



For More Information, Contact:

Kathy Rathel
Customer Service Technician
City of Winter Garden
300 West Plant Street
Winter Garden, FL 34787
407.656.4111 ext. 5149
krathel@cwgd.com

PLANNING & ZONING BOARD AGENDA

To: Eric Weiss – Chairman
Will Hawthorne – Vice Chairman
Mark DeFuso
Heather Gantt
Gerald Jowers
David Kassander
Mark Maciel

Copy to: Mike Bollhoefer
Dan Langley
Kurt Ardaman
Ed Williams
Stephen Pash
Kelly Carson
Nadine Avola
Jessica Frye

RE: Agenda – **July 6, 2015 at 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 JUNE 1, 2015 MEETING**

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

4. 420 Roper Road – Sonata Health Care/P. Proffer/New Horizons Christian Church (Serenades by Sonata) **PUD Rezoning**
Parcel ID # 35-22-27-0000-00-057

PRELIMINARY PLAT

5. 1205 E. Fullers Cross Road – Gilkey FX, LLC (Oak Trail)
Parcel ID # 12-22-27-0000-00-005 & -074

VARIANCE (PUBLIC HEARING)

6. 16303 Marsh Road – M&M Fort Myers Holding, LLC (Twin Waters Entrance Wall Sign)
Parcel ID # 05-23-27-0000-00-005
7. 12902 Roper Road – Sift Oaks Investments, LLC (Canopy Oaks Entrance)
Parcel ID # 36-22-27-0000-00-012
8. 46 W. Vining Street – Frank & Jacqueline Browder
Parcel ID # 23-22-27-2468-00-900

ADJOURN to the next regular Planning and Zoning Board meeting on Monday, **August 3, 2015** at **6:30 p.m.** in City Hall Commission Chambers, 300 W. Plant Street, 1st floor.



**PLANNING AND ZONING BOARD
REGULAR MEETING MINUTES
JUNE 1, 2015**

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE / INVOCATION

Chairman Eric Weiss 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. A moment of silence was 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:

Chairman Eric Weiss, Vice-Chairman Will Hawthorne, and Board Members: Mark DeFuso (arrived at 6:32 pm), Heather Gantt, and David Kassander

MEMBERS ABSENT:

Gerald Jowers (unexcused) and Mark Maciel (excused)

STAFF PRESENT:

City Attorney Kurt Ardaman, Community Development Director Ed Williams, Community Development Manager Steve Pash, Planner II Kelly Carson, Planner I Jessica Frye, and recording secretary Kathleen Rathel

3. APPROVAL OF MINUTES

Motion by David Kassander to approve the regular meeting minutes of May 4, 2015 and seconded by Eric Weiss. Motion carried unanimously 4 - 0.

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

4. 360 W. Story Road – Jesus Manuel Sanchez and Yoselina Aguirre Palacios (ANNEXATION, FLU and ZONING)

This project was tabled to the July 6, 2015 Planning & Zoning meeting.

(Board Member Mark DeFuso arrived at 6:32 p.m.)

5. 161 S. Boyd Street – Kelso Investments, LLC (REZONING)

Community Development Manager Pash presented a request for rezoning of a 0.19 +/- acre property located at 161 S. Boyd Street. The property is located on the east side of South Boyd Street, north of West Smith Street and south of Tremaine Street. The applicant has requested to rezone the R-2 property to C-1 Central Commercial District to convert the

existing duplex into office space. Staff has reviewed the application and recommends approval of Ordinance 15-52 subject to the conditions in the Staff Report.

Motion by Eric Weiss to recommend approval of the Rezoning for 161 S. Boyd Street [Ordinance 15-52] with Staff Recommendations (as provided in the agenda packet) and seconded by David Kassander. Motion carried unanimously 5 - 0.

PRELIMINARY PLAT

6. 505 & 807 Avalon Road and 14966 Siplin Road – Mattamy Orlando, LLC

Planner II Carson presented a Preliminary Plat request for 103 single family residential units within the 67.37 +/- acre Oxford Chase Subdivision. The project includes the development of several recreation areas including a dog walk, tot lot and recreation trails. The proposed Preliminary Plat is consistent with the City's Comprehensive Plan, the City of Winter Garden's Code of Ordinances and the Planned Unit Development zoning. Staff has reviewed the application and recommends approval of the Preliminary Plat subject to the conditions in the Staff Report.

Board Member Kassander inquired about the density per buildable acre. Ms. Carson replied it was 2.53 gross density including non-buildable areas.

Board Member DeFuso asked if a traffic study had been done. Ms. Carson replied the traffic study result helped determine their Fair Share contribution for the widening of Sunridge Boulevard and showed the surrounding roads have capacity. Discussion ensued regarding the traffic study, the traffic impact of several new subdivisions being developed in the same area, and the Lift Station's usage and maintenance by Oxford Chase HOA. The question was also brought up about a possible future widening of Avalon Road and if any Right of Way would be reserved on these new developments to help with the traffic and quality of life.

Motion by Mark DeFuso to recommend approval [of the Preliminary Plat for 505 & 807 Avalon Road and 14966 Siplin Road with Staff Recommendations] (as provided in the agenda packet) and seconded by Heather Gantt. Motion carried unanimously 5 - 0.

SPECIAL EXCEPTION (PUBLIC HEARING)

7. 3107 Daniels Road, Suite 102 (Main address: 3017 Daniels Road) – Verizon Wireless

Planner II Carson requested this item be tabled to the July 6, 2015 Planning & Zoning Meeting to allow the applicant more time to work out their lease agreement issues.

Motion by David Kassander to recommend tabling this item until the July 6, 2015 P&Z Meeting and seconded by Eric Weiss. Motion carried unanimously 5 - 0.

8. 1450 Daniels Road – Harvest of Hope Greenhouse

Community Development Manager Pash presented a Special Exception request for the property located at 1450 Daniels Road to allow construction of a greenhouse in an R-2 Zoning District. Ordinance 15-41 was recently adopted which allows greenhouses through a special exception if it meets the special exception requirements and design criteria. Staff has reviewed the application and recommends approval of the greenhouse if it is redesigned to meet the requirements of Ordinance 15-41 subject to the conditions in the Staff Report.

General discussion on the building materials required and size of the structure.

Motion by Heather Gantt to recommend approval of the Special Exception permit for 1450 Daniels Road with Staff Recommendations (as provided in the agenda packet) and seconded by Mark DeFuso. Motion carried unanimously 5 - 0.

9. 12801 W. Colonial Drive – Wild Hogs Scooters

This project was tabled to the July 6, 2015 Planning & Zoning Meeting.

VARIANCE (PUBLIC HEARING)

10. 15344 Johns Lake Pointe Boulevard – Charles & Pamela Wraith 2004 Trust

Community Development Manager Pash presented a request for a Variance for the property located at 15344 Johns Lake Pointe Boulevard. The applicants are requesting the variance to allow an existing home to remain 2 feet inside a 10 foot wide drainage and wall easement and to allow the existing brick pavers to remain over the entire 10 foot wide drainage and wall easement. The developer of the subdivision altered a platted easement without permission or Staff's knowledge. The 10 foot easement has been put back in place and this is the only lot that affected the house. Staff has reviewed the application and recommends approval subject to the conditions listed in the Staff Report.

General discussion ensued regarding the pavers within the easement.

Resident Jeffrey Hull, 15326 Johns Lake Pointe, spoke in support of the variance and asked if they would be allowed to put pavers in the easement if it improved the integrity of the wall.

Motion by Mark DeFuso to recommend approval of the Variance for 15344 Johns Lake Pointe Boulevard with Staff Recommendations (as provided in the agenda packet) and seconded by David Kassander. Motion carried unanimously 5 - 0.

11. 628 Dharma Circle – David Nguyen

Planner I Frye presented a Variance request for the 0.175 +/- acre property located at 628 Dharma Circle within the Daniels Crossing Subdivision. The applicant is requesting a variance to allow a solid roof aluminum screen structure to be built on the rear of the home at a 10 foot rear yard setback in lieu of the minimum required 20 foot rear yard setback. Staff has reviewed the application and recommends approval subject to the conditions listed in the Staff Report.

Board Member Weiss asked about clarification of the condition that the room not be allowed to be fully enclosed or become air conditioned space. Ms. Frye explained that it meant no windows or fully blocked walls.

Motion by David Kassander to recommend approval of the Variance for 628 Dharma Circle with Staff Recommendations (as provided in the agenda packet) and seconded by Eric Weiss. Motion carried unanimously 5 – 0.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:07 pm.

ATTEST:

APPROVED:

Customer Service Rep. Kathleen Rathel

Chairman Eric Weiss

THE CITY OF WINTER GARDEN
PLANNING AND ZONING BOARD AGENDA ITEM

ITEM # 4 (Public Hearing)

DATE: June 30, 2015 **MEETING DATE:** July 6, 2016

SUBJECT: 420 Roper Road (REZONING)
PROJECT NAME Sonata West Orange Campus
PARCEL ID# 35-22-27-0000-00-057

ISSUE: The applicant is requesting a Rezoning to PUD to allow construction of a 114 unit Assisted/Independent Living Facility at 420 Roper Road.

SUPPLEMENTAL MATERIAL/ANALYSIS:

OWNER/APPLICANT: Klima Weeks Civil Engineering, Inc.

CURRENT ZONING: R-1 Single-Family Residential District

PROPOSED ZONING: PUD Planned Unit Development

CURRENT FLU: LR Low Density Residential

PROPOSED FLU: N/A

SUMMARY:

Applicant proposes to rezone a 7.15 +/- acre property from R-1 to PUD to allow construction of a 114 unit Assisted/Independent Living Facility.

STAFF RECOMMENDATION(S):

Staff recommends approval of Ordinance 15-55 subject to the conditions in the ordinance.

NEXT STEP(S):

Apply for Site Plan Review

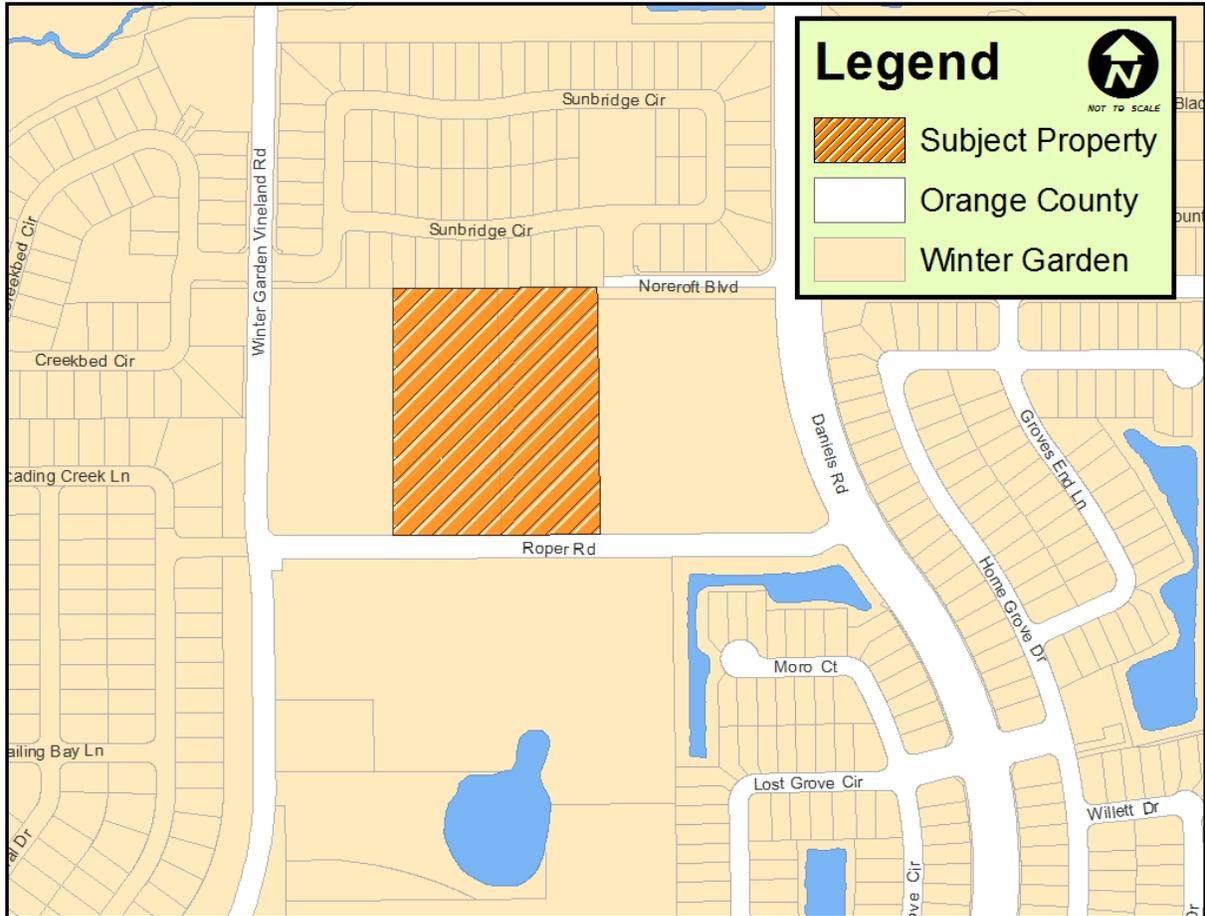
ATTACHMENT(S):

Location Map
Staff Report
Ordinance 15-55

LOCATION MAP

420 Roper Road

PUD Rezoning



CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

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

STAFF REPORT

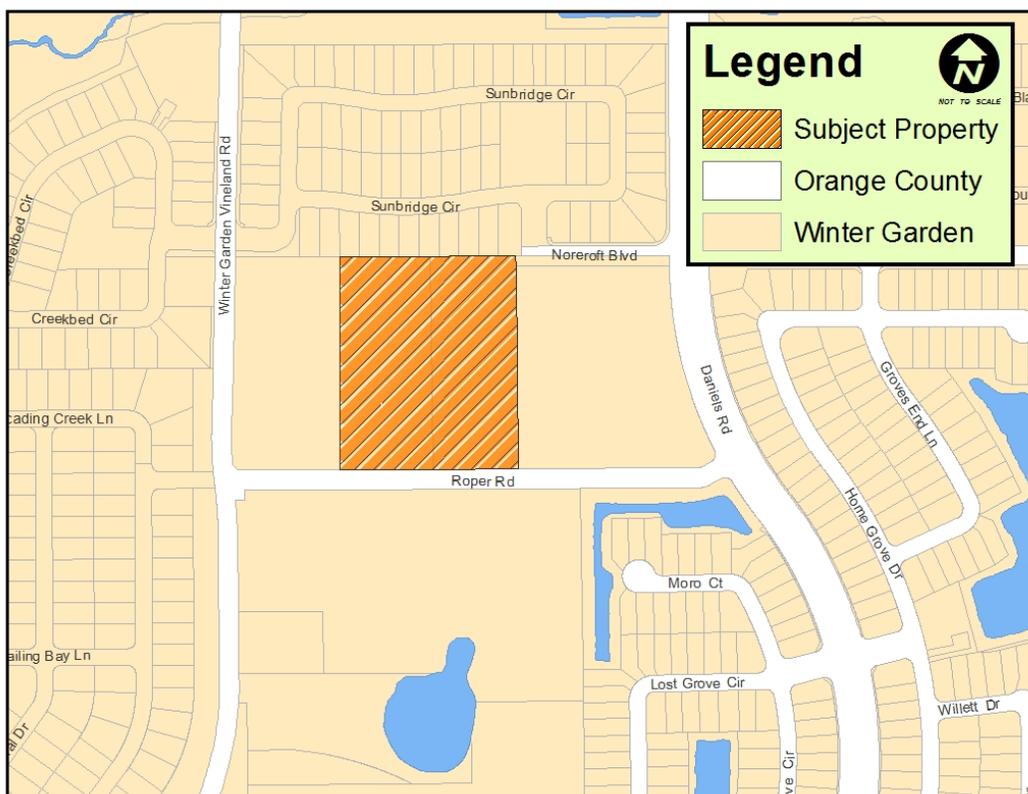
TO: PLANNING AND ZONING COMMITTEE
PREPARED BY: STEVE PASH, COMMUNITY DEVELOPMENT MANAGER
DATE: JUNE 30, 2015
SUBJECT: REZONING
420 Roper Road (7.15+/- ACRES)
PARCEL ID # 35-22-27-0000-00-057

APPLICANT: KLIMA WEEKS CIVIL ENGINEERING, INC.

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 on the north side of Roper Road west of Daniels Road and east of Winter Garden Vineland Road and is approximately 7.15 ± 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 7.15 ± acres of land Planned Unit Development (PUD). The subject property is located within the City of Winter Garden municipal limits, and carries the zoning designation R-1 (Single-Family Residential District) in the City of Winter Garden. The subject property is designated Low Density Residential on the Future Land Use Map of the Comprehensive Plan.

EXISTING USE

The subject property is currently vacant and is planted with trees.

ADJACENT LAND USE AND ZONING

The property located to the north is developed as a single-family neighborhood (Bradford Creek East) but no homes have been constructed, is zoned PUD, and located in the City. The property located to the east is developed with the Serenades by Sonata Memory Care Facility (a 35,000 square foot, 42 unit, 54 bed Memory Care/Nursing Home Facility), is zoned PUD, and located in the City. The property to the west is unimproved vacant non-agricultural acreage zoned R-1, and located in the City. The properties to the south contain one large single-family lot and the Grove Park at Stonecrest single-family neighborhood, are zoned R-1 and PUD, and located in the City.

PROPOSED USE

The applicant proposes to develop the 7.15 ± acre site with a 134,000 square foot building containing a 115 unit Assisted/Independent Living Facility. The building will also contain a kitchen and dining area, exercise room, common areas, and a swimming pool/garden area in the courtyard areas. The pond is proposed to have an outdoor recreation area built into it with a pavilion, bocce ball court, putting green, tables, restrooms, and a trail around the pond. According to the survey, a portion of the proposed pond is jurisdictional wetlands. All wetlands shall be shown and addressed at the time of site plan submittal and if approved for removal shall be mitigated with the jurisdictional agencies.

PUBLIC FACILITY ANALYSIS

The property does not have a point of transportation access at this time because the property is vacant. However, if the property is developed as proposed by the applicant then access will be provided in the form of a driveway on Roper Road. The property will also have connectivity through cross access with the neighboring development (Serenades by Sonata) out to the signalized Daniels Road Roper Road intersection.

Water, sewer, and reclaimed utilities by the City of Winter Garden will be required for any new development of the property. 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.

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.

All concurrency requirements identified by the City of Winter Garden Code of Ordinances and Comprehensive Plan will be met by the proposed development.

SUMMARY

The proposed development is a reasonable and low intensity use of the land and would not generate a significant increase in traffic volume beyond that typically generated by single-family residential uses, and represents a use that is compatible with the area.

Further, the adjacent property owners should not be negatively impacted as the surrounding properties are developed with single-family planned unit developments. A Community Meeting was held on June 15, 2015 at which time the applicant presented the proposal to develop a 134,000 square foot Independent/Assisted Living Facility on the 7.15 ± acre property. The comments generated from the Community Meeting primarily focused on the building use, impact of site lighting on surrounding single-family residential communities, and questions about other development that has taken place in this area. All concerns have been addressed by the applicant and staff through the use of the PUD zoning designation and limiting the uses of the property within the PUD Ordinance. Staff has coordinated with the applicant to ensure that the development of the property will be consistent with the surrounding residential communities both in the scale and size of the building as well as the open space standards and impervious surface ratio criteria.

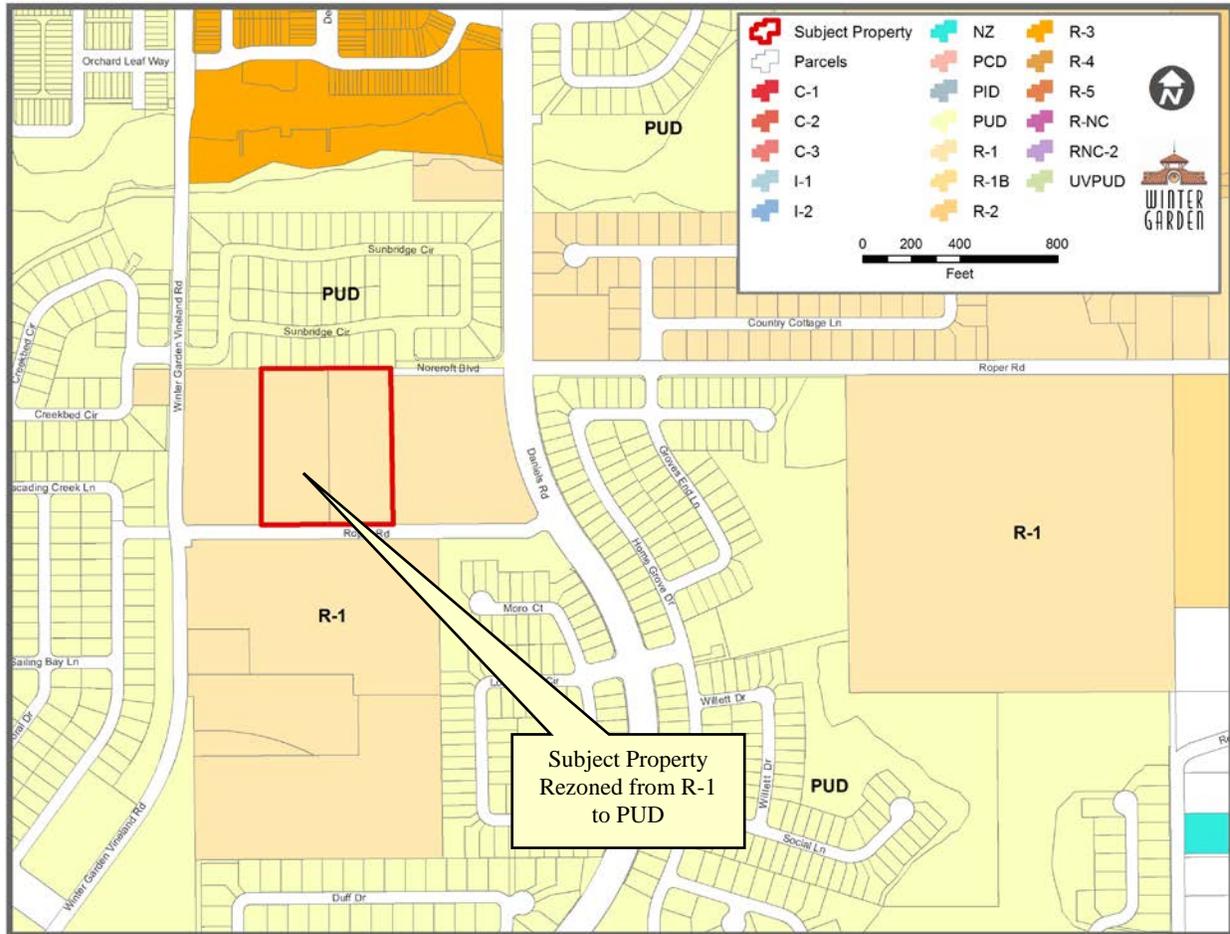
The proposed rezoning from R-1 to PUD is consistent with the City's Comprehensive Plan and the City of Winter Garden Code of Ordinances. Staff recommends approval of the proposed Ordinance to rezone the subject property from R-1 to PUD subject to the conditions in Ordinance 15-55.

