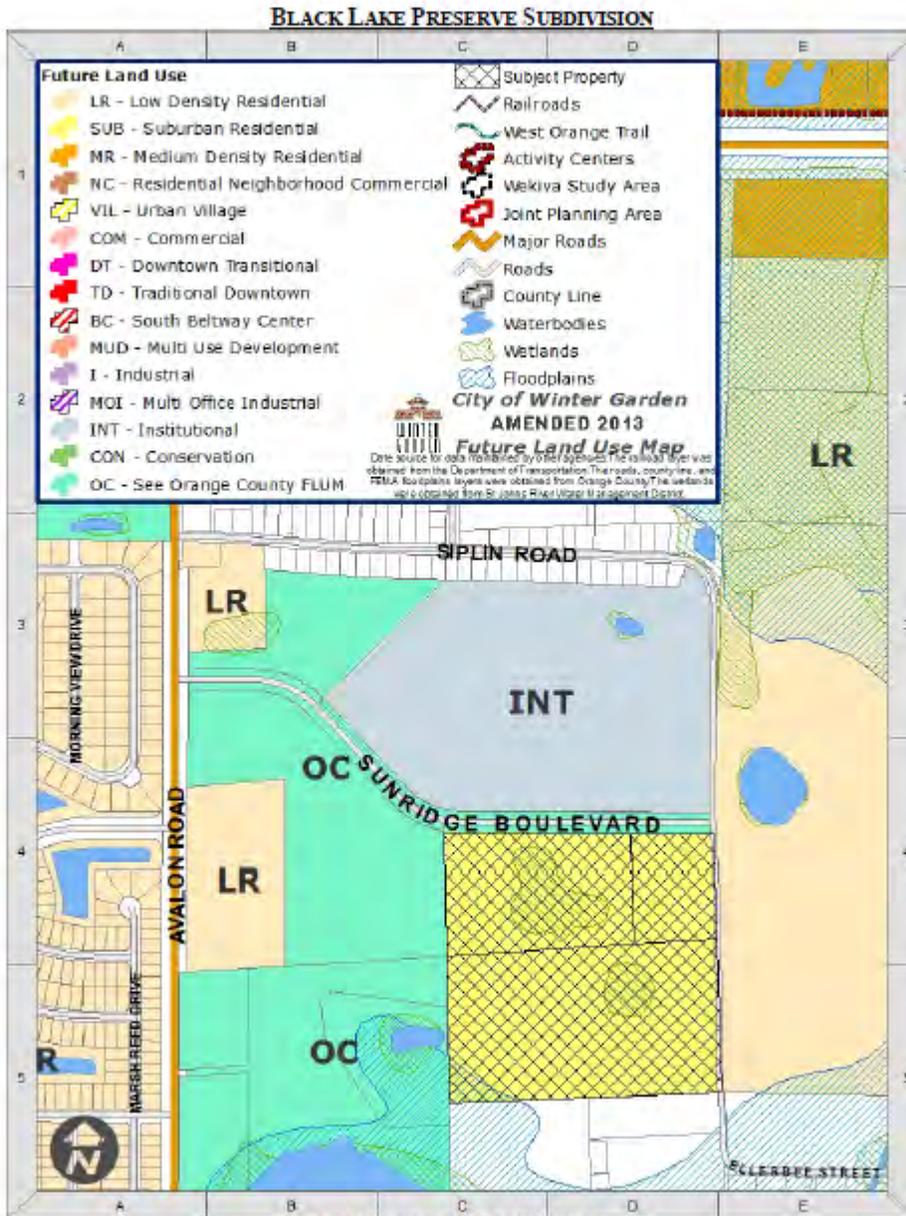


ZONING MAP

BLACK LAKE PRESERVE SUBDIVISION



FUTURE LAND USE MAP



THE CITY OF WINTER GARDEN
PLANNING AND ZONING BOARD AGENDA ITEM

ITEM # 5 (Public Hearing)

DATE: November 25, 2013 **MEETING DATE:** December 2, 2013

SUBJECT: 117 W Tilden Street Building Addition (VARIANCE)
PROJECT NAME 117 W Tilden Street Building Addition (0.25 +/- Acres)
PARCEL ID# 14-22-27-9203-04-100

ISSUE: The applicant is requesting a Variance to permit the construction of an addition to an existing residential building, which is designed to be set back 20.8 feet from the rear property line and 9.4 feet from the western side property line.

SUPPLEMENTAL MATERIAL/ANALYSIS:

OWNER/APPLICANT: Rick Scherer (homeowner)

CURRENT ZONING: R1 – Single Family Residential

PROPOSED ZONING: N/A

CURRENT FLU: LR – Low Density Residential

PROPOSED FLU: N/A

SUMMARY:

The request is for a 20.8 foot rear yard and 9.4 foot side yard setback in lieu of the required 22 foot rear yard and 10 foot side yard setback. If approved, this variance will permit the construction of a proposed building addition that will follow the existing roofline of the primary structure.

