



**PLANNING AND ZONING BOARD
REGULAR MEETING MINUTES
JANUARY 4, 2016**

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE / INVOCATION

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

MEMBERS ABSENT:

Chris Lee (excused)

STAFF PRESENT:

City Attorney Kurt Ardaman, Planning Consultant Ed Williams, Community Development Director Steve Pash, Planner II Kelly Carson, and recording secretary Kathleen Rathel

3. APPROVAL OF MINUTES

Motion by Gerald Jowers to approve the regular meeting minutes of December 7, 2015 and seconded by Mark Maciel. Motion carried unanimously 5 - 0.

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

4. 1401 W. Plant Street – Christopher & Caitlin Gonzales (REZONING)

(Mark DeFuso arrived at 6:32)

Planner Carson presented a request for Rezoning of a 4.54 +/- acre lot located at 1401 W. Plant Street. The property is located on the north side of West Plant Street, east of Tildenville School Road and south of Brick Road. The property was annexed into the City in January of 2014 but was not rezoned to a City of Winter Garden zoning designation as it was being considered for a residential Planned Unit Development. The current owners are requesting a zoning of R-1 after which they will pursue a Lot Split to build a single family residence on each lot. Staff has reviewed the application and recommends approval of Ordinance 16-18 and subject to the conditions listed in the Staff Report.

Chairman Hawthorne asked if there was a minimum size the lot could be split into. Planner Carson replied it was 10,000 square feet minimum.

Motion by David Kassander to recommend approval of the Rezoning and Ordinance 16-18 [with Staff Recommendations] (as provided in the agenda packet) and seconded by Will Hawthorne. Motion carried unanimously 6 - 0.

VARIANCE (PUBLIC HEARING)

5. 714 Parkmont Place – Indramattie & Hemdat Sawh / Ryan Homes

Community Development Director Pash presented a Variance request for the property located at 714 Parkmont Place located within the Covington Chase Subdivision. The home was used as a model home for Ryan Homes for the last 5 years. The new owner is requesting a 1.5 foot variance to allow the existing house to remain at a 6 foot side yard setback in lieu of the minimum required 7.5 foot side yard setback. When the home was built in 2010 the plot plans submitted showed it meeting the proper setbacks but it was staked in the wrong location by the surveyor. Staff has reviewed the application and recommends approval of the variance subject to the conditions listed in the Staff Report.

Motion by Gerald Jowers to recommend approval of the Variance for 714 Parkmont Place [with Staff Recommendations] (as provided in the agenda packet) and seconded by Heather Gantt. Motion carried unanimously 6 - 0.

6. 12105 W. Colonial Drive – Baer’s Furniture / McNeill Signs, Inc.

Community Development Director Pash presented a Variance request for the property located at 12105 W. Colonial Drive for Baer’s Furniture. The property is located on the north side of West Colonial Drive at the eastern boundary of the city limits by the 429 Western Beltway. The applicant is requesting a Variance to Chapter 102 of the City Code to allow a sign on a façade that does not front onto a public right-of-way. Staff has reviewed the application and recommends approval subject to the conditions of the Staff Report.

Discussion ensued regarding if the sign would be lighted and which direction it would face. Mr. Pash explained that the building permit submitted did not show any lighting and the sign would be located on the North side of the building facing the 429 exit ramp.

A motion was made by Gerald Jowers to recommend approval of the Variance but the public hearing had not been announced so the motion was withdrawn.

Lisa Snider with McNeill Signs, 555 S. Dixie Hwy E, Pompano Beach FL 33060, addressed the Board on behalf of Baer’s stating Baer’s would like the sign illuminated. The sign would be translucent day/night vinyl and internally illuminated white at night.

Discussion ensued as to why Staff recommended against having the sign lighted. Mr. Pash explained that the Code does not allow signs on the back of buildings. Discussion ensued regarding the neighbor to the north and how they would be impacted. Board Member DeFuso suggested having the sign turn off at closing. There was discussion regarding the sign being visible from the 429, type of illumination, and following the ‘Dark Sky’ mandate.

Motion by David Kassander to recommend approval of the Variance with Staff Recommendations (as provided in the agenda packet) with the conditions modified to allow the sign to be internally lit but be turned off during non-business hours. Motion was seconded by Mark DeFuso and carried unanimously 6 - 0.

VARIANCE EXTENSION

7. 224 S. Boyd Street – Tory Parish

Planner Carson presented a request for a 1-year extension to the expiration date of a Variance for the property located at 224 S. Boyd Street. The Board approved a Variance on January 5, 2015, to allow a 22’ front yard setback in lieu of the 30’ minimum required front yard setback to permit the construction of a single family residence with a covered front porch. Staff has reviewed and recommends approval of the Variance extension with the conditions outlined in the Staff Report.

Motion by Heather Gantt to recommend approval of the Variance extension at 224 S. Boyd Street with Staff Recommendations (as provided in the agenda packet) and seconded by Mark Maciel. Motion carried unanimously 6 - 0.

OTHER MATTERS

Jason Gage of City Point Holdings LLC requested to be put on the agenda and allowed to speak to the Board.

Chairman Hawthorne asked if his request was related to a specific application or to a records request. Mr. Gage replied it was for a pending rezoning application.

Chairman Hawthorne stated it would not be appropriate to hear comments before the item was presented properly to the Board.

Mr. Pash stated Mr. Gage’s request was received the previous week and he responded to the request stating it would be on the February 1, 2016 Planning & Zoning agenda to allow time to follow proper procedure for advertising requirements.

City Attorney Ardaman clarified that the request is for Comp Plan and Rezoning which would make it Quasi-Judicial and Discretionary so proper procedure had to be followed.

Mr. Gage wanted to talk to the Board for better clarification as far as what needed to be done.

Chairman Hawthorne again stated that the Board cannot speak with applicants until the item is presented and in a public forum.

City Attorney Ardaman stated the due process requires applications be dealt with by Staff, Staff makes recommendations to the Board, and if the applicant is not happy with the recommendations then they can appeal to the Board.

ADJOURNMENT

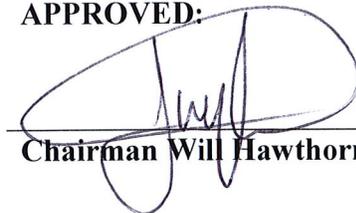
There being no further business, the meeting was adjourned at 6:59 pm.

ATTEST:



Recording Secretary Kathleen Rathel

APPROVED:



Chairman Will Hawthorne