MAPS

AERIAL PHOTO
420 Roper Road



ZONING MAP
420 Roper Road



FUTURE LAND USE MAP
720 Roper Road



END OF STAFF REPORT

ORDINANCE 15-55

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 7.15 ± ACRES OF CERTAIN REAL PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF ROPER ROAD, EAST OF WINTER GARDEN VINELAND ROAD AND WEST OF DANIELS ROAD, FROM CITY R-1 TO CITY PUD; PROVIDING FOR CERTAIN PUD REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (Serenades By Sonata PUD)

WHEREAS, the owner(s) of real property generally described as approximately 7.15 ± acres of certain real property generally located on the north side of Roper Road, east of Winter Garden Vineland Road and west of Daniels Road in Winter Garden, Florida, being more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference (the "Property"), desire to rezone their property from City R-1 to City PUD, 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 adoption of this Ordinance and the proposed development of the Property is consistent with the City of Winter Garden Comprehensive Plan, and the City of Winter Garden Code of Ordinances, therefore;

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

SECTION 1: Rezoning. After due notice and public hearing, the zoning classification of the Property, as described in Exhibit "A" attached hereto, is hereby rezoned from City R-1 to City PUD in the City of Winter Garden, Florida subject to the following conditions, provisions and restrictions:

- a. **Conceptual Plan-** All development on the Property must substantially conform to the requirements identified in the Sonata West Orange Campus PUD Plan attached hereto as Exhibit "B." Should any conflict be found between this Ordinance and the Sonata West Orange Campus PUD Plan attached hereto as Exhibit "B", then the standards and conditions established by this Ordinance shall control.
- b. **Zoning-** Due to the nature of the permitted uses set forth in this Ordinance, the following sections of Article V, Division 2 of the City Code of Ordinances regarding Residential Planned Unit Developments shall not apply to the Property: section 118-860, section 118-921, section 118-923, section 118-925, and section 118-927. Unless specifically noted elsewhere in Exhibit "B" attached hereto, or expressly provided for herein, all development on the

Property must comply with the general zoning requirements of the Residential Planned Unit Development zoning district. These requirements include any approval procedure of the Residential Planned Unit Development zoning district.

c. **Permitted Uses-** With respect to the Sonata West Orange PUD Area as identified in Exhibit “B” attached hereto, the only permitted use shall be an Independent/Assisted Living Facility and an Outdoor Recreation Area.

d. **Prohibited Uses-** Unless specifically identified by this Ordinance as a permitted use, all other uses are prohibited.

e. **Design Criteria/Architectural Standards-**

1. **Maximum Building Length-** Notwithstanding Section 118-925 of the City Code of Ordinances, the maximum length of the Assisted/Independent Living Facility building in the Sonata West Orange Campus PUD Area as identified in Exhibit “B” attached hereto shall not exceed 320 feet.

2. **Maximum Building Height-**

With respect to the Sonata West Orange Campus PUD Area as identified in Exhibit “B” attached hereto, maximum building height shall not exceed 45 feet (three stories on the northern portion of the building), and the remainder of the building shall not exceed two stories (35 feet).

3. **Outdoor Recreation Area –**

The outdoor recreation area shall be designed to be consistent with the architecture of the main building or to complement the architecture of the building. This outdoor area shall consist of a pavilion with restrooms, bocce ball courts, a putting green, tables and chairs, and a trail around the pond.

4. **Signage-** All signage proposed for the Property shall conform to the requirements and regulations pertaining to specified commercial corridors within the City of Winter Garden as defined in Chapter 118, Article X, Division 2 of the City of Winter Garden Code of Ordinances. One single-tenant ground sign shall be permitted for the Sonata West Orange Campus PUD Area as identified in Exhibit “B.” The signage shall be reviewed at time of Site Plan Review.

5. **Impervious Surface Area Ratio-** The maximum impervious surface area ratio for the Property shall not exceed 60% and shall be consistent with the overall maximum impervious surface area ratio

that the Planned Unit Development is designated and permitted for by Saint John's River Water Management District.

6. Common Open Space-

The minimum common open space provided for the Property shall be 20%. For the purposes of this Ordinance the area identified as "Courtyard" on Exhibit "B" and some retention areas may be considered as contribution toward fulfillment of open space requirements.

Specifically, dry retention may contribute to the fulfillment of the common open space requirement, and wet bottom retention areas may partially contribute to fulfilling open space requirements. Additionally, pervious surfaces, unless specifically identified below, may be calculated as common open space for the Property; however the following will not be considered as contributing to the common open space requirement for the Property:

- Any impervious surface as defined in Chapter 106 of the City Code of Ordinances.
- Parking Areas
- Road rights-of-way
- Required minimum yards & building spacing

7. Dark Skies- all exterior lighting shall be designed to provide safe, convenient and efficient lighting for pedestrians and vehicles. Exterior lighting shall be designed as dark skies lighting in a consistent and coordinated manner for the entire project in compliance with the requirements of Chapter 118, Article X, Division 4 of the City Code of Ordinances.

f. Delivery Hours- No deliveries shall occur between the hours of 7:00pm and 7:00am.

g. Staff Conditions- All development on the Property must comply with the following staff conditions:

1. An engineered site plan meeting all requirements of the City Code of Ordinances shall be submitted for review and approval by City staff and City Commission prior to commencement of any construction.
2. All utilities required for the development shall be run to the site at the developer's expense, including potable water, reclaimed water and sanitary sewer. 100% of all water and sewer impact fees shall be paid prior to City execution of FDEP permits and issuance of

site or building permits.

3. All irrigation on the site shall be designed to be supplied by reclaimed water. An exception may be granted for the enclosed courtyards to use potable water and will be considered at final site plan review.
4. The survey indicates that a portion of the site is jurisdictional wetlands. All wetlands shall be shown and addressed at the time of site plan submittal and if approved for removal shall be mitigated with the jurisdictional agencies. Terracon Karst report is acknowledged.
5. Permits from SJRWMD and FDEP (water, wastewater and NPDES) are required prior to issuance of site or building permits.
6. Landscaping, fencing, signage, etc. shall not infringe on sight distance requirements at any intersection, including Daniels Road or Roper Road.
7. The impact fees will be reviewed with the Site Plan application to determine if an alternative impact fee study will be accepted for the Assisted Living Facility. If an alternative impact fee is accepted, two (2) years after the issuance of the certificate of occupancy for and commencing operation of the Sonata West Orange Campus (Assisted Living Facility), the City shall have the right to review traffic count data for such facility to determine if the alternative impact fee study correctly measured the impact of the facility. If the review of such traffic count data shows that the alternative impact fee study under estimated the impact of the facility on the public roads and transportation system, the City shall have the right to require the Owner to make an additional true-up payment of Road Impact Fees to compensate for the impact. All other impact fees shall be paid when required by the City of Winter Garden Code of Ordinances and in the amounts required at the then applicable impact fees rates.
8. This development is required to pay their share of the cost of the traffic light that was installed at the corner of Roper Drive and Daniels Road. The appropriate amount will be determined through the studies submitted with the Site Plan Review and the fair share shall be paid prior to permits being issued.
9. The Owner is responsible for meeting all provisions of ADA and Florida Accessibility Code.

10. All work shall conform to City of Winter Garden standards and specifications.
11. The City of Winter Garden will inspect private site improvements only to the extent that they connect to City owned/maintained systems (roadways, drainage, utilities, etc.). It is the responsibility of the Owner and Design Engineer to ensure that privately owned and maintained systems are constructed to the intended specifications. The City is not responsible for the operation and maintenance of privately owned systems, to include, but not be limited to, roadways, parking lots, drainage, stormwater ponds or on-site utilities.
12. The Contractor is responsible for the notification, location and protection of all utilities that may exist within the project limits.
13. No fill or runoff will be allowed to discharge onto adjacent properties; existing drainage patterns shall not be altered. The City of Winter Garden is not granting rights or easements for drainage from, or onto, property owned by others, including by way of any development order or permit issued. Obtaining permission, easements or other approvals that may be required to drain onto private property is the Owner/Developer's responsibility. Should the flow of stormwater runoff from, or onto adjacent properties be unreasonable or cause problems, the City shall not be responsible and any corrective measures required will be the responsibility of the Owner/Developer. Site construction shall adhere to the City of Winter Garden erosion and sediment control requirements as contained in Chapter 106 - Stormwater. If approval is granted by the City of Winter Garden, it does not waive any permits that may be required by federal, state, regional, county, municipal or other agencies that may have jurisdiction.
14. After final plan approval, a preconstruction meeting will be required prior to any commencement of construction. The applicant shall provide an erosion control and street lighting plan at the preconstruction meeting and shall pay all engineering review and inspection fees prior to construction. Inspection fees in the amount of **2.25%** of the cost of all site improvements shall be paid prior to issuance of the building permit.

SECTION 2: *General Requirements.*

- a. **Development Agreement-** A Development Agreement shall be drafted, approval obtained and recorded prior to approval of any site or building permits for the Property. The Development Agreement shall address

matters to include, but not limited to, project phasing, right-of-way improvement and conveyance, easements, vehicular access to the site including possible connection to the proposed Roper Road Extension, restriction of additional curb-cuts, provision for cross access, design standards, signage, impact fees, stormwater, drainage, utilities and other off-site public infrastructure improvements.

- b. Stand Alone Clause-** Each phase of development of the Property must operate as an individual unit in that each particular phase will be able to stand-alone in the event that no other phase is developed.
- c. Land Development Approvals and Permits-** This Ordinance does not require the City to issue any permit or approval for development, construction, building permit, or other matter by the City relating to the Property or the project or any portion thereof. These and any other required City development approvals and permits shall be processed and issued by the City in accordance with procedures set forth in the City’s Code of Ordinances and subject to this Ordinance.
- d. Amendments-** Minor amendments to this Ordinance will be achieved by Resolution of the City Commission of the City of Winter Garden. Major amendments to this Ordinance will require approval of the City Commission of the City of Winter Garden by Ordinance.
- e. Expiration/Extension-** Expiration of this PUD shall be governed in accordance with Section 118-830, City of Winter Garden Code of Ordinances. Time extensions may be granted in accordance with Section 118-829, City of Winter Garden Code of Ordinances.

SECTION 3: 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 4: Non-Severability. Should any portion of this Ordinance be held invalid, then the entire Ordinance shall be null and void.

SECTION 5: Effective Date. This Ordinance shall become effective upon adoption at its second reading.

FIRST READING AND PUBLIC HEARING: _____, 2015.

SECOND READING AND PUBLIC HEARING: _____, 2015.

ADOPTED this _____ day of _____, 2015, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

JOHN REES, Mayor/Commissioner

ATTEST:

KATHY GOLDEN, City Clerk

Exhibit "A"

A parcel of land being a portion of the North 1/2 of the Northeast 1/4 of the Northwest 1/4 of Section 35, Township 22 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of the Northwest 1/4 of Section 35, Township 22 South, Range 27 East, Orange County, Florida; thence South 89°52'01" West, along the North line of said Northwest 1/4, a distance of 523.70 feet to a point on a line lying 523.67 feet West of and parallel to the East line of the Northeast 1/4 of said Section 35 and POINT OF BEGINNING; thence South 00°48'20" East, along said line lying 523.67 feet West of and parallel to the East line of the Northeast 1/4, a distance of 642.47 feet to the North right of way line of Roper Road according to that certain Warranty Deed recorded in Official Records Book 6852, Page 4525, Public Records of Orange County, Florida; thence South 89°47'18" West, along said right of way line, a distance of 259.51 feet to a point on the West line of the East 259.50 feet of a parcel of land described in that certain Warranty Deed recorded in Official Records Book 6002, Page 1336 of the Public Records of Orange County, Florida; thence North 00°48'20" West, along said line, a distance of 642.78 feet to the North line of the Northwest 1/4 of said Section 35; thence North 89°52'01" East, along said North line, a distance of 259.51' feet to the POINT OF BEGINNING.

AND

A parcel of land being a portion of the North 1/2 of the Northeast 1/4 of the Northwest 1/4 of Section 35, Township 22 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of the Northwest 1/4 of Section 35, Township 22 South, Range 27 East, Orange County, Florida; thence South 89°52'01" West, along the North line of said Northwest 1/4, a distance of 783.21 feet to a point on the East line of a parcel of land described in that certain Corrective Quit Claim Deed recorded in Official Records Book 9954, Page 4460, Public Records of Orange County, Florida and POINT OF BEGINNING; thence South 00°48'20" East, along said East line, a distance of 642.78 feet to the North right of way line of Roper Road according to that certain Warranty Deed recorded in Official Records Book 6852, Page 4525, Public Records of Orange County, Florida; thence South 89°47'18" West, along said right of way line, a distance of 225.01 feet to a point on the West line of the East 225.00 feet of said parcel of land described in Corrective Quit Claim Deed; thence North 00°48'20" West, along said West line, a distance of 643.04 feet to the North line of the Northwest 1/4 of said Section 35; thence North 89°52'01" East, along said North line, a distance of 225.01' feet to the POINT OF BEGINNING.



Exhibit "B"

COVER PAGE

SONATA WEST ORANGE CAMPUS PUD

JULY 2015

(9 PAGES - ATTACHED)

SERENADES BY SONATA PUD WINTER GARDEN, FLORIDA

JUNE 2015

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Lo.02	PD LANDSCAPE PLANTING SCHEDULE, NOTES & DETAILS
Lo.03	PD WALL AT MAIN DROP OFF
Lo.04	SHADE TREES
Lo.05	PALM TREES
Lo.06	ORNAMENTAL TREES
Lo.07	SHRUBS
Lo.08	GROUND COVER
Lo.09	POND EDGE PLANTING
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A.2	IL/AL NORTH ELEVATION
A.3	IL/AL SOUTH ELEVATION
A.4	IL/AL WEST ELEVATION
A.5	MEDICAL OFFICE BUILDING ELEVATION

PARCEL ID: 35-22-27-0000-00-001

PARCEL ID: 35-22-27-0000-00-042 (PARTIAL)

PARCEL ID: 35-22-27-0000-00-057

DRAINAGE STATEMENT:

- ON-SITE STORMWATER MANAGEMENT FACILITIES WILL BE PROVIDED TO MEET ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (SJRWMD) AND CITY OF WINTER GARDEN REQUIREMENTS.
- STORMWATER MANAGEMENT SYSTEM WILL COMPLY WITH SJRWMD LAKE APOPKA BASIN CRITERIA. WEKIVA RECHARGE PROTECTION BASIN RECHARGE STANDARD DOES NOT APPLY AS ON-SITE SOILS ARE NOT NRCS TYPE "A" SOILS PER THE SCS SOILS MAP.

ZONING INFORMATION:

SITE: PUD, R-1
FRONT/EAST: DANIELS ROAD/PUD
SIDE/NORTH: R-1
SIDE/SOUTH: ROPER ROAD/R-1, PUD
REAR/WEST: R-1

CONTACT INFORMATION:

OWNER:
HEALTH CARE REIT, INC.
C/O SONATA HEALTH CARE, LLC
STEPHEN CARUSO
301 EAST PINE STREET, SUITE 730
ORLANDO, FL 32801
PHONE: 407-286-6490
FAX: 407-412-6155
CELL: 407-383-1575
E-MAIL: SCARUSO@SONATAHC.COM

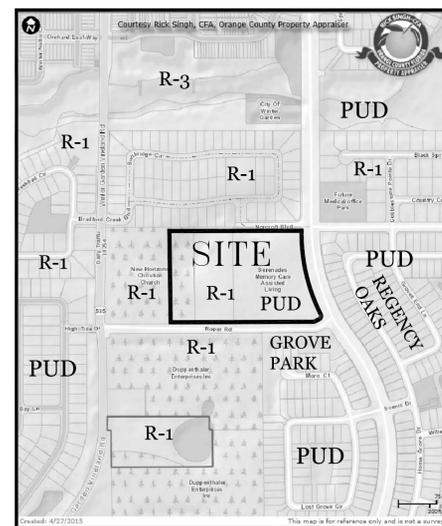
ARCHITECT:
THREE LIVING ARCHITECTURE
4040 N. CENTRAL EXPRESSWAY, SUITE 200
DALLAS, TX 75204
TEL: 214.559.4080
FAX: 214.559.0990

LANDSCAPE ARCHITECT:
TALLEY ASSOCIATES
1925 SAN JACINTO, SUITE 400
DALLAS, TX 75201
TEL: 214.871.7900
FAX: 214.871.7985

DEVELOPER:
SONATA HEALTH CARE
STEPHEN CARUSO
301 E. PINE STREET, SUITE 730
ORLANDO, FL 32801
TEL: 407.286.6490
FAX: 407.412.6155
E-MAIL: SCARUSO@SONATAHC.COM

SURVEYOR:
BENCHMARK SURVEYING & MAPPING, INC.
BILLY JOE JENKINS, JR. PSM
557 WEST PLANT STREET
WINTER GARDEN, FL 34787
TEL: 407.654.6183
FAX: 407.654.6184
E-MAIL: BENCHMARKSURVEYINGANDMAPPING.COM

ENGINEER:
KLIMA WEEKS CIVIL ENGINEERING, INC.
SELBY G. WEEKS, PE, LEED AP
385 DOUGLAS AVE., STE. 2100
ALTAMONTE SPRINGS, FLORIDA 32714
TEL: 407.478.8750
FAX: 407.478.8749
E-MAIL: SWECKS@KLIMAWEEKS.COM



VICINITY & EXISTING ZONING MAP

(NORTHWEST CORNER OF THE INTERSECTION OF DANIELS ROAD & ROPER ROAD, WINTER GARDEN, FLORIDA 34787)

Property Description (Health Care Reit West Orange Property)

A parcel of land being a portion of the Northwest 1/4 and Northeast 1/4 of Section 35, Township 22 South, Range 27 East, Orange County, Florida, being more particularly described as follows:
COMMENCE at the Northeast corner of the Northwest 1/4 of Section 35, Township 22 South, Range 27 East, Orange County, Florida; thence South 89°52'01" West, along the North line of said Northwest 1/4, a distance of 60.00 feet to the POINT OF BEGINNING, said point being on the West right of way line of Daniels Road according to that certain Warranty Deed recorded in Official Records Book 6608, Page 2300, Public Records of Orange County, Florida; thence South 00°11'04" East, along said West right of way line, a distance of 24.69 feet to a point of curvature of a curve concave Northeasterly, having a radius of 1260.00 feet and a central angle of 26°37'30"; thence 585.51 feet along the arc of said curve and said West right of way line to a point of reverse curvature with a curve, concave Northwesterly, having a radius of 25.00 feet and a central angle of 87°32'48"; thence Southwesterly, along the arc of said curve and right of way line, a distance of 38.20 feet to the point of tangency; thence South 60°43'30" West, along the North right of way of Roper Road according to the subdivision plot of GROVE PARK AT STONE CREST recorded in Plat Book 66, Page 46, Public Records of Orange County, Florida, a distance of 34.70 feet to a point of curvature of a curve, concave Northerly, having a radius of 20.00 feet and a central angle of 29°02'44"; thence, along the arc of said curve and Northerly right of way line of said Roper Road, a distance of 10.14 feet to the point of tangency; thence South 89°47'18" West, along the North right of way line according to that certain Warranty Deed recorded in Official Records Book 6852, Page 4525, Public Records of Orange County, Florida, a distance of 540.19 feet to a point on a line lying 523.67 feet West of and parallel to the East line of the Northeast 1/4 of said Section 35; thence North 00°48'20" West, along said line, a distance of 642.47 feet to the North line of the Northwest 1/4 of said Section 35; thence North 89°52'01" East, along said North line, a distance of 463.70 feet to the POINT OF BEGINNING.

LESS AND EXCEPT
A strip of land being thirty feet in width conveyed to the City of Winter Garden by Special Warranty Deed recorded in Official Records Book 10509, Page 1288 of the Public Records of Orange County, Florida and being more particularly described as follows:
COMMENCE at the Northeast corner of the Northwest 1/4 of Section 35, Township 22 South, Range 27 East, Orange County, Florida; thence South 89 degrees 52 minutes 01 seconds West, along the North line of said Northwest 1/4, a distance of 60.00 feet to the West right of way line of Daniels Road according to that certain Warranty Deed recorded in Official Records Book 6608, Page 2300, Public Records of Orange County, Florida and a POINT OF BEGINNING; thence continue South 89 degrees 52 minutes 01 seconds West, along the North line of said Northwest 1/4, a distance of 463.70 feet to a point on a line lying 523.67 feet West of and parallel to the East line of the Northeast 1/4 of said Section 35; thence South 00 degrees 48 minutes 20 seconds East, along said line, a distance of 30.00 feet; thence North 89 degrees 52 minutes 01 seconds East, along a line that is 30.00 feet South of and parallel to the North line of said Northwest 1/4, a distance of 463.39 feet to a point on the West right of way line of said Daniels Road, said point lying on a curve concave Easterly, having a radius of 1260.00 feet and a central angle of 00 degrees 14 minutes 29 seconds; thence, from a tangent bearing of North 00 degrees 25 minutes 33 seconds West, along the arc of said curve and said right of way line, 5.31 feet to a point of tangency; thence, continuing along said right of way line, North 00 degrees 11 minutes 04 seconds West a distance of 24.69 feet to the POINT OF BEGINNING.

Property Description (Proffer Property)

A parcel of land being a portion of the North 1/2 of the Northeast 1/4 of the Northwest 1/4 of Section 35, Township 22 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of the Northwest 1/4 of Section 35, Township 22 South, Range 27 East, Orange County, Florida; thence South 89°52'01" West, along the North line of said Northwest 1/4, a distance of 523.70 feet to a point on a line lying 523.67 feet West of and parallel to the East line of the Northeast 1/4 of said Section 35 and POINT OF BEGINNING; thence South 00°48'20" East, along said line lying 523.67 feet West of and parallel to the East line of the Northeast 1/4, a distance of 642.47 feet to the North right of way line of Roper Road according to that certain Warranty Deed recorded in Official Records Book 6852, Page 4525, Public Records of Orange County, Florida; thence South 89°47'18" West, along said right of way line, a distance of 259.51 feet to a point on the West line of the East 259.50 feet of a parcel of land described in that certain Warranty Deed recorded in Official Records Book 6002, Page 1336 of the Public Records of Orange County, Florida; thence North 00°48'20" West, along said line, a distance of 642.78 feet to the North line of the Northwest 1/4 of said Section 35; thence North 89°52'01" East, along said North line, a distance of 259.51 feet to the POINT OF BEGINNING.

Property Description (New Horizons Christian Church Property)

A parcel of land being a portion of the North 1/2 of the Northeast 1/4 of the Northwest 1/4 of Section 35, Township 22 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of the Northwest 1/4 of Section 35, Township 22 South, Range 27 East, Orange County, Florida; thence South 89°52'01" West, along the North line of said Northwest 1/4, a distance of 783.21 feet to a point on the East line of a parcel of land described in that certain Corrective Quit Claim Deed recorded in Official Records Book 9954, Page 4460, Public Records of Orange County, Florida and POINT OF BEGINNING; thence South 00°48'20" East, along said East line, a distance of 642.78 feet to the North right of way line of Roper Road according to that certain Warranty Deed recorded in Official Records Book 6852, Page 4525, Public Records of Orange County, Florida; thence South 89°47'18" West, along said right of way line, a distance of 212.01 feet to a point on the West line of the East 212.00 feet of said parcel of land described in Corrective Quit Claim Deed; thence North 00°48'20" West, along said West line, a distance of 643.02 feet to the North line of the Northwest 1/4 of said Section 35; thence North 89°52'01" East, along said North line, a distance of 212.01 feet to the POINT OF BEGINNING.