STAFF RECOMMENDATION(S):

Staff recommends approval of the variance to allow the proposed building addition to be constructed 20.8 feet from the rear property line and 9.4 feet from the side property line.

ATTACHMENT(S):

Location Map
Staff Report

LOCATION MAP

117 W TILDEN ST



CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 • (407) 656-4111

STAFF REPORT

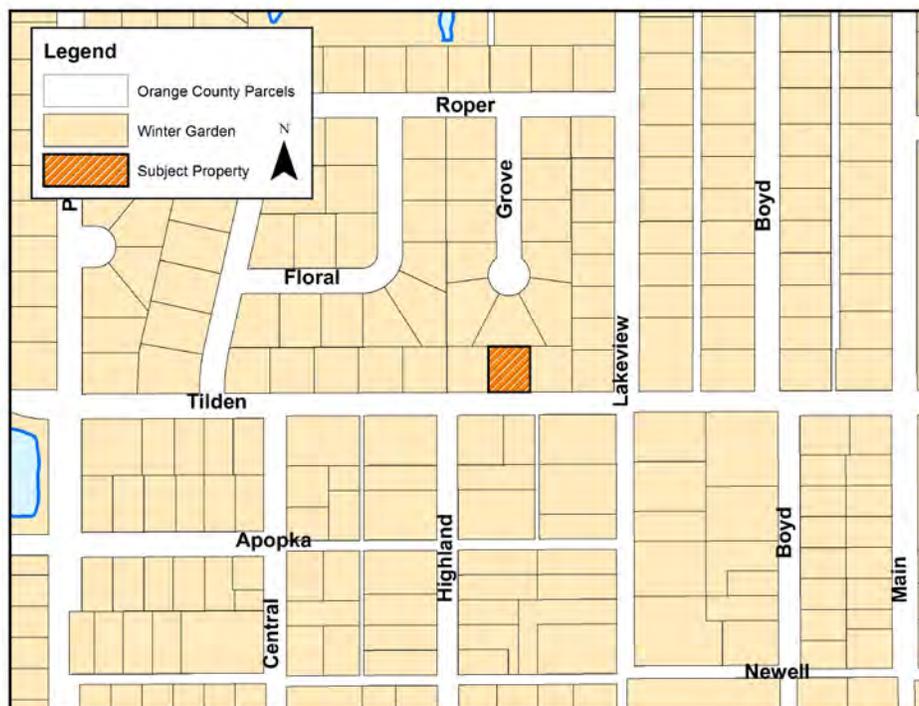
TO: PLANNING AND ZONING BOARD
PREPARED BY: KELLY CARSON, PLANNER II
DATE: NOVEMBER 25, 2013
SUBJECT: VARIANCE
117 W Tilden Street (0.25 +/- ACRES)
PARCEL ID # 14-22-27-9203-04-100

APPLICANT: Richard Scherer (Homeowner)

INTRODUCTION

The purpose of this report is to evaluate the request for a rear and side yard setback variance for property located at 117 W Tilden Street in Winter Garden, Florida. The request is for a 20.8 foot rear yard and 9.4 foot side yard setback in lieu of the required 22 foot rear yard and 10 foot side yard setback. If approved, this variance will allow an addition to the primary structure, which will be built in order to accommodate the applicant's elderly parents.

The subject property is an approximately 0.25± acre lot located on W Tilden Street, several blocks north of Winter Garden's downtown commercial core. The map below depicts the location of the subject property within the City of Winter Garden municipal limits:



The subject property carries the zoning designation R-1 (Single-Family Residential District) and is designated LR (Low Density Residential) on the Future Land Use Map of the City's Comprehensive Plan.

EXISTING USE

The subject property presently consists of a 2,100 +/- square foot single-family residential home with a carport positioned to the south of the proposed addition on the west side of the property. There is also an existing brick patio and pool area located on the east side of the property

ADJACENT LAND USE AND ZONING

The adjacent properties to the north, south, east, and west of the subject property are all single-family residential homes, have the zoning designation R-1 (Single-Family Residential District) and the future land use designation of LR (Low Density Residential).

The property to the east has a rear building setback that is the same or nearly identical to the proposed setback for the addition on the subject property.

PROPOSED USE

The applicant would like to build an addition onto the existing home.

CODE REFERENCE

Sec. 118-308 (1) c of the City Code of Ordinances addresses minimum yard requirements. This section states in part that the minimum yard requirements in the R-1 Single-Family Residential District are “*front: 30 feet, side: 10 feet each, rear: 20% of depth of lot.*”

The applicant is seeking a variance to the minimum rear yard setback to allow the proposed addition to be built with a 20.8 foot rear yard setback and a 9.4 foot side yard setback. The application for variance does not include any removal of trees on the property.

CODE REQUIREMENTS /CRITERIA

Code Requirements/Criteria:

Section 118-131 of the City Code that relates to the review criteria states that, “A variance may be granted from land development regulations by the planning and zoning board if the planning and zoning board concludes that literal enforcement of the provisions of land development regulations would result in either practical difficulties (for setback and parking provisions) or unnecessary hardships (for all other land development regulations) for the property at issue.” The code also lists the following criteria that are to be addressed before a variance can be approved. Underlined text is Staff's comments concerning this particular petition.

