



**Planning and Zoning Board  
Regular Meeting Minutes  
September 12, 2022**

**1. CALL TO ORDER**

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.

Quorum was declared present.

**Present:** Chairman Will Hawthorne, Co-Chairman Joseph Dunn, Jr. and Board Members Mark Hide, Dennis Armstrong, Gabe Kotch and Jimmy Dunn.

**Absent:** Board Member Steve Ambielli (excused)

**Staff Present:** City Attorney Kurt Ardaman, Community Development Director Steve Pash, Urban Designer Kelly Carson, Senior Planner Shane Friedman and Recording Secretary Colene Rivera.

**Attendees:** Jarod Stubbs of Kimley-Horn and Associates; Phil Martinez of Poulos & Bennett; Bill Whitegon of DWMA; Olivia M. Acuiar of 14432 Sunbridge Circle; Ann Cross of 410 N Lakeview Avenue; John Maull of 714 Reflections Lane; Aaron Struckmeyer of Pulte Group; Karl Werr of 205 Valencia Court; Don Reynolds of 308 Valencia Court; Ron Schwarz of 731 Duff Drive; Ronald and Jeanty Ramsanahie of 101 1<sup>st</sup> Street; Clifford Walker of 1439 Markel Drive; Susannah Poweki of 927 Lost Grove Circle; Cohen of 646 Cascading Creek Lane; Fred Grob of 819 Lost Grove Circle; Larry Cappleman on behalf of 711 Valencia Court and Selby Weeks of Klima Weeks Civil Engineering, Inc.

**2. APPROVAL OF MINUTES**

***Motion by Co-Chairman Dunn to approve the regular meeting minutes of August 1, 2022. Seconded by Board Member Hide and carried unanimously 6 – 0.***

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

**3. Colonial Drive W - 13023 (The Armories) Annex, RZ, & FLU  
Parcel ID # 12-22-27-6496-22-001**

Senior Planner Friedman presented a request to annex .59 acre into the City, amendment to the Future Land Use Map (FLUM) of the City's Comprehensive Plan to designate the

property located at 13023 W Colonial Drive as COM (Commercial), and rezoning the property to C-2 (Arterial Commercial) District. Annexation will provide a more efficient delivery of services to the property and further the goals and objectives of the City's Comprehensive Plan to eliminate enclaves. City staff recommends approval of this annexation.

Board members did not have any questions pertaining to this project.

No one from the public wished to speak on behalf of this item.

***Motion by Board Member Hawthorne to approve the annexation, zoning and future land use designation of the property at 13023 W Colonial Drive. Seconded by Board Member Dunn and carried unanimously 6 – 0.***

**4. 9<sup>th</sup> Street – (The Armories) Annex, RZ, & FLU  
Parcel ID # 12-22-27-6496-21-000**

Senior Planner Friedman presented a request to annex 0.75 acre into the City, amendment to the Future Land Use Map (FLUM) of the City's Comprehensive Plan to designate the property of 9<sup>th</sup> Street as COM (Commercial), and rezoning the property to C-2 (Arterial Commercial) District. Annexation will provide a more efficient delivery of services to the property and further the goals and objectives of the City's Comprehensive Plan to eliminate enclaves. City staff recommends approval of this annexation.

Board members did not have any questions pertaining to this project.  
No one from the public wished to speak on behalf of this item.

***Motion by Board Member Hide to approve the annexation, zoning and future land use designation of the property on 9<sup>th</sup> Street. Seconded by Board Member Armstrong and carried unanimously 6 – 0.***

**5. Colonial Drive W - 14990 (Circle K) Planned Commercial Development Rezoning  
Parcel ID # 27-22-27-0000-00-096**

Senior Planner Friedman presented a request to rezone 3.04 acres at the location of 14990 W Colonial Drive to Planned Commercial Development (PCD) to allow the redevelopment of the site from a 2,617 square foot gas station to a 5,200 square foot gas station. The project also includes 16 gas pumps, a car wash, stormwater ponds, landscaping, and other associated site development (See Staff Report). The proposed rezoning is consistent with the City's Comprehensive Plan and the City of Winter Garden Code of Ordinances. There was a community meeting regarding this project with only 2 residence in attendance out of 80 notices sent out. City staff recommends approval of this rezoning.