ALLOWABLE USES:

PRIMARY RESIDENTIAL USES: ASSISTED LIVING FACILITY, INDEPENDENT LIVING FACILITY, MEMORY CARE/NURSING HOME

NON-RESIDENTIAL USES: HOSPICE, MEDICAL OFFICE

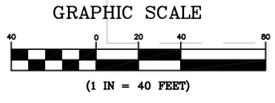
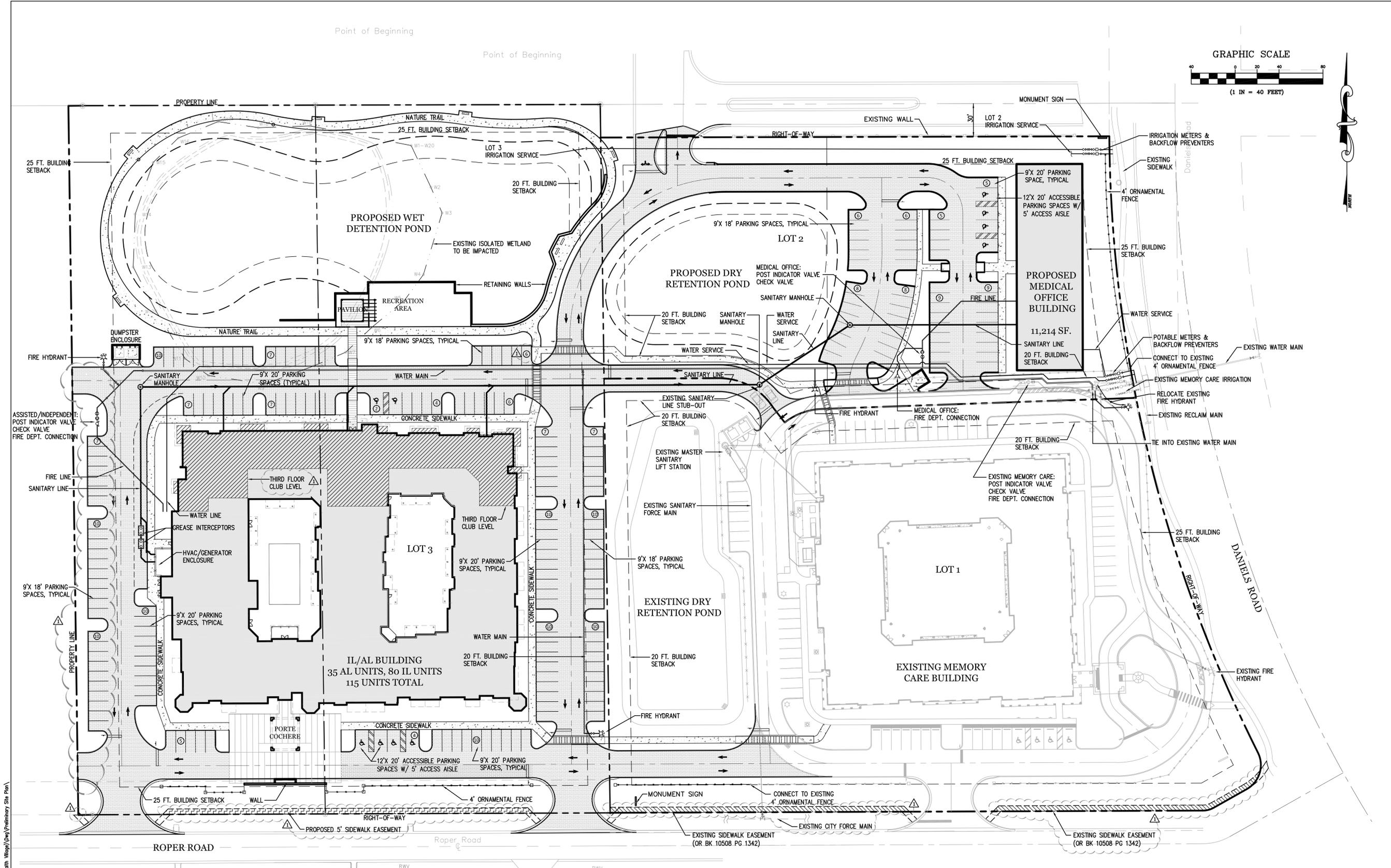
FLOOD ZONE:

SUBJECT PROPERTY LIES WITHIN ZONE X, AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM RATE MAP, COMMUNITY-PANEL NUMBER 12095C0215F, DATED SEPTEMBER 25, 2009.

revision	description	date
△	City Comments	6/17/15
△		
△		
△		
△		
△		

drawn by: RVZ
checked by: SGW
date: 4/27/15
plot scale: AS SHOWN
project number: 14SONA003
file name:

SERENADES BY SONATA PUD
WINTER GARDEN, FLORIDA
DEVELOPMENT SITE & UTILITY PLAN



SITE DATA:

EXTERNAL SITE LIGHTING:
SITE LIGHTING SHALL BE PROVIDED IN ACCORDANCE WITH CITY OF WINTER GARDEN CODE, SECTIONS 118: 1536-1538

UTILITY STATEMENT:
THE UTILITY DESIGN SHOWN HEREON IS PRELIMINARY FOR ILLUSTRATIVE PURPOSES AND IS SUBJECT TO CHANGE DURING FINAL DESIGN.

DELIVERIES:
NO DELIVERIES BETWEEN 9 PM AND 7 AM.

LOT 1 DATA:

BUILDING INFORMATION (EXISTING):
37,356 SF. - 45 UNIT, 56 BED MEMORY CARE FACILITY
BUILDING HEIGHT - 26 FT. (ONE STORY)
TOWER ELEMENT - 35 FT.

PARKING CALCULATION:
BASIS: 1 SPACE/ 2 PATIENT BEDS

REQUIRED: 56 BED X 1 SPACE/2 BEDS= 28 SPACE
PROVIDED: 54 STANDARD + 4 ACCESSIBLE= 58 SPACES

LOT 2 DATA:

BUILDING INFORMATION:
11,214 SF. MEDICAL OFFICE
MAXIMUM BUILDING HEIGHT - 30 FT. (ONE STORY)

MINIMUM PARKING REQUIREMENTS:
BASIS: MEDICAL OFFICE - 3 SPACES/1,000 SF.
REQUIRED: 3 SPACES X 11,214/1,000 = 34
PROVIDED: 52 STANDARD + 4 ACCESSIBLE = 56 SPACES

ESTIMATED SCHEDULE:
START CONSTRUCTION - APRIL 2016
COMPLETE CONSTRUCTION - NOVEMBER 2016

LOT 3 DATA:

BUILDING INFORMATION:
115 UNIT ASSISTED/ INDEPENDENT LIVING FACILITY
MAXIMUM BUILDING HEIGHT - 45 FT. (THREE STORY)

MINIMUM PARKING REQUIREMENTS:
PROPOSED BASIS:
IL: 1 SPACE PER UNIT
AL: 0.7 SPACES PER UNIT
PLUS 1 SPACE PER STAFF DURING PEAK STAFFING

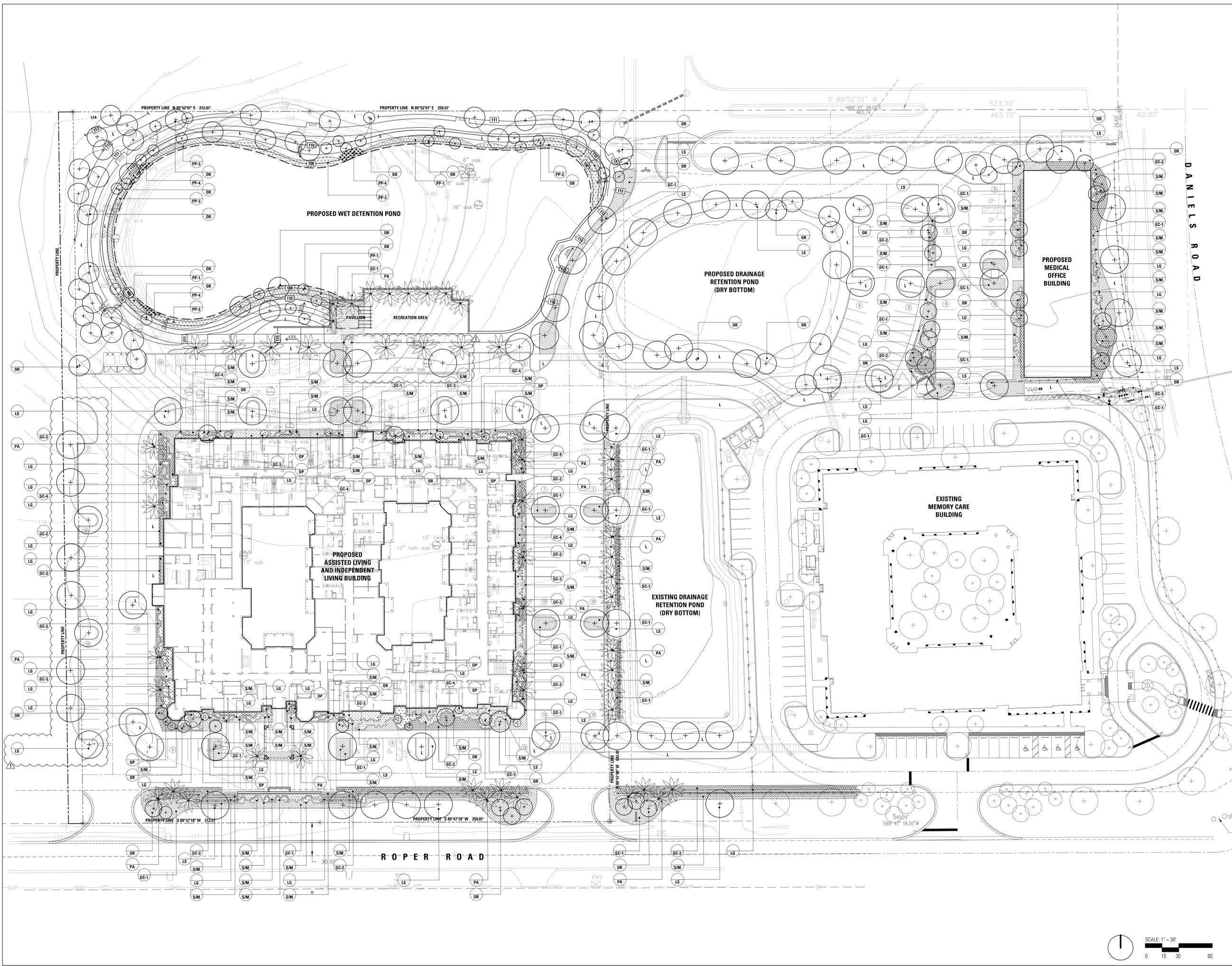
THEFOREORE:
IL UNITS= 80, AL UNITS= 35, STAFF= 35
(1 SPACE X 80 UNITS) + (0.7 SPACES X 35 UNITS) + (1 SPACE X 35 STAFF)= 140
REQUIRED PARKING = 140 SPACES

PROVIDED: 153 STANDARD + 6 ACCESSIBLE = 159 SPACES

File Location : S:\Projects\Land Projects 2014\140508002 (WG Health Village)\Dwg\Primary Site Plan

revision	description	date
△	City Comments	6/17/15
△		
△		
△		
△		
△		

drawn by: RVZ
checked by: SGW
date: 4/27/15
plot scale: AS SHOWN
project number: 14SONA003
file name:



Serenades By Sonata P.U.D.
420 Roper Road
Winter Garden, FL 34787

Revision	Description	Date
1	City Comments	6/17/15

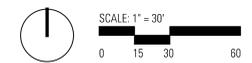
PROJECT NO.: 14013
DATE: April 27, 2015
SEAL:

OWNER: SONATA SENIOR LIVING

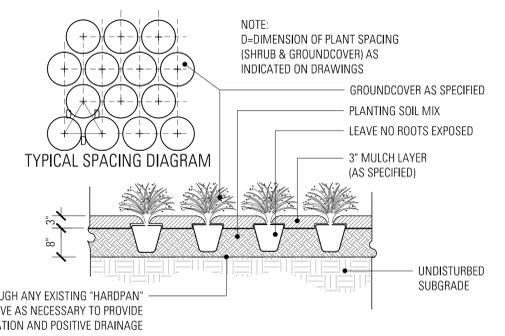
PHASE:
SHEET DESCRIPTION:
PD LANDSCAPE PLANTING PLAN

SHEET NUMBER: **L0.01**

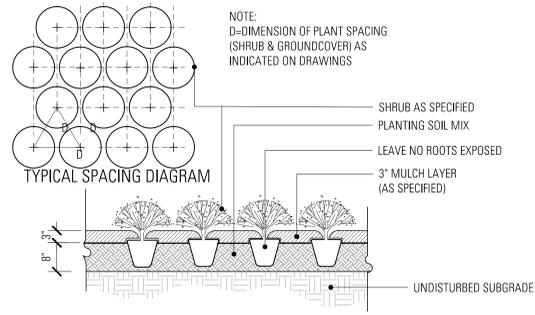
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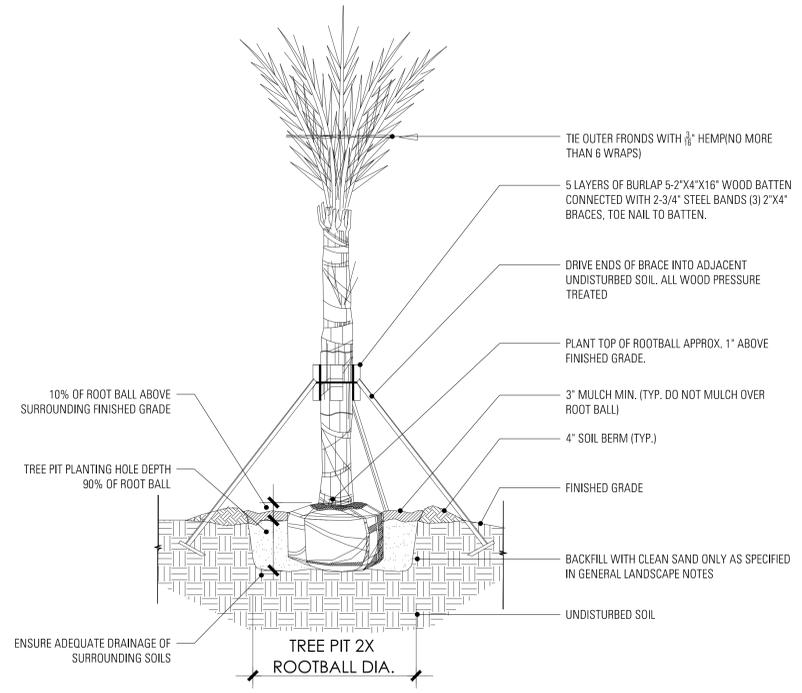
X:\cadd\PC\15004_00_Sonata\Working\Serenades\A4\PL\LANDSCAPE PLANS\06-17-2015\15004-TA-DESCRIBASE.dwg June 16, 2015 at 4:16pm - debar



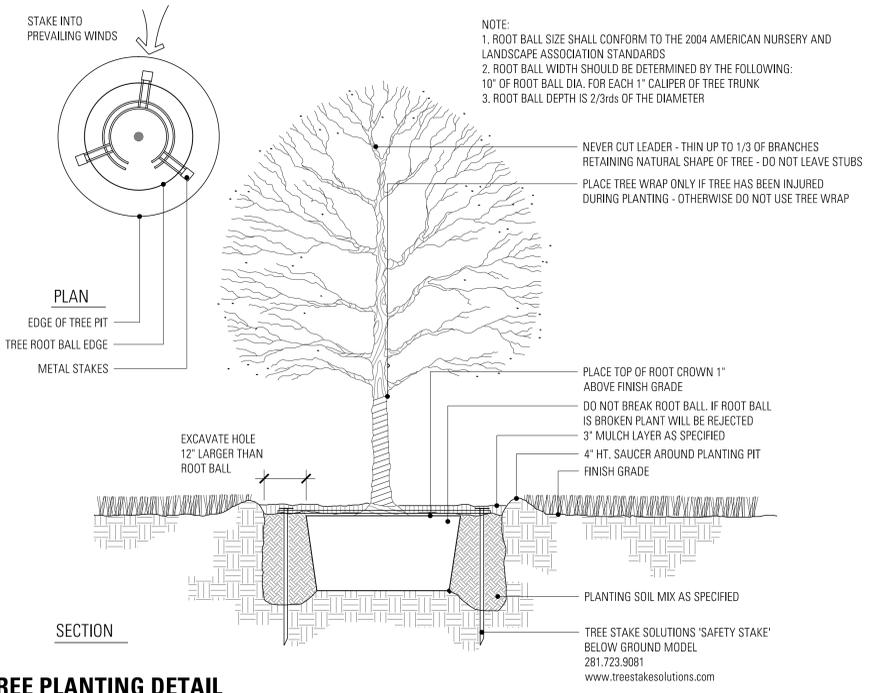
4 GROUNDCOVER PLANTING
N.T.S.



3 SHRUB PLANTING
N.T.S.



2 PALM PLANTING DETAIL
N.T.S.



1 TREE PLANTING DETAIL
Scale: 1"=1'-0"

GENERAL NOTES FOR LANDSCAPE PLANTING

- All base information provided by others. contractor shall field verify all information prior initiating planting installation.
- Contractor shall notify all pertinent utility companies 48 hours minimum prior to digging for verification of all underground utilities. Plans are prepared according to the best information available at the same of preparing these documents.
- The contractor shall become completely familiar with existing site conditions prior to beginning installation. All existing site improvements, paving, landscape, lighting, and other site elements to remain shall be protected from damage unless otherwise noted.
- Unless otherwise noted, the limits of construction are the clearing limits noted on the plans.
- The contractor shall report any discrepancies between the construction drawings and actual field conditions to the Owner's representative immediately.
- The contractor shall coordinate all work with related contractors and with the general construction of the project in order to not impede the progress of work of others or the contractor's own work.
- Contractor shall be responsible to remove all existing ground covers for all new planting beds by approved means prior to planting installation. Contractor shall be responsible to replace all portions of existing planting or lawn areas indicated to remain while completing new planting installation work with same kind of plants or grass to the satisfaction of the owner at no additional cost.
- The contractor shall bear all cost associated with soil testing and soil amendments as required as a result of the soil testing laboratory's recommendations. Prior to initiating installation the contractor shall provide soil test for at least two on-site locations.
- All plant container sizes noted on the plant list are minimum. Increase size of containers if necessary to conform to the plant size and specifications.
- All trees shall have six (6) clear trunks unless otherwise noted on the plant list. Any tree trunk with a "V" shaped crotch will be rejected. All tree caliper (Cal.) sizes noted on the plant list are minimum. Increase size if necessary to conform to specified plant size in the plant list.
- Erosion control fabric shall be installed in a shrub and groundcover planting areas as per the details and/or specifications for all slopes that are greater than 3:1 (slopes 1' vertical for every 3' horizontal).**
- Shrub and ground cover plantings are typically shown on the plans in mass planting beds. Plants shall be set in a triangular spacing pattern (staggered spacing). Plant center to center dimensions (O.C.) are indicated in the plant list.
- Landscape Contractor shall field adjust the location of plant material as necessary to avoid damage to existing trees and understorey vegetation to remain, underground and above ground utilities and all other above ground elements. All changes required shall be coordinated with the Owner's Representative and the Landscape Architect prior to Initiating any changes.

GENERAL NOTES FOR IRRIGATION

- An irrigation system will be provided that provides 100% head to head coverage.
- The irrigation system will include a rain shut-off device.
- An irrigation plan will be provided with the Final Development Plan.

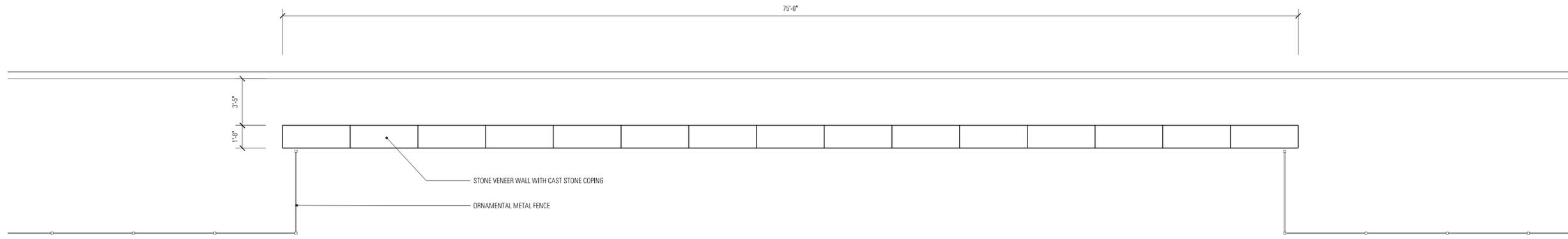
- Any substitutions to plant material, size, or type must be approved by the Landscape Architect prior to installation. Landscape Contractor shall not make any substitutions or alterations to the landscape planting plans or plant list & materials without the prior approval of the Landscape Architect and Owner's Representative. Any Landscape Planting installed that does not conform to the plans, plant list and specifications shall be replaced immediately to the satisfaction of the Owner's Representative and Landscape Architect.
- Contractor shall be responsible for hand watering as required to maintain and establish all planting (new, existing to be relocated, and existing plants to remain while irrigation system is being installed or repaired) to supplement irrigation and rainfall. The irrigation system is designed to maintain the landscape plantings and not establish them. The contractor is responsible for hand watering all planting areas, regardless of the status of existing or proposed irrigation systems.
- Contractor shall clean the work areas at the end of each working day. Landscape rubbish and debris shall be collected and deposited off-site daily. All material, products, and equipment stored on-site shall be kept in an organized manner daily.
- Contractor shall re-grade all areas disturbed by plant removal, relocation, and/or form installation work. The contractor shall replace by equal size and quality any and all existing plant material disturbed or damaged by planting removal, relocation, and/or installation.
- Existing trees or other plant material indicated on the plans to be relocated shall be handled, cared for, and maintained as new plantings. The contractor is responsible for any required root pruning, wrapping, tree spading or ball and burlapping, additional supplemental hand watering, irrigation misters installed at the tree canopy, or any other sound horticultural practice required to ensure the survival of all relocated plant material.
- The contractor shall refer to the landscape planting details, specifications, plant list and plans for further and complete planting installation instructions.
- Landscape Contractor shall fully familiarize himself / herself with the project prior to bidding the work.
- For site grading and contour information, existing vegetation to remain, buildings and other site feature locations and the location of all above and below ground utilities see the most current and up to date architectural, civil, electrical, structural and mechanical engineering drawings as provided by the Owner or Owner's Representative. Field locate all underground utilities, existing vegetation to remain and other obstructions and coordinate with Owner's Representative prior to initiating any Landscape Planting or Irrigation installation work. Landscape Contractor shall be responsible for repairing or replacing any damage committed to existing or proposed elements above or below ground to its original condition and to the satisfaction of the Owner and Owner's Representative.
- Landscape Contractor shall field stake the location of all plant material and edges of planting beds for the review and approval by the Landscape Architect prior to initiating any installation of the landscape plantings.
- Landscape Contractor shall coordinate work with the Irrigation Contractor and all other trades as required.