(1) *Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;*

The proposed addition located 20.8 feet from the rear property line and 9.4 feet from the side property line should not negatively impact or interfere with the reasonable enjoyment of adjacent or nearby property owners as the neighbors to the north, east, and west are fenced and developed in a way that is consistent with the subject property. One of the property

owners to the west of the subject property has contacted the City and expressed his approval of the proposed building addition.

- (2) *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;*

The requested variance allowing a 20.8 foot rear yard setback in lieu of the required 22 foot rear yard setback and a 9.4 side yard setback in lieu of the required 10 foot side yard setback will allow reasonable use of the property. The request is consistent with the existing building and will continue the house's roofline. The home within the property to the east is located +/- 20.8 feet from the rear property line and many of the homes in this neighborhood have side and rear setbacks that deviate slightly with current City setback codes due to the year they were originally constructed.

- (3) *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 City's land development regulations will not further any legitimate City objective. This request does not encroach into any recorded easement, does not expand the home any further into the rear setback than the existing primary structure already sits, and, with the proposed removal of 200 square feet of existing brick pavers, does not exceed the maximum impervious surface allowed in the R-1 zoning district (50%).

- (4) *The granting of the variance is consistent with the city's comprehensive plan; and*
The variance is consistent with the provisions of the City's Comprehensive Plan relating to single family residential neighborhood character.

- (5) *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 variance that will make reasonable use of the land. The proposed addition will be built in-line with the rear face of the existing building; it was designed to be consistent with the original roofline of the house, blending seamlessly with the existing architecture. The proposed addition does not impact the neighbors and is consistent with the building setbacks enjoyed by many other property owners in this neighborhood. Denying this variance does not benefit the property owner or the City.

SUMMARY

City Staff recommends approval of the variance to Section 118-308(1) to allow a 20.8 foot rear yard and 9.4 foot side yard setback in lieu of the minimum required 22 foot rear yard and 10 foot side yard setback for the property to allow an addition to the primary structure subject to the following condition:

1. The applicant will remove a minimum of 200 square feet of existing brick paving in order to comply with the City of Winter Garden's maximum impervious surface ratio requirements (Section 106-18).

NEXT STEP

Apply for the appropriate Building Permits.

ATTACHMENTS

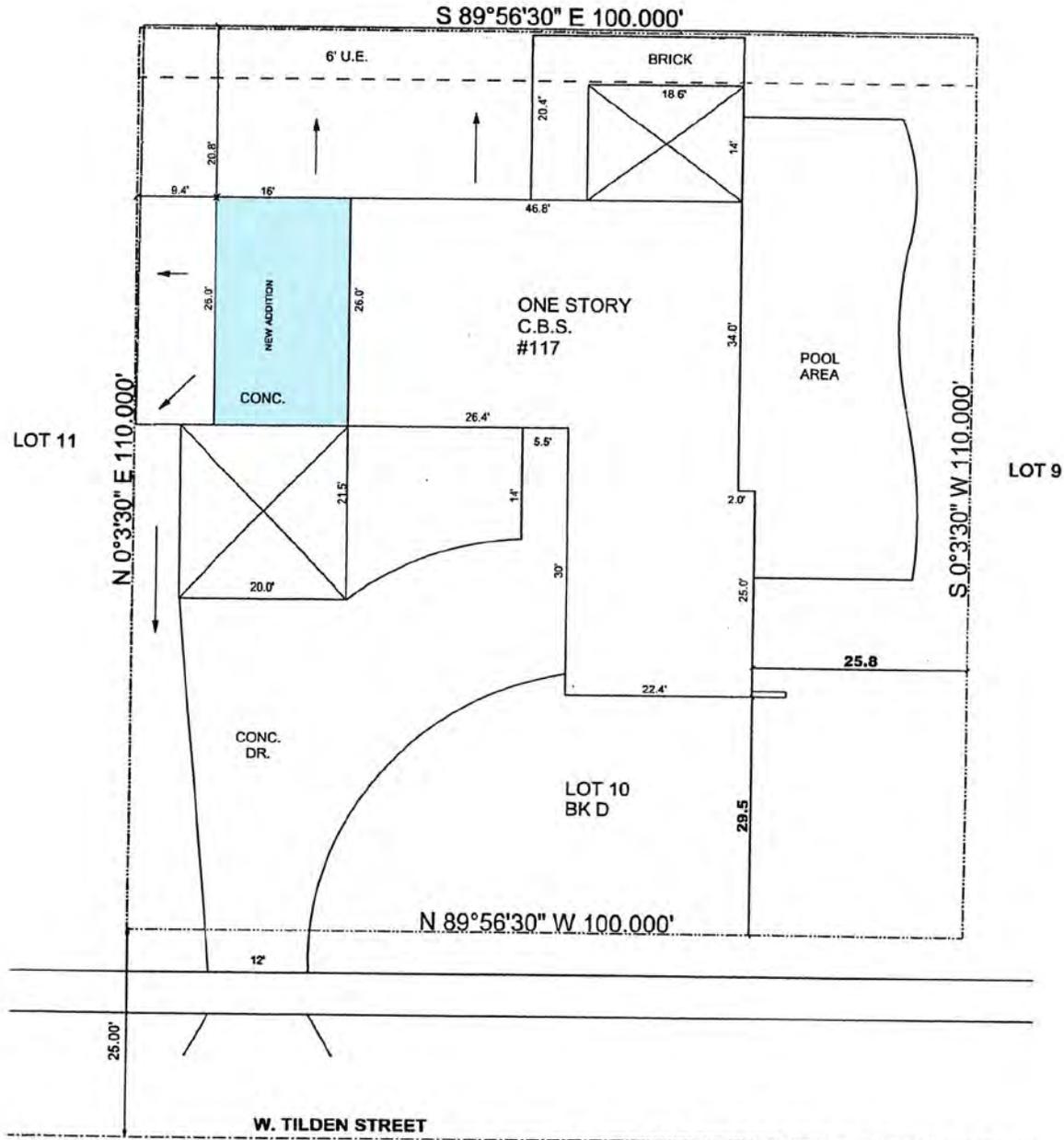
- Aerial Photos
- Site Plan
- Site Photos

