WINTER GARDEN

PLANNING AND ZONING BOARD
REGULAR MEETING MINUTES
MAY 2, 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: Heather Gantt, Chris Lee, and Mark Maciel

MEMBERS ABSENT:

Board Members: Mark DeFuso (excused) and Gerald Jowers (excused)

STAFF PRESENT:

City Attorney Kurt Ardaman, Planning Consultant Ed Williams, Community Development Director Steve Pash, Planner I Jessica Frye, and recording secretary Kathleen Rathel

3. APPROVAL OF MINUTES

Motion by Mark Maciel to approve the regular meeting minutes of April 4, 2016 and seconded by Chris Lee. Motion carried unanimously 5 - 0.

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

4. 622 Vineland Road – CDM Capital Corp. (REZONING)

Staff recommended tabling this item to the June 6, 2016 Planning & Zoning meeting.

Motion by Chris Lee to recommend tabling 622 Vineland Road to June 6, 2016 Planning & Zoning meeting at 6:30 pm and seconded by Heather Gantt. Motion carried unanimously 5 - 0.

5. 16846, 17000 & 17166 Marsh Road – K. Hovnanian Homes / Poulos and Bennett (UVPUD REZONING)

Community Development Director Pash presented a request to establish the Zoning of UVPUD (Urban Village Planned Unit Development) for the property located at 16846, 17000 and 17166 Marsh Road. The applicant is proposing to develop 107 single family homes, park,

and open space with 39 lakefront lots that are 90 feet wide by 120 feet deep and 68 interior lots that measure 60 feet wide by 120 feet deep. The proposed UVPUD is consistent with the surrounding area, meets code, is consistent with the future land use designation, and will have a density at 1.86 units per acres. The developer has agreed to pay their Proportionate Fair Share for the intersection improvements at Williams Road and Marsh Road and at Avalon Road and Marsh Road. These items will be outlined in a Developer's Agreement. Staff has reviewed and recommends approval of Ordinance 16-32 subject to the conditions outlined in the Ordinance and staff report.

Chairman Hawthorne mentioned the open spaces that will buffer the existing settlements.

Heather Himes with Akerman, LLP, 420 S Orange Ave, Orlando FL 32806, was present on behalf of the applicant. The owner, development team, transportation environmental and engineering representatives were also present to answer any questions. They concur with Staff Recommendations and wanted to thank Staff for all their work on this project.

Motion by David Kassander to recommend approval of Ordinance 16-32 with Staff Recommendations (as provided in the agenda packet) and seconded by Mark Maciel. Motion carried unanimously 5 - 0.

SPECIAL EXCEPTION (PUBLIC HEARING)

6. 1333 East Crown Point Road – Cornerstone Community Church of West Orange Inc

Community Development Director Pash presented a Special Exception request for the property located at 1333 East Crown Point Road. The applicant is requesting the Special Exception to allow a pre-school with up to 60 students at an existing church. In addition, they are requesting permission to have the 5th and 6th grade classes from Hope Charter School operate at the same facility for a temporary time period while the new facilities for Hope Charter are being built. The pre-school would not open until after the 5th & 6th grade facilities are constructed and moved to the new location. Staff has reviewed the requests and recommends approval subject to the conditions in the Staff Report.

General discussion on parking and school hours between the pre-school and Hope Charter.

Motion by Heather Gantt to recommend approval of the Special Exception Permit for 1333 East Crown Point Road with Staff Recommendations (as provided in the agenda packet) and seconded by David Kassander. Motion carried unanimously 5-0.

7. 14120 W. Colonial Drive – M. Maciel and Associates, LLC

Community Development Director Pash presented a Special Exception request to allow a charter school to be developed on property located at 14120 W. Colonial Drive. Staff feels the proposed Montessori School for Pre-K through 8th grades will be a compatible use. The owners of the property will be submitting for a PCD (Planned Commercial Development) at a later time which will include a final site plan, traffic studies, and the proposed site uses. The Special Exception will allow the school to move forward with financing. Staff has reviewed and recommends approval subject to the conditions listed in the Staff Report.

Board Member Maciel recused himself from this item.

Chairman Hawthorne clarified the location of the school and that the applicant would have to come back for preliminary plan approval.

Board Member Kassander questioned if the Special Exception was granted but the applicant did not move forward would there be an expiration date for the Special Exception? Mr. Pash stated the recommendation was for this specific school only and would expire in one year if not acted upon.

Motion by Chris Lee to recommend approval of the Special Exception for 14120 W. Colonial Drive with Staff Recommendations (as provided in the agenda packet) and seconded by Will Hawthorne. Motion carried unanimously 5 - 0.

VARIANCE (PUBLIC HEARING)

8. 182 Roper Drive – Ashlyn Hembrooke & Timothy Hembrooke

Community Development Director Pash presented a Variance request for the property located at 182 Roper Drive. The applicant is requesting a variance to construct an accessory structure that is greater than 160 square feet at a 17.9 foot rear yard setback in lieu of the minimum required 30 foot rear yard setback and for a 4 foot side yard setback in lieu of the minimum required 10 foot side yard setback. Staff has reviewed the variance request, believes it meets all the criteria, and recommends approval subject to the conditions listed in the Staff Report.

Board Member Lee asked if the structure was going to be permanent. Mr. Pash stated it would be permanent to park their boat under. It would be located in the rear yard, behind a fence, and not be too visible. He stated both neighboring properties signed affidavits in support of the structure.

Chairman Hawthorne asked if there were any conditions on the structure being limited to open air or if it could be enclosed. Mr. Pash stated the applicant applied for an open-air structure only but there was not a condition restricting it to be open or enclosed. He also stated accessory structures were limited to not becoming an inhabited space.

Motion by David Kassander to recommend approval of the Variance for 182 Roper Drive with Staff Recommendations (as provided in the agenda package) and seconded by Heather Gantt. Motion carried unanimously 5 - 0.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:47 p.m.

ATTEST:

Kathleen Rathel

Recording Secretary Kathleen Rathel

APPROVED:

David Kassander

~~**Chairman Will Hawthorne**~~
Vice-Chairman David Kassander