PLANT LIST

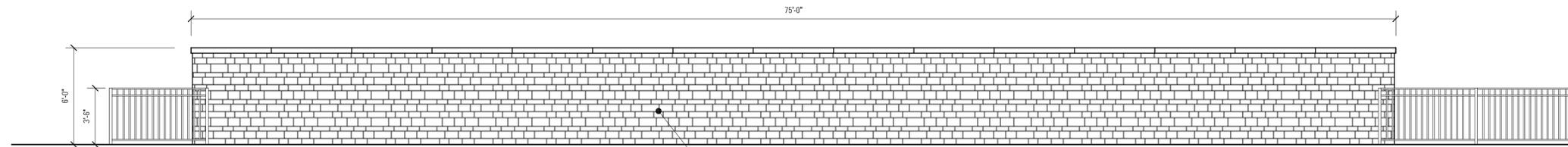
SYM.	PLANT TYPE
TREES	
LS	Large Shade Tree
OR	Ornamental Tree
PA	Palm Tree
OP	Ornamental Palm Tree
SHRUBS / PERENNIALS	
LG	Large Shrub
S/M	Small/Medium Shrub
GROUNDCOVER & VINES	
GC-1	Groundcover 1
GC-2	Groundcover 2
GC-3	Groundcover 3
GC-4	Groundcover 4
POND AREA PLANTING	
PP-1	Pond Area Planting 1
PP-2	Pond Area Planting 2
PP-3	Pond Area Planting 3
PP-4	Pond Area Planting 4
LAWN & GRASSES	
L	Lawn

PROJECT NO.:	14013
DATE:	April 27, 2015
SEAL:	
OWNER:	SONATA SENIOR LIVING
PHASE:	
SHEET DESCRIPTION:	PD LANDSCAPE PLANTING SCHEDULE, NOTES AND DETAILS
SHEET NUMBER:	L0.02
Digital File:	
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Serenades By Sonata P.U.D.
 420 Roper Road
 Winter Garden, FL 34787

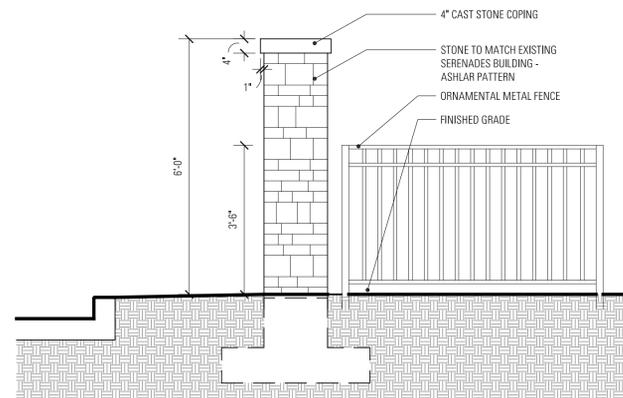


PLAN



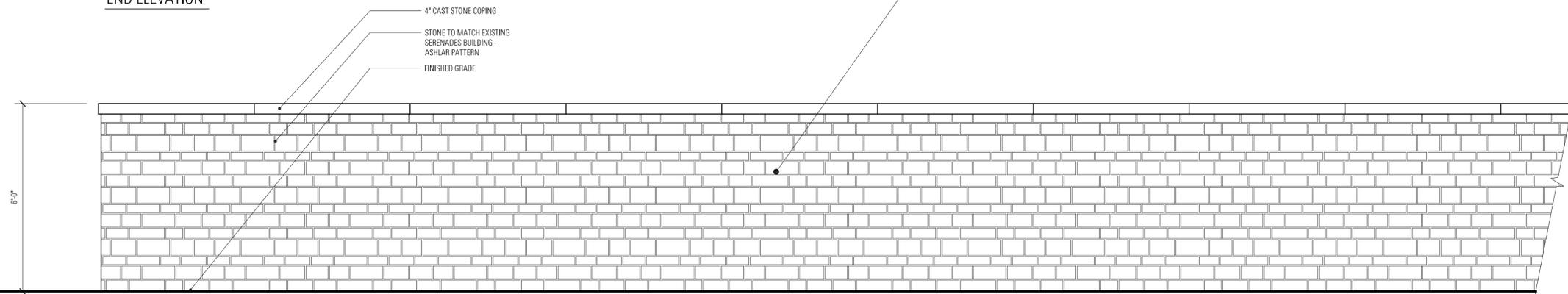
SOUTH ELEVATION

2 WALL AT MAIN DROPOFF
 SCALE: 1/4" = 1'-0"



END ELEVATION

NOTE: IDENTITY SIGNAGE TO BE MOUNTED TO WALL.
 SIGNAGE TO BE DESIGNED IN COMPLIANCE WITH CITY OF
 WINTER GARDEN REQUIREMENTS



PARTIAL SOUTH ELEVATION

1 WALL AT MAIN DROPOFF - ENLARGED PARTIAL ELEVATIONS
 SCALE: 1/2" = 1'-0"



PROJECT NO.: 14013
 DATE: May 28, 2015
 SEAL:

OWNER:
 SONATA SENIOR LIVING

PHASE:
 SHEET DESCRIPTION:
 PD WALL AT MAIN DROPOFF

SHEET NUMBER:
L0.03

Digital File:

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Serenades by Sonata PUD
orlando, florida

sonata west orange campus
east elevation



Serenades by Sonata PUD
orlando, florida

sonata west orange campus
north elevation

A.2



Serenades by Sonata PUD
orlando, florida

sonata west orange campus
south elevation

A.3



Serenades by Sonata PUD
orlando, florida

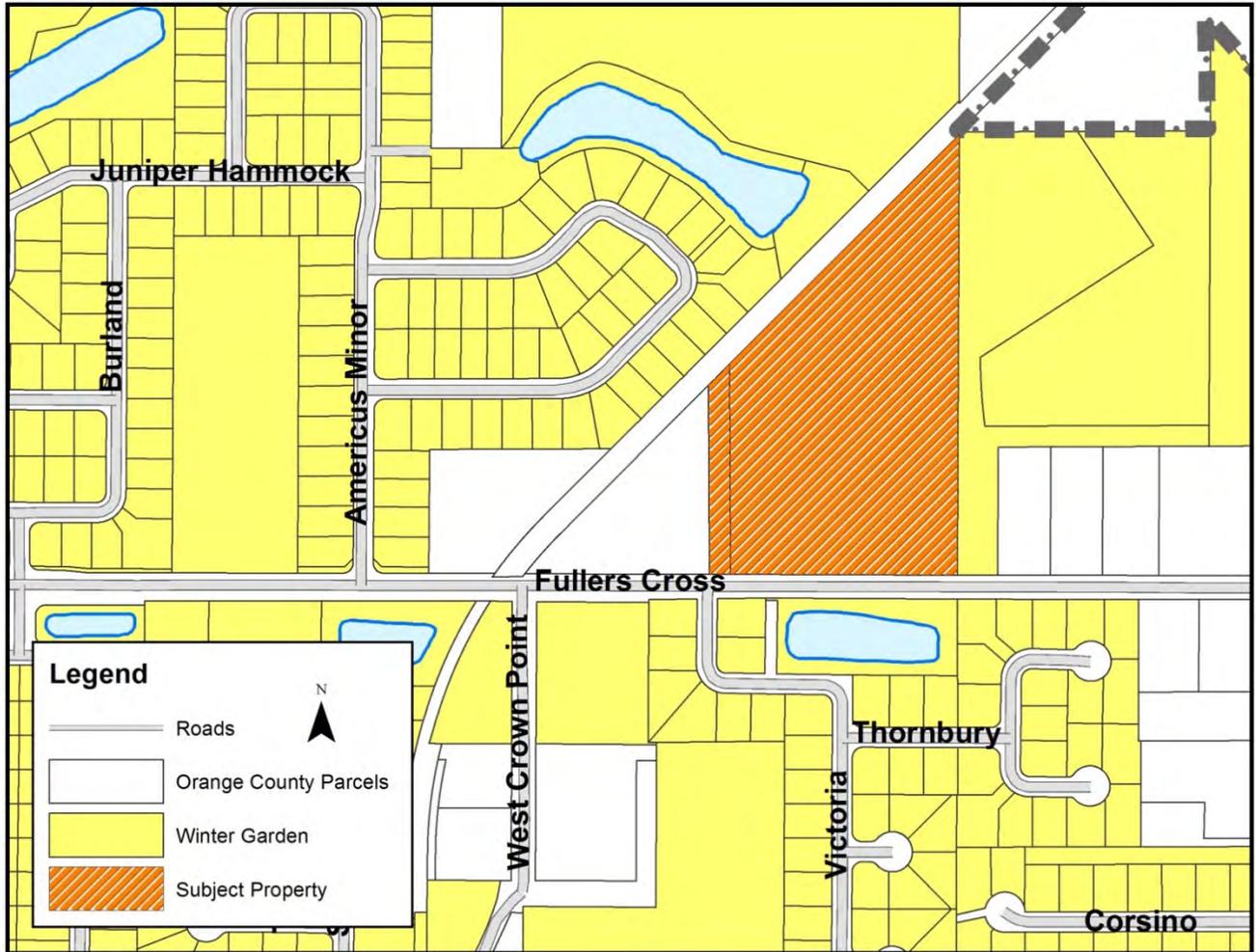
sonata west orange campus
west elevation

A.4

LOCATION MAP

1205 E FULLERS CROSS ROAD

PRELIMINARY PLAT



CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

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

STAFF REPORT

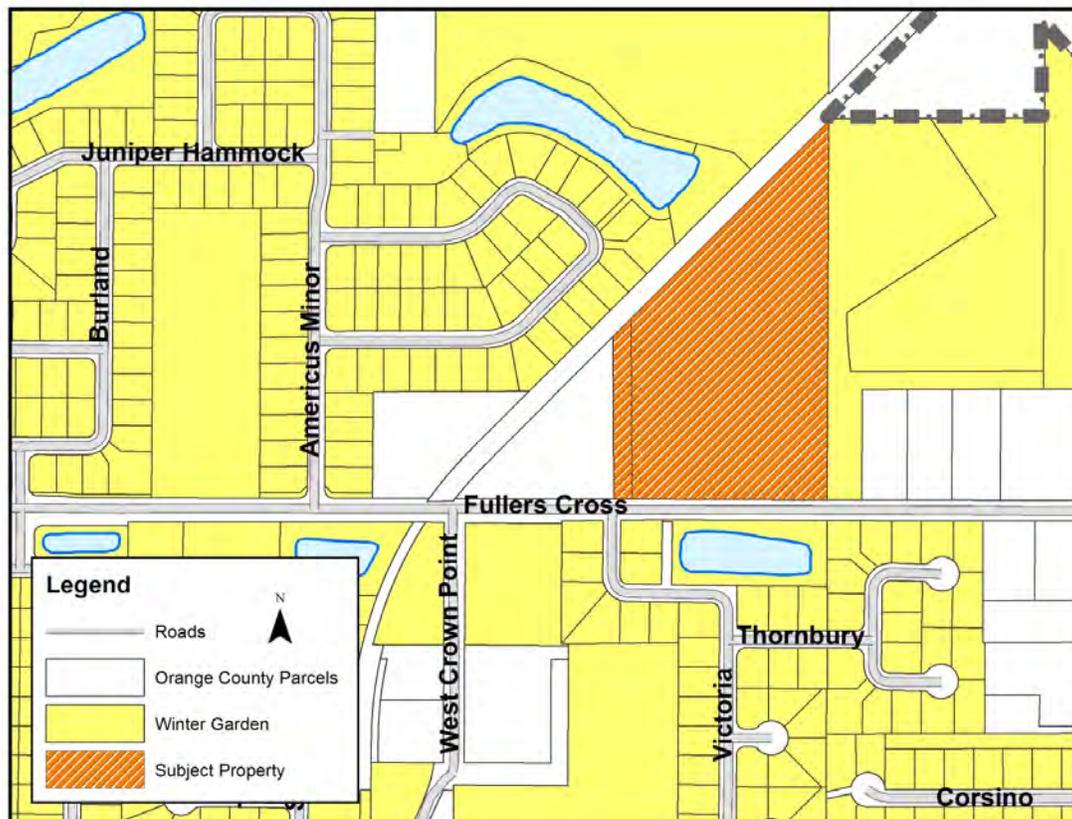
TO: PLANNING AND ZONING COMMITTEE
PREPARED BY: KELLY CARSON, PLANNER II
DATE: JUNE 29, 2015
SUBJECT: PRELIMINARY PLAT
OAK TRAIL SUBDIVISION
1205 E FULLERS CROSS ROAD (11.1 +/- ACRES)
PARCEL ID # 12-22-27-0000-00-005, 12-22-27-0000-00-074

APPLICANT: GILKEY FX, LLC

INTRODUCTION

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

The subject property is located at 1205 E Fullers Cross Road and is approximately 11.1± acres. The map below depicts the location of the subject property within the City of Winter Garden municipal limits.



EXISTING USE

The subject property currently contains one house, one manufactured home, and the remainder is wooded vacant land. Also, located within the northeastern portion of the property is a small wetland area, which appears to have been a historic ditch, dug from the offsite wetlands to the north that drained offsite to the southeast.

The property was annexed into the City in 2015, was rezoned to City R-1B, and was given a future land use designation in the City's Comprehensive Plan of Low Density Residential.

ADJACENT LAND USE AND ZONING

The property located to the north is developed with the Fullers Crossing single family neighborhood, zoned PUD, and located in Winter Garden. The property located to the east is 6 +/- acre property developed with a single family house, zoned R-1, and located in Winter Garden. The property to the south is developed with the Tuscany single family neighborhood, zoned R-1, and located in Winter Garden. The property to the west is 2.5 +/- acre property developed with a single family house and a citrus grove, zoned A-2, and located in Orange County.

PROPOSED USE

The applicant is requesting preliminary plat approval to move forward with development plans and the final plat. The applicant is proposing to develop the 11.1 ± acre, site into a residential subdivision containing 25 single-family dwelling units. The minimum lot size will be 75' x 100', which complies with the regulations of the property's R1-B zoning. The subdivision will have a gross density of 2.25 dwelling units per acre; the LR- Low Density Residential Future Land Use Designation allows up to 6 dwelling units per acre. The subdivision will contain 0.46 acres of combined recreation areas that will include amenities such as benches, bicycle racks, warm-up stations, picnic tables, a dog walk area, wetland viewing areas, and open spaces.

A Developer's Agreement between the applicant and the City, which was approved by City Commission in 2015, included a section requiring the developer to pay the subdivision's fair share costs of the proposed traffic signal that will be constructed at the intersection of Fullers Cross Road and East Crown Point Road.

SUMMARY

City Staff recommends conditional approval of the Preliminary Plat subject to the following condition(s):

- The environmental report states on page 4 that the Wetland "ditch" drains from the northeast portion of the site to the southeast. Based on the USGS Quad map included in the report and the topo survey provided with the preliminary plat, this ditch drains from the southeast to the north and northwest and apparently is a drainage outfall for Fullers Cross Road. As stated in the Applicant's response, the flow shall be maintained where this outfall is within the project boundary, including a drainage easement.
- Based on the environmental report, the on-site soils are for the most part poorly drained with a high seasonal groundwater level. Provide geotechnical report in next submittal to further define the on-site soils and groundwater table. Underdrains will be required if the seasonal high groundwater table is within 18" of the base. Previous response states that

geotechnical report will be submitted with final construction plans – this will be at the Developer’s sole risk and the City will not be responsible should the geotechnical report require a reduction in lots, alignment, etc. at final construction plan review.

- Sheet C-02 (topo): West Orange Trail R/W is owned by the City of Winter Garden with an easement to Orange County for the Trail. Orange County Parks & Rec shall review and approve the sidewalk connection to the Trail, prior to construction. Additional details shall be provided on the final construction plans to prevent vehicular access to the Trail (as stated, bollards, etc.).
- A Tree Removal Permit issued by the City of Winter Garden Building Department will be required prior to final plan approval. Tree plan needs to show which trees are to be removed and which will be saved.
- Typical Section: Right-of-way width shall be a minimum of 50 feet with minimum roadway pavement width of 24’ as required by City Code (12’ minimum each lane); 16’ minimum lane width for any divided portion (additional width may be required if parking is allowed); 18” of clean fill with no more than 5% passing a #200 sieve required under the subbase; 98% density required on all compaction; 2” minimum asphalt thickness; 10” minimum soil cement or crushed concrete base thickness; minimum 24” wide concrete curb and gutter required (or Miami curb); 5’ wide concrete sidewalks required on both sides of street (3,000 psi minimum); minimum 10’ wide drainage, utility and sidewalk easements required adjacent to all rights-of-way. All construction shall meet City of Winter Garden requirements for drainage, roadways and utilities (see City Standard Details available on-line at cwgd.com).
- The curb and closed drainage on Fullers Cross Road shall be extended to the east of the existing curb inlets to the 48” cross drain that discharges into the outfall ditch. Provide end treatment at the cross drain (i.e. inlet, spillway, etc.) with final construction plans.
- Walls and landscaping shall be located within a landscape and wall tract as shown, to be maintained by the HOA. Wall and landscape tract shall be outside of the existing R/W as shown.
- Sheet C-06: The rear lot drainage systems (swale, inlets & piping) and easement on Lots 9 – 12 and Lots 16 – 20 shall be maintained by the HOA. Final storm pipe layout will be subject to final construction plan review and may be revised to prevent encroachment into lots if maintenance is required (at Lots 9/10 & Lot 25).
- Previous response indicates the project will not be gated. While portions of the right-of-way may be dedicated to the City, maintenance of special pavements, landscaping, hardscaping, irrigation, etc. shall be performed by the HOA under a R/W maintenance agreement.
- All proposed easements shall be 30’ minimum width for sanitary, water and storm; improvements shall be centered within the easement. Common areas not abutting right-of-way shall include a minimum 20’ wide tract (not easement) for access and maintenance.
- The 20’ wide drainage easement between Lots 15-16 may need to be wider depending on final pipe size and depth.
- Sheet C-07: Utilities: Minimum 8” potable water (internal), 8” reuse water, and minimum 6” sanitary force main are required. Utilities shall be extended the full property frontage per Code (6” force main). *Per DRC discussion, Public Services has preliminarily accepted*

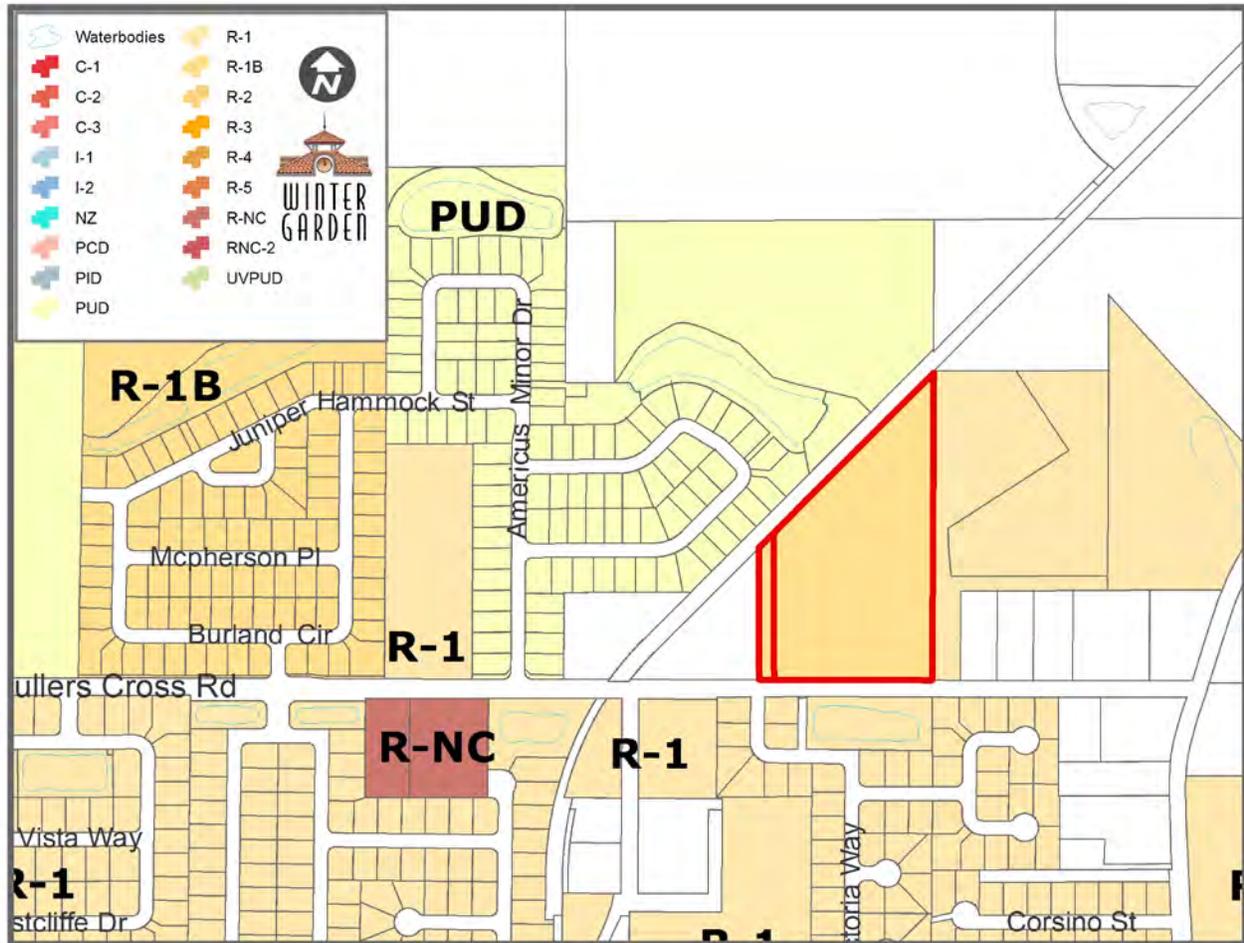
the 4" force main and 6" reuse main, subject to the Applicant providing hydraulic calculations supporting those line sizes.

- Minimum 5 ft. wide utility and drainage easements shall be provided on each side lot line; 10' drainage, utility and sidewalk easements required adjacent to R/W.
- Streetlighting shall be pursuant to City Code, including frontage on Fullers Cross Road, meeting dark skies requirements (Code Section 118-1536(k)). Submit streetlighting plan from Duke Energy prior to preconstruction meeting.
- All irrigation on the site shall be designed to be supplied by reclaimed water.
- Permits from SJRWMD and FDEP (water, wastewater and NPDES) are required prior to issuance of site or building permits.
- Sidewalks internal to the development shall be constructed adjacent to all lands not containing building lots prior to final acceptance. This shall include all retention, conservation, lift station, or recreation tracts, abutting roadways, pedestrian walkways, etc. Sidewalks external to the development shall be constructed upon final completion.
- Please see note number 15 under the Wastewater System Notes on City Detail Sheet #1. This is the requirement for the elevation separation between the finished floor and the wet well top. As a general rule of thumb, one does not establish the top elevation of the wet well below the base flood elevation; therefore, this places the finished floor at least one foot above both the wet well top and the base flood elevation. If the top of the wet well is higher than the base flood then position the finished floors one foot above the top of the wet well. This condition will be verified during the construction plan review.

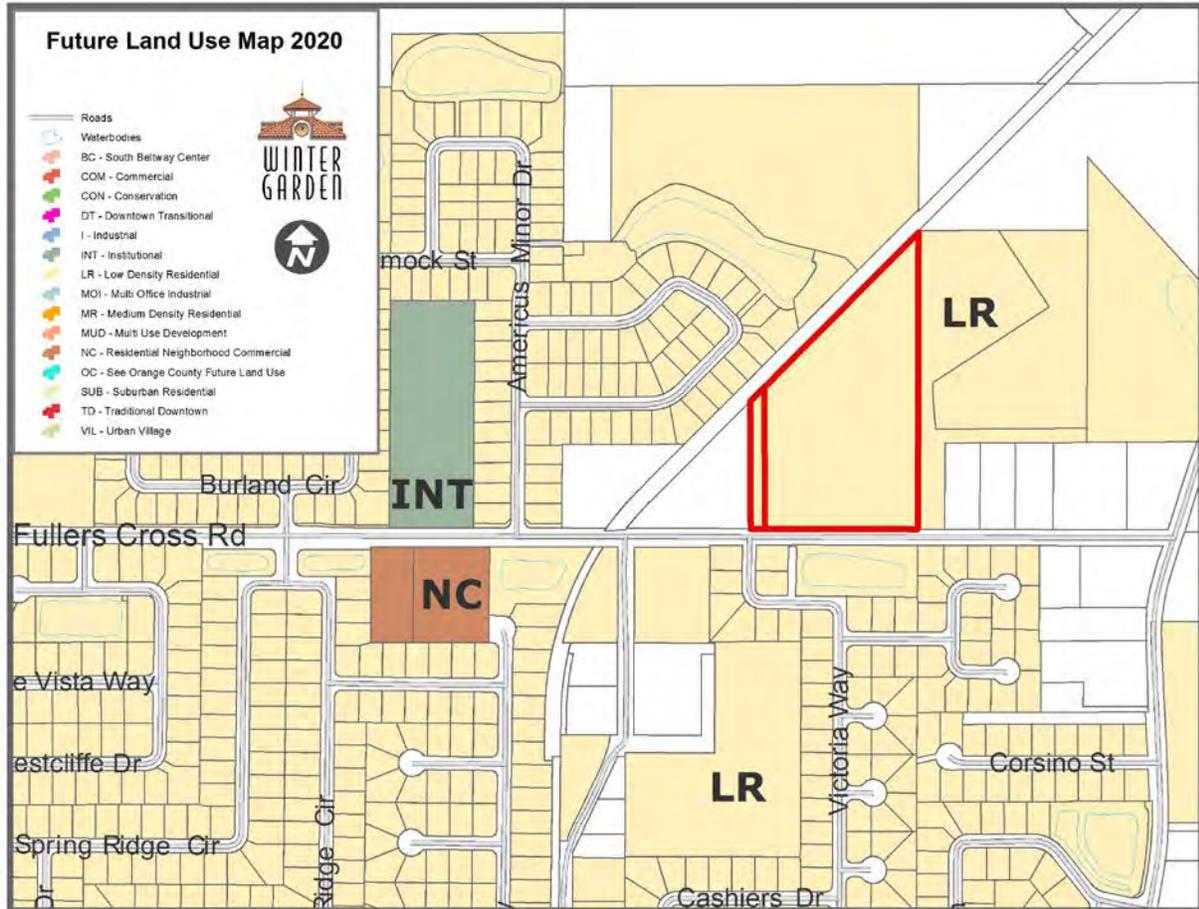
AERIAL PHOTO
OAK TRAIL SUBDIVISION



ZONING MAP
OAK TRAIL SUBDIVISION



**FUTURE LAND USE MAP
OAK TRAIL SUBDIVISION**

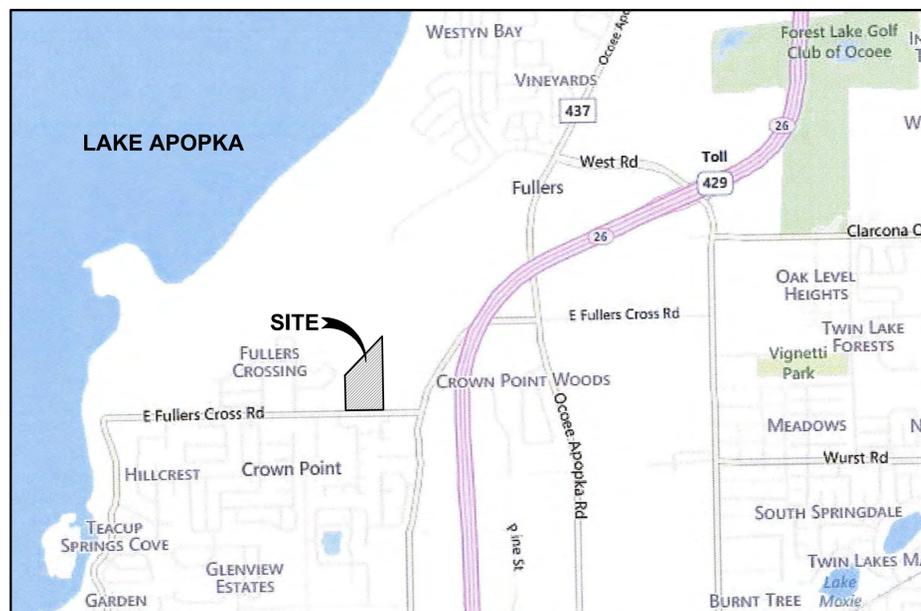


END OF STAFF REPORT

PRELIMINARY SUBDIVISION PLANS FOR OAK TRAIL

12-22-27-0000-005, 12-22-27-0000-00-074

NOVEMBER 14, 2014
Revised: MAY 14, 2015



GENERAL LOCATION MAP
Scale: N.T.S.