AERIAL PHOTO
117 W Tilden Street



SITE PLAN
117 W Tilden Street

LOT 31



NEW SITE DRAINAGE PLAN

SCALE: 1"=20'-0"

THIS DOES NOT CONSTITUTE A SURVEY

SITE PHOTOS
117 W Tilden Street





END OF STAFF REPORT

THE CITY OF WINTER GARDEN
PLANNING AND ZONING BOARD AGENDA ITEM

ITEM # 6 (Public Hearing)

DATE: November 26, 2013 **MEETING DATE:** December 2, 2013

SUBJECT: 1006 East Crown Point Road (REZONING)
PROJECT NAME 1006 EAST CROWN POINT ROAD (13.45 +/- ACRES)
PARCEL ID# 12-22-27-0000-00-032

ISSUE: The applicant is requesting Zoning designation on property located at 1006 East Crown Point Road.

SUPPLEMENTAL MATERIAL/ANALYSIS:

OWNER/APPLICANT: West Orlando Baptist Church, Inc.

CURRENT ZONING: NZ

PROPOSED ZONING: R-1

CURRENT FLU: Low Density Residential

PROPOSED FLU: N/A

SUMMARY:

The subject property consists of 13.45 ± acres and is located on the west side of East Crown Point Road, north of Crown Point Cross Road, and south of Winged Elm Place. The property was annexed into the City of Winter Garden in 2008 (Ordinance 08-52), and a Future Land Use Designation of Low Density Residential was approved for the property in 2010 (Ordinance 10-20); however, no zoning district was ever approved on the property. The applicant is now requesting to zone the property to R-1 Single-Family Residential District, which is consistent with the existing Low Density Residential FLU designation. (See attached Staff Report).

STAFF RECOMMENDATION(S):

Staff recommends approval of Ordinance 14-03.

NEXT STEP(S):

A public meeting for the first reading of the ordinances is scheduled for the City Commission on Thursday, December 12, 2013.

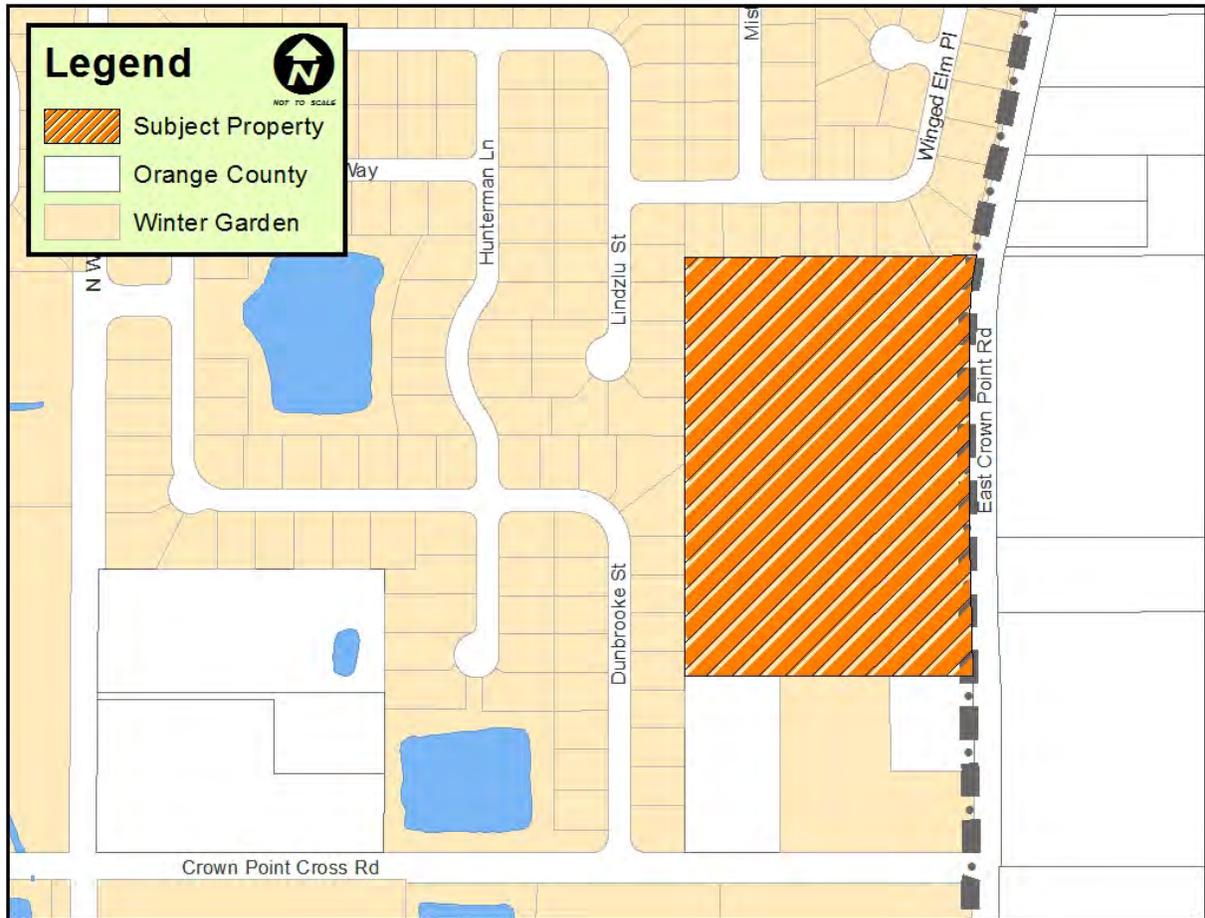
ATTACHMENT(S):

