



**PLANNING AND ZONING BOARD  
REGULAR MEETING MINUTES  
JULY 6, 2020**

**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.

Explanation of GoTo Webinar instruction due to virtual meeting was given.

**Present:** Chairman Will Hawthorne in person and Board Members: Steve Ambielli, Joseph Dunn, Jr., Henry Haddock, Mark Hide and Gabriel Kotch via remote GoTo Webinar.

**Absent:** Vice-Chairman Chris Lee (Excused)

**Staff Present:** City Attorney Dan Langley, Community Development Director Steve Pash and Recording Secretary Edlyn Gonzalez.

**Residents/ Applicants Present:** Charlie Roper of 1011 W Bay Street via GoTo Webinar and Maury Alexander of 325 S Boyd Street in person.

**2. APPROVAL OF MINUTES**

**Motion by Gabriel Kotch to approve the regular meeting minutes of June 1, 2020.  
Seconded by Mark Hide and carried unanimously 6 – 0.**

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

**3. 543 S Lakeview Avenue - (Robbi & Co) Rezoning (Public Hearing)**

Community Development Director Pash presented a request for approval to amend Future Land Use from Low Density Residential to Residential Neighborhood Commercial and to rezone property at 593 S Lakeview Avenue from R-2 to R-NC. Staff recommends approval of Ordinance 20-27 and Ordinance 20-28 subject to conditions outlined in the ordinance.

Board members inquired about the parking. Mr. Pash stated this will be separate process during site plan review.

**Motion by Chairman Will Hawthorne to approve. Seconded by Board Member, Joseph Dunn and carried unanimously 6 – 0.**

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

**4. 340 & 370 Lakeview Road – (Jane Lee Property) Lot Split**

Community Development Director Pash presented a request for a lot split/ reconfiguration for the property located at 340 & 370 Lakeview Road. Staff recommends approval of the lot split subject to the conditions outlined in the Staff Report.

Various inquiries were made by the board members including request to view site plan, confirmation of two homes being proposed on site and discussed set back along the West Orange Trail buffer area and the flag lot entrance width. Mr. Pash responded with affirmative of two homes proposed, buffer will not be lost along the trail as there are many trees outside of this property along the trail and confirmed the flag lot entrance is sufficient.

**Motion by Board Member Mark Hide to approve the lot split on 340 & 370 Lakeview Road. Seconded by Board Member, Gabe Kotch and carried unanimously 6 – 0.**

**5. 1288 N West Crown Point Road - (Medina Residences) Lot Split**

Community Development Director Pash presented a request for a lot split for property located at 1288 N West Crown Point Road. If approved, this lot split will create two parcels, Parcel “1” which will be 0.50 ± acres and Parcel “2” which will be 0.50 ± acres, in an R-1 (Residential District) zoning district. Staff recommends approval of the lot split subject to the condition(s) outlined in the Staff Report.

**Motion by Board Member Steve Ambielli to approve lot split with staff recommendations. Seconded by Board Member, Joseph Dunn, Jr. and carried unanimously 6 – 0.**

[Note due to Items 6 & 8 and Items 7&9 being for the same properties these items were combined in presentation to the Board]:

**SPECIAL EXCEPTION PERMIT (PUBLIC HEARING) & VARIANCE (PUBLIC HEARING)**

**6. & 8. 14955 Sunridge Blvd - (OCPS Signage) Special Exception Permit & Variance**

Community Development Director Pash presented a request for a Special Exception Permit in order to allow an electronic message center (EMC) sign for the property located at 14955 Sunridge Blvd and a request for a variance in order to allow a greater square footage for an electronic message center (EMC) sign for the property located at 14955 Sunridge Blvd and a variance request to the Winter Garden Code of Ordinances Section 102-161(c)(1)(iv.)(e), is to allow an EMC that is 24 square feet in area in lieu of the required 10’-9” square feet maximum for the Sunridge Middle School monument sign. Staff recommends approval of the variance subject to the condition(s) outlined in the Staff Report. Staff recommends approval of the Special Exception Permit and variance subject to the condition(s) outlined in the Staff Report.

**Motion by Board Chairman Will Hawthorne to approve with staff conditions this sign board be turned off from 8:00 pm – 7:00 am. Seconded by Board Member, Mark Hide and carried unanimously 6 – 0.**

**7. & 9. 1200 W Bay Street - (OCPS Signage) Special Exception Permit & Variance**

Community Development Director Pash presented a request for a Special Exception Permit for an electronic message center (EMC) sign for the property located at 1200 W Bay Street and a variance in order to allow a greater square footage for an electronic message center

(EMC) sign for the property located at 1200 W Bay Street. The variance request to the Winter Garden Code of Ordinances Section 102-161(c)(1)(iv.)(e), is to allow an EMC that is 24 square feet in area in lieu of the required 10'-9" square feet maximum for the Lakeview Middle School monument sign (See Staff Report). Staff recommends approval of the variance subject to the condition(s) outlined in the Staff Report. Staff recommends approval of the Special Exception Permit and variance subject to the condition(s) outlined in the Staff Report.

**Motion by Board Member Steve Hide to approve with staff conditions this sign board be turned off from 8:00 pm – 7:00 am. Seconded by Board Member, Steve Ambielli and carried unanimously 6 – 0.**

**10. 14146 Jomatt Loop - (Samuel Property) Variance**

Community Development Director Pash presented a request for a variance to Ordinance 14-06 for a 0.22 acre property located at 14146 Jomatt Loop. If approved, this variance will allow a screen enclosure with a composite roof to be constructed with a 16 foot rear setback in lieu of the required 20 foot rear setback. Staff recommends approval of the variance subject to the conditions outlined in the Staff Report.