- NOTES:**
1. MINIMUM 5' SIDE LOT UTILITY & DRAINAGE EASEMENTS ARE REQUIRED.
 2. MINIMUM 10' FRONT LOT UTILITY, DRAINAGE & SIDEWALK EASEMENTS ARE REQUIRED.
 3. ALL WATER AND REUSE LINES ARE TO BE INSTALLED UNDER THE SIDEWALK.

LIST OF DRAWINGS

SHEET NO.	DESCRIPTION
C-01	COVER
C-02	BOURDARY & TOPO SURVEY
C-03	TREE SURVEY
C-04	SITE PLAN
C-05	WALL PLAN
C-06	GRADING AND DRAINAGE PLAN
C-07	UTILITY PLAN

LEGAL DESCRIPTION:

A PORTION OF LAND LYING IN SECTION 12, TOWNSHIP 22 SOUTH, RANGE 27 EAST, IN ORANGE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 12, TOWNSHIP 22 SOUTH, RANGE 27 EAST BEING MARKED BY A 4"x4" CONCRETE MONUMENT "NO ID" C.C.R. #066512 RUN N89°42'06"E ALONG THE NORTH LINE OF SAID SECTION, 1310.50 FEET TO THE INTERSECTION OF SAID NORTH LINE AND THE EAST LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 12; THENCE DEPARTING SAID NORTH LINE RUN S00°11'45"W ALONG SAID EAST LINE, 540.94 FEET TO THE INTERSECTION OF SAID EAST LINE AND THE EASTERLY RIGHT OF WAY LINE OF RAILS TO TRAILS/APOPKA TO MABEL PROJECT OF THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AGENCY MAPS PREPARED BY JONES, WOOD & GENTRY; THENCE CONTINUE ALONG SAID EAST LINE AND EASTERLY RIGHT OF WAY LINE S00°11'45"W, 7.12 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE CONTINUE S00°11'45"W ALONG SAID EAST LINE, 1097.46 FEET TO THE INTERSECTION OF SAID EAST LINE AND THE NORTH RIGHT OF WAY LINE OF FULLERS CROSS ROAD PER ORANGE COUNTY ROAD BOND BOOK 1 PROJECT 5; THENCE DEPARTING SAID EAST LINE RUN N89°43'54"W ALONG SAID NORTH RIGHT OF WAY LINE, 614.58 FEET; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE RUN N00°00'00"E, 474.88 FEET TO THE AFOREMENTIONED EASTERLY RIGHT OF WAY LINE OF THE RAILS TO TRAILS/APOPKA TO MABEL PROJECT; THENCE RUN N44°56'12"E ALONG SAID EASTERLY RIGHT OF WAY LINE, 875.41 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 11.1 ACRES MORE OR LESS.

PROJECT CONTACTS:

OWNER/DEVELOPER

GILKEY FX, LLC
9220 BONITA BEACH ROAD, SUITE 215
BONITA SPRINGS, FLORIDA 34135
PHONE: (239)498-7840
FAX: (239)947-5461

SURVEYOR

SEARS SURVEYING COMPANY
126 WIGWAM PLACE
MAITLAND, FLORIDA 32751
PHONE: (407)645-1332
FAX: (407)645-1044
CONTACT: TYLER SEARS, PLS

CIVIL ENGINEER

ENGINEERING & ENVIRONMENTAL DESIGN, INC.
803 S. ORLANDO AVENUE, SUITE F
ORLANDO, FLORIDA 32789
PHONE: (407)622-7293
CONTACT: LARRY T. RAY, P.E.
CERTIFICATION OF AUTHORIZATION NO. 6138

TRAFFIC ENGINEER

Ltec
(LUKE TRANSPORTATION ENGINEERING CONSULTANTS)
29 EAST PINE STREET
ORLANDO, FLORIDA 32801
PHONE: (407)423-8055
FAX: (407)423-8022
CONTACT: JOE ROVIARO

UTILITY CONTACTS:

SANITARY SEWER:

CITY OF WINTER GARDEN
300 W. PLANT STREET
WINTER GARDEN, FLORIDA 34787
PHONE: (407)656-4111
CONTACT: DON COCHRAN

GARBAGE COLLECTION:

CITY OF WINTER GARDEN
300 W. PLANT STREET
WINTER GARDEN, FLORIDA 34787
PHONE: (407)656-4111
CONTACT: DON COCHRAN

POTABLE WATER:

CITY OF WINTER GARDEN
300 W. PLANT STREET
WINTER GARDEN, FLORIDA 34787
PHONE: (407)656-4111
CONTACT: DON COCHRAN

ELECTRIC:

DUKE ENERGY
3250 BONNET CREEK ROAD
LAKE BUENA VISTA FLORIDA, 32830
PHONE: (407)938-6695
CONTACT: ED STEVENS

RE-USE WATER:

CITY OF WINTER GARDEN
300 W. PLANT STREET
WINTER GARDEN, FLORIDA 34787
PHONE: (407)656-4111
CONTACT: DON COCHRAN

PHONE:

CENTURY LINK
33 NORTH MAIN STREET
WINTER GARDEN, FLORIDA 34787
PHONE: (407)814-5047
CONTACT: ASHLEY BRYAN



engineering & environmental design inc.
Civil Engineering, Land Planning & Environmental Permitting Services
203 South Orlando Ave., Orlando, Florida 32789
PHONE: (407) 650-0006 • FAX: (407) 648-8338
CERTIFICATE OF AUTHORIZATION NUMBER 6138

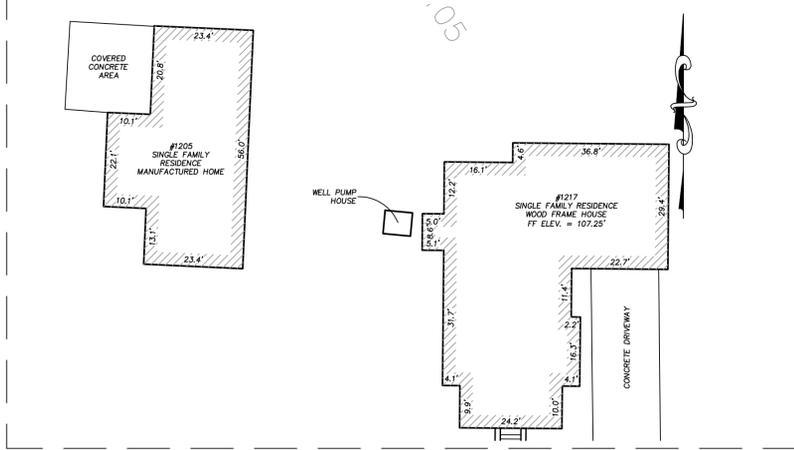
BOUNDARY AND TOPOGRAPHIC SURVEY



P.O.C.
NORTH 1/4 CORNER OF SECTION
12-22-27
FOUND 4"x4" CONCRETE MONUMENT
"NO ID" C.C.R. #066512

DETAIL "A"

(SCALE 1" = 20')



LEGEND:

ML - WATER LINE	CONCRETE AREAS
RM - RECLAIMED WATER LINE	WATER SHUT-OFF VALVE
FOC - FIBER OPTIC CABLE	POWER TRANSFORMER
OW - OVERHEAD UTILITY WIRES	WATER METER
UGP - UNDERGROUND POWER LINE	GAS METER
UGG - UNDERGROUND GAS LINE	POWER METER
UGT - UNDERGROUND TELEPHONE LINE	POWER RISER
UGCT - UNDERGROUND CABLE TELEVISION	SINGLE POST SIGN
CONCRETE BLOCK WALL	DOUBLE POST SIGN
WOODEN UTILITY POLE	WATER BLOW-OFF VALVE
CONCRETE UTILITY POLE	WELL
GUY POLE	CLEAN-OUT
GUY ANCHOR	EDGE OF ASPHALT PAVEMENT
WALKWAY LIGHT	LIGHT POLE
METERED END SECTION	TRAFFIC SIGNAL BOX
ELECTRICAL OUTLET	TRAFFIC SIGNAL CABINET
TELEPHONE RISER	BOLLARD
FIRE HYDRANT	CENTERLINE
MASTER WATER ASSEMBLY	L.B. LICENSED BUSINESS
SEWER VALVE	P.S.M. PROFESSIONAL LAND SURVEYOR & MAPPER
WATER VALVE	P.L.S. PROFESSIONAL LAND SURVEYOR
RECLAIMED WATER VALVE	P.V.C. POLYVINYL CHLORIDE PIPE
RECLAIMED WATER METER	R.C.P. REINFORCED CONCRETE PIPE
IRRIGATION VALVE	C.M.P. CORRUGATED METAL PIPE
AIR RELEASE VALVE	D.I.P. DUCTILE IRON PIPE
BACK FLOW PREVENTER	V.C.P. VITRIFIED CLAY PIPE
GAS VALVE	C.P.P. CORRUGATED PLASTIC PIPE
SANITARY MANHOLE	R. RADIUS
DRAINAGE MANHOLE	CA. CENTRAL ANGLE
TELEPHONE MANHOLE	L. LENGTH
POWER TRAP MANHOLE	CH. CHORD
POWER MANHOLE	CB. CHORD BEARING
BARBED WIRE FENCE (BWF)	T.B. TANGENT BEARING
WOOD FENCE (WF)	P.M. PARKING METER
CHAIN LINK FENCE (CLF)	(M) MEASURED
HANDICAPPED PARKING SPACE (H/C)	(P) PLOT
CATCH BASIN	(C) CALCULATED
DRAIN	(D) DESCRIPTION
CURB AILET	INVERT ELEVATION
CURB AILET WITHOUT MANHOLE	EXISTING GROUND ELEVATION
FIRE DEPARTMENT CONTROL VALVE	(E) (UNLESS OTHERWISE NOTED)
FIRE DEPARTMENT CONNECTION	SET 5/8" IRON ROD & CAP "LB 5736"
ELECTRIC HAND HOLE	SET NAIL & DISK "LB 5736"
CABLE TELEVISION RISER	RECOVERED 4"x4" CONCRETE MONUMENT
TELEPHONE ACCESS CABINET	RECOVERED IRON PIPE
AIR CONDITIONER	FP FLAG POLE
POWER BOX	VALT UTILITY VAULT
MONITORING WELL	P.O.B. POINT OF BEGINNING
D.N.R. DEPARTMENT OF NATURAL RESOURCES	P.O.C. POINT OF COMMENCEMENT
O.R. OFFICIAL RECORDS BOOK	P.O.T. POINT OF TERMINATION
P.R.M. PERMANENT REFERENCE MONUMENT	TRAFFIC FLOW ARROW
FDOT FLORIDA DEPARTMENT OF TRANSPORTATION	P.T. POINT OF TANGENCY
C.C.R. CERTIFIED CORNER RECORD	P.C. POINT OF CURVATURE
N.A.S.D. NATIONAL GEODETIC VERTICAL DATUM	F.A.C. FLORIDA ADMINISTRATIVE CODE
N.A.N.D. NORTH AMERICAN VERTICAL DATUM	R/W RIGHT OF WAY
F.F. FINISHED FLOOR ELEVATION	B.M. BENCH MARK
N.H.W. NORMAL HIGH WATER	B.O.B. BOTTOM OF BOX
S.B. SITE BENCH MARK (AS INDICATED)	D.B. DEED BOOK
ELEV. ELEVATION	P.L. PLAT BOOK
IDENTIFICATION	P.S. PAIR
	S.B. SOL BORING
	S.F. SQUARE FEET

TREE LEGEND

OAK12 = 12" OAK TREE
20AK12 = 2 1/2" OAK TREES
30AK12 = 3 1/2" OAK TREES
40AK12 = 4 1/2" OAK TREES
OLM = SWEETGUM TREE
CAH = CAMPHOR TREE
RAIN = RAIN TREE
OKM = OAK TREE
MAPLE = MAPLE TREE
PALM = PALM TREE
TREE SIZES = DIAMETER AT BREAST HIGH

N00°20'11"E(D) 13.48'(D)
N00°19'02"E(M) 23.70'(M)
S89°30'00"E(D) 243.13'(D)
S89°43'47"E(M) 238.86'(M)

(O.R. 4313 PG. 3229) SOUTHWEST CORNER OF SAID NORTH 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 22 SOUTH, RANGE 27 EAST

JOB NUMBER: 13005.000	REVISIONS:
SURVEY DATE: 10/28/13	
FIELD BY: CAIN	
FIELD BOOK: 457	
PAGES: 28-33	
FIELD FILE: 13005-A	
CALC. BY: T. SEARS	
DRAWN BY: T. SEARS	
CHECKED BY: T. SEARS	
DRAWING NAME: 13005-A	
DRAWING SCALE: 1" = 80'	

SURVEYORS CERTIFICATION:	
WE HEREBY CERTIFY THAT THIS BOUNDARY & TOPOGRAPHIC SURVEY OF THE HERON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF AS PREPARED UNDER OUR DIRECTION IN OCTOBER, 2013. WE FURTHER CERTIFY THAT THIS BOUNDARY SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH IN RULE 5J-17 ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO FLORIDA STATUTE 472.027.	
ROBERT T. SEARS	P.S.M.
FLORIDA REGISTRATION No. 6950	CERTIFICATE OF AUTHORIZATION L.B. No. 5736

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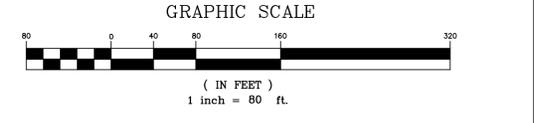
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ROBERT T. SEARS	P.S.M.
FLORIDA REGISTRATION No. 6950	CERTIFICATE OF AUTHORIZATION L.B. No. 5736

PARCEL A:
THE NORTH 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, LYING EAST OF FORMER SCL RAILROAD RIGHT-OF-WAY AND THE NORTHWEST 1/4 OF THE NORTHWEST 1/4, LYING SOUTH AND EAST OF FORMER SCL RAILROAD RIGHT-OF-WAY, ALL LYING IN SECTION 12, TOWNSHIP 22 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, LESS AND EXCEPT ROAD RIGHT-OF-WAY FOR FULLERS CROSS ROAD ON SOUTH, ALSO LESS AND EXCEPT THAT PART PREVIOUSLY CONVEYED BY WARRANTY DEED RECORDED IN DEED BOOK 824, PAGE 109, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGIN IN THE CENTER OF THE INTERSECTION OF A.C.L. RY TRACKS AND THE COUNTY HARD ROAD, AT CROWN POINT, FLORIDA, (THE HARD ROAD FROM WINTER GARDEN TO FULLERS), RUN THENCE EAST 520 FEET, NORTH 528 FEET TO INTERSECT SAID RY, THENCE SOUTHWESTERLY 748 FEET ALONG RY, TO POINT OF BEGINNING, THIS LAND IS IN SECTION 12, TOWNSHIP 22 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA (LESS RIGHTS OF WAY)

PARCEL B:
A PORTION OF LAND LYING IN SECTION 12, TOWNSHIP 22 SOUTH, RANGE 27 EAST, IN ORANGE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 12, TOWNSHIP 22 SOUTH, RANGE 27 EAST BEING MARKED BY A 4"x4" CONCRETE MONUMENT "NO ID" C.C.R. #066512 RUN N89°42'06"E ALONG THE NORTH LINE OF SAID SECTION, 1310.50 FEET TO THE INTERSECTION OF SAID NORTH LINE AND THE EAST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 12; THENCE DEPARTING SAID NORTH LINE RUN S00°11'45"W ALONG SAID EAST LINE, 540.94 FEET TO THE INTERSECTION OF SAID EAST LINE AND THE EASTERLY RIGHT OF WAY LINE OF RAILS TO TRAILS/ARPKA TO MABEL PROJECT OF THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AGENCY MAPS PREPARED BY JONES, WOOD & GENTRY; THENCE CONTINUE ALONG SAID EAST LINE AND EASTERLY RIGHT OF WAY LINE S00°11'45"W, 7.12 FEET TO THE POINT OF BEGINNING, THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE CONTINUE S00°11'45"W ALONG SAID EAST LINE, 1097.46 FEET TO THE INTERSECTION OF SAID EAST LINE AND THE NORTH RIGHT OF WAY LINE OF FULLERS CROSS ROAD PER ORANGE COUNTY ROAD BOND BOOK 1 PROJECT 5; THENCE DEPARTING SAID EAST LINE RUN N84°34'54"W ALONG SAID NORTH RIGHT OF WAY LINE, 614.58 FEET; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE RUN N00°00'00"E, 474.88 FEET TO THE AFORESAID EASTERLY RIGHT OF WAY LINE OF THE RAILS TO TRAILS/ARPKA TO MABEL PROJECT; THENCE RUN N48°56'12"E ALONG SAID EASTERLY RIGHT OF WAY LINE, 875.41 FEET TO THE POINT OF BEGINNING.

SCHEDULE B SECTION II EXCEPTIONS:
6. Terms, conditions, and provisions of Right of Way Agreement, recorded in Official Records Book 4355, Page 3195. Does not affect subject property.
7. Terms, conditions, and provisions of Release/Waiver Agreement, recorded in Official Records Book 8990, Page 1145. Affects subject property, but contains no platable easements therein.
8. 2012 Tax Year Parcel/Folio No.: 12-22-27-00000-00005
2012 Tax Year Gross Tax Amount: \$3,377.17 Assessed Value: 215,861.00
Exemptions: Type: Homestead Amount: \$50,000.00
Status of 2012 Tax Year Payment: Delinquent
The following note is for information purposes only:
The recording information of vesting instruments affecting title of said land(s) recorded within 24 months of the effective date of this report is/are as follows:
1. Quit Claim Deed recorded on July 22, 2003, in Official Records Book 7009, Page 2488. Affects subject property, but contains no platable easements therein.

Surveyors Notes:
1. Survey map and report or the copies thereof are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
2. Lands shown hereon were abstracted for rights of way, easements, ownership, or other instruments of record, by Fidelity National Title Insurance Company Order No.: 4349075 with an effective date of June 13, 2013 at 8:00 AM.
3. Revisions do not constitute a recertification of the existing field conditions of this survey.
4. Bearings shown hereon are based on the East Line of the Northwest 1/4 of the Northeast 1/4 as being S00°11'45"W (assumed).
5. The description shown hereon was supplied by the above referenced Title Commitment.
6. Underground improvements and installations have not been located.
7. Precision of closure 1:7,500 - Suburban Class Survey.
8. The lands shown hereon lie entirely within Zone X (areas determined to be outside the 0.2% annual chance floodplain) according to "FIRM" map no. 12095C0205F and Community No. 120187 0205 F, dated September 25, 2009.
9. The electronic file for this project is the property of Sears Surveying Company, Inc. and is not the property of the client.
10. The property as described hereon contains 484,053.94 square feet or 11.1 acres, more or less.
11. There is an encroachment on the Northeast corner of the property where a 4' Hog Wire Fence encroaches 87.1 feet. Also, the asphalt drive in the southwest corner of the property encroaches as shown.
12. Site benchmarks are shown hereon.
13. The elevations shown hereon are based on Orange County datum per bench mark number BMR167004, elevation = 107.198, NAVD 88 Datum.



THE CITY OF WINTER GARDEN
PLANNING AND ZONING BOARD AGENDA ITEM

ITEM # 6 (Public Hearing)

DATE: July 1, 2015 **MEETING DATE:** July 6, 2015

SUBJECT: 16303 Marsh Road (VARIANCE)
PROJECT NAME TwinWaters Subdivision Entry Sign Walls
PARCEL ID# 05-23-27-0000-00-005, 05-23-27-0000-00-008

ISSUE: The applicants are requesting a Variance to the maximum permitted height of subdivision walls and residential signs to allow the construction of sign walls at the two entrances of the TwinWaters residential subdivision located at 16303 Marsh Road.

SUPPLEMENTAL MATERIAL/ANALYSIS:

OWNER/APPLICANT: Meritage Homes of Florida, Inc.

CURRENT ZONING: UVPUD Urban Village Planned Unit Development

PROPOSED ZONING: N/A

CURRENT FLU: VIL Urban Village

PROPOSED FLU: N/A

SUMMARY:

The applicant is requesting a Variance to allow 8' tall subdivision sign walls in lieu of the maximum allowed 6' tall subdivision sign walls. If approved, this variance will allow two 8' tall subdivision sign walls to be constructed at the entrances of the TwinWaters residential subdivision (one 8' tall sign wall per entrance).

STAFF RECOMMENDATION(S):

Staff recommends approval of the variance request.

NEXT STEP(S):

Apply for building permits.