Location Map
Staff Report
Ordinance 14-03

LOCATION MAP

1006 E Crown Point Road

REZONING



CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

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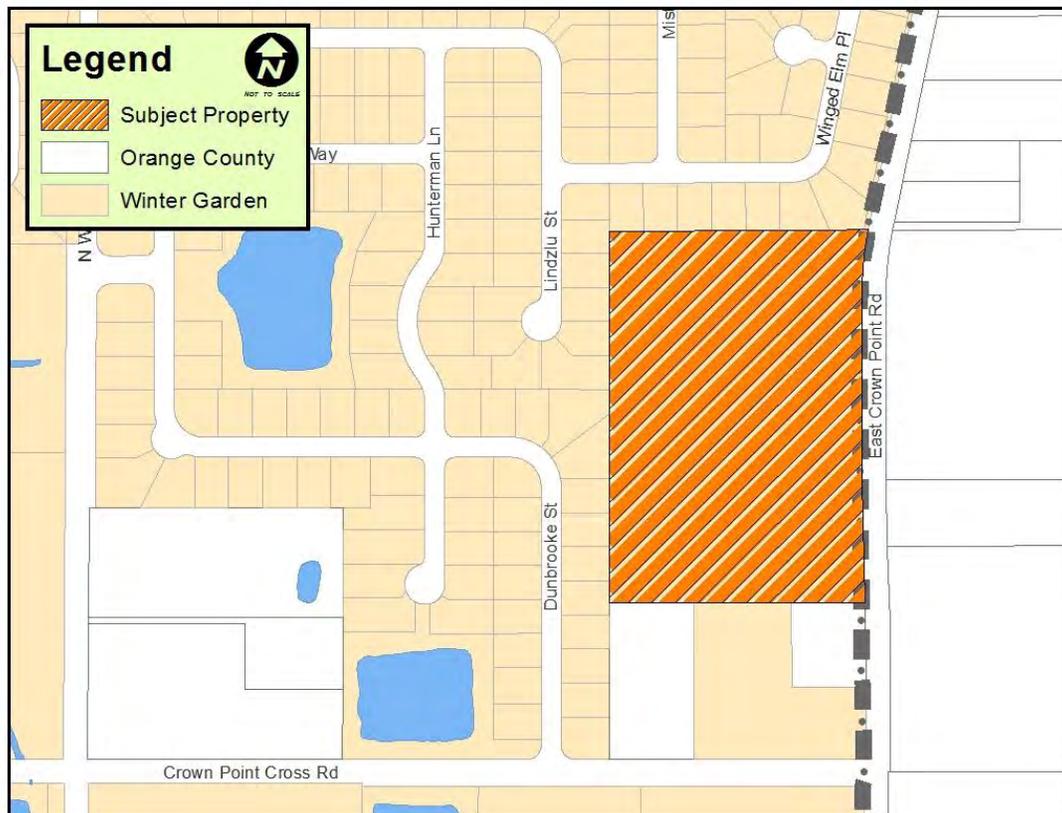
STAFF REPORT

TO: PLANNING AND ZONING BOARD
PREPARED BY: STEVE PASH, SENIOR PLANNER
DATE: DECEMBER 2, 2013
SUBJECT: REZONING (NZ to R-1)
1006 EAST CROWN POINT ROAD (13.45 +/- ACRES)
PARCEL ID #: 12-22-27-0000-00-032
APPLICANT: WEST ORLANDO BAPTIST CHURCH

INTRODUCTION

The purpose of this report is to evaluate the proposed project for compliance with the City of Winter Garden Code of Ordinances and Comprehensive Plan.