Board members inquired about traffic turn lane, CR 545 road improvements, and intersection road improvements as well as length of timeframe for these concerns? Jarod Stubbs of Kimley-Horn and Associates, engineer for this project, addressed many of the board concerns regarding traffic, explained the widening plans with Orange County is in the design stage for this intersection roadway and stated that the roadway construction is estimated to finish in about 2 years and this project construction completion would be in about 6-8 months.

No one from the public wished to speak on behalf of this item.

***Motion by Board Member Kotch to approve Ordinance 22-23. Seconded by Board Member Joseph Dunn, Jr and carried unanimously 6 – 0.***

**6. Winter Garden Vineland Road – 721 & 705 and 115 Roper Road (Duppenthaler Property) – Planned Unit Development Rezoning  
Parcel ID # 35-22-27-0000-00-007, -009, -038 & -030**

Senior Planner Friedman presented a request to rezone 31 acres of property at 705 & 721 Winter Garden Vineland Road and 115 Roper Road to a Planned Unit Development (PUD) to allow the development of 87 single-family homes. This is a proposed gated community that will consist of stormwater ponds, landscaping, and other associated site development (See Staff Report). There were two community meetings held regarding this project with about 16 households in attendance out of 70 households notified. The proposed rezoning is consistent with the City's Comprehensive Plan, City of Winter Garden Code of Ordinances and city staff recommends approval of this rezoning.

Board members inquired about layout of the development being consistent with surrounding areas and pond areas for aesthetic active amenities and stormwater drainage? City staff explained the development is consistent with surrounding communities and the two ponds in the development uses.

Various individuals from the public wished to speak on concerns regarding this project. Questions included power lines, power poles as well as tree trimming along Avalon Road, traffic study concerns, clarification of number of houses per acre on this project, expansion of roadways along CR 535 and Winter Garden Vineland Road.

City staff stated that the development would be required to install underground power lines as part of the development along their frontage. Aaron Struckmeyer of Pulte Group, representative of this project, addressed the traffic concerns regarding this project. He stated that the traffic study for this project projected a 1% - 1.6% increase and the primary access to this development is off of Roper Road and a second/ emergency access exit is on Winter Garden Vineland Road.

***Motion by Board Member Armstrong to approve Ordinance 22-24. Seconded by Board Member Hide and carried unanimously 6 – 0.***

**7. Winter Garden Vineland Road - 541 (PAM Rehab Hospital) Planned Commercial Development Amendment  
Parcel ID # 35-22-27-0000-00-042**

Urban Designer Carson presented a request to amend the property's PCD zoning requirements at 541 Winter Garden Vineland Road. The applicant is requesting to amend the existing Planned Commercial Development zoning, repealing and replacing Ordinance 20-08 with Ordinance 22-36, which includes amending the PCD requirements, to permit the development of the site with a new single-story 50,000 square foot physical rehabilitation hospital with associated site development such as landscaping, outdoor rehabilitation areas, sidewalks, and stormwater infrastructure (See Staff Report). The proposed PCD amendment is consistent with the City's Comprehensive Plan, City of Winter Garden Code of Ordinances and city staff recommends approval of this amendment.

Board members inquired about reduction of the prior proposed project from two-story buildings to a single one-story building, number of rooms in the building, vehicular entrances into the site, and whether the hospital is inpatient only. City staff stated this project will only be a 50,000 square foot single-story building. Also this proposed use is a less traffic generated use than prior commercial medical center and church and will be a physical rehabilitation center with 42 rooms for inpatient use.