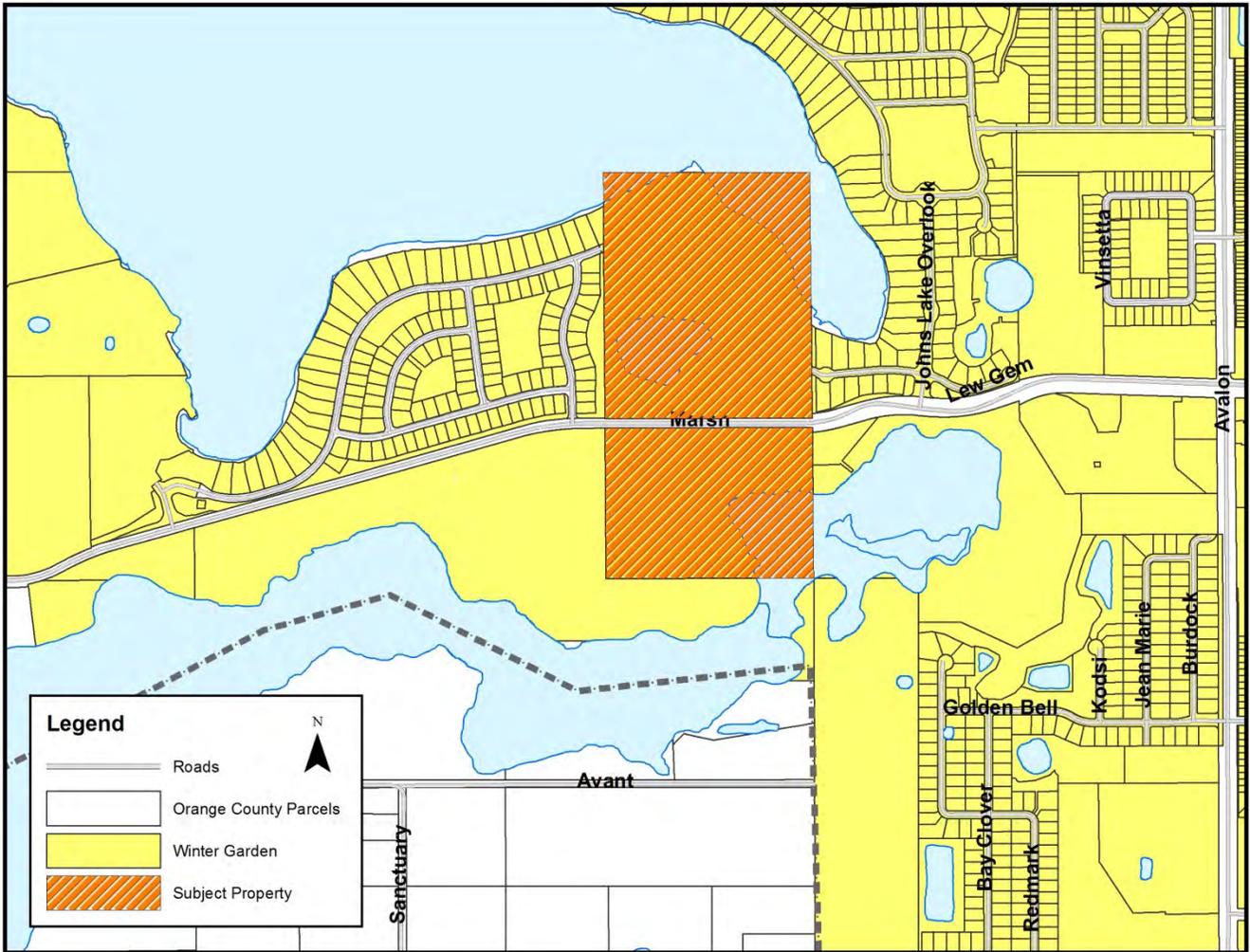
ATTACHMENT(S):

Location Map
Staff Report

LOCATION MAP

16303 Marsh Road

VARIANCE



CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

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

STAFF REPORT

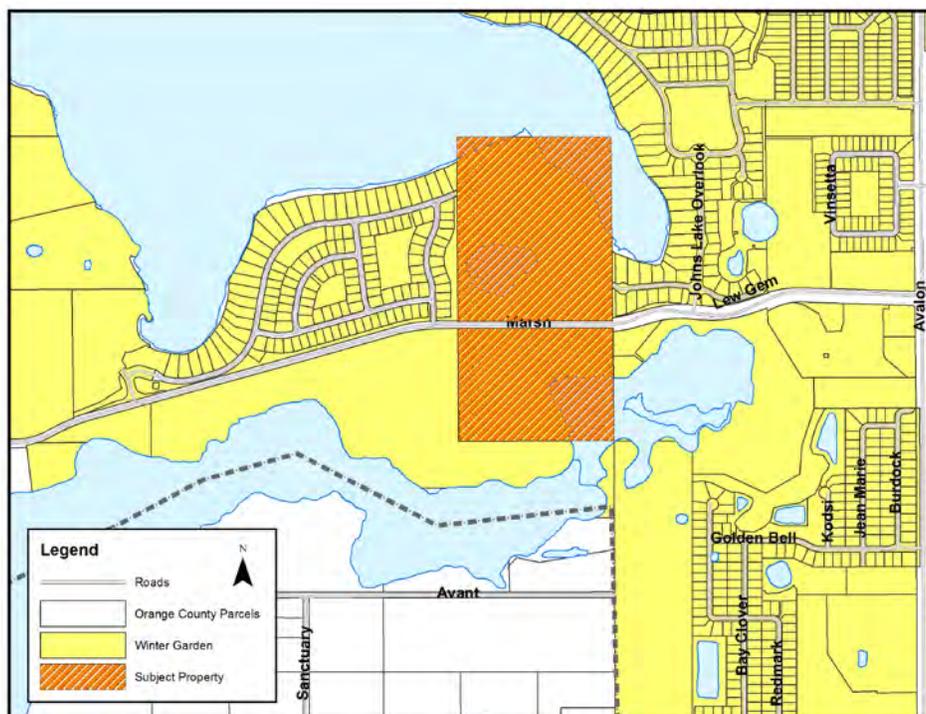
TO: PLANNING AND ZONING BOARD
PREPARED BY: KELLY CARSON, PLANNER II
DATE: JULY 1, 2015
SUBJECT: VARIANCE
16303 Marsh Road – TwinWaters Subdivision (77.33 +/- ACRES)
PARCEL ID # 05-23-27-0000-00-005, 05-23-27-0000-00-008

APPLICANT: Meritage Homes of Florida, Inc.

INTRODUCTION

The purpose of this report is to evaluate the request for a sign wall height variance for property located at 16303 Marsh Road in Winter Garden, Florida. The request is for a 2' variance to allow 8' tall subdivision sign walls in lieu of the maximum allowed 6' tall subdivision sign walls. If approved, this variance will allow two 8' tall subdivision sign walls to be constructed at the entrances of the TwinWaters residential subdivision (one 8' tall sign wall per entrance).

The subject property, located on Marsh Road, consists of two lots with a combined area of approximately 77.33 ± unplatted acres. The applicant is currently going through the final platting process to plat the subdivision with 140 single family residential lots. 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 UVPUD (Urban Village Planned Unit Development) and is designated VIL (Urban Village) on the Future Land Use Map of the City's Comprehensive Plan.

EXISTING USE

The subject property consists of land that was formerly used for agriculture (timberland). Currently, infrastructure for the TwinWaters subdivision is being installed on site. The property contains a jurisdictional wetland, a karst feature/wetland, and a portion of Johns Lake.

ADJACENT LAND USE AND ZONING

The subject property is bordered on the north side by John's Lake. The property located to the east of the subject property is the Hickory Hammock residential subdivision currently under site construction, which is zoned PUD in the City of Winter Garden. The property located to the west of the subject property on the north side of Marsh Road is the Waterside at John's Lake residential subdivision currently under site construction and is zoned UVPUD in the City of Winter Garden. The property located to the south and west of the subject property on the south side of Marsh Road is vacant unimproved land presently used for agriculture (timberland & citrus grove). This property is in the City of Winter Garden and is not currently zoned.

PROPOSED USE

The applicant is proposing to construct a total of two new sign walls that will each be a maximum of 8' tall: one at the entrance on the north side of Marsh Road that will include a water feature and one at the secondary entrance on the south side of Marsh Road.

CODE REFERENCES

Sec. 118-1297(i) of the City Code of Ordinances addresses maximum height for subdivision walls and/or buffers. This section states that all screen walls built adjacent to a public rights-of-way are limited to 6' in height: *Height of the screen wall shall be six feet from the finished grade of the location of the wall.*

The applicant is seeking a variance to allow 8' tall subdivision sign walls, which exceed the maximum permitted subdivision wall height by 2'.

Sec. 102-126(a) of the City Code of Ordinances addresses standards for permanent on-premise signs in the residential and planned unit development districts. This section states that all residential and PUD subdivision signs are permitted to be a maximum of 6' tall: *Table 1: Signs in Residential Districts: Residential and PUD Subdivisions, Apartments and Condominium Complexes, Multi-Family Dwellings: Maximum Height: 6'0.*

The applicant is seeking a variance to allow 8' tall subdivision sign walls, which exceed the maximum permitted subdivision sign height by 2'.

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 8’ tall sign walls to be constructed at the two entrances of the TwinWaters Subdivision should not negatively impact or interfere with the reasonable enjoyment of adjacent or nearby property owners. In addition, this project will not negatively impact the standard of living of the citizens of the City.

- (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 8’ tall subdivision sign walls to be constructed at the two entrances to the TwinWaters Subdivision will allow reasonable use of the property. There are many subdivisions throughout the City of Winter Garden that feature entry sign walls that exceed 6’ in height. The subdivision to the east of the Subject Property, Hickory Hammock, features several entry sign monuments that are more than 15’ in height. The subdivision signs are situated at a height of 8’ on these aforementioned monuments. Furthermore, granting this variance will not change the Urban Village character of the district.

- (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 easements, does not exceed the maximum permitted subdivision sign copy area, does not exceed the number of subdivision signs allowed, and meets all other development regulations of the Winter Garden Code of Ordinances.

- (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 urban village 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 8’ tall subdivision sign walls will not negatively impact the neighbors and are consistent with sign wall heights found at the entrances of many other subdivisions throughout the City. Denying this variance does not benefit the property owner or the City.

SUMMARY

City Staff recommends approval of a variance to Sections 118-1297(i) and 102-126(a) to allow the construction of 8' tall subdivision sign walls to be built at the two entrances of the TwinWaters residential subdivision.

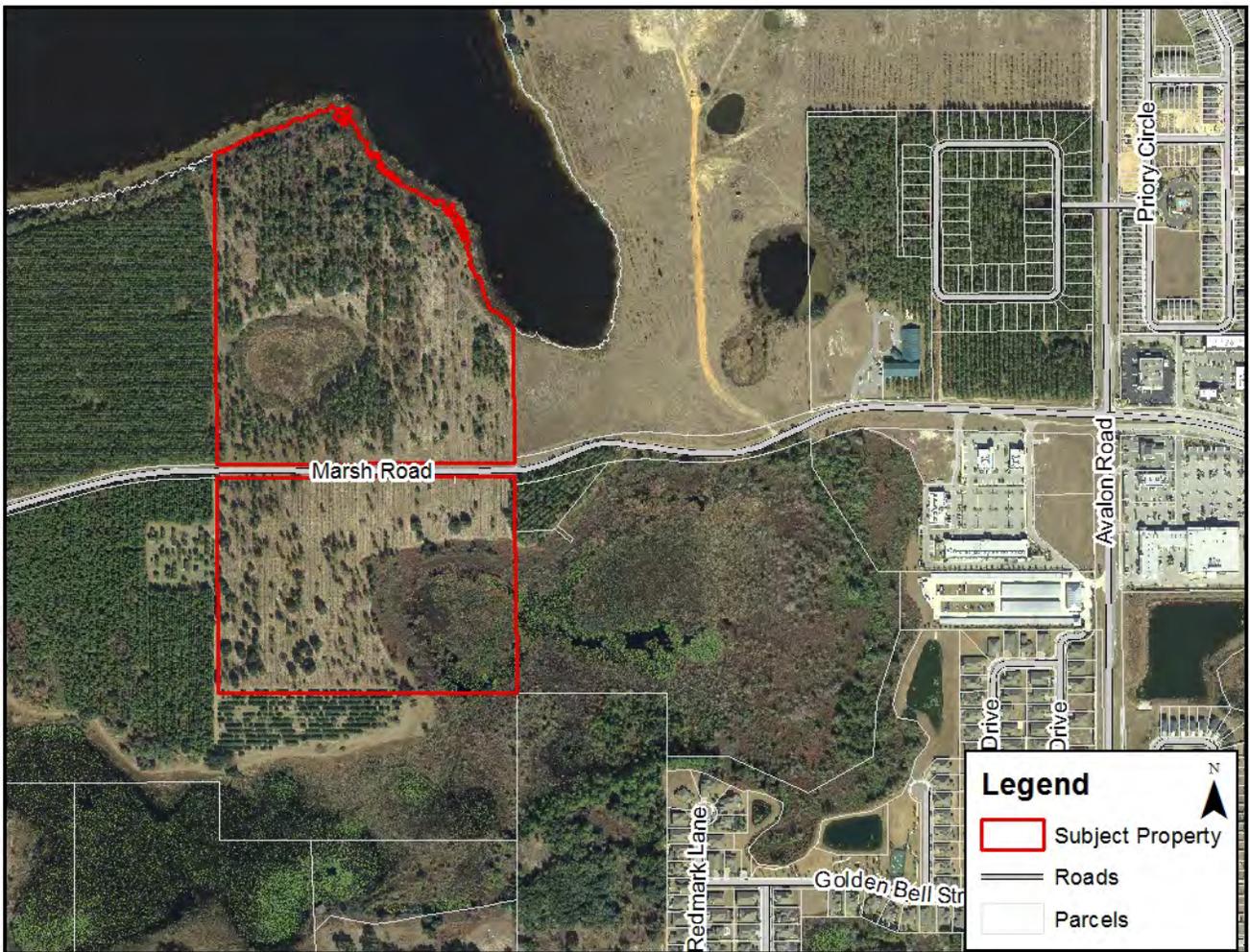
NEXT STEP

Obtain building permits while following all City of Winter Garden development regulations.

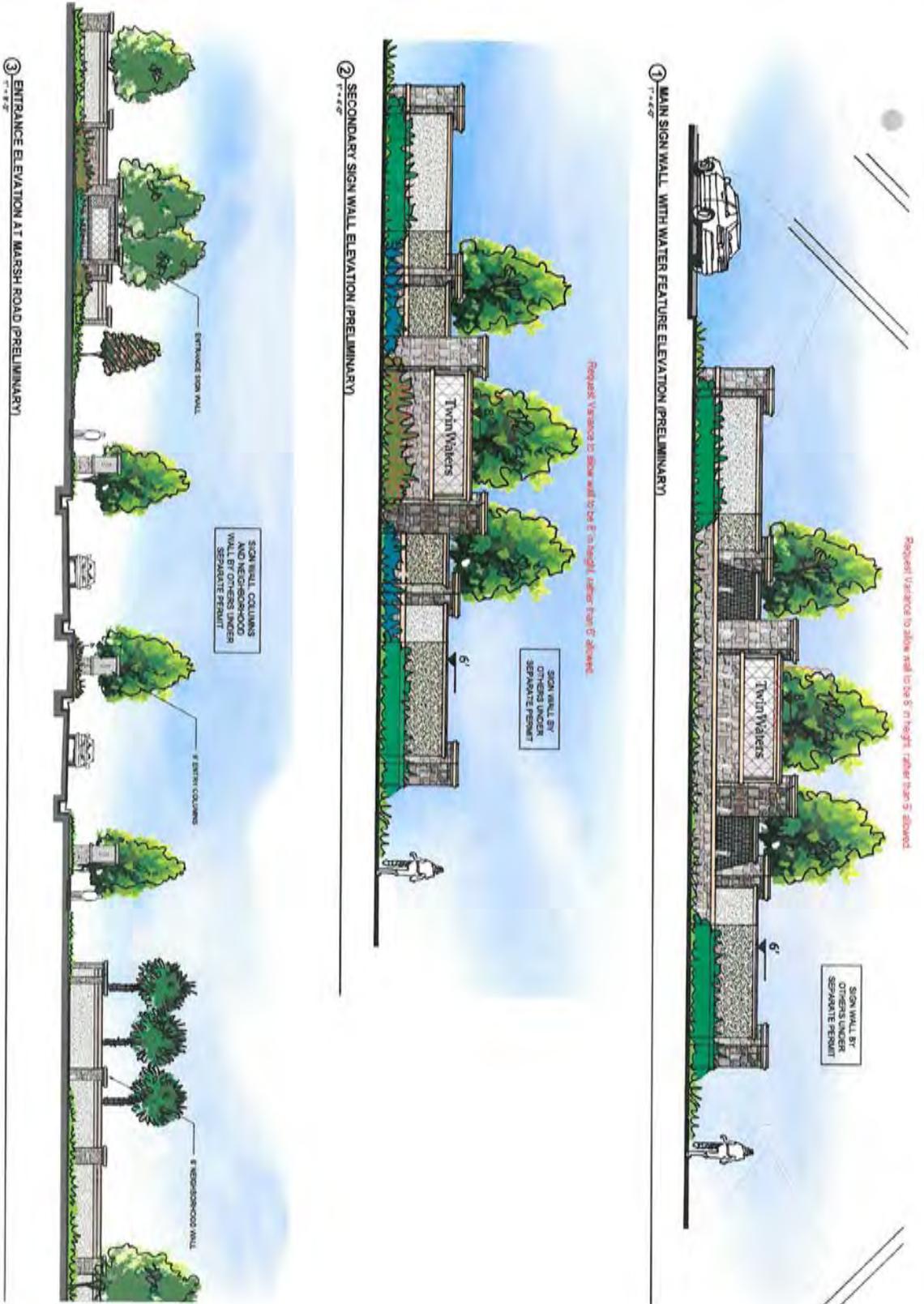
ATTACHMENTS

- Aerial Photo
- Proposed Entry Site Plan
- Proposed Entry Elevations
- Site Photos
- Photo of Hickory Hammock's Entry Features

AERIAL PHOTO
16303 Marsh Road



PROPOSED ENTRY ELEVATIONS
16303 Marsh Road



SITE PHOTOS
16303 Marsh Road



PHOTO OF HICKORY HAMMOCK'S ENTRY FEATURES



END OF STAFF REPORT

THE CITY OF WINTER GARDEN
PLANNING AND ZONING BOARD AGENDA ITEM

ITEM # 7 (Public Hearing)

DATE: July 1, 2015 **MEETING DATE:** July 6, 2015

SUBJECT: 12902 Roper Road (VARIANCE)
PROJECT NAME Canopy Oaks Subdivision Entry Features
PARCEL ID# 36-22-27-0000-00-012

ISSUE: The applicants are requesting a Variance to the maximum permitted height of subdivision walls, regulations for residential signs, and required side setbacks to allow the construction of sign walls, gates, and a pedestrian pavilion feature at the entrance of the Canopy Oaks residential subdivision located at 12902 Roper Road.

SUPPLEMENTAL MATERIAL/ANALYSIS:

OWNER/APPLICANT: Sift Oaks Investments, LLC

CURRENT ZONING: R-1B Single Family Residential District

PROPOSED ZONING: N/A

CURRENT FLU: LR Low Density Residential

PROPOSED FLU: N/A

SUMMARY:

The applicant is requesting a Variance to allow the construction of several entry features including sign walls, gates, and a pedestrian pavilion feature at the entrance of the Canopy Oaks residential subdivision. If approved, the variance would permit the construction of two 10'-8" sign walls with 52 square feet of sign area in lieu of the maximum allowed 6' tall subdivision wall with a maximum allowed 32 square feet of sign area. The variance would also allow the installation of two 11'-2" tall entry gates in lieu of the maximum allowed 6' tall gate. Additionally, the variance would permit the construction of a pavilion structure located approximately 1' from the side property line of the subdivision tract in lieu of the required 10' side setback.

STAFF RECOMMENDATION(S):

Staff recommends approval of the variance request.

NEXT STEP(S):

Apply for building permits.

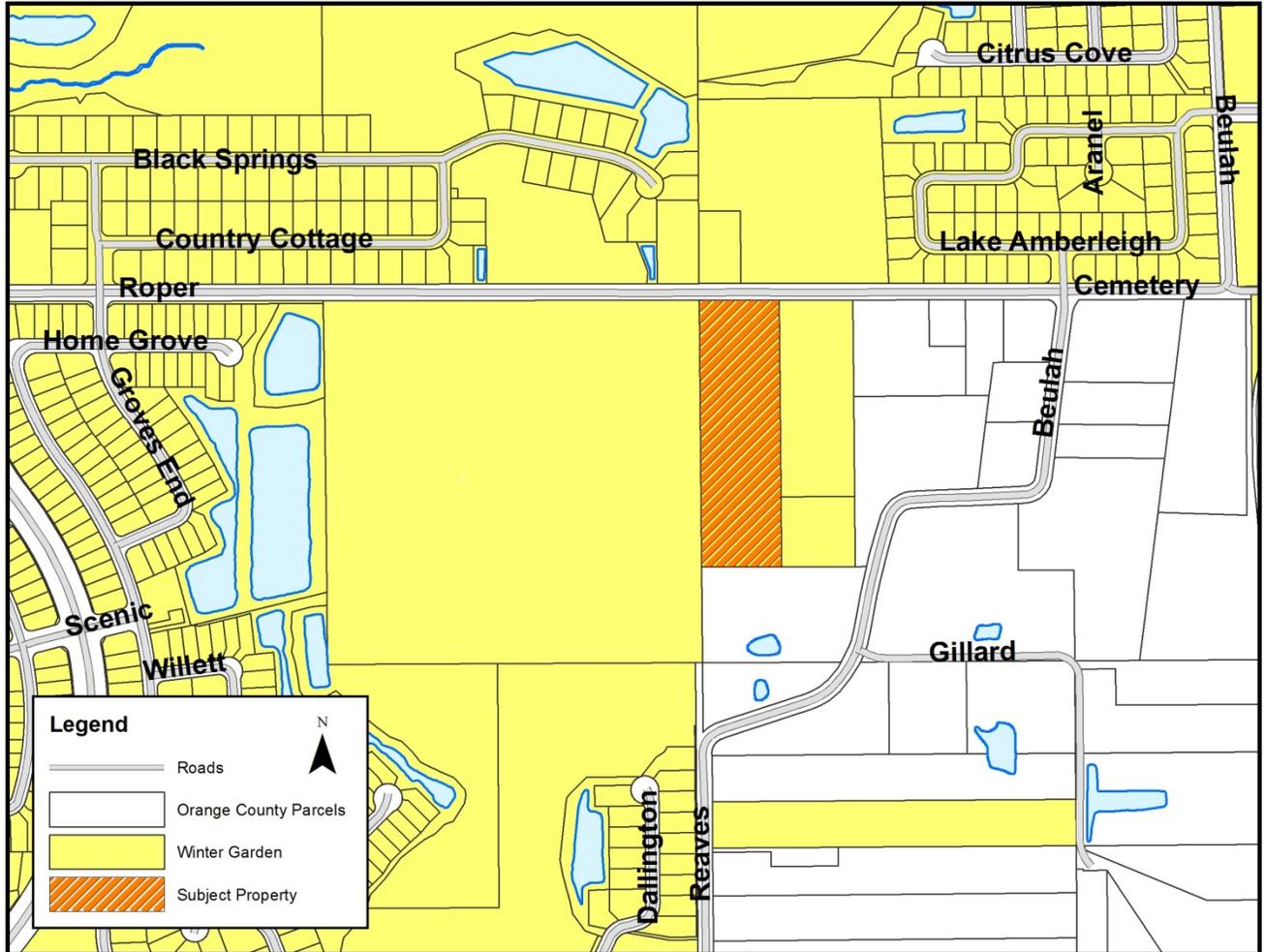
ATTACHMENT(S):

Location Map
Staff Report

LOCATION MAP

12902 Roper Road

VARIANCE



CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

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

STAFF REPORT

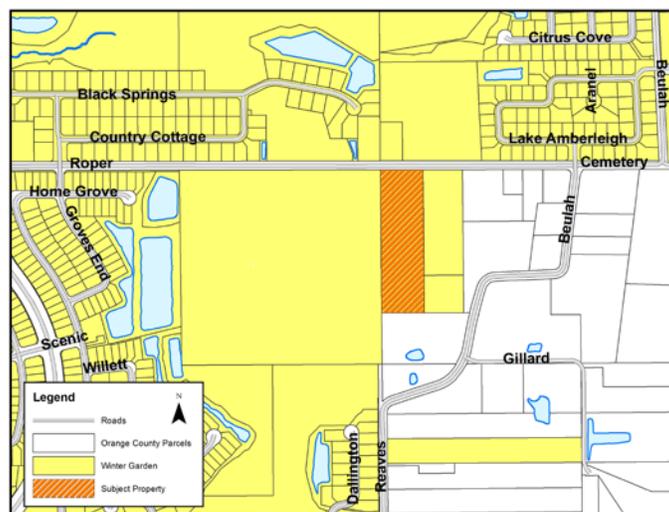
TO: PLANNING AND ZONING BOARD
PREPARED BY: KELLY CARSON, PLANNER II
DATE: JULY 1, 2015
SUBJECT: VARIANCE
12902 Roper Road – Canopy Oaks Subdivision (6.30 +/- ACRES)
PARCEL ID # 36-22-27-0000-00-012

APPLICANT: Sift Oaks Investments, LLC

INTRODUCTION

The purpose of this report is to evaluate the request for a variance for property located at 12902 Roper Road in Winter Garden, Florida. The request is for a variance to allow the construction of several entry features including sign walls, gates, and a pedestrian pavilion feature at the entrance of the Canopy Oaks residential subdivision. If approved, the variance would permit the construction of two 10'-8" sign walls with 52 square feet of sign area in lieu of the maximum allowed 6' tall subdivision wall with a maximum allowed 32 square feet of sign area. The variance would also allow the installation of two 11'-2" tall entry gates in lieu of the maximum allowed 6' tall gate. Additionally, the variance would permit the construction of a pavilion structure located approximately 1' from the side property line of the subdivision tract in lieu of the required 10' side setback.