The subject property is located at 1006 East Crown Point Road and is approximately 13.46 ± acres. The map below depicts the proximity of the subject property to the City's jurisdictional limits:



The property was annexed into the City of Winter Garden in 2008 (Ordinance 08-52), and a Future Land Use Designation of Low Density Residential was approved for the property in 2010 (Ordinance 10-20); however, no zoning district was ever approved on the property. The applicant is now requesting to rezone the property to R-1 Single-Family Residential District, which is consistent with the existing Low Density Residential FLU designation.

EXISTING USE

The subject property is currently developed with a church consisting of two commercial buildings and a single-family house. The property has been used as a church since annexation into the City and the owners are planning for an expansion. In addition to the expansion they are proposing to add 2 portable buildings to be used temporarily while they design, get approvals, and build the proposed expansion.

ADJACENT LAND USE AND ZONING

The property located to the north is developed with a single-family neighborhood (Trails of Winter Garden), zoned R-1 and located in the City. The property located to the east is developed with a church, zoned A-1 and located in Orange County. One property to the south is vacant, owned by the church, zoned R-1 and located in the City. Two other properties to the south are developed with single-family houses, zoned A-1 and located in Orange County. The property to the west is developed with a single-family neighborhood (Chapin Station), zoned R-1 and located in the City.

PROPOSED USE

After this zoning application, the applicant intends to install 2 portable buildings, which will be used for storage and as classroom space for Sunday school classes while they design the proposed expansion. These portable buildings are proposed to be on site for no more than four years. When they have designed the proposed addition, they will need to apply for Special Exception Review.

PUBLIC FACILITY ANALYSIS

The City will continue providing garbage collection, police protection, and all other services regularly provided to City of Winter Garden residents including building permits. The property will be served by both Orange County Fire and Rescue and the City of Winter Garden Fire Department under the First Response System.

SUMMARY

The proposed zoning is consistent with the existing Future Land Use designation and the surrounding area. City Staff recommends approval of the proposed Ordinance.

