



**Planning and Zoning Board  
Regular Meeting Minutes  
November 6, 2023**

**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 Steve Ambielli and Board Members: Linda Bennett, Jimmy Dunn, Jeff Ewing, Chloe Johnson and Mark Hide.

**Absent:** None

**Staff Present:** City Attorney Kurt Ardaman, Planning Director Kelly Carson, Planning Supervisor Shane Friedman, Planner I Amber McDonald and Recording Secretary Ellen King.

**Attendees:** Kenneth Goodwin of Homes In Partnership; Geoff Summitt of G L Summitt Engineering, Inc; Bev Thornton of 145 N Highland Avenue; Jeanine Wilson of 114 N Highland Avenue; John Laga of SCMS, LLC ; Tom Headley of 423 N Main Street; Adam Schneider of Peak Behavioral; Megan Gilonts of Peak Behavioral; Linda Brown of Bright Star Pediatrics; Ruth & Alan Schneider; Leslie Hurst of Friendly Capital, LLC; Jim Rahman of Westmont Construction; and Lauran & Benjamin Grossman of 127 N Highland Ave.

**2. APPROVAL OF MINUTES**

***Motion by Board Member Dunn to approve the regular meeting minutes of October 2, 2023. Seconded by Board Member Hide and carried unanimously 7-0.***

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

- 3. 540 Oak Street (Booker T Bell III Residence) ANNEXATION, FLU & ZONING  
Parcel ID #24-22-27-5584-02-140**

Planning Director Carson presented a request to annex into the City, amend the Future Land Use Map (FLUM) of the City's Comprehensive Plan to designate the property as LR (Low Density Residential), and rezone the property to R-2 (Residential) District. Staff recommends approval of Ordinances 23-26, 23-27 and 23-28.

Board member inquired about property boundary revisions? City staff stated if annexed, the applicant will be required to apply for variances.

Public did have a comment for this item. Kenneth Goodwin of Homes In Partnership, the developer that built the home, was for the Annexation, Future Land Use Map and Zoning approval for this property.

***Motion by Board Member Hide to approve Ordinances 23-26, 23-27 and 23-28 for the Annexation, Future Land Use and Zoning for the property located at 540 Oak Street. Seconded by Board Member Johnson and carried unanimously 7-0.***

4. 546 OAK STREET (Marie Francois Staco Residence) **ANNEXATION, FLU & ZONING**  
Parcel ID #24-22-27-5584-02-130

Planning Director Carson presented a request to annex into the City, amend the Future Land Use Map (FLUM) of the City's Comprehensive Plan to designate the property as LR (Low Density Residential) and rezone the property to R-2 (Residential) District. Staff recommends approval of Ordinances 23-29, 23-30 and 23-31.

Board and public did not have any questions for this item.

***Motion by Co-Chairman Ambielli to approve Ordinances 23-29, 23-30 and 23-31 for the Annexation, Future Land Use and Zoning for the property located at 546 Oak Street. Seconded by Board Member Dunn and carried unanimously 7-0.***

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

5. Tilden Road (Tilden Reserve) **PRELIMINARY PLAT**  
Parcel ID #10-23-27-0000-00-037

*Chairman Will Hawthorne, recused himself from participating in this item due to a conflict.*

Planning Supervisor Friedman presented a request to approve the Preliminary Plat for a property located at Tilden Road (Parcel ID #10-23-27-0000-00-037), to subdivide the property into 24 residential lots, a stormwater tract and several open space tracts. The proposed Preliminary Plat is consistent with City Code, the property's PUD (Planned Unit Development) zoning and has been reviewed and conditionally approved by the Development Review Committee. Staff recommends approval subject to condition(s) outlined in the Staff Report.

Board members inquired about density, widening of Tilden Road and traffic study results? City staff stated the preliminary plat matches exactly the planned development for the PUD as outlined with 24 lots each with a 85' x 120' size lot with open space

tracts, Tilden Road has no plans for widening at this time but the corridor is under review by the County and a traffic study was done requiring the turn lane.