The subject property, located on Roper Road, is an approximately 6.30 ± acre lot. The combined land area of the subject property and three other adjacent lots will constitute the proposed Canopy Oaks Subdivision. The applicant is currently going through the final platting process to plat Phase 1 of the subdivision with 49 single family residential lots. 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-1B (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 had been previously used for agricultural purposes, and was developed with a one-story manufactured home, a trailer, five sheds, and a barn. The site has since been cleared and infrastructure for the Canopy Oaks subdivision is currently being installed on site.

ADJACENT LAND USE AND ZONING

The subject property is bordered on the east and west by parcels that are part of the larger Canopy Oaks subdivision, which are zoned R-1B and located in the City of Winter Garden. The property to the south of the subject property contains the Orange County Highway Maintenance Department, is zoned A-1, and is located in Unincorporated Orange County. To the north of the subject property are residential parcels zoned R-1 and located in Winter Garden.

PROPOSED USE

The applicant is proposing to construct a total of two new sign walls that will each be a maximum of 10'-8" tall, two gates that will be a maximum of 11'-2" tall, and a pedestrian gate pavilion structure that will be located approximately 1'-0" from the property line of the proposed subdivision tract. The overall Canopy Oaks entry feature design includes a decorative gate/guard house (unmanned), low planter walls, wrought iron wall insert details, and landscaping.

CODE REFERENCES

Sec. 118-1297(i) of the City Code of Ordinances addresses maximum height for subdivision walls and/or buffers. This section states that all walls and screens built adjacent to a public rights-of-way are limited to 6' in height: *Height of the screen wall shall be six feet from the finished grade of the location of the wall.*

The applicant is seeking a variance to allow the construction of two 10-8" tall subdivision sign walls and two 11'-2" tall entry gates, which exceed the maximum permitted subdivision wall & buffer height by 4'-8" and 5'-2" respectively.

Sec. 102-126(a) of the City Code of Ordinances addresses standards for permanent on-premise signs in the residential and planned unit development districts. This section states that all residential and PUD subdivision signs are permitted to be a maximum of 6' tall and have a maximum sign area of 32 sq. ft.: *Table 1: Signs in Residential Districts: Residential and PUD Subdivisions, Apartments and Condominium Complexes, Multi-Family Dwellings: Maximum Height: 6'0; Permitted Sign Area: 32 Square Feet.*

The applicant is seeking a variance to allow the construction of two 10-8" tall subdivision sign walls, which exceed the maximum permitted subdivision sign height by 4'-8". The applicant is also seeking to install a sign with 52 square feet of sign area, which exceeds the maximum permitted sign area by 20 square feet. The sign's actual *copy* area will meet the code requirements.

Sec. 118-352(1) of the City Code of Ordinances addresses minimum yard requirements for

structures built on R-1B zoned properties. This section states that in the R-1B residential district, the minimum yard requirements are, “*Front: 25 feet, Side: ten feet each, Rear: 25 feet.*”

The applicant is seeking a side yard setback variance in order to allow the construction of a pedestrian gate pavilion structure that’s built approximately 1’ from the subdivision tract side property line, which exceeds the minimum 10’ side yard setback required by City code. The approximate 1’ setback is to the proposed roofline- the pavilion posts will be set back farther (approximately 2.5’).

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 entry features to be constructed at the entrance of the Canopy Oaks Subdivision should not negatively impact or interfere with the reasonable enjoyment of adjacent or nearby property owners. The applicants are proposing to construct a high-quality subdivision with substantial amenities and large single family residences. The proposed entry features will be consistent with the grand, luxurious character of the overall neighborhood, while also serving to enhance the aesthetics of Roper Road and surrounding residential properties. In addition, this project will not negatively impact the standard of living of the citizens of the City.

- (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 the construction of the proposed Canopy Oaks entry features will allow reasonable use of the property. There are many subdivisions throughout the City of Winter Garden that have entry features that exceed the requirements of City code. For example, the Stone Crest Subdivision sign wall, located on Winter Garden Vineland Road, is approximately 14’-8” tall. Near Stone Crest is the Bay Isle Subdivision, which has a sign wall that is approximately 9’-6” tall. The Hickory Hammock entrance features several sign/decorative monuments that are more than 15’ in height with subdivision signs that exceed the permitted 6’ height. Furthermore, granting this variance will not change the low density residential character of the district.

- (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 easements, does not exceed the number of subdivision signs allowed, and meets all other development regulations of the Winter Garden Code of Ordinances.

(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 low density 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 entry features will not negatively impact the neighbors and are consistent with features found at the entrances of many other subdivisions throughout the City. The proposal would also provide safety features for neighborhood residents- the pedestrian pavilion would be a safe place for children to wait for the morning school bus. Denying this variance does not benefit the property owner or the City.

SUMMARY

City Staff recommends approval of a variance to 118-1297(i), 102-126(a), and 118-352(1)b to allow the construction of two 10'-8" sign walls with 52 square feet of copy area, two 11'-2" tall entry gates, and a pedestrian pavilion structure located approximately 1' from the side property line of a subdivision tract- all to be built at the entrance of the Canopy Oaks residential subdivision.

NEXT STEP

Obtain building permits while following all City of Winter Garden development regulations.

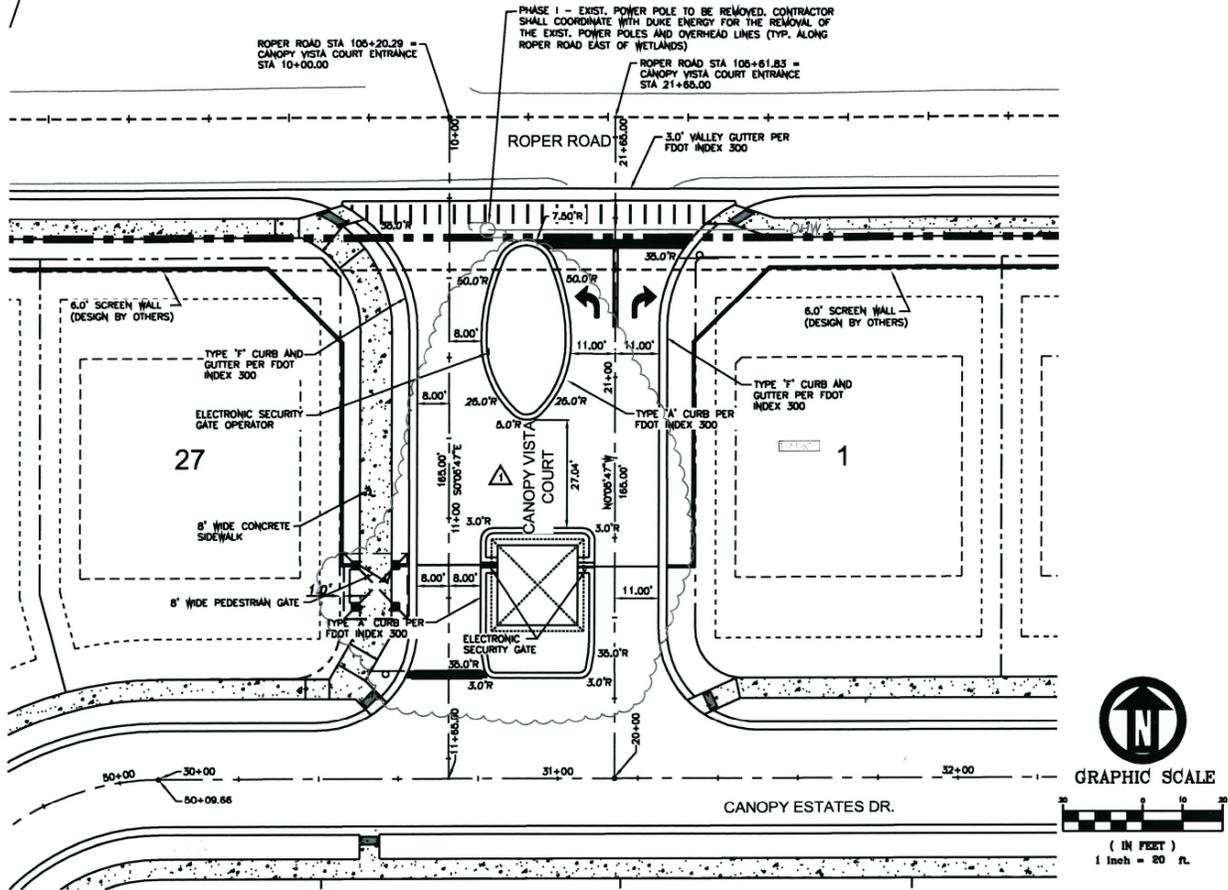
ATTACHMENTS

- Aerial Photo
- Proposed Entry Site Plan
- Proposed Entry Elevations and Details
- Site Photos
- Photos of Other Entry Features

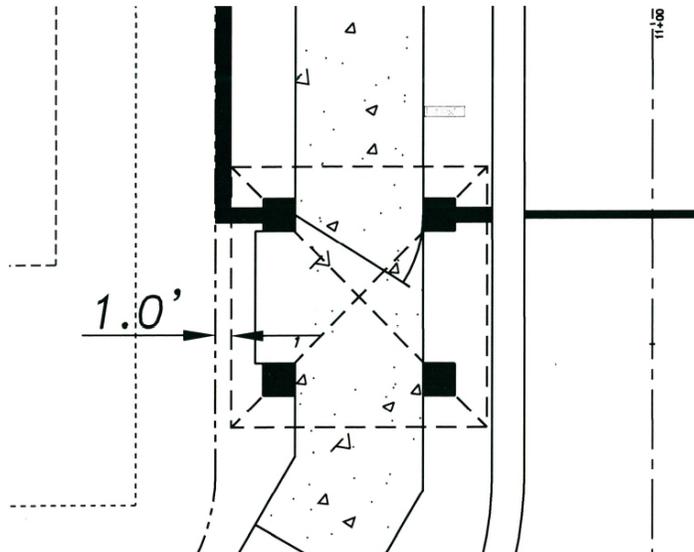
AERIAL PHOTO
12902 Roper Road



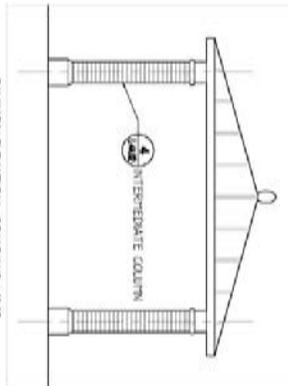
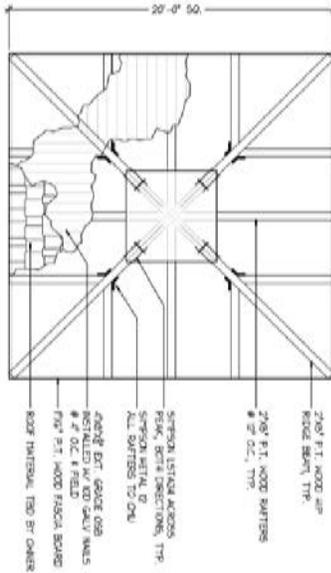
PROPOSED ENTRY SITE PLAN
12902 Roper Road



CANOPY VISTA COURT / ROPER ROAD INTERSECTION



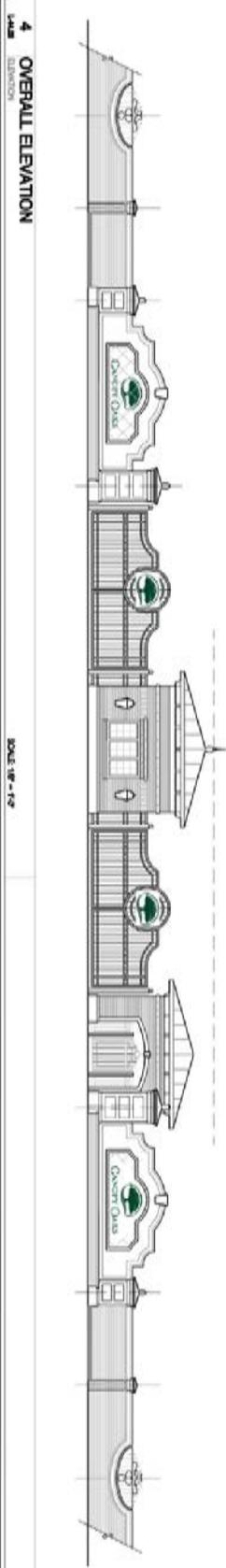
PROPOSED ENTRY DETAILS & ELEVATION
12902 Roper Road

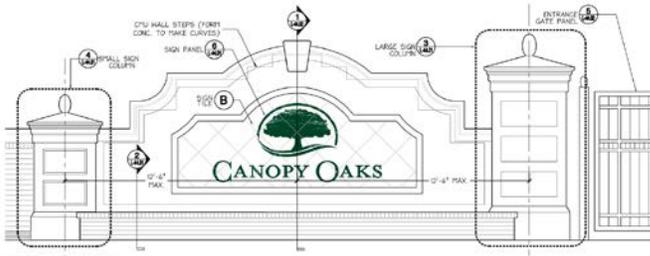


HARDSCAPE FINISH SCHEDULE

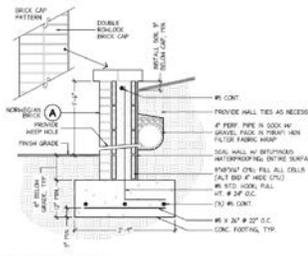
SYM	QTY	ITEMS	SPECIFICATIONS
(A)	-	WEDGEMAN BRICK	TYPE: CLAY BRICK TO BE DETERMINED BY OWNER (PROVIDE SAMPLES) FINISH: NATURAL
(B)	-	SIENNA TILE	TYPE: CERAMIC TO BE DETERMINED BY OWNER (PROVIDE SAMPLES) FINISH: GLOSS
(C)	-	PRECAST BARRIER WALL	TYPE: PRECAST CONCRETE BARRIER WALL IN CAP FINISH TO BE DETERMINED BY OWNER

NOTE: CONTRACTOR MUST SUBMIT SAMPLES AND / OR OBTAIN SHOP DRAWING APPROVAL FOR ALL FINISH SCHEDULE ITEMS FOR ALL PAVER, TILE & STONE AREAS. CONTRACTOR MUST PROVIDE / INSTALL A MIN. 10x10" MOCK-UP AREA OF FINISHED PRODUCT FOR OWNERS APPROVAL OF BOTH PATTERNS & COLORS PRIOR TO CONTINUING & FINALIZING JOB. FOR METAL WORK (FENCES & HANDRAILS) SAMPLES OF ALL DECORATIVE HARDWARE AND FINISHES MUST BE APPROVED BY OWNER PRIOR TO MANUFACTURING. PAINTED & SEALED AREAS WILL REQUIRE SWATCHES ON FINISHED PRODUCT FOR OWNERS APPROVAL. NO AREA OF PROJECT SHALL BE FINISHED WITHOUT OWNERS APPROVAL OF THESE FINISHES / ITEMS.





1 ENTRANCE SIGN
 ELEVATION



2 PLANTER WALL
 SECTION

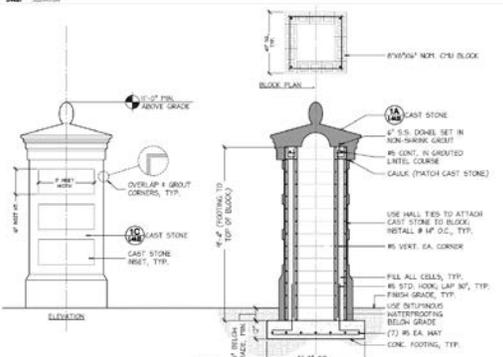
LEGEND & NOTES:
 HATCHED PATTERN FROM LEGEND
 ZZ FINISH NUMBER CALL OUT SET BY REFERENCED LETTER/NUMBER

REFERENCE LETTER	DESCRIPTION
A	NON-SLAG BRICK
B	NO. 16 CAST STONE
C	NO. 16 CAST STONE

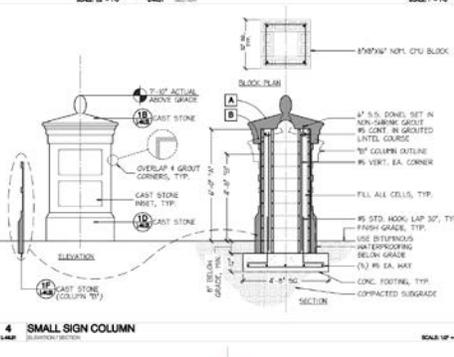
LIST OF REFERENCES:
 HATCHED PATTERN FROM LEGEND
 ZZ FINISH NUMBER CALL OUT SET BY REFERENCED LETTER/NUMBER

REFERENCE LETTER	DESCRIPTION
A	NON-SLAG BRICK REFER TO 35-40-01
B	NO. 16 CAST STONE REFER TO 35-40-02
C	PRECAST BUFFER WALL REFER TO 35-40-07

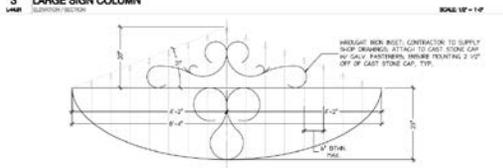
CONTRACTOR TO PROVIDE FINISH ALTERNATE TO OTHER STRUCTURAL BRICK OR 2\"/>



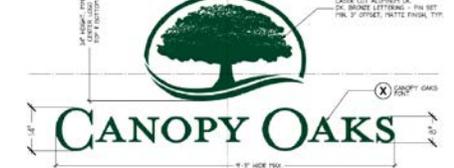
3 LARGE SIGN COLUMN
 ELEVATION



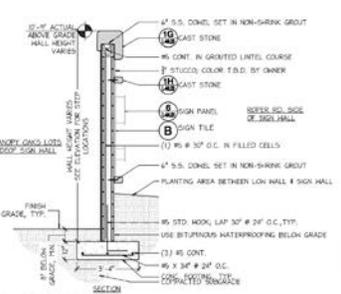
4 SMALL SIGN COLUMN
 ELEVATION



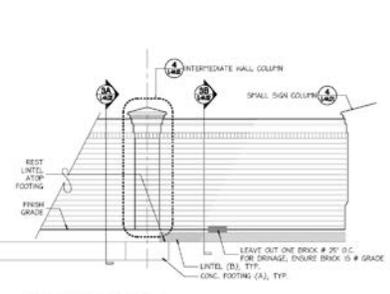
5 ORNAMENTAL WALL INSET
 ELEVATION



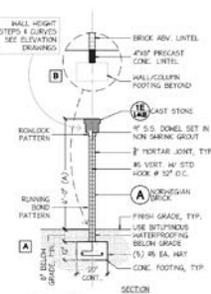
6 SIGN PANEL
 ELEVATION



1 SIGN PANEL WALL
 SECTION



2 BUFFER WALL (ROPER RD)
 ELEVATION



3 BRICK WALL
 SECTION

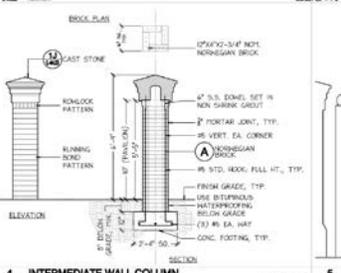
LEGEND & NOTES:
 HATCHED PATTERN FROM LEGEND
 ZZ FINISH NUMBER CALL OUT SET BY REFERENCED LETTER/NUMBER

REFERENCE LETTER	DESCRIPTION
A	NON-SLAG BRICK
B	NO. 16 CAST STONE
C	NO. 16 CAST STONE

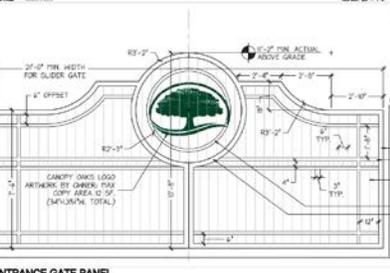
LIST OF REFERENCES:
 HATCHED PATTERN FROM LEGEND
 ZZ FINISH NUMBER CALL OUT SET BY REFERENCED LETTER/NUMBER

REFERENCE LETTER	DESCRIPTION
A	NON-SLAG BRICK REFER TO 35-40-01
B	NO. 16 CAST STONE REFER TO 35-40-02
C	PRECAST BUFFER WALL REFER TO 35-40-07

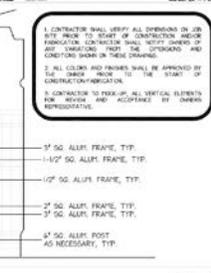
CONTRACTOR TO PROVIDE FINISH ALTERNATE TO OTHER STRUCTURAL BRICK OR 2\"/>



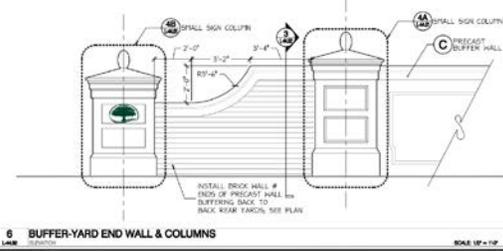
4 INTERMEDIATE WALL COLUMN
 ELEVATION



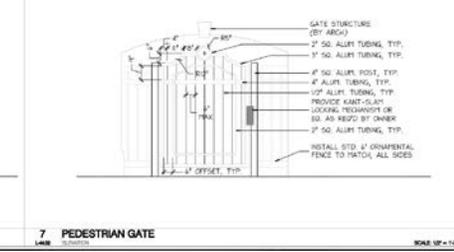
5 ENTRANCE GATE PANEL
 ELEVATION



7 PEDESTRIAN GATE
 SECTION



6 BUFFER-YARD END WALL & COLUMNS
 ELEVATION



7 PEDESTRIAN GATE
 SECTION

1. CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON SITE WITH PROJECTIONS OF CONSTRUCTION. VERIFY AND CORRECT BEFORE THE OPERATIONS AND CONSTRUCTION BEGIN IN THESE DRAWINGS.

2. ALL COLORS AND FINISHES SHALL BE APPROVED BY THE OWNER AND ACCORDING TO THE START OF CONSTRUCTION/INSTALLATION.

3. CONTRACTOR TO PICK UP ALL UTILITY ELECTRICS FOR REVIEW AND ACCORDING TO THE OWNER'S PROVISIONS.

3\"/>

1-1/2\"/>

1-1/2\"/>

2\"/>

4\"/>

INSTALL STD 4\"/>

FENCE TO MATCH ALL SIDES

SITE PHOTOS
12902 Roper Road



PHOTOS OF OTHER ENTRY FEATURES

Stone Crest (on Rt535)

Planter is 20" tall and Sign is 13' above the planter

Approximate dimensions: 25'



Bay Isle (on Rt535)

Approximate: Planter is 16" tall and sign is 98" above the planter



END OF STAFF REPORT

THE CITY OF WINTER GARDEN
PLANNING AND ZONING BOARD AGENDA ITEM

ITEM # 8 (Public Hearing)

DATE: 06/30/2015 **MEETING DATE:** 07/06/2015

SUBJECT: 46 W. Vining Street (VARIANCE)
PROJECT NAME 46 W. Vining Street, Browder Residence
PARCEL ID# 23-22-27-2468-00-900

ISSUE: The applicant is requesting a Variance Permit to allow for the addition of a carport with storage room, breezeway extension and bathroom addition to the primary structure.

SUPPLEMENTAL MATERIAL/ANALYSIS:

OWNER/APPLICANT: Frank and Jaqueline Browder

CURRENT ZONING: R-2

PROPOSED ZONING: N/A

CURRENT FLU: Low Density Residential

PROPOSED FLU: N/A

SUMMARY:

The subject property consists of a 0.24 ± acre lot located at 46 W. Vining Street. The applicant is requesting a variance permit to allow the construction of a carport with storage room, breezeway extension and bathroom addition to the primary structure. The variance is for the new addition to the principle structure exceeding the allowed rear yard setbacks (see attached Staff Report).

STAFF RECOMMENDATION(S):

Staff recommends approval of the rear yard setback variance with the conditions outlined in the Staff Report.

NEXT STEP(S):

Apply for a building permit to proceed with construction of the proposed structure addition.