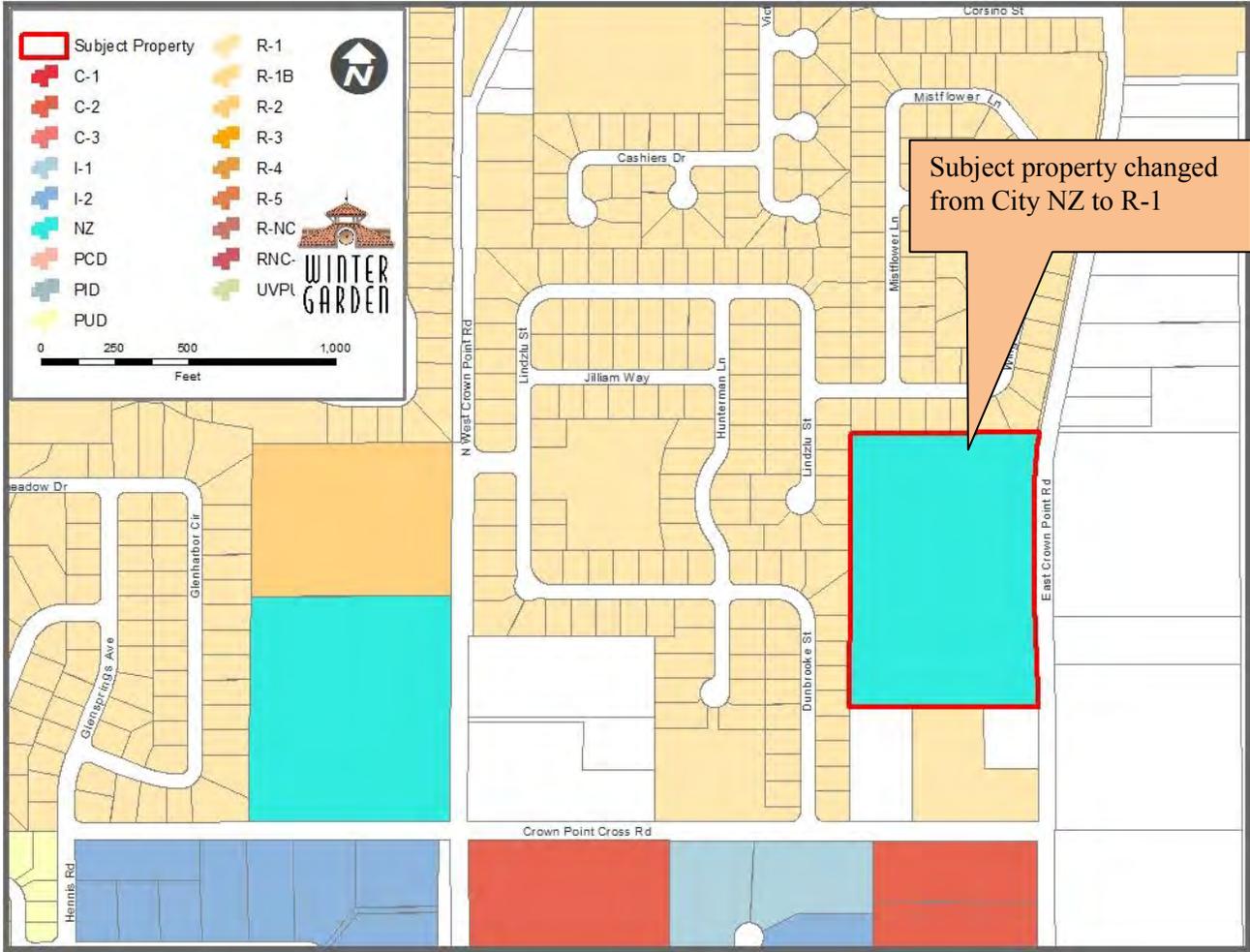
MAPS

AERIAL PHOTO

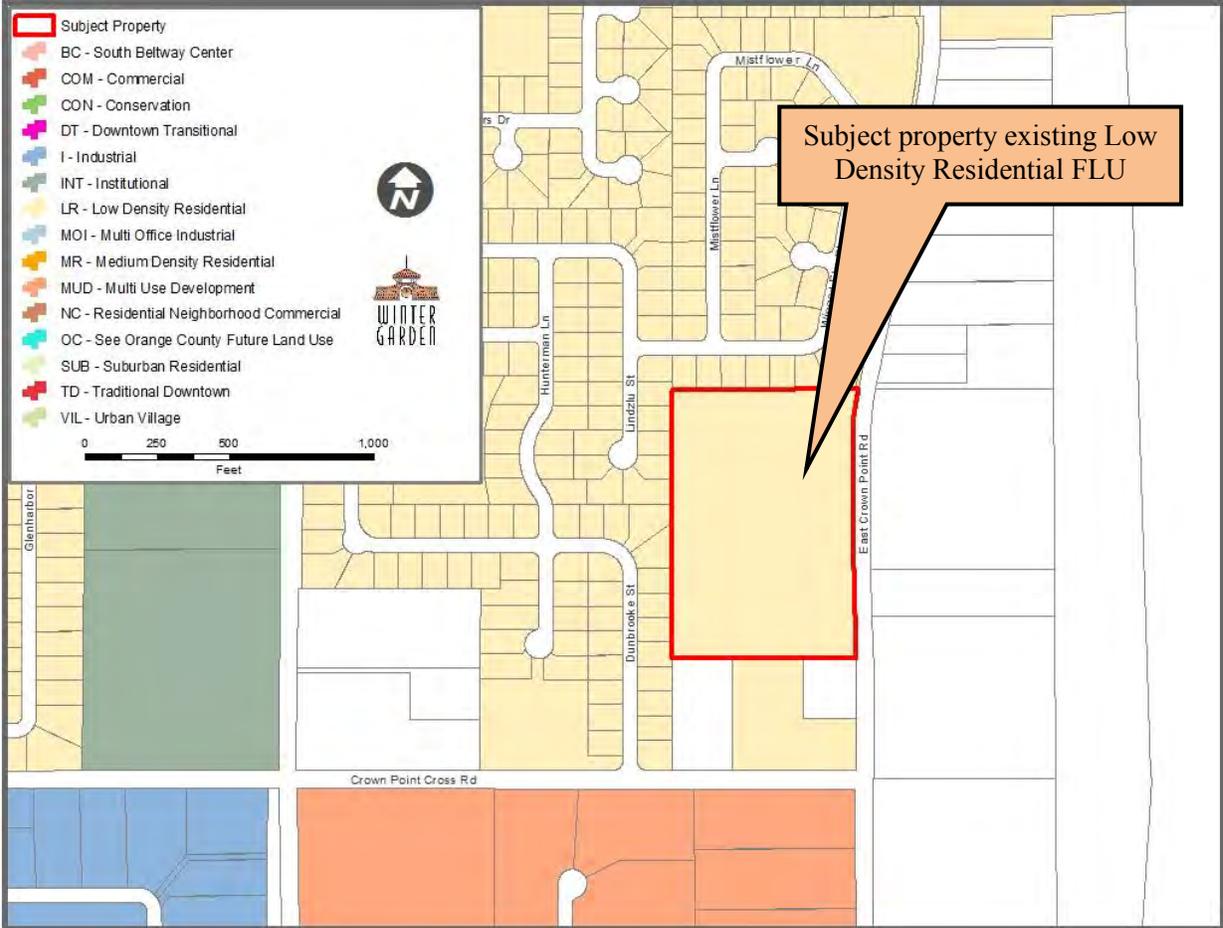
1006 East Crown Point Road



ZONING MAP
1006 EAST CROWN POINT ROAD



FUTURE LAND USE MAP
1006 East Crown Point Road



END OF STAFF REPORT

ORDINANCE 14-03

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 13.46 ± ACRES LOCATED AT 1006 EAST CROWN POINT ROAD ON THE WEST SIDE OF EAST CROWN POINT ROAD, NORTH OF CROWN POINT CROSS ROAD AND SOUTH OF MISTFLOWER LANE FROM CITY NZ NO ZONING DISTRICT TO CITY R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of that certain real property generally described as 13.46 ± acres of land located on the west side of East Crown Point Road, north of Crown Point Cross Road and south of Mistflower Lane, and legally described in Section 1 of this ordinance has petitioned the City to rezone said property from City NZ No Zoning District to City R-1 Single-Family Residential District zoning classification, therefore; and

WHEREAS, after public notice and due consideration of public comment, the City Commission of the City of Winter Garden hereby finds and declares the rezoning approved by this Ordinance is consistent with the City of Winter Garden Comprehensive Plan; and

WHEREAS, further, the City Commission finds that based on competent, substantial evidence in the record, the rezoning approved by this Ordinance meets all applicable criteria for rezoning the Property to R-1 Single-Family Residential District contained within the City of Winter Garden Comprehensive Plan and the Code of Ordinances.

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

SECTION 1: *Rezoning.* The above “Whereas” clauses constitute findings by the City Commission. After due notice and public hearing, the zoning classification of real property legally described on ATTACHMENT “A,” is hereby rezoned from City NZ No Zoning District to City R-1 Single-Family Residential District in the City of Winter Garden, Florida.

SECTION 2: *Zoning Map.* The City Planner is hereby authorized and directed to amend the Official Winter Garden Zoning Map in accordance with the provisions of this ordinance.

SECTION 3: *Non-Severability.* Should any portion of this Ordinance be held invalid, then the entire Ordinance shall be null and void.