Public wished to speak concerns regarding this project and requested clarification of what type of rehabilitation facility this would be? City staff explained the use will only be allowed to serve as a physical therapy/ physical rehabilitation center as written in the ordinance and staff conditions.

***Motion by Board Member Joseph Dunn, Jr to approve the amendment to rezone the property at 541 Winter Garden Vineland Road to a Planned Commercial Development subject to staff conditions. Seconded by Board Member Jimmy Dunn and carried unanimously 6 – 0.***

**PRELIMINARY PLAT / FINAL PLAT / LOT SPLIT**

**8. Markel Drive - 1439 (Walker Lot Split) Lot Split  
Parcel ID # 11-22-27-3617-00-080**

Senior Planner Friedman presented a request to approve a lot split for the property located at 1439 Markel Drive. This lot split will create Parcel "1" which will be approximately 2.10 ± acres in size and Parcel "2" which will be approximately 0.48 ± acres in size. City staff recommends approval of this lot split.

Board members asked about HOA approval and zoning for both lots? City staff stated that there is not an HOA for this property and that both lots would remain R-1 zoning which would only allow one single family home per lot.

No one from the public wished to speak on behalf of this item.

***Motion by Board Member Kotch to approve the lot split on the property at 1439 Markel Drive subject to staff conditions. Seconded by Board Member Armstrong and carried unanimously 6 – 0.***

**SPECIAL EXCEPTION PERMIT (PUBLIC HEARING)**

**9. 1<sup>st</sup> Street – 101 (A & R Auto Repairs) Special Exception  
Parcel ID # 23-22-27-8816-07-010**

Senior Planner Friedman presented a request for to approve a Special Exception Permit for the property located at 101 1st Street. If approved, this Special Exception Permit will allow an auto service and repair in a C-2 Arterial Commercial District. City staff recommends approval of this Special Exception Permit.

Board members asked about approval of this Special Exception as the business is already in operation at this address? City staff stated this approval is needed to continue the business operation as they had a prior Special Exception approval on February 1, 2021 but that Special Exception had an expiration of one year. If approved, this Special Exception would not expire and only be approved for this business operation and no other auto shop business could be at this location.

No one from the public wished to speak on behalf of this item.

***Motion by Board Member Joseph Dunn, Jr to approve the Special Exception on the property at 101 1<sup>st</sup> Street subject to staff conditions. Seconded by Board Member Armstrong and carried unanimously 6 – 0.***

**VARIANCE (PUBLIC HEARING)**

**10. Valencia Court - 711 (Wehrle Screen Room) Variance  
Parcel ID # 15-22-27-8842-00-280**

Urban Designer Carson presented a request to approve a variance for the property located at 711 Valencia Court. If approved, this variance will allow a screen room with a solid roof to be built with a rear yard setback of 16.2' in lieu of the minimum required 22' rear yard setback. City staff recommends approval of this variance.

Board members asked about HOA approval and size of roof vs. existing paver area? City staff stated that an HOA approval is a condition of approval for the permit. The

property owner’s brother-in-law Larry Cappleman of 291 Gary Drive, came to this meeting to represent this project for his family member who own his home. He explained that the roof would only be as large as the existing pavers and the only thing beyond this paver area would be the footer.

No one from the public wished to speak on behalf of this item.

***Motion by Board Member Hide to approve the variance for the property at 711 Valencia Court subject to staff conditions. Seconded by Board Member Hawthorne and carried unanimously 6 – 0.***

Chairman Will Hawthorne adjourned the meeting at 7:19 pm. Adjourned to the regular Planning and Zoning Board meeting on Monday, October 3, 2022 at 6:30 p.m. in City Hall Commission Chambers, 300 W. Plant Street, Winter Garden, Florida.

ATTEST:

APPROVED:

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Recording Secretary Colene Rivera

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Chairman Will Hawthorne