Board members inquired about solid roof section and HOA approval for this variance? Mr. Pash confirmed the solid roof is just a section of the screen area and verified that the residents did have HOA approval.

**Motion by Board Member, Joe Dunn, Jr. to approve variance for 14146 Jomatt Loop with staff conditions. Seconded by Board Chairman Will Hawthorne and carried unanimously 6 – 0.**

**11. 14230 Sunridge Blvd - (Hollingsworth Addition) Variance**

Community Development Director Pash presented a request for a variance, to Ordinance 14-06 Section 1(c)(5) for the property located at 14230 Sunridge Blvd, to allow the expansion of the applicant's covered porch by 8' x 22'. This is an addition to the existing 8' x 22' square foot porch, to create a porch with a total dimension of 16' x 22'. Staff recommends approval subject to conditions of staff report.

Board members inquired about HOA approval for this addition, any neighbors opposing and if the landscaping buffer would remain? It was verified that the resident did have HOA approval, no neighbors opposed and yes the landscaping buffer would remain. Steve Hollingsworth of 632 Lake Cove Point spoke in favor of this variance.

**Motion by Board Member, Joe Dunn, Jr to approve the variance at 14230 Sunridge Blvd with staff conditions and no A/C space. Seconded by Board member Joe Dunn, Jr. and carried unanimously 6 – 0.**

**12. 403 S Lakeview Avenue - (Carl Jacobs Builders, LLC) Variance**

Community Development Director Pash presented a request for a variance, to Winter Garden Code of Ordinances Section 118-398(1)(a)&(c) for the property located at 403 S Lakeview Ave with a front yard setback of 24' in lieu of the required 30' and allow a rear yard setback of 9' in lieu of the required 29' in order to build a new single-family home with a detached

garage. Staff recommends approval of the variance subject to the condition(s) outlined in the Staff Report.

Board members expressed concern about saving the large tree in the front yard and inquired about another tree in the side yard. Applicant representative Carl Jacobs spoke that owners intend to save the front tree and other tree is not on this lot.

Maury Alexander of 325 S Boyd Street expressed concerns if the impervious area requirement had been met? Mr. Pash responded applicant has a maximum impervious area allowed of 50%. Applicant Carl Jacobs affirmed that this project did not exceed this requirement.

Tony Farese of 361 N Boyd Street, spoke in favor of this project.

**Motion by Board Member, Joe Dunn, Jr to approve the variance for 403 S Lakeview Avenue. Seconded by Board member Mark Hide and carried unanimously 6 – 0.**

### **13. 361 N Boyd Street - (Tree House) Variance**

Community Development Director Pash presented a request for a variance, to the Winter Garden Code of Ordinances Section 118-398(1)(c) and Section 118-1310(b) for the property located at 361 N Boyd Street, to allow a rear yard setback of 18’-5” in lieu of the required 24’-6”, and a height of 22’-5” in lieu of the required 12’, in order to build accessory structure greater than 160 square feet. Staff recommends approval of the variance subject to the condition(s) outlined in the Staff Report.

The board expressed concerns about the following topics: will there be utilities to this treehouse, does this meet hurricane code, any neighbor complaints, health of the tree, will this set a precedence for future tree houses and entrance to treehouse as a rope ladder? Mr. Pash responded that the applicant had provided petition from community in favor of save of tree house, just one neighbor complaint is how the city was made aware of this construction, staff requirement of building to code and providing a signed and sealed letter from Engineer to certify that het treehouse meets hurricane requirements. .

Chairman Hawthorne asked if anyone not in favor of this variance, to speak. There was no one at the meeting that spoke in opposition of this project. Chairman mentioned that they had a comprehensive list of those in favor of this variance and there were two individuals present at the meeting in favor of this project. Applicant Tony Farese spoke in regards to this project and addressed various board member concerns. He is a state licensed contractor and will adhere to building code and hurricane code requirements. He explained that a licensed arborist had not been consulted but said he used a four-point attachment technique known as Garney limb. It was designed by an arborist and designed to support 1,000 lbs. at each point. The magnitude of this construction probably won’t be built often in the community and he understood concerns of size and magnitude of this project. He explained that he had posted an on-line petition and people were also coming to his property to sign the petition. This is the reason for so many names and from various areas around the community and central Florida area.

**Motion by Board Member, Gabe Kotch to approve with staff conditions and an additional condition that no utilities can be installed to the treehouse. Seconded by Board Member Joseph Dunn, Jr. and carried unanimously 6 – 0.**

**14. 1288 N West Crown Point Road - (Medina Residence) Variance**

Community Development Director Pash presented a request for a variance, to Winter Garden Code of Ordinances Section 118-308(1)(a)&(c) for the property located at 1288 N West Crown Point Road (Parcel 2 of the Lot Split). If approved, this variance will allow a rear yard setback of 18'-5" in lieu of the required 24', and a front yard setback of 21' in lieu of the required 30', in order to build a single-family home. Staff recommends approval of the variance subject to the condition(s) outlined in the Staff Report.

The Board expressed concerns about the following topics: West Orange bike trail doesn't have a buffer in this area could this be a condition of approval for this variance? Mr. Pash stated this could be condition if the board wanted to require it.

**Motion by Board Member Joseph Dunn, Jr. to approve variance for the address of 1288 N West Crown Point Road with the condition to add a landscaping buffer (reviewed and approved by Urban Designer) or a fence with landscaping buffer between homes and trail. Seconded by Board Member Mark Hide and carried unanimously 6 – 0.**

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:34 p.m. to the next meeting scheduled for August 3, 2020 at 6:30 p.m.

**ATTEST:**

**APPROVED:**

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**Recording Secretary Colene Rivera**

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**Chairman Will Hawthorne**