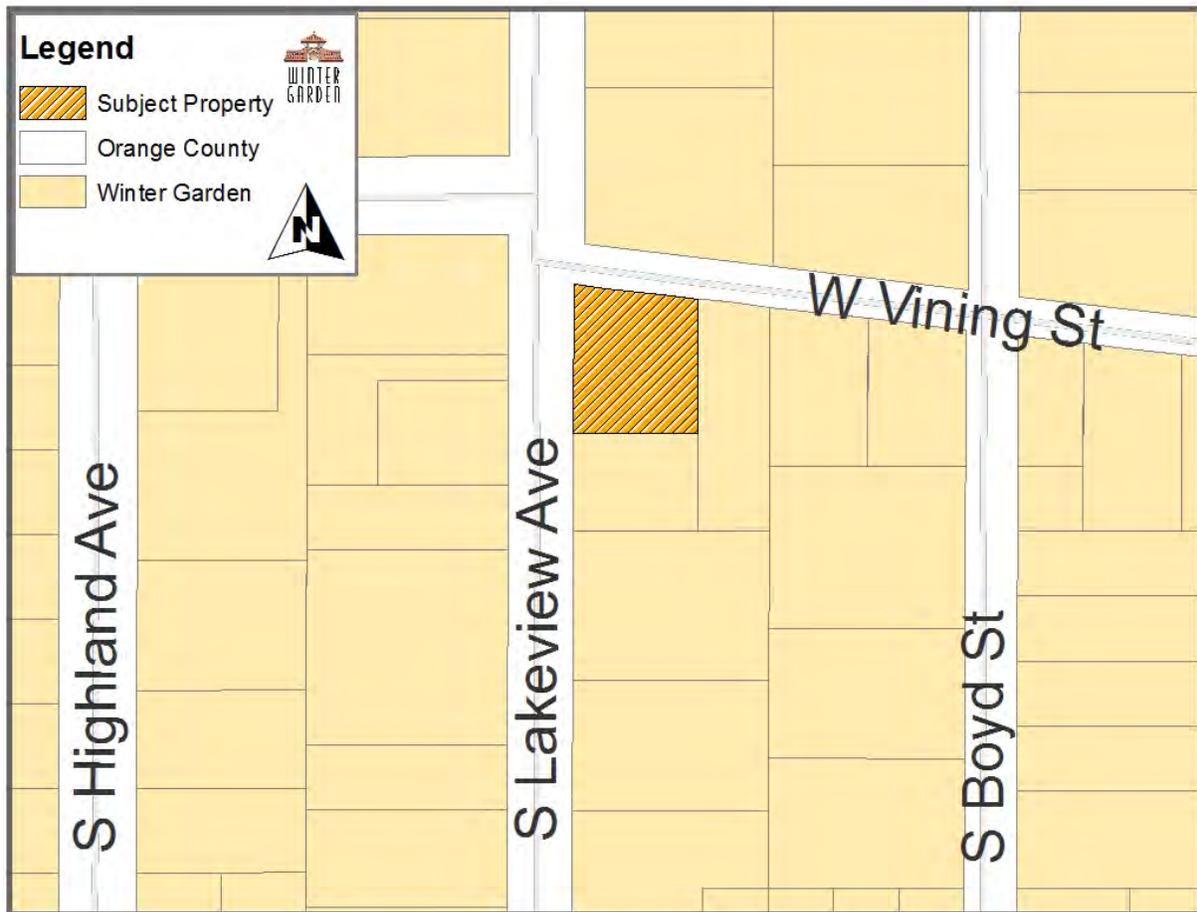
ATTACHMENT(S):

LOCATION MAP
STAFF REPORT

LOCATION MAP

46 W. Vining Street

VARIANCE



CITY OF WINTER GARDEN
PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34687-3011 • (407) 656-4111

STAFF REPORT

TO: PLANNING AND ZONING BOARD
PREPARED BY: JESSICA FRYE, PLANNER I
DATE: June 16, 2015
SUBJECT: VARIANCE
46 W Vining Street (0.24 +/- ACRES)
PARCEL ID # 23-22-27-2468-00-900

APPLICANT: Frank and Jacqueline Browder

INTRODUCTION

The purpose of this report is to evaluate the request for a rear yard setback variance for the property located at 46 W. Vining Street in Winter Garden, Florida. The request is for a 16.9' rear yard setback in lieu of the minimum required 22' rear yard setback (20 percent of lot depth). If approved, this variance will allow the construction of a carport with storage room, breezeway extension and bathroom addition to the primary structure.

The subject property, located at the corner of S. Lakeview Avenue and W. Vining Street, is approximately 0.24 ± acre lot. 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-2 and is designated LR (Low Density Residential) on the Future Land Use Map of the City's Comprehensive Plan.

EXISTING USE

The subject property is currently developed with a single family residence.

ADJACENT LAND USE AND ZONING

The properties immediately adjacent to the subject property are zoned R-2 and are within the City of Winter Garden Municipal limits.

PROPOSED PROJECT

The applicant is proposing to build a carport with a storage room toward the rear of the property with a breezeway leading to the main structure with a bathroom addition. The addition will be approximately 771 square feet.

CODE REFERENCE

Section 118-398 (1) c. of the City Code addresses rear setbacks as 20 percent of the lot depth. The property currently has two depth lengths, so taking the average of the two depths gives a depth of 21.96' or 22'.

The applicant is seeking a variance to the minimum required rear yard setback of approximately 22' to allow an addition to the home to be located approximately 16.9' from the rear property.

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 to the primary structure at 16.9' from the rear property line should not negatively impact or interfere with the reasonable enjoyment of adjacent or nearby property owners. Currently, the home is nonconforming with a rear yard setback of 9.7' at the shortest dimension, the new addition does not encroach the rear setback any further than where the primary structure currently sits. Several properties within the area are nonconforming due to the age of the neighborhood. The subject property was built in 1938 and the homes immediately adjacent to the subject property were built in 1928 and 1925. Other variances in the area include addresses 27 W. Story Road and 516 S. Lakeview Avenue. 27 W. Story Road was approved in July of 2004 which allowed a front yard setback of 26' in lieu of 30', a side yard setback of 7' in lieu of 10', a rear yard setback of 15' in lieu of 20' and the side yard setback of 9' in lieu of 15' along S. Boyd Street. 516 S. Lakeview Avenue was approved for a 5'8" rear yard setback in June of 1980.

(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 16.9' rear yard setback in lieu of the minimum required 22' rear yard setback to construct a carport addition with a storage room, breezeway and bathroom will allow reasonable use of the property. The proposed structure will help with the aesthetics of the property and update and repair the current conditions of the home. Granting this variance will not change the low density residential character of the neighborhood.

- (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 easements, does not exceed the maximum impervious surface allowed for the R-2 zoning (50%) and meets all other development regulations of the Winter Garden Code of Ordinances.

- (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 low density 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 additions to the primary structure will not negatively impact the neighbors and is consistent with rear yard setbacks enjoyed by many other property owners throughout the City. Denying this variance does not benefit the property owner or the City.

SUMMARY

Staff recommends approval of the variance to Section 118-398 (1) c. . for a 16.9' rear yard setback in lieu of the minimum required 22' rear yard setback. If approved, this variance will allow the construction of a carport with storage room, breezeway extension and bathroom addition to the primary structure.

to allow rear yard setback with the following condition:

1. The additions must architecturally match the primary structure.

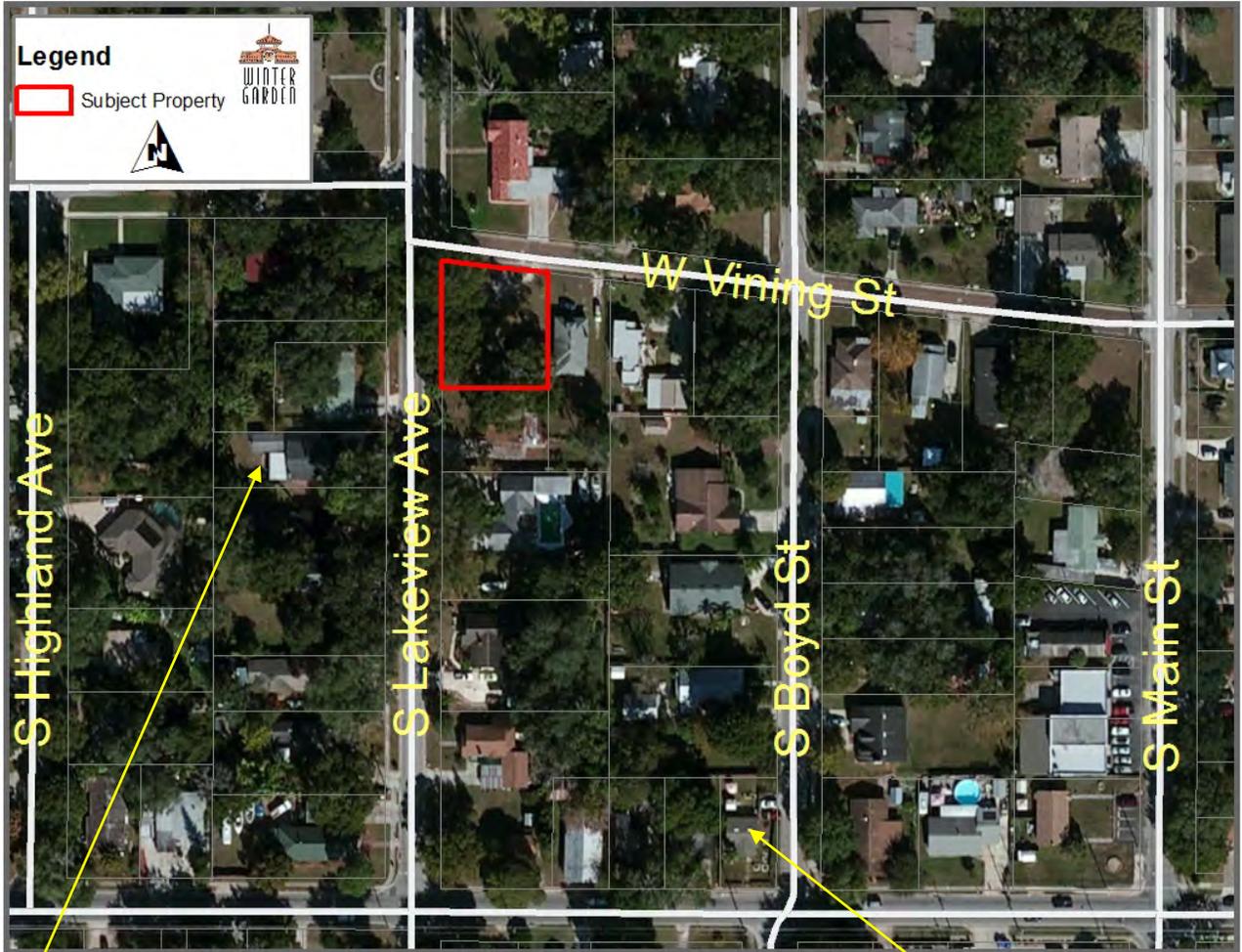
NEXT STEP

Obtain building permits while following all City of Winter Garden development regulations.

ATTACHMENTS

- Aerial Photo
- Proposed Site Plan
- Proposed Construction Plans
- Site Photos

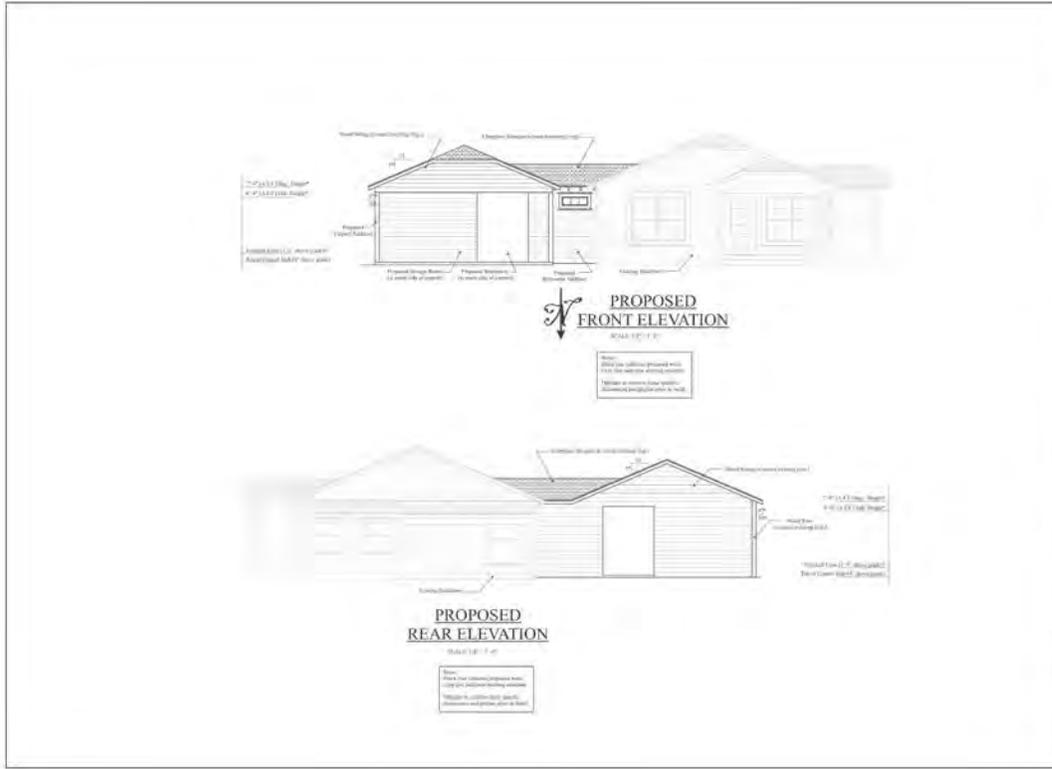
AERIAL PHOTO
46 W. Vining Street



516 S. Lakeview
Rear Yard Setback

27 W. Story Road
Front, Sides and
Rear Setback

PROPOSED SITE PLAN
46 W. Vining Street



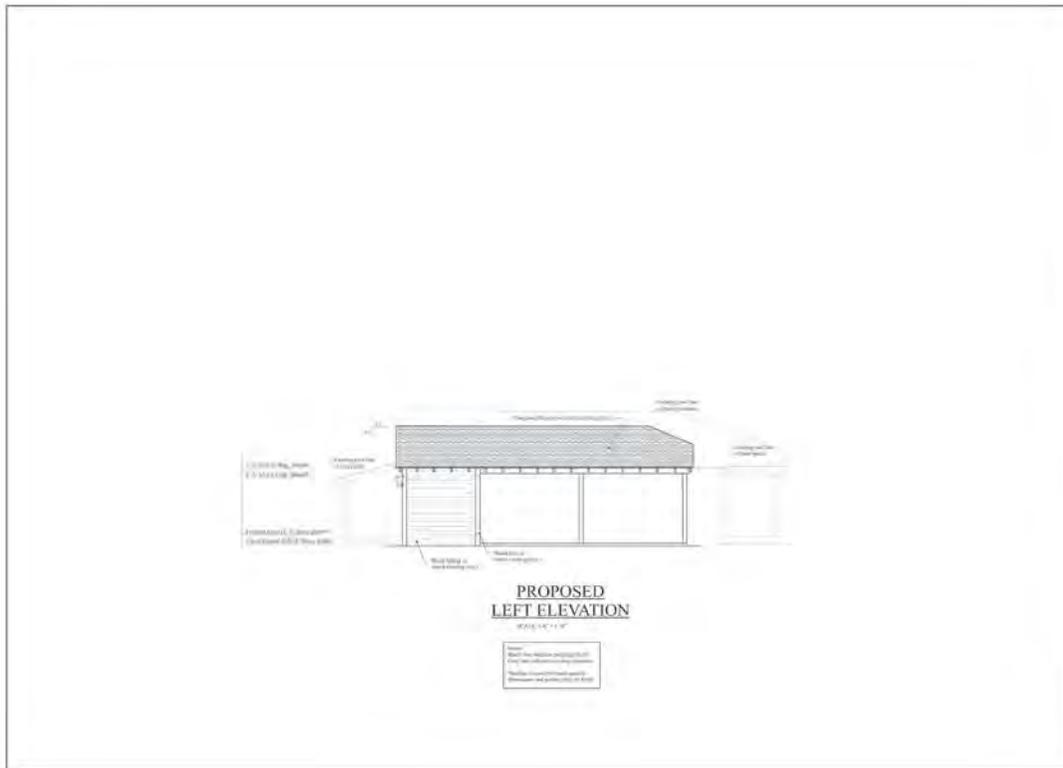
WillowTree
 Parkside
 design & construction
 Cassette Arnold
 P.O. Box 732
 Gotha, FL 34734
 352.409.2679

ADDITIONAL:
Frank & Jackie Browder
 46 W. Vining Street
 Winter Garden, FL 34787

BUILDER:
Frank & Jackie Browder
 125 W. Tilden Street
 Winter Garden, FL 34787
 (407) 656-6845

Drawn Date: 5/12/2015
 REVISIONS:

Sheet 7 of 7



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Sheet 7 of 7

SITE PHOTOS
46 W. Vining Street

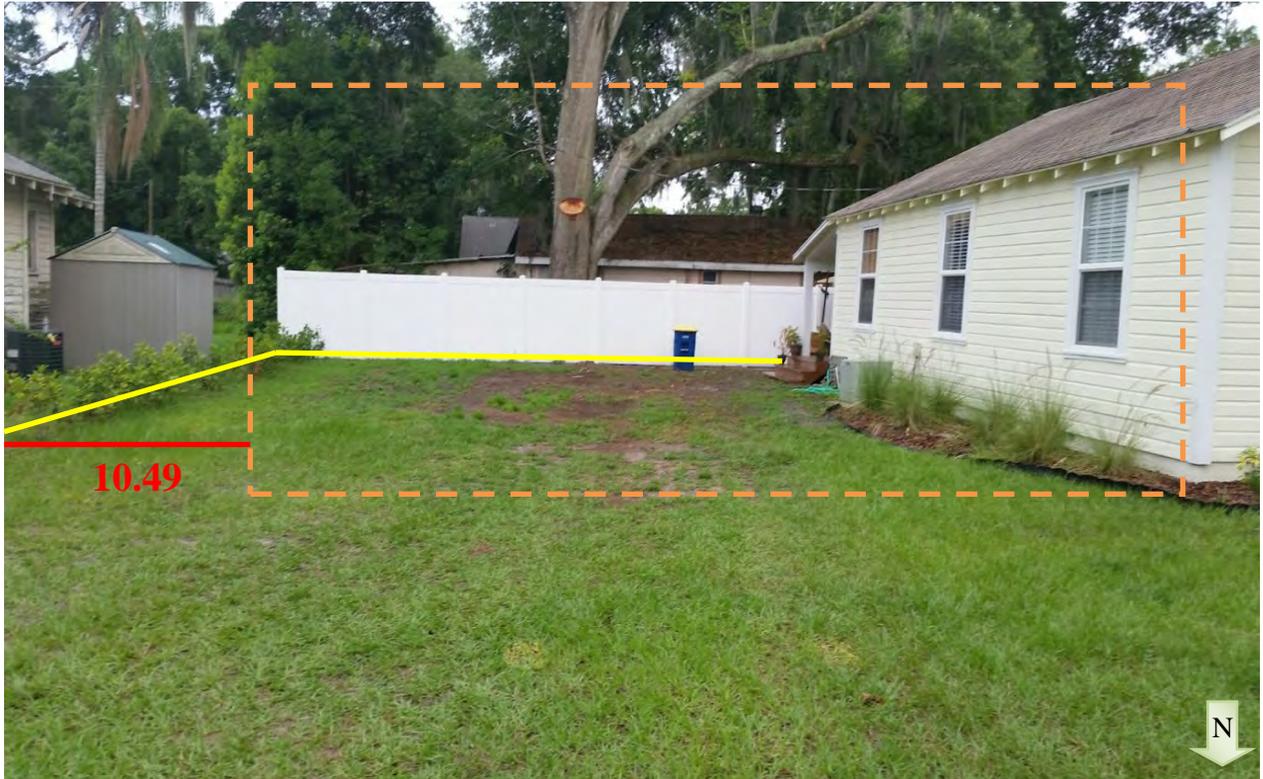


This photo is the front of the property; the picture was taken from the north side of the property facing toward the south. The east side of the property is where new addition will be built.

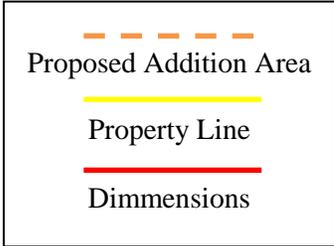
Proposed Addition Area

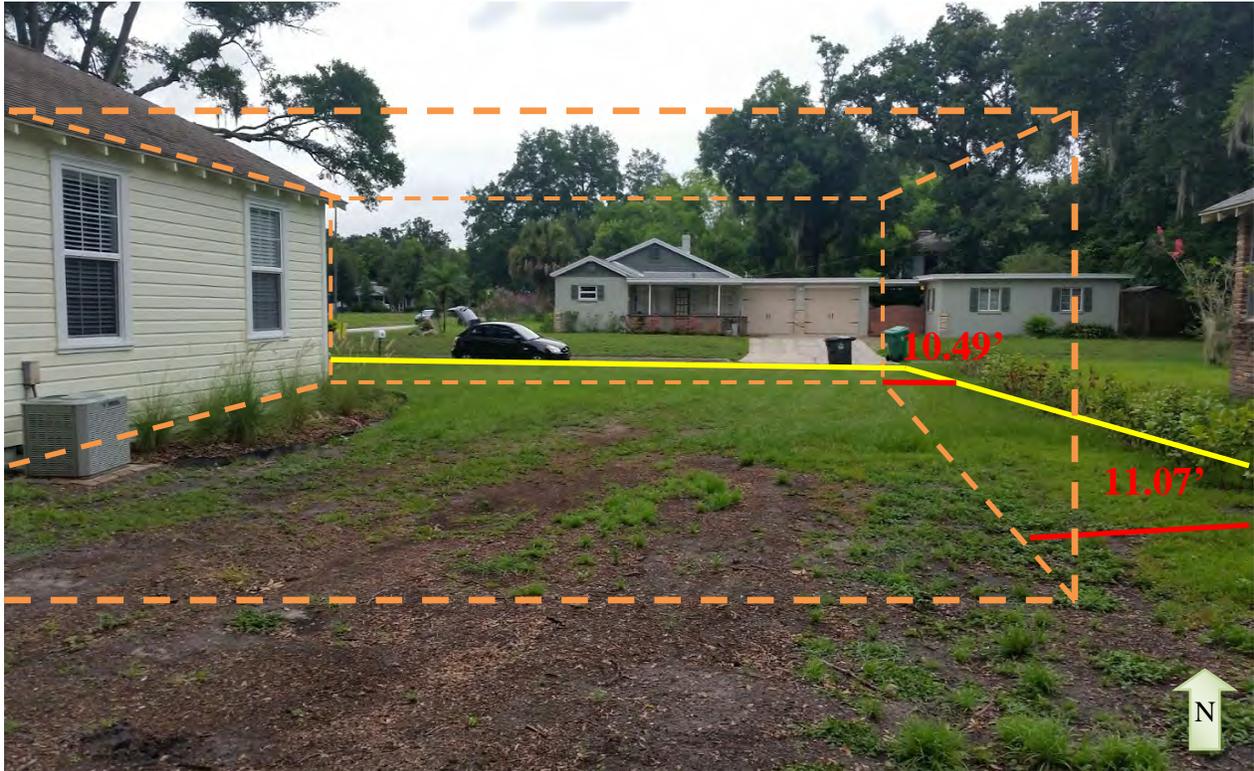
Property Line

Dimmensions



This photo shows the east side of the property; the picture was taken from the northeast side of the property facing toward the southeast. The proposed structure will encompass this area.



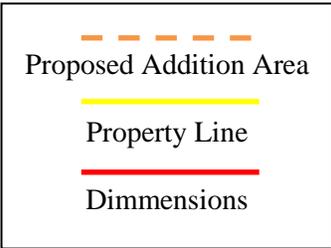


This photo shows the east side of the property; the picture was taken from the southeast side of the property facing toward the northeast. This picture indicates the area in which the structure will sit from the rear.





This is the rear area of the property; the picture was taken from the southeast side of the property facing toward the southwest corner of the property. This photo indicates the proximity of the primary structure to the rear property line.



END OF STAFF REPORT