SECTION 4: *Effective Date.* This Ordinance shall become effective upon adoption at its second hearing.

FIRST READING AND PUBLIC HEARING: _____, 2014.

SECOND READING AND PUBLIC HEARING: _____, 2014.

ADOPTED this _____ day of _____, 2014, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

JOHN REES, Mayor/Commissioner

ATTEST:

KATHY GOLDEN, City Clerk

ATTACHMENT "A"

LEGAL DESCRIPTION

PARCEL ID#: 12-22-27-0000-00-032

A PORTION OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SECTION 12, TOWNSHIP 22 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SECTION 12, TOWNSHIP 22 SOUTH, RANGE 27 EAST; THENCE SOUTH 89°58'29" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SAID SECTION 12, A DISTANCE OF 690.55 FEET; THENCE NORTH 00°07'59" WEST, 30.00 FEET; THENCE SOUTH 89°58'29" WEST ALONG A LINE 30.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 12, A DISTANCE OF 429.63 FEET; THENCE NORTH 00°00'03" WEST, 390.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°58'29" WEST, 210.00 FEET; THENCE NORTH 00°00'03" WEST ALONG THE EAST BOUNDARY OF CHAPIN STATION, AS RECORDED IN PLAT BOOK 57, PAGE 28, A DISTANCE OF 928.08 FEET; THENCE NORTH 89°39'33" EAST ALONG THE SOUTH BOUNDARY OF TRAILS OF WINTER GARDEN, AS RECORDED IN PLAT BOOK 57, PAGE 109, A DISTANCE OF 644.67 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE (RADIAL LINE THROUGH SAID POINT BEARS SOUTH 79°07'59" EAST); THENCE SOUTHERLY ALONG THE ARC OF SAID NON-TANGENT CURVE, BEING CONCAVE TO THE EAST, HAVING A RADIUS OF 985.37 FEET, A CENTRAL ANGLE OF 11°00'00", AN ARC DISTANCE OF 189.17 FEET; THENCE SOUTH 00°07'59" EAST, 364.90 FEET; THENCE SOUTHERLY ALONG THE ARC OF A TANGENT CURVE, BEING CONCAVE TO THE EAST, HAVING A RADIUS OF 8624.11 FEET, A CENTRAL ANGLE OF 01°54'40", AN ARC DISTANCE OF 287.66 FEET; THENCE SOUTH 02°02'39" EAST, 14.13 FEET; THENCE SOUTHERLY ALONG THE ARC OF A TANGENT CURVE, BEING CONCAVE TO THE WEST, HAVING A RADIUS OF 8564.11 FEET, A CENTRAL ANGLE OF 00°30'54", AN ARC DISTANCE OF 77.00 FEET (THE LAST FIVE COURSES DESCRIBED BEING COINCIDENT WITH THE WESTERLY RIGHT-OF-WAY OF EAST CROWN POINT ROAD AS DESCRIBED IN DEED BOOK 995, PAGE 466); THENCE SOUTH 89°58'29" WEST, 426.19 FEET TO THE POINT OF BEGINNING.

SAID LAND LYING IN ORANGE COUNTY, FLORIDA, CONTAINING 13.446 ACRES, MORE OR LESS.