This item was opened for public comment. Jeanine Wilson of 114 N Highland Avenue questioned the zoning? City staff stated it is zoned PUD.

***Motion by Board Member Johnson to approve the Preliminary Plat for the property located on Tilden Road (Parcel ID #10-23-27-0000-00-037) subject to conditions outlined in the staff report. Seconded by Board Member Ewing and carried 6-0-1 with board member Hawthorne recused.***

**SPECIAL EXCEPTION PERMIT (PUBLIC HEARING)**

6. 1329 Winter Garden Vineland Road (Peak Behavioral Clinic) **SPECIAL EXCEPTION**  
Parcel ID # 26-22-27-2880-02-000

Planner McDonald presented a request for a special exception for the property located at 1329 Winter Garden Vineland Road to operate a 45-student specialty daycare with behavioral therapy and training services center in the West Orange Business Park PCD (Planned Commercial Development). Staff recommends approval of the Special Exception Permit subject to the condition(s) outlined in the staff report.

Board members questioned how the student count is determined, student drop off, training services and parking? City staff stated the student count is based on the operation, acknowledged applicant was present and could explain specifics of the daycare and parking is sufficient in this area. Adam Schneider, one of the owners of Peak Behavioral stated the hours of operation will be 9 am – 6 pm with staggered schedules for students to receive treatments during specified hours with a maximum of three hours stay. This operation is unlike a regular daycare staff that only watches children but also provide behavioral treatments, training of other therapists is offered, the owners are aware of dense traffic in the area and do not see the center negatively impacting traffic and the planned parking should be sufficient.

Public did not have any comments or questions for this item.

***Motion by Board Member Hide to approve the Special Exception at the location of 1329 Winter Garden Vineland Road subject to staff conditions. Seconded by Board Member Bennett and carried unanimously 7-0.***

**VARIANCE (PUBLIC HEARING)**

7. 423 N Main Street (Headley Family Workshop & Deck) **VARIANCE**  
Parcel ID # 14-22-27-9388-01-090

Planner McDonald presented a request for a variance for property located at 423 N Main Street to allow a pergola with a rear yard setback of 11 feet. Staff recommends approval subject to any conditions outlined in the Staff Report.

Board members inquired about the footprint and height comparison between the existing woodshed and the new workshop? City staff stated the footprint is the same and the maximum height will be 12 feet as listed for an accessory building guideline. The applicant Tom Headley stated the existing building peak height is approximately 14 feet.

Public did not have any comments or questions for this item.

***Motion by Chairman Hawthorne to approve the Variance at the location of 423 N Main Street subject to staff conditions. Seconded by Board Member Ewing and carried unanimously 7-0.***

**8. 145 N Highland Avenue (Thornton New Residence) VARIANCE**  
Parcel ID # 14-22-27-1728-06-081

Planning Director Carson presented a request for a variance for the property located at 145 N Highland Avenue in the Downtown Overlay District to allow a new single-family home to be located 20 feet from the rear property line, allow a detached garage structure to be located 10 feet from the rear property line and allow the detached garage structure to be 18 feet in height. The Architectural Review and Historic Preservation Board approved this building elevation on October 17, 2023. Staff recommends approval subject to any conditions outlined in the Staff Report.

Board members inquired about the side setback, height and trees? City staff stated a side setback request is not needed and that the Historic District allows for a side yard setback of 5 feet and the garage height requested is +/- 18 feet at the peak. The owner of the property Beth Thornton stated the peak height of the garage is for aesthetic reasons and no trees will be removed.

Public did not have any comments or questions for this item.

***Motion by Chairman Hawthorne to approve the Variance at the location of 145 N Highland Avenue subject to staff conditions. Seconded by Board Member Hide and carried unanimously 7-0.***

Chairman Will Hawthorne adjourned the meeting at 6:59 pm. Adjourned to the regular Planning and Zoning Board meeting on Monday, December 4, 2023 at 6:30 p.m. in City Hall Commission Chambers, 300 W. Plant Street, Winter Garden, Florida.

ATTEST:

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Recording Secretary Ellen King

APPROVED:

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Chairman Will